

investment manager, fiduciary or other advisor and furnished to the Plan within the last six years.

If your benefits are transferred to the successor plan, you will be furnished a successor plan SPD within 120 days of the partition; and the plan document, trust agreement, and other documents governing the successor plan will be available for review following the partition.

The plan administrator must respond to your request for these documents within 30 days, and may charge you the cost per page for the least expensive means of reproducing documents, but cannot charge more than 25 cents per page. The Plan's Form 5500 annual reports are also available free of charge at <http://www.dol.gov/ebsa/5500main.html>. Some of the documents also may be available for examination, without charge, at the plan administrator's office, your worksite, or union hall.

#### *Plan Contact Information*

For more information about this Notice, you may contact:

[Insert Name of Plan Administrator, address, email address, and phone number]

#### *PBGC Contact Information*

Multiemployer Program Division, PBGC,  
1200 K Street NW., Washington, DC 20005-4026

Email: [Multiemployerprogram@pbgc.gov](mailto:Multiemployerprogram@pbgc.gov)  
Phone: (202) 229-6047

#### *PBGC Participant and Plan Sponsor Advocate Contact Information*

Constance Donovan, PBGC, 1200 K Street  
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Email: [Advocate@pbgc.gov](mailto:Advocate@pbgc.gov)  
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[80 FR 35229, June 19, 2015, as amended at 85 FR 6064, Feb. 4, 2020]

## **PART 4245—DUTIES OF PLAN SPONSOR OF AN INSOLVENT PLAN**

Sec.

4245.1 Purpose, scope, and filing and issuance rules..

4245.2 Definitions.

4245.3 Notice of insolvency.

4245.4 Contents of notice of insolvency.

4245.5 Notice of insolvency benefit level.

4245.6 Contents of notice of insolvency benefit level.

4245.7 Successor plan.

4245.8 Financial assistance.

AUTHORITY: 29 U.S.C. 1302(b)(3), 1341a, 1431, 1426(e).

SOURCE: 61 FR 34115, July 1, 1996, unless otherwise noted.

### **§ 4245.1 Purpose, scope, and filing and issuance rules.**

(a) *Purpose and scope.* This part prescribes insolvency notice requirements and financial assistance requirements pertaining to critical status plans. Plan sponsors of plans that have terminated by mass withdrawal under section 4041A(a)(2) of ERISA are required to file and issue similar insolvency notices under part 4281 of this chapter and withdrawal liability and actuarial valuation information under part 4041A of this chapter.

(b) *Filing and issuance rules*—(1) *Method of filing.* Filing with PBGC under this part must be made by a method permitted under the rules in subpart A of part 4000 of this chapter.

(2) *Method of issuance.* The issuance of the required notices to interested parties under this part must be made by one of the following methods—

(i) A method permitted under the rules in subpart B of part 4000 of this chapter.

(ii) For interested parties other than participants and beneficiaries in pay status or reasonably expected to enter pay status during the insolvency year for which the notice is given, and other than alternate payees, the plan sponsor may post the notice at participants' work sites or publish the notice in a union newsletter or in a newspaper of general circulation in the area or areas where participants reside. Except with respect to an alternate payee, notice to a participant is deemed notice to that participant's beneficiary or beneficiaries.

(3) *Filing and issuance dates.* The date that a filing is sent and the date that an issuance is provided are determined under the rules in subpart C of part 4000 of this chapter.

(4) *Where to file.* Filings with PBGC under this part must be made as described in § 4000.4 of this chapter.

(5) *Computation of time.* The time period for filing or issuance under this part must be computed under the rules in subpart D of part 4000 of this chapter.

[84 FR 18724, May 2, 2019]