

costly and speeds repayment of the debt.

(c) If the 6-year period for bringing action on a debt provided in 28 U.S.C. 2415 has expired, then administrative offset may be used to collect the debt only if the costs of bringing such action are likely to be less than the amount of the debt.

(d) No collection by administrative offset shall be made on any debt that has been outstanding for more than 10 years unless facts material to the Government's right to collect the debt were not known, and reasonably could not have been known, by the official or officials responsible for discovering and collecting such debt.

(e) *Request for administrative offset by the Commission to another Federal agency.* The Director of the Financial Management Division, or designee, may request that funds due and payable to a debtor by a Federal agency be administratively offset in order to collect a debt owed to the Commission by that debtor. In requesting administrative offset the Commission, as creditor, will certify in writing to the Federal agency holding funds of the debtor:

- (1) That the debtor owes the debt;
- (2) The amount and basis of the debt; and
- (3) That the Commission has complied with the requirements of its own administrative offset regulations in this subpart, and the applicable provisions of 4 CFR part 102, including providing any required hearing or review.

(f) *Request for administrative offset from another Federal agency.* Any Federal creditor agency may request the Commission make an administrative offset from any Commission funds due and payable to a creditor agency's debtor. The Commission shall initiate the requested administrative offset only upon:

- (1) Receipt of written certification from the creditor agency:
 - (i) That the debtor owes the debt;
 - (ii) The amount and basis of the debt;
 - (iii) That the agency has prescribed regulations for the exercise of administrative offset; and
 - (iv) That the agency has complied with its own administrative offset regulations and with the applicable provisions of 4 CFR part 102, including providing any required hearing or review; and

(2) A determination by the Commission that collection by administrative offset against funds payable to the debtor by the Commission would not otherwise be contrary to law.

§ 1650.308 Accelerated procedures.

The Commission may make an administrative offset against a payment to be made to the debtor prior to the completion of the procedures required by this subpart, if failure to take the offset would substantially jeopardize the Commission's ability to collect the debt, and the time before the payment is to be made does not reasonably permit the completion of those procedures. Such prior offset shall be promptly followed by the completion of the procedures required by this subpart. Amounts recovered by offset but later found not to be owed to the Commission shall be promptly refunded.

§ 1650.309 Additional administrative procedures.

Nothing contained in this subpart is intended to preclude the use of any other administrative remedy which may be available.

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Parts 920, 935, and 943

[MD-040-FOR, OH-236-FOR, TX-017-FOR]

State Program Amendments

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.
ACTION: Final rule; correction.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) is correcting the effective date of three final rules that appeared in the **Federal Register** on March 26, 1997. These documents approved amendments to the Maryland regulatory program (62 FR 14306), the Ohio abandoned mine land reclamation plan (62 FR 14308) and the Texas regulatory program (62 FR 14311) all effective on the date of publication, March 26, 1997. OSM had prepared a separate rulemaking on March 5, 1997 (62 FR 9932), which became effective April 4, 1997. Due to the differences in effective dates, the March 5, 1997, rule would result in a nullification of the three state program amendments previously listed. Therefore, this document corrects the effective date of the three state program amendments to April 7, 1997.

EFFECTIVE DATE: The amendments to 30 CFR Parts 920 (62 FR 14306), 935 (62 FR 14308) and 943 (62 FR 14311) are effective April 7, 1997.

FOR FURTHER INFORMATION CONTACT: John A. Trelease, Division of Regulatory Support, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW., Room 210 SIB, Washington, DC 20240; Telephone (202) 208-2783.

In FR Docs. 97-7535, 97-7536 and 97-7533, appearing on pages 14306, 14308 and 14311, respectively, in the **Federal Register** of Wednesday, March 26, 1997, the following corrections are made:

On pages 14307, 14308 and 14311, the Maryland (MD-040-FOR), Ohio (OH-236-FOR) and Texas (TX-017-FOR) state program amendments' **EFFECTIVE DATE** for each final rule is corrected to read April 7, 1997.

Dated: June 10, 1997.

Kathrine L. Henry,
Acting Director.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 179-0042; FRL-5842-8]

Withdrawal of Direct Final Rule for Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Bay Area Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: Due to an adverse comment, EPA is withdrawing the direct final rule for the approval of revisions to the California State Implementation Plan. EPA published the direct final rule on Thursday, April 17, 1997 (62 FR 18710), approving revisions to rules from the Bay Area Air Quality Management District (BAAQMD). As stated in that **Federal Register** document, if adverse or critical comments were received by May 19, 1997, the effective date would be delayed and notice would be published in the **Federal Register**. EPA subsequently received adverse comments on that direct final rule. EPA will address the comments received in a subsequent final action in the near future. EPA will not institute a second comment period on this document.

DATES: Withdrawal of this direct final rule becomes effective on June 17, 1997.

FOR FURTHER INFORMATION CONTACT: Julie Rose, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne