

be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Kennecott Holdings Corp. et al.*, D.J. Ref. 90-11-2-07195/1.

The Decree may be examined at the Office of the United States Attorney, 185 South State Street, Suite 400, Salt Lake City, Utah 84111, and at U.S. EPA Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202. A copy of the Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation no. (202) 514-1457. In requesting a complete copy of the decree with exhibits, please enclose a check in the amount of \$17.00 (68 pages at 25 cents per page reproduction cost) or for a copy of the decree only, please enclose a check in the amount of \$7.00 (28 pages at 25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Brook,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act

In accordance with the Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Trident Seafoods Corporation*, Civil Action No. A02-281 CV (RRB), was lodged with the United States District Court for the District of Alaska on November 13, 2002.

This Consent Decree resolves claims brought by the United States against Trident Seafoods Corporation ("Trident") for its unauthorized and illegal discharges of pollutants into Tongass Narrows and Akutan Harbor from its seafood processing facilities in Ketchikan and Akutan, Alaska, in violation of section 301(a) of the Clean Water Act ("CWA"), 33 U.S.C. 1311(a), and for violations of certain effluent limitations and other conditions established in a general National Pollutant Discharge Elimination System ("NPDES") permit issued by the EPA under section 402(a) of the CWA, 33 U.S.C. 1342(a).

The proposed Consent Decree requires Trident to (1) remediate its underwater waste piles, which result

from Trident's discharges of seafood processing wastes from its Ketchikan Facility and cover more than three acres of the sea floor; (2) eliminate all of its discharges of seafood processing wastes into the Tongass Narrows for a period of three years; (3) implement improved operation and maintenance measures at its Ketchikan Facility to ensure compliance with numerous effluent limitations; (4) pay a civil penalty in the amount of \$96,000.00; and (5) conduct a supplemental environmental project ("SEP") involving an economic study evaluating treatment alternatives for its seafood processing wastes.

The Department of Justice will receive written comments on the proposed Consent Decree for a period of thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Trident Seafoods Corporation*, D.J. Ref. 90-5-1-1-2002/1.

The Consent Decree may be examined at the Office of the United States Attorney, District of Alaska, Federal Building & United States Courthouse, 222 West 7th Avenue, Room 253, Anchorage, Alaska, 99513-7567, and at U.S. Environmental Protection Agency, Region X, 1200 Sixth Avenue, Seattle, Washington 98101. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. When requesting a copy, please enclose a check to cover the twenty-five cents per page reproduction costs payable to the "U.S. Treasury" in the amount of \$8.25, and please reference *United States v. Trident Seafoods Corporation*, D.J. Ref. 90-5-1-1-2002/1.

**Robert Maher,**

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

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Minakshi B. Deshmukh, M.D., Revocation of Registration, Denial of Application

On July 11, 2002, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Minakshi B.

Deshmukh, M.D. (Dr. Deshmukh) of Midland, Michigan, notifying her of an opportunity to show cause as to why DEA should not revoke her DEA Certificate of Registration, BD4361692 pursuant to 21 U.S.C. 824(a)(3), and deny any pending applications for registration pursuant to 21 U.S.C. 823(f). The Order to Show Cause alleged that Dr. Deshmukh was not authorized to handle controlled substances in the States of Michigan (where she has applied for a new DEA registration) or Ohio (the state in which she is currently registered). The Order to Show Cause also notified Dr. Deshmukh that should no request for a hearing be filed within 30 days, her hearing right would be deemed waived.

The Order to Show Cause was sent by certified mail to Deshmukh at a location in Midland, Michigan, and DEA received a signed receipt indicating that it was received on July 17, 2002. DEA has not received a request for hearing or any other reply from Dr. Deshmukh or anyone purporting to represent her in this matter.

Therefore, the Deputy Administrator, finding that (1) 30 days have passed since receipt of the Order to Show Cause, and (2) no request for a hearing have been received, concludes that Dr. Deshmukh is deemed to have waived her hearing right. After considering material from the investigative file in this matter, the Deputy Administrator now enters his final order without a hearing pursuant to 21 CFR 1301.43(d) and (e) and 1301.46.

The Deputy Administrator finds that Dr. Deshmukh currently holds DEA Certificate of Registration BD4361692, as a practitioner. Her current registered location is in Oregon, Ohio and that registration expires on June 30, 2004. Only June 5, 2001, Dr. Deshmukh submitted an application for a new DEA Certificate of Registration as a practitioner at a location in Midland, Michigan.

A review of the investigative file reveals that on June 5, 2001, the Michigan Board of Medicine (Michigan Board) entered an Order of Summary Suspension of Dr. Deshmukh's license to practice medicine in that state. Following the issuance of the above Order, and effective March 20, 2002, Mr. Deshmukh and the Michigan Board entered into a Consent Order. The terms of the Consent Order included the six-month suspension of Dr. Deshmukh's license to practice medicine, and as a condition of reinstatement, her agreement to submit to a psychological and psychiatric examination, as well as a neurological evaluation.