

This document was written by Lee Scharf, ADR Specialist at the Environmental Protection Agency, and draws from the work of Cathy Costantino and Christine Sickles-Merchant as well as that of the Administrative Conference of the United States. See the Resources section for cites.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[DEA # 207P]

Controlled Substances: Proposed Aggregate Production Quotas for 2001

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Notice of proposed year 2001 aggregate production quotas.

SUMMARY: This notice proposes initial year 2001 aggregate production quotas for controlled substances in Schedules I and II of the Controlled Substances Act (CSA).

DATES: Comments or objections must be received on or before November 3, 2000.

ADDRESSES: Send comments or objections to the Deputy Administrator, Drug Enforcement Administration, Washington, D.C. 20537, Attn.: DEA Federal Register Representative (CCR).

FOR FURTHER INFORMATION CONTACT: Frank L. Sapienza, Chief, Drug and Chemical Evaluation Section, Drug Enforcement Administration, Washington, D.C. 20537, Telephone: (202) 307-7183.

SUPPLEMENTARY INFORMATION: Section 306 of the CSA (21 U.S.C. 826) requires that the Attorney General establish aggregate production quotas for each basic class of controlled substance listed in Schedules I and II. This responsibility has been delegated to the Administrator of the DEA by Section 0.100 of Title 28 of the Code of Federal Regulations. The Administrator, in turn, has re-delegated this function to the Deputy Administrator of the DEA pursuant to Section 0.104 of Title 28 of the Code of Federal Regulations.

The proposed year 2001 aggregate production quotas represent those quantities of controlled substances that may be produced in the United States in 2001 to provide adequate supplies of each substance for: The estimated medical, scientific, research, and industrial needs of the United States; lawful export requirements; and the establishment and maintenance of

reserve stocks. These quotas do not include imports of controlled substances for use in industrial processes.

In determining the proposed year 2001 aggregate production quotas, the Deputy Administrator considered the following factors: total actual 1999 and estimated 2000 and 2001 net disposals of each substance by all manufacturers; estimates of 2000 year-end inventories of each substance and of any substance manufactured from it and trends in accumulation of such inventories; product development requirements of both bulk and finished dosage form manufacturers; projected demand as indicated by procurement quota applications filed pursuant to Section 1303.12 of Title 21 of the code of Federal Regulations; and other pertinent information.

Pursuant to Section 1303 of Title 21 of the Code of Federal Regulations, the Deputy Administrator of the DEA will, in early 2001, adjust aggregate production quotas and individual manufacturing quotas allocated for the year based upon 2000 year-end inventory and actual 2000 disposition data supplied by quota recipients for each basic class of Schedules I or II controlled substance.

Therefore, under the authority vested in the Attorney General by Section 306 of the CSA of 1970 (21 U.S.C. 826), delegated to the Administrator of the DEA by Section 0.100 of Title 28 of the Code of Federal Regulations, and re-delegated to the Deputy Administrator pursuant to Section 0.104 of Title 28 of the Code of Federal Regulations, and the Deputy Administrator hereby proposes that the year 2001 aggregate production quotas for the following controlled substances, expressed in grams of anhydrous acid or base, be established as follows:

Basic class	Proposed year 2001 quotas
Schedule I:	
2,5-Dimethoxyamphetamine	15,501,000
2,5-Dimethoxy-4-ethylamphetamine (DOET)	2
3-Methylfentanyl	14
3-Methylthiofentanyl	2
3,4-Methylenedioxyamphetamine (MDA)	25
3,4-Methylenedioxy-N-ethylamphetamine (MDEA)	30
3,4-Methylenedioxymethamphetamine (MDMA)	10
3,4,5-Trimethoxyamphetamine	2

Basic class	Proposed year 2001 quotas
4-Bromo-2,5-Dimethoxyamphetamine (DOB)	2
4-Bromo-2,5-Dimethoxyphenethylamine (2-CB)	2
4-Methoxyamphetamine	201,000
4-Methylaminorex	2
4-Methyl-2,5-Dimethoxyamphetamine (DOM)	2
5-Methoxy-3,4-Methylenedioxyamphetamine	2
Acetyl-alpha-methylfentanyl	2
Acetyldihydrocodeine	2
Acetylmethadol	2
Allylprodine	2
Alphacetylmethadol	7
Alpha-ethyltryptamine	2
Alphameprodine	2
Alphamethadol	2
Alpha-methylfentanyl	2
Alpha-methylthiofentanyl	2
Aminorex	7
Benzylmorphine	2
Betacetylmethadol	2
Beta-hydroxy-3-methylfentanyl	2
Beta-hydroxyfentanyl	2
Betameprodine	2
Betamethadol	2
Betaprodine	2
Bufotenine	2
Cathinone	9
Codeine-N-oxide	2
Diethyltryptamine	2
Difenoxin	9,000
Dihydromorphine	634,000
Dimethyltryptamine	2
Gamma-hydroxybutyric acid	15,000,000
Heroin	2
Hydroxypethidine	2
Lysergic acid diethylamide (LSD)	37
Marihuana	350,000
Mescaline	7
Methaqualone	19
Methcathinone	11
Morphine-N-oxide	2
N,N-Dimethylamphetamine	7
N-Ethyl-N-Phenylcyclohexylamine (PCE)	5
N-Ethylamphetamine	7
N-Hydroxy-3,4-Methylenedioxyamphetamine	2
Noracymethadol	2
Norlevorphanol	2
Normethadone	7
Normorphine	7
Para-fluorofentanyl	2
Pholcodine	2
Propiram	415,000
Psilocybin	2
Psilocyn	2
Tetrahydrocannabinols	131,000
Thiofentanyl	2

Basic class	Proposed year 2001 quotas
Trimeperidine	2
Schedule II:	
1-Phencyclohexylamine ..	12
1-	
Piperidinocyclohexanecarbonitrile (PCC)	10
Alfentanil	3,000
Alphaprodine	2
Amobarbital	12
Amphetamine	10,958,000
Cocaine	251,000
Codeine (for sale)	43,248,000
Codeine (for conversion) ..	59,051,000
Dextropropoxyphene	134,401,000
Dihydrocodeine	272,000
Diphenoxylate	401,000
Ecgonine	51,000
Ethylmorphine	12
Fentanyl	440,000
Glutethimide	2
Hydrocodone (for sale)	21,417,000
Hydrocodone (for conversion)	26,540,000
Hydromorphone	1,409,000
Isomethadone	12
Levo-alphaacetylmethadol (LAAM)	41,000
Levomethorphan	2
Levorphanol	15,000
Meperidine	10,168,000
Methadone (for sale)	8,347,000
Methadone (for conversion)	60,000
Methadone Intermediate ...	9,503,000
Methamphetamine	2,226,000
850,000 grams of levo-desoxyephedrine for use in a non-controlled, non-prescription product;	
1,325,000 grams for methamphetamine for conversion to a Schedule III product; and 51,000 grams for methamphetamine (for sale).	
Methylphenidate	14,957,000
Morphine (for sale)	14,706,000
Morphine (for conversion) ..	117,675,000
Nabilone	2
Noroxymorphone (for sale) ..	25,000
Noroxymorphone (for conversion)	3,180,000
Opium	570,000
Oxycodone (for sale)	46,680,000
Oxycodone (for conversion)	449,000
Oxymorphone	264,000
Pentobarbital	22,037,000
Phencyclidine	40
Phenmetrazine	2
Phenylacetone	10
Secobarbital	12
Sufentanil	1,000
Thebaine	65,596,000

The Deputy Administrator further proposes that aggregate production quotas for all other Schedules I and II controlled substances included in Sections 1308.11 and 1308.12 of Title 21

of the Code of Federal Regulations be established at zero.

All interested persons are invited to submit their comments and objections in writing regarding this proposal. A person may object to or comment on the proposal relating to any of the above-mentioned substances without filing comments or objections regarding the others. If a person believes that one or more of these issues warrant a hearing, the individual should so state and summarize the reasons for this belief.

In the event that comments or objections to this proposal raise one or more issues which the Deputy Administrator finds warrant a hearing, the Deputy Administrator shall order a public hearing by notice in the **Federal Register**, summarizing the issues to be heard and setting the time for the hearing.

The Office of Management and Budget has determined that notices of aggregate production quotas are not subject to centralized review under Executive Order 12866. This action has been analyzed in accordance with the principles and criteria contained in Executive Order 13132, and it has been determined that this matter does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The Deputy Administrator hereby certifies that this action will have no significant impact upon small entities whose interests must be considered under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* The establishment of aggregate production quotas for Schedules I and II controlled substances is mandated by law and by international treaty obligations. The quotas are necessary to provide for the estimated medical, scientific, research and industrial needs of the United States, for export requirements and the establishment and maintenance of reserve stocks. While aggregate production quotas are of primary importance to large manufacturers, their impact upon small entities is neither negative nor beneficial. Accordingly, the Deputy Administrator has determined that this action does not require a regulatory flexibility analysis.

Dated: September 27, 2000.

Julio F. Mercado,

Deputy Administrator.

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NATIONAL SCIENCE FOUNDATION

Committee Management; Renewal

The NSF management official having responsibility for the U.S. National Assessment Synthesis Team (#5219) has determined that renewing through October 31, 2000, is necessary and in the public interest in connection with the performance of duties imposed upon the Director, National Science Foundation (NSF), by 42 USC 1861 *et seq.* This determination follows consultation with the Committee Management Secretariat, General Services Administration.

Authority for this Committee will expire on October 31, 2000. For more information, please contact Karen York, NSF, at (703) 292-4387.

Dated: September 28, 2000.

Karen J. York,

Committee Management Officer.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-213]

Connecticut Yankee Atomic Power Company, et al., Haddam Neck Plant; Notice of Public Meeting To Discuss the Haddam Neck License Termination Plan

The Nuclear Regulatory Commission (NRC) is in receipt of and has made available for public inspection and comment the License Termination Plan (LTP) for the Haddam Neck Plant (HNP) located in Haddam, Connecticut. NRC's receipt of the HNP LTP and the LTP's availability for comment was noticed in the **Federal Register** on August 23, 2000 (65 FR 51345). The subject of this notice is to announce that NRC staff will conduct a public meeting to discuss the HNP LTP on Tuesday, October 17, 2000, at 7:00 p.m. at Haddam—Killingworth High School, Higganum, Connecticut.

Connecticut Yankee Atomic Power Company (CYAPC, or the licensee) announced permanent cessation of power operations of HNP on December 5, 1996. In accordance with NRC regulations, CYAPC submitted a Post-Shutdown Decommissioning Activities Report (PSDAR) for HNP to the NRC on August 22, 1997. The facility is undergoing active decontamination and dismantlement.

In accordance with 10 CFR 50.82(a)(9), all power reactor licensees must submit an application for termination of their license. The application for termination of license