

initial letter she submitted in response to the OSC, it does not demonstrate sufficient acceptance of responsibility or remedial measures that would aid me in entrusting Respondent with a registration. See RFAAX B. In her letter, Respondent offers some explanation as to why she repeatedly failed to renew her Louisiana CDS license in a timely manner, and while the stressful circumstances that she described certainly garner sympathy, Respondent did not unequivocally acknowledge her own error in failing to keep track of the status of her CDS license, which was essential to her ability to lawfully prescribe controlled substances. *Id.*

Respondent stated in her letter that she had logged the expiration date for her CDS license in multiple places, that going forward, she would renew on the date she receives the renewal letter, and that she had already completed the most recent renewal in July 2019. RFAAX B. However, Respondent has not provided any supporting documentation as to these statements. The fact that she repeatedly allowed this lapse to happen year-after-year, does not demonstrate confidence in her future compliance. Moreover, Respondent's errors regarding the prehearing process—errors that ultimately led to the termination of the proceedings—do not inspire confidence that she has improved upon the underlying issue of responsibility regarding her professional licensure.

### B. Specific and General Deterrence

In addition to acceptance of responsibility, the Agency considers both specific and general deterrence when determining an appropriate sanction. *Daniel A. Glick, D.D.S.*, 80 FR 74800, 74810 (2015). Specific deterrence is the DEA's interest in ensuring that a registrant complies with the laws and regulations governing controlled substances in the future. *Id.* General deterrence concerns the DEA's responsibility to deter conduct similar to the proven allegations against the respondent for the protection of the public at large. *Id.* In this case, I believe revocation of her DEA registration would deter Respondent and the general registrant community from ignoring the serious state and federal requirements to have specific licensure in order to be entrusted with the responsibility of issuing prescriptions for controlled substances.

### C. Egregiousness

The Agency also looks to the egregiousness and the extent of the misconduct as significant factors in determining the appropriate sanction. *Garrett Howard Smith, M.D.*, 83 FR

18910 (collecting cases). Although Respondent's actions in failing to renew her CDS might seem minor or transactional, the extent of the misconduct was not. She issued thousands of prescriptions for controlled substances in Louisiana during three separate periods when her Louisiana CDS license was expired, with these three separate periods occurring successively and each ranging from 4 to 9 months. The record evidence demonstrates that Respondent had been given timely notice via letter that her license was terminated because she had failed to renew it within 30 days after its expiration date, and Respondent did not provide any documentation or explanation to support her claim that she was not made aware until much later. See RFAAX B and G-2-G-11. Moreover, the multiple and successive occurrences suggest that Respondent did not take sufficient measures to ensure that her mistake would not be repeated.

As discussed above, to maintain a registration when grounds for revocation exist, a respondent must convince the Administrator that her acceptance of responsibility is sufficiently credible to demonstrate that the misconduct will not reoccur and that she can be entrusted with a registration. I find that Respondent has not met this burden. Respondent has not offered any credible evidence on the record to rebut the Government's case for revocation. Further, Respondent's description of corrective measures was unsupported by evidence, and given Respondent's subsequent errors regarding the prehearing process, Respondent has not demonstrated that she can be trusted with the responsibility of registration at this time. Accordingly, I will order the revocation of Respondent's certificate of registration.

### Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a) and 21 U.S.C. 823(f), I hereby revoke DEA Certificate of Registration No. BM7946835 issued to Tamika Mayo, M.D. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a) and 21 U.S.C. 823(f), I hereby deny any pending application of Tamika Mayo, M.D. to renew or modify this registration, as well as any other pending application of Tamika

Mayo, M.D. for registration in Louisiana. This Order is effective January 7, 2022.

**Anne Milgram,**  
Administrator.

[FR Doc. 2021-26533 Filed 12-7-21; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Third Amendment To Consent Decree Under the Clean Air Act

On December 2, 2021, the Department of Justice lodged a proposed Third Amendment to Consent Decree ("Amendment") with the United States District Court for the Northern District of Indiana in the lawsuit entitled *United States and the State of Indiana v. BP Products North America Inc.*, Civil Action No. 2:12-CV-207.

The Amendment relates to alleged violations of a 2012 Consent Decree ("Decree") by BP Products North America Inc., ("BP Products") at its refinery in Whiting, Indiana ("Whiting Refinery").

The Amendment will resolve BP Products' violations of particulate matter ("PM") limits contained in the Decree and at 40 CFR part 60, subpart Ja that are applicable to two fluidized catalytic cracking units ("FCCUs") at the Whiting Refinery, and a motion to enforce the Decree filed by several Plaintiff-Intervenors.

The Amendment requires more frequent PM testing, revised PM testing parameters, operating parameters for emissions and opacity monitors and for electrostatic precipitators ("ESPs"), a PM emissions control technology, and the installation of various process analyzers. BP Products will also undertake a study to evaluate stack testing and ESP operation during unit startup and shutdown. BP Products will pay \$512,450 in stipulated penalties after the Amendment is entered.

The publication of this notice opens a period for public comment on the Amendment. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and the State of Indiana v. BP Products North America Inc.*, D.J. Ref. No. 90-5-2-1-09244. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Amendment may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the Amendment upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$8.50 (25 cents per page reproduction cost) payable to the United States Treasury.

**Susan M. Akers,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 2021–26526 Filed 12–7–21; 8:45 am]

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**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Clean Water Act**

On November 17, 2021, the Department of Justice lodged a proposed consent decree with the United States District Court for the Northern District of West Virginia in the lawsuit entitled *United States and the State of West Virginia by and through the West Virginia Department of Environmental Protection v. Berkeley County Public Service Sewer District and Berkeley County Public Service Storm Water District*, Civil Action No. 3:21–CV–179.

This is a civil action for injunctive relief and civil penalties brought against the Berkeley County Public Service Sewer District (the “Sewer District”) pursuant to Sections 309(b) and (d) of the Clean Water Act (“CWA”), 33 U.S.C. 1319 (b) and (d); and Chapter 16, Article 1, Section 9a of the West Virginia Code, W. Va. Code 16–1–9a. The claims are based on violations of the CWA and the West Virginia Water Pollution Control Act (“WPCA”) in connection with the Sewer District’s ownership and operation of sewage collection systems, a pretreatment plant and multiple wastewater treatment plants, and a municipal separate storm sewer system (“MS4”) in Berkeley County, West Virginia. The Berkeley County Public

Service Storm Water District (“Storm Water District”) is included as a party to implement injunctive relief measures, because it has taken over operation of the MS4 from the Sewer District.

Under the consent decree, the Sewer District will implement: Comprehensive performance evaluations, corrective action plans, and standard operating procedures for certain treatment plants; a sewage collection systems inspection and maintenance program; pump station compliance requirements; a fats, oil, and grease public education program; and an asset management software system designed to record and track each asset through its life cycle. The Storm Water District will develop and implement an MS4 Manual detailing general programmatic requirements and including plans for implementing measures to ensure compliance with the MS4 Permit. Both Defendants will implement regular training programs. In addition, the Sewer District will pay a civil penalty of \$432,000 to the United States and \$86,400 to the West Virginia Department of Environmental Protection, and will complete a state supplemental environmental project which will ensure treatment of sewage from two facilities that regularly operate in noncompliance with the West Virginia Water Pollution Control Act.

A **Federal Register** notice opening a period for public comment on the proposed consent decree was published on November 23, 2021. 86 FR 66590 (Nov. 23, 2021). The Justice Department website referenced in the **Federal Register** notice did not provide a link to the relevant complaint and consent decree until November 29, 2021. To ensure a complete comment period, the publication of this second notice opens a new period for public comment on the proposed consent decree.

Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and the State of West Virginia by and through the West Virginia Department of Environmental Protection v. Berkeley County Public Service Sewer District and Berkeley County Public Service Storm Water District*, D.J. Ref. No. 90–5–1–1–11893. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>

<i>To submit comments:</i>	<i>Send them to:</i>
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$24.00 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the exhibits and signature pages, the cost is \$16.75.

**Jeffrey Sands,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 2021–26577 Filed 12–7–21; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION**

[NRC–2021–0132]

**Information Collection: NRC Insider Threat Program for Licensees and Others Requiring Access to Classified Information**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of submission to the Office of Management and Budget; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a proposed collection of information to the Office of Management and Budget (OMB) for review. The information collection is entitled, “NRC Insider Threat Program for Licensees and Others Requiring Access to Classified Information.”

**DATES:** Submit comments by January 7, 2022. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this