occurred in a critical developmental study. On July 31, 1998, EPA requested
both NRDC and BASF to comment on whether these developments affected
the revised hearing requests. In separate letters dated September 9, 1998, BASF
and NRDC took opposite positions on the viability of the hearing requests.
NRDC contended that these developments “have virtually no effect
on the pending objections and hearing request.” BASF argued that the hearing
requests were either moot or not justified.
In August 1999, NRDC filed two
declarations that NRDC asserted
“substantiated the data gaps described
in NRDC’s submissions.” In a letter
accompanying these declarations, NRDC
stated that the declarations made an
evidentiary hearing on its objections
unnecessary. Accordingly, by that letter,
NRDC withdrew its hearing requests
and asked that EPA rule on its
objections as submitted.

IV. Order Responding to Objections
The tolerance for vinclozolin on
succulent beans to which NRDC filed
objections has now expired. NRDC’s
objections to that tolerance are thus
moot and are therefore denied.
The fact that EPA did not
substantively respond to NRDC’s
objections during the existence of the
tolerance does not mean that EPA did
not consider these objections. To the
contrary, NRDC’s objections related
directly to changes in the way EPA now
assesses the risk vinclozolin poses. For
example, the centerpiece of NRDC’s
objections was a challenge to EPA’s
decision in approving the tolerance that
the additional tenfold factor for the
protection of infants and children was
unnecessary to assure to safety to
infants and children. Following NRDC’s
objections, that decision has been
revised on two occasions since the
issuance of the succulent bean
tolerance. First, as detailed in EPA’s
July 31, 1998 letter to NRDC, EPA
scientists recommended that EPA use
the additional tenfold safety factor for
the protection of children in conducting
its assessment of in utero acute risk to
the human fetus. That position
remained unsatisfactory to NRDC and
its August 1999 declarations, in essence,
argued that the tenfold factor should be
applied more broadly. After considering
the declarations and the attached
scientific literature, EPA scientists
recommended that due to, among other
things, the lack of neurotoxicity data,
the additional tenfold factor should be
used in all risk assessments for
vinclozolin.

V. Regulatory Assessment
Requirements
As indicated previously, this action
announces the Agency’s final decision
regarding an objection filed under
section 408 of FFDCA. As such, this
action is an adjudication and not a rule.
The regulatory assessment requirements
imposed on rulemakings do not,
therefore, apply to this action.

VI. Submission to Congress and the
Comptroller General
The Congressional Review Act, 5
U.S.C. 801 et seq., as added by the Small
Business Regulatory Enforcement
Fairness Act of 1996, does not apply
because this action is not a rule for
purposes of 5 U.S.C. 804(3).

List of Subjects in 40 CFR Part 180
Environmental protection.
Marcia E. Mulkey,
Director, Office of Pesticide Programs.
[FR Doc. 00–12962 Filed 5–22–00; 8:45 am]
BILLING CODE 0560–50–P

DEPARTMENT OF TRANSPORTATION
Federal Railroad Administration
49 CFR Parts 209 and 230
[FRA Docket No. RSSL–98–1, Notice No. 5]
Inspection and Maintenance Standards for Steam Locomotives
AGENCY: Federal Railroad Administration (FRA), Department of
Transportation (DOT).

ACTION: Notice of public meeting.

SUMMARY: On November 17, 1999, FRA published the final rule on inspection
and maintenance of steam locomotives (65 FR 62828). The Inspection and
Maintenance Standards for Steam Locomotives, Title 49, Code of Federal
Regulations (CFR), parts 209 and 230, which took effect on January 18, 2000,
sets forth new inspection and implementation requirements. FRA is
holding a public meeting to explain the implementation schedule and general
requirements for inspection and maintenance of steam locomotives
under the rule. This meeting will also provide interested parties with the
opportunity to discuss the rule and ask questions of the presenters. All parties
interested in the new rule on inspection and maintenance of steam locomotives
are invited to attend this meeting.

DATES: The meeting will be held on July
27, 2000, at 8 a.m.

ADDRESSES: The meeting will be held on
July 27, 2000, in room 570 of the Bishop
Henry Whipple Federal Building, One
Federal Drive, Fort Snelling, Minnesota
55111–4007.

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Grady C. Cothen,
Deputy Associate Administrator for Safety
Standards and Program Development.
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