



## **Paperwork Reduction Act Notice**

### **ERISA section 4010**

PBGC needs this information, which is required to be submitted under part 4010, to enable it (1) to detect and monitor financial problems with the contributing sponsors that maintain severely underfunded pension plans and their controlled group members, (2) to respond quickly when it learns that a controlled group with severely underfunded pension plans intends to engage in a transaction that may significantly reduce the assets available to pay plan liabilities, and (3) to take action to protect participant and premium-payer interests.

The information provided to PBGC under part 4010 is protected from disclosure as provided in 29 CFR part 4010.13. That section provides that in accordance with 29 CFR part 4901.21(a)(3) (part of PBGC's regulation on Examination and Copying of PBGC Records) and section 4010(c) of ERISA, any information or documentary material that is not publicly available and is submitted to PBGC pursuant to part 4010 shall not be made public, except as may be relevant to any administrative or judicial action or proceeding or for disclosures to either body of Congress or to any duly authorized committee or subcommittee of the Congress.

PBGC estimates the average burden of the collection of information is 8.8 hours and \$16,000. These are estimates and the actual time will vary depending on the circumstances of a given filing. If you have any comments concerning the accuracy of these burden estimates or suggestions for making it simpler to submit the information, please send your comments to the Pension Benefit Guaranty Corporation, Office of the General Counsel, 1200 K Street, N.W., Washington, D.C. 20005-4026.

This collection of information has been approved by the Office of Management and Budget (OMB) under control number 1212-0049 (expires July 31, 2019). Under the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

### **Reportable Events**

*Post-Event Notice of Reportable Events (Form 10)*. PBGC needs this information, which is required to be filed under section 4043 of ERISA and 29 CFR part 4043, Subparts A and B, so that it can take action to protect participants and the termination insurance program in appropriate cases.

*Advance Notice of Reportable Events (Form 10-Advance)*. PBGC needs this information, which is required to be filed under section 4043 of ERISA and 29 CFR part 4043, Subparts

A and C, so that it can take action to protect participants and the termination insurance program in appropriate cases.

Information provided to PBGC under section 4043 of ERISA is confidential to the extent provided by the Freedom of Information Act, the Privacy Act, and ERISA §4043(f).

PBGC estimates the average burden of the collection of information is 5.5 hours and \$740. If you have any comments concerning the accuracy of this estimate or suggestions for improving this form, please send your comments to the Pension Benefit Guaranty Corporation, Regulatory Affairs Group, Office of the General Counsel, 1200 K Street, NW, Washington, DC 20005-4026. This collection of information has been approved by the Office of Management and Budget (OMB) under control number 1212-0013 (expires December 31, 2018). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

### **Notice of Failure to Make Required Contributions Over \$1 Million (Form 200)**

PBGC needs this information, which is required to be filed under section 303(k)(4) of ERISA and section 430(k)(4) of the Internal Revenue Code (Code) and 29 CFR part 4043, Subparts A and D, to make decisions regarding enforcement of a lien imposed by section 303(k)(1) of ERISA and section 430(k)(1) of the Code. Information provided to PBGC is confidential to the extent provided in the Freedom of Information Act and the Privacy Act.

PBGC estimates the average burden of the collection of information is 6.0 hours and \$890. These figures are estimates that will vary depending on the nature and organizational structure of persons liable for plan contributions (in particular, whether the plan's contributing sponsor is a member of a controlled group and, if so, the size of that group) and on the funding history of the plan.

If you have any comments concerning the accuracy of these time estimates or suggestions for improving the form or these instructions, please send your comments to the Pension Benefit Guaranty Corporation, Regulatory Affairs Group, Office of the General Counsel, 1200 K Street, NW, Washington, DC 20005-4026.

This collection of information has been approved by the Office of Management and Budget (OMB) under control number 1212-0041 (expires December 31, 2018). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

### **Duties of Plan Sponsor Following Mass Withdrawal**

Section 4281 of ERISA and 29 CFR part 4281 prescribe notice requirements and rules under which multiemployer plan sponsors must: (1) give notices of benefit reduction (*i.e.*, of the adoption of a plan amendment reducing benefits) to PBGC and to affected participants and beneficiaries, and a notice to PBGC of any restoration of benefits; (2) give notices to PBGC

and to participants and beneficiaries that a plan is, or will be, insolvent; (3) give notices of insolvency benefit level to PBGC and to participants and beneficiaries; and (4) submit an application to PBGC for financial assistance. Information provided to PBGC is confidential to the extent provided in the Freedom of Information Act and the Privacy Act.

This information collection is necessary to assure the consistency and adequate quality of notices required by law and to enable PBGC to provide financial assistance to terminated plans in a timely manner. PBGC uses the information it receives to make determinations required by ERISA, to identify and estimate the cash needed for financial assistance to terminated plans, and to verify the appropriateness of financial assistance payments. Plan participants and beneficiaries use the information to make personal financial decisions.

PBGC estimates the average burden of the collection of information is 20 hours and \$27,800 per plan. These are estimates and the time and cost per plan will vary depending on the circumstances of a given filing and the size of the plan. If you have any comments concerning the accuracy of these burden estimates or suggestions for making it simpler to submit the information, please send your comments to the Pension Benefit Guaranty Corporation, Office of the General Counsel, 1200 K Street, N.W., Washington, D.C. 20005-4026.

This collection of information has been approved by the Office of Management and Budget (OMB) under control number 1212-0032 (expires November 30, 2021). Under the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

### **Termination of Multiemployer Plans**

Section 4041A of ERISA and 29 CFR part 4041A require the plan sponsor of a terminated multiemployer plan to submit a notice of termination containing basic information necessary to alert PBGC to possible demands on the multiemployer insurance program. Plan sponsors also are required to submit an application to PBGC for approval to pay benefits or benefit forms not otherwise permitted and to send notices to plan participants and beneficiaries regarding the election of alternative forms of benefit. PBGC needs the information in the application to enable it to determine whether the payment of benefits other than nonforfeitable benefits or benefits valued at more than \$1,750 in other than annuity form are permissible. Information provided to PBGC is confidential to the extent provided in the Freedom of Information Act and the Privacy Act.

PBGC estimates the average burden of the collection of information is 6.9 hours and \$5,000 per plan. These are estimates and the actual time and cost per plan will vary depending on the circumstances of a given filing and plan size. If you have any comments concerning the accuracy of these burden estimates or suggestions for making it simpler to submit the information, please send your comments to the Pension Benefit Guaranty Corporation, Office of the General Counsel, 1200 K Street, N.W., Washington, D.C. 20005-4026.

This collection of information has been approved by the Office of Management and Budget (OMB) under control number 1212-0020 (expires November 30, 2021). Under the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

### **Notice of Insolvency**

Section 4245(e) of ERISA and 29 CFR part 4245 require multiemployer plan sponsors to give notices that a plan is, or will be, insolvent, and to give notices of insolvency benefit level stating the level of benefits that will be paid during an insolvency year. The recipients of these notices are PBGC, contributing employers, employee organizations representing participants, and participants and beneficiaries. PBGC needs this information to enable it to estimate cash needs for financial assistance to insolvent plans. Information provided to PBGC is confidential to the extent provided in the Freedom of Information Act and the Privacy Act.

PBGC estimates the average burden of the collection of information is 20 hours and \$12,000. These are estimates and the actual time and cost per plan will vary depending on the size of the plan. If you have any comments concerning the accuracy of these burden estimates or suggestions for making it simpler to submit the information, please send your comments to the Pension Benefit Guaranty Corporation, Office of the General Counsel, 1200 K Street, N.W., Washington, D.C. 20005-4026.

This collection of information has been approved by the Office of Management and Budget (OMB) under control number 1212-0033 (expires November 30, 2021). Under the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.