registration suspended, revoked or denied by competent State authority''); *Beverley P. Edwards, M.D.,* 75 FR 49,991 (DEA 2010); *Joseph Baumstarck, M.D.,* 74 FR 17,525 (DEA 2009).

In this case, the Respondent does not dispute that he currently lacks state authority to handle controlled substances. However, the Respondent argues that his current state medical license suspension is temporary, as he and the Florida Department of Health are currently involved in settlement negotiations in which he anticipates that he will regain his Florida medical license. [Respondent's Response at 1–3]. Respondent argues that his DEA registration should not be revoked because he will soon likely regain his state medical license in the state of Florida. [*Id.* at 2–3]. However, the Emergency Suspension from the Florida Department of Health effectively suspends the Respondent's license to practice medicine in the state of Florida. Regardless of whether the Respondent and the Florida Department of Health eventually decide upon a settlement agreement in which the Respondent's state license is reinstated, the Respondent currently lacks the necessary state authority to practice medicine and handle controlled substances in Florida. Consequently, his DEA registration must be revoked. *See Joseph Baumstarck, M.D.,* 74 FR 17,525, 17,527 (DEA 2009) (stating that ''a practitioner may not maintain his DEA registration if he lacks state authority to handle controlled substances under the laws of the state in which he practices''); *Treasure Coast Specialty Pharmacy,* 76 FR 66,965 (DEA 2011); *Roy Chi Lung, M.D.,* 74 FR 20,346 (DEA 2009); *Gabriel Sagun Orzame, M.D.,* 69 FR 58,959 (DEA 2004).

While the Respondent argues that his state license may be reinstated in the future, this possibility is immaterial in light of the Respondent's current lack of state registration. Indeed, the CSA and Agency precedent make clear that as a prerequisite to registration the Respondent must have state authority to handle controlled substances, and that without such authority all other issues before this forum are moot. *See* 21 U.S.C. 802(21); 21 U.S.C. 823(f); *Joseph Baumstarck, M.D.,* 74 FR at 17,527 (DEA 2009). Thus, because there is no dispute that the Respondent lacks state authority to handle controlled substances, the Respondent's registration must be revoked.

B. Respondent Is Entitled To Reapply for Registration With the DEA

Any person who is required to register with the DEA may apply for registration at any time. 21 CFR 1301.13(a) (2012) (''Any person who is required and who is not registered may apply for registration at any time. No person required to be registered shall engage in any activity for which registration is required until the application for registration is granted and a Certificate of Registration is issued by the Administrator to such person'').

The Respondent is permitted to reapply for a Certificate of Registration with the DEA at any time in the future. 21 CFR 1301.13(a). However, the Respondent will not be permitted to engage in activity for which a registration is required until his application is granted by the DEA. *Id.*

III. Conclusion, Order, and Recommendation

Consequently, there is no genuine dispute of material fact regarding the Respondent's lack of state authority to handle controlled substances. Thus, summary disposition for the Government is appropriate. It is well settled that when there is no question of material fact involved, there is no need for a plenary, administrative hearing. *See Michael G. Dolin, M.D.,* 65 FR 5,661 (DEA 2000). Here, there is no genuine dispute that the Respondent currently lacks state authority to practice medicine and to handle controlled substances in Florida.

Accordingly, I hereby

grant the Government's Motion for Summary Disposition.

I also forward this case to the Administrator for final disposition. I recommend that the Respondent's DEA Certificate of Registration, Number FT0896754, be revoked.[2]

Dated: September 25, 2012.

Gail A. Randall,

Administrative Law Judge.

[FR Doc. 2013–02232 Filed 2–1–13; 8:45 am]

BILLING CODE 4410–09–P

[2] The sole basis of my recommendation is the loss of Respondent's state licensure. I make no findings or conclusions concerning the other allegations asserted in the Order to Show Cause.

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Gamma Radiation Surveys

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Mine Safety and Health Administration (MSHA) sponsored information collection request (ICR) titled, ''Gamma Radiation Surveys,'' to the Office of Management and Budget (OMB) for review and approval for continued use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.).

DATES: Submit comments on or before March 6, 2013.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site, *http://www.reginfo.gov/public/do/PRAMain*, on the day following publication of this notice or by contacting Michel Smyth by telephone at 202–693–4129 (this is not a toll-free number) or sending an email to *DOL_PRA_PUBLIC@dol.gov*.

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–MSHA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503, Fax: 202–395–6881 (this is not a toll-free number), email: *OIRA_submission@omb.eop.gov*.

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202–693–4129 (this is not a toll-free number) or by email at *DOL_PRA_PUBLIC@dol.gov*.

Authority: 44 U.S.C. 3507(a)(1)(D).

SUPPLEMENTARY INFORMATION: Regulations 30 CFR 57.5047 requires a covered mine operator to maintain a record of cumulative individual gamma radiation exposure to ensure that annual exposure does not exceed five (5) Rems. This requirement protects the health of workers in mines with radioactive ores.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1219–0039. The current approval is scheduled to expire on February 28, 2013; however, it should be noted that existing information

collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional information, see the related notice published in the **Federal Register** on October 12, 2012 (77 FR 62267).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1219–0039. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- 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;
- Enhance the quality, utility, and clarity of the information to be collected; and
- 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.

Agency: DOL–MSHA.

Title of Collection: Gamma Radiation Surveys.

OMB Control Number: 1219–0039.

Affected Public: Private Sector—businesses or other for-profits.

Total Estimated Number of Respondents: 4.

Total Estimated Number of Responses: 4.

Total Estimated Annual Burden Hours: 8.

Total Estimated Annual Other Costs Burden: $0.

Dated: January 29, 2013.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2013–02397 Filed 2–1–13; 8:45 am]

BILLING CODE 4510–43–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (13–008)]

NASA Advisory Council; Aeronautics Committee; Unmanned Aircraft Systems Subcommittee 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 Unmanned Aircraft Systems (UAS) Subcommittee of the Aeronautics Committee of the NASA Advisory Council. The meeting will be held for the purpose of soliciting, from the aeronautics community and other persons, research and technical information relevant to program planning.

DATES: Tuesday, February 26, 2013, 8:30 a.m. to 4:30 p.m., Local Time.

ADDRESSES: National Aeronautics and Space Administration Headquarters, Room 6E40B, 300 E Street SW., Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Ms. Brenda L. Mulac, Executive Secretary for the UAS Subcommittee of the Aeronautics Committee, National Aeronautics and Space Administration Headquarters, Washington, DC 20546, (202) 358–1578, or *brenda.l.mulac@nasa.gov.*

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the capacity of the room. Any person interested in participating in the meeting by WebEx and telephone should contact Ms. Brenda L. Mulac at (202) 358–1578 for the web link, toll-free number and passcode. The agenda for the meeting includes the following topics:

- Overview of UAS Aviation Rulemaking Committee Activities and NASA's UAS Project Involvement
- Overview of the NASA UAS Systems Analysis
- Review of UAS in the National Airspace System Project Integration of Subprojects
- Development and review of 2013 Work Plan

It is imperative that these meetings be held on this date to accommodate the scheduling priorities of the key participants. Attendees will be requested to comply with NASA security requirements, including the presentation of a valid picture ID, before receiving an access badge. U.S. citizens will need to show a valid, officially-issued picture identification such as driver's license to enter the NASA Headquarters building (West Lobby—Visitor Control Center) and must state that they are attending the NASA Advisory Council Aeronautics Committee UAS Subcommittee meeting in conference room 6B42 before receiving an access badge. All non-U.S. citizens must fax a copy of their passport, and print or type their name, current address, citizenship, company affiliation (if applicable) to include address, telephone number, and their title, place of birth, date of birth, U.S. visa information to include type, number, and expiration date, U.S. Social Security Number (if applicable), Permanent Resident green card number and expiration date (if applicable), and place and date of entry into the U.S., to Ms Brenda L. Mulac, NASA Advisory Council Aeronautics Committee UAS Subcommittee Executive Secretary, fax 202–358–3602, by no less than 8 working days prior to the meeting. Non-U.S. citizens will need to show their Passport or Permanent Resident green card to enter the NASA Headquarters building. For questions, please call Ms Brenda L. Mulac at (202) 358–1578.

Patricia D. Rausch,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 2013–02331 Filed 2–1–13; 8:45 am]

BILLING CODE 7510–13–P

NUCLEAR REGULATORY COMMISSION

[NRC–2013–0021]

Quality Assurance Program Requirements (Operations)

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft regulatory guide; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment draft regulatory guide (DG), DG–1300, ''Quality Assurance Program Requirements (Operations).''

DATES: Submit comments by April 1, 2013. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or