RIO TINTO PLC
Form 11-K
June 29, 2009

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 11-K

(Mark One)

x ANNUAL REPORT PURSUANT TO SECTION 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the fiscal year ended December 31, 2008

or

.. TRANSITION REPORT PURSUANT TO SECTION 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the transition period from _______ to ______.

Commission file number 001-10533

A. Full title of the plan and the address of the plan, if different from that of the issuer named below:

RIO TINTO AMERICA INC. SAVINGS PLAN

B. Name of the issuer of the securities held pursuant to the plan and the address of its principal executive office:

Rio Tinto plc
5 Aldermanbury Square
London EC2V 7HR
United Kingdom

RIO TINTO AMERICA INC. SAVINGS PLAN

Financial Statements and Supplemental Schedules

As of December 31, 2008 and 2007 and for the
Year Ended December 31, 2008

Together with Report of Independent Registered Public
Accounting Firm

RIO TINTO AMERICA INC. SAVINGS PLAN
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All other schedules required by Section 2520.103-10 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974 have been omitted because they are not applicable to the Rio Tinto America Inc. Savings Plan.

REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

The Rio Tinto America Benefits Governance Committee
Rio Tinto America Inc. Savings Plan

We have audited the accompanying statements of assets available for benefits of the Rio Tinto America Inc. Savings Plan (the Plan) as of December 31, 2008 and 2007 and the related statement of changes in assets available for benefits for the year ended December 31, 2008. These financial statements are the responsibility of the Plan's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with the standards of the Public Company Accounting Oversight Board (United States). Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Plan's internal control over financial reporting. Accordingly, we express no such opinion. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the assets available for benefits of the Rio Tinto America Inc. Savings Plan as of December 31, 2008 and 2007 and the changes in assets available for benefits for the year ended December 31, 2008 in conformity with U.S. generally accepted accounting principles.

Our audits of the financial statements were performed for the purpose of forming an opinion on the basic financial statements taken as a whole. The supplemental schedule of assets (held at end of year) as of December 31, 2008 and the supplemental schedule of delinquent contributions for the year ended December 31, 2008 are presented for the purpose of additional analysis and are not a required part of the basic financial statements, but are supplementary information required by the United States Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974. The supplemental schedules are the responsibility of the Plan's management and have been subjected to the auditing procedures applied in the audits of the basic financial statements and, in our opinion, are fairly stated in all material respects in relation to the basic financial statements taken as a whole.

/s/ Tanner LC

June 26, 2009

RIO TINTO AMERICA INC. SAVINGS PLAN
Statements of Assets Available for Benefits

	December 31,	
	2008	2007
Assets		
Investments, at fair value	$ 372,688,968	$ 548,081,765
Receivables:		
Employee contributions	-	408,949
Employer contributions	1,296	409,721
Total receivables	1,296	818,670
Assets available for benefits, at fair value	372,690,264	548,900,435
Adjustment from fair value to contract value for fully benefit-responsive investment contracts	11,996,107	690,931
Assets available for benefits	$ 384,686,371	$ 549,591,366

See accompanying notes to financial statements.

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RIO TINTO AMERICA INC. SAVINGS PLAN
Statement of Changes in Assets Available for Benefits

	Year Ended December 31, 2008
Investment income (loss):	
Interest and dividends	$ 20,155,928
Net depreciation in fair value of investments	(175,937,449)
Total investment loss, net	(155,781,521)
Contributions:	
Employee	26,211,130
Employer	23,006,704
Total contributions	49,217,834
Transfers:	
From the U.S. Borax Inc. 401(k) Plan for Hourly Employees	534,580
From the Kennecott Corporation Savings Plan for Hourly Employees	125,147
Total transfers	659,727
Deductions from assets attributed to:	
Benefits paid to participants	(58,929,664)
Administrative expenses	(71,371)
Total deductions	(59,001,035)
Net decrease in assets available for benefits	(164,904,995)
Assets available for benefits:	
Beginning of year	549,591,366
End of year	$ 384,686,371

See accompanying notes to financial statements.

1. Description of the Plan

The following brief description of the Rio Tinto America Inc. Savings Plan (the Plan) is provided for general information purposes only. Participants should refer to the Plan document and summary plan description for more complete information.

General

The Plan is a defined contribution plan covering (1) all non-represented employees of Rio Tinto America Inc. and its affiliates (collectively, the Company or the Employer), as defined in the Plan document, and (2) employees covered by a collective bargaining agreement that provides for Plan participation. All eligible full-time employees of the Company can participate in the Plan immediately upon employment. Temporary and part-time employees are eligible after completing 1,000 hours of service during a 12-month period. Rio Tinto America Inc. is an indirect wholly owned subsidiary of Rio Tinto plc (the Parent). The Plan was created effective January 1, 2003, by a merger of the Kennecott Savings and Investment Plan, the U.S. Borax Inc. Thrift Plan for Salaried Employees, and the Luzenac America, Inc. Investment Savings Plan. The Plan is intended to be a qualified retirement plan under the Internal Revenue Code (IRC) and is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA), as amended.

Contributions

Each year, participants may elect under a salary reduction agreement to contribute to the Plan an amount not less than 1% and not more than 50% of their eligible compensation on a before-tax basis through payroll deductions. Contributions are limited by the IRC, which established a maximum contribution of $15,500 ($20,500 for participants over age 50) for the year ended December 31, 2008. Participants may also elect to make an after-tax contribution not less than 1% and not more than 50% of their eligible compensation. Total before-tax and after-tax contributions cannot exceed 50% of each participant's eligible compensation. Participant contributions are recorded in the period during which the amounts are withheld from participant earnings. Participants may also contribute amounts representing distributions from other qualified defined benefit or defined contribution plans.

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1. Description of the Plan Continued

Contributions - Continued

Investment Partnership Plan

Effective April 1, 2007 for new participants in the Plan (including new hires and transfers) and October 1, 2007 for current electing employees, the Company contributes 6% of eligible compensation (which includes ½ of compensation earned under a short-term bonus program) up to the Social Security Wage Base ($102,000 for 2008) and 11.7% of eligible compensation over the Social Security Wage Base. For communication purposes, the Company refers to this Company contribution as the Investment Partnership Plan (IPP). To be eligible for the IPP, current employees as of March 31, 2007, were required to elect not to continue to be credited with future benefit service under the Company-sponsored defined benefit pension plan, the Rio Tinto America Inc. Retirement Plan. Participants are not required to contribute to the Plan to receive IPP contributions. Participants are vested in IPP contributions based upon the following schedule:

Completed Years of Vesting Service	Vested %
One year	33.33%
Two years	66.67%
Three years	100.00%

Effective April 15, 2008, as a result of the sale of the Kennecott Greens Creek Mining Company and the Kennecott Juneau Mining Company, the affected participants who terminated employment with the Company were 100% vested in the Company IPP contributions.

Matching

In addition, the Company matches participants' contributions to the Plan at 100%, up to the first 6% of their eligible compensation, for all locations other than the represented hourly employees of Luzenac America, Inc. Participants are immediately vested in their contributions and Company matching contributions plus actual earnings thereon.

1. Description of the Plan Continued

Contributions – Continued
The Company matches the participants' contributions to the Plan for the represented hourly employees of Luzenac America, Inc., based on the following:

· hourly employees of Luzenac America, Inc. at the Three Forks Mill who are represented by the United Cement, Lime, Gypsum and Allied Workers' Division of the International Brotherhood of Boilermakers (Local Union D-239) who made contributions after August 1, 2006 receive a match of 65%, up to the first 6% of eligible compensation; and

· hourly employees of Luzenac America, Inc. at the Windsor Mine who are represented by the United Cement, Lime, Gypsum and Allied Workers' Division of the International Brotherhood of Boilermakers (Local Lodge No. D449)
(a) who made contributions after May 12, 2004 and prior to May 12, 2006 received a match of 40%, up to the first 6% of eligible compensation; and
(b) who made contributions on or after May 12, 2006 received a match of 45% up to the first 6% of eligible compensation.

The represented hourly employees of Luzenac America, Inc. are not eligible for the IPP Company contributions. Matching contributions are recorded on the date the related participant contributions are withheld.

Participant Accounts
Individual accounts are maintained for each Plan participant. Each participant's account is credited with the participant's contributions, the Company's matching contributions, Company's contributions, and an allocation of the Plan's earnings, and is charged with withdrawals and an allocation of the Plan's losses and administrative expenses. Allocations are based on participant earnings or account balances, as defined. The benefit to which a participant is entitled is the benefit that can be provided from the participant's vested account.

Participant-Directed Options for Investments
Participants direct the investment of their contributions, Company matching contributions and Company IPP contributions (if applicable) into various investment options offered by the Plan. Investment options include mutual funds, a

common collective trust, common stock of the Parent in the form of American Depositary Receipts (ADRs), and a stable value fund consisting of a money market fund, a common collective trust and synthetic guaranteed investment contracts.

1. Description of the Plan Continued

Payment of Benefits

On termination of service due to death, disability, or retirement, participants or their beneficiaries may elect to receive lump-sum distributions or annual, semi-annual, quarterly or monthly installments in amounts equal to the value of the participants' vested interests in their accounts. Under certain circumstances, participants may withdraw their contributions prior to the occurrence of these events.

Transfers

Certain U.S. Subsidiaries of Rio Tinto plc also sponsor other 401(k) plans that cover represented employees. If those employees are changed from union to non-union status during the year, their account balances are transferred from those union plans to this Plan. For the year ended December 31, 2008, transfers into the Plan totaled $659,727. For the year ended December 31, 2008, transfers from the U.S. Borax Inc. 401(k) Plan for Hourly Employees totaled $534,580 and transfers from the Kennecott Corporation Savings Plan for Hourly Employees totaled $125,147.

Forfeited Accounts

As of January 1, 2003, the effective date of the Rio Tinto America Inc. Savings Plan, there was a balance in the forfeiture account related to predecessor plans' non-vested participant account balances. Under the Plan document, forfeiture amounts related to terminated participants are required to be held for five years after termination in the event that the individual is re-hired and becomes a participant again. If the employee becomes a participant within that five-year period, the service period resumes for vesting of the participant's account. If the five-year period expires, the forfeitures become available to reduce future Company contributions to the Plan. In addition, terminated participant non-vested account balances of the IPP are transferred to the forfeiture account. During the year ended December 31, 2008, $53,256 in forfeitures were used to pay expenses of the Plan. Forfeitures were $156,339 for the year ended December 31, 2008. Interest and dividends attributable to the forfeitures were $12,546 for the year ended December 31, 2008. As of December 31, 2008 and 2007, the balance in the forfeiture account was $318,683 and $203,054, respectively.

2. Summary of Significant Accounting Policies	Basis of Presentation The financial statements of the Plan have been prepared on the accrual basis of accounting in accordance with U.S. generally accepted accounting principles.

2. Summary of Significant Accounting Policies Continued

Use of Estimates
The preparation of the Plan's financial statements in conformity with U.S. generally accepted accounting principles requires the Plan's management to make estimates and assumptions that affect the reported amounts of assets available for benefits at the date of the financial statements, the changes in assets available for benefits during the reporting period and, when applicable, the disclosures of contingent assets and liabilities at the date of the financial statements. Actual results could differ from those estimates.

Risks and Uncertainties
The Plan provides for investments in securities that are exposed to various risks, such as interest rate, currency exchange rate, credit and overall market fluctuation. Due to the level of risk associated with certain investment securities, it is reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could materially affect participants' account balances and the amounts reported in the statements of assets available for benefits.

During 2008 and as of the date of the accompanying independent auditors' report, the world's economic and financial markets have experienced significant instability and illiquidity. These developments have impacted the fair values of many of the Plan's investments.

Financial Accounting Standards Board Staff Position
As described in Financial Accounting Standards Board (FASB) Staff Position, AAG INV-1 and SOP 94-4-1, Reporting of Fully Benefit-Responsive Investment Contracts Held by Certain Investment Companies Subject to the AICPA Investment Company Guide and Defined-Contribution Health and Welfare and Pension Plans (the FSP), investment contracts held by a defined-contribution plan are required to be reported at fair value. However, contract value is the relevant measurement attribute for that portion of the assets available for benefits of a defined-contribution plan attributable to fully benefit-responsive investment contracts because contract value is the amount participants would receive if they were to initiate permitted transactions under the terms of the plan. As required by the FSP, the statement of assets available for benefits presents the fair value of the investment contracts as well as the adjustment of the

fully benefit-responsive investment contracts from fair value to contract value. The statement of changes in assets available for benefits is prepared on a contract value basis.

2. Summary of Significant Accounting Policies Continued

Investment Valuation and Income Recognition
The Plan's investments in mutual funds are valued at quoted market prices, which represent the net asset values of units held by the Plan at year end. Plan investments in common stock are stated at fair value based on quoted market prices. Common collective trusts are valued at the asset value per unit as determined by each common collective trust as of the valuation date. The fair value of the Plan's interest in the Dwight Stable Value Fund (see detail of investments included in this fund in Note 3) is based upon the market value of the underlying securities at quoted market value or quoted share prices.

Purchases and sales of securities are recorded on a trade-date basis. Interest income is recorded on the accrual basis. Dividends are recorded on the ex-dividend date.

The net appreciation (depreciation) in the fair value of investments, which includes realized gains (losses) and unrealized appreciation (depreciation) on those investments, is presented in the statement of changes in assets available for benefits of the Plan, and totaled ($175,937,449) for the year ended December 31, 2008 (see Note 6).

Payments of Benefits
Benefits payments are recorded when paid by the Plan.

Administrative Expenses
The Company pays the majority of costs and expenses incurred in administering the Plan. The Company provides accounting and other services for the Plan at no cost to the Plan.

The Plan has several fund managers that manage the investments held by the Plan. Fees for investment fund management services are included as a reduction of the return earned on each fund. In addition, during the year ended December 31, 2008, the Company paid all investment consulting fees related to these investment funds.

Transaction costs associated with the purchase or sale of Rio Tinto plc ADRs are paid by the participants.

2. Summary of Significant Accounting Policies Continued

Participant Loans

Participants may borrow from the Plan up to a maximum of $50,000 or 50% of their account balances, whichever is less. Each loan is secured by the balance in the participant's account and bears interest at a rate commensurate with prevailing rates at the time funds are borrowed, as determined by the Plan Administrator. Loans originated during the year ended December 31, 2008 have interest rates set at prime plus one percent. A general-purpose loan must be repaid within 5 years. A loan for a primary residence must be repaid within 20 years. Principal and interest are paid ratably through payroll deductions.

3. Fully Benefit-Responsive Investment Contracts

The Plan's investments include the Dwight Stable Value Fund. The Dwight Stable Value Fund is invested in the following:

· A money market fund (TBC Pooled Daily Liquidity Fund);

· A fully benefit-responsive common collective trust (the SEI Stable Asset Fund); and

· Fully benefit-responsive synthetic GICs as follows:

a. Dwight Intermediate Core Plus Fund, no specified maturity date, 4.36%;
b. Dwight Managed Target 2, no specified maturity date, 4.36%;
c. Dwight Managed Target 5, no specified maturity date, 4.36%;
d. Dwight Intermediate Core Plus Fund, no specified maturity date, 3.79%;
e. Dwight Managed Target 2, no specified maturity date, 3.79%; and
f. Dwight Managed Target 5, no specified maturity date, 3.79%

3. Fully Benefit-Responsive Investment Contracts Continued

Synthetic GICs provide for a guaranteed return on principal over a specified period of time through fully benefit-responsive wrap contracts, issued by a third party, which are secured by underlying assets. The Plan's wrap contracts have credit ratings ranging from AA+ to AAA. The assets underlying the wrap contracts include diversified bond portfolios. These bond portfolios include investments in securities with contractual cash flows, such as asset backed securities, collateralized mortgage obligations and commercial mortgage backed securities, including securities backed by subprime mortgage loans. The value, liquidity and related income of these securities are sensitive to changes in economic conditions, including real estate value, delinquencies or defaults, or both, and may be adversely affected by shifts in the market's perception of the issuers and changes in interest rates.

The crediting interest rates of the contracts are based on agreed-upon formulas with the issuing third-party, as defined in the contract agreement, but cannot be less than zero. The contract or crediting interest rates for the synthetic GICs are typically reset quarterly and are based on capital market developments, the performance of the assets backing the contract, and the expected and actual contributions and withdrawals of all of the plans participating in the contract. These contracts typically provide that realized and unrealized gains and losses on the underlying assets are not reflected immediately in the assets of the fund. Realized and unrealized gains and losses are amortized, usually over the time to maturity or the duration of the underlying investments, through adjustments to the future interest crediting rate. Additional inputs used to determine the crediting interest rates include each contract's portfolio market value, current yield-to-date maturity, duration, and fair value relative to contract value.

The fair value of the investment contracts relative to the contract value are reflected in the statements of assets available for benefits as "adjustment from fair value to contract value for fully benefit-responsive investment contracts" (adjustment). If the adjustment is positive, this indicates that the contract value is greater than the fair value. The embedded losses will be amortized in the future through a lower interest crediting rate than would otherwise be the case. If the adjustment is negative, this indicates that the contract value is less than the fair value. The embedded gains will cause the future interest crediting rate to be higher than it otherwise would have been. A positive adjustment is reflected in the Plan's statements of assets available for benefits as of December 31, 2008 and 2007 in the amount of $11,996,107 and $690,931, respectively.

3. Fully Benefit-Responsive Investment Contracts Continued

These wrap contracts provide benefit withdrawals and investment exchanges at the full contract value of the synthetic contracts (principal plus accrued interest) notwithstanding the actual market value of the underlying investments (fair value plus accrued interest). There are no reserves against contract value for credit risk of the contract issuer or otherwise.
Certain events may limit the ability of the Plan to transact at contract value with the issuer of fully benefit-responsive investment contracts. Such events include the following: (1) amendments to the Plan documents (including complete or partial Plan termination or merger with another plan), (2) bankruptcy of the Company or other Company events (for example, divestiture or spin-off of a subsidiary) that cause a significant withdrawal from the Plan, or (3) the failure of the trust to qualify for exemption from federal income taxes or any required prohibited transaction exemption under ERISA, as amended. With the exception of announced efforts on the part of the Company to market the sale of certain subsidiaries, the Plan Administrator does not believe that the occurrence of any such event, which would limit the Plan's ability to transact at contract value with participants, is probable. The contracts provide that withdrawals associated with certain events which are not in the ordinary course of fund operations, and are determined by the issuer to have a material adverse effect on the issuer's financial interest, may be paid at other than contract value.

Absent the events described in the preceding paragraph, the guaranteed investment contracts do not permit the issuers to terminate the agreements prior to the scheduled maturity dates.

Average duration for all investment contracts was 2.80 and 3.02 years as of December 31, 2008 and 2007, respectively. Average yield data for all fully benefit-responsive investment contracts for the years ended December 31, 2008 and 2007 was as follows:

	2008	2007
Average Yields:		
Based on actual earnings	5.71%	5.59%
Based on interest rate credited to participants	4.09%	4.87%

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4. Party-in-Interest Transactions

Certain Plan investments are managed by Putnam Investments, the Plan trustee, therefore, these transactions are exempt party-in-interest transactions. Fees paid by the Plan for investment management services were included as a reduction of the return earned on each fund.

Transactions associated with Rio Tinto plc ADRs are considered exempt party-in-interest transactions because Rio Tinto plc is the Parent of the Company. As of December 31, 2008 and 2007, the Plan held 209,588.054 and 146,778.41 shares, respectively, of common stock of Rio Tinto plc. During the year ended December 31, 2008, the Plan recorded dividend income of $879,940 related to the Rio Tinto plc ADRs.

5. Global Securities Lending Program

The Plan participates in the State Street Bank and Trust Company S&P 500 Flagship Securities Lending Series C Fund (the Fund), a common collective trust. The Fund invests in certain collective investment funds that participate in the State Street Global Securities Lending Program (Lending Funds). Under the State Street Global Securities Lending Program, securities held by Lending Funds are loaned by State Street Bank, as agent, to certain brokers and other financial institutions (the Borrowers). The Borrowers provide cash, securities, or letters of credit as collateral against loans in an amount at least equal to 100% of the fair value of the loaned securities. The Borrowers are required to maintain the collateral at not less than 100% of the fair value of the loaned securities. Cash collateral provided by the Borrowers may be invested in State Street Bank and Trust Company Collateral Funds (Cash Collateral Funds). The Lending Funds invested cash provided by the Borrowers into the State Street Bank and Trust Company Quality Trust for SSgA Funds.

Risks and Indemnification

State Street Bank, as lending agent, indemnifies Lending Funds for replacement of any loaned securities (or, in certain circumstances, return of equivalent cash value) due to Borrower default on a security loan. Lending Fund participants, however, bear the risk of loss with respect to the investment of collateral.

5. Global Securities Lending Program Continued

Withdrawal Safeguards

From time to time, the Trustee of the Lending Funds may exercise its rights in order to protect all participants in the State Street Bank securities lending funds. In an effort to better ensure safety of principal and better maintain adequate liquidity, as well as achieve favorable returns for all securities lending program participants, State Street Bank has temporarily implemented withdrawal safeguards on full or partial redemptions from certain securities lending funds.

The objective of these withdrawal safeguards is to protect the interest of all participants, while providing the maximum level of liquidity that can be prudently made available to all participants. These withdrawal safeguards permit redemptions resulting from ordinary course activity, subject to certain thresholds. Ordinary course activity also may include periodic participant rebalancing of their investment portfolio between Lending Funds and other State Street Bank collective investment funds. Requests for redemptions above these withdrawal safeguards may result in proceeds consisting of cash, units of other State Street Bank collective investment funds, units of Cash Collateral Funds that will be converted into units of a liquidating trust, or a combination thereof. The Trustee continues to monitor market conditions and evaluates the need for withdrawal safeguards, as appropriate.

Investment in Cash Collateral Fund Valuation

Management of the Lending Funds regularly reviews the performance of the Cash Collateral Funds and the variation between their per unit fair values and $1.00. The Cash Collateral Funds primarily utilize quotations from independent pricing services, quotations from bond dealers and information with respect to bond and note transactions (“pricing service information”) to determine the fair value of its investments. Such pricing service information may also consist of quotations derived from valuation models or matrix pricing. As of December 31, 2008, the per unit fair value was $0.93 for the State Street Bank and Trust Company Quality Trust for SSgA Funds.

5. Global Securities Lending Program Continued

Investment in Cash Collateral Fund Valuation - Continued
For the purposes of determining transaction price for issuances and redemptions of Lending Fund units, management of the Lending Funds also evaluates additional inputs to the fair value of the Lending Funds' investments in the Cash Collateral Funds, including among other things current market conditions, credit quality, liquidity of the Cash Collateral Funds and the assessed probability of incurring a realized loss on Cash Collateral Fund Assets. Additionally, management of the Lending Funds evaluates the qualitative aspects of the State Street Global Securities Lending Program, including the historical performance of State Street Bank as lending agent, the Cash Collateral Funds' investment strategy and past performance, and the expected continuing transactions price of the Cash Collateral Funds at $1.00 per unit.

Accordingly, for purposes of calculating the transaction price of the Lending Funds, management of the Lending Funds has valued its investments in Cash Collateral Funds at their per unit transaction price of $1.00. Management of the Lending Funds will continue to review the Lending Funds participation in the State Street Global Securities Lending Program, including the appropriateness of the fair value of the Lending Funds' investments in the Cash Collateral Funds at $1.00 per unit for transaction purposes or, alternatively, at a lower per unit fair value.

6. Investments

The Plan's investments (stated at fair value) that represented five percent or more of the Plan's assets available for benefits as of December 31, 2008 and 2007 are as follows:

	2008	2007
Assets of the Dwight Stable Value Fund:		
TBC Pooled Employee Daily Liquidity Fund	$ 3,509,287	$ 3,423,813
Monumental Life Insurance Company Synthetic GICs	58,924,901	61,306,152
State Street Bank & Trust Synthetic GICs	45,522,709	47,120,265

SEI Stable Asset Fund		27,700,168		34,900,140
	$	135,657,065	$	146,750,370

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6. Investments
Continued

	2008	2007
Dodge and Cox Stock Fund	$ 39,897,135	$ 74,079,771
PIMCO Total Return Fund	39,213,406	33,516,108
State Street Bank and Trust Company S&P 500 Flagship Securities Lending Series C Fund	26,939,530	44,303,629
Harbor Capital Appreciation Fund	26,312,796	40,496,345
American Funds Europacific Growth	20,012,629	-
Rio Tinto plc ADRs	18,634,474	61,632,256
Artisan Mid Cap Fund	-	30,935,150
Putnam International Equity Fund	-	39,544,736

During the year ended December 31, 2008, the Plan's investments (including gains and losses on investments bought and sold, as well as held during the year) depreciated in fair value as follows:

Mutual Funds	$ (109,942,393)
Common Stock	(50,203,374)
Common collective trusts	(15,791,682)
Net depreciation	$ (175,937,449)

Effective January 1, 2008, the Plan adopted Statement of Financial Accounting Standards (SFAS) No. 157, Fair Value Measurements. SFAS No. 157 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in the principal market for the asset or liability or, in the absence of a principal market, the most advantageous market for the asset or liability, in an orderly transaction between market participants at the measurement date.

SFAS No. 157 also establishes a fair value hierarchy for those instruments measured at fair value that distinguishes between assumptions based on market data (observable inputs) and the Plan's assumptions (unobservable inputs). The hierarchy consists of three levels:

Level 1: Quoted prices (unadjusted) in active markets for identical assets that are accessible at the measurement date for assets and liabilities.

6. Investments Continued

Level 2: Quoted prices in inactive markets for identical assets or liabilities, quoted prices for similar assets or liabilities in active markets, or other observable inputs either directly related to the asset or liability or derived principally from corroborated observable market data.

Level 3: Unobservable inputs for the asset that are supported by little or no market activity and that are significant to the fair value of the underlying asset.

The following table summarizes the Plan's assets measured at fair value on a recurring basis in accordance with SFAS No. 157 as of December 31, 2008:

Description	Level 1	Level 2	Level 3	Total
Money market fund	$ 3,509,631	$ -	$ -	$ 3,509,631
Common collective trusts	25,030,092	29,182,281	427,325	54,639,698
Mutual funds	180,973,803	-	-	180,973,803
Synthetic guaranteed investment contracts	8,167,325	89,651,756	6,628,529	104,447,610
Common stock	18,634,474	-	-	18,634,474
Participant loans	-	-	10,483,752	10,483,752
	$ 236,315,325	$ 118,834,037	$ 17,539,606	$ 372,688,968

The following is a reconciliation of the investments in which significant unobservable inputs (Level 3) were used in determining fair value:

Common Collective Trusts and Synthetic Guaranteed Investment Contracts

Beginning balance as of January 1, 2008	Net realized gain/(loss)	Net purchases/ sales	Net transfers in and/or out of Level 3	Ending balance as of

	and depreciation			December 31, 2008
$ 11,775,127	$ (1,582,990)	$ (2,372,969)	$ (763,314)	$ 7,055,854

Participant Loans

	Amount
Beginning balance January 1, 2008	$ 11,268,531
Issuances	6,322,555
Repayments and settlements	(7,107,334)
Ending Balance, December 31, 2008	$ 10,483,752

No adjustments were required to be made to the financial statements as a result of adopting SFAS No. 157.

7. Plan Termination

Although it has not expressed any intention to do so, the Company has the right under the Plan to discontinue its contributions at any time and to terminate the Plan subject to the provisions set forth in ERISA.

8. Income Tax Status

The Plan does not have a determination letter from the Internal Revenue Service informing it that the Plan and related trust are designed in accordance with the applicable requirements of the Internal Revenue Code. However, the Plan Administrator and the Plan's legal counsel believe that the Plan is currently designed and being operated in compliance with the applicable requirements of the Internal Revenue Code. Therefore, no provision for income taxes has been included in the Plan's financial statements.

9. Reconciliation of Financial Statements to Form 5500

The following is a reconciliation of assets available for benefits as presented in the financial statements as of December 31, 2008 and 2007 to the Form 5500:

	2008	2007
Assets available for benefits as presented in the financial statements	$ 384,686,371	$ 549,591,366
Adjustment from contract value to fair value	(11,996,107)	(690,931)
Assets available for benefits as presented in Form 5500	$ 372,690,264	$ 548,900,435

10. Delinquent Contributions	As of December 31, 2008, a receivable has been recorded for delinquent Employer contributions of $1,213 related to payroll periods in 2007. A receivable for corrective earnings contributions of $83 has also been recorded (see the accompanying supplemental schedule of delinquent contributions).

RIO TINTO AMERICA INC. SAVINGS PLAN
Employer Identification Number: 11-3359689
Plan Number: 002
Schedule H, Part IV, Line 4i
Schedule of Assets (Held at End of Year)

December 31, 2008

(a) Party in Interest	(b) Identity of Issue	(c) Description of Investment	Number of Units	(d) Cost	(e) Current Value
		Money Market Fund:			
	Mellon Bank	TBC Pooled Employee Daily Liquidity Fund	3,509,287	**	$ 3,509,287
		Common Collective Trusts:			
	SEI Investments	SEI Stable Asset Fund	27,700,168	**	27,700,168
	State Street Bank & Trust Company	State Street Bank and Trust Company S&P 500 Flagship Securities Lending Series C Fund	1,624,723	**	26,939,530
		Total Common Collective Trusts			54,639,698
		Mutual Funds:			
	Dodge and Cox	Dodge and Cox Stock Fund	536,468	**	39,897,135
	PIMCO	PIMCO Total Return Fund	3,867,200	**	39,213,406
	Harbor	Harbor Capital Appreciation Fund	1,129,305	**	26,312,796
	American	American Funds Europacific Growth	716,015	**	20,012,629
	Artisan	Artisan Mid Cap Fund	950,911	**	16,175,002
	Dodge and Cox	Dodge & Cox International Fund	580,424	**	12,711,289
	UAM Trust Company	UAM/ICM Small Company Fund	537,396	**	9,931,071
	Wells Fargo	Wells Fargo Advantage C&B Mid Cap Value Fund	751,821	**	7,909,160
	Blackrock	Blackrock Small Cap Growth Equity	544,454	**	7,883,691
	JP Morgan	JP Morgan Investor Balanced Fund	98,058	**	927,624
		Total Mutual Funds			180,973,803

* denotes a party-in-interest as defined by ERISA
** not required as investments are participant directed

See accompanying report of independent registered public accounting firm.

RIO TINTO AMERICA INC. SAVINGS PLAN
Employer Identification Number: 11-3359689
Plan Number: 002
Schedule H, Part IV, Line 4i
Schedule of Assets (Held at End of Year)
Continued
December 31, 2008

(a) Party in Interest	(b) Identity of Issue	(c) Description of Investment	Number of Units	(d) Cost	(e) Current Value
		Synthetic Guaranteed Investment Contracts:			
	Monumental Life Insurance Company	Synthetic GIC, Dwight Managed Target 2, no specified maturity date, 4.36%	1,902,805	**	$ 31,678,851
	Monumental Life Insurance Company	Synthetic GIC, Dwight Managed Target 5, no specified maturity date, 4.36%	1,459,500	**	25,362,219
	Monumental Life Insurance Company	Synthetic GIC, Dwight Intermediate Core Plus Fund, no specified maturity date, 4.36%	131,787	**	1,883,831
	State Street Bank & Trust Company	Synthetic GIC, Dwight Managed Target 2, no specified maturity date, 3.79%	1,538,601	**	25,615,411
	State Street Bank & Trust Company	Synthetic GIC, Dwight Intermediate Core Plus Fund, no specified maturity date, 3.79%	834,957	**	11,935,334
	State Street Bank & Trust Company	Synthetic GIC, Dwight Managed Target 5, no specified maturity date, 3.79%	458,756	**	7,971,964
		Total Synthetic Guaranteed Investment Contracts			104,447,610
*	Rio Tinto plc ADRs	Common Stock	209,588	**	18,634,474
*	Putnam	Pending Account		**	344

*	Various participants	Participant loans (maturing 2009 to 2028 at interest rates ranging from 5.0% to 10.5%)	1,149	**	10,483,752
		Total Investments at Fair Value			$ 372,688,968

* denotes a party-in-interest as defined by ERISA
** not required as investments are participant directed

See accompanying report of independent registered public accounting firm.

RIO TINTO AMERICA INC. SAVINGS PLAN
Employer Identification Number: 11-3359689
Plan Number: 002
Schedule H, Part IV, Line 4a
Schedule of Delinquent Contributions

Year Ended December 31, 2008

Employer match due	Nonexempt prohibited transactions that are corrected outside VFCP	Corrective additional Employer earnings contribution
$ 1,213	$ 1,213	$ 83

See accompanying report of independent registered public accounting firm.

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SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, the trustees (or other persons who administer the employee benefit plan) have duly caused this annual report to be signed on its behalf by the undersigned hereunto duly authorized.

RIO TINTO AMERICA INC. SAVINGS PLAN

By: /s/ Chad Anderson
Name: Chad Anderson
Title: Rio Tinto America Benefits Compliance Committee

Date: June 29, 2009

EXHIBIT INDEX

Exhibit Number	Document
23.1	Consent of Independent Registered Public Accounting Firm