

does not expire until October 31, 2018. *Id.*

### Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under section 823 of the CSA, “upon a finding that the registrant . . . has had his State license . . . suspended [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.” Also, DEA has long held that the possession of authority to dispense controlled substances under the laws of the State in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner’s registration. *See, e.g., James L. Hooper*, 76 FR 71371 (2011), *pet. for rev. denied*, 481 Fed. Appx. 826 (4th Cir. 2012); *see also Frederick Marsh Blanton*, 43 FR 27616 (1978) (“State authorization to dispense or otherwise handle controlled substances is a prerequisite to the issuance and maintenance of a Federal controlled substances registration.”).

This rule derives from the text of two provisions of the CSA. First, Congress defined “the term ‘practitioner’ [to] mean[] a . . . physician . . . or other person licensed, registered or otherwise permitted, by . . . the jurisdiction in which he practices . . . to distribute, dispense, [or] administer . . . a controlled substance in the course of professional practice.” 21 U.S.C. 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).

Moreover, because “the controlling question” in a proceeding brought under 21 U.S.C. 824(a)(3) is whether the holder of a DEA 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 has lost his state authority by virtue of the State’s use of summary process and the State has yet to provide a hearing to challenge the suspension. *Bourne Pharmacy*, 72 FR 18273, 18274 (2007); *Wingfield Drugs*, 52 FR 27070, 27071 (1987). Thus, it is of no consequence that the IDFPF indefinitely suspended Respondent’s state license and that Respondent may

prevail on his appeal to Illinois Cook County Circuit Court.<sup>3</sup> What is dispositive is the fact that Respondent is not currently authorized to dispense controlled substances in the State in which he is registered.

Here, there is no dispute over the material fact that Respondent is no longer currently authorized to dispense controlled substances in Illinois, the State in which he is registered. Accordingly, he is not entitled to maintain his registration. I will therefore adopt the CALJ’s recommendation that I revoke Respondent’s registration and deny any pending applications to renew or modify his registration. R.D. at 7.

### Order

Pursuant to the authority vested in me by 21 U.S.C. 824(a)(3) and 28 CFR 0.100(b), I order that DEA Certificate of Registration No. FN5571864 be, and it hereby is, revoked. Pursuant to the authority vested in me by 21 U.S.C. 823(f), I order that any applications to renew or modify the above registration be, and they hereby are, denied. This Order is effective immediately.<sup>4</sup>

Dated: May 30, 2017.

**Chuck Rosenberg**,

*Acting Administrator.*

[FR Doc. 2017-11797 Filed 6-6-17; 8:45 am]

**BILLING CODE 4410-09-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Oil Pollution Act

On June 1, 2017, the Department of Justice lodged a proposed Consent Decree (“Consent Decree”) with the United States District Court for the District of Puerto Rico in the lawsuit entitled *United States and Commonwealth of Puerto Rico v. Port*

<sup>3</sup> Similarly, and contrary to Respondent’s claim, Due Process does not require the CALJ to delay summary disposition of the case until his motion to stay pending before the Illinois Circuit Court had been decided. *Resp. Reply* at 3–4. Rather, Due Process required the CALJ to provide Respondent the opportunity to respond to the Order to Show Cause and the Government’s Request for Summary Disposition. The CALJ did provide Respondent such an opportunity, and the Respondent did so respond. Respondent provided no authority for the notion that the CALJ violated Respondent’s right to Due Process by, in fact, providing Respondent an “opportunity to be heard” instead of delaying such opportunity. Respondent’s claim that the CALJ should have delayed his recommended decision is particularly unavailing where, as here, there are no controlling facts in dispute.

<sup>4</sup> For the same reasons which led the IDFPF to order the indefinite suspension of Respondent’s medical license, I conclude that the public interest necessitates that this Order be effective immediately. 21 CFR 1316.67.

*Stewart GmbH&Co. Kg of Germany*, Civil Action No. 3:17-cv-01742.

In a Complaint, the United States, on behalf of the Department of Commerce, National Oceanic and Atmospheric Association (“NOAA”), and the Commonwealth of Puerto Rico, on behalf of the Puerto Rico Department of Natural and Environmental Resources (“DNER”), seek to recover damages for the injury to, destruction of, loss of, or loss of use of natural resources under the Oil Pollution Act, 33 U.S.C. 2701, *et seq.* The Complaint alleges that on October 27, 2009, Port Stewart GmbH&Co. Kg of Germany (the “Defendant”), caused damage to a coral reef habitat on the southeast side of Puerto Rico near the entrance to Yabucoa Channel in the Caribbean Sea due to the grounding of the *T/V Port Stewart*, an oil tanker that it owned and operated. The proposed Consent Decree in this case requires that Defendant pay a total of \$550,000 for the damage, which includes \$412,000 to restore injured coral reefs in the area, and \$128,000 in reimbursement of NOAA costs and \$10,000 in reimbursement of DNER costs in assessing the damage.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and Commonwealth of Puerto Rico v. Port Stewart GmbH&Co. Kg of Germany*, D.J. Ref. No. 90-5-1-1-11557. 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 .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a>
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the proposed Consent Decree may be examined and downloaded at this Justice Department Web site: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the proposed Consent Decree 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 \$5.50 (25 cents per page

reproduction cost), payable to the United States Treasury.

**Robert E. Maher, Jr.,**

*Assistant Chief, Environmental Enforcement Section, Environment & Natural Resources Division.*

[FR Doc. 2017-11783 Filed 6-6-17; 8:45 am]

**BILLING CODE 4410-15-P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[17-033]

### Notice of Information Collection

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of information collection renewal, with change.

**SUMMARY:** The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** All comments should be submitted within 30 calendar days from the date of this publication.

**ADDRESSES:** Interested persons are invited to submit written comments regarding the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 7th Street NW., Washington, DC 20543. Attention: Desk Officer for NASA.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Frances Teel, NASA PRA Officer, NASA Headquarters, 300 E Street SW., JF0000, Washington, DC 20546, (202) 358-2225.

### SUPPLEMENTARY INFORMATION:

#### I. Abstract

The National Aeronautics and Space Administration seeks to collect information from members of the public to plan, conduct, and register participants and volunteers for the NASA Human Exploration Rover Challenge, which supports science, technology, engineering, or mathematics (STEM) education. This engineering design challenge focuses on NASA's current plans to explore planets, moons, asteroids, and comets—all members of the solar system family. The challenge will focus on designing, constructing

and testing technologies for mobility devices to perform in these different environments, and it will provide valuable experiences that engage students in the technologies and concepts that will be needed in future exploration missions. NASA collects the minimum information necessary from teams, participants, and volunteers to plan and conduct the event.

#### II. Method of Collection

Electronic.

#### III. Data

*Title:* NASA Human Exploration Rover Challenge.

*OMB Number:* 2700-0157.

*Type of Review:* Extension, with change, of a currently approved information collection.

*Affected Public:* Individuals.

*Estimated Number of Respondents:* 960.

*Estimated Total Annual Burden Hours:* 78.

*Estimated Total Annual Cost:* \$7,425.00.

#### IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

**Frances Teel,**

*NASA PRA Clearance Officer.*

[FR Doc. 2017-11775 Filed 6-6-17; 8:45 am]

**BILLING CODE 7510-13-P**

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards (ACRS); Meeting of the ACRS Subcommittee on Northwest Medical Isotopes; Notice of Meeting

The ACRS Subcommittee on Northwest Medical Isotopes (NWMI) will hold a meeting on June 19, 2017,

at 11545 Rockville Pike, Room T-2B1, Rockville, Maryland 20852.

The meeting will be open to public attendance with the exception of portions that may be closed to protect information that is proprietary pursuant to 5 U.S.C. 552b(c)(4). The agenda for the subject meeting shall be as follows:

**Monday, June 19, 2017—8:30 a.m. Until 5:15 p.m.**

The Subcommittee will review and comment on Chapters 1, 2, 4, and 5 of the NWMI Construction Permit Application Preliminary Safety Analysis Report for a Radioisotope Production Facility, and the associated NRC Safety Evaluation Reports.

The Subcommittee will hear presentations by and hold discussions with the NRC staff and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Kathy Weaver (Telephone 301-415-6236 or Email: [Kathy.Weaver@nrc.gov](mailto:Kathy.Weaver@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 17, 2016, (81 FR 71543).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/acrs>. Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting,