

§ 1.1374-8 Section 1374(d)(8) transactions.

* * * * *

(b) Separate determination of tax.

* * * If a C corporation elects to be treated as an S corporation, and also makes a QSSS election under section 1361(b)(3) (effective on the same date as the S election) with respect to a subsidiary, the assets held by the QSSS at the time of the QSSS election will be treated as assets held by the parent when it became an S corporation. The preceding sentence applies to QSSS elections made after the date final regulations are published in the **Federal Register**.

* * * * *

Michael P. Dolan,*Deputy Commissioner of Internal Revenue.*

[FR Doc. 98-10373 Filed 4-21-98; 8:45 am]

BILLING CODE 4830-01-U

DEPARTMENT OF LABOR**Pension and Welfare Benefits Administration****29 CFR Part 2550****Insurance Company General Accounts; Notice of Hearing****AGENCY:** Pension and Welfare Benefits Administration, Labor.**ACTION:** Proposed regulation; notice of hearing.

SUMMARY: This document provides notice of a public hearing regarding a proposed regulation under section 401(c) of the Employee Retirement Income Security Act of 1974 as amended (ERISA) which clarifies the application of ERISA to insurance company general accounts. The proposed regulation was set forth in a notice of proposed rulemaking published in the **Federal Register** at 62 FR 66908 on December 22, 1997.

DATES: The hearing will be held on Monday, June 1, 1998, and Tuesday, June 2, 1998, beginning at 9:30 a.m. and ending at 5:00 p.m. E.S.T. on each day.

ADDRESSES: The hearing will be held in Room C-5310 of the Department of Labor Building, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

FOR FURTHER INFORMATION CONTACT: Wendy McColough, Office of Exemption Determinations, Pension and Welfare Benefits Administration, U.S. Department of Labor, Room N-5649, 200 Constitution Avenue, N.W., Washington, D.C. 20210, (202) 219-8194. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: On December 22, 1997, the Department of

Labor (the Department) published a notice of proposed rulemaking in the **Federal Register** (62 FR 66908) which clarifies the application of ERISA to insurance company general accounts. In that notice, the Department invited all interested persons to submit written comments concerning the proposed regulation on or before March 23, 1998.

In view of the importance of the proposed regulation, the Department has decided to hold a hearing on the proposed regulation on Monday, June 1, 1998, and Tuesday, June 2, 1998, beginning at 9:30 a.m. and ending at 5:00 p.m. E.S.T. on each day, in Room C-5310 of the Department of Labor Building, 200 Constitution Avenue, N.W., Washington D.C. 20210.

Any interested person who wishes to be assured of an opportunity to present oral comments at the hearing should submit by 3:30 p.m. E.S.T. May 15, 1998: (1) a written request to be heard and (2) an outline (preferably five copies) of the topics to be discussed, indicating the time allocated to each topic. The request to be heard and accompanying outline should be sent to the Office of Exemption Determinations, Pension and Welfare Benefits Administration, U.S. Department of Labor, Room N-5649, 200 Constitution Avenue, N.W., Washington, D.C. 20210, and marked "Attention: Insurance Company General Accounts Hearing." Individuals who did not file written comments regarding the proposed regulation may nonetheless submit a request to make oral comments at the hearing.

The Department will prepare an agenda indicating the order of presentation of oral comments. In the absence of special circumstances, each commentator will be allotted fifteen minutes in which to complete his or her presentation and answer questions that may be posed by a panel of Pension and Welfare Benefits Administration employees and by the Department's consultant on this proposed regulation, Dr. Dan McGill. Information about the agenda may be obtained on or after May 21, 1998 by telephoning Wendy McColough, Washington, D.C. (202) 219-8194 (not a toll free number). Individuals not listed in the agenda will be allowed to make oral comments at the hearing to the extent time permits. Those individuals who make oral comments at the hearing should be prepared to answer questions regarding their comments. The hearing will be transcribed.

Individuals with disabilities, who need special accommodations, should notify Wendy McColough on or before May 21, 1998.

Notice of Public Hearing

Notice is hereby given that a public hearing will be held on Monday, June 1, 1998, and Tuesday, June 2, 1998, regarding a proposed regulation which clarifies the application of ERISA to insurance company general accounts. The hearing will be held beginning at 9:30 a.m. E.S.T. on each day, in Room C-5310 of the Department of Labor Building, 200 Constitution Avenue, N.W., Washington D.C. 20210.

Signed at Washington, D.C., this 16th day of April, 1998.

Alan D. Lebowitz,

Deputy Assistant Secretary for Program Operations, Pension and Welfare Benefits Administration, Department of Labor.

[FR Doc. 98-10635 Filed 4-21-98; 8:45 am]

BILLING CODE 4510-29-P

DEPARTMENT OF LABOR**Mine Safety and Health Administration****30 CFR Part 75****Self-Rescue Devices; Use and Location Requirements****AGENCY:** Mine Safety and Health Administration, (MSHA) Labor.**ACTION:** Extension of comment period.

SUMMARY: Due to requests from the mining community, MSHA is extending the comment period on its draft policy letter (PPL) relating to the approval guidelines for storage plans for Self-Contained Self-Rescue (SCSR) Devices in underground coal mines.

DATES: Submit all comments on or before May 29, 1998.

ADDRESSES: Comments may be transmitted by electronic mail, fax or mail. Comments by electronic mail must be clearly identified as such and sent to this e-mail address: comments@msha.gov. Comments by fax must be clearly identified as such and sent to: Mine Safety and Health Administration, Office of Standards, Regulations and Variances, 703-235-5551. Send mail comments to: Mine Safety and Health Administration, Office of Standards, Regulations and Variances, Room 631, 4015 Wilson Boulevard, Arlington, Virginia 22203-1984. Interested persons are encouraged to supplement written comments with computer files or disks; please contact the Agency with any questions about format.

FOR FURTHER INFORMATION CONTACT: Milton D. Conley, Division of Health, Coal Mine Safety and Health, (703) 235-1358.

SUPPLEMENTARY INFORMATION: On September 26, 1997, (62 FR 50541), MSHA published a notice in the **Federal Register** requesting comments on a draft policy letter (PPL) relating to the approval guidelines for storage plans for Self-Contained Self-Rescue (SCSR) Devices in underground coal mines. MSHA published the notice to voluntarily afford an opportunity for interested persons to comment on the PPL before its anticipated issuance and effective date.

The comment period was scheduled to close on February 23, 1998; but was extended until April 13, 1998 (63 FR 6886). In response to requests from the mining community for additional time to prepare their comments, MSHA is extending the comment period until May 29, 1998.

The Agency believes that this extension will provide sufficient time for all interested parties to review and comment on the draft policy. All interested parties are encouraged to submit their comments on or prior to May 29, 1998.

Dated: April 16, 1998.

J. Davitt McAteer,

Assistant Secretary for Mine Safety and Health.

[FR Doc. 98-10689 Filed 4-21-98; 8:45 am]

BILLING CODE 4510-43-P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 925

[SPATS No. MO-034-FOR]

Missouri Abandoned Mine Land Reclamation Plan

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule; public comment period and opportunity for public hearing.

SUMMARY: OSM is announcing receipt of a proposed amendment to the Missouri Abandoned Mine Land Reclamation Plan (hereinafter referred to as the "Missouri plan") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA), 30 U.S.C. 1201 *et seq.*, as amended. The proposed amendment pertains to a formal request by the Missouri Department of Natural Resources, Land Reclamation Commission, Land Reclamation Program (LRP) to assume responsibility of the abandoned mine land reclamation (AMLR) emergency program in Missouri. The proposed amendment is

intended to provide information to verify that Missouri has the authority under its existing plan to conduct the AMLR emergency program on behalf of OSM.

This notice sets forth the times and locations that the Missouri plan and the proposed amendment to that plan will be available for public inspection, the comment period during which interested persons may submit written comments on the proposed amendment, and the procedures that will be followed regarding the public hearing, if one is requested.

DATES: Written comments must be received by 4:00 p.m., c.d.t., May 22, 1998. If requested, a public hearing on the proposed amendment will be held on May 18, 1998. Requests to speak at the hearing must be received by 4:00 p.m., c.d.t., May 7, 1998.

ADDRESSES: Written comments and requests to speak at the hearing should be mailed or hand delivered to Russell W. Frum, Mid-Continent Regional Coordinating Center, at the address listed below.

Copies of the Missouri plan, the proposed amendment, a listing of any scheduled public hearings, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Mid-Continent Regional Coordinating Center.

Russell W. Frum, Mid-Continent Regional Coordinating Center, Office of Surface Mining Reclamation and Enforcement, Alton Federal Building, 501 Belle Street, Alton, Illinois 62002, Telephone: (618) 463-6460.

Missouri Department of Natural Resources, Land Reclamation Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, Missouri 65102, Telephone: (573) 751-4041.

FOR FURTHER INFORMATION CONTACT:

Russell W. Frum, Mid-Continent Regional Coordinating Center, Telephone: (618) 463-6460.

I. Background on the Missouri Plan

On January 29, 1982, the Secretary of the Interior approved the Missouri plan. Background information on the Missouri plan, including the Secretary's findings, the disposition of comments, and the approval of the plan can be found in the January 29, 1982, **Federal Register** (47 FR 4253). Subsequent actions concerning the Missouri plan and amendments to the plan can be found at 30 CFR 925.25.

II. Description of the Proposed Amendment

Section 410 of SMCRA authorizes the Secretary to use funds under the AMLR program to abate or control emergency situations in which adverse effects of past coal mining pose an immediate danger to the public health, safety, or general welfare. On September 29, 1982 (47 FR 42729), OSM invited States to amend their AMLR plans for the purpose of undertaking emergency reclamation programs on behalf of OSM. States would have to demonstrate that they have the statutory authority to undertake emergencies, the technical capability to design and supervise the emergency work, and the administrative mechanisms to quickly respond to emergencies either directly or through contractors.

By letter dated March 31, 1998, (Administrative Record No. AML-MO-103), Missouri submitted a proposed amendment to its plan pursuant to SMCRA. Missouri submitted the proposed amendment at its own initiative. This amendment is intended to demonstrate Missouri's capability to effectively undertake the AMLR emergency program on behalf of OSM. The proposed amendment would allow Missouri to assume the administration of the AMLR emergency program in Missouri on behalf of OSM. In its formal submittal, Missouri stated that a review of the Missouri plan indicates that the authority already exists for the LRP to assume responsibility for the AML emergency program. Missouri noted that the designation by the governor and legal opinion of the state attorney general that is included in its plan are applicable to all AML activities, including the emergency program, and that all other existing policies and procedures in its plan are adequate to cover the emergency program, with two minor exceptions. These exceptions are being addressed in Missouri's proposed amendment.

A. The following information, taken from the approved Missouri plan, is included by reference in Missouri's formal submission to OSM to verify that the authority already exists for the LRP to assume AMLR emergency program responsibilities:

1. A letter from the Governor that designates the Missouri Department of Natural Resources, Land Reclamation Commission as the agency responsible for the Abandoned Mine Land Reclamation Program in Missouri.

2. A legal opinion from the Attorney General that the Missouri Department of Natural Resources, Land Reclamation Commission has the power to