

## **Justification for No Material or Nonsubstantive Change to Currently-Approved Collection**

**AGENCY:** Pension Benefit Guaranty Corporation

**TITLE:** Termination of Single Employer Plans; Missing Participants; 29 CFR Parts 4041 and 4050; PBGC Forms 500-501, 600-602, Schedule MP and attachments

**STATUS:** OMB control number 1212-0036; expires December 31, 2013

**CONTACT:** Catherine B. Klion (326-4400, ext. 3041) or Jo Amato Burns (326-4400, ext. 3072)

PBGC is revising its instructions for standard and distress terminations of single employer plans. The termination forms have not been changed, and no changes have been made to the instructions or forms for missing participants. Below are the nonmaterial changes to the currently-approved information collection:

- **Code § 436 reminder.** For standard terminations, all plan benefits must be distributed at termination. For participants who received only part of their benefits when they terminated employment or retired because of benefit restrictions under Code § 436, the plan administrator must distribute the remainder of their benefits at termination. The instructions for standard terminations are revised to remind plan administrators of this obligation.
- **Final premium payment reminder.** PBGC premiums owed at termination must be paid when the termination is concluded. The standard and distress termination instructions are revised to remind plan administrators that premiums must be paid for each year, up to and including the plan year in which all plan assets are distributed.
- **Bankruptcy termination reminder.** Under the Pension Protection Act of 2006, special rules apply in the case of an underfunded plan termination that occurs when the sponsor is in bankruptcy (where the proceeding was initiated on or after September 16, 2006). The distress termination instructions are revised to remind plan administrators of these special rules for PPA 2006 bankruptcy terminations.