

(1) Whether the applicant proposes using tribal resources in the project.

(2) Whether the appropriate tribal governing body supports the proposal plan, as evidenced by a tribal resolution or otherwise.

(3) Whether the community supports the proposal plan, as evidenced by letters or otherwise.

(d) Factor No. 4—Past performance (+ or – 10 points available). In awarding points under this factor, BIA will take into account the following:

(1) Financial and programmatic reporting requirements.

(2) Project accomplishments.

**§ 181.06 How are applicants informed of the results?**

BIA will send a letter to all applicants notifying them of their selection or non-selection for participation in the Indian Highway Safety Program for the upcoming fiscal year. BIA will explain to each applicant not selected for participation the reason(s) for non-selection.

**§ 181.07 Appeals.**

You may appeal actions taken by BIA officials under this part by following the procedures in 25 CFR part 2.

Dated: May 6, 1997.

**Ada E. Deer,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 97-12935 Filed 5-15-97; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**

[OPP-300486A; FRL-5719-2]

RIN AC18

**Bromoxynil; Pesticide Tolerances; Extension of Comment Period**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Extension of comment period.

**SUMMARY:** Notice is hereby given that the period for filing public comment on the proposed tolerances for bromoxynil and its metabolite DBHA on cotton commodities, and for bromoxynil on animal commodities is extended.

**DATES:** Public comments must be received on or before May 26, 1997.

**ADDRESSES:** By mail, submit written comments to: Public Information and Records Integrity Branch, Information and Resources Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring

comments to Rm. 1132, CM #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically by following the instructions under Unit II. of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

**FOR FURTHER INFORMATION CONTACT:** By mail: Jim Tompkins, Product Manager (PM) 25, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 241, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA, (703) 305-5697; e-mail: tompkins.jim@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

In the **Federal Register** of May 2, 1997 (62 FR 24065) (FRL-5617-5), EPA issued a Notice of Proposed Rulemaking for establishment of tolerances for residues of the herbicide bromoxynil and its metabolite DBHA on cotton commodities; for establishment of tolerances for residues of bromoxynil on poultry commodities (including eggs); and for revision of tolerances for residues of bromoxynil on other meat commodities and milk. Written comments on the proposed rule were to be received on or before May 19, 1997. On May 6, 1997, the Union of Concerned Scientists and the Environmental Defense Fund requested that EPA extend this comment period from 17 to 60 days.

Under section 408(e) of the FFDCA, EPA is required to provide a 60-day comment period on proposed rules unless EPA finds for good cause that it would be in the public interest to provide a shorter period. EPA shortened the comment period on the bromoxynil tolerances to 17 days based on the fact that previous notice had been provided on the central issue of establishing a tolerance permitting use of bromoxynil on cotton, and cotton growers faced a potential hardship if a decision is not made expeditiously.

In their request for an extension of the comment period, the Union of Concerned Scientists and the Environmental Defense Fund cited a number of health issues and questions regarding interpretation of the FFDCA safety standard. EPA does not believe these groups have shown that it is not in the public interest to shorten the comment period. EPA also does not think that the groups have demonstrated that the comment period is inadequate to address the issues they have raised.

Nonetheless, EPA will extend the comment period for an additional 7 days. Comments will now be due on or before May 26, 1997.

**II. Public Docket**

The official record for the proposed rule, as well as the public version, has been established for the proposal under docket control number "OPP-300486" (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The official record is located at the address in "ADDRESSES" at the beginning of this document.

Electronic comments can be sent directly to EPA at:

opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in Wordperfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket control number OPP-300486. Electronic comments on the proposed rule may be filed online at many Federal Depository Libraries.

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Food additive, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 12, 1997.

**James Jones,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

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**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

**49 CFR Part 1039**

[Ex Parte No. 346 (Sub-No. 36)]

**Rail General Exemption Authority—Exemption of Nonferrous Recyclables and Railroad Rates on Recyclable Commodities**

**AGENCY:** Surface Transportation Board, Transportation.

**ACTION:** Proposed rule, withdrawal.

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