

April 2010

**Notice of PPA Zone Status**  
**For**  
**IUOE Local 30 Pension Fund**

To: All Participants, Beneficiaries, Participating Unions and Contributing Employers

Background

As you may know, the Pension Protection Act of 2006 (PPA) has added requirements for measuring the financial health of multiemployer plans such as ours. The PPA requires that a Pension Fund's actuary determine annually the Fund's status under these new rules and to certify that status to the IRS and the Trustees (Plan sponsor). It is important to note that if the Fund's status for a Plan year is in "endangered" ("yellow zone") or "critical" ("red zone") status, the Trustees must notify all Plan participants in writing of this certification and take corrective action to restore the financial health of the Plan.

Zone Status

This letter will serve as the Notice that on March 31, 2010 our Pension Fund's actuary determined and certified that the Fund is in "endangered" or yellow zone status for the 2010 Plan year. This determination was made because as of January 1, 2010 the Plan's funded percentage is less than 80%.

Funding Improvement Plan

The PPA also requires that any pension fund in the yellow zone adopt a "Funding Improvement Plan" (FIP). The FIP is an action plan designed to significantly increase a Plan's funding percentage and to avoid any accumulated funding deficiency. The FIP will be developed by this fall and a notice describing it will be provided to the bargaining parties shortly after that. You have a right to receive a copy of the FIP from the Plan.

The PPA Requires that our Plan's funded status be reviewed and certified annually and notices like this one, explaining the outcome, will be sent each year until our Plan is no longer in the yellow zone.

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We understand that legally required notices like this one can create concern about the Pension Fund's future. Be assured that the Board of Trustees takes its obligation to preserve the financial viability of the Plan very seriously. With the assistance of the Plan's actuary, legal counsel and other Plan professionals, and working with the contributing employers and the Union, the Trustees will continue to work toward strengthening the funded position of the Plan.

Questions?

In the event you have any questions or would like additional information, you may contact Angelo M. DePietto - Fund Coordinator , IUOE Local 30 Pension Fund, 115-10 Myrtle Avenue, Richmond Hill, NY 11418-1717, (718) 847-8484.

Sincerely,

The Board of Trustees

cc: US Department of Labor  
US Pension Benefit Guaranty Corporation