

Piety Corner Historic District (Waltham MRA), Roughly Bacon and Lexington Sts., Waltham, 89001499

Potter—O'Brien House (Waltham MRA), 206 Newton St., Waltham, 89001538

Prospect House (Waltham MRA), 11 Hammond St., Waltham, 89001568

Robbins, Royal E., School (Waltham MRA), 58 Chestnut St., Waltham, 89001496

Sanderson, John, House (Waltham MRA), 562 Lexington St., Waltham, 89001563

Sanderson, Mathan, II, House (Waltham MRA), 111 Lincoln St., Waltham, 89001513

Sanderson, Nathan, I, House (Waltham MRA), 107 Lincoln St., Waltham, 89001556

Sanderson—Clark Farmhouse (Waltham MRA), 75 Lincoln/26 Lincoln Ter., Waltham, 89001557

Smith, Marshall, House (Waltham MRA), 26 Liberty St., Waltham, 89001560

Smith, Perez, House (Waltham MRA), 46 Lincoln St., Waltham, 89001558

St. Charles Borromeo Church (Waltham MRA), Hall and Cushing Sts., Waltham, 89001569

St. Mary's Roman Catholic Church Complex (Waltham MRA), 133 School St., Waltham, 89001527

Stanley, Leonard W., House (Waltham MRA), 23-25 Taylor St., Waltham, 89001509

Stark Building (Waltham MRA), 416-424 Moody St., Waltham, 89001542

Stark, Robert M., House (Waltham MRA), 176 Main St., Waltham, 89001552

Stearns, Amos, House (Waltham MRA), 1079 Trapelo Rd., Waltham, 89001518

Stewart, Henry, House (Waltham MRA), 294 Linden St., Waltham, 89001553

Swasey, James, House (Waltham MRA), 30 Common St., Waltham, 89001530

Tyler, Frank J., House (Waltham MRA), 238 Linden St., Waltham, 89001555

United States Watch Company (Waltham MRA), 256 Charles St., Waltham, 89001494

Waltham Gas Light Company (Waltham MRA), 2 Cooper St., Waltham, 89001506

Waltham Gas and Electric Company Generating Plant (Waltham MRA), 96 Pine St., Waltham, 89001537

Waltham High School (Waltham MRA), 55 School St., Waltham, 89001531

Waltham Water Works Shop (Waltham MRA), 92 Felton St., Waltham, 89001570

Warren, Nathan, House (Waltham MRA), 50 Weston St., Waltham, 89001520

Wellington, Benjamin, House (Waltham MRA), 56 Whittier St., Waltham, 89001523

Wellington, William, House (Waltham MRA), 785 Trapelo Rd., Waltham, 89001512

Wellington—Castner House (Waltham MRA), 685 Trapelo Rd., Waltham, 89001511

Wetherbee House (Waltham MRA), 357 Crescent St., Waltham, 89001575

White, Warren, House (Waltham MRA), 192 Warren St., Waltham, 89001519

Whitney—Farrington—Cook House (Waltham MRA), 385 Trapelo Rd., Waltham, 89001510

MISSOURI

Franklin County

Downtown Washington Historic District, Roughly W. Front St. from Stafford St. to Market St. and Elm St. from W. Front St. to Fourth St., Washington, 89001465

NEBRASKA

Scotts Bluff County

US Post Office—Scottsbluff, 120 E. 16th St., Scottsbluff, 89001462

OHIO

Greene County

South School, 909 S. High St., Yellow Springs, 89001459

Hamilton County

Edwards, William, Farmhouse, 3851 Edwards Rd., Newtown, 89001455

St. Peter's Lick Run Historic District, 2145-2153 Queen City Ave., Cincinnati, 89001453

Lucas County

Toledo Olde Towne Historic District, Roughly bounded by Central Ave., Cherry St., Franklin Ave., Bancroft St., and Collingwood Ave., Toledo, 89001454

Mahoning County

Damascus Grade School, 14923 Morris St., Damascus, 89001456

Sebring, Frank, House, 385 W. Ohio Ave., Sebring, 88000545

Summit County

Corbusier, John William Creswell, House (Hudson MPS), 226 College St., Hudson, 89001451

Hudson Historic District (Boundary Increase) (Hudson MPS), Roughly bounded by Hudson St., Old Orchard Dr., Aurora St., Oviatt St., Streetsboro St., and College St. to Aurora, Hudson, 89001452

Izant, Grace Coulter, House (Hudson MPS), 250 College St., Hudson, 89001450

Porter, Orin, House (Hudson MPS), 240 College St., Hudson, 89001449

Washington County

St. Mary's School, Old, 132 S. Fourth St., Marietta, 89001457

WISCONSIN

Door County

Baileys Harbor Range Light, Roughly Co. Rd. Q, Ridges Rd., and WI 57, Baileys Harbor, 89001466

[FR Doc. 89-20806 Filed 9-1-89; 8:45 am]

BILLING CODE 4310-70-M

DEPARTMENT OF JUSTICE

Lodging of Consent Decree; Bourdeauhui

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on August 23, 1989, a proposed Consent Decree in *United States v. Bourdeauhui*, No. H-88-354, was lodged with the United States District Court for the District of Connecticut. This suit was brought under section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9607(a), to recover costs incurred by EPA in connection with

removal actions conducted at two mercury-contaminated sites in Willington, Connecticut. As a result of settlements with other potentially responsible parties and defendants, EPA already has recovered \$229,000. The proposed Consent Decree would resolve the liability of the four remaining defendants—Eugene Bourdeauhui, Edward Battle, Ott Dental Supply Co., and Smith-Holden, Inc.—for \$200,000.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to Jay Printing, D.J. Ref. 90-11-2-356.

The proposed Consent Decree may be examined at the office of the United States Attorney, District of Connecticut, Federal Courthouse Building, 141 Church Street, Post Office Box 1824, New Haven, Connecticut 06508, and at the Region 1 Office of the Environmental Protection Agency, J.F.K. Federal Building, Boston, Massachusetts 02203. Copies of the Consent Decree may be examined at the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice, Room 1647, Ninth Street and Pennsylvania Avenue, NW., Washington, DC 20530. A copy of the proposed Consent Decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$1.90 (10 cents per page reproduction cost) made payable to the Treasurer of the United States.

Donald A. Carr,

Acting Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 89-20750 Filed 9-1-89; 8:45 am]

BILLING CODE 4410-01-M

Lodging of Consent Decree Pursuant to the Resource Conservation and Recovery Act in *United States v. City of Durant, Oklahoma and State of Oklahoma*

In accordance with Department policy, 28 CFR 50.7, notice is hereby given that on June 30, 1989, a proposed Consent Decree in *United States v. City of Durant and State of Oklahoma*, Civil Action No. 89-314-C, was lodged with the United States District Court for the District of Oklahoma.

The Complaint in this enforcement action was filed on June 30, 1989, against City of Durant and State of Oklahoma pursuant to section 309, 33 U.S.C. 1319, of the Clean Water Act seeking civil penalties for the improper management of a Publicly Owned Treatment Works (POTW) and injunctive relief to abate the release of hazardous substances from the POTW. The proposed Consent Decree ("Decree") requires the City to pay a civil penalty of \$33,000 and implement a schedule for construction and modification of the POTW.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Land and Natural Resources Division, U.S. Department of Justice, Washington, DC 20530, and should refer to *United States v. City of Durant*, D.J. No. 90-5-1-1-2774.

The proposed Consent Decree may be examined at the office of the United States Attorney, 33 Federal Courthouse, Fifth and Muskogee, Muskogee, Oklahoma 74401 and at the United States Environmental Protection Agency, Region VI, 1445 Ross Avenue, Dallas, Texas 75202-2733. Copies of the proposed Consent Decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division, Room 1521, U.S. Department of Justice, 9th and Pennsylvania Avenue, NW., Washington, DC 20530. In requesting a copy please enclose a check in the amount of \$1.50 payable to the Treasurer of the United States.

Richard B. Stewart,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 89-20693 Filed 9-1-89; 8:45am]

BILLING CODE 4410-01-M

Drug Enforcement Administration

[Docket No. 87-74]

Leonardo V. Lopez, M.D.; Denial of Application

On October 1, 1987, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Leonardo V. Lopez, M.D., (Respondent) of 12791 Superior, Southgate, Michigan 48195, proposing to deny his application, executed on September 5, 1987, for registration as a practitioner under 21 U.S.C. 823(f). The Order to Show Cause alleged that Respondent's registration would be

inconsistent with the public interest as that term is used in 21 U.S.C. 823(f).

Respondent requested a hearing on the issues raised by the Order to Show Cause and the matter was docketed before Administrative Law Judge Mary Ellen Bittner. Following prehearing procedures, a hearing was held on April 12, 1988, in Ann Arbor, Michigan. Respondent failed to appear at the hearing. Subsequently, by letter dated May 26, 1988, Respondent notified Government counsel that he had not appeared at the hearing because he had suffered a heart attack on April 4, 1988. Respondent further advised in the letter that he was still interested in obtaining DEA registration.

On August 4, 1988, Judge Bittner ordered that the record of the April 12, 1988, hearing be stricken and that a new hearing be conducted. Following prehearing procedures, a hearing was held on January 11, 1989, in Ann Arbor, Michigan. On June 9, 1989, the Administrative Law Judge issued her opinion and recommended ruling, findings of fact, conclusions of law and decision. No exceptions were filed and on August 1, 1989, the Administrative Law Judge transmitted the record of these proceedings to the Administrator. The Administrator has considered the record in its entirety and pursuant to 21 CFR 1316.67, hereby issues his final order in this matter based upon findings of fact and conclusions of law as hereinafter set forth.

The Administrative Law Judge found that in 1977, the Michigan State Police, Diversion Investigation Unit, obtained information from a confidential informant that Respondent was selling prescriptions for controlled substances for no legitimate medical purpose. As a result, an undercover investigation of Respondent was initiated. On four separate occasions between June 14, 1977 and August 9, 1977, a Michigan State Police detective went to Respondent's office in an undercover capacity. On three of these occasions, the detective was accompanied by a Michigan Department of Licensing and Regulation investigator. Respondent wrote prescriptions for Tuinal, Desoxyn, Quaalude and Valium, all controlled substances, for the undercover officers during each visit. Respondent never performed any sort of physical examination prior to issuing the prescriptions. Respondent wrote a total of fifteen prescriptions for the officers during the four visits. Of these prescriptions, nine of them were for fictitious individuals. Respondent never asked the officers for any information about the backgrounds of these

individuals before issuing prescriptions in their names.

During these visits, neither Respondent nor the officers made any attempt to hide the fact that the prescriptions were written strictly as a business transaction and not for a valid medical need. During the second visit, Respondent wrote one of the officers a prescription for Quaalude, but stated that he would have to be more careful because the state or Federal authorities were "after him." Respondent then stated that he had to raise the price of the prescriptions because of the risk involved. On at least one occasion, one of the undercover officers told Respondent that he was selling the drugs that Respondent prescribed for him. In addition, the officers spoke with other individuals in Respondent's waiting room during the visits. These individuals made it clear to the officers that they had come to Respondent solely to "score" or buy prescriptions for drugs from the doctor.

Respondent was arrested on August 15, 1977, and charged with two felony counts of delivery of Desoxyn in violation of the laws of the State of Michigan. On September 22, 1977, Respondent entered a guilty plea in Recorder's Court for the City of Detroit to one count of delivery of Desoxyn, a felony offense.

On January 2, 1985, Respondent executed an application for registration with DEA. Subsequently, on March 24, 1986, the Deputy Assistant Administrator, Office of Diversion Control, DEA, issued to Respondent an Order to Show Cause why that application should not be denied. A hearing regarding that application was held before Administrative Law Judge Francis L. Young on April 19, 1986. On November 25, 1986, Judge Young issued his opinion and recommended ruling, findings of fact, conclusions of law and decision. Judge Young recommended that Respondent's application for registration be denied. In a final order effective February 12, 1987, the Administrator adopted Judge Young's recommendation in its entirety and thus denied Respondent's application. See, *Leonardo V. Lopez, M.D.*, Docket No. 86-39, 52 FR 4542 (February 12, 1987).

At the hearing regarding the application which is the subject of this final order, Respondent essentially argued that his need for a DEA registration to obtain employment and the passage of time since his conviction constitute compelling reasons to grant his application. With respect to Respondent's asserted need for a DEA registration, Judge Bittner stated that

that need does not outweigh the public interest in assuring that controlled substances are properly handled. The Drug Enforcement Administration registers medical practitioners so that they may prescribe, dispense, administer and otherwise handle controlled substances in order to effectively treat their patients. These substances are controlled because of their potential for abuse and they must be handled responsibly.

Judge Bittner further stated that the mere fact that the events for which Respondent was convicted occurred in 1977 does not establish that now he should have a DEA registration. The paramount issue is not how much time has elapsed since his unlawful conduct, but rather, whether during that time Respondent has learned from past mistakes and has demonstrated that he would handle controlled substances properly if entrusted with a DEA registration. Judge Bittner concluded that the record of these proceedings does not contain such a demonstration. In fact, at the hearing, when referring to the events which led to his 1977 conviction, Respondent stated that he had "forgotten all the details about it." This statement clearly indicates that Respondent does not appreciate the egregiousness of his past unlawful conduct. Further, the Administrative Law Judge was not convinced that Respondent recognizes and understands the responsibilities that accompany DEA registration.

In light of the reasons stated above, as well as Respondent's controlled substance-related felony conviction, the Administrative Law Judge concluded that Respondent's registration would be inconsistent with the public interest and thus, recommended the denial of Respondent's application for registration. The Administrator has considered the factors listed in 21 U.S.C. 823(f) and concurs with the Administrative Law Judge's conclusion that Respondent's registration would be inconsistent with the public interest. The Administrator adopts the opinion and recommended ruling, findings of fact, conclusions of law and decision of the Administrative Law Judge in its entirety.

Accordingly, the Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 28 CFR 0.100(b), hereby orders that the application of Leonardo V. Lopez, M.D., executed on September 5, 1987, for registration as a practitioner under the Controlled Substances Act, be, and it hereby is, denied.

This order is effective September 5, 1989.

John C. Lawn,
Administrator.

Dated: August 28, 1989.
[FR Doc. 89-20695 Filed 9-1-89; 8:45 am]
BILLING CODE 4410-09-M

[Docket No. 89-31]

Anderson T. Scott, Jr., M.D.,
Covington, VA; Hearing

Notice is hereby given that on April 5, 1989, the Drug Enforcement Administration, Department of Justice, issued to Anderson T. Scott, Jr., M.D., an Order to Show Cause as to why the Drug Enforcement Administration should not revoke your DEA Certificate of Registration, AS1601954, and deny any pending applications for registration.

Thirty days have elapsed since the said Order to Show Cause was received by Respondent, and written request for a hearing having been filed with the Drug Enforcement Administration, notice is hereby given that a hearing in this matter will be held on Tuesday, August 29, 1989, commencing at 10:00 a.m., at the United States Court of Appeals for the Federal Circuit, Courtroom one, second floor, 717 Madison Place, NW., Washington DC.

Dated: August 23, 1989.
John C. Lawn,
Administrator, Drug Enforcement Administration.
[FR Doc. 89-20697 Filed 9-1-89; 8:45 am]
BILLING CODE 4410-09-M

Office of Juvenile Justice and Delinquency Prevention

Meeting of State Advisory Group Chairs

AGENCY: Office of Juvenile Justice and Delinquency Prevention, Justice.
ACTION: Notice of advisory committee meeting.

SUMMARY: This notice sets forth the schedule for the forthcoming meeting of the State Advisory Groups. Notice of the meeting is required by the Federal Advisory Committee Act.

DATE: September 16, 1989-2:00 p.m.-5:00 p.m. September 17, 1989-9:00 a.m.-5:00 p.m. September 18, 1989-9:00 a.m.-12:00 p.m.

ADDRESS: Omni Georgetown Hotel, 2121 P Street, NW., Washington, DC 20037.

SUPPLEMENTARY INFORMATION: The State Advisory Groups, and advisory

committee established pursuant to section 3(2)(A) of the Federal Advisory Committee Act (5 U.S.C. app. 2) will meet to carry out its advisory functions under section 241(f) of the Juvenile Justice and Delinquency Prevention Act of 1984, as amended. These sessions which will be open to the public, are scheduled at the above listed dates.

FOR FURTHER INFORMATION CONTACT: For information please contact Pamela Swain, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, Washington, DC 20531, (202) 724-5921.

Dated: August 31, 1989.
Terrence S. Donahue,
Acting Administration, Office of Juvenile Justice and Delinquency Prevention.
[FR Doc. 89-20933 Filed 9-1-89; 8:45 am]
BILLING CODE 4410-16-M

DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

Advisory Council on Employee Welfare and Pension Benefits Plans; Meetings

Pursuant to section 512 of the Employee Retirement Income Security Act of 1974 (ERISA) 29 U.S.C. 1142, two meetings of the Advisory Council on Employee Welfare and Pension Benefits Plans will be held on Tuesday and Wednesday, September 26 and 27, 1989, in Suite N-3437, U.S. Department of Labor Building, Third and Constitution Avenue, NW., Washington, DC.

The purpose of the September 26 meeting, which will begin at 9:30 a.m., is to consider items listed below and to invite public comment on any aspect of the administration of ERISA.

1. Assistant Secretary's Report on:
 - (a) PWBA update and priorities.
 - (b) Miscellaneous Issues.
2. General Business of the Advisory Council.
3. Report of the Enforcement Work Group.
4. Report of the Access To Health Care Work Group.
5. Statements from the Public.

The purpose of the September 27 meeting, which will begin at 9:30 a.m., is to consider items listed below and to invite public comment on any aspect of the administration of ERISA.

1. General Business of the Advisory Council.
2. Chief, Division of Technical Assistance and Inquiries Report on:
 - (a) Participant Assistance.
 - (b) Benefit Recoveries.