

Groundwater (OU5). This decision is based on the risk assessment that evaluated Moton School (OU4) and Groundwater (OU5), which concluded that no unacceptable risk exists that is attributable to site related contaminants.

The baseline Human Health Risk Assessment, conducted as part of the Remedial Removal Integrated Investigation for this site, evaluated potential adverse health effects associated with site-related contaminants in the absence of remedial action. As part of the baseline Risk Assessment, an extensive evaluation of exposures to lead was performed, using EPA's Integrated Exposure Uptake Biokinetic (IEUBK) model. For contaminants other than lead, the likelihood of adverse public health impacts associated with long-term exposure to site-related contaminants was determined by (a) estimating potential excess lifetime cancer risks for carcinogens and (b) by computing hazard indices (HIs) for non-carcinogens. Federal laws, regulations, and guidance define a range of acceptable cancer risks of  $1 \times 10^{-4}$  (one in ten thousand) to  $1 \times 10^{-6}$  (one in one million), and a Hazard Index of unity (1) for non-cancer risks.

For Moton School (OU4), the total excess lifetime cancer risk posed to children attending the school was estimated  $2 \times 10^{-5}$  (or two in one hundred thousand), which is within the acceptable risk range specified by federal law, regulations, and guidance. Most of this estimated risk was attributable to inhalation of non-site-related benzene and chloroform from indoor and outdoor air. In addition, none of the HIs exceeded EPA's regulatory benchmark of unity.

Given the findings of the Risk Assessment, no further action for this operable unit is warranted. Deletion from the NPL should clear the way for beneficial utilization of the property of the City of New Orleans or the New Orleans School Board.

For the Groundwater Operable Unit, (OU5), information supplied to EPA by the Louisiana Department of Environmental Quality indicates that the shallow aquifer beneath the site is not suitable for human consumption, is not used for any beneficial purpose, and is not considered a potential future source of drinking water. Residents at the site area are connected to the municipal water supply for domestic water requirements. There are no on-site drinking water wells. Site groundwater presents no other exposure pathway. Therefore, no further action for this operable unit is warranted.

Because these no-action remedies will result in hazardous substances remaining on-site, a review will be conducted every five years after commencement of remedial action in accordance with CERCLA Section 121(c), 42 U.S.C. 9621(c). Should future reviews indicate that the site poses an unacceptable risk to human health or the environment, then EPA may initiate response actions under the authority of CERCLA and in accordance with the NCP.

#### *D. Community Involvement*

Public participation activities have been satisfied as required in CERCLA Section 113(k), 42 U.S.C. 9613(k), and Section 117, 42 U.S.C. 9617. Documents in the deletion docket which EPA relied on for recommendation of the Partial deletion from the NPL are available to the public in the information repositories.

#### *E. Proposed Action*

The EPA, with concurrence of the State of Louisiana (LDEQ), has determined that Operable Unit 4 (Moton Elementary School, including Mugrauer Playground) and Operable Unit 5 (Groundwater) pose no significant threat to public health or the environment; therefore, no remedial measures are appropriate. In accordance with EPA policy on partial deletion of sites listed on the National Priorities List, EPA proposes to delete OU4 and OU5 from the NPL.

Dated: January 26, 2000.

**Jerry Clifford,**

*Deputy Regional Administrator, EPA Region 6.*

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## **DEPARTMENT OF TRANSPORTATION**

### **National Highway Traffic Safety Administration**

#### **49 CFR Parts 567 and 568**

**[Docket No. NHTSA-99-5673]**

**RIN 2127-AE27**

#### **Vehicles Built in Two or More Stages**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.  
**ACTION:** Notice of meetings.

**SUMMARY:** This document announces the dates of the public meetings of the Negotiated Rulemaking Committee on the development of recommended amendments to the existing NHTSA regulations (49 CFR Part 567, 568)

governing the certification of vehicles built in two or more stages to the Federal motor vehicle safety standards (49 CFR Part 571). The Committee was established under the Federal Advisory Committee Act.

**DATES:** The meetings are scheduled as follows:

1. February 9-10, 2000.
2. March 7-8, 2000.
3. April 11-12, 2000.
4. May 17-18, 2000.
5. June 21-22, 2000.

**ADDRESSES:** The first meeting of the advisory committee will take place at the Hotel Washington, 515 Fifteenth Street, NW., and will begin at 10 on February 9th. Information on the location of subsequent meetings may be obtained from NHTSA two weeks before the relevant meeting is to take place.

**FOR FURTHER INFORMATION CONTACT:** For non-legal issues, you may call Charles Hott, Office of Crashworthiness Standards, at 202-366-4920.

For legal issues, you may call Rebecca MacPherson, Office of the Chief Counsel, at 202-366-2992.

You may send mail to both of these officials at the National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

On May 20, 1999, the National Highway Traffic Safety Administration (NHTSA) published a notice of intent to establish an advisory committee (Committee) for a negotiated rulemaking to develop recommendations for regulations governing the certification of vehicles built in two or more stages. The notice requested comment on membership, the interests affected by the rulemaking, the issues that the Committee should address, and the procedures that it should follow. The reader is referred to that notice (64 FR 27499) for further information on these issues.

On December 14-15, 1999, interested parties attended a public meeting in Washington, DC. As part of that meeting, the schedule of specific dates for holding meetings of the Advisory Committee was agreed upon. Meetings of the Committee will be open to the public so that individuals who are not part of the Committee may attend and observe. Any person attending the Committee meetings may address the Committee, if time permits, or file statements with the Committee.

##### **II. Authority**

5 U.S.C. sections 561 *et seq.*, delegation of authority at 49 CFR 1.50.

Issued on: February 2, 2000.

**Stephen R. Kratzke,**

*Acting Associate Administrator for Safety  
Performance Standards.*

[FR Doc. 00-2717 Filed 2-2-00; 4:34 pm]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

RIN 1018-AF56

#### **Endangered and Threatened Wildlife and Plants; Notice of Withdrawal of Released Study, Submission of New Report, and Opening of Comment Period on the New Report as it Relates to the Proposed Rule to List the Alabama Sturgeon as Endangered**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; opening of comment period.

**SUMMARY:** We, the Fish and Wildlife Service, give notice that we are withdrawing consideration of Dr. Steven Fain's 1999 study, "The Development of a DNA Procedure for the Forensic Identification of Caviar," from the decision-making process associated with the proposal to list the Alabama sturgeon (*Scaphirhynchus suttkusi*) as endangered. We are replacing it with a report relevant to the Alabama sturgeon listing process. The report, "Genetic Variation in the River Sturgeon *Scaphirhynchus* (Acipenseridae) as Inferred from Partial mtDNA Sequences of Cytochrome b," summarizes information from the retracted study which is specific only to the Alabama sturgeon and its relevancy to the proposed listing. We are accepting comments related specifically to the relationship of this report, as it pertains to the proposed listing of the Alabama sturgeon as endangered. You may also provide comments concerning our decision to withdraw Dr. Steven Fain's 1999 study, "The Development of a DNA Procedure for the Forensic Identification of Caviar" from the decision-making process for listing the Alabama sturgeon as endangered.

**DATES:** We will accept comments until March 8, 2000.

**ADDRESSES:** If you wish to comment, you may submit your comments by any one of several methods. You may mail or hand-deliver comments to the Field Supervisor, U.S. Fish and Wildlife Service, Mississippi Field Office, 6578 Dogwood View Parkway, Jackson,

Mississippi 39213. You may also comment via the Internet to paul—hartfield@fws.gov. See the **SUPPLEMENTARY INFORMATION** section for comment procedures.

**FOR FURTHER INFORMATION CONTACT:** Paul Hartfield (see "ADDRESSES" section), telephone 601/321-1125; facsimile 601/965-4340.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On March 26, 1999, we published a rule proposing endangered status for the Alabama sturgeon in the **Federal Register** (64 FR 14676). On January 11, 2000, we published a notice in the **Federal Register** (65 FR 1583), to reopen the comment period through February 10, 2000, to make available for comment Dr. Steven Fain's 1999 study, "The Development of a DNA Procedure for the Forensic Identification of Caviar." With this notice, we are withdrawing from consideration Dr. Steven Fain's 1999 study, "The Development of a DNA Procedure for the Forensic Identification of Caviar." This study describes a method for identifying the species source of sturgeon/paddlefish caviar in international trade and includes information that is not relevant to the decision to list the Alabama sturgeon as endangered. Nonetheless, The information contained in that study that is relevant to the decision to list the Alabama sturgeon is summarized in this new report, "Genetic Variation in the River Sturgeon *Scaphirhynchus* (Acipenseridae) as Inferred from Partial mtDNA Sequences of Cytochrome b." For clarity and ease of understanding, we have added this new report, which describes the amount of genetic variation observed within and between species of the genus *Scaphirhynchus*, for consideration in the decision-making process, and retracted the more general report that covers identification of the species source of sturgeon/paddlefish caviar in international trade.

##### **Public Comments Solicited**

We request comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning this report and its relation to the proposed rule. You may also provide comments concerning our decision to withdraw Dr. Steven Fain's 1999 study, "The Development of a DNA Procedure for the Forensic Identification of Caviar" from consideration in the decision-making process for the listing of the Alabama sturgeon as endangered.

#### **Comment Procedures**

Please submit Internet comments as an ASCII file, avoiding the use of special characters and any form of encryption. Please also include "Attention: [Alabama sturgeon]" and your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly at the address given in the **ADDRESSES** section or by telephone at 601/965-4900. Finally, you may also hand-deliver comments to the address given in the **ADDRESSES** Section. Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the rulemaking record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the rulemaking record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials or organizations or businesses, available for public inspection in their entirety. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address. To obtain copies of either of the aforementioned reports, you can download or print one from <http://endangered.fws.gov/listing/index.html> (under Announcements) or contact Kelly Bibb at 404/679-7132 (phone) or 404/679-7081 (facsimile) to receive a faxed or mailed copy. All questions related to this notice should be directed to Paul Hartfield at the address or phone number listed in the **ADDRESSES** section of this notice.

#### **References Cited**

- Fain, S.R., J.P. Lemay, J. Shafer, R.M. Hoesch, and B.H. Hamlin. 1999. Unpublished study. National Fish and Wildlife Forensics Laboratory, Ashland, OR. 23 pp. with figures.
- Fain, S.R., B. Hamlin, and D. Straughan. 1999. Unpublished report. Genetic Variation in the River Sturgeon *Scaphirhynchus* (Acipenseridae) as Inferred from Partial mtDNA Sequences of Cytochrome b. National Fish and Wildlife Forensics