

Notice of Critical Status For

Asbestos Workers Local No. 53 Pension Plan

This is to inform you that on March 31, 2010 the plan actuary again certified to the U.S. Department of the Treasury, and also to the plan sponsor, that the plan remains in critical status for the plan year beginning January 1, 2010. Federal law requires that you receive this notice.

Critical Status

The plan is considered to be in critical status because it has funding or liquidity problems, or both. More specifically, the plan actuary determined that the plan was in critical status last year, and over the next 9 years, the plan is projected to have an accumulated funding deficiency for the 2016 plan year. This is the second year the plan has been in critical status.

Rehabilitation Plan and Possibility of Additional Reduction in Benefits

Federal law requires pension plans in critical status to adopt a rehabilitation plan aimed at restoring the financial health of the plan. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. As part of the rehabilitation plan adopted by the trustees on July 1, 2009 certain adjustable benefits were eliminated or reduced. These changes were outlined in the November 2, 2009 "Notice of Adjustment to Benefits Due to Critical Status" and affect benefits received after December 31, 2009. If the trustees of the plan determine that further benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those reductions. Any reduction of adjustable benefits (other than a repeal of a recent benefit increase, as described below) will not reduce the level of a participant's basic benefit payable at normal retirement. In addition, the reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after April 30, 2009, the date all participants were informed that adjustable benefits may need to be reduced or eliminated. You should also know that effective as of April 30, 2009, the plan is not permitted to pay lump sum benefits (or any other payment in excess of the monthly amount paid under a single life annuity) while it is in critical status.

Adjustable Benefits

The plan offers the following adjustable benefits which may be reduced or eliminated as part of any rehabilitation plan the pension plan may adopt:

- Post-retirement death benefits;
- Disability benefits (if not yet in pay status);
- Early retirement benefit or retirement-type subsidy;
- Benefit payment options other than a qualified joint-and survivor annuity (QJSA);
- Recent benefit increases (i.e., occurring in past 5 years);
- Other similar benefits, rights, or features under the plan such as the lump sum death benefit and death benefits for unmarried participants

Employer Surcharge

The law requires that all contributing employers pay to the plan a surcharge to help correct the plan's financial situation. The amount of the surcharge is equal to a percentage of the amount an employer is otherwise required to contribute to the plan under the applicable collective bargaining agreement. With some exceptions, a 5% surcharge is applicable in the initial critical year and a 10% surcharge is applicable for each succeeding plan year thereafter in which the plan is in critical status. Since this is the second year that the plan has been certified in critical status, any employer who has not yet adopted the rehabilitation plan will be subject to a 10% surcharge on contributions.

Where to Get More Information

For more information about this Notice, you may contact

Board of Trustees of the Asbestos Workers Local No. 53 Pension Plan
2001 Veterans Blvd., Suite 201
Kenner, LA 70062
(504) 468-9654

You have a right to receive a copy of the rehabilitation plan from the plan.