

necessary to provide for the estimated medical, scientific, research, and industrial needs of the United States, for export requirements and the establishment and maintenance of reserve stocks. While aggregate production quotas are of primary importance to large manufacturers, their impact upon small entities is neither negative nor beneficial. Accordingly, the Deputy Administrator has determined that this action does not require a regulatory flexibility analysis.

This action meets the applicable standards set forth in Sections 3(a) and 3(b)(2) of Executive Order 12988 Civil Justice Reform.

This action will not result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of \$120,000,000 or more in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

This action is not a major rule as defined by Section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This action will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Dated: October 13, 2009.

Michele M. Leonhart,
Deputy Administrator.

[FR Doc. E9-25274 Filed 10-20-09; 8:45 am]

BILLING CODE 4410-09-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[DEA # 318E]

Controlled Substances: Established Initial Aggregate Production Quotas for 2010

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Notice of aggregate production quotas for 2010.

SUMMARY: This notice establishes initial 2010 aggregate production quotas for controlled substances in schedules I and II of the Controlled Substances Act (CSA).

DATES: *Effective Date:* October 21, 2009.

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

SUPPLEMENTARY INFORMATION: Section 306 of the CSA (21 U.S.C. 826) requires that the Attorney General establish aggregate production quotas for each basic class of controlled substance listed in schedules I and II. This responsibility has been delegated to the Administrator of the DEA by 28 CFR 0.100. The Administrator, in turn, has redelegated this function to the Deputy Administrator, pursuant to 28 CFR 0.104.

The 2010 aggregate production quotas represent those quantities of controlled substances that may be produced in the United States in 2010 to provide adequate supplies of each substance for: the estimated medical, scientific, research and industrial needs of the United States; lawful export requirements; and the establishment and maintenance of reserve stocks (21 U.S.C. 826(a) and 21 CFR 1303.11). These quotas do not include imports of controlled substances for use in industrial processes.

On May 21, 2009, a notice of the proposed initial 2010 aggregate production quotas for certain controlled substances in schedules I and II was published in the **Federal Register** (74 FR 23881). All interested persons were invited to comment on or object to these proposed aggregate production quotas on or before June 22, 2009.

Twelve responses (eleven from DEA registered manufacturers, and one from a non-DEA registrant) were received within the published comment period, offering comments on a total of 28 schedule I and II controlled substances. One additional comment was received after the comment period ended and therefore was not considered. The commenters stated that the proposed aggregate production quotas for 3,4-methylenedioxyamphetamine, 3,4-methylenedioxyethylamphetamine, 3,4-methylenedioxymethamphetamine, alfentanil, amphetamine (for sale), codeine (for sale), codeine (for conversion), dihydromorphine, fentanyl, gamma hydroxybutyric acid, hydrocodone, hydromorphone, isomethadone, levo-desoxyephedrine, levorphanol, lisdexamfetamine, methamphetamine (for sale), morphine (for conversion), nabilone, opium (tincture), oxycodone (for sale), oxycodone (for conversion), oxymorphone (for sale), remifentanil, sufentanil, tapentadol,

tetrahydrocannabinols, and thebaine were insufficient to provide for the estimated medical, scientific, research and industrial needs of the United States, for export requirements and for the establishment and maintenance of reserve stocks.

In arriving at the aggregate production quotas, DEA has taken into consideration the above comments along with the factors set forth at 21 CFR 1303.11(b) and other relevant 2009 factors, including 2009 manufacturing quotas, current 2009 sales and inventories, 2010 export requirements, additional applications received, and research and product development requirements. Based on this information, DEA has adjusted the initial aggregate production quotas for 4-methoxyamphetamine, alpha-methyltryptamine, amphetamine (for conversion), dihydromorphine, isomethadone, levo-desoxyephedrine, lisdexamfetamine, lysergic acid diethylamide, methamphetamine (for sale), methamphetamine (for conversion), methaqualone, oxycodone (for sale), oxycodone (for conversion), oxymorphone (for sale) and phenylacetone to meet the legitimate needs of the United States.

DEA proposed the aggregate production quota for tapentadol at 519,000 g in the 2010 proposed initial aggregate production quota notice published on May 21, 2009 in the **Federal Register** (74 FR 23881). Tapentadol is no longer listed because the material will be imported into the United States and not manufactured domestically.

Regarding 3,4-methylenedioxyamphetamine, 3,4-methylenedioxyethylamphetamine, 3,4-methylenedioxymethamphetamine, alfentanil, amphetamine (for sale), codeine (for sale), codeine (for conversion), fentanyl, gamma hydroxybutyric acid, hydrocodone, hydromorphone, levorphanol, morphine (for conversion), nabilone, opium (tincture), remifentanil, sufentanil, tetrahydrocannabinols, and thebaine DEA has determined that the proposed initial 2010 aggregate production quotas are sufficient to meet the current 2010 estimated medical, scientific, research and industrial needs of the United States.

Pursuant to 21 CFR 1303, the Deputy Administrator of DEA will, in 2010, adjust aggregate production quotas and individual manufacturing quotas allocated for the year based upon 2009 year-end inventory and actual 2009 disposition data supplied by quota recipients for each basic class of schedule I or II controlled substance.

Therefore, under the authority vested in the Attorney General by Section 306 of the CSA (21 U.S.C. 826), and delegated to the Administrator of DEA

by 28 CFR § 0.100, and redelegated to the Deputy Administrator pursuant to 28 CFR 0.104, the Deputy Administrator hereby orders that the 2010 initial

aggregate production quotas for the following controlled substances, expressed in grams of anhydrous acid or base, be established as follows:

Basic class—Schedule I	Established 2010 quotas
2,5-Dimethoxyamphetamine	2 g
2,5-Dimethoxy-4-ethylamphetamine (DOET)	2 g
3-Methylfentanyl	2 g
3-Methylthiofentanyl	2 g
3,4-Methylenedioxyamphetamine (MDA)	25 g
3,4-Methylenedioxy-N-ethylamphetamine (MDEA)	10 g
3,4-Methylenedioxymethamphetamine (MDMA)	20 g
3,4,5-Trimethoxyamphetamine	2 g
4-Bromo-2,5-dimethoxyamphetamine (DOB)	2 g
4-Bromo-2,5-dimethoxyphenethylamine (2-CB)	2 g
4-Methoxyamphetamine	77 g
4-Methylaminorex	2 g
4-Methyl-2,5-dimethoxyamphetamine (DOM)	2 g
5-Methoxy-3,4-methylenedioxyamphetamine	2 g
5-Methoxy-N,N-diisopropyltryptamine	5 g
Acetyl-alpha-methylfentanyl	2 g
Acetyldihydrocodeine	2 g
Acetylmethadol	2 g
Allylprodine	2 g
Alphacetylmethadol	2 g
Alpha-ethyltryptamine	2 g
Alphameprodine	2 g
Alphamethadol	2 g
Alpha-methylfentanyl	2 g
Alpha-methylthiofentanyl	2 g
Alpha-methyltryptamine	2 g
Aminorex	2 g
Benzylmorphine	2 g
Betacetylmethadol	2 g
Beta-hydroxy-3-methylfentanyl	2 g
Beta-hydroxyfentanyl	2 g
Betameprodine	2 g
Betamethadol	2 g
Betaprodine	2 g
Bufotenine	3 g
Cathinone	3 g
Codeine-N-oxide	602 g
Diethyltryptamine	2 g
Difenoxin	3,000 g
Dihydromorphine	3,300,000 g
Dimethyltryptamine	3 g
Gamma-hydroxybutyric acid	24,200,000 g
Heroin	20 g
Hydromorphanol	2 g
Hydroxypethidine	2 g
Ibogaine	1 g
Lysergic acid diethylamide (LSD)	15 g
Marihuana	4,500,000 g
Mescaline	7 g
Methaqualone	7 g
Methcathinone	4 g
Methyldihydromorphine	2 g
Morphine-N-oxide	605 g
N-Benzylpiperazine	2 g
N,N-Dimethylamphetamine	7 g
N-Ethylamphetamine	2 g
N-Hydroxy-3,4-methylenedioxyamphetamine	2 g
Noracymethadol	2 g
Norlevorphanol	52 g
Normethadone	2 g
Normorphine	16 g
Para-fluorofentanyl	2 g
Phenomorphan	2 g
Pholcodine	2 g
Psilocybin	7 g
Psilocyn	7 g
Tetrahydrocannabinols	312,500 g
Thiofentanyl	2 g
Trimeperidine	2 g

Basic class—Schedule II	Established 2010 quotas
1-Phenylcyclohexylamine	2 g
1-piperidinocyclohexanecarbonitrile	2 g
Alfentanil	8,000 g
Alphaprodine	2 g
Amobarbital	3 g
Amphetamine (for sale)	17,000,000 g
Amphetamine (for conversion)	6,500,000 g
Cocaine	247,000 g
Codeine (for sale)	39,605,000 g
Codeine (for conversion)	65,000,000 g
Dextropropoxyphene	106,000,000 g
Dihydrocodeine	1,200,000 g
Diphenoxylate	947,000 g
Ecgonine	83,000 g
Ethylmorphine	2 g
Fentanyl	1,428,000 g
Glutethimide	2 g
Hydrocodone (for sale)	55,000,000 g
Hydromorphone	3,300,000 g
Isomethadone	11 g
Levo-alphaacetylmethadol (LAAM)	3 g
Levomethorphan	5 g
Levorphanol	10,000 g
Lisdexamfetamine	9,000,000 g
Meperidine	8,600,000 g
Meperidine Intermediate-A	3 g
Meperidine Intermediate-B	7 g
Meperidine Intermediate-C	3 g
Metazocine	1 g
Methadone (for sale)	25,000,000 g
Methadone Intermediate	26,000,000 g
Methamphetamine	3,130,000 g
[750,000 grams of levo-desoxyephedrine for use in a non-controlled, non-prescription product; 2,331,000 grams for methamphetamine mostly for conversion to a schedule III product; and 49,000 grams for methamphetamine (for sale)]	
Methylphenidate	50,000,000 g
Morphine (for sale)	35,000,000 g
Morphine (for conversion)	100,000,000 g
Nabilone	9,002 g
Noroxymorphone (for sale)	10,000 g
Noroxymorphone (for conversion)	9,000,000 g
Opium (powder)	230,000 g
Opium (tincture)	1,050,000 g
Oripavine	15,000,000 g
Oxycodone (for sale)	88,000,000 g
Oxycodone (for conversion)	4,000,000 g
Oxymorphone (for sale)	2,570,000 g
Oxymorphone (for conversion)	12,000,000 g
Pentobarbital	28,000,000 g
Phenazocine	1 g
Phencyclidine	20 g
Phenmetrazine	2 g
Phenylacetone	12,500,001 g
Racemethorphan	2 g
Remifentanyl	500 g
Secobarbital	67,000 g
Sufentanil	10,300 g
Thebaine	126,000,000 g

The Deputy Administrator further orders that aggregate production quotas for all other schedules I and II controlled substances included in 21 CFR 1308.11 and 1308.12 be established at zero.

The Office of Management and Budget has determined that notices of aggregate production quotas are not subject to centralized review under Executive Order 12866. This action does not

preempt or modify any provision of state law; nor does it impose enforcement responsibilities on any state; nor does it diminish the power of any state to enforce its own laws. Accordingly, this action does not have federalism implications warranting the application of Executive Order 13132.

The Deputy Administrator hereby certifies that this action will have no significant impact upon small entities

whose interests must be considered under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* The establishment of aggregate production quotas for schedules I and II controlled substances is mandated by law and by international treaty obligations. The quotas are necessary to provide for the estimated medical, scientific, research and industrial needs of the United States, for export requirements and the

establishment and maintenance of reserve stocks. While aggregate production quotas are of primary importance to large manufacturers, their impact upon small entities is neither negative nor beneficial. Accordingly, the Deputy Administrator has determined that this action does not require a regulatory flexibility analysis.

This action meets the applicable standards set forth in Sections 3(a) and 3(b)(2) of Executive Order 12988 Civil Justice Reform.

This action will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$120,000,000 or more in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

This action is not a major rule as defined by Section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This action will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Dated: October 14, 2009.

Michele M. Leonhart,
Deputy Administrator.

[FR Doc. E9-25275 Filed 10-20-09; 8:45 am]

BILLING CODE 4410-09-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (09-091)]

NASA Advisory Council; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Aeronautics and Space Administration announces a meeting of the National Space-Based Positioning, Navigation and Timing (PNT) Advisory Board.

DATES: Thursday, November 5, 2009, 9 a.m.-5 p.m.; Friday, November 6, 2009, 9 a.m.-1 p.m.

ADDRESSES: Hilton Old Town Alexandria, 1767 King Street, Alexandria, Virginia 22314. *Metro Station:* King Street.

FOR FURTHER INFORMATION CONTACT: Mr. James J. Miller, Space Operations Mission Directorate, National Aeronautics and Space Administration, Washington, DC 20546. Phone 202-358-4417.

SUPPLEMENTARY INFORMATION: The agenda for the meeting includes updates from each of the three PNT Panels (Leadership; Strategic Engagement; and Communication, Future Challenges), including discussion and deliberation of potential recommendations. The PNT Advisory Board will address U.S. Government interests in the following areas:

- Implementation of the President's 2004 U.S. Space-Based Positioning, Navigation and Timing Policy.
- National Space-Based PNT Executive Committee, and National Space-Based PNT Coordination Office.
- Global Positioning System (GPS) Constellation and Modernization Plans.
- U.S. GPS Technological Leadership and Competitiveness.
- Promoting and Branding Current and Future PNT Capabilities to the U.S. and International Communities.
- Global Technical and Market Trends for PNT Services.
- Future Areas of Study.

The meeting will be open to the public up to the seating capacity of the room. It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participants.

P. Diane Rausch,

*Advisory Committee Management Officer,
National Aeronautics and Space Administration.*

[FR Doc. E9-25351 Filed 10-20-09; 8:45 am]

BILLING CODE 7510-13-P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Advisory Committee on the Electronic Records Archives

AGENCY: National Archives and Records Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), the National Archives and Records Administration (NARA) announces a meeting of the Advisory Committee on the Electronic Records Archives (ACERA). The committee serves as a deliberative body to advise the Archivist of the United States, on technical, mission, and service issues related to the Electronic Records Archives (ERA).

This includes, but is not limited to, advising and making recommendations to the Archivist on issues related to the development, implementation and use of the ERA system.

DATES: November 4-5, 2009, 9 a.m. to 4 p.m.

ADDRESSES: 700 Pennsylvania Avenue, NW. Washington, DC 20408-0001.

SUPPLEMENTARY INFORMATION:

Agenda

- Opening Remarks;
- Approval of Minutes;
- Committee Updates;
- Activities Reports;
- Adjournment.

This meeting will be open to the public. However, due to space limitations and access procedures, the name and telephone number of individuals planning to attend must be submitted to the Electronic Records Archives Program at era.program@nara.gov. This meeting will be recorded for transcription purposes.

FOR FURTHER INFORMATION CONTACT: Martha Morphy, Assistant Archivist for Information Services, (301) 837-1992.

Dated: October 15, 2009.

Mary Ann Hadyka,

Committee Management Officer.

[FR Doc. E9-25368 Filed 10-20-09; 8:45 am]

BILLING CODE 7515-01-P

National Labor Relations Board

Appointments of Individuals To Serve as Members of Performance Review Board

5 U.S.C. 4314(c)(4) requires that appointments of individuals to serve as members of Performance Review Boards be published in the **Federal Register**. Therefore, in compliance with this requirement, notice is hereby given that the individuals whose names and position titles appear below have been appointed to serve as members of Performance Review Boards in the National Labor Relations Board for the rating year beginning October 1, 2008 and ending September 30, 2009.

Name and Title

William B Cowen, Solicitor;
Gloria J. Joseph, Director of Administration;
Barry J. Kearney, Associate General Counsel, Advice;
Gary W. Shinnners, Deputy Chief Counsel to Board Member;
Richard A. Siegel, Associate General Counsel, Operations Management;
Lafe E. Solomon, Director, Office of Representation Appeals;