

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### 21 CFR Part 1308

[Docket No. DEA-269N]

#### Schedules of Controlled Substances: Placement of Embutramide Into Schedule III; Extension of Comment Period

**AGENCY:** Drug Enforcement Administration (DEA), Department of Justice.

**ACTION:** Notice of proposed rulemaking; extension of comment period.

**SUMMARY:** The Drug Enforcement Administration (DEA) is extending the comment period and time to request a hearing on the **Federal Register** Notice of proposed rulemaking entitled "Schedules of Controlled Substances: Placement of Embutramide into Schedule III" published on July 29, 2005 (70 FR 43809).

**DATES:** The period for public comment that was to close on August 29, 2005, will be extended to September 28, 2005.

**ADDRESSES:** To ensure proper handling of comments, please reference "Docket No. DEA-269P" on all written and electronic correspondence. Written comments being sent via regular mail should be sent to the Deputy Administrator, Drug Enforcement Administration, Washington, DC 20537, Attention: DEA **Federal Register** Representative/ODL. Written comments sent via express mail should be sent to the Deputy Administrator, Drug Enforcement Administration, Attention: DEA **Federal Register** Representative/ODL, 2401 Jefferson Davis Highway, Alexandria, VA 22301. Comments may be directly sent to DEA electronically by sending an electronic message to [dea.diversion.policy@usdoj.gov](mailto:dea.diversion.policy@usdoj.gov). Comments may also be sent electronically through <http://www.regulations.gov> using the electronic comment form provided on that site. An electronic copy of this

document is also available at the <http://www.regulations.gov> Web site. DEA will accept electronic comments containing MS Word, WordPerfect, Adobe PDF, or Excel file formats only. DEA will not accept any file format other than those specifically listed here.

#### FOR FURTHER INFORMATION CONTACT:

Christine A. Sannerud, Ph.D., Chief, Drug and Chemical Evaluation Section, Drug Enforcement Administration, Washington, DC 20537, Telephone: (202) 307-7183.

#### SUPPLEMENTARY INFORMATION: DEA

published a Notice of Proposed Rulemaking (70 FR 43809) proposing the placement of embutramide into Schedule III of the Controlled Substances Act (CSA). The proposed scheduling action is based on a scientific and medical evaluation and recommendation by the Department of Health and Human Services and an evaluation of this and other information by DEA. On August 22, 2005, DEA received a request for an extension of the period in which to comment and request a hearing. The requestor indicated that the additional time is necessary to review the scientific articles and other information cited by DEA in support of its scheduling proposal. Upon consideration of this request, a thirty day extension of the time to comment and request a hearing is granted. This allows sufficient time for interested persons to evaluate and consider all relevant information and respond accordingly. Therefore, the comment period and time to request a hearing is extended to September 28, 2005. Comments must be received by the DEA on or before this date.

Dated: August 24, 2005.

**Michele M. Leonhart,**

*Deputy Administrator.*

[FR Doc. 05-17163 Filed 8-26-05; 8:45 am]

**BILLING CODE 4410-09-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Part 1926

[Docket No. H023]

RIN 1218-AC18

#### Notice of a Regulatory Flexibility Act Review of Lead in Construction

**AGENCY:** Occupational Safety and Health Administration, Labor.

**ACTION:** Extension of comment period.

**SUMMARY:** The Occupational Safety and Health Administration (OSHA) is conducting a review of the lead in construction standard, 29 CFR 1926.62, under Section 610 of the Regulatory Flexibility Act and Section 5 of Executive Order 12866 on Regulatory Planning and Review. On June 6 (70 FR 32739-42), OSHA requested comments for that review, provided background and gave information on the issues. Requests have been received to extend the comment period to permit the public more time to gather and submit information. Accordingly, OSHA is extending the period.

**DATES:** Written comments to OSHA must be sent or postmarked by November 7, 2005.

**ADDRESSES:** You may submit three copies of your written comments to the OSHA Docket Office, Docket No. H023, Technical Data Center, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-2350. If your written comments are 10 pages or fewer, you may fax them to the OSHA Docket Office at (202) 693-1648. You do not have to send OSHA a hard copy of your faxed comments. Supplemental information such as studies and journal articles cannot be attached. Instead, three copies of each study, article, or other supplemental document must be sent to the OSHA Docket Office at the address above. These materials must clearly identify the associated comments to which they will be attached in the docket by the following information: Name of person submitting comments; date of comment submission; subject of comments; and docket number to which comments belong.

You may submit comments electronically at either of the following:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.
- **OSHA Web Site:** <http://ecommments.osha.gov>. Follow the instructions for submitting comments on OSHA's Web page.

Please note that you may not attach materials such as studies or journal articles to your electronic comments. If you wish to include such materials, you must submit three copies of the material to the OSHA Docket Office at the above address. When submitting such material to the OSHA Docket Office, you must clearly identify your electronic comments by name, date, subject, and docket number so that the Docket Office can attach the materials to your electronic comments.

Note that security-related problems may result in significant delays in receiving comments and other materials by regular mail. Telephone the OSHA Docket Office at (202) 693-2350 for information regarding security procedures concerning delivery of materials by express delivery, hand delivery, and messenger service.

All comments and submissions will be available for inspection and copying in the OSHA Docket Office at the address above. Most comments and submissions will be posted on OSHA's Web page (<http://www.osha.gov>). Contact the OSHA Docket Office at (202) 693-2350 for information about materials not available on the OSHA Web page and for assistance in using this Web page to locate docket submissions. Because comments sent to the docket or to OSHA's Web page are available for public inspection, the Agency cautions interested parties against including in these comments personal information, such as social security numbers and birth dates.

**FOR FURTHER INFORMATION CONTACT:**

Joanna Dizikes Friedrich, Directorate of Evaluation and Analysis, Occupational Safety and Health Administration, Room N-3641, 200 Constitution Avenue NW., Washington, DC 20210, Telephone (202) 693-1939, Fax (202) 693-1641.

**Authority:** This document was prepared under the direction of Jonathan L. Snare, Deputy Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue, NW., Washington, DC 20210. It is issued under Section 610 of the Regulatory Flexibility Act (5 U.S.C. 610) and Section 5 of Executive Order 12866 (59 FR 51724, October 4, 1993).

Signed at Washington, DC, this 22nd day of August, 2005.

**Jonathan L. Snare,**

*Deputy Assistant Secretary of Labor.*

[FR Doc. 05-17067 Filed 8-26-05; 8:45 am]

**BILLING CODE 4510-26-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[CGD05-05-105]

RIN 1625-AA08

#### Special Local Regulations for Marine Events; Choptank River, Cambridge, MD

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish special local regulations during the "Chesapeake Ultra Triathlon", an event to be held October 1, 2005 on the waters of Choptank River at Cambridge, MD. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to temporarily restrict vessel traffic in a portion of the Choptank River during the Chesapeake Ultra Triathlon swim.

**DATES:** Comments and related material must reach the Coast Guard on or before September 19, 2005.

**ADDRESSES:** You may mail comments and related material to Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, hand-deliver them to Room 119 at the same address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays, or fax them to (757) 398-6203. The Auxiliary and Recreational Boating Safety Branch, Fifth Coast Guard District, maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the above address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Dennis Sens, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

**SUPPLEMENTARY INFORMATION:**

### Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD05-05-105), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

In order to provide notice and an opportunity to comment before issuing an effective rule, we are providing a shorter than normal comment period. A 20-day comment period is sufficient to allow those who might be affected by this rulemaking to submit their comments because the regulations have a narrow, local application, and there will be local notifications in addition to the **Federal Register** publication such as press releases, marine information broadcasts, and the Local Notice to Mariners.

### Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to the address listed under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

### Background and Purpose

On October 1, 2005, the Columbia Triathlon Association will sponsor the "Chesapeake Ultra Triathlon". The swimming segment of the event will consist of approximately 300 swimmers competing across a 2.4-mile course along the Choptank River between the Hyatt Regency Chesapeake Bay Resort Beach and Great Marsh Park, Cambridge, Maryland. The competition will begin at the Hyatt Regency Beach. The participants will swim across to the finish line located at Great Marsh Park, swimming approximately 100 yards off shore, parallel with the shoreline. Approximately 20 support vessels will accompany the swimmers. Due to the need for vessel control during the swimming event, the Coast Guard will temporarily restrict vessel traffic in the event area to provide for the safety of