

**DEPARTMENT OF LABOR****Employee Benefits Security Administration**

**[Prohibited Transaction Exemption (PTE) 2009–24; Exemption Application No. D–11465]**

**United States Steel and Carnegie Pension Fund (the Applicant), Located in New York, NY**

**AGENCY:** Employee Benefits Security Administration, U.S. Department of Labor (the Department).

**ACTION:** Notice of technical correction.

On September 1, 2009, the Department published PTE 2009–24 in the **Federal Register** at 74 FR 45294. PTE 2009–24 permits transactions between parties in interest with respect to the Former U.S. Steel Related Plans, as defined in PTE 2009–24, and an investment fund in which such plans have an interest, provided that the Applicant or its successor has discretionary authority or control with respect to the plan assets involved in the transaction, and various enumerated conditions are satisfied.

Due to a technical error appearing in the final exemption, the Department is hereby making a revision to the document. On page 45298 of the grant notice, the first paragraph under the heading Temporary Nature of Exemption is revised to read as follows:

**Temporary Nature of Exemption**

The Department has determined that the relief provided by this exemption is temporary in nature. The exemption is effective February 15, 2003, and will expire on the day which is five (5) years from the first day of the first fiscal year of UCF after the date of the publication of the final exemption in the **Federal Register** (*i.e.*, September 1, 2009). Accordingly, the relief provided by this exemption will not be available upon the expiration of such five-year period for any new or additional transactions, as described herein, after such date, but would continue to apply beyond the expiration of such five-year period for continuing transactions entered into before the expiration of the five-year period. Should the Applicant wish to extend, beyond the expiration of such five-year period, the relief provided by this exemption to new or additional transactions, the Applicant may submit another application for exemption.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gary H. Lefkowitz of the Department at (202) 693–8546. (This is not a toll-free number.)

Signed at Washington, DC, this 10th day of November 2009.

**Ivan L. Strasfeld,**

*Director of Exemption Determinations,  
Employee Benefits Security Administration,  
U.S. Department of Labor.*

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**DEPARTMENT OF LABOR****Employee Benefits Security Administration**

**Prohibited Transaction Exemptions and Grant of Individual Exemptions Involving: PTE 2009–29, Iron Workers Local 17 Pension Fund (the Plan), D–11432, et al.**

PTE 2009–29, Iron Workers Local 17 Pension Fund (the Plan), D–11432;

PTE 2009–30, Urology Clinics of North Texas, P.A. 401(k) Profit Sharing Plan and Trust (The Plan), D–11483;

PTE 2009–31, Amendment to Prohibited Transaction Exemption (PTE) 96–22, 61 FR 14828 (April 3, 1996), as amended by PTE 97–34, 62 FR 39021 (July 21, 1997), PTE 2000–58, 65 FR 67765 (November 13, 2000), PTE 2002–41, 67 FR 54487 (August 22, 2002) and PTE 2007–05, 72 FR 13130 (March 20, 2007) as corrected at 72 FR 16385 (April 4, 2007) (PTE 2007–05), (PTE 96–22), Involving the Wachovia Corporation and its affiliates (Wachovia), the Successor of First Union Corporation and to PTE 2002–19, 67 FR 14979 (March 28, 2002), as amended by PTE 2007–05 and PTE 2009–16, 74 FR 30623 (June 26, 2009) (PTE 2002–19), Involving J.P. Morgan Chase & Company and Its Affiliates, D–11530;

PTE 2009–32, The Alaska Laborers–Construction Industry Apprenticeship Training Trust (the Plan), L–11482.

**AGENCY:** Employee Benefits Security Administration, Labor.

**ACTION:** Grant of individual exemptions.

**SUMMARY:** This document contains exemptions issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (ERISA or the Act) and/or the Internal Revenue Code of 1986 (the Code).

A notice was published in the **Federal Register** of the pendency before the Department of a proposal to grant such exemption. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, DC. The notice also invited interested persons to

submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicant has represented that it has complied with the requirements of the notification to interested persons. No requests for a hearing were received by the Department. Public comments were received by the Department as described in the granted exemption.

The notice of proposed exemption was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App. 1 (1996), transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

**Statutory Findings**

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990) and based upon the entire record, the Department makes the following findings:

(a) The exemption is administratively feasible;

(b) The exemption is in the interests of the plan and its participants and beneficiaries; and

(c) The exemption is protective of the rights of the participants and beneficiaries of the plan.

Iron Workers Local 17 Pension Fund (the Plan) Located in Cleveland, Ohio  
[Prohibited Transaction Exemption 2009–29; Exemption Application No. D–11432]

**Exemption**

The restrictions in sections 406(a)(1)(A), 406(a)(1)(D), and 406 (b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) and 4975(c)(1)(D) through (E) of the Code, shall not apply to the sale of a leasehold interest, which includes an office building (the Building) and certain rights pursuant to a ground lease, held by the Plan, to the Bridge, Structural and Ornamental Iron Workers Local Union No. 17 (the Union), a party in interest with respect to the Plan, provided that the following conditions are satisfied:

(a) The terms and conditions of the sale are at least as favorable to the Plan as those that the Plan could obtain in an arm's length transaction with an unrelated party;

(b) The Plan receives the greater of \$285,000 or the fair market value of the