

Dated: July 23, 2020.

**Melody Braswell,**

*Department Clearance Officer for PRA, U.S. Department of Justice.*

[FR Doc. 2020-16351 Filed 7-28-20; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0076]

#### Agency Information Collection Activities; Proposed eCollection eComments Requested; Application for Restoration of Explosives Privileges—ATF Form 5400.29

**AGENCY:** Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

**ACTION:** 30-Day notice.

**SUMMARY:** The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

**DATES:** Comments are encouraged and will be accepted for an additional 30 days until August 28, 2020.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

**SUPPLEMENTARY INFORMATION:** Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

#### Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *The Title of the Form/Collection:* Application for Restoration of Explosives Privileges.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:*

*Form number:* ATF Form 5400.29.

*Component:* Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

*Primary:* Individuals or households.

*Other:* Business or other for-profit.

*Abstract:* Persons who wish to ship, transport, receive, or possess explosive materials, but are prohibited from doing so, must complete the Application for Restoration of Explosives Privileges—ATF Form 5400.29. The completed form must be submitted to ATF, to determine if the applicant is likely to act in a manner that endangers public safety, and that granting relief is not contrary to the public interest.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 300 respondents will utilize the form annually, and it will take each respondent approximately 30 minutes to complete the form.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 150 hours, which is equal to 300 (# of respondents) \* 1 (# of responses per respondents) \* .5 (30 minutes or the total time to complete each response).

(7) *An Explanation of the Change in Estimates:* The adjustment to this IC include an increase in the public burden cost to \$9,765, which is due to inclusion of the cost to conduct ATF in-person interviews with both the respondent’s supervisor and a coworker, as well as mailing costs.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice

Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: July 23, 2020.

**Melody Braswell,**

*Department Clearance Officer for PRA, U.S. Department of Justice.*

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Salvatore Cavaliere, D.O.; Decision and Order

On April 2, 2018, the Drug Enforcement Administration (hereinafter, DEA or Government), issued an Order to Show Cause (hereinafter, OSC) to Salvatore Cavaliere, D.O. (hereinafter, Respondent). OSC, at 1. The OSC proposed the revocation of Respondent’s Certificate of Registration No. FC2341876 pursuant to 21 U.S.C. 824(a)(4) “because [he had] committed acts which render [his] registration inconsistent with the public interest . . . .” *Id.* (citing 21 U.S.C. 823(f) and 824(a)).

#### I. Procedural History

Specifically, the OSC alleged that Respondent sold to an acquaintance, approximately 32,000 dosage units of Lortab<sup>1</sup> and approximately 16,000 dosage units of Norco<sup>2</sup> outside of the usual course of professional practice in violation of 21 CFR 1306.04(a). *Id.* at 2–3. The OSC also alleged that Respondent failed to maintain records required by both federal and state law. *Id.* at 3–4. Specifically, it alleged that Respondent failed to maintain and provide a dispensing log in violation of 21 CFR 1304.03(b) and 1304.21(a), Mich. Comp. Laws Ann. §§ 333.7303a and 333.17745 (West 2020),<sup>3</sup> and Mich. Admin. Code r.

<sup>1</sup> Lortab is hydrocodone bitartrate/acetaminophen 7.5/500mg—which at the time was a Schedule III controlled substance. *Id.* at 2.

<sup>2</sup> Norco is hydrocodone bitartrate/acetaminophen 7.5/325mg—a Schedule III controlled substance until October 2014, and a Schedule II controlled substance since October 2014. *Id.* at 2. Hereinafter, “hydrocodone bitartrate/acetaminophen” will be used to refer to Lortab and Norco collectively.

<sup>3</sup> Throughout this Decision, I have cited to the Michigan Compiled Laws Annotated current through P.A. 2020, No. 129, of the 2020 Regular Session, 100th Legislature. Although I have cited to a contemporary compilation, the substantive portions of the Michigan Compiled Laws that I cite in this Decision were in effect at all times relevant to this case. See Mich. Comp. Laws Ann. (West, current through P.A. 2010, No. 383 (End) of the

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