

Pipe Line Company (Olympic Consent Decree), Civil Action No. CV02-1178R was lodged with the United States District Court for the Western District of Washington.

In this case, the United States sought injunctive relief and civil penalties for the discharge of gasoline into Hanna and Whatcom Creeks in Bellingham, Washington, navigable waters of the United States, and their adjoining shorelines, beginning on June 10, 1999, in violation of sections 301(a) and 311(b)(3) of the Clean Water Act, 33 U.S.C. 1311(a) and 1321(b)(3). The Olympic Consent Decree includes a civil penalty of \$2.5 million and comprehensive injunctive relief designed to address all of the known causes of the gasoline spill beginning on June 10, 1999 and covering the entire 400-mile Olympic pipeline system from which the spill occurred. The spill prevention and mitigation program requires Olympic to pay an independent contractor approved by the United States Environmental Protection Agency (EPA) to monitor Olympic's implementation of the program, and to report to EPA. The program, which will last a minimum of five years, includes the following requirements:

- Internal inspections of pipeline using "Smart PIG" technology (devices that travel through pipeline to scan for defects);
- Preventive maintenance and repair of pipeline and valve defects;
- Monitoring of construction activities near the pipelines;
- Frequent pipeline surveys;
- Operator training; and
- A Management of Change Program requiring Olympic to analyze changes in its pipeline system for the effect of the changes on the operations and safety of the entire pipeline system.

The Department of Justice will receive for a period of 30 days from the date of this publication comments relating to the Olympic Consent Decree. 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. Shell Pipeline Co. LP fka Equilon Pipeline Co. LLC and Olympic Pipeline Co.*, No. CV02-1178R (W.D. Wash.) and D.J. Reference No. 90-5-1-1-06967.

The Olympic Consent Decree may be examined at the Office of the United States Attorney, Western District of Washington, 601 Union Street, 50100 Two Union Square, Seattle, Washington 98101-3903, and at U.S. EPA Region X, 1200 6th Avenue, Seattle, Washington 98101. During the public comment

period, the Olympic Consent Decree, may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Olympic Consent Decree also may 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 or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. When requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$57.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Alternatively, you may request a copy of the Olympic Consent Decree without the attached exhibits by enclosing a check in the amount of \$12.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Robert E. Maher, Jr.,

Assistant Chief, Environmental Enforcement Service, Environment and Natural Resources Division.

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DEPARTMENT OF JUSTICE

Notice of Lodging of the Consent Decree Between the United States of America and Shell Pipeline Company LP fka Equilon Pipeline Company LLC Pursuant to the Clean Water Act

Pursuant to 28 CFR 50.7, notice is hereby given that on January 17, 2003, a proposed Consent Decree Between the United States of America and Shell Pipeline Company LP (Shell) fka Equilon Pipeline Company LLC (Shell Consent Decree), Civil Action No. CV02-1178R was lodged with the United States District Court for the Western District of Washington.

In this case, the United States sought civil penalties for the discharge of gasoline into Hanna and Whatcom Creeks in Bellingham, Washington, navigable waters of the United States, and their adjoining shorelines, beginning on June 10, 1999, in violation of sections 301(a) and 311(b)(3) of the Clean Water Act, 33 U.S.C. 1311(a) and 1321(b)(3). The Shell Consent Decree includes a civil penalty of \$5 million and other relief consisting of a comprehensive pipeline spill prevention program covering 2139 miles of pipeline in seven states. The pipeline systems covered by the spill prevention program are Shell's East, North, Chase, and Orion Systems in the states of Colorado, Kansas, Illinois, Indiana,

Ohio, Oklahoma, and Texas. The spill prevention program requires Shell to pay an independent contractor approved by the United States Environmental Protection Agency (EPA) to monitor Shell's implementation of the spill prevention program, and to report to EPA. The spill prevention program, which will last a minimum of five years, includes the following requirements:

- Internal inspections of pipeline using "Smart PIG" technology (devices that travel through pipeline to scan for defects);
- Installation, maintenance, and testing of corrosion control equipment;
- Testing and repair of leak detection systems;
- Installation of block valves and check valves to divert the flow of gasoline in an emergency;
- Protective measures for exposed pipe;
- Protective measures for insufficiently buried pipe near commercially navigable waterways;
- Monitoring of construction activities near the pipelines;
- Frequent pipeline surveys;
- Operator training; and
- A Management of Change Program requiring Shell to analyze changes in its pipeline systems for the effect of the changes on the operations and safety of the affected pipeline system.

The Department of Justice will receive for a period of 30 days from the date of this publication comments relating to the Shell Consent Decree. 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. Shell Pipeline Co. LP fka Equilon Pipeline Co. LLC and Olympic Pipeline Co.*, No. CV02-1178R (W.D. Wash.) and D.J. Reference No. 90-5-1-1-06967.

The Shell Consent Decree may be examined at the Office of the United States Attorney, Western District of Washington, 601 Union Street, 50100 Two Union Square, Seattle, Washington 98101-3903, and at U.S. EPA Region X, 1200 6th Avenue, Seattle, Washington 98101. During the public comment period, the Shell Consent Decree, may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Shell Consent Decree also may 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 or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no.

(202) 514-0097, phone confirmation number (202) 514-1547. When requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$100 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Alternatively, you may request a copy of the Shell Consent Decree without the attached exhibits by enclosing a check in the amount of \$18.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Robert E. Maher, Jr.,

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

[FR Doc. 03-1813 Filed 1-27-03; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances Notice of Application

Pursuant to § 1301.33(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on June 21, 2002, Bristol-Myers Squibb Pharma Company, 1000 Stewart Avenue, Garden City, New York 11530, made application by renewal to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Oxycodone (9143)	II
Hydrocodone (9193)	II
Oxymorphone (9652)	II

The firm plans to manufacture the listed controlled substances to make finished products.

Any other such applicant and any person who is presently registered with DEA to manufacture such substances may file comments or objections to the issuance of the proposed registration.

Any such comments or objections may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representatives (CCR), and must be filed no later than (60 days from publication).

Dated: January 6, 2003.

Laura M. Nagel,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 03-1914 Filed 1-27-03; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated June 24, 2002, and published in the **Federal Register** on July 10, 2002, (67 FR 45764), Cayman Chemical Company, 1180 East Ellsworth Road, Ann Arbor, Michigan 48108, made application to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of tetrahydrocannabinols (7370), a basic class of controlled substance listed in Schedule I.

The firm plans to manufacture tetrahydrocannabinols for sale to their customers.

No comments or objections have been received. DEA has considered the factors in Title 21, U.S.C. 823(a) and determined that the registration of Cayman Chemical Company to manufacture the listed controlled substance is consistent with the public interest at this time. DEA has investigated Cayman Chemical Company on a regular basis to ensure that the company's continued registration is consistent with the public interest. These investigations have included inspection and testing of the company's physical security system, audits of the company's records, verification of the company's compliance with state and local laws, and a review of the company's background and history. Therefore, pursuant to 21 U.S.C. 823 and 28 CFR 0.100 and 0.104, the Deputy Assistant Administrator, Office of Diversion Control, hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic class of controlled substance listed above is granted.

Dated: January 6, 2003.

Laura M. Nagel,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 03-1916 Filed 1-27-03; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

MDI Pharmaceuticals Revocation of Registration

On September 24, 2001, the Administrator of the Drug Enforcement Administration (DEA), issued an Order to Show Cause and Immediate Suspension of Registration to MDI Pharmaceuticals (MDI) located in Dillon, Montana. MDI was notified of a preliminary finding that pursuant to evidence set forth therein, it was responsible for, inter alia, the diversion of large quantities of list I chemicals into other than legitimate channels. Based on his preliminary findings, and pursuant to 21 U.S.C. 824(d) and 21 CFR 1309.44(a), as well as the authority granted under 21 CFR 0.100, the Administrator ordered the immediate suspension of MDI's DEA Certificate of Registration, 004629IEY, as a distributor of list I chemicals, effective immediately. The suspension was to remain in effect until a final determination was reached in these proceedings.

The Order to Show Cause and Immediate Suspension further informed MDI of an opportunity to request a hearing to show cause as to why DEA should not revoke its DEA Certificate of Registration, and deny any pending applications for renewal or modification of that registration for reason that such registration is inconsistent with the public interest, as determined by 21 U.S.C. 823(h). MDI was also notified that should no request for hearing be filed within 30 days, its right to a hearing would be deemed waived.

On September 26, 2001, a copy of the Order to Show Cause and Immediate Suspension was served upon MDI's owners by DEA Diversion Investigators. DEA has not received a request for hearing or any other reply from MDI or anyone purporting to represent the firm in this matter. Therefore, the Deputy Administrator, finding that (1) 30 days have passed since the receipt of the Order to Show Cause, and (2) no request for a hearing having been received, concludes that MDI is deemed to have waived its 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 as follows: list I chemicals are those that may be used in the manufacture of a controlled substance in violation of the