

The form you are looking for begins on the next page of this file. Before viewing it, please see the important update information below.

New Mailing Address

The mailing address for certain forms have change since the forms were last published. The new mailing address are shown below.

Mailing Address for Forms 1023, 1024, 1024-A, 1028, 5300, 5307, 5310, 5310-A, 5316, 8717, 8718, 8940:

Internal Revenue Service TE/GE Stop 31A Team 105 P.O. Box 12192 Covington, KY 41012–0192

Deliveries by private delivery service (PDS) should be made to:

Internal Revenue Service 7940 Kentucky Drive TE/GE Stop 31A Team 105 Florence, KY 41042

This update supplements these forms' instructions. Filers should rely on this update for the change described, which will be incorporated into the next revision of the form's instructions.



Form

(Rev. December 2013)

Department of the Treasury Internal Revenue Service

Application for Determination for Terminating Plan

OMB No. 1545-0202

(Under sections 401(a) and 501(a) of the Internal Revenue Code)
▶ Information about Form 5310 and its instructions is at www.irs.gov/form5310.

Review instructions and the Procedural Requirements Checklist before completing this application.

For Internal Use Only

Complete lines 1j-1m and 2h-2k only if y	ou have a foreign address, s	see instructions.
1a Name of plan sponsor (employer if sing	le-employer plan)	
b Address of plan sponsor		
b / todalecce of plain openion		
- City		d Obets a 7in and a
c City		d State e Zip code
f Employer identification number (EIN)	g Telephone number	h Fax number i Employer's tax year end (MM)
j City or town	k Country name	
I Province/country	m Foreign postal code	
2a Person to contact. If a Power of Attorne	ev is attached mark box and	do not complete this line
Contact person's name	, in all and in a first series and	b Contact person's address
Contact person's name		
o City		d State e Zip code
c City		d State e Zip code
f Telephone number	g Fax number	
h City or town	i Country name	
j Province/country	k Foreign postal code	
If more space is needed for any item, attac	h additional sheets the same	size as this form. Identify each additional sheet with the plan
sponsor's name and EIN and identify each	item.	
	ed this application, including accompa	nying statements and schedules, and to the best of my knowledge and belief,
it is true, correct, and complete.		
SIGN HERE ▶		Date ▶
Type or print name	Type or print titl	e

3a (1)	No Is this plan a pre-approved Volume Submitter (VS) plan that relied on the advisory letter for the immedia preceding remedial amendment cycle (RAC)?	ately
(2)	Is this plan a pre-approved Master & Prototype Plan (M&P) plan that relied on the opinion letter for the immediately preceding RAC? If line 3a(1) or 3a(2) is "Yes," then complete lines 3(a)(3), (4) and (5). If "No," go to line 3b.	
(3)	Name of sponsor or practitioner	
(4)	Date of opinion/advisory letter	
(5)	Serial # of opinion/advisory letter	
b	If the plan is a VS plan, does the VS practitioner have the authority to amend on behalf of the adopting employer?	
С	Is the plan an individually designed plan that is eligible for the six-year RAC?	
d	No NA Does the plan have a determination letter (DL) for the plan's RAC preceding the cycle in which this application is filed? If "Yes," complete lines 3d(i), (ii), and (iii) below. If "No," go to line 3e.	3
	(i) Date the letter was issued	
	(ii) Year of the Cumulative List considered in the letter	
	(iii) Expiration date of the letter	

	(Rev. 12-2013) ontinued)						Page
e	Yes No Do any al If "Y tabl If "Y	e. 'es," and the ame and (v) in the table table (for (iv), (v),	endment contains endment contains e. and (vi) mark with	only discretic both interim a an "X" in the	and discretio applicable b	ons, mark an "X" in nary provisions, ma	rk an "X" in columns
				Type of A	mendment		
	(i) Amendment ID	(ii) Effective Date (MMDDYYYY)	(iii) Adoption Date (MMDDYYYY)	(iv) Interim Amnd.	(v) Discr. Amnd.	(vi) Power to Amend on Behalf of	(vii) Due Date of Tax Return (including extensions) (MMDDYYYY)
3f(1)							
3f(2)							
3f(3)							
3f(4)							
3f(5)							
3f(6)							
3f(7)							
3f(8)							
3f(9)							
3f(10)							

Designate the specific tax return that the employer uses to file its return

h

la	Name of plan (plan name cannot exceed 70 characters, including spaces):
b	Enter 3-digit plan number
d	Enter plan's original effective date effective date e Enter number of participants If 100 or less, complete line 4f. Otherwise, go to line 5
f	Yes No Does the plan sponsor have no more than 100 employees who received at least \$5,000 of compensation for the preceding year? If "Yes," go to line 4g. If "No," go to line 5a(1).
g	Is at least one employee a non highly compensated employee?
ia (1)	Was this application filed in connection with a plan termination? If "Yes," attach copies of all actions taken to terminate the plan. If "No," do not submit this application.
(2)	Proposed date of plan termination (3) Date of board of directors action (or other documentation) formally terminating the plan
b	Will plan assets be distributed as soon as administratively feasible?
c (1)	Will plan assets be, or have plan assets been, returned to the employer? If "Yes," complete lines 5c(2) and (3). If "No," go to line 6a.
(2)	Enter the estimated amount of plan assets to be returned to the employer
(3)	Has the employer established or does the employer intend to establish a Qualified Replacement Plan?
а	Indicate the type of plan by entering the number from the list below. (Use the lowest number from the list below applicable to the plan.)
	1 – Pension Equity Plan (PEP) 5 – ESOP 9 – 401(k) 2 – cash balance conversion 6 – money purchase 10 – profit sharing plan 7 – target benefit 4 – defined benefit but not cash balance 8 – stock bonus

(Line 6	continu	ıed)							
	Yes	No							
b (1)			If the response to line 6a was "1," "2," "3," "4," "6," or "7," is the plan's normal retirement age below 62 at any time after 5/22/07?						
			If "Yes," go to line 6b(2). If "No," go to line 6c(1).						
(2)	Has the employer (or trustees, if this is a multiemployer plan) made a good faith determination that the plan's normal retirement age is not lower than an age that reasonably represents the typical retirement age for the industry in which the covered workforce is employed? If "Yes," attach required statement. Governmental plans see instructions.								
c (1)	If the response to line 6a was "5," mark the applicable box to indicate whether the plan sponsor is an S Corporation or a C Corporation.								
		S Cor	p. C Corp.						
(2)			een a change to the corporate status (from S to C or C to S election/revocation), provide date of such change.						
7a (1)			Is the plan sponsor a member of an affiliated service group (ASG), controlled group of corporations, or a group of trades or businesses under common control within the meaning of section 414(b) or (c)? If "Yes," attach the required statement.						
(2)	Is the plan sponsor a foreign entity or is the plan sponsor a member of an ASG, controlled group of corporations, or a group of trades or businesses under common control within the meaning of section 414(b) or (c) that includes a foreign entity?								
b			Is this a governmental plan under section 414(d)?						
c (1)			Is this a church plan under section 414(e)? If "Yes," go to line 7c(2). If "No," go to line 7d.						
(2)			Was an election made by the church to have participation, vesting, funding, etc. provisions apply in accordance with section 410(d)?						
d			Does this plan benefit any collectively bargained employees under Regulations section 1.410(b)-6(d)(2)?						
е			Is this an insurance contract plan under section 412(e)(3)?						
f			Is this a multiemployer plan under section 414(f)?						
g			Is this a request for a ruling involving the termination of a plan with a section 401(h) feature?						
h (1)		the tete	Is this a multiple employer plan under section 413(c)? If "Yes," complete lines 7h(2) through 7h(5). If "No," go to line 8a.						
(2)	Lillel	נווס נטנס	al number of participating employers.						
(3)	Enter	the num	ber of participating employers submitting a Form 5310 concurrent with this application.						

(Line 7	continued)
(4)	Enter the EIN of the employer submitting the controlling plan.
(5)	Enter the 3-digit plan number of the controlling plan.
8a	Yes No Have interested parties (as defined in Regulations section 1.7476-1(b)(5)) been given the required notification of this application? If "Yes," complete line 8b. If "No," go to line 9.
b	If line 8a is "Yes," enter the date of notification.
9	Is a separate DL application for this plan currently pending before the IRS?
10a	Does this plan satisfy one of the design-based safe harbor requirements for contributions or benefits under Regulations section 1.401(a)(4)-2(b) or 3(b)? If "Yes," go to line 10b. If "No," go to line 11a.
b	Is this an election for a determination regarding a design-based safe harbor? If "Yes," complete lines 10c through 10e. If "No," go to line 11a.
С	Enter the letter ("A" - "E") from the list below that identifies the safe harbor intended to be satisfied. A = 1.401(a)(4)-2(b)(2) defined contribution (DC) plan with uniform allocation formula B = 1.401(a)(4)-3(b)(3) unit credit defined benefit (DB) plan C = 1.401(a)(4)-3(b)(4)(i)(C)(1) unit credit DB fractional rule plan D = 1.401(a)(4)-3(b)(4)(i)(C)(2) flat benefit DB plan E = 1.401(a)(4)-3(b)(5) insurance contract plan
d	Does this plan satisfy one of the safe harbor definitions of compensation under Regulations sections 1.414(s)-1(c)(2) or (3)?
е	List the plan section(s) that satisfy the design-based safe harbor (including, if applicable, the permitted disparity requirements):
11a b (1)	Does this plan have a cash or deferred arrangement (CODA)? If "Yes," go to line 11b(1). If "No," go to line 11e. Does the CODA satisfy a safe harbor? If "Yes," go to line 11b(2).
	If "No," go to line 11d.
(2)	Indicate by using the corresponding number from the instructions the type of 401(k) safe harbor that was satisfied. 1. 401(k)(12)(B) 2. 401(k)(12)(C) 3. 401(m)(11)(B)

(Line 1	1 contin	iued)								
С	Yes	No	Does this plan contain a qualified automatic contribution arrangement (QACA) within the meaning of section 401(k)(13)?							
d			Does this plan contain an eligible automatic contribution arrangement (EACA) within the meaning of section 414(w)?							
е			Does this plan have matching contributions within the meaning of section 401(m)? If "Yes," go to line 11f. If "No," go to line 11g.							
f			Does this plan satisfy the section 401(m) safe harbor?							
g			Does this plan have after-tax employee voluntary contributions (section 401(m))?							
h			Does this plan utilize the permitted disparity rules of section 401(l)?							
i			Is this plan part of an offset arrangement with any other plans? If "Yes," attach the required statement.							
j			Is the plan part of an eligible combined plan arrangement within the meaning of section 414(x)? If "Yes," include the EIN and Plan # of the other plan.							
	Yes	No	EIN: Plan #:							
12			Has this plan been involved in a merger, consolidation, spinoff, termination re-establishment, or a transfer of plan, assets or liabilities that was not considered under a previous DL? If "Yes," submit the required attachment.							
13a			Was the plan amended or restated to change the plan type? If "Yes," go to line 13b. If "No," go to line 14.							
b			Was the change considered in a prior DL? If "No," attach a statement explaining the change.							
14	Indica	ate the r	reason for termination by marking the letter from the list below:							
		a. Cha	ange in ownership by merger							
		b. Liq	uidation or dissolution of employer							
		c. Cha	ange in ownership							
		d. Adv	verse business conditions (attach an explanation).							
		e. Add	option of new plan. Enter type of new plan							
		f. Oth	er (specify)							

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15	Last	employ	er/sponsor contributio	on to the plan. Com	plete the following	ng:			
	(a) Er	nter date	e	(b) Amount		(c) For pla	n year ending		
16a	years	on the	al number of participa schedule below. If all gh 16a(5), and instead	such participants	were fully vested	at all times during s	such years, do not c		
			(i)	(ii)	(iii)	(iv)	(v)	(vi)	
E	nter Plar	ı Year E	nd ▶						
a(1) Nu yea	mber at en ar	d of prior	plan						
	mber adde In year	d during t	he						
a(3) Tot	al. Add line	es (1) and	(2)						
. ,	mber dropp In year	oed during	g the						
	mber at en btract line (
in t	al number his plan se sting servic in year with	parated fi e during t	rom he						
				m employment with articipant (5) e (6) mination (7)	out full vesting: Years of vesting Vesting percenta	e or accrued benefit	(8) Amount of (9) Date of dis	distribution	
			Note. Amounts in b	(7) and b(8) should	not include elect	tive deferrals.			
17		ellaneou	ıs:						
а	Yes	No	As a result of the te section 411(d)(3)?	s a result of the termination, are accrued benefits or account balances nonforfeitable as required under action 411(d)(3)?					
b			Do any amendment protected benefits?			ed in a prior DL elimi	inate or reduce any	section 411(d)(6)	
С			=			are the applicable of 1) and 417 included	·		
d				come entitled to rec		ination include the s to the termination?			
е			• .	olled group of corp	orations or group	ested in, obligations of trades or busine		• •	

Line 1	7 contin	ued)	
	Yes	No	
f (1)			Will distributions be made in a form other than cash, annuity contracts, and/or readily tradable marketable securities?
			If line 17f(1) is "Yes," complete lines 17f(2) and (3) below and attach a statement explaining how assets were valued and how assets will be allocated.
			If line 17f(1) is "No," skip to line 17g.
(2)			Were all participants given the option of taking this type of distribution?
(3)			Which section of the plan allows for this type of distribution?
	Schee prior	dule SB two plar	plan, attach copies of the Adjusted Funding Target Attainment Percentage (AFTAP) certification(s) and the (Form 5500), Single-Employer Defined Benefit Plan Actuarial Information, for the year of termination and the page years and answer lines 17g(1) through 17g(3). If this is not a single employer DB plan that must comply with skip to line 17(h)(1).
g (1)			Did the participants receive the proper notification under ERISA 101j?
(2)			Were any accelerated distributions made in any year when the plan was subject to benefit restrictions under section 436(d)?
			If 17g(2) is "Yes," attach a statement providing the date and amount of distribution and the application of the limits including remaining and deferred amounts.
(3)			Was the plan amended to increase liability for benefits that would result in an AFTAP below 80%?
h (1)			If this is a DB or money purchase plan, do you estimate there will be an unpaid minimum required contribution or an accumulated funding deficiency as of the end of the plan year during which the proposed termination date occurs if no additional plan contributions are made and no additional funding waiver is granted? If line 17h(1) is "Yes," complete lines 17h(2) through 17h(4) below. If line 17h(1) is "No," skip to line 17i.
	Yes	No	Time Tri(1) is the, step to line Tri.
(2)			Is there an estimated accumulated funding deficiency? If "Yes," enter here ▶
(3)			Was a Form 5330, Return of Excise Taxes Related to Employee Benefit Plans, filed regarding this funding deficiency?
(4)			Was a funding waiver granted? If line 17h(3) or h(4) is "Yes," attach a copy of Form 5330 or the waiver ruling.
i (1)			Will or have any plan assets been returned to the employer?
(2)			Has the terminating plan been involved in a spinoff or other transfer of assets or liabilities subject to section 414(l), within 60 months preceding the proposed date of termination?
			If "Yes," attach a list and an explanation of the transaction(s) involved and complete lines 17i(3) through 17i(5). If "No," go to line 17i(6).
(3)			Was notice filed with the IRS on Form 5310-A, Notice of Plan Merger or Consolidation, Spinoff, or Transfer of Plan Assets or Liabilities; Notice of Qualified Separate Lines of Business?

Line 17	contin	ued)	
(4)	Yes	No	Are the accrued benefits of all participants, in the other plan(s) included in line 17i(2), fully vested and nonforfeitable as of the date of termination?
(5)			Have cash distributions or guaranteed annuity contracts been provided for all accrued benefits, as of the date of this plan termination, of all participants in the other plan(s) included in line 17i(2)?
(6)			Have cash distributions or guaranteed annuity contracts been provided for all accrued benefits of all participants in this plan? If "Yes," attach a statement providing the dates and amounts of these cash distributions or purchase of annuity contracts.
(7)			If this is a DB plan, is it intended, or is it a fact, that any or all of the participants in the terminating plan will be covered by a new or existing DB plan of the employer? If "Yes," go to line 17i(8). If "No," go to line 17i(9).
(8)			Does the new or existing transferee plan which received plan assets give full prior service credit for vesting and benefit entitlement purposes?
(9)			Did the employer previously receive a reversion of assets upon termination of a DB plan in the past 15 years? If "Yes," attach an explanation.
j (1)			Did any plan participant during the current plan year or in the 5 prior plan years receive a single-sum distribution or have an annuity contract purchased by the plan from an insurance company on his behalf?
(2)	If line	17j(1) is	"Yes," state the largest amount distributed or applied to purchase an annuity contract.
k (1)			Does the value of plan assets at termination exceed the present value of the plan's liabilities within the meaning of section 401(a)(2)? If "Yes," complete line 17k(2). If "No," skip to line 17l.
(2)			Is the excess value the result of a change in the plan provisions other than the termination of the plan?
I			If the plan has been top-heavy, have top-heavy minimum benefits accrued or minimum contributions been made for non-key employees?
m			Do you maintain any other qualified plan under section 401(a)? If "Yes," attach required statement.
	Yes	No	N/A
n (1)			For DC plans—Is this an applicable DC plan as defined in Regulations section 1.401(a)(35)-1(f)(2)?
(2)			If this is an applicable DC plan enter the section of the plan that contains the diversification language.
(3)			If the plan satisfies one of the exceptions noted in line 17n of the instructions, enter the relevant section(s) of the plan.

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Yes	No							

	Yes No									
18		Is any issue involving this plan currently pending or has any issue related to this plan been resolved during the current RAC by:								
	(1) Internal Revenue Service,									
	` '	ment of Labor,								
		n Benefit Guaranty	Corporation,							
	(4) Any co	urt (including bankr	uptcy), or							
	(5) The Vol	luntary Correction F	Resolution Prog	gram of the Employe	e Plans Complian	ce Resolution Sys	tem.			
			ement with the	contact person's na	me (IRS Agent, DC	DL Investigator, et	c.) and telephone			
	nur	mber.								
19	Enter the informatio following schedule.	n listed on lines 19a	a through 19c f	or the plan year of to	ermination and the	5 prior plan years	s on the			
		(i)	(ii)	(iii)	(iv)	(v)	(vi)			
	Enter Plan Year ▶									
	Employer contributions									
а	(do not include elective deferrals)									
b	Forfeitures									
^	Qualified transfer/rollover									
C	amount(s) received									
20		1		n (mark the applicat						
	(1)	In accordance w	ith the plan pro	ovisions including no	tices and consent	S.				
	(2)	Qualified Replace	ement Plan							
	(3)	Transfer of asset	s and liabilities	to another plan						
	(4)	Other (specify)								
21	Statement of net as All "Other" items m			of the proposed date ment.	e of plan terminatio	on or latest valuati	on date.			
					Date of valuation	•				
			Assets							
	+									
a b		bearing cash				21a				
Ь	(1) Employer cont	ributions				21b(1)				
	(2) Participant co					21b(2)				
	(3) Income									
		•	tion)			21b(4)				
	(5) Allowance for	doubtful accounts				21b(5)				
	(6) Total. Add 21b	o(1) through 21b(4)	and subtract 2	1b(5)	•	21b(6)				

(Line 21 continued)

Assets (continued)

С	General Investments: (1) Interest-bearing cash (including money market funds)	21c(1)
	(2) Certificate of deposit	21c(2)
	(3) U.S. Government securities	21c(3)
	(4) Corporate debt instruments	21c(4)
	(5) Corporate stocks	21c(5)
	(6) Partnership/joint venture interests	21c(6)
	(A) Income-producing	21c(7)(A)
	(B) Nonincome-producing	21c(7)(B)
	(8) Loans (other than to participants) secured by mortgages	21c(8)
	(9) Loans to participants	21c(9)
	(10) Other Loans	21c(10)
	(11) Value of interest in registered investment companies	21c(11)
	(12) Value of funds held in insurance company general account	21c(12)
	(13) Other	21c(13)
d	(14) Total. Add lines 21c(1) through 21c(13)	21c(14)
	(1) Employer Securities	21d(1)
	(2) Employer real property	21d(2)
е	Building equipment and other property used in plan operation	21e
f	Total assets. Add lines 21a, 21b(6), 21c(14), 21d(2), and 21e	21f
g	Benefit claims payable	21g
h	Operating payables	21h
i	Acquisition indebtedness	21i
j	Other liabilities	21j
k	Total liabilities. Add lines 21g through 21j	21k
ı	Net Assets. Subtract line 21k from line 21f	211

Procedural Requirements Checklist

Use this list to ensure that your submitted package is complete. Failure to supply the appropriate information may result in a delay in the processing of the application.

	Yes	No	
1.			Is Form 8717, User Fee for Employee Plan Determination Letter Request, attached to your submission?
2.			Is the appropriate user fee for your submission attached to Form 8717?
3.			If appropriate, is Form 2848, Power of Attorney and Declaration of Representative, Form 8821, Tax Information Authorization, or a privately designed authorization attached? (For more information, see the Disclosure Request by Taxpayer in the instructions and Rev. Proc. 2013-4, 2013-1 I.R.B. 126 updated annually.)
4.			Is a copy of your plan's latest DL, or if the plan is based on a pre-approved plan, is a copy of the opinion or advisory letter, if any, attached?
5.			Have you included a copy of the plan, trust, and all amendments adopted or effective during the current RAC?
6.			Is the application signed and dated?
7.			Is the EIN of the plan sponsor/employer (NOT the trust's EIN) entered on line 1f?
8.			Have interested parties been given the required notification of this application? Make sure line 8a is completed.
9.			Have you included a copy of the Board of Director's Resolution or other documentation formally terminating the plan?
10.			If line 7a(1) is "Yes," is the required statement attached?
11.			If line 12 is "Yes," is the required statement attached?
12.			If line 13b is "No," is the required statement attached?
13.			If line 17b is "Yes," is the required statement attached?
14.			If line 17e is "Yes," is the required statement attached?
15.			If line 17f(1) is "Yes," is the required statement attached?
16.			If this is a DB plan, is the Schedule SB (Form 5500) and AFTAP certification(s) attached?
17.			If line 17g(2) is "Yes," is the required statement attached?
18.			If line 17h(4) is "Yes," is the required copy of Form 5330 or any funding waiver ruling attached?
19.			If line 17i(2) is "Yes," is the required statement attached?
20.			If line 17i(6) is "Yes," is the required statement attached?
21.			If line 17i(9) is "Yes," is the required statement attached?
22.			If line 17(m) is "Yes," is the required statement attached?
23.			If line 18 is "Yes," is the required statement attached?
24.			If line 19 is completed, is the required statement and other documentation attached, if applicable?
25.			If any portion of line 21 is completed as "Other," is the required statement attached?
26.			Is the application signed and dated? (Stamped signatures are not acceptable; see Rev. Proc. 2013-4 updated annually.)