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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9665]

RIN 1545-BG12

Tax Treatment of Qualified Retirement Plan Payment of Accident or Health Insurance Premiums; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correcting amendment.

SUMMARY: This document contains corrections to final regulations (TD 9665) that were published in the **Federal Register** on Monday, May 12, 2014 (79 FR 26838) clarifying the rules regarding the tax treatment of payments by qualified retirement plans for accident or health insurance. The final regulations set forth the general rule under section 402(a) that amounts held in a qualified plan that are used to pay accident or health insurance premiums are taxable distributions unless described in certain statutory exemptions. The final regulations do not extend this result to arrangements under which amounts are used to pay premiums for disability insurance that replaces retirement plan contributions in the event of a participant's disability. These regulations affect sponsors, administrators, participants, and beneficiaries of qualified retirement plans.

DATES: This correction is effective on July 7, 2014, and is applicable May 12, 2014.

FOR FURTHER INFORMATION CONTACT: Michael P. Brewer or Lauson C. Green at (202) 317-6700 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of this document are under section 402(a) of the Internal Revenue Code.

Need for Correction

As published, final regulations (TD 9665) contain errors that may prove to be misleading and are in need of clarification.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Correction of Publication

Accordingly, 26 CFR part 1 is corrected by making the following correcting amendments:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

■ **Par. 2.** In § 1.402(a)-1, the ninth sentence of paragraph (e)(6) *Example 2.* (i) is revised to read as follows:

§ 1.402(a)-1 Taxability of beneficiary under a trust which meets the requirements of section 401(a).

* * * * *

(e) * * *

(6) * * *

Example 2. (i) * * * During the period Participant Q is absent from employment due to disability, the insurer pays the trust the amount of the elective, matching, and non-elective employer profit-sharing contributions that would have been made to the trust with respect to Participant Q had Participant Q not been disabled. * * *

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Martin V. Franks,

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[FR Doc. 2014-14989 Filed 7-3-14; 8:45 am]

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Parts 70, 71, 72, 75, and 90

RIN 1219-AB64

Lowering Miners' Exposure to Coal Mine Dust Including Continuous Personal Dust Monitors

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Final rule.

SUMMARY: The Mine Safety and Health Administration (MSHA) is announcing that the Office of Management and Budget (OMB) approved the information requirements contained in the final rule on Lowering Miners' Exposure to Coal Mine Dust, Including Continuous Personal Dust Monitors published in the **Federal Register** May 1, 2014, under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3520). The OMB Control Number is 1219-0152.

DATES: The effective date of the final rule and the related information collections is August 1, 2014.

FOR FURTHER INFORMATION CONTACT: Sheila McConnell, Acting Director, Office of Standards, Regulations, and Variances, MSHA, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939, mccconnell.sheila.a@dol.gov (email), 202-693-9463 (voice), or 202-693-9441 (facsimile).

SUPPLEMENTARY INFORMATION: On May 1, 2014, MSHA published a final rule that revised the Agency's existing regulation for Lowering Miners' Exposure to Coal Mine Dust Including Continuous Personal Dust Monitors in the **Federal Register** (79 FR 24814). A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a valid OMB control number. See 5 CFR 1320.5(a) and 1320.6. Under the PRA, an agency may not conduct an information collection unless it has a