

terminate the investigation in its entirety based on the consent order stipulations, proposed consent orders, and settlement agreements attached to the motion. In the motion, the parties stated that there are no other agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation.

On June 14, 2013, the Commission investigative attorney ("IA") filed a response in conditional support of the joint motion, provided that the parties modify the proposed consent orders to specify the activities authorized by the settlement agreements between the parties. On June 21, 2013, complainants and respondents jointly moved for leave to file a reply to the IA's response to the joint motion. On June 24, 2013, the IA indicated to the ALJ that given the changes made to the consent orders submitted with the parties' reply, the IA does not oppose the joint motion to terminate.

On July 1, 2013, the ALJ issued the subject ID granting the joint motion. The ALJ found that there is good cause for terminating the investigation, and that he is not aware of any extraordinary circumstances that would preclude granting the motion. The ALJ further found that entry of the proposed consent orders and termination of the investigation is in the public interest. On July 9, 2013, the ALJ issued a corrected version of the subject ID to include the revised versions of the consent orders. No petitions for review were filed.

The Commission has determined not to review the ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

By order of the Commission.

Issued: July 19, 2013.

Lisa R. Barton,

Secretary to the Commission.

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District of Colorado in the lawsuit entitled *United States v. Williams Four Corners LLC*, Civil Action No. 13-cv-1923. In its Complaint the United States seeks civil penalties and injunctive relief against Williams Four Corners, LLC ("Williams") for violations of the permit issued pursuant to Part C of Subchapter I of the CAA, 42 U.S.C. 7475 (Prevention of Significant Deterioration or "PSD") and the regulations promulgated thereunder at 40 CFR 52.21, and the federal operating permit program set forth at Title V of the CAA, 42 U.S.C. 7661-7661f ("Title V") and the regulations promulgated thereunder at 40 CFR part 71, at a facility known as PLA-9 Central Deliver Point, also known as PLA-9 CDP (the "PLA-9 Facility"). The PLA-9 Facility is located approximately 18 miles southwest of Durango, Colorado, and within the exterior boundaries of the Southern Ute Indian Reservation. The PLA-9 Facility is now shut down. The Decree requires Williams pay a \$63,000 civil penalty to settle the alleged violations. Should Williams restart any operations at PLA-9 within the next two years, the Decree requires Williams comply with the requirements of the PSD Permit applicable to any emitting units that may be restarted or replaced.

The publication of this notice opens a period for public comment. Comments should be addressed to the Acting Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Williams Four Corners, LLC*, D.J. Ref. No. DOJ # 90-5-2-1-10120. 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:

<i>To submit comments:</i>	<i>Send them to:</i>
By e-mail	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail	Assistant Attorney General, U.S. DOJ-ENRD, PO 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 \$7.25 (25 cents per page reproduction cost) payable to the United States Treasury.

Robert Brook,

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

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 12-52]

George R. Smith, M.D.; Decision and Order

On February 5, 2013, Administrative Law Judge (ALJ) Gail A. Randall issued the attached Recommended Decision. Therein, the ALJ recommended that I deny Respondent's pending application for a DEA Certificate of Registration as a practitioner. Respondent did not file exceptions to the Recommended Decision.

Having reviewed the entire record, I have decided to adopt the ALJ's Recommended Decision in its entirety. Accordingly, Respondent's application will be denied.

Order

Pursuant to the authority vested in me by 21 U.S.C. 823(f) and 28 CFR 0.100(b), I order that the application of George R. Smith, M.D., for a DEA Certificate of Registration as a practitioner, be, and it hereby is, denied. This Order is effective immediately.

Dated: July 16, 2013.

Michele M. Leonhart,
Administrator.

Krista Tongring, Esq., for the Government
Louis Leichter, Esq. and Andre D'Souza, Esq.,
for the Respondent

Recommended Rulings, Findings of Fact, Conclusions of Law, and Decision of the Administrative Law Judge

I. Introduction

Gail A. Randall, Administrative Law Judge. This proceeding is an adjudication pursuant to the Administrative Procedure Act, 5 U.S.C. 551 *et seq.*, to determine whether the Drug Enforcement Administration ("DEA" or "Government") should deny a physician's application for a DEA Certificate of Registration pursuant to 21 U.S.C. 823(f) (2006). Without such registration, the physician, George R. Smith, M.D. ("Respondent" or "Dr. Smith"), would be unable to lawfully

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Air Act

On July 18, 2013 the Department of Justice filed a Complaint and simultaneously lodged a proposed Consent Decree ("Decree") with the United States District Court for the