would be undertaken only with willing sellers and participants.

Progress made under this initial phase of the proposed Program would be closely monitored. The cooperating entities would then evaluate the results of the first phase and define any subsequent approaches and actions needed to meet the overall goals.

Additional description of the proposed Program can be obtained by contacting the Platte River EIS Office at the address above.

Programmatic EIS

The impacts of the proposed Program and alternatives will be evaluated through a PEIS. This assessment will look at the effects of the proposed Program and alternatives primarily upon the habitat of the four target threatened and endangered species along the Central Platte River in Nebraska in order to assess the degree to which each alternative achieves the program purposes. Other impacts of the alternatives will be examined more broadly. Once a preferred alternative is selected for implementation, further NEPA compliance may be required for site-specific Federal actions. For example, the PEIS will examine the effects of restoring the original storage in Pathfinder Reservoir upon the water operations of Reclamation's North Platte reservoirs and the downstream effects upon the habitat of the target species. If this element is part of the ultimately selected Program, an additional site-specific NEPA study would likely need to be undertaken to assess, for example, the construction impacts of raising Pathfinder Dam. Similarly, it is expected that the PEIS will examine the benefits to the habitat of the target species from a range of water conservation measures throughout the Platte River Basin, including the costs of such measures and their broad effects on factors such as water use, associated revenues, and local taxes. It is possible that further NEPA compliance might be required prior to implementing some specific conservation measures in specific locations.

A Draft PEIS is scheduled for completion by mid-1999.

Public Scoping

Scoping meetings will be held in Wyoming, Colorado, and Nebraska in February through April of 1998 for the purpose of obtaining public input and suggestions on the significant issues related to the proposed action. The schedule and locations for these activities are shown below. The public is especially asked to provide input on:

(1) alternative approaches to meeting the needs and purposes of the Federal action. For example, are there more effective or feasible ways to improve or protect the habitat of the four target species? Suggestions could address individual elements of a plan, such as ways to conserve water or to improve habitat management, or could provide broader options, such as reoperation of the Federal reservoirs in the Platte River Basin. Suggestions also could address such factors as the timing of a program, e.g., implementing an entire program at the onset, rather than using the phased, adaptive management approach in the proposed Program.

(2) impacts of the proposed Program and alternatives that should be evaluated and reported. In addition to the effects of the alternatives on the habitat of the target species, what are likely to be significant consequences of the various options that should be considered and reported?

Schedule of Scoping Meetings

A series of meetings will be conducted in Colorado, Nebraska, and Wyoming. Each will begin with a 1-hour open house at which the public can informally discuss issues and ask questions of staff and managers involved in the Platte River Endangered Species Partnership.

The open house will be followed by a more formal scoping meeting in which each participant will be given time to make comments. Speakers should plan on 5 minutes for their comments. These comments will be formally recorded. Speakers are encouraged to provide written versions of their oral comments, and any other additional written materials, for the record.

Comments may also be sent directly to the Platte River EIS Office to be included in the record.

Dates of Scoping Meetings

February 25, 1998, 5–8 p.m., Loveland, CO
March 2, 1998, 4–7 p.m., Scottsbluff, NE
March 3, 1998, 2–5 p.m., North Platte, NE
March 4, 1998, 4–7 p.m., Grand Island, NE
March 5, 1998, 4–7 p.m., Lincoln, NE
March 11, 1998, 3–6 p.m., Kearney, NE
March 17, 1998, 3–6 p.m., Saratoga, WY
March 18, 1998, 4–7 p.m., Casper, WY
March 19, 1998, 2–5 p.m., Torrington, WY
March 26, 1998, 4–7 p.m., Sterling, CO
April 7, 1998, 6–9 p.m., Denver, CO

Addresses of Scoping Meetings

- Loveland—Loveland Museum, 503 North Lincoln Avenue, Loveland, CO 80537.
- Scottsbluff—Scottsbluff Inn, 1901 21st Avenue, Scottsbluff, NE 69361.
- North Platte—Camino Inn & Suites, Jct US 83 & I–80, North Platte, NE 69101.
- Grand Island—Holiday Inn Midtown, 2503 South Locust, Grand Island, NE 68801.
- Lincoln—The Nebraska Center for Continuing Education, 33rd and Holdrege Street, Lincoln, NE 68583.
- Kearney—Regency Inn, 301 2nd Avenue, Kearney, NE 68847.
- Saratoga—Riviera Lodge, 104 East Saratoga Street, Saratoga, WY 82331.
- Casper—Casper Hilton Inn, 800 North Poplar Street, Casper, WY 82601.
- Torrington—The King's Inn, 1555 S Main Street, Torrington, WY 82240.
- Sterling—Ramada Inn, I–76 & Highway 6, Sterling, CO 80751.
- Denver—Stapleton Plaza Hotel and Fitness Center, (Ballroom Arapaho A), 3333 Quebec Street, Denver, CO 80207.

Dated: February 5, 1998.

Patricia J. Beneke,

Assistant Secretary—Water and Science, Department of the Interior.

[FR Doc. 98–3399 Filed 2–9–98; 8:45 am]

BILLING CODE 4310–94–P

INTERNATIONAL TRADE COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: United States International Trade Commission.

TIME AND DATE: February 19, 1998 at 2:30 p.m.

PLACE: Room 101, 500 E Street S.W., Washington, DC 20436.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda for future meeting: none
2. Minutes
3. Ratification List
4. Inv. Nos. 731–TA–776–779 (Preliminary) (Certain Preserved Mushrooms from Chile, China, India, and Indonesia)—briefing and vote.
5. Outstanding action jackets:
   1. Document No. GC–98–001: Decision whether to grant the appeals of Order No. 96 in Inv. No. 337–TA–383 (Certain Hardware Logic Emulation Systems and Components Thereof).

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission:

Issued: February 5, 1998.

Donna R. Koehnke,

Secretary.

[FR Doc. 98–3424 Filed 2–6–98; 11:21 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 96–26]

Richard S. Wagner, M.D.; Revocation of Registration; Denial of Request to Modify Registration

On February 8, 1996, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, (DEA), issued an Order to Show Cause to Richard S. Wagner, M.D., (Respondent) of Fresno, California and Hanover, Pennsylvania, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, AW8019033, under 21 U.S.C. 824(a), and deny any pending applications for modification of his registration to change his address from California to Pennsylvania, under 21 U.S.C. 823(f). The Order to Show Cause alleged that Respondent materially falsified two applications for the renewal of his DEA Certificate of Registration and that he was not currently authorized to handle controlled substances in the Commonwealth of Pennsylvania.

Respondent, proceeding pro se, filed a request for a hearing, and following prehearing procedures, a hearing was held in Arlington, Virginia on August 27, 1996, before Administrative Law Judge Mary Ellen Bittner. At the hearing, both parties called witnesses to testify and introduced documentary evidence. Ultimately, the alleged lack of authorization to handle controlled substances in the Commonwealth of Pennsylvania was not pursued as an independent basis for revocation. After the hearing, counsel for the Government submitted proposed findings of fact, conclusions of law and argument. However, Respondent only filed a motion to expedite the matter, which was denied by Judge Bittner because Respondent did not provide any compelling reason to decide this matter before other pending cases. On October 20, 1997, Judge Bittner issued her Opinion and Recommended Ruling, Findings of Fact, Conclusions of Law and Decision, recommending that Respondent's DEA Certificate of Registration be revoked, his request for modification be denied, and any pending applications for registration be denied.

On November 26, 1997, Respondent filed a response to Judge Bittner's decision, which reiterated the arguments Respondent raised at the hearing and also sought to introduce evidence not presented at the hearing. On November 28, 1997, Government counsel filed a motion to strike Respondent's exceptions or, in the alternative, to seek leave to file a response to Respondent's exceptions. The Government argued that Respondent's exceptions were not timely filed. Judge Bittner denied the Government's motion to strike Respondent's exceptions, finding that they were filed within the time period that she had authorized for the filing of exceptions, however, Judge Bittner provided the Government the opportunity to file a response to Respondent's exceptions. On December 17, 1997, the Government filed its response and also a motion to strike Respondent's additional exhibits arguing that the record is closed and Respondent could have introduced the exhibits at the hearing, but did not do so. Thereafter, on December 18, 1998, Judge Bittner denied the Government's motion to strike the additional exhibits, finding the ''[p]ursuant to 21 C.F.R. § 1316.66(b) (1997), exceptions filed pursuant to 21 C.F.R. § 1316.66(a) are to become part of the record of the proceeding.'' However, Judge Bittner recommended that ''the Deputy Administrator not consider these documents in rendering his final order.'' On December 18, 1997, Judge Bittner transmitted the record of these proceedings to the Acting Deputy Administrator.

The Acting Deputy Administrator, pursuant to 21 C.F.R. 1316.67, hereby issued his final order based upon findings of fact and conclusions of law as hereinafter set forth. In rendering his decision in this matter, the Acting Deputy Administrator has not considered Respondent's exceptions, including the attached additional documents, to the extent that they seek to introduce evidence not submitted at the hearing in this matter, since Respondent did not offer any explanation as to why this information was not presented at the hearing. After careful consideration of the record, the Acting Deputy Administrator adopts, in full, the Opinion and Recommended Ruling, Findings of Fact, Conclusions of Law and Decision of the Administrative Law Judge, and his adoption is in no manner diminished by any recitation of facts, issues and conclusions herein, or of any failure to mention a matter of fact or law.

The Acting Deputy Administrator finds that Respondent is a psychiatrist who received his medical degree from a school in Guadalajara, Mexico, and became board certified in psychiatry in April 1981. In October 1981, Respondent moved to Warren, Pennsylvania where he established a private practice and also became the medical director of the psychiatric unit of Warren General Hospital. In 1982, the hospital suspended Respondent's hospital staff privileges, and in 1985, his hospital privileges were permanently revoked. According to Respondent, this action was taken by the hospital as a result of a scheme by county officials to take a piece of Respondent's property that was in a desirable location, and to force Respondent to become a county employee. In addition, Respondent testified that county officials made false accusations about his professional competence and tried to force him into selling his property to the county at a loss.

According to Respondent, he was told by hospital officials that if he resigned from the hospital, his employment record would not reflect the suspension and revocation of his staff privileges. Thereafter, Respondent resigned from the hospital. Subsequently, Respondent had a job offer in Ohio and he applied for an Ohio medical license. This application was denied by the Ohio licensing agency (Ohio Board) because he did not disclose on the application that he had lost his hospital privileges in Pennsylvania. Respondent testified that he did not disclose the hospital's action because he relied upon the promises of the hospital officials that his employment record would not reflect such action. Other than his own assertions, Respondent did not offer any evidence to corroborate that such an agreement with the hospital existed.

As a result of the Ohio Board's action, the New York licensing agency (New York Board) suspended Respondent's license to practice medicine in that state because of his misrepresentations on the Ohio application for licensure. It appears that the New York Board stayed the suspension. Subsequently, in 1987, the Pennsylvania State Board of Medicine (Pennsylvania Board) suspended his Pennsylvania medical license for two years based on his misrepresentations to Ohio, stayed the suspension, and placed Respondent on probation.

In 1989, Respondent filed a civil action in the United States District Court for the Western District of Pennsylvania against Warren General