

## Section B. Authority to Further Redelegate

The authority redelegated to the Deputy Assistant Secretary under this notice may be redelegated within the Office of Public Housing Investments.

Dated: January 23, 2003.

**Michael Liu,**

*Assistant Secretary for Public and Indian Housing.*

[FR Doc. 03-2629 Filed 2-4-03; 8:45 am]

BILLING CODE 4210-33-P

## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

#### Notice of Availability of the Alternative Fueled Vehicle (AFV) Reports for Fiscal Year 1996 through Fiscal Year 2001

**AGENCY:** Office of the Secretary, Department of the Interior.

**ACTION:** Notice of Availability of the Alternative Fueled Vehicle (AFV) Reports for Fiscal Year 1996 through Fiscal Year 2001.

**SUMMARY:** The U.S. Department of the Interior, Office of the Secretary, is issuing this notice in order to comply with the Energy Policy Act of 1992, 42 U.S.C. 13201 *et seq.* and the United States District Court for the Northern District of California's order, in case number C 02-0027 WHA, Center for Biological Diversity, Bluewater Network and the Sierra Club v. Spencer Abraham, *et al.*, that Federal agencies must place all alternative fueled vehicle data for Fiscal Years 1996-2001 on a publicly accessible Web site. The purpose of this notice is to announce the public availability of the Department of the Interior's AFV reports for Fiscal Year 1996 through Fiscal Year 2001 at the following Web site: <http://www.doi.gov/pam>

#### FOR FURTHER INFORMATION CONTACT:

Questions regarding the reports of the AFV report Web site should be addressed to the Office of Acquisition and Property Management [Attn: Willie Davis] 1849 C Street NW., Mail Stop 5512, Washington, DC 20240, phone: 202-208-6352.

**SUPPLEMENTARY INFORMATION:** The Earthjustice Environmental Law Clinic filed suit in federal court in California on January 2, 2002 on behalf of the Center for Biological Diversity, Bluewater Network and the Sierra Club against the Department of the Interior and 16 other Federal agencies for failing to comply with the alternative fueled vehicle (AFV) acquisition and reporting

requirements for federal fleets imposed by the Energy Policy Act of 1992 (EPAct). The lawsuit requested the Court to order Interior and the other federal agencies to comply with EPAct requirements and offset future vehicle purchases with the number of AFVs necessary to bring them into compliance with the requirements of the EPAct.

Dated: January 27, 2003.

**P. Lynn Scarlett,**

*Assistant Secretary—Policy, Management and Budget.*

[FR Doc. 03-2707 Filed 2-4-03; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of the Draft Restoration Plan and Environmental Assessment for the Lone Mountain Processing, Inc.; Coal Slurry Spill Natural Resource Damage Assessment in Lee County, VA

**AGENCY:** Fish and Wildlife Service, Department of the Interior.

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service), on behalf of the Department of the Interior (DOI), announces the release for public review of the Draft Restoration Plan and Environmental Assessment (RP/EA) for the Lone Mountain Processing, Inc. (LMPI) Coal Slurry Spill Natural Resource Damage Assessment in Lee County, Virginia. The RP/EA describes the trustee's proposal to restore natural resources injured as a result of a release of hazardous substances.

**DATES:** Written comments must be submitted on or before March 15, 2002.

**ADDRESSES:** Requests for copies of the RP/EA may be made to: U.S. Fish and Wildlife Service, Virginia Field Office, 6669 Short Lane, Gloucester, Virginia 23061. Written comments or materials regarding the Restoration and Compensation Determination Plan should be sent to the same address.

**FOR FURTHER INFORMATION CONTACT:** John Schmerfeld, U.S. Fish and Wildlife Service, 6669 Short Lane, Gloucester, Virginia 23061. Interested parties may also call 804-693-6694, extension 107, for further information.

**SUPPLEMENTARY INFORMATION:** On October 24, 1996, a failure in a coal slurry impoundment associated with a coal processing plant owned by LMPI in Lee County, Virginia, resulted in the release of six million gallons of coal slurry to the Powell River watershed.

The spill occurred when subsidence in the coal slurry impoundment caused the coal slurry to enter a system of abandoned underground coal mine-works. The coal slurry exited through a mine-works surface portal at Gin Creek, causing the release of the coal slurry into a series of tributaries to the Powell River. "Blackwater," a mix of water, coal fines, and clay, and associated contaminants, extended far downstream. The coal slurry spill impacted fish, endangered freshwater mussels, other benthic organisms, supporting aquatic habitat, and designated critical habitat for two federally listed fish. Federally listed bats and migratory birds may have also been affected acutely due to a loss of a food supply, and chronically due to possible accumulation of contaminants through the food chain.

Under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 as amended, 42 U.S.C. 9601 *et seq.*, "natural resource trustees may assess damages to natural resources resulting from a discharge of oil or a release of a hazardous substance \* \* \* and may seek to recover those damages." Natural resource damage assessments (NRDA) are separate from the cleanup actions undertaken at a hazardous waste or spill site, and provide a process whereby the natural resource trustees can determine the proper compensation to the public for injury to natural resources. The natural resource damage assessment process seeks to: (1) Determine whether injury to, or loss of, trust resources has occurred; (2) ascertain the magnitude of the injury or loss; (3) calculate the appropriate compensation for the injury, including the cost of restoration; and (4) develop a restoration plan that will restore, rehabilitate, replace, and/or acquire equivalent resources for those resources that were injured or lost. The judicial consent decree dated March 5, 2001, requires that the DOI utilize natural resource damages for reimbursement of past natural resource damage assessment costs, and restoration, replacement or acquisition of endangered and threatened fishes and mussels located in the Powell River and its watershed or restoration, replacement or acquisition of their habitats or ecosystems which support them, or restoration planning, implementation, oversight and monitoring.

The DOI is the sole acting Federal natural resource trustee for this case. The DOI has designated the Northeast Regional Director of the Service to act as its authorized official with regard to this