

§ 936.25 Approval of Oklahoma abandoned mine land reclamation plan amendments.

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Original amendment submission date	Date of final publication	Citation/description
* * * November 3, 1997	* * * February 18, 1998	* Emergency response reclamation program.

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POSTAL SERVICE

39 CFR Part 946

Reimbursement for Sale of Abandoned Property

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This final rule amends the Postal Service's disposition of evidence and abandoned property regulations to provide that a person submitting a valid claim for reimbursement of funds from the sale of such property must be reimbursed the last appraised value of the property prior to its sale.

EFFECTIVE DATE: This rule is effective February 18, 1998.

FOR FURTHER INFORMATION CONTACT: Walter E. Ladick, Program Manager, Forfeiture Group, Postal Inspection Service, (202) 268-5475.

SUPPLEMENTARY INFORMATION: Postal Service regulations concerning the disposition of property acquired by the Postal Inspection Service for possible use as evidence are codified at 39 CFR part 946. Once the evidentiary need to retain the property no longer exists, the Postal Service returns the property to its rightful owner, unless the property is contraband or subject to a court order. If no one submits a timely claim for the property, it is considered abandoned and becomes the property of the Postal Service, which may retain or sell it. Such property, however, must be returned to the rightful owner if he or she files a valid claim within three years from the date the property became abandoned.

Under the current rule, a person filing a valid claim for property that has been sold must be reimbursed the amount of the proceeds realized from the sale of such property, less costs incurred by the Postal Service in selling the property and in returning or attempting to return such property to the owner. Experience has demonstrated, however, that efforts

to value and dispose of low-value evidentiary and abandoned properties vested to the Postal Service are inefficient and not cost effective.

In the future, such property will be included in sales of unclaimed items that are held regularly at Postal Service mail recovery centers. Since many like items are sold in lots at these sales, it would present a problem to account for the sale price of each item. Therefore, this new rule provides that the person submitting a valid claim for the property that has been sold will be reimbursed the same amount as the last appraised value of the property prior to its sale.

List of Subjects in 39 CFR Part 946

Claims, Law enforcement, Postal Service.

Accordingly, 39 CFR part 946 is amended as set forth below.

PART 946—RULES OF PROCEDURE RELATING TO THE DISPOSITION OF STOLEN MAIL MATTER AND PROPERTY ACQUIRED BY THE POSTAL INSPECTION SERVICE FOR USE AS EVIDENCE

1. The authority citation for part 946 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 401(2), (5), (8), 404(a)(7), 2003, 3001.

2. Section 946.6(a)(2) is revised to read as follows:

(a) * * *

(2) Where property has been sold, a person submitting a valid claim under this section must be reimbursed the same amount as the last appraised value of the property prior to the sale of such property.

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Stanley F. Mires,
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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 179-0066; FRL-5963-1]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Bay Area Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finalizing the approval of a revision to the California State Implementation Plan (SIP) proposed in the **Federal Register** on December 8, 1997. The revision concerns a rule from the Bay Area Air Quality Management District (BAAQMD). This approval action will incorporate this rule into the federally approved SIP. The intended effect of approving this rule is to regulate emissions of volatile organic compounds (VOCs) in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The revised rule controls VOC emissions from architectural coatings. Thus, EPA is finalizing the approval of this revision into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, EPA's general rulemaking authority, plan submissions, and enforceability guidelines.

EFFECTIVE DATE: This action is effective on March 20, 1998.

ADDRESSES: Copies of the rule revisions and EPA's evaluation report for this rule is available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are available for inspection at the following locations:

Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, SW., Washington, DC 20460.