

Bureau of Justice Statistics (BJS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and will be accepted for 60 days until August 15, 2014.

FOR FURTHER INFORMATION CONTACT: If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Rachel Morgan, Statistician, Bureau of Justice Statistics, 810 Seventh St. NW., Washington, DC 20531 (email Rachel.Morgan@usdoj.gov; telephone 202-307-0765).

SUPPLEMENTARY INFORMATION: This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of information collection:* Revision of currently approved collection.

(2) *The title of the Form/Collection:* School Crime Supplement (SCS) to the National Crime Victimization Survey (NCVS).

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Forms: SCS-1. Bureau of Justice

Statistics, Office of Justice Programs, United States Department of Justice.

(4) *Affected public who will be asked to respond, as well as a brief abstract:* Primary: The survey will be administered to persons ages 12 to 18 in NCVS sampled households in the United States. The School Crime Supplement (SCS) to the National Crime Victimization Survey (NCVS) collects, analyzes, publishes, and disseminates statistics on the students' victimization, perceptions of school environment, and safety at school.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* Approximately 14,461 respondents between the ages of 12 and 18 will be eligible to complete an SCS interview. This is an increase of 4,909 respondents from the 2013 SCS data collection. Based on the 2013 SCS data collection, we expect that the SCS will take no longer than about 17.5 minutes to administer. The majority of respondents will complete the long SCS interview (entire SCS questionnaire) which will take an estimated 0.292 hours (17.52 minutes) to complete. Based on the 2013 SCS data collection, we expect the completion rate to be 51.7% for the long interview. The remainder of the respondents will complete the short interview (i.e. will be screened out for not being in school), which will take an estimated 0.047 hours (2.83 minutes) to complete. We expect the completion rate to be 8.2% for the short interview. This will amount to a total increase in burden response of 760 hours $((4,909 * 0.517) * 0.292) + ((4,909 * 0.082) * 0.047)$. Due to the changes in the 2015 SCS instrument, we anticipate a total decrease in burden of 89 hours. This is a net increase of 671 (760-89) hours in respondent burden compared to the 2013 submitted total respondent burden estimate of 1,773 hours. The total respondent burden is approximately 2,444 (1,773+671) hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total respondent burden is approximately 2,444 hours.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405B, Washington, DC 20530.

Dated: June 11, 2014.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2014-13996 Filed 6-13-14; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act

On June 9, 2014, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Western District of Missouri in the lawsuit entitled *United States and the State of Missouri v. United States Steel Corporation*, Civil Action No. 14-cv 5078.

The Consent Decree settles claims asserted in a Complaint filed against United States Steel Corporation (USS) by the United States, on behalf of DOI in its capacity as trustee for federal Natural Resources and the State of Missouri, on behalf of the Missouri Department of Natural Resources, in its capacity as trustee for state Natural Resources in Missouri, under Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act and Section 644.096 RSMo of the Missouri Clean Water Law. The Complaint alleges that USS is liable for natural resource damages at the Waco Designated Area of Oronogo-Duenweg Mining Belt Super Fund Site located in Jasper County Missouri resulting from the releases of hazardous substances at properties owned and operated by predecessors in interest to USS. The Consent Decree requires USS to pay natural resource damages in the amount of \$222,462.64 into a fund, to be jointly administered by the United States and State of Missouri, which will be used to replace, restore or acquire the equivalent of the injured and destroyed natural resources for which USS is responsible. USS will also reimburse the governments' past natural damage assessment costs in the amount of \$35,432.62 to the United States and \$8,375.74 to the State of Missouri.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and State of Missouri v. United States Steel*, D.J. Ref. No. 90-11-2-1081/7. 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 mail:

| <i>To submit comments:</i> | <i>Send them to:</i> |
|----------------------------|---|
| By email | <i>pubcomment-ees.enrd@usdoj.gov.</i> |
| By mail | Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611. |

During the public comment period, the consent decree may be examined and downloaded at this Justice Department Web site: http://www.usdoj.gov/enrd/Consent_Decrees.html. We will provide a paper copy of the 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 \$5.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Susan Akers,

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

[FR Doc. 2014–13885 Filed 6–13–14; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Roy S. Schwartz; Decision and Order

On October 7, 2013, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, issued an Order to Show Cause to Roy S. Schwartz, D.D.S. (hereinafter, Registrant), of Tacoma, Washington. The Show Cause Order proposed the revocation of Registrant's DEA Certificate of Registration, which authorizes him to dispense controlled substances as a practitioner, and the denial of any pending applications to renew or modify his registration, on the ground that his "continued registration is inconsistent with the public interest." GX 1, at 1.

More specifically, the Show Cause Order alleged Registrant had procured controlled substances for one Dr. Raymond Wilkinson, who had previously held a DEA registration but which he had surrendered for cause, and that Registrant distributed controlled substances to Dr. Wilkinson who used them to sedate a patient at Registrant's registered address. *Id.* at

1–2. The Show Cause Order also alleged Dr. Wilkinson removed the controlled substances from Registrant's registered address and administered them "to individuals with whom [Registrant] did not establish a doctor patient relationship." *Id.* at 2 (citations omitted).

Next, the Show Cause Order alleged that Registrant had made "material false and misleading statements to investigators during the initial phase of the investigation, including denying [that he knew] where Dr. Wilkinson obtained the controlled substances, denying ordering controlled substances, and stating that [he was] unfamiliar with DEA Forms–222." *Id.* The Order then set forth various statements Registrant allegedly made including that on November 2, 2012, he told Washington Department of Health Investigators that he "did not know where Dr. Wilkinson obtained controlled substances and that [he] never ordered controlled substances." *Id.* Based on various statements Registrant made to both Washington State and DEA Investigators, the Government also alleged that Registrant had "turned a willful blind eye to the diversion of controlled substances you obtained using your own DEA Certificate of Registration." *Id.* at 3.

The Show Cause Order further alleged that during an on-site inspection of his registered location, DEA Investigators found that Registrant: (1) Did not have an initial or biennial inventory of controlled substances; (2) failed to properly document the receipt of controlled substances on DEA Form 222s; (3) failed to maintain all invoices of schedule II through V controlled substances and/or "failed to maintain . . . records in readily retrievable form"; and 4) failed to maintain effective controls against diversion by "allowing Dr. Wilkinson to maintain controlled substances in a locked suitcase in an unlocked cabinet at an unregistered location." *Id.* at 3–4 (citations omitted). Finally, the Show Cause Order alleged DEA Investigators conducted an audit, which found that Registrant had overages of two ampules of 2 ml. fentanyl 50mcg/ml., ten ampules of 5 ml fentanyl 50mcg/ml., and 131 vials of 2 ml. midazolam 1mg/ml. *Id.* at 4.

On October 8, 2013, a DEA Diversion Investigator (DI) personally served the Show Cause Order on Registrant. GX 4. While the Show Cause Order explained that Registrant had the right to request a hearing on the allegations, the procedure for requesting a hearing (by sending his request to the Hearing Clerk, DEA Office of Administrative Law

Judges, at a Springfield, Va., mailing address) and that if he failed to do so within 30 days of receipt of the Order, he would "be deemed to have waived [his] right to a hearing." GX 1, at 4; Registrant did nothing until November 20, 2013, when he wrote the DI (who was located in Seattle, Washington) requesting a continuance of the time for him to respond to the Order. GX 5, at 3. On December 4, 2013, after the letter to the DI was returned undelivered, Registrant wrote the Hearing Clerk requesting a continuance; this letter was received on December 9, 2013, and the matter was assigned to an Administrative Law Judge (ALJ).

Thereafter, pursuant to the ALJ's order, the Government filed a notice of service and a motion to terminate the proceeding on the ground that Registrant had neither timely requested a hearing nor demonstrated good cause for failing to do so. GX 8. While Registrant claimed that he had inadvertently mailed his letter to the DI (as well as attached his previous letter in which he asserted that he had encountered difficulty finding an attorney to represent him), GX 7, the ALJ found that this did not establish good cause. GX 9, at 9. The ALJ therefore granted the Government's motion to terminate the proceeding.

Thereafter, the Government submitted a Request for Final Agency Action to my Office. Having reviewed the record, I find that Registrant failed to timely request a hearing and has failed to demonstrate good cause to excuse his untimely filing. Accordingly, I find that Registrant has waived his right to a hearing and issue this Decision and Order based on the Investigative Record submitted by the Government. I make the following findings of fact.

Findings

Registrant is the holder of DEA Certificate of Registration, pursuant to which he is authorized to dispense controlled substances in schedules II through V, as a practitioner, at the registered location of: 1901 S. Union Ave, Suite B4008, Allenmore Medical Center Building B, Tacoma, WA 98405–1804. GX 3. His registration does not expire until February 28, 2015. *Id.*

According to the affidavit of an Investigator with the Washington Department of Health (hereinafter, DOH), the DOH received complaints that one Dr. Raymond Wilkinson had used expired fentanyl and ketamine to perform conscious sedation on patients at the University of Washington's Periodontics Clinic. GX 10, at 1. However, the drugs (which are schedule II and schedule III controlled substances