

Bottomland hardwood forest management would be developed based on an inventory defining current conditions. Bottomlands would have management increased to open the canopy cover and increase structural and vegetation diversity. Water control structures and pumping capability would be improved to enhance moist-soil and cropland management for the benefit of wintering waterfowl. Invasive species would be mapped and protocols for control established with the addition of a forester. Partnerships would continue to be fostered for several biological programs, hunting regulations, law enforcement issues, and research projects.

Under Alternative C, land acquisition, reforestation, and resource protection at Tensas River NWR would be intensified from the level now maintained in the "No Action" Alternative. In the refuge's Private Lands Program, staff would work with private landowners of adjacent tracts to manage and improve habitats. Staff would also explore opportunities with partners to protect existing and extend potential foraging areas off refuge lands. Alternative C would provide a full-time law enforcement officer, an equipment operator, a maintenance mechanic, and a wildlife technician. The refuge would develop and begin to implement a Cultural Resources Management Plan.

Within 3 years of implementing the CCP, refuge staff would develop a Visitor Services Plan for use in expanding public use facilities and opportunities on the refuge. This step-down management plan would provide overall, long-term direction and guidance in developing and running a larger public use program at Tensas River NWR. Alternative C would also increase opportunities for visitors by improving and/or adding facilities such as photo-blinds, observation sites, and trails.

Next Step

After the comment period ends, we will analyze the comments and address them.

Public Availability of Comments

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: This notice is published under the authority of the National Wildlife Refuge System Improvement Act of 1997, Public Law 105-57.

Dated: January 28, 2009.

Mike Piccirilli,

Acting Regional Director.

[FR Doc. E9-2304 Filed 2-3-09; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-646]

In the Matter of Certain Power Supplies; Notice of Commission Determination Not To Review an Initial Determination Terminating the Investigation With Respect to Respondents Super Flower Computer, Inc. and Andyson International Co., Ltd. and Terminating the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 18) granting the motion of complainants Ultra Products, Inc. and Systemax, Inc. to terminate the investigation with respect to respondents Super Flower Computer, Inc. and Andyson International Co., Ltd. based on withdrawal of allegations from the Complaint and terminating the investigation.

FOR FURTHER INFORMATION CONTACT:

Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-2301. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on May 8, 2008, based on a complaint filed by Ultra Products, Inc. of Fletcher, Ohio and Systemax Inc. of Port Washington, New York (collectively "Ultra"). 73 FR 26144-5 (May 8, 2008). The complaint, as amended and supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain power supplies by reason of infringement of certain claims of U.S. Patent No. 7,133,293. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named a number of respondents including Andyson International Co., Ltd. of Taipei, Taiwan ("Andyson"). On July 21, 2008, the Commission determined not to review an ID granting Ultra's motion for leave to amend the complaint and notice of investigation to add a respondent, Super Flower Computer, Inc. ("Super Flower"). 73 FR 42365-6 (July 21, 2008).

On December 11, 2008, Ultra filed under Commission Rule 210.21(a) a motion for termination of the investigation with respect to respondents Andyson and Super Flower based on a withdrawal of allegations from the Complaint. Also on December 11, Ultra filed a motion to stay the procedural schedule pending the ALJ's decision on the motion to terminate. On December 22, 2008, the Commission Investigative Attorney filed a response in support of the motion to terminate Andyson and Super Flower. No other responses were filed.

On January 5, 2009, the ALJ issued the subject ID, granting under Commission Rule 210.21(a) Ultra's motion to terminate the investigation as to respondents Andyson and Super Flower. The ALJ noted that, with the termination of Andyson and Super Flower from the investigation, there are no longer any participating respondents in this investigation. All other named respondents were previously terminated from the investigation by way of settlement agreement, consent agreement, or default. The ALJ, therefore, terminated the investigation and stayed the procedural schedule. No petitions for review of this ID were filed.

The Commission has determined not to review the ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in section 210.42 of the Commission's

Rules of Practice and Procedure (19 CFR 210.42).

Issued: January 29, 2009.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E9-2293 Filed 2-3-09; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Supplemental Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

On January 15, 2009, the Department of Justice published notice of lodging of a proposed Consent Decree on January 9, 2009, with the *United States District Court for the District of Kansas in United States v. Citibank Global Market Holdings, Inc.*, Civil Action No. 09-CV-4002-SAC, under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601-9675. *See* 74 FR 2617 (Jan. 15, 2009).

The Department of Justice hereby supplements its Notice to indicate that Citibank Global Market Holdings, Inc., is now known as Citigroup Global Market Holdings, Inc. Accordingly, the settlement parties are the United States, Citigroup Global Market Holdings, Inc., and the U.S. Steel Corporation. This opportunity to comment on the proposed consent decree is extended for 30 days from the date of publication of this Supplemental Notice.

Robert E. Maher, Jr.,

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

[FR Doc. E9-2272 Filed 2-3-09; 8:45 am]

BILLING CODE 4410-15-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Ladapo O. Shyngle, M.D.; Denial of Application

On April 15, 2008, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, issued an Order to Show Cause to Ladapo O. Shyngle, M.D. (Respondent), of Tampa, Florida. The Show Cause Order proposed the denial of Respondent's pending application for a DEA Certificate of Registration as a practitioner, on the ground that his registration "would be inconsistent with

the public interest." Show Cause Order at 1.

More specifically, the Show Cause Order alleged that Respondent had issued controlled-substance prescriptions to customers of an internet site who were located throughout the United States based on a questionnaire and/or telephone consultation, and that these prescriptions lacked "a legitimate medical purpose" and were issued "outside the usual course of professional practice, in violation of 21 CFR 1306.04(a) and 21 U.S.C. 841(a)(1)." *Id.* The Order further alleged that notwithstanding that his Florida medical license had expired on August 24, 2002, Respondent continued to issue prescriptions for controlled substances. *Id.* Relatedly, the Order alleged that Respondent had violated other state laws prohibiting the unauthorized practice of medicine by issuing prescriptions for controlled substances to residents of States where he was not licensed to practice. *Id.* at 1-2.

On or about April 19, 2008, the Show Cause Order was served on Respondent by delivery to his residence. On May 14, 2008, Respondent requested a hearing on the allegations and the matter was placed on the docket of the Agency's Administrative Law Judges (ALJ).

On the same date, Respondent also sought to withdraw his application, explaining that the State of Florida had criminally charged him with engaging in the unlicensed practice of medicine, that he intended "to vigorously defend" against this charge, and that in light of the pending proceeding, it was premature for the Agency to consider his application. On May 29, 2008, the Deputy Assistant Administrator denied Respondent's request, reasoning that "the facts supporting the Order to Show Cause will not be affected by the outcome of the state prosecution" and that Respondent "intend[ed] to continue professional medical practice and * * * reapply for a * * * [r]egistration at the conclusion of the state criminal case." Letter from Joseph T. Rannazzisi to Respondent's Counsel (May 29, 2008).

Thereafter, on July 9, 2008, Respondent withdrew his request for a hearing. The next day, the ALJ issued an order terminating the proceeding.

Based on Respondent's letter withdrawing his request for a hearing, I conclude that Respondent has waived his right to a hearing. I therefore enter this Final Order without a hearing based on relevant material contained in the investigate file, *see* 21 CFR 1301.43, and make the following findings.

Findings

On October 3, 2005, Respondent applied for a DEA Certificate of Registration as a practitioner which would authorize him to dispense controlled substances in schedules II through V, at the proposed location of 1493 Tampa Park Plaza, Tampa, Florida. Respondent previously held a practitioner's registration which was issued on December 11, 2000, and which expired on February 29, 2004.

On August 24, 2000, the Florida Department of Health issued a "medical doctor restricted" license to Respondent. The license expired, however, on August 24, 2002. Respondent did not obtain another medical license until September 16, 2005, when the Florida Department of Health issued him a "medical doctor" license. This license remains in effect until January 31, 2010. I further find that Respondent was not licensed in any other State when he committed the acts at issue here.

In 2002, Respondent was hired by Kenneth Shobola, the owner of a Tampa, Florida medical clinic (the Kenaday Medical Clinic), to perform consultations on persons who were seeking prescriptions for controlled substances through Shobola's Web sites. While Respondent saw some walk-in patients at the clinic, in an interview with DEA Investigators, he admitted that he saw only about five percent of the persons he prescribed to, and that his contact with most of the patients was limited to a telephone consultation which lasted five to ten minutes.

Based on the consultations, Respondent would then typically issue a prescription for a schedule III controlled substance containing hydrocodone; Respondent also issued prescriptions for diazepam (Valium), a schedule IV controlled substance, 21 CFR 1308.14(c), and some non-controlled drugs. While the prescriptions were initially filled at F & B Pharmacy (another Tampa-based pharmacy which was operated by Olu Oyekoya), F & B eventually pulled out of the arrangement and all of the prescriptions were then filled by Ken Drugs, a pharmacy owned by Shobola.

Respondent would perform up to twenty consultations a day for Shobola's clinic. According to computer records obtained by Investigators, Respondent issued over 3800 prescriptions which were filled by Shobola's pharmacy. Approximately seventy-five percent of the prescriptions were for hydrocodone, and between the original prescriptions and refills, Respondent authorized the dispensing of more than 500,000 dosage