

21.1-mile rail line between milepost SA-36.4, at Ardmore, and milepost SA-57.5, at Sylvania, in Effingham and Screven Counties, GA. The transaction also involves COG's assignment to GDOT of its interest, as lessor, in a lease agreement under which the line will continue to be operated by Ogeechee Railway Company (Ogeechee). The Commission exempted Ogeechee's operation of the line under the lease in *Istra Corporation—Assignment of Lease and Interchange Agreement Exemption—Ogeechee Railway Company*, Finance Docket No. 31478 (ICC served June 19, 1989). The involved transaction was to have been consummated as soon as possible after the exemption's February 17, 1995, effective date.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to reopen will not stay the exemption's effectiveness. Pleadings must be filed with the Commission and served on George P. Shingler, 40 Capitol Square, SW., Atlanta, GA 30334-1300.

Decided: February 28, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 95-5510 Filed 3-6-95; 8:45 am]

BILLING CODE 7035-01-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

William W. Malone, M.D.; Revocation of Registration

On October 14, 1994, the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to William W. Malone, M.D., (Dr. Malone) of Phoenix, Arizona, proposing to revoke his DEA Certificate of Registration, AM546789, and to deny any pending applications for registration as a practitioner under 21 U.S.C. 823(f). The proposed action was predicated on Dr. Malone's lack of authorization to handle controlled substances in the State of Arizona; that his continued registration would be inconsistent with the public interest; and that Dr. Malone had been excluded from participation in a program pursuant to 42 U.S.C. 1320a-7(a). See 21 U.S.C. 824(a)(3), (4) and (5).

The Order to Show Cause was served on Dr. Malone by registered mail. More

than thirty days have passed since the Order to Show Cause was received by Dr. Malone and the DEA has received no response thereto. Pursuant to 21 CFR 1301.54(e) and 1301.54(d), William W. Malone, M.D., is deemed to have waived his opportunity for a hearing. Accordingly, the Deputy Administrator now enters his final order in this matter without a hearing and based on the investigative file. 21 CFR 1301.57.

The Deputy Administrator finds that effective January 31, 1994, Dr. Malone's medical license was suspended, pursuant to a Consent Agreement, for a period of five years by the State of Arizona, Board of Medical Examiners (Arizona Board). As a result of the Arizona Board's action, Dr. Malone is no longer authorized to prescribe, dispense, administer or otherwise handle controlled substances in any schedule in the State of Arizona.

The Deputy Administrator concludes that the DEA does not have the statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without State authority to handle controlled substances. See 21 U.S.C. 823(f). The Deputy Administrator and his predecessors have consistently so held. See Howard J. Reuben, M.D., 52 FR 8375 (1987); Ramon Pla, M.D., Docket No. 86-54, 51 FR 41168 (1986); Dale D. Shahan, DD.S., Docket No. 85-57, 51 FR 23481 (1986); and cases cited therein.

Since Dr. Malone lacks state authorization to handle controlled substances, it is not necessary for the Deputy Administrator to decide the issue of whether Dr. Malone's DEA registration should be revoked on the basis of 21 U.S.C. 824(a)(4) and (5), at this time.

No evidence of explanation or mitigating circumstances has been offered by Dr. Malone. Therefore, the Deputy Administrator concludes that Dr. Malone's DEA Certificate of Registration must be revoked.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration, AM5467849, previously issued to William W. Malone, M.D., be, and it hereby is, revoked, and any pending applications for the renewal of such registration, be, and they hereby

are, denied. This order is effective April 6, 1995.

Stephen H. Greene,
Deputy Administrator.

Dated: March 1, 1995.

[FR Doc. 95-5455 Filed 3-6-95; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-30,731]

The Hanover Shoe Company, Franklin and Marlinton, West Virginia; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on February 13, 1995 in response to a worker petition which was filed on February 13, 1995 on behalf of workers at The Hanover Shoe Company, Franklin & Marlinton, West Virginia.

The petitioning group of workers is subject to an ongoing investigation for which a determination has not yet been issued (TA-W-730,715-6). Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC this 17th day of February, 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 95-5535 Filed 3-6-95; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-30, 634]

Illinois Masonic Hospital, Chicago, Illinois; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on January 9, 1995 in response to a worker petition which was filed on January 9, 1995.

The investigation revealed that there was no available information regarding the employment of the single petitioner at Illinois Masonic Hospital, Chicago, Illinois or at other employers listed on the petition. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.