site drainage, (3) geohazard areas, (4) areas with slopes greater than 20% and (5) areas of high visual sensitivity, except where specific design mitigation can successfully be used; ensure that applicable laws and policies of the state of Washington are followed, including health and safety regulations and Washington Growth Management Act provisions; continue willing buyer/willing seller acquisitions for properties with areas that have a high priority for resource protection, or for which public needs have been identified; emphasize opportunities for easement purchases and other less-than-fee interests for resource protection and public use.

The conclusion on impacts to the northern spotted owl in the final EIS is modified by this Record of Decision. After formal consultation with the U.S. Fish and Wildlife Service (FWS), it is the biological opinion of the FWS that the impacts from the General Management Plan for Lake Chelan NRA are not likely to jeopardize the continued existence of the threatened northern spotted owl. Incidental take of one pair of spotted owls or resident single owl is anticipated. The FWS concurs with the NPS determinations that the General Management Plan for Lake Chelan NRA will have ''no effect'' on the bald eagle and peregrine falcon and will ''beneficially affect'' the gray wolf, and ''may affect,'' but will ''not likely'' ''adversely affect,'' the grizzly bear.

Public Involvement

Public comment has been requested, considered and incorporated into the planning process during four major planning stages, and has also been considered in numerous other ways. Initial public scoping meetings were held in June 1991, in Stehekin, Chelan and Seattle. Public comment was again requested on the primary data set used in planning in April 1933; in a preliminary alternatives document distributed in May 1993; and in public hearings on the draft EIS in October 1994. Additionally, four newsletters were distributed during the planning process, including an extensive data summary booklet. Consultation was also completed with the U.S. Fish and Wildlife Service, the Advisory Council on Historic Preservation, the Washington State Historic Preservation Office, and Native American tribes.

About 750 copies of the draft EIS were distributed. Written comments were accepted for 60 days, and over 1000 comment letters or testimonies were recorded. Responses to substantive comments on the draft EIS were published in Volume II of the final EIS, distributed in July 1995. All substantive comments were addressed by either providing clarification of information, modifying the test, or directly responding in the final EIS.

Dated: September 7, 1995.

Rory D. Westberg,

Acting Deputy Field Director, Pacific West Area, National Park Service.

[FR Doc. 95–23001 Filed 9–14–95; 8:45 am]

BILLING CODE 4310–70–M

INTERSTATE COMMERCE COMMISSION

Agricultural Cooperative Notice to the Commission of Intent to Perform Interstate Transportation for Certain Nonmembers

The following Notice was filed in accordance with section 10526(a)(5) of the Interstate Commerce Act. The rules provide that agricultural cooperatives intending to perform nonmember, nonexempt, interstate transportation must file the Notice, Form BOP–102, with the Commission within 30 days of its annual meeting each year. Any subsequent change concerning officers, directors, and location of transportation records shall require the filing of a supplemental Notice within 30 days of such change.

The name and address of the agricultural cooperative (1) and (2), the location of the records (3), and the name and address of the person to whom inquiries and correspondence should be addressed (4), are published here for interested persons. Submission of information which could have bearing upon the propriety of a filing should be directed to the Commission's Office of Compliance and Consumer Assistance, Washington, D.C. 20423. The Notices are in a central file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C.

(1) MFA Incorporated.

(2) 615 Locust Street, Columbia, MO 65201.

(3) 615 Locust Street, Columbia, MO 65201.

(4) Ann Simpson, 615 Locust Street, Columbia, MO 65201.

Vernon A. Williams,

Secretary.

[FR Doc. 95–23004 Filed 9–14–95; 8:45 am]

BILLING CODE 7035–10–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 95–24]

Carmencita E. Gallosa, M.D.; Revocation of Registration

On March 7, 1995, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Carmencita E. Gallosa, M.D. (Respondent), of Paintsville, Kentucky. The Order to Show Cause proposed to revoke Respondent's DEA Certificate of Registration, AG9685162, under 21 U.S.C. 824(a) (3), (4) and (5) and deny any pending applications for renewal of such registration under 21 U.S.C. 823(f).

Respondent, through counsel, requested a hearing on the issues raised by the Order to Show Cause, and the matter was placed on the docket of Administrative Law Judge Mary Ellen Bittner. On April 21, 1995, the Government filed a motion for summary disposition, alleging that Respondent was not authorized to handle controlled substances in the Commonwealth of Kentucky. On May 1, 1995, Respondent responded to the Government's motion, arguing that her medical license had only been temporarily suspended by the Board, and that any action by DEA should be delayed until the Board holds an evidentiary hearing regarding Respondent's medical license.

On May 10, 1995, in her opinion and recommended decision, the administrative law judge granted the Government's motion for summary disposition and recommended that Respondent's DEA Certificate of Registration be revoked and that any pending applications for registration be denied. On May 25, 1995, Respondent filed exceptions to the opinion and recommended decision of the administrative law judge. On June 12, 1994, the administrative law judge transmitted the record to the Deputy Administrator. The Deputy Administrator has carefully considered the entire record in this matter and, pursuant to 21 CFR 1316.67, hereby issues his final order in this matter based upon findings of fact and conclusions of law as hereinafter set forth.

The administrative law judge found that the Government's motion for summary disposition alleged that Respondent is not authorized to handle controlled substances in Kentucky. The Government's motion was based on the Kentucky Board of Medical Licensure's January 19, 1995, Order of Temporary

Suspension of Respondent's medical license. The administrative law judge also found that Respondent's response to the Government's motion did not deny that her state license has been temporarily suspended. The administrative law judge therefore concurred with the Government's motion regarding Respondent's lack of state authorization to handle controlled substances in Kentucky.

The Drug Enforcement Administration cannot register or maintain the registration of a practitioner who is not duly authorized to handle controlled substances in the state in which he conducts his business. 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. *See James H. Nickens, M.D.*, 57 FR 59847 (1992); *Elliott Monroe, M.D.*, 57 FR 23246 (1992); *Bobby Watts, M.D.*, 53 FR 11919 (1988).

The administrative law judge properly granted the Government's motion for summary disposition. It is well-settled that when no question of fact is involved, or when the facts are agreed upon, a plenary, adversary administrative proceeding involving evidence and cross-examination of witnesses is not obligatory. The rationale is that Congress does not intend administrative agencies to perform meaningless tasks. *Philip E. Kirk, M.D.*, 48 FR 32887 (1983), *aff'd sub nom Kirk v. Mullen*, 749 F.2d 297 (6th Cir. 1984); *Alfred Tennyson Smurthwaite, N.D.*, 43 FR 11873 (1978; *see also, NLRB v. International Association of Bridge, Structural and Ornamental Ironworkers, AFL–CIO*, 549 F.2d 634 (9th Cir. 1977); *United States v. Consolidated Mines and Smelting Co., Ltd.*, 455 F.2d 432, 453 (9th Cir. 1971).

In her exceptions to the opinion and recommended decision of the administrative law judge, the Respondent argued, *inter alia*, that: her state medical license had been temporarily suspended; DEA does not possess the authority to suspend or revoke Respondent's DEA registration pursuant to 21 U.S.C. 824(a)(3) under the circumstances of this case; and, the administrative law judge exceeded her authority by recommending revocation of Respondent's DEA registration without affording Respondent a hearing.

The Respondent acknowledged in her exceptions that she is temporarily suspended from the practice of medicine in the Commonwealth of Kentucky. The action taken by the Board in suspending Respondent's state license to practice medicine has rendered the Respondent without authorization to handle controlled substances in the jurisdiction in which she maintains her DEA registration. As outlined above, DEA cannot register the Respondent to handle controlled substances without such authority, and therefore, the administrative law judge's recommendations in this matter were appropriate. As a result, the Deputy Administrator finds that there is no need to address the remaining arguments as set forth in Respondent's exceptions.

Moreover, since Respondent is not currently authorized to handle controlled substances in the Commonwealth of Kentucky, it is not necessary to reach a conclusion regarding the other grounds for revocation alleged in the Order to Show Cause. The Deputy Administrator hereby adopts the opinion and recommended decision of the administrative law judge in its entirety.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration, AG9685162, previously issued to Carmencita E. Gallosa, M.D., be, and it hereby is, revoked, and that any pending applications for renewal of such registration be, and they hereby are, denied. This order is effective October 16, 1995.

Dated: September 8, 1995.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 95–22921 Filed 9–14–95; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF LABOR

Employment Standards Administration; Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled ''General Wage Determinations Issued Under The Davis-Bacon And Related Acts,'' shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by