

(1) General Deputy Assistant Secretary for Housing;

(2) Deputy Assistant Secretary for Finance and Budget;

(3) Deputy Assistant Secretary for Operations;

(4) Deputy Assistant Secretary for Regulatory Affairs and Manufactured Housing;

(5) Director of the Office of Multifamily Housing Assistance Restructuring (OMHAR);

(6) Deputy Assistant Secretary for Multifamily Housing;

(7) Deputy Assistant Secretary for Single Family Housing.

These officials shall perform the functions and duties of the Office in the order specified herein, and no official shall serve unless all the other officials, whose position titles precede his/hers in this order, are unable to act by reason of absence, disability, or vacancy in office.

Section B. Authority Superseded

This Order of Succession supersedes the Order of Succession for the Assistant Secretary for Housing, published on August 22, 2000, at 65 FR 51015.

Authority: Section 7(d), Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: January 27, 2003.

John C. Weicher,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 03-2628 Filed 2-4-03; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4572-D-30]

Redelegation of Authority to the Deputy Assistant Secretary for Public Housing Investments

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice of redelegation of authority.

SUMMARY: In this notice, the Assistant Secretary for Public and Indian Housing redelegates to the Deputy Assistant Secretary for the Office of Public Housing Investments authority to monitor and enforce implementation by public housing agencies (PHAs) of section 33 of the United States Housing Act of 1937, with respect to the review of their inventory of public housing units. The purpose of the review is to identify developments (or parts of

developments) that must be removed from the stock of public housing operated under Annual Contributions Contracts (ACC) with HUD, and to carry out plans to convert the developments identified into tenant-based assistance or other forms of housing assistance. Authority also is hereby redelegated to the Deputy Assistant Secretary for the Office of Public Housing Investments to review and approve or disapprove plans submitted by PHAs to HUD for the voluntary conversion of public housing units into tenant-based (or other) housing assistance under section 22 of the United States Housing Act of 1937. The review process also will determine whether the plans are consistent with assessments PHAs are required to make for public housing general occupancy developments and with other data available to the Secretary, and whether the plans meet the requirements under 24 CFR 972.230.

EFFECTIVE DATE: January 23, 2003.

FOR FURTHER INFORMATION CONTACT: Ainars Rodins, Office of Public and Indian Housing, Department of Housing and Urban Development, Special Applications Center, Chicago, IL (312) 353-6236. (This is not a toll-free number.) This number may be accessed via TTY by calling the Federal Information Relay Service at 1-800-877-8339.) Comments or questions can be submitted through the Internet to [Beverly B Hardy@hud.gov](mailto:Beverly.B.Hardy@hud.gov).

SUPPLEMENTARY INFORMATION: Section 537 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA) (Title V of Pub. L. 105-276, approved October 21, 1998) added a new section 33 to the United States Housing Act of 1937 (Act) (42 U.S.C. 1437 *et seq.*). Section 33 of the Act governs the required conversion of developments from the public housing stock. Section 533 of QHWRA also amended section 22 of the Act. Section 22 of the Act governs voluntary conversion of developments from the public housing stock. The term conversion in this context means the removal of public housing units from the inventory of a PHA, and the provision of tenant-based, or project-based assistance for the residents of the public housing being removed.

In addition to the PHA Agency Plan requirements, HUD will review separately plans for mandatory or voluntary conversion of public housing stock. With respect to required conversions, HUD may (1) Identify developments that PHAs have failed properly to include as falling within the statutory criteria, (2) ensure conversions are carried out in cases where PHAs have failed to develop or implement

conversion plans, (3) prohibit or revise conversions erroneously identified as subject to section 33 of the Act, (4) direct the cessation of spending in connection with developments that are likely to be subject to the statutory criteria, and (5) authorize the direct transfer of capital or operating funds associated with a development that must be removed from the public housing stock for use instead for tenant-based assistance or site revitalization. HUD will approve plans for voluntary conversions (after checking to see if they are complete and include the information required under 24 CFR 972.230), if they are consistent with the initial assessments PHAs are required to submit under section 22 of the Act, unless HUD has reliable information that conflicts with the PHA's assessment.

The Secretary elsewhere has delegated to the Assistant Secretary for Public and Indian Housing (PIH) the authority to administer the Department's programs relating to public housing (see the delegation of authority published in the **Federal Register** at 48 FR 41097, September 13, 1983).

Accordingly, the Assistant Secretary for PIH redelegates that authority, as follows:

Section A. Authority Redelegated

The Assistant Secretary for PIH redelegates the following authority to the Deputy Assistant Secretary for Public Housing Investments:

1. To review and approve or disapprove actions taken and plans submitted by PHAs in connection with the required removal of certain units from the public housing stock and provision of tenant-based or project-based assistance to the residents of such developments pursuant to section 33 of the United States Housing Act of 1937 and the implementing regulations at 24 CFR part 972, and to conduct all activities related to such review, and approval or disapproval of such conversions.

2. To review and approve or disapprove plans submitted by PHAs for the voluntary conversion of units from the public housing stock into tenant-based or project-based assistance for the tenants living in the units pursuant to section 22 of the United States Housing Act of 1937 and implementing regulations at 24 CFR part 972.

Within the Office of Public Housing Investments, the review of mandatory and voluntary conversions will be handled by the Special Applications Center.

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]

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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 EPAAct.

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