

1:00 p.m. at the Airport Hilton Hotel in El Paso, Texas.

FOR FURTHER INFORMATION CONTACT:

Tracy Williams, Public Relations Officer, Border Environment Cooperation Commission, P.O. Box 221648, El Paso, Texas 79913; Tel: (011-52-16) 29-23-95; Fax: (011-52-16) 29-23-97; E-mail: BECC1@itsnet.com. or Mr. M.R. Ybarra, Secretary to the United States Section of the International Boundary and Water Commission (915) 534-6698.

SUPPLEMENTARY INFORMATION: The International Boundary and Water Commission, United States and Mexico, announces that the Border Environment Cooperation Commission (BECC) cordially invites all interested persons to attend a special public meeting of the Board of Directors on Wednesday, November 15, 1995, from 9:00 a.m. to 1:00 p.m. at the Airport Hilton Hotel in El Paso, Texas. The primary focus of the meeting will be to clarify the El Paso, Texas Wastewater Reclamation and Reuse Project. A preview of projects which may be considered for certification during the January 18, 1996 public meeting of the Board of Directors will also be presented.

Proposed Agenda

- Report from the General Manager
- Public Comments
- Presentation for Certification of El Paso Water Reclamation and Reuse Project
- Preview of Projects which may be Recommended for Certification at the January 18, 1996 Public Meeting of the Board of Directors
- Status of Technical Assistance Program
- Advisory Council Comments
- Comments by Board of Directors

Projects which could be considered for certification at the January 18, 1996 public meeting, provided they comply with fundamental BECC criteria include:

- Wastewater Treatment Plants, Cd. Juarez, Chihuahua
- Wastewater Treatment Plant for the FINSA Industrial Park, Matamoros, Tamps.
- Increased Water Supply and Sanitation, Nogales, Sonora
- New Water Supply and Wastewater Treatment Project, Naco, Sonora
- Upgrade of Existing Wastewater System, Somerton, Arizona
- Upgrade of Water Distribution and Sewage Collection Systems, Douglas, Arizona
- Tire Recycling Project, Mexicali, Baja California

—Environmental Improvements and Urban Development, Phase III, Tijuana, B.C.

Any member of the public interested in submitting written comments to the Board of Directors on the projects proposed for certification should send written material to the BECC staff 15 days prior to the scheduled public meetings. Anyone interested in making a brief statement to the Board may do so during the public meetings.

Dated: October 16, 1995.

M.R. Ybarra,

Secretary, US IBWC.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 94-63]

David D. Miller, M.D.; Grant of Restricted Registration

On June 28, 1994, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to David D. Miller, M.D., (Respondent) of Bartlesville, Oklahoma, notifying him of an opportunity to show cause as to why DEA should not deny his pending application for registration as a practitioner under 21 U.S.C. 823(f), as being inconsistent with the public interest. Specifically, the Order to Show Cause alleged that: (1) In September 1992, the Respondent delivered one-eighth ounce of marijuana, a Schedule I controlled substance, to an Oklahoma State undercover officer, and in October 1992, he surrendered two to three ounces of marijuana to the same officer, after admitting that he had been obtaining marijuana locally for several years and had been a user of marijuana since his college days; (2) on October 12, 1992, the Respondent entered a plea of *nolo contendere* to a felony charge of unlawful distribution of a controlled dangerous substance-marijuana, and the Oklahoma Eleventh Judicial District Court deferred the imposition of sentence for five years, placing the Respondent on probation for that period; (3) on October 12, 1992, the Oklahoma Bureau of Narcotic and Dangerous Drugs ordered the suspension of the Respondent's controlled dangerous substances registration, but reinstated it in April 1993; (4) on December 3, 1992, the Oklahoma Board of Medical Licensure determined that the Respondent's conduct violated the State Medical

Practice Act and suspended the Respondent's license to practice medicine, but reinstated it and placed the Respondent on five years probation beginning April 8, 1993; and (5) on January 2, 1993, the Respondent voluntarily surrendered his DEA Certificate of Registration; BM0852423, for cause.

On July 25, 1994, the Respondent filed a timely request for a hearing, and following prehearing procedures, a hearing was held in Oklahoma City, Oklahoma, on November 29, 1994, before Administrative Law Judge Paul A. Tenney. At the hearing, the Respondent was represented by counsel, both parties called witnesses to testify and introduced documentary evidence, and after the hearing, counsel for both sides submitted proposed findings of fact, conclusions of law and argument. On January 17, 1995, Judge Tenney issued his Findings of Fact, Conclusions of Law, and Recommended Ruling, recommending that DEA grant the Respondent's application for a DEA Certificate of Registration with certain limitations. Neither party filed exceptions to his decision, and on February 17, 1995, Judge Tenney transmitted the record of these proceedings to the Deputy Administrator.

The Deputy Administrator has considered the record in its entirety, and pursuant to 21 C.F.R. 1316.67, hereby issues his final order based upon findings of fact and conclusions of law as hereinafter set forth. The Deputy Administrator adopts, in full, the Findings of Fact, Conclusions of Law, and Recommended Ruling 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 Deputy Administrator finds that during the hearing before Judge Tenney, a Special Agent of the Oklahoma Bureau of Narcotics testified that in 1992, he opened a criminal investigation of the Respondent. With the assistance of a nurse, on September 1, 1992, the Agent received marijuana from the Respondent. The parties stipulated that marijuana is a Schedule I controlled substance pursuant to 21 C.F.R. 1308.11(d). On October 1, 1992, the Agent asked the Respondent to come to the Washington County Sheriff's Office in Bartlesville, Oklahoma, and after being notified of the investigation and the potential charges, the Respondent voluntarily turned over approximately two to three ounces of marijuana to the Agent. After rights advisement, the Respondent also told the Agent that he