

802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that "[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices." 21 U.S.C. 823(f). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, the DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the state in which he practices. *See, e.g., James L. Hooper*, 76 FR at 71371–72; *Sheran Arden Yeates, M.D.*, 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.*, 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.*, 53 FR 11919, 11920 (1988); *Frederick Marsh Blanton*, 43 FR at 27617. Moreover, because "the controlling question" in a proceeding brought under 21 U.S.C. 824(a)(3) is whether the holder of a practitioner's registration "is currently authorized to handle controlled substances in the [S]tate," *Hooper*, 76 FR at 71371 (quoting *Anne Lazar Thorn*, 62 FR 12847, 12848 (1997)), the Agency has also long held that revocation is warranted even where a practitioner is still challenging the underlying action. *Bourne Pharmacy*, 72 FR 18273, 18274 (2007); *Wingfield Drugs*, 52 FR 27070, 27071 (1987). Thus, it is of no consequence that in this case, Respondent's underlying conviction is being appealed. What is consequential is my finding that Respondent is no longer currently authorized to dispense controlled substances in Florida, the state in which he is registered with the DEA.

According to Florida statute, "A practitioner, in good faith and in the course of his or her professional practice only, may prescribe, administer, dispense, mix, or otherwise prepare a controlled substance." Fla. Stat. Ann. 893.05(1)(a) (West 2022). Further, a "practitioner" as defined by Florida statute includes "a physician licensed under chapter 458."⁷ *Id.* at § 893.02(23).

Here, the undisputed evidence in the record is that Respondent currently lacks authority to practice medicine in Florida. As already discussed, a physician must be a licensed practitioner to dispense a controlled substance in Florida. Thus, because Respondent lacks authority to practice medicine in Florida and, therefore, is not authorized to handle controlled

substances in Florida, Respondent is not eligible to maintain a DEA registration. Accordingly, I will order that Respondent's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. FG2055158 issued to Omar Garcia, M.D. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(f), I hereby deny any pending application of Omar Garcia, M.D. to renew or modify this registration, as well as any other pending application of Omar Garcia, M.D. for additional registration in Florida. This Order is effective June 27, 2022.

Anne Milgram,
Administrator.

[FR Doc. 2022–11507 Filed 5–26–22; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act

On May 23, 2022, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of Montana entitled *United States and the State of Delaware v. Burlington Northern Santa Fe Railway Co. and Montana Rail Link, Inc.*, Civil Action No. 6:22–cv–00035–SEH.

The United States filed this lawsuit under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The complaint alleges that the defendants are liable in connection with the releases of hazardous substances at the East Helena Superfund Site (the "Site") in East Helena, Montana. Under the consent decree, the defendants will expend an estimated \$852,200 to remediate an active railyard within the Site boundaries. They will also reimburse EPA's costs of overseeing their work. In return, the United States and Delaware agree not to sue the defendants under sections 106 and 107 of CERCLA.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Burlington Northern*

Santa Fe Railway Co. and Montana Rail Link, Inc., D.J. Ref. No. 90–11–3–08633/7. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email	pubcomment-ees.enrd@usdoj.gov
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the consent decree without the exhibits upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$10.50 (25 cents per page reproduction cost) payable to the United States Treasury.

Jeffrey Sands,

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

[FR Doc. 2022–11489 Filed 5–26–22; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request; Worker Profiling and Reemployment Services Activity and Worker Profiling and Reemployment Services Outcomes

ACTION: Notice.

SUMMARY: The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, "Worker Profiling and Reemployment Services Activity and Worker Profiling and Reemployment Services Outcomes." This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

⁷ Chapter 458 regulates medical practice.

DATES: Consideration will be given to all written comments received by July 26, 2022.

ADDRESSES: A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting Ellen Wright by telephone at (202) 693-9995 (this is not a toll-free number), TTY 1-877-889-5627 (this is not a toll-free number), or by email at Wright.Ellen.D@dol.gov.

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance Room S-4520, 200 Constitution Avenue NW, Washington, DC 20210; by email: Wright.Ellen.D@dol.gov; or by fax at (202) 693-3975.

FOR FURTHER INFORMATION CONTACT: Lawrence Burns by telephone at (202) 693-3141 (this is not a toll-free number) or by email at Burns.Lawrence@dol.gov.

SUPPLEMENTARY INFORMATION: DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

ETA is soliciting comments concerning the collection of data in the ETA 9048, Worker Profiling and Reemployment Services Activity Report, and the ETA 9049, Worker Profiling and Reemployment Services Outcomes Report. Authorization for both reports expires on December 31, 2022. The Worker Profiling and Reemployment Services (WPRS) program, mandated by the Unemployment Compensation Amendments of 1993, Public Law 103-152, identifies and ranks unemployment insurance (UI) claimants by their potential for exhausting benefits before returning to work and refers these claimants to appropriate reemployment services.

WPRS is a required UI activity that each state may operate as a standalone program or integrated within the state's Reemployment Services and Eligibility Assessments (RESEA) program, which is

a voluntary reemployment program authorized by Section 306 of the Social Security Act (SSA). Specifically, states participating in the RESEA program may opt to integrate WPRS into the RESEA participant selection process. States that fully integrate WPRS into their RESEA program and provide RESEA services statewide are exempt from WPRS reporting because WPRS activities are fully reflected in RESEA quarterly report (ETA 9128 and ETA 9129). States that opt not to include WPRS into their RESEA program design or only offer RESEA in limited locations must continue to submit the ETA 9048 and ETA 9049. Based on analysis of historical data and state's planned RESEA activities, ETA projects that up to 15 states per year will continue to report WPRS activities using the ETA 9048 and ETA 9049, and burden estimates have been revised to reflect this projected level of activity. Additional information about the integration of WPRS into RESEA is available in Unemployment Insurance Program Letter No. 10-22 and Training and Employment Guidance Letter No. 05-21, "Fiscal Year (FY) 2022 Funding Allotments and Operating Guidance for Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grants."

The ETA 9048 and ETA 9049 reports are the only means of tracking the activities in the WPRS program in instances where states have not volunteered to participate in RESEA, opted to not integrate WPRS into their RESEA program design, or continue provide WPRS services in areas not currently served by RESEA. The ETA 9048 report describes the number of claimants at various points in the WPRS system from initial profiling through the completion of specific reemployment services. The ETA 9049 describes the reemployment experience of profiled claimants selected for referral to services by examining the state's existing wage record files to capture which quarter the individuals who received reemployment services became employed, what wages they earned, and whether the individuals receiving services changed industries. Section 303(a)(6), SSA, authorizes this information collection.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person

shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB 1205-0353.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- 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;
- Enhance the quality, utility, and clarity of the information to be collected; 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).

Agency: DOL-ETA.

Type of Review: Extension without changes.

Title of Collection: Worker Profiling and Reemployment Services Activity and Worker Profiling and Reemployment Services Outcomes.

Forms: ETA 9048, ETA 9049.

OMB Control Number: 1205-0353.

Affected Public: State Workforce Agencies.

Estimated Number of Respondents: 300,427.

Frequency: Varies.

Total Estimated Annual Responses: 600,945.

Estimated Average Time per Response: Varies.

Estimated Total Annual Burden

Hours: 781,102.5.

Total Estimated Annual Other Cost Burden: \$0.

Authority: 44 U.S.C. 3506(c)(2)(A).

Angela Hanks,

Acting Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2022-11417 Filed 5-26-22; 8:45 am]

BILLING CODE 4510-FW-P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Training Plans, New Miner Training, Newly-Hired Experienced Miner Training

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting Mine Safety and Health Administration (MSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before June 27, 2022.

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. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency’s estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT:

Nora Hernandez by telephone at 202-693-8633, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: The Federal Mine Safety and Health Act of 1977 (Mine Act), as amended, 30 U.S.C.

801 *et seq.*, recognizes that education and training is an important element of federal efforts to make the nation’s mines safe. These standards are intended to ensure that miners will be effectively trained in matters affecting their health and safety, with the goal of reducing the occurrence of injury and illness in the nation’s mines. Title 30 CFR 46.3 requires written training plans for training and retraining miners engaged in shell dredging or employed at sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mines. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on January 21, 2022 (87 FR 3357).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–MSHA.

Title of Collection: Training Plans, New Miner Training, Newly-hired Experienced Miner Training.

OMB Control Number: 1219–0131.

Affected Public: Businesses or other for-profits institutions.

Total Estimated Number of Respondents: 10,996.

Total Estimated Number of Responses: 1,135,343.

Total Estimated Annual Time Burden: 155,965 hours.

Total Estimated Annual Other Costs Burden: \$348,531.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nora Hernandez,

Departmental Clearance Officer.

[FR Doc. 2022-11382 Filed 5-26-22; 8:45 am]

BILLING CODE 4510-43-P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Explosive Materials and Blasting Units (Pertains Only to Underground Metal and Category III Nonmetal Mines Deemed to be Gassy)

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Mine Safety and Health Administration (MSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before June 27, 2022.

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. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency’s estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT:

Nora Hernandez by telephone at 202-693-8633, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: Under 30 CFR parts 7 and 15, MSHA evaluates and approves explosive materials and blasting units as permissible for use in mines. However, some underground metal and nonmetal Category III mines (gassy mines) use non-approved explosive materials or blasting units. Section 57.22606(a) outlines the