

**FIFTY-SECOND AMENDMENT TO  
ASBESTOS WORKERS LOCAL 47 RETIREMENT TRUST PLAN**

*THIS AGREEMENT* executed as of this 30<sup>A</sup> day of September, 2002, and effective as of the dates indicated below, between the undersigned Union Trustees and the undersigned Employer Trustees, who are the duly appointed and acting Trustees pursuant to the Agreement and Declaration of Trust, dated July 1, 1956, establishing the ASBESTOS WORKERS LOCAL 47 RETIREMENT FUND as originally adopted and amended.

**RECITALS**

A. Effective July 1, 1956, the ASBESTOS WORKERS LOCAL 47 RETIREMENT TRUST PLAN (hereinafter referred to as the "Plan") was established to provide retirement benefits for those Employees described in the Plan.

B. The Plan has been subsequently amended from time to time to incorporate changes.

C. The FORTY-NINTH AND CUMULATIVE AMENDMENT was adopted January 24, 2002, made effective January 1, 1999, incorporating all prior amendments and restating the entire Plan. The FIFTIETH AMENDMENT was executed May 23, 2002, effective August 1, 2002. The FIFTY-FIRST AMENDMENT was executed July 29, 2002, effective January 1, 1999. The Trustees, pursuant to the power to amend contained in the Plan, now wish to further amend the Plan.

**COVENANTS**

In consideration of the foregoing and in consideration of the mutual covenants set forth

below, the Trustees agree that the ASBESTOS WORKERS LOCAL 47 RETIREMENT TRUST PLAN is hereby further amended by this FIFTY-SECOND AMENDMENT, as follows:

1. ARTICLE XV, LIMITATIONS ON CONTRIBUTIONS AND BENEFITS, Section 15.5, Applicable Tables, shall be added as follows:

**15.5 Applicable Tables.** This section shall apply to distributions with annuity starting dates on or after January 1, 2002.

(a) Notwithstanding any other Plan provisions to the contrary, the applicable mortality table used for purposes of adjusting any benefit or limitation under § 415(b)(2)(B), (C) or (D) of the Internal Revenue Code as set forth in Article XV of the Plan and the applicable mortality table used for purposes of satisfying the requirements of § 417(e) of the Internal Revenue Code as set forth in Article XV of the Plan is the table prescribed in Rev. Rul. 2001-62. Further, any reference to the mortality table provided in Rev. Proc. 95-6 shall be construed as a reference to Rev. Rul. 2001-62 mortality table.

(b) For any distribution with an annuity starting date on or after the effective date of this section and before the adoption date of this section, if application of the amendment as of the annuity starting date would have caused a reduction in the amount of any distribution, such reduction is not reflected in any payment made before the adoption date of this section. However, the amount of any such reduction that is required under § 415(b)(2)(B) must be reflected actuarially over any remaining payments to the participant.

2. ARTICLE XVI, CASH-OUT OF BENEFITS, Applicable Interest Rates, Section 16.5(c) shall be added as follows:




**16.5 (c)** Notwithstanding anything in this Plan to the contrary, effective January 1, 1999, for lump sum distributions, the "Applicable Interest Rate" means the annual

rate of interest on 30-year Treasury securities determined as of the first calendar month preceding the first day of the Plan year during which the annuity starting date occurs.

3. Except as specifically amended by the FIFTIETH, FIFTY-FIRST and FIFTY-SECOND AMENDMENTS, the FORTY-NINTH AND CUMULATIVE AMENDMENT to the ASBESTOS WORKERS LOCAL 47 RETIREMENT TRUST PLAN shall continue in full force and effect.

*IN WITNESS WHEREOF*, the Trustees have executed this Fifty-Second Amendment on the date first above-written.

**EMPLOYER TRUSTEES:**

**UNION TRUSTEES:**

