

uncontested claims or facts to the contrary; and resolution of the factual issues in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32). Information submitted in connection with an objection or hearing request may be claimed confidential by marking any part or all of that information as Confidential Business Information (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the information that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice.

VIII. Public Docket

A record has been established for this rulemaking under docket number [OPP-300464]. A public version of this record, 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 public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

The official record for this rulemaking, as well as the public version, as described above, is kept in paper form. Accordingly, in the event there are objections and hearing requests, EPA will transfer any copies of objections and hearing requests received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

IX. Regulatory Assessment Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not "a significant regulatory action" and, since this action does not impose any information collection requirements as defined by the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, it is not subject to review by the Office of Management and Budget.

This action does not impose any enforceable duty, or contain any "unfunded mandates" as described in Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), or require prior consultation as specified by Executive Order 12875 (58 FR 58093,

October 28, 1993), entitled *Enhancing the Intergovernmental Partnership*, or special consideration as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Because FFDCA section 408(l)(6) permits establishment of this regulation without a notice of proposed rulemaking, the regulatory flexibility analysis requirements of the Regulatory Flexibility Act, 5 U.S.C. 604(a), do not apply. Nonetheless, the Agency has previously assessed whether establishing tolerances or exemptions from tolerances, raising tolerance levels, or expanding exemptions adversely impact small entities and concluded, as a generic matter, that there is no adverse impact (46 FR 24950, May 4, 1981).

Under 5 U.S.C. 801(a)(1)(A) of the Administrative Procedure Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Title II of Pub. L. 104-121, 110 Stat. 847), EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of this rule in today's **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2) of the APA as amended.

List of Subjects in 40 CFR Part 180

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

Dated: March 17, 1997.

Stephen L. Johnson,
Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR Chapter I is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. By adding § 180.499 to read as follows:

§ 180.499 Propamocarb hydrochloride, tolerances for residues.

Time-limited tolerances are established for residues of the fungicide propamocarb hydrochloride in connection with use of the pesticide under section 18 emergency exemptions granted by EPA. The tolerances are specified in the following table. The tolerances expire and will be revoked on the date specified in the table by EPA.

| Commodity | Parts per million | Expiration/Revocation Date |
|---|-------------------|----------------------------|
| Potatoes | 0.5 | March 15, 1999 |
| Cattle, fat | 0.1 | March 15, 1999 |
| Cattle, meat | 0.1 | March 15, 1999 |
| Cattle, mbyop (except kidney and liver) | 0.1 | March 15, 1999 |
| Goats, fat | 0.1 | March 15, 1999 |
| Goats, meat | 0.1 | March 15, 1999 |
| Goats, mbyop (except kidney and liver) | 0.1 | March 15, 1999 |
| Hogs, fat | 0.1 | March 15, 1999 |
| Hogs, meat | 0.1 | March 15, 1999 |
| Hogs, mbyop (except kidney and liver) | 0.1 | March 15, 1999 |
| Horse, fat | 0.1 | March 15, 1999 |
| Horse, meat | 0.1 | March 15, 1999 |
| Horse, mbyop (except kidney and liver) | 0.1 | March 15, 1999 |
| Sheep, fat | 0.1 | March 15, 1999 |
| Sheep, meat | 0.1 | March 15, 1999 |
| Sheep, mbyop (except kidney and liver) | 0.1 | March 15, 1999 |
| Milk | 0.1 | March 15, 1999 |

[FR Doc. 97-8387 Filed 4-1-97; 8:45 am]

BILLING CODE 6560-50-F

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 29

RIN 2105-AC25

Nonprocurement Debarment and Suspension

ACTION: Final rule.

DATES: This document is effective April 2, 1997.

FOR FURTHER INFORMATION CONTACT: Paul B. Larsen, Office of the General Counsel, C-10, Room 10102, (202) 366-9161, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Background

On June 26, 1995 the Department of Transportation joined in the governmentwide common rule on

debarment and suspension (nonprocurement) and requirements for a drug-free workplace, 60 FR 33036. The Department issued an interim final rule at that time. The rule is codified at Part 29 of Title 49 of the Code of Federal Regulations.

The Department held a one month comment period on the interim final rule. The comment period is now closed and we received no comment. Consequently, the rule will remain in effect without change.

List of Subjects in 49 CFR Part 29

Administrative practice and procedure, Contract programs, Drug abuse, Grant programs, Loan programs, Reporting and record keeping requirements.

Dated: March 27, 1997.

Melissa Spillenkothen,

*Assistant Secretary for Administration, U.S.
Department of Transportation.*

[FR Doc. 97-8405 Filed 4-1-97; 8:45 am]

BILLING CODE 4910-62-P