



Complaint alleges OPI was required to report the following: a) three chemical substances it manufactured during calendar year 2005 at its La Mirada, California, facility; b) 16 chemical substances it manufactured during calendar year 2005 at its Romulus, Michigan, facility; and c) one chemical substance it imported during calendar year 2005 at the Romulus, Michigan, facility. The Complaint further alleges that OPI manufactured/imported the 20 chemical substances for commercial purposes, with the quantity of each one in excess of the amount set forth in 40 C.F.R. § 710.48(a). After alleging that Respondent Chemetall US, Inc. has assumed the relevant TSCA reporting responsibilities and obligations of OPI, the Complaint states that each failure by OPI to have timely (*i.e.* during the August 25, 2006 through March 23, 2007 submission period) submitted the Form U for these chemicals, as required by 40 C.F.R. § 710.53, constitutes a separate and distinct violation of Section 15(3)(B) of TSCA, 15 U.S.C. § 2614(3)(B), for which Respondents are jointly and severally liable pursuant to Section 16(a)(1) of TSCA, 15 U.S.C. § 2615(a)(1).<sup>1</sup> The Complaint seeks a total penalty of \$438,400 (slightly less than \$22,000 for each alleged violation).

The Answer was timely filed on or about October 29, 2009, noting preliminarily that there is one Respondent.<sup>2</sup> Respondent's Answer admits some of the underlying predicate allegations; it denies allegations pertinent to a finding of liability. The Answer asserts two affirmative defenses (though neither is denominated as such): the sought-for assessment of the penalty is "contrary to applicable law, regulations, policies and guidelines" and is "arbitrary and capricious." Page 6 of the Answer. Respondent has requested a hearing in the matter.

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<sup>1</sup> Paragraphs 37 and 54 of the Complaint, in referencing Section 16(a)(1) of TSCA, incorrectly cite the United States Code provision. Each cites 15 U.S.C. § 2614(a)(1) when the correct provision is 15 U.S.C. § 2615(a)(1).

<sup>2</sup> The "Introductory Response" of the Answer states, in relevant part: "Effective January 1, 2009, Oakite Products, Inc. [OPI] changed its corporate name to Chemetall US, Inc. \*\*\* As a result, at law Oakite Products, Inc. and Chemetall US, Inc. are the same legal entity meaning there is only one Respondent in this matter." Henceforth the singular term will be used.

The parties held an informal settlement conference on December 11, 2009 and have been engaged in ongoing settlement negotiations since. To date, they have been unable to reach a negotiated settlement, but efforts to reach one continue.

## **II. Complainant's Witnesses**

EPA anticipates that it will call both (or either of) the following witnesses:

1) Chester Norman, Chemist, with EPA's Pesticides and Toxic Substances Branch, of the Division of Enforcement and Compliance Assistance, working out of the Agency's Woodbridge Avenue facility in Edison, New Jersey. Mr. Norman is expected to testify as to his May 2008 inspection of Respondent's facility in New Providence, New Jersey, including his observations and what information he then otherwise obtained regarding Respondent's operations. He is also expected to testify as to information Respondent provided as a follow-up to the inspection and his evaluation of such information. Mr. Norman is further expected to discuss and describe Complainant's exhibits, the preparation and development of the Complaint, how the penalty amount the EPA seeks in this case was determined and the bases therefor (including compliance with the TSCA statutory factors and applicable penalty policy). In addition to the above, Mr. Norman's expected testimony should encompass a host of TSCA Section 8 IUR regulatory issues: how penalties are generally calculated; the Region's use and reliance upon the penalty policy; the importance of timely IUR filing reporting and the consequences of a regulated entity's failure to do so; the Agency's use of data reported pursuant to TSCA Section 8 IUR provisions; and the overall importance to the EPA of TSCA Section 8 (including regulatory provisions) and its objectives with regard to the IUR requirements.

2) Daniel Kraft, Chief of the Toxics Section of the Pesticides and Toxics Branch of the Division of Enforcement and Compliance Assistance, working out of EPA's Woodbridge

Avenue facility in Edison, New Jersey.<sup>3</sup> Mr. Kraft is expected to testify as to his review of the Complaint after it had been initially drafted. His expected testimony will also encompass the preparation of the Complaint with regard to its consistency with and adherence to the applicable TSCA statutory and regulatory provisions: the bases for the substantive allegations; the determination of the penalty amounts sought (including EPA's use of and reliance upon the applicable TSCA penalty policy); and the appropriateness of the proposed civil penalty relative to the facts and circumstances underlying this proceeding. Mr. Kraft's expected testimony should further cover a host of TSCA Section 8 IUR regulatory issues: how penalties are generally calculated; the Region's use and reliance upon the penalty policy; the importance of timely IUR filing reporting and the consequences of a regulated entity's failure to do so; the Agency's use of data reported pursuant to TSCA Section 8 IUR provisions; and the overall importance of TSCA Section 8 (including regulatory provisions) and its objectives to EPA with regard to IUR requirements. Mr. Kraft is also expected to discuss and explain the significance of various exhibits Complainant intends to offer.

To the extent not prohibited by the rules of procedure of this proceeding, 40 C.F.R. Part 22, EPA reserves the right to call or not to call any of the aforementioned potential witnesses. The listing of the expected scope of the testimony of each witness is not intended to limit EPA's right to modify or otherwise expand upon the scope and extent of the testimony of each such witness, where appropriate (such as in response to evidence Respondent might present or testimony its witnesses might proffer). EPA might list additional witnesses in any rebuttal prehearing exchange(s) the Agency might file.

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<sup>3</sup> Mr. Kraft has been temporarily assigned to be the Acting Chief of this branch.

### **III. Complainant's Exhibits**

EPA anticipates offering into evidence the following documents and records, copies of which are annexed hereto (unless otherwise specifically noted below); these materials will be identified as "Complainant's Exhibit," with each exhibit numbered with the following Arabic numerals:

1. "The Enforcement Response Policy for Reporting and Recordkeeping Rules and Requirements for TSCA Sections 8, 12 and 13," produced by EPA's Toxics and Pesticides Enforcement Division of the Office of Regulatory Enforcement within the Office of Enforcement and Compliance Assurance (revised March 31, 1999, effective June 1, 1999) (hereinafter the "TSCA Section 8 penalty policy"). This document was referenced in the Complaint (pages 8-9) and is publicly available at <http://cfpub.epa.gov/compliance/resources/policies/civil/tsca/>.<sup>4</sup>

2. June 5, 2006 memorandum, "Penalty Policy Supplements Pursuant to the 2004 Civil Monetary Penalty Inflation Adjustment Rule," from Stephanie Brown, the Acting Director of the Toxics and Pesticides Enforcement Division of the Office of Civil Enforcement to Regional Counsels and Regional TSCA, FIFRA and EPCRA Division Directors (including Appendix A, Appendix B and page 8-A, the pages pertinent, in whole or in part, to the TSCA Section 8 penalty policy).

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<sup>4</sup> In order to save the paper required to make multiple copies of the TSCA Section 8 penalty policy, copies of it will not be physically included as part of this initial prehearing exchange. This document will be provided if so ordered by the Court and/or if Respondent requests a copy. To the extent not previously done or as otherwise ordered by this Court, at the time of hearing, Complainant will provide copies of this document. As this document is publicly available on the Internet, it is readily accessible. Further, pursuant to 40 C.F.R. § 22.27(b), this Court is required to "consider any civil penalty guidelines issued under [TSCA]." The TSCA Section 8 penalty policy constitutes a "civil penalty guideline[] issued under [TSCA]."

3. "TSCA Section 5, and 8 Inspection," report from Chester Norman and Leonard Pappalardo to Daniel J. Kraft, with "Notice of Inspection."

4. The IUR form (Form U) submitted on September 24, 2008, together with accompanying correspondence. Because such documentation contains Confidential Business Information, it will not be included as part of this Initial Prehearing Exchange; the exhibit here will bear the notation "CBI Deleted."<sup>5</sup>

5. United States National Library of Medicine, ChemIDplus Advanced, with regard to the three chemical substances Respondent is alleged to have manufactured at its La Mirada, California, facility (each followed by its Chemical Abstracts Service Registry Number ["CAS Number"; 40 C.F.R. § 704.3]):

Zinc dihydrogen phosphate (13598-37-3);

Phosphoric acid monoethanolamine salt (29868-05-1); and

Sodium dihydrogen phosphate (7558-80-7).

6. United States National Library of Medicine, ChemIDplus Advanced, with regard to the 16 chemical substances Respondent is alleged to have manufactured at its Romulus, Michigan, facility (each followed by its CAS Number):

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<sup>5</sup> This documentation will be provided to the Court in accordance with applicable CBI regulations and protocol prior to the start of the hearing or as otherwise directed by this tribunal. At the moment, it is not being provided in order to minimize the number of documents containing CBI information in circulation. Respondent, having prepared the document, obviously is aware of this document and what it contains.

Complainant wishes to draw this Court's attention to paragraph 31 of the Answer, which states, in part, that "filings were subsequently made on a voluntary basis on or about September 24, 2008." Furthermore, with regard to the identity of the chemical substances, Complainant directs this Court to paragraphs 25, 39 and 40 (listing the chemical substances manufactured/imported at both facilities); Respondent has admitted the allegations in these three paragraphs.

Sodium dihydrogen phosphate (7558-80-7);

Zinc nitrate (7779-88-6);

Manganese dihydrogen phosphate (18718-07-5);

Zinc dihydrogen phosphate (13598-37-3);

Manganese nitrate (10377-66-9);

Potassium oleate (also known as potassium cis-9-octadecenoic acid; 143-18-0);

Phosphonic acid, P,P,P - [nitrilotris (methylene)] tris sodium salt (also known as sodium aminotris (methylenephosphonate); 20592-85-2);

Sodium silicate (1344-09-8);

Potassium tetraborate (also known as boric acid, dipotassium salt; 1332-77-0);

Potassium tallate (61790-44-1);

Triethanolamine borate (also known as boric acid, compd. with 2,2',2''-nitrilotris (ethanol); 68413-80-9);

Dipotassium octenyl succinate (also known as butanedioic acid, 2(octen-1-yl)-, potassium salt (1:2); 58641-28-4);

Ethanol (64-17-5);

Chromium phosphate (also known as chromic phosphate; 7789-04-0);

Ammonium dihydrogen phosphate (also known as monoammonium phosphate; 7722-76-1); and

3-aminopropyl silanetriol (also known as silanetriol, 1-(3-aminopropyl)-; 58160-99-9).

7. United States National Library of Medicine, ChemIDplus Advanced, with regard to the one chemical substance, sodium hydrogen phosphate (also known as disodium phosphate; CAS Number 7558-79-4), Respondent is alleged to have imported at its Romulus, Michigan, facility.

8. Information from the EPA website on Respondent and its operations.

9. Dun & Bradstreet report for Chemetall Oakite Inc [sic], printed August 13, 2009.

10. Dun & Bradstreet report for Chemetall US, Inc., printed August 11, 2009.

11. Information retrieved August 11, 2009 from [www.chemetall.com](http://www.chemetall.com).

Complainant may request this Court to take judicial notice of appropriate matters in accordance with 40 C.F.R. § 22.22(f).

#### **IV. Hearing Arrangements**

Complainant requests that a hearing in the matter be in New York City (New York County), the location of the main office of EPA, Region 2. Complainant anticipates being able to present her case-in-chief in probably two days, three at the most.

#### **V. Proposed Penalty Amount Determination**

An explanation as to EPA's derivation of the penalty assessment proposed and the reasoning behind it is set forth on pages 8 and 9 of the Complaint. As noted there, this penalty has been developed in accordance with Section 16(a) of TSCA, 15 U.S.C. § 2615(a), with specific reference made to, and guidance provided by, the TSCA Section 8 penalty policy, which has been listed as part of Complainant's exhibits.

On page 5 of this document, it explains that the TSCA Civil Penalty policy, published on September 10, 1980 in the Federal Register, "establishes a systems for determining penalties in administrative actions brought pursuant to TSCA § 16." Further:

EPA believes that the system is a reasonable interpretation of the statutory penalty factors in TSCA section 16. Under that system, penalties are determined in two stages: (1) determination of a 'gravity based penalty' (GBP), and (2) adjustments to the gravity based penalty.

To determine the gravity based penalty, TSCA § 16(a)(2)(B) requires the Agency to take into account the statutory factors of 'Nature', 'Circumstances', 'Extent', and 'Gravity'.



The TSCA Section 8 penalty policy then adumbrates how each of those factors is taken into account. These factors are used in a matrix (a grid) to arrive at an appropriate GBP. At that point, “[o]nce the gravity based penalty has been determined, upward or downward adjustments to the penalty amount are made by taking into account the following factors with respect to the violator”: the degree of culpability; whether there is a history of prior such violations; a respondent’s ability to pay; its ability to continue in business; and such other factors as justice may require be considered. Page 6 (unless otherwise noted, subsequent page references are to the TSCA Section 8 penalty policy). It is the gravity based penalty that is “a function of the nature, circumstances and extent of each violation....” Page 7.

Any failure timely to report for the TSCA Inventory Update is classified as hazard/risk assessment in nature. Page 9. The classification of circumstance level can be from 1 to 6; these levels make-up the vertical axis on the grid. As noted on page 1, a failure to timely report for the TSCA Inventory Upgrade is classified as a Level 1 violation, and it is assessed as a “one-day” violation, *i.e.* penalties are not assessed on a day-by-day basis. The extent level represents the second step in determining the gravity based penalty. The levels are Major, Significant and Minor. As noted on page 12, an IUR failure is classified as Significant extent level.

Using these classifications, the gravity based penalty is derived. In the TSCA Section 8 penalty policy (the edition issued in 1999), the amount listed for these parameters is \$18,700. In accordance with the June 5, 2006 memorandum (Complainant’s Exhibit 2, page 8-A), this number has been increased to \$21,922. This increased amount has been in effect subsequent to March 15, 2004. Therefore, for an IUR violation occurring after March 15, 2004 but before January 12, 2009, the penalty amount that corresponds to a Circumstance Level 1 and a Significant Extent Level is \$21,922. This represents the gravity based penalty for each of the 20 chemicals Respondent failed timely to report.

With regard to adjustments to the gravity based penalty, as discussed on pages 15-17, these are considered after issuance of the Complaint, normally as part of the settlement

negotiation process. This is noted on page 9 of the Complaint, wherein it states that the penalty amount listed represents the facts and circumstances known to Complainant up to the time of the issuance of the Complaint.

## **VI. Paperwork Reduction Act**

The Paperwork Reduction Act of 1980, as amended, 44 U.S.C. § 3501 *et seq.* (the “PRA”), does not bar EPA’s prosecution of this action or its attempt to obtain a penalty for violations arising from Respondent’s alleged failure to report during the period of August 25, 2006 through March 23, 2007.

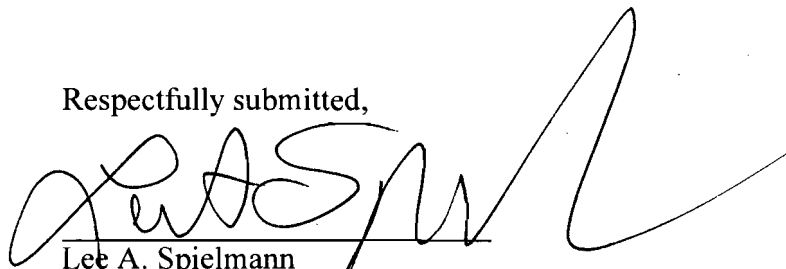
Respondent is alleged to have violated 40 C.F.R. § 710.53 (paragraphs 32 and 48 of the Complaint). This provision is part of Subpart C of Part 710, “Inventory Update Reporting for 2006 and Beyond.” The OMB (Office of Management and Budget) Control Number for the 40 C.F.R. Part 710, Subpart C, regulations is 2070-0162. 40 C.F.R. Part 9. The relevant ICR number was 1884.03. OMB approval for this ICR number was secured on May 3, 2006, with an expiration date of May 31, 2009. 71 *Fed. Reg.* 34932 (June 16, 2006) [FRL-8184-3]. The Federal Register of September 5, 2008, referring to OMB Control No. 2070-0162, “announce[d] that EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB).” 73 *Fed. Reg.* 51805 [FRL-8370-3]. The announcement that this ICR, now bearing number 1884.04, was submitted to the OMB was published on May 12, 2009. 74 *Fed. Reg.* 22163 [FRL 8903-4]. This ICR was approved on September 17, 2009, and it will expire on September 30, 2012.

Display of the relevant OMB number has been frequent and consistent. *See, e.g.*, 40 C.F.R. Part 9 (July 1, 2006 edition).

Because there had been no lapse in approval at the time the alleged violations arose, the PRA is not a bar to EPA’s attempt to prosecute this action and to obtain a penalty for such violations.

Dated: May 26, 2010  
New York, New York

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lee A. Spielmann', written over a horizontal line.

Lee A. Spielmann  
Assistant Regional Counsel  
Waste and Toxic Substances Branch  
Environmental Protection Agency, Region 2  
290 Broadway, 16<sup>th</sup> floor  
New York, New York 10007-1866  
212-637-3222  
fax: 212-637-3199

**TO:**

Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2

Honorable Barbara A. Gunning  
Presiding Officer

Benne C. Hutson, Esq.  
McGuire Woods LLP  
Counsel for Respondent



***In re Oakite Products, Inc. et al.***  
**Docket No. TSCA-02-2009-9148**

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing "COMPLAINANT'S INITIAL PREHEARING EXCHANGE," dated May 26, 2010, in the following manner to the respective addressees listed below:

Original and One Copy  
By Inter-Office Mail:

Office of Regional Hearing Clerk  
U.S. Environmental Protection  
Agency - Region 2  
290 Broadway, 16th floor  
New York, New York 10007-1866

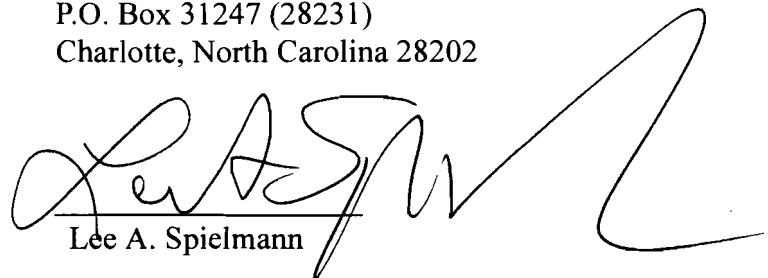
Copy by  
UPS Overnight Mail:

Honorable Barbara A. Gunning  
Administrative Law Judge  
U.S. Environmental Protection Agency  
Franklin Court Building  
1099 14<sup>th</sup> Street, N.W. Suite 350  
Washington, DC 20460

Copy by  
UPS Overnight Mail:

Benne C. Hutson, Esq.  
McGuire Woods LLP  
201 North Tryon Street  
P.O. Box 31247 (28231)  
Charlotte, North Carolina 28202

Dated: May 26, 2010  
New York, New York

  
\_\_\_\_\_  
Lee A. Spielmann

**Complainant's Exhibit 1**

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**“THE ENFORCEMENT RESPONSE POLICY FOR REPORTING AND RECORD-KEEPING RULES AND REQUIREMENTS FOR TSCA SECTIONS 8, 12 AND 13,”** produced by EPA’s Toxics and Pesticides Enforcement Division of the Office of Regulatory Enforcement within the Office of Enforcement and Compliance Assurance (revised March 31, 1999, effective June 1, 1999), available at <http://cfpub.epa.gov/compliance/resources/policies/civil/tsca/>

**Complainant's Exhibit 2**





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

JUN - 5 2006

**MEMORANDUM**

**SUBJECT:** Penalty Policy Supplements Pursuant to the 2004 Civil Monetary Penalty Inflation Adjustment Rule

**FROM:** Stephanie P. Brown, Acting Director *Stephanie Brown*  
Toxics and Pesticides Enforcement Division  
Office of Civil Enforcement

**TO:** Regional Counsels  
Regional TSCA, FIFRA, and EPCRA Division Directors

This memorandum modifies each enforcement response/penalty policy (Penalty Policy) within the purview of the Toxics and Pesticides Enforcement Division (TPED) to adjust for the Civil Monetary Penalty Inflation Adjustment Rule published in the Federal Register on February 13, 2004 (69 Fed. Reg. 7121), and codified at 40 C.F.R. Parts 19 and 27 (Final Rule). The matrices herein supercede and void any interim matrices for the 2004 rule issued or used by TPED or a Regional Office. In accordance with the Final Rule, all violations occurring on or after March 15, 2004 are subject to statutory penalties adjusted for inflation. A complete list of each Penalty Policy subject to this memorandum is provided at Attachment A. Appendix B provides instructions for amending each Penalty Policy, as well as updated matrices for insertion into each policy.

The adjustments here follow the implementation policy established in the attached September 21, 2004 memorandum signed by Thomas V. Skinner. That memorandum provides for adjusting each cell in a penalty matrix by multiplying the existing gravity-based penalty component by 1.1723. We are aware that this approach results in penalty amounts (within matrix cells) that are not rounded-off as compared to previous iterations. This is the outcome required by proper application of the Final Rule. The September 21, 2004 memorandum also provides for rounding the aggregate penalty in a particular case to the nearest \$100 unit after calculating and summing the gravity-based penalties for each count in the case.

Violations occurring before March 15, 2004 and after January 30, 1997 remain subject to penalties adjusted for inflation as specified in TPED's April 18, 1997 memorandum entitled Penalty Policy Supplements Pursuant to the Civil Penalty Inflation Adjustment Rule. Copies of this memorandum are available upon request.

Please contact Brian Dyer at (202) 564-4166 ([dyer.brian@epa.gov](mailto:dyer.brian@epa.gov)) if you have any questions concerning these penalty adjustments.

#### Attachments

cc: Rosemarie Kelley, U.S. EPA OECA/OCE  
David Abdalla, U.S. EPA OECA/OCE  
Susan O'Keefe, U.S. EPA OECA/OCE  
John Neylan, U.S. EPA OECA/OC  
Tom Ripp, U.S. EPA OECA/OC  
Priscilla Flattery, U.S. EPA OPPTS/OPPT  
Ben Smith, U.S. EPA OEI/OIAA  
Craig Matthiessen, U.S. EPA OSWER/OEM  
Daniel Helfgott, U.S. EPA OPPTS/OPP  
Deborah Brown, U.S. EPA Region 1  
Nancy Barmakian, U.S. EPA Region 1  
Ken Stoller, U.S. EPA Region 2  
Adrian Enache, U.S. EPA Region 2  
Daniel Kraft, U.S. EPA Region 2  
John Higgins, U.S. EPA Region 2  
Ken Eng, U.S. EPA Region 2  
Harry Daw, U.S. EPA Region 3  
Aquanetta Dickens, U.S. EPA Region 3  
Mikal, Shabazz, U.S. EPA Region 3  
Jeananne Gettle, U.S. EPA Region 4  
Anthony Toney, U.S. EPA Region 4  
Joanne Benante, U.S. EPA Region 4  
Caron Falconer, U.S. EPA Region 4  
Anthony Restaino, U.S. EPA Region 5  
Mark Horwitz, U.S. EPA Region 5  
Bob Goodfellow, U.S. EPA Region 6  
Maria Martinez, U.S. EPA Region 6  
Steve Vargo, U.S. EPA Region 6  
Jamie Green, U.S. EPA Region 7  
Mark A. Smith, U.S. EPA Region 7  
Elisabeth Evans, U.S. EPA Region 8  
Pam Cooper, U.S. EPA Region 9  
Paula Bisson, U.S. EPA Region 9  
Scott Downey, U.S. EPA Region 10

## ATTACHMENT A

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### FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

FIFRA: Worker Protection Standard Penalty Policy - Interim Final - (09/01/97)

Enforcement Response Policy for the Federal Insecticide, Fungicide and Rodenticide Act --Good Laboratory Practice (GLP) Regulations - (09/30/91)

Enforcement Response Policy for the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) - (07/02/90)

FIFRA Section 7(c) Enforcement Response Policy - (02/10/86)

### TOXIC SUBSTANCES CONTROL ACT

Section 1018 - Disclosure Rule Enforcement Response Policy - (02/01/00)

Reporting and Recordkeeping Rules and Requirements: TSCA SECTIONS 8, 12 AND 13 - (03/31/99)

Polychlorinated Biphenyl's Penalty Policy - (02/26/98)

Enforcement Response Policy for TSCA Section 4 Test Rules - (05/28/86)

Amendment to the TSCA Section 5 Enforcement Response Policy - (06/08/89)

Asbestos Hazard Emergency Response Act (AHERA) Enforcement Response Policy - (01/31/89)

Interim Final Enforcement Response Policy - Asbestos Abatement Projects: Worker Protection: Final Rule - (11/14/89)

Final TSCA GLP Enforcement Response Policy - (04/09/85)

### EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Enforcement Response Policy for Section 313 of the Emergency Planning Community Right-To-Know Act (1989) and Section 6607 of the Pollution Prevention Act (1990), Amended - (04/12/01)

Enforcement Response Policy for Sections 304, 311, and 312 of the Emergency Planning and Community Right-to-Know Act (1989) and Section 103 of the Comprehensive Environmental Response, Compensation and Liability Act -(09/30/99)

**ATTACHMENT B**

<b>FIFRA</b>	
FIFRA: Worker Protection Standard Penalty Policy - Interim Final (09/01/97)	Insert table (p. 4-A) behind page 4.
Enforcement Response Policy for the Federal Insecticide, Fungicide, and Rodenticide Act – Good Laboratory Practice (GLP) Regulations (09/30/91)	No insert. When proposing penalty amounts under the Enforcement Response Policy for GLP Regulations, dated September 30, 1991, actual dollar amounts are determined by using the ERP for FIFRA (07/02/90). See directions below for FIFRA ERP.
Enforcement Response Policy for the Federal Insecticide, Fungicide, and Rodenticide Act (07/02/90)	Insert after page 19-A in the policy and page C-1 in the appendix.
FIFRA Section 7(c) Enforcement Response Policy (02/10/86)	No insert. While the FIFRA ERP (1990) does not supersede the Section 7(c) ERP (1986), the matrix setting forth the penalties in the ERP for FIFRA (07/02/90) should be used instead of the matrix in the 1986 policy.
<b>TSCA</b>	
Section 1018 – Disclosure Rule Enforcement Response Policy (02/01/00)	Insert matrix (Appendix B-4-A) behind Appendix B-4
Reporting and Recordkeeping Rules and Requirements: TSCA SECTIONS 8, 12, AND 13 (03/31/99)	Insert matrix (p.7-B) behind page 7-A.
Polychlorinated Biphenyls Penalty Policy (04/09/90)	Insert matrix (p.9-B) behind page 9-A.
Enforcement Response Policy for TSCA Section 4 Test Rules (05/28/86)	Insert matrix (p2-B) behind page 2-A.
Amendment to the TSCA Section 5 Enforcement Response Policy (06/08/89)	Insert matrix (p.16-B) behind page 16-A.
Asbestos Hazard Emergency Response Act (AHERA) Enforcement Response Policy (01/31/89)	Insert matrix (p.11-B) behind page 11-A. Insert matrix (p.17-B) behind page 17-A.
Interim Final Enforcement Response Policy – Asbestos Abatement Projects: Worker Protection: Final Rule (11/14/89)	Insert matrix (p. 6-B) behind page 6-A.
Final TSCA GLP Enforcement Response Policy (04/09/85)	Insert matrix (p.4-B) behind page 4-A.
<b>EPCRA</b>	
Enforcement Response Policy for Section 313 of the Emergency Planning and Community Right-To-Know Act (1989) and Section 6607 of the Pollution Prevention Act (1990), Amended (04/12/01)	Insert matrix (p11-B) behind page 11-A.
Final Enforcement Response Policy for Sections 304, 311, 312 of EPCRA and Section 103 of CERCLA (09/30/99)	Insert matrix (pp. 20C & 20D) behind page 20B.

Gravity based penalty matrix to supplement **Recordkeeping and Reporting Rules and Requirements for TSCA Sections 8, 12 and 13** for violations that occur on or after March 15, 2004. Insert behind page 8.

**TSCA §§ 8, 12, & 13  
GRAVITY BASED PENALTY MATRIX**

CIRCUMSTANCES	EXTENT		
	A Major	B Significant	C Minor
<b>LEVELS</b> 1 <b>High Range</b>	\$32,500	\$21,922	\$6,448
2	\$25,791	\$16,764	\$3,869
3 <b>Mid Range</b>	\$19,343	\$12,895	\$1,934
4	\$12,895	\$7,737	\$1,290
5 <b>Low Range</b>	\$6,448	\$3,869	\$645
6	\$2,579	\$1,676	\$258

**Note:** After calculating the gravity-based penalty for each count, the total applicable gravity-based penalty for all counts in a particular case/matter should be rounded to the nearest unit of \$100 as required by the memorandum from Thomas Skinner, dated September 21, 2004, implementing the Civil Monetary Penalty Adjustment Rule as published in the Federal Register on February 13, 2004 (69 FR 7121).

**Complainant's Exhibit 3**

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

TSCA Section 5, and 8 Inspection:

Chemetall Oakite Inc.  
675 Central Avenue  
New Providence, NJ 07974

From: Chester Norman, Chemist  
Toxics Section

Leonard Pappalardo, Chemist  
Toxics Section

To: Daniel J. Kraft, Chief  
Toxics Section

On May 14, 2008 a TSCA Section 5, and 8 inspection was conducted at Chemetall Oakite Inc. at the address listed above. This inspection was conducted as part of the regional neutral inspection scheme. We scheduled the meeting in advance with Mr. Michael Chang, Manager, Health and Environmental Department. Upon arriving at Chemetall Oakite Inc., official credentials were presented to Mr. Michael Chang; Julia C. Murray, Vice President Technical Marketing; and Ron Ascenzo, Director Technical Marketing. Notices of Inspection (Attachment 1) and Confidentiality (Attachment 2) were issued and explained to Ms. Murray. Ms. Murray signed the notices.

Chemetall Oakite is an importer of chemicals. They import metal cleaners and surface treatment chemicals. They have approximately 110 employees in New Providence, New Jersey. Chemetall has been at this site since 2006, prior to that they were located in Berkley Heights, New Jersey. Chemetall Oakite Inc. is also known as Chemetall Chemical Products and Chemetall Americas. Chemetall Americas is owned by Rockwood Holding Company who is owned by Chemetall BMGH in Germany. Their Standard Industrial Codes (SIC) is 5169. The company's fiscal year is the calendar year. Ms. Murray said Chemetall Oakite Inc.'s corporate sales were approximately \$100,000,000. Chemetall Oakite's facility in New Providence, New Jersey is the corporate headquarters; sales, export, and import offices; and their research and development laboratories for the United States. Chemetall Oakite Inc. has manufacturing facilities in La Mirada, CA and Romulus, MI.

We asked if they filed an Inventory Update Report for the 2006 reporting period. They didn't know. We asked if they filed a preliminary assessment inventory report for any of the chemicals the company manufactures or imports and they responded they didn't know. We asked if they filed any PMNs recently, they responded with a 10 year old low volume exemption and an older PMN. We asked if they filed any significant new use report, they responded no. We asked if they had a TSCA Section 8c file. They also responded no.

We issued Receipts for Samples and Documents and Confidential Business Information. Nothing was declared Confidential.

Attachments:

1. Notice of Inspection
2. Notice of Confidentiality
3. Receipt for Samples and Documents
4. Declaration of Confidential Business Information

**EPA**

TOXIC SUBSTANCES CONTROL ACT

TOXICS SECTION -- NOTICE OF INSPECTION

1. INVESTIGATION IDENTIFICATION		2. TIME	3. FACILITY NAME
4/2008	INSPECTOR NO. <b>F10341</b>	DAILY SEQ. NO. <b>1</b>	<b>10:05</b>  <b>DBA - Oakite Products Inc.</b> <b>Chemetail Oakite</b>
INSPECTOR'S ADDRESS <b>EPA Region 2 MS-105</b> <b>Woodbridge Avenue</b> <b>Woodbridge, NJ 08837-5602</b>		5. FACILITY'S ADDRESS <b>675 Central Ave</b> <b>New Providence, New Jersey 07974-1560</b>	

REASON FOR INSPECTION

Under the authority of Section 11 of the Toxics Substances Control Act:

For the purposes of inspecting (Including taking samples, photographs, statements and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures or articles containing same are manufactured, processed or stored, or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyance being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act applicable to the chemical substances, mixtures, or articles within or associated with such premises or conveyance have been complied with.

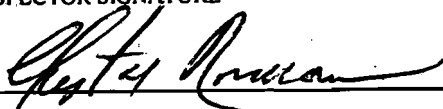
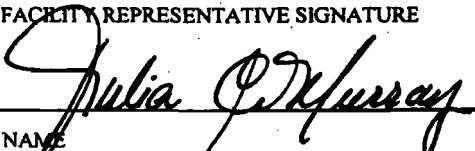
In addition, this inspection extends to (Check appropriate blocks):

- A. Financial data
- B. Sales data
- C. Pricing data
- D. Personnel data
- E. Research data

The nature and extent of the inspection of such data specified in A through E above is as follows:

**certification**

I acknowledge that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

INSPECTOR SIGNATURE 		FACILITY REPRESENTATIVE SIGNATURE 	
NAME <b>Chester Norman</b>		NAME <b>Julia C. Murray</b>	
TITLE <b>Chemist</b>	DATE SIGNED <b>5/14/08</b>	TITLE <b>V.P. Technical Marketing</b>	DATE SIGNED <b>May 14, 2008</b>



**Complainant's Exhibit 4**

**IUR FORM (Form U), submitted September 24, 2008**

**CBI DELETED**

**Complainant's Exhibit 5**



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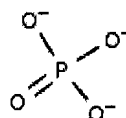
# ChemIDplus Advanced



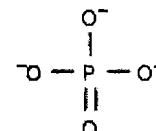
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Zn<sup>2+</sup>



**NAME:** Phosphoric acid, zinc salt (2:1)

**RN:** 13598-37-3

MW: 255.33

[Enlarge Structure](#)

### Basic Information

[Full Record](#)

[Structure](#)

[Names & Synonyms](#)

[Formulas](#)

[Registry Numbers](#)

[Toxicity](#)

For more information about this substance, you may select from the the links below.

### File Locator

[DSL](#)

[Domestic Sub. List of Canada](#)

[EINECS](#)

[EU Inv of Exist. Comm. Chem Sub](#)

[PubChem](#)

[PubChem](#)

[RTECS](#)

[Reg. of Toxic Eff. of Chem. Sub.](#)

[TSCAINV](#)

[EPA Chem. Sub. Inventory](#)

### Internet Locator

[EPA SRS](#)

[EPA Substance Registry System](#)

### Search Navigation

[Start New Query](#)

[Modify Query](#)

[Browse Query](#)

[Search History](#)

[Structure Similarity Search](#)

[Structure Sub/Parent Search](#)

[Transfer Structure](#)

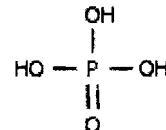
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[News](#)[SIS Home](#) | [Site](#) | [About Us](#) | [Contact](#) | [Help](#)[Env. Health & Toxicology](#) | [TOXNET](#) | [ChemIDplus Lite](#) | [Advanced](#)**NAME: Ethanol, 2-amino-, phosphate (1:?)**  
**RN: 29868-05-1**

MW: 159.077

[Enlarge Structure](#)**Basic Information**[Full Record](#)[Structure](#)[Names & Synonyms](#)[Formulas](#)[Registry Numbers](#)

For more information about this substance, you may select from the the links below.

**File Locator**[DSL](#)[i](#) Domestic Sub. List of Canada[EINECS](#)[i](#) EU Inv of Exist. Comm. Chem Sub[PubChem](#)[i](#) PubChem[TSCAINV](#)[i](#) EPA Chem. Sub. Inventory**Internet Locator**[EPA SRS](#)[i](#) EPA Substance Registry System**Search Navigation**[Start New Query](#)[Modify Query](#)[Show Query](#)[Search History](#)[Structure Similarity Search](#)[Structure SelfParent Search](#)[Transfer Structure](#)[Basic ChemIDplus Search](#)[Back to Previous Page](#)

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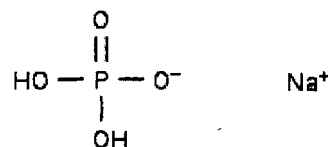


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**NAME: Sodium phosphate monobasic**  
**RN: 7558-80-7**



MW: 119.976

[Enlarge Structure](#)**Basic Information**[Full Record](#)[Structure](#)[Names & Synonyms](#)[Formulas](#)[Classification Codes](#)[Registry Numbers](#)[Toxicity](#)

For more information about this substance, you may select from the the links below.

**File Locator**[ClinicalTrials.gov](#)[i](#) NIH ClinicalTrials.gov[DART](#)[i](#) Developmental and Reprod.Tox.[DailyMed](#)[i](#) NLM/FDA Drug Labelling[DrugPortal](#)[i](#) NLM Drug Information Portal[EINECS](#)[i](#) EU Inv of Exist. Comm. Chem Sub[EMIC](#)[i](#) Env. Mutagen Info. Center[HSDB](#)[i](#) Hazardous Substances Data Bank[Household Products](#)[i](#) Household Products Database[MeSH](#)[i](#) Medical Subject Headings File[PubChem](#)[i](#) PubChem[PubMed](#)[i](#) Biomedical Citations From PubMed[PubMed AIDS](#)[i](#) AIDS Citations from PubMed[PubMed Cancer](#)[i](#) Cancer Citations from PubMed[PubMed Toxicology](#)[i](#) Toxicology Citations From PubMed[RTECS](#)[i](#) Reg. of Toxic Eff. of Chem. Sub.[TOXLINE](#)[i](#) NLM TOXLINE on TOXNET**Internet Locator**[Drugs@FDA](#)[i](#) FDA Drug Database[EPA Envirofacts](#)[i](#) EPA Master Chemical Integrator[EPA PPIS](#)[i](#) EPA Pest. Prod. Info. System[EPA SRS](#)[i](#) EPA Substance Registry System[IUCLID](#)[i](#) EU IUCLID Chemical Data Sheet[SRC DATALOG](#)[i](#) Syracuse Res. Corp. DATALOG[USA.gov](#)[i](#) USA.gov Search Engine**Search Navigation**[Standard Query](#)[Modify Query](#)[Show Query](#)[Search History](#)[Structure Similarity Search](#)[Structure Sub/Parent Search](#)[Transfer Structure](#)[Basic Chemical Search](#)

**Superlist Locator**

<a href="#">DSL</a>	<a href="#">i</a> Domestic Sub. List of Canada
<a href="#">FIFR</a>	<a href="#">i</a> EPA Pesticide Active Ingredients
<a href="#">INER</a>	<a href="#">i</a> EPA Pesticide Inert Ingredients
<a href="#">PAFA</a>	<a href="#">i</a> FDA Substances added to food
<a href="#">TSCAINV</a>	<a href="#">i</a> EPA Chem. Sub. Inventory

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**Complainant's Exhibit 6**





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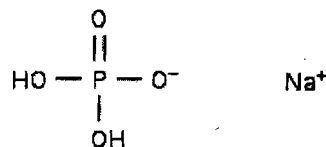


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**NAME: Sodium phosphate monobasic**  
**RN: 7558-80-7**



MW: 119.976

[Enlarge Structure](#)

#### Basic Information

[Full Record](#)

[Structure](#)

[Names & Synonyms](#)

[Formulas](#)

[Classification Codes](#)

[Registry Numbers](#)

[Toxicity](#)

For more information about this substance, you may select from the the links below.

#### File Locator

[ClinicalTrials.gov](#)

[DART](#)

[DailyMed](#)

[DrugPortal](#)

[EINECS](#)

[EMIC](#)

[HSDB](#)

[Household Products](#)

[MeSH](#)

[PubChem](#)

[PubMed](#)

[PubMed AIDS](#)

[PubMed Cancer](#)

[PubMed Toxicology](#)

[RTECS](#)

[TOXLINE](#)

[NIH ClinicalTrials.gov](#)

[Developmental and Reprod.Tox.](#)

[NLM/FDA Drug Labelling](#)

[NLM Drug Information Portal](#)

[EU Inv of Exist. Comm. Chem Sub](#)

[Env. Mutagen Info. Center](#)

[Hazardous Substances Data Bank](#)

[Household Products Database](#)

[Medical Subject Headings File](#)

[PubChem](#)

[Biomedical Citations From PubMed](#)

[AIDS Citations from PubMed](#)

[Cancer Citations from PubMed](#)

[Toxicology Citations From PubMed](#)

[Reg. of Toxic Eff. of Chem. Sub.](#)

[NLM TOXLINE on TOXNET](#)

#### Internet Locator

[Drugs@FDA](#)

[EPA Envirofacts](#)

[EPA PPS](#)

[EPA SRS](#)

[IUCLID](#)

[SRC DATALOG](#)

[USA.gov](#)

[FDA Drug Database](#)

[EPA Master Chemical Integrator](#)

[EPA Pest. Prod. Info. System](#)

[EPA Substance Registry System](#)

[EU IUCLID Chemical Data Sheet](#)

[Syracuse Res. Corp. DATALOG](#)

[USA.gov Search Engine](#)

#### Search Navigation

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[Transfer Structures](#)

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**Superlist Locator**

<a href="#">DSL</a>	<a href="#">i</a> Domestic Sub. List of Canada
<a href="#">FIFR</a>	<a href="#">i</a> EPA Pesticide Active Ingredients
<a href="#">INER</a>	<a href="#">i</a> EPA Pesticide Inert Ingredients
<a href="#">PAFA</a>	<a href="#">i</a> FDA Substances added to food
<a href="#">TSCAINV</a>	<a href="#">i</a> EPA Chem. Sub. Inventory

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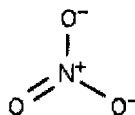


News

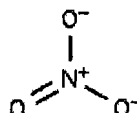
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**NAME:** Zinc nitrate  
**RN:** 7779-88-6



Zn<sup>2+</sup>



MW: 189.398

[Enlarge Structure](#)

### Basic Information

[Full Record](#)

[Structure](#)

[Names & Synonyms](#)

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[Registry Numbers](#)

### Search Navigation

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[Search History](#)

[Structure Similarity Search](#)

[Structure Self-Parent Search](#)

[Transfer Structure](#)

[Basic Chemical Search](#)

For more information about this substance, you may select from the the links below.

### File Locator

[DART](#)

[Developmental and Reprod.Tox.](#)

[DSL](#)

[Domestic Sub. List of Canada](#)

[EINECS](#)

[EU Inv of Exist. Comm. Chem Sub](#)

[EMIC](#)

[Env. Mutagen Info. Center](#)

[HSDB](#)

[Hazardous Substances Data Bank](#)

[MeSH](#)

[Medical Subject Headings File](#)

[PubChem](#)

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[PubMed](#)

[Biomedical Citations From PubMed](#)

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[PubMed Toxicology](#)

[Toxicology Citations From PubMed](#)

[TOXLINE](#)

[NLM TOXLINE on TOXNET](#)

[TSCAINV](#)

[EPA Chem. Sub. Inventory](#)

### Internet Locator

[CAMEO](#)

[NOAA CAMEO Chemicals](#)

[EPA Envirofacts](#)

[EPA Master Chemical Integrator](#)

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[EPA Substance Registry System](#)

[NIOSH ICSC](#)

[NIOSH Intl. Chem. Safety Cards](#)

[NJ-HSFS](#)

[New Jersey Haz. Sub. Fact Sheets](#)

[SRC DATALOG](#)

[Syracuse Res. Corp. DATALOG](#)

### Superlist Locator

[DOT](#)

[DOT Hazardous Materials](#)

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[Massachusetts Right-to-know Sub.](#)

[PA](#)

[Pennsylvania Right-to-know Sub.](#)

**RQ**** CERCLA Reportable Quantities**[Back to Previous Page](#)

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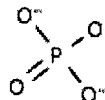
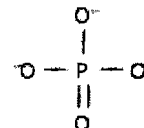
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**RN: 18718-07-5**Mn<sup>2+</sup>

MW: 244.878

[Enlarge Structure](#)**Basic Information**[Full Record](#)[Structure](#)[Names & Synonyms](#)[Formulas](#)[Registry Numbers](#)

For more information about this substance, you may select from the the links below.

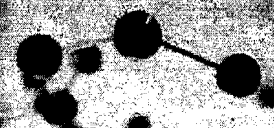
**File Locator**[DSL](#) Domestic Sub. List of Canada[EINECS](#) EU Inv of Exist. Comm. Chem Sub[PubChem](#) PubChem[TSCA INV](#) EPA Chem. Sub. Inventory**Internet Locator**[EPA SRS](#) EPA Substance Registry System**Search Navigation**[Start New Query](#)[Modify Query](#)[Show Query](#)[Search History](#)[Structure Similarity Search](#)[Structure Sub/Parent Search](#)[Transfer Structure](#)[Basic Chemicals Search](#)[Back to Previous Page](#)

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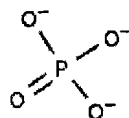
ChemIDplus Advanced



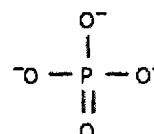
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Zn<sup>2+</sup>



**NAME:** Phosphoric acid, zinc salt (2:1)  
**RN:** 13598-37-3

MW: 255.33

[Enlarge Structure](#)

**Basic Information**

[Full Record](#)

[Structure](#)

[Names & Synonyms](#)

[Formulas](#)

[Registry Numbers](#)

[Toxicity](#)

For more information about this substance, you may select from the the links below.

**File Locator**

[DSL](#)

[i](#) Domestic Sub. List of Canada

[EINECS](#)

[i](#) EU Inv of Exist. Comm. Chem Sub

[PubChem](#)

[i](#) PubChem

[RTECS](#)

[i](#) Reg. of Toxic Eff. of Chem. Sub.

[TSCAINV](#)

[i](#) EPA Chem. Sub. Inventory

**Internet Locator**

[EPA SRS](#)

[i](#) EPA Substance Registry System

**Search Navigation**

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[Search History](#)

[Structure Similarity Search](#)

[Structure Substructure Search](#)

[Transfer Structures](#)

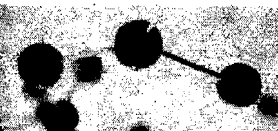
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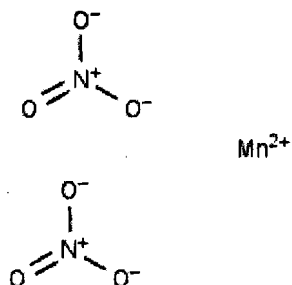
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**NAME: Manganese nitrate**  
**RN: 10377-66-9**



MW: 178.946

[Enlarge Structure](#)**Basic Information**[Full Record](#)[Structure](#)[Names & Synonyms](#)[Formulas](#)[Classification Codes](#)[Registry Numbers](#)**Search Navigation**[Start New Query](#)[Modify Query](#)[Show Query](#)[Search History](#)[Structure Similarity Search](#)[Structure Salt/Parent Search](#)[Transfer Structure](#)[Basic Chemicals Search](#)

For more information about this substance,  
 you may select from the the links below.

**File Locator**[DSL](#)[i](#) Domestic Sub. List of Canada[EINECS](#)[i](#) EU Inv of Exist. Comm. Chem Sub[EMIC](#)[i](#) Env. Mutagen Info. Center[GENETOX](#)[i](#) EPA GENetic TOXicology[Haz-Map](#)[i](#) Occ. Exposure to Haz. Agents[PubChem](#)[i](#) PubChem[RTECS](#)[i](#) Reg. of Toxic Eff. of Chem. Sub.[TOXLINE](#)[i](#) NLM TOXLINE on TOXNET[TSCAINV](#)[i](#) EPA Chem. Sub. Inventory**Internet Locator**[CAMEO](#)[i](#) NOAA CAMEO Chemicals[EPA Envirofacts](#)[i](#) EPA Master Chemical Integrator[EPA SRS](#)[i](#) EPA Substance Registry System[NJ-HSFS](#)[i](#) New Jersey Haz. Sub. Fact Sheets**Superlist Locator**[DOT](#)[i](#) DOT Hazardous Materials[Back to Previous Page](#)

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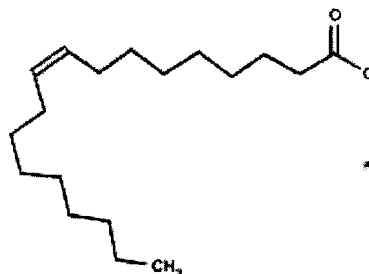


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**NAME: Potassium cis-9-octadecenoic acid**  
**RN: 143-18-0**



MW: 320.555

[Enlarge Structure](#)

### Basic Information

[Full Record](#)

[Structure](#)

[Names & Synonyms](#)

[Formulas](#)

[Classification Codes](#)

[Registry Numbers](#)

[Toxicity](#)

[Physical Properties](#)

For more information about this substance, you may select from the the links below.

### File Locator

[DSL](#)

[DrugPortal](#)

[EINECS](#)

[HSDB](#)

[PubChem](#)

[RTECS](#)

[TOXLINE](#)

[TSCAINV](#)

- [i](#) Domestic Sub. List of Canada
- [i](#) NLM Drug Information Portal
- [i](#) EU Inv of Exist. Comm. Chem Sub
- [i](#) Hazardous Substances Data Bank
- [i](#) PubChem
- [i](#) Reg. of Toxic Eff. of Chem. Sub.
- [i](#) NLM TOXLINE on TOXNET
- [i](#) EPA Chem. Sub. Inventory

### Internet Locator

[CAMEO](#)

[EPA Envirofacts](#)

[EPA PPIS](#)

[EPA SRS](#)

[NTP DBS](#)

- [i](#) NOAA CAMEO Chemicals
- [i](#) EPA Master Chemical Integrator
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- [i](#) DOT Coast Guard Bulk Haz. Mat.
- [i](#) DOT Coast Guard Nox. Liquid Sub.
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- [i](#) EPA High Production Vol. Chem.
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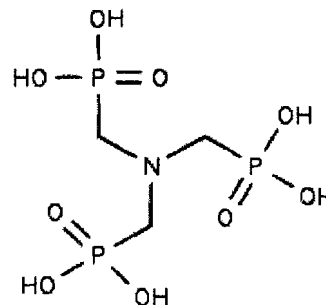
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**RN: 20592-85-2**

MW: 299.0478

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For more information about this substance, you may select from the the links below.

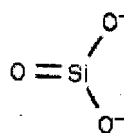
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**RN: 1344-09-8**Na<sup>+</sup>Na<sup>+</sup>

MW: 122.063

[Enlarge Structure](#)**Basic Information**[Full Record](#)[Structure](#)[Names & Synonyms](#)[Formulas](#)[Registry Numbers](#)[Notes](#)[Toxicity](#)

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**NAME: Boric acid, dipotassium salt**  
**RN: 1332-77-0**

**Basic Information**[Full Record](#)[Names & Synonyms](#)[Formulas](#)[Registry Numbers](#)

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**NAME: Potassium tallate**  
**RN: 61790-44-1**

**No Structure****Basic Information**[Full Record](#)[Names & Synonyms](#)[Formulas](#)[Classification Codes](#)[Registry Numbers](#)

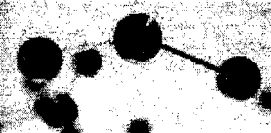
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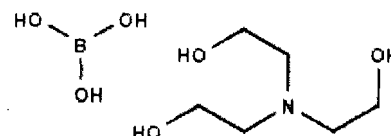
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**NAME:** Boric acid, compd. with 2,2',2''-nitrilotris  
(ethanol)  
**RN:** 68413-80-9



MW: 211.0202

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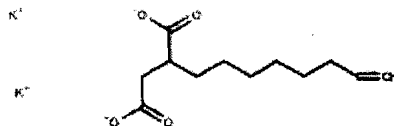


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**NAME:** Butanedioic acid, 2-(octen-1-yl)-, potassium salt (1:2)  
**RN:** 58641-28-4



MW: 304.466

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NAME: Alcohol [USP]

RN: 64-17-5

MW: 46.0684

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<a href="#">NIOSH Pocket Guide</a>	<a href="#">NIOSH Pocket Guide to Chem Haz</a>
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<a href="#">HPV</a>	<a href="#">EPA High Production Vol. Chem.</a>
<a href="#">IARC</a>	<a href="#">Int. Agency for Res. on Cancer</a>
<a href="#">INER</a>	<a href="#">EPA Pesticide Inert Ingredients</a>
<a href="#">MA</a>	<a href="#">Massachusetts Right-to-know Sub.</a>
<a href="#">NTPT</a>	<a href="#">NTP Technical Reports</a>
<a href="#">PA</a>	<a href="#">Pennsylvania Right-to-know Sub.</a>
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<a href="#">PEL</a>	<a href="#">OSHA Toxic and Haz. Sub.</a>
<a href="#">REL</a>	<a href="#">NIOSH Rec. Exposure Limits</a>
<a href="#">TLV</a>	<a href="#">ACGIH Threshold Limit Values</a>
<a href="#">TSCAINV</a>	<a href="#">EPA Chem. Sub. Inventory</a>
<a href="#">WHMI</a>	<a href="#">Workplace Haz. Mat. Information</a>

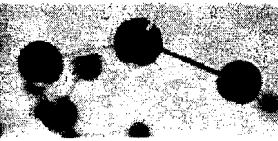
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**NAME: Alcohol [USP]**  
**RN: 64-17-5**

MW: 46.0684

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<a href="#">GRAS</a>	<a href="#">FDA Sub. Generally Rec. as Safe</a>
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<a href="#">WHMI</a>	<a href="#">Workplace Haz. Mat. Information</a>

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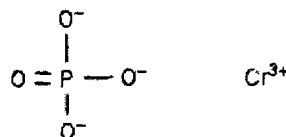
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**NAME:** Chromic phosphate  
**RN:** 7789-04-0



MW: 146.966

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 you may select from the the links below.

**File Locator**[DSL](#)[i](#) Domestic Sub. List of Canada[EINECS](#)[i](#) EU Inv of Exist. Comm. Chem Sub[EMIC](#)[i](#) Env. Mutagen Info. Center[Haz-Map](#)[i](#) Occ. Exposure to Haz. Agents[MeSH](#)[i](#) Medical Subject Headings File[PubChem](#)[i](#) PubChem[PubMed](#)[i](#) Biomedical Citations From PubMed[PubMed AIDS](#)[i](#) AIDS Citations from PubMed[PubMed Cancer](#)[i](#) Cancer Citations from PubMed[PubMed Toxicology](#)[i](#) Toxicology Citations From PubMed[RTECS](#)[i](#) Reg. of Toxic Eff. of Chem. Sub.[TOXLINE](#)[i](#) NLM TOXLINE on TOXNET**Internet Locator**[EPA SRS](#)[i](#) EPA Substance Registry System[SRC DATALOG](#)[i](#) Syracuse Res. Corp. DATALOG**Superlist Locator**[IARC](#)[i](#) Int. Agency for Res. on Cancer[TSCAINV](#)[i](#) EPA Chem. Sub. Inventory[Back to Previous Page](#)

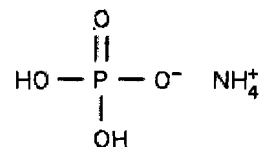
U.S. National Library of Medicine, 8600 Rockville Pike, Bethesda, MD 20894,  
 National Institutes of Health, Department of Health & Human Services  
 Copyright and Privacy Policy, Freedom of Information Act, Accessibility  
 Customer Service: [tehip@tehnlm.nih.gov](mailto:tehip@tehnlm.nih.gov).

United States  
National Library  
of Medicine

ChemIDplus Advanced



News

[SIS Home](#) | [Site](#) | [About Us](#) | [Contact](#) | [Help](#)[Env. Health & Toxicology](#) | [TOXNET](#) | [ChemIDplus Lite](#) | [Advanced](#)**NAME: Monoammonium phosphate**  
**RN: 7722-76-1**

MW: 115.024

[Enlarge Structure](#)**Basic Information**[Full Record](#)[Structure](#)[Names & Synonyms](#)[Formulas](#)[Registry Numbers](#)

For more information about this substance, you may select from the the links below.

**File Locator**[DART](#) Developmental and Reprod.Tox.[DSL](#) Domestic Sub. List of Canada[EINECS](#) EU Inv of Exist. Comm. Chem Sub[EMIC](#) Env. Mutagen Info. Center[HSDB](#) Hazardous Substances Data Bank[Haz-Map](#) Occ. Exposure to Haz. Agents[Household Products](#) Household Products Database[PubChem](#) PubChem[PubMed](#) Biomedical Citations From PubMed[PubMed Toxicology](#) Toxicology Citations From PubMed[TOXLINE](#) NLM TOXLINE on TOXNET[TSCAINV](#) EPA Chem. Sub. Inventory**Internet Locator**[CAMEO](#) NOAA CAMEO Chemicals[EPA Envirofacts](#) EPA Master Chemical Integrator[EPA SRS](#) EPA Substance Registry System[IUCLID](#) EU IUCLID Chemical Data Sheet[SRC DATALOG](#) Syracuse Res. Corp. DATALOG**Superlist Locator**[GRAS](#) FDA Sub. Generally Rec. as Safe[INER](#) EPA Pesticide Inert Ingredients[PAFA](#) FDA Substances added to food**Search Navigation**[Start New Query](#)[Modify Query](#)[Show Query](#)[Search History](#)[Structure Similarity Search](#)[Structure SubParent Search](#)[Transfer Structure](#)[Basic Chemical Search](#)

[Back to Previous Page](#)

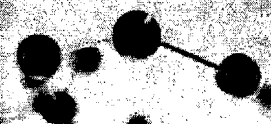
---

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National Institutes of Health, Department of Health & Human Services  
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Customer Service: [tehip@tehl.nlm.nih.gov](mailto:tehip@tehl.nlm.nih.gov).



United States  
National Library  
of Medicine

# ChemIDplus Advanced

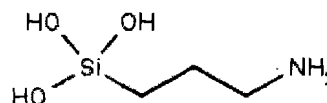


News

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▶ [Env. Health & Toxicology](#) ▶ [TOXNET](#) ▶ [ChemIDplus Lite](#) ▶ [Advanced](#)

**NAME:** Silanetriol, 1-(3-aminopropyl)-  
**RN:** 58160-99-9



MW: 137.21

[Enlarge Structure](#)

**Basic Information**

[Full Record](#)

[Structure](#)

[Names & Synonyms](#)

[Formulas](#)

[Registry Numbers](#)

For more information about this substance, you may select from the the links below.

**File Locator**

[DSL](#)

[Domestic Sub. List of Canada](#)

[EINECS](#)

[EU Inv of Exist. Comm. Chem Sub](#)

[PubChem](#)

[PubChem](#)

[TSCAINV](#)

[EPA Chem. Sub. Inventory](#)

**Internet Locator**

[EPA SRS](#)

[EPA Substance Registry System](#)

**Search Navigation**

[Start New Query](#)

[Modify Query](#)

[Show Query](#)

[Search History](#)

[Structure Similarity Search](#)

[Structure Salt/Parent Search](#)

[Transfer Structure](#)

[Basic ChemIDplus Search](#)

[Back to Previous Page](#)

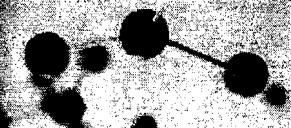
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National Institutes of Health, Department of Health & Human Services  
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Customer Service: [tehip@tehl.nlm.nih.gov](mailto:tehip@tehl.nlm.nih.gov).



**Complainant's Exhibit 7**



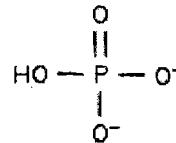
# ChemIDplus Advanced



News

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[Env. Health & Toxicology](#) | [TOXNET](#) | [ChemIDplus Lite](#) | [Advanced](#)

**NAME: Disodium phosphate**  
**RN: 7558-79-4**

Na<sup>+</sup>Na<sup>+</sup>

MW: 141.958

[Enlarge Structure](#)

### Basic Information

[Full Record](#)
[Structure](#)
[Name & Synonyms](#)
[Formulas](#)
[Classification Codes](#)
[Registry Numbers](#)
[Toxicity](#)

For more information about this substance, you may select from the the links below.

### File Locator

[CCRIS](#)
 NCI Chem Carcino Res Info Sys

[ClinicalTrials.gov](#)
 NIH ClinicalTrials.gov

[DART](#)
 Developmental and Reprod.Tox.

[DailyMed](#)
 NLM/FDA Drug Labelling

[DrugPortal](#)
 NLM Drug Information Portal

[EINECS](#)
 EU Inv of Exist. Comm. Chem Sub

[EMIC](#)
 Env. Mutagen Info. Center

[HSDB](#)
 Hazardous Substances Data Bank

[Household Products](#)
 Household Products Database

[MeSH](#)
 Medical Subject Headings File

[PubChem](#)
 PubChem

[PubMed](#)
 Biomedical Citations From PubMed

[PubMed AIDS](#)
 AIDS Citations from PubMed

[PubMed Cancer](#)
 Cancer Citations from PubMed

[PubMed Toxicology](#)
 Toxicology Citations From PubMed

[RTECS](#)
 Reg. of Toxic Eff. of Chem. Sub.

[TOXLINE](#)
 NLM TOXLINE on TOXNET

### Internet Locator

[CAMEO](#)
 NOAA CAMEO Chemicals

[Drugs@FDA](#)
 FDA Drug Database

[EPA Envirofacts](#)
 EPA Master Chemical Integrator

[EPA PPIS](#)
 EPA Pest. Prod. Info. System

[EPA SRS](#)
 EPA Substance Registry System

[IUCLID](#)
 EU IUCLID Chemical Data Sheet

### Search Navigation

[Start New Query](#)
[Modify Query](#)
[Show Query](#)
[Search History](#)
[Structure Similarity Search](#)
[Structure Sub/Parent Search](#)
[Transfer Structure](#)
[Basic ChemIDplus Search](#)

<a href="#">NIOSH ICSC</a>	<a href="#">i</a> NIOSH Intl. Chem. Safety Cards
<a href="#">NJ-HSFS</a>	<a href="#">i</a> New Jersey Haz. Sub. Fact Sheets
<a href="#">NTP DBS</a>	<a href="#">i</a> NTP Database Search
<a href="#">SRC DATALOG</a>	<a href="#">i</a> Syracuse Res. Corp. DATALOG

**Superlist Locator**

<a href="#">DSL</a>	<a href="#">i</a> Domestic Sub. List of Canada
<a href="#">FIFR</a>	<a href="#">i</a> EPA Pesticide Active Ingredients
<a href="#">INER</a>	<a href="#">i</a> EPA Pesticide Inert Ingredients
<a href="#">MA</a>	<a href="#">i</a> Massachusetts Right-to-know Sub.
<a href="#">PA</a>	<a href="#">i</a> Pennsylvania Right-to-know Sub.
<a href="#">PAFA</a>	<a href="#">i</a> FDA Substances added to food
<a href="#">RQ</a>	<a href="#">i</a> CERCLA Reportable Quantities
<a href="#">TSCAINV</a>	<a href="#">i</a> EPA Chem. Sub. Inventory

[Back to Previous Page](#)

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Customer Service: [tehip@tehl.nlm.nih.gov](mailto:tehip@tehl.nlm.nih.gov).

**Complainant's Exhibit 8**



## Company Details

[Lookup Results](#)  
[Contact Names](#)

### Site Info:

DUNS Number: 937712248  
Business Name: Chemetail Oakite Inc  
Tradestyle:  
Physical Street Address: 675 Central Ave  
Physical City: New Providence  
County: Union  
Physical State Abbreviation: NJ  
Physical Zip: 07974  
Mailing Address: P.O. BOX 7  
Mailing City: New Providence  
Mailing State: NJ  
Mailing Zip: 079740007  
Telephone Number: 908-464-6900  
Primary 8 Digit SIC Code: 51691001  
Primary SIC8 Description: Anti-corrosion products  
Primary NAICS Code: 424690  
Primary NAICS Description: 424690-Other Chemical and Allied Prod  
CEO Name: Ron Felper  
CEO Title: President

### Business Size:

Employees Here: 65  
Employees Total: 100  
Sales Volume (US\$): \$100,000,000

### Enterprise:

Global Ultimate Duns Number: 016164399  
Headquarters Duns Number: 000000000  
Parent Duns Number: 106793433

### Organization:

Ownership: PRIVATE COMPANY  
Location Type: SINGLE  
Latitude: 40.697755  
Longitude: -74.408967

Extended Corporate Family info: Chemetal Oakite Inc [Get text file](#)

190 companies in this family tree [Download](#) [Go](#)

[Collapse All Branches](#) [Expand All Branches](#)

Select All Records

Details	Company Name / Tradestyle Name	City, State/ Country	Location	Duns #	Phone #	Employees at Site/ Total Employees	Annual Sales
<input type="checkbox"/>	Rockwood Holdings, Inc.	Princeton, NJ USA	HQ	018164399	6095140300	0 10200	3380100000
<input type="checkbox"/>	Chemetal Chemical Products, Inc.	New Providence, NJ USA	Single	824850580	9084646900	3 0	0
<input type="checkbox"/>	Chemetal Oakite La Mirada - Plant	La Mirada, CA USA	Single	810368832		0 0	0
<input type="checkbox"/>	Chemetal Us, Inc. Chemetal Oakite	New Providence, NJ USA	HQ	556121200	9084646900	90 340	130723000
<input type="checkbox"/>	Branches:						
<input type="checkbox"/>	Chemetal Us, Inc. Chemetal Oakite	La Mirada, CA USA	Branch	168860572	7147382821	50 0	0
<input type="checkbox"/>	Chemetal Us, Inc. CHEMETALL US, INC.	Romulus, MI USA	Branch	085157898	7348413800	50 0	0
<input type="checkbox"/>	Chemetal Canada, Limited	Brampton, ON CANADA	HQ	200367514	9057911628	18 29	7298020
<input type="checkbox"/>	Chemetal Mexicana, S.A. de C.V. CHEMETALL OAKITE EN NORTEAMERICA	El Marqués, QRO. MEXICO	Single	812329050	4422272000	39 39	8231986
<input type="checkbox"/>	Mineral Research and Development	Charlotte, NC USA	HQ	610398477		0 0	0
<input type="checkbox"/>	Rockwood Holding Company	Chicago, IL USA	HQ	781669835	3127508400	1 651	0
<input type="checkbox"/>	Rockwood Specialties Consolidated, Inc.	Princeton, NJ USA	HQ	038451388	6095140300	4 2500	0
<input type="checkbox"/>	Rockwood Specialties Group, Inc.	Princeton, NJ USA	HQ	108793433	6095140300	10 2760	0
<input type="checkbox"/>	Sachtleben Corporation	White Plains, NY USA	Single	956884114	9145384068	10 10	0
<input type="checkbox"/>	Sachtleben Pigments Oy	Helsinki, FINLAND	HQ	540235619	108611	666 666	316001194
<input type="checkbox"/>	Vance, LLC	Charlotte, NC USA	HQ	795447348	7045220625	50 50	0



## Company Details

[Lookup Results](#)  
[Contact Names](#)

### Site Info:

DUNS Number: 556121200  
Business Name: Chemetall Us, Inc.  
Tradestyle: Chemetall Oakrite  
Physical Street Address: 675 Central Ave  
Physical City: New Providence  
County: Union  
Physical State Abbreviation: NJ  
Physical Zip: 07974  
Mailing Address: P O BOX 7  
Mailing City: New Providence  
Mailing State: NJ  
Mailing Zip: 079740007  
Telephone Number: 908-464-6900  
Primary 8 Digit SIC Code: 28420000  
Primary SIC8 Description: Polishes and sanitation goods  
Primary NAICS Code: 325612  
Primary NAICS Description: 325612-Polish & Otr Sanitation Gd Mfg  
CEO Name: Ronald Felber  
CEO Title: President

### Business Size:

Employees Here: 90  
Employees Total: 340  
Sales Volume (US\$): \$130,723,000

### Enterprise:

Global Ultimate Duns Number: 016164399  
Headquarters Duns Number: 000000000  
Parent Duns Number: 016164399

### Organization:

Ownership: PRIVATE COMPANY  
Location Type: HEADQUARTERS  
Latitude: 40.697755  
Longitude: -74.408967

**Complainant's Exhibit 9**





custserv@dnb.com  
08/13/2009 11:22 AM

To Lee Spielmann/R2/USEPA/US@EPA, Karen  
Seet/R2/USEPA/US@EPA  
cc  
bcc

Subject CHEMETALL OAKITE INC: D&B Business Information  
Report

The following e-mail was sent to you by seet.karen@epa.gov  
Personal Note:

<b>D&amp;B has more options to help you decide with confidence.</b>	<b><u>Learn more about D&amp;B products and services.</u></b>
<b>Is this an important decision?</b> <b>Get more with D&amp;B's Enhanced Comprehensive Report:</b> <ul style="list-style-type: none"> <li>• Business failure and credit scores</li> <li>• Context behind the scores</li> <li>• Added industry and Financial comparisons</li> </ul>	<b><u>Click here to provide feedback on this report</u></b>
<b><u>Order the Enhanced Comprehensive Report on this business</u></b>	
<b><u>Order reports on other businesses</u></b>	

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ATTN: Lee Spielmann  
Printed: AUG 13 2009

Report

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\* \* \* BUSINESS SUMMARY \* \* \*

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=====

CHEMETALL OAKITE INC  
(SUBSIDIARY OF ROCKWOOD SPECIALTIES INC., PRINCETON, NJ)  
675 Central Ave  
New Providence, NJ 07974

This is a headquarters  
93-771-2248  
(subsidiary) location.  
Branch(es) or division(s) exist.

D-U-N-S® Number:

D&B Rating: --

Mailing address: PO Box 7

New Providence, NJ  
07974

Web site: www.rockwoodspecialties.com  
Telephone: 908 464-6900  
Chief executive: RON FELPER, PRES  
Year started: 1987  
Management control: 2006  
Employs: 100 (65 here)  
Sales: \$100,000,000  
History: CLEAR  
SIC: 5169  
Line of business: Whol corrosion preventative chemicals

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\* \* \* SPECIAL EVENTS \* \* \*

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06/14/2007  
Business started 1987. Present control succeeded June, 2006.

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\* \* \* SUMMARY ANALYSIS \* \* \*

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D&B Rating: --

The blank rating symbol should not be interpreted as indicating that credit should be denied. It simply means that the information available to D&B does not permit us to classify the company within our rating key and

that further enquiry should be made before reaching a decision. Some reasons for using a "-" symbol include: deficit net worth, bankruptcy proceedings, insufficient payment information, or incomplete history information.

Below is an overview of the company's rating history since 06/15/07:

D&B Rating	Date Applied
--	06/15/07

The Summary Analysis section reflects information in D&B's file as of August 10, 2009.

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\* \* \* INVESTIGATIVE SERVICES \* \* \*

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\*\*\* Update available on request \*\*\*

This information is being provided to you immediately in the interest of speed. This report may not reflect the current status of this business. D&B can investigate this business and update the information based on the results of that investigation.

By ordering a standard investigation the same day you order this report, an updated report will be provided to you at no extra cost.

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\* \* \* CUSTOMER SERVICE \* \* \*

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If you have questions about this report, please call our Customer Resource Center at 1.800.234.3867 from anywhere within the U.S. If you

are outside the  
U.S. contact your local D&B office.

\*\*\* Additional Decision Support Available \*\*\*

Additional D&B products, monitoring services and specialized investigations are available to help you evaluate this company or its industry. Call Dun & Bradstreet's Customer Resource Center at 1.800.234.3867 from anywhere within the U.S. or visit our website at [www.dnb.com](http://www.dnb.com)

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\* \* \* HISTORY \* \* \*

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The following information was reported 08/18/2008:

Officer(s):               RON FELPER, PRES

                          THE OFFICER(S)

Business started 1987. Present control succeeded June, 2006. 100% of capital stock is owned by the parent company.

RON FELPER. Work history is unknown.

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Business address has changed from 14826 Ne 95th St, Redmond, WA, 98052 to 675 Central Ave, New Providence, NJ, 07974.

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\* \* \* CORPORATE FAMILY \* \* \*

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The following global corporate family members are related to this business.



Princeton, NJ

of chemicals

of capital

(100%).

Sells to

South America.

Employees:  
here.

Facilities:  
building.

Location:  
street.

Branches:

Dun &

started 2000 which operates as a wholesaler or allied products. Parent company owns 100% stock.

Wholesales corrosion preventative chemicals

Terms are Net 30 days. Has 600+ account(s).

aerospace industry. Territory : North and

Nonseasonal.

100 which includes officer(s). 65 employed.

Leases premises in a single story brick

Central business section on well traveled

This business has multiple branches, detailed branch/division information is available in

Bradstreets linkage or family tree products.

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\* \* \* SIC & NAICS \* \* \*  
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SIC: Based on information in our file, D&B has assigned this company an extended 8-digit SIC. D&B's use of and Allied 8-digit SICs enables us to be more Merchant specific to a company's operations than if we use the standard 4-digit code.

NAICS:  
424690 Other Chemical  
Products  
Wholesalers

51691001 Anti-corrosion products

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\* \* \* PAYMENT SUMMARY \* \* \*  
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D&B has not received a sufficient sample of payment experiences to establish a PAYDEX score.

D&B receives over 600 million payment experiences each year. We enter these new and updated experiences into D&B Reports as this information is received. At this time, none of those experiences relate to this company.

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\* \* \* FINANCE \* \* \*  
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06/14/2007

On JUN 14 2007 Michael Lissandrello, Sls Mgr, deferred financial statement.

Michael Lissandrello submitted the following partial estimates dated JUN 14 2007:

Sales for 2006 were \$100,000,000.

As of June 14 2007 a search of Dun & Bradstreets Public Record database found no open suits, liens, judgements or UCCs to which Chemetall Oakite Inc at 675 Central Ave, New Providence NJ was named defendant or debtor. Public records received hereafter will be entered into the database and will be included in reports which contain a Public Filings section.

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\* \* \* PUBLIC FILINGS \* \* \*  
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A check of D&B's public records database indicates that no filings were found for CHEMETALL OAKITE INC at 675 Central Ave, New Providence NJ.

D&B's extensive database of public record information is updated daily to ensure timely reporting of changes and additions. It includes business-related suits, liens, judgments, bankruptcies, UCC financing statements and business registrations from every state and the District of Columbia, as well as select filing types from Puerto Rico and the U.S. Virgin Islands.

D&B collects public records through a combination of court reporters, third parties and direct electronic links with federal and local authorities. Its database of U.S. business-related filings is now the largest of its kind.

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\* \* \* GOVERNMENT ACTIVITY \* \* \*  
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Activity summary

Borrower (Dir/Guar):	NO
Administrative debt:	NO
Contractor:	YES
Grantee:	NO
Party excluded from federal program(s):	NO

Possible candidate for socio-economic program consideration

Labor surplus area:	YES (2009)
Small Business:	N/A
8(A) firm:	N/A

The details provided in the Government Activity section are as reported to Dun & Bradstreet by the federal government and other sources.



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contract

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FULL DISPLAY COMPLETE



396484.BIR.2152.3427615308.tng.email.htm



**Complainant's Exhibit 10**



custserv@dnb.com  
08/11/2009 03:14 PM

To Lee Spielmann/R2/USEPA/US@EPA, Karen  
Seet/R2/USEPA/US@EPA

cc  
bcc

Subject CHEMETALL US, INC.: D&B Business Information Report

The following e-mail was sent to you by seet.karen@epa.gov

Personal Note:

**D&B has more options to help you decide with confidence.**

**Is this an important decision?**

**Get more with D&B's Enhanced Comprehensive Report:**

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ATTN: Lee Spielmann  
Printed: AUG 11 2009

Report  
In Date

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\* \* \* BUSINESS SUMMARY \* \* \*  
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CHEMETALL US, INC.  
(SUBSIDIARY OF ROCKWOOD HOLDINGS, INC., PRINCETON, NJ)  
CHEMETALL OAKITE  
675 Central Ave  
New Providence, NJ 07974

This is a headquarters  
55-612-1200  
(subsidiary) location.  
Branch(es) or division(s) exist.

| D-U-N-S® Number:

| D&B Rating: --

Mailing address: PO Box 7  
New Providence, NJ  
07974

Web site: www.chemetall.com

Telephone: 908 464-6900  
amount,

average 9 days  
Chief executive: RONALD FELBER,  
PRES-CEO

over last  
Year started: 1909

Management control: 2004

Employs: 340 (90 here)

Financial statement date: DEC 31 2008

Sales F: \$130,723,000

Net worth: (106438000)

History: CLEAR

Financing: SECURED

Financial condition: UNBALANCED

SIC: 2842  
2899  
2851

Line of business: Mfg  
polish/sanitation  
gd, mfg chemical  
preparation

D&B PAYDEX®:

12-Month D&B 74  
PAYDEX:

When weighted by dollar  
payments to suppliers

beyond terms.

Based on trade collected

12 months.

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\* \* \* SUMMARY ANALYSIS \* \* \*  
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D&B Rating: --

The Rating was changed on April 17, 2009 because of D&B's overall assessment of the company's financial, payment and history information. The blank rating symbol should not be interpreted as indicating that credit should be denied.

It simply means that the information available to D&B does not permit us to classify the company within our rating key and that further enquiry should be

made before reaching a decision. Some reasons for using a "-" symbol include:

deficit net worth, bankruptcy proceedings, insufficient payment information, or incomplete history information.

Below is an overview of the company's rating history since 06/07/07:

D&B Rating	Date Applied
--	04/17/09
1R4	03/02/09
1R3	10/14/08
4A3	07/24/08
4A2	06/07/07

The Summary Analysis section reflects information in D&B's file as of August 10, 2009.

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\* \* \* CUSTOMER SERVICE \* \* \*

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If you have questions about this report, please call our Customer Resource Center at 1.800.234.3867 from anywhere within the U.S. If you are outside the U.S. contact your local D&B office.

\*\*\* Additional Decision Support Available \*\*\*

Additional D&B products, monitoring services and specialized

investigations  
are available to help you evaluate this company or its industry.  
Call Dun &  
Bradstreet's Customer Resource Center at 1.800.234.3867 from  
anywhere within  
the U.S. or visit our website at www.dnb.com

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\* \* \* HISTORY \* \* \*

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The following information was reported 07/14/2009:

Officer(s):               RONALD FELBER, PRES-CEO  
                          PHILIP E KELLY, VICE PRESIDENT  
                          GREGORY V POFF, VICE PRESIDENT

DIRECTOR(S):             THE OFFICER(S)

The Delaware Secretary of State's business registrations file  
showed that  
Oakite Products, Inc. was registered as a corporation on December  
19, 1991.

Business started 1909 by David C Ball, George W Oakley and Daniel  
C Smith.  
Present control succeeded 2004. 100% of capital stock is owned by  
parent  
company.

RONALD FELBER born 1951. 1989-present active here. 1985-1989  
employed with  
Avon Products Inc, New York, NY. Graduated from Georgetown  
University in 1973  
with a BS degree. Also received MA degree from Loyola University  
in 1985.

PHILIP E KELLY born 1948. 1972-present active here. Graduated  
from University  
of Dayton in 1970 with a BS Degree. Also received MBA Degree from  
Seton Hall  
University in 1978.

GREGORY V POFF born 1948. 1970-present active here. Graduated  
from Catawba  
College in 1970 with a BA degree. Also received MBA from Pace  
University in

1982.

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\* \* \* CORPORATE FAMILY \* \* \*

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The following global corporate family members are related to this business.

Members are listed alphabetically first by company name, then by country or

U.S. state, then by city.

Parent:

Rockwood Holdings, Inc.	Princeton, NJ
01-616-4399	

Subsidiaries (International):

Chemetall Canada, Limited	Brampton, CANADA
20-036-7514	
Chemetall Mexicana, S.A. de C.V.	El Marqués, MEXICO
81-232-9050	

Branches (US):

Chemetall Us, Inc.	La Mirada, CA
15-886-0572	
Chemetall Us, Inc.	Romulus, MI
00-515-7698	

Affiliates (US):

Chemetall Chemical Products, Inc	New Providence, NJ
82-485-0580	
Chemetall Oakite La Mirada - Plant	La Mirada, CA
61-036-9832	
Mineral Research and Development	Charlotte, NC
61-036-9477	
Rockwood Holding Company	Chicago, IL
78-166-9635	
Rockwood Specialties Consolidated, Inc.	Princeton, NJ
03-845-1386	
Rockwood Specialties Group, Inc.	Princeton, NJ
10-679-3433	
Sachtleben Corporation	White Plains, NY



95-666-4114  
Viance, LLC  
79-544-7346

Charlotte, NC

Affiliates (International):  
Sachtleben Pigments Oy  
54-023-5819

Helsinki, FINLAND

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\* \* \* OPERATIONS \* \* \*

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07/14/2009

Description:  
Princeton, NJ.

Subsidiary of Rockwood Holdings, Inc.,

Holdings, Inc,  
that report  
company and its

As noted the parent company is Rockwood  
DUNS #01-616-4399, and reference is made to  
for background information on the parent  
management.

sanitation  
disinfectants or  
preparations,  
rust resisting  
Manufactures  
allied products

Manufactures specialty cleaning, polishing or  
preparations and sanitation preparations,  
deodorants. Manufactures chemical  
specializing in metal treating compounds,  
compounds and water treating compounds.  
paints, varnishes, lacquers, enamels or  
and paint removers.

Sells to  
States, Mexico

Has 10,000 account(s). Terms are Net 30 days.  
industrial concerns. Territory : United  
Brazil and Canada.

Nonseasonal.

Employees: 340 which includes officer(s) and 2  
part-time. 90 employed  
here.

Facilities: Rents 37,000 sq. ft. in a one story brick  
building.

Location: Suburban business section on well traveled  
street.

Branches: This business has multiple branches, detailed  
branch/division information is available in  
Dun & Bradstreets linkage or family tree products.

Subsidiaries: This business has 2 subsidiaries listed  
below.

The extent of ownership where known, is shown  
in parenthesis following company name:

Oakite Canada Limited, Bramalea, Ontario,  
Canada (100%).

Manufactures chemical specialty products.  
Intercompany relations: reported by management to consist  
of merchandise and service transactions, cleared  
as scheduled.

Chemetall Mexicana, Monteray, Mexico (100%).  
Manufactures chemical specialty products.

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\* \* \* SIC & NAICS \* \* \*  
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SIC: Based on information in our file,  
D&B has assigned this company an  
extended 8-digit SIC. D&B's use of  
8-digit SICs enables us to be more  
specific to a company's operations  
than if we use the standard  
4-digit code.

NAICS:  
325612 Polish and Other  
Sanitation Good  
Manufacturing  
325612 Polish and Other  
Sanitation Good

28420000	Polishes and sanitation Miscellaneous goods and 28420400 Sanitation Manufacturing preparations, Miscellaneous disinfectants and and deodorants Manufacturing	325998	Manufacturing All Other Chemical Product Preparation
28999931	Metal treating compounds Miscellaneous	325998	All Other
28999942	Rust resisting compounds and 28999948 Water treating compounds Manufacturing		Chemical Product Preparation
28510000	Paints and allied Coating products	325510	Paint and Manufacturing
28510401	Paint removers Coating	325510	Paint and Manufacturing

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 \* \* \* D&B PAYDEX \* \* \*  
 =====  
 =====

The D&B PAYDEX is a unique, dollar weighted indicator of payment performance based on up to 157 payment experiences as reported to D&B by trade references.

3-Month D&B PAYDEX: 75  
 When weighted by dollar amount,  
 amount,  
 payments to suppliers average 8 days  
 average 9 days  
 beyond terms.  
 Based on trade collected over last 3  
 collected over last  
 months.

12-Month D&B PAYDEX: 74  
 When weighted by dollar  
 payments to suppliers  
 beyond terms.  
 Based on trade  
 12 months.

not  
 approximately 75%  
 payments are within

| When dollar amounts are  
 | considered, then  
 | of the company's  
 | terms.

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 \* \* \* PAYMENT SUMMARY \* \* \*  
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The Payment Summary section reflects payment information in D&B's file as of the date of this report.

Below is an overview of the company's dollar-weighted payments, segmented by its suppliers' primary industries:

Days Slow (%)	Total Rcv'd (#)	Total Dollar Amounts (\$)	Largest High Credit (\$)	W/In Terms (%)	
-----					
Top industries:					
Nonclassified	15	268,100	200,000	54	41
5 - -					
Trucking non-local	9	114,450	85,000	21	38
- 37 4					
Whol chemicals	6	1,675,500	900,000	100	-
- - -					
Mfg organic chemicals	6	141,250	70,000	52	48
- - -					
Radiotelephone commun	3	55,250	55,000	50	50
- - -					
Petroleum refining	2	95,000	70,000	50	50
- - -					
Mfg computers	2	62,500	60,000	96	-
- - 4					
Mfg alkalies/chlorine	2	27,500	20,000	100	-
- - -					
Mfg fertilizer-nitrgrn	1	250,000	250,000	50	50
- - -					

Mfg electric test prd	1	35,000	35,000	100	-
OTHER INDUSTRIES	101	283,550	20,000	73	22
4 - 1					

Other payment categories:

Cash experiences	7	750	250
Payment record unknown	0	0	0
Unfavorable comments	1	1,000	1,000

Placed for collections:

With D&B	1	7,500
Other	0	N/A

Total in D&B's file	157	3,017,350	900,000
---------------------	-----	-----------	---------

The highest "Now Owes" on file is \$750,000

The highest "Past Due" on file is \$10,000

Dun & Bradstreet has 157 payment experiences in its file for this company. For your convenience, we have displayed 80 representative experiences in the PAYMENTS section.

\*\*\*\*\* PAYMENT DETAILS \*\*\*\*\*

Detailed payment history

Date Last Sale Reported Within (mm/yy) (months)	Paying Record	High Credit (\$)	Now Owes (\$)	Past Due (\$)	Selling Terms
07/09 1 mo	Ppt		50	0	
1 mo	Ppt		2,500	0	
1 mo	Ppt	200,000	100,000	2,500	N60
1 mo	Ppt	200,000	100,000	0	

1 mo	Ppt	75,000	30,000	5,000	N60
1 mo	Ppt	35,000	20,000	0	
1 mo	Ppt	20,000	0	0	
1 mo	Ppt	15,000	7,500	0	
1 mo	Ppt	10,000	100	0	N30
1 mo	Ppt	10,000	1,000	0	
1 mo	Ppt	10,000	2,500		N60
1 mo	Ppt	7,500	2,500	750	N30
1 mo	Ppt	2,500	0	0	
6-12 mos	Ppt	2,500	1,000		
2-3 mos	Ppt	1,000	0	0	N30
4-5 mos	Ppt	500	0	0	
1 mo	Ppt	250	0	0	
4-5 mos	Ppt	0	0	0	N30
1 mo	Ppt-Slow 15	2,500	1,000	100	
1 mo	Ppt-Slow 15	1,000	1,000	1,000	
1 mo	Ppt-Slow 30	200,000	0	0	N30
4-5 mos	Ppt-Slow 30	15,000	0	0	
1 mo	Ppt-Slow 30	750	100		
4-5 mos	Ppt-Slow 30	250	100	0	
1 mo	Ppt-Slow 60	7,500	100	0	1 10 N30
1 mo	Slow 15	15,000	0	0	N30
6-12 mos	Slow 15	500	0	0	N30
2-3 mos	Slow 35	1,000	1,000	1,000	
1 mo	Slow 15-60	10,000	0	0	N30

6-12 mos					
	Slow 90+	2,500	2,500	2,500	
6-12 mos					
	Slow 30-120	2,500	0	0	
2-3 mos					
06/09	Ppt	5,000	1,000	0	
1 mo					
	Ppt	5,000	500		Lease
Agreemnt					
	Ppt	5,000	5,000	0	N30
1 mo					
	Ppt	5,000	0	0	N30
6-12 mos					
	Ppt	2,500	750	750	1 10 N30
1 mo					
	Ppt	2,500	0	0	
6-12 mos					
	Ppt	2,500	0	0	
4-5 mos					
	Ppt	2,500	0	0	
1 mo					
	Ppt	2,500	2,500	0	
1 mo					
	Ppt	2,500	2,500	0	
1 mo					
	Ppt	1,000	1,000	0	
1 mo					
	Ppt	1,000	1,000	0	
1 mo					
	Ppt	1,000	0	0	
2-3 mos					
	Ppt	750	0	0	
1 mo					
	Ppt	500	500	0	
1 mo					
	Ppt	500	250	0	
1 mo					
	Ppt	250	250	0	
1 mo					
	Ppt	250	250	0	
1 mo					
	Ppt	250	250	0	
1 mo					
	Ppt	250	100	0	
1 mo					
	Ppt	250	0	0	
1 mo					
	Ppt	100	100	0	
4-5 mos					
	Ppt	100	0	0	N30

2-3 mos	Ppt	50	0	0	
1 mo	Ppt	50	0	0	
1 mo	Ppt	50	0	0	
1 mo	Ppt-Slow 30	70,000	0	0	
2-3 mos	Ppt-Slow 30	55,000	2,500	0	
1 mo	Ppt-Slow 30	15,000	5,000	2,500	
1 mo	Ppt-Slow 30	500	0	0	
2-3 mos	Ppt-Slow 30	250	250	250	1 15 N30
1 mo	Ppt-Slow 30	250	250	100	
1 mo	Ppt-Slow 60	100	0	0	
2-3 mos	Slow 5	100	100	100	
1 mo	Slow 30	5,000	250	250	
1 mo	Slow 30	100	100	100	
1 mo	Slow 30	50	0	0	N30
6-12 mos	Slow 30-60	2,500	0	0	N30
6-12 mos	Slow 15-90	85,000	0	0	
2-3 mos	Slow 15-90	250	250	250	
1 mo	(072)				Sales COD
1 mo	(073)	1,000	1,000	1,000	
2-3 mos	Bad debt.				
04/09	Ppt	1,000	0	0	N30
2-3 mos	Ppt	2,500	0	0	
03/09	Ppt	1,000	0	0	N30
2-3 mos	Ppt	1,000	0	0	
6-12 mos	Ppt	0	0	0	
6-12 mos	Ppt	50	0	0	N30
02/09	Ppt	50	0	0	
6-12 mos					



05/08	Ppt-Slow 30	20,000	10,000	0	N30
1 mo					
07/07	(080)			7,500	
	Placed for collection.				

Accounts are sometimes placed for collection even though the existence or amount of the debt is disputed.

Payment experiences reflect how bills are met in relation to the terms granted. In some instances payment beyond terms can be the result of disputes over merchandise, skipped invoices etc.

Each experience shown is from a separate supplier. Updated trade experiences replace those previously reported.

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\* \* \* FINANCE \* \* \*

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04/17/2009

Three-year statement comparative:

Fiscal	Fiscal	Fiscal
Dec 31 2008	Dec 31 2005	Dec 31 2006
-----	-----	-----
Current Assets	53,345,000	33,854,000
34,348,000		
Current Liabs	16,314,000	11,173,000
18,594,000		
Current Ratio	3.27	3.03
1.85		
Working Capital	37,031,000	22,681,000
15,754,000		
Other Assets	9,824,000	15,582,000
124,757,000		
Net Worth	38,515,000	28,063,000

1,304,000		
Sales	79,763,000	86,130,000
130,723,000		
Long Term Liab	8,340,000	10,200,000
139,207,000		
Net Profit (Loss)	1,105,000	8,689,000
490,000		

Fiscal statement dated DEC 31 2008:

Assets		Liabilities
-----		-----
Other Curr Assets	34,348,000	Other Curr Liabs
18,594,000		
-----		
Curr Assets	34,348,000	Curr Liabs
18,594,000		
Fixt & Equip	11,062,000	Pension Reserves
7,990,000		
Goodwill-Net	25,204,000	Other Liabilities
129,932,000		
Other Intangible	82,538,000	L.T. Liab-Other
1,285,000		
Assets-Net		TOTAL EQUITY
1,304,000		
Deferred Income	268,000	
Taxes		
Other Assets	5,685,000	
-----		
Total Assets	159,105,000	Total
159,105,000		

From JAN 01 2008 to DEC 31 2008 annual sales \$130,723,000; cost of goods sold \$69,475,000. Gross profit \$61,248,000; operating expenses \$48,302,000. Operating income \$12,946,000; other expenses \$11,971,000; net income before taxes \$975,000; Federal income tax \$485,000. Net income \$490,000.

Submitted MAR 31 2009 by Ronald Felber, pres-ceo. Prepared from books without audit.

On April 17, 2009, the financial information was updated.

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\* \* \* KEY BUSINESS RATIOS \* \* \*

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Statement date: DEC 31 2008  
Based on this number of establishments: 28

Firm		Industry Median
Return of Sales:	0.4	Return of Sales:
1.1		
Current Ratio:	1.8	Current Ratio:
2.1		
Assets / Sales:	121.7	Assets / Sales:
57.5		
Total Liability / Net Worth:	999.9	Total Liability / Net
Worth: 83.7		

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\* \* \* PUBLIC FILINGS \* \* \*

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The following Public Filing data is for information purposes only and is not the official record. Certified copies can only be obtained from the official source.

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\* \* \* UCC FILINGS \* \* \*

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Collateral: All Assets  
Type: Original

Sec. party: CREDIT SUISSE FIRST BOSTON, ACTING  
THROUGH ITS  
ADMINISTRATIVE AGENT,  
CAYMAN ISLANDS BRANCH, AS  
Debtor: NEW YORK, NY  
Filing number: OAKITE PRODUCTS, INC.  
4216854 2  
Filed with: SECRETARY OF STATE/UCC DIVISION,  
DOVER, DE

Date filed: 08/02/2004  
Latest Info Received: 08/26/2004

-----  
Collateral: Accounts receivable and proceeds -  
General intangibles(s) and proceeds -  
Leased Equipment

Type: and proceeds  
Original  
Sec. party: CANON FINANCIAL SERVICES, MOUNT  
LAUREL, NJ  
Debtor: OAKITE PRODUCTS INC  
Filing number: 23913509  
Filed with: SECRETARY OF STATE/UCC DIVISION,  
TRENTON, NJ

Date filed: 11/30/2006  
Latest Info Received: 12/27/2006

-----  
Collateral: Leased Assets - Leased Business  
machinery/equipment  
Type: Original  
Sec. party: CANON FINANCIAL SERVICES, INC., MT.  
LAUREL, NJ

Debtor: OAKITE PRODUCTS INC  
Filing number: 21685842  
Filed with: SECRETARY OF STATE/UCC DIVISION,  
TRENTON, NJ

Date filed: 07/11/2003  
Latest Info Received: 07/29/2003

-----  
Type: Continuation  
Sec. party: CREDIT SUISSE (F/K/A CREDIT SUISSE  
FIRST  
ISLA, NEW BOSTON), ACTING THROUGH ITS CAYMAN

Debtor: YORK, NY  
 CHEMETALL CORPORATION  
 Filing number: 2009 0642311  
 Filed with: SECRETARY OF STATE/UCC DIVISION,  
 DOVER, DE  
 Date filed: 02/27/2009  
 Latest Info Received: 05/12/2009  
 Original UCC filed date: 08/02/2004  
 Original filing no.: 4216861 7

The public record items contained in this report may have been paid, terminated, vacated or released prior to the date this report was printed.

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 \* \* \* GOVERNMENT ACTIVITY \* \* \*  
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Activity summary

Borrower (Dir/Guar):	NO
Administrative debt:	YES
Contractor:	YES
Grantee:	NO
Party excluded from federal program(s):	NO

Possible candidate for socio-economic program consideration

Labor surplus area:	YES (2009)
Small Business:	N/A
8(A) firm:	N/A

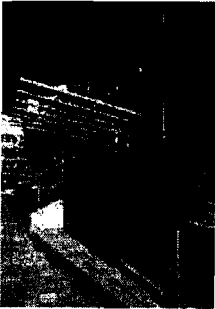
The details provided in the Government Activity section are as reported to Dun & Bradstreet by the federal government and other sources.

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FULL DISPLAY COMPLETE



**Complainant's Exhibit 11**



## Company Overview

Chemetall is a global company committed to specialty chemistry. The Group's activities focus on products and processes for the chemical treatment of metal surfaces and plastics, as well as selected fields of fine chemistry, e.g. lithium and cesium compounds.

Chemetall's businesses historically emerged from the combination of expertise in chemistry and metallurgy, which is still mirrored in the company's name. Chemetall mainly sells customised packages of products and services, ranging from consultation via development through to the operation of entire plants at the customer's site - for instance car body pre-treatment in the automotive industry.

The company's product portfolio is based on continuous research and development of leading edge technologies. High performing products combined with Chemetall's dedication to providing the best technical service and support to its customers have, over the decades, established excellent market positions in its fields of activity.

Chemetall GmbH is headquartered in Frankfurt am Main. It is the centre of a worldwide network of some 40 subsidiaries in Europe, North and South America, Asia, Australia, and Africa. Most of these companies operate their own production sites, and many also have their own development laboratories. A largely decentralised organisation ensures that each local company can respond quickly and flexibly to the customers' needs in its markets whilst at the same time being able to draw on the specialist resources within the Group. In this way Chemetall combines the strength of a global supplier with the flexibility and customer focus of a medium-size company.

The international Chemetall Group and its approx. 2.950 employees recorded sales of some 800 million Euro in the business year 2007. These sales are generated, more or less in equal parts, by the surface treatment and fine chemistry businesses.

Since August 1st, 2004, Chemetall has been part of Rockwood Holdings, Inc.

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| News

| 2009 | 2008 | 2007

2009

May 27, 2009

**Significant savings achieved with the change from zinc-phosphating pretreatment to Oxsilan® technology**

Opel Replaces its Metal Pretreatment System Adam Opel GmbH in Kaiserslautern, Germany, is an important [more...](#)

[^](#) //

April 21, 2009

**Sustainable and cost-efficient metal pretreatment**

Silane technology replaces former zinc phosphating process Sustainable and cost-efficient metal pretreatment Fahrzeugwerk [more...](#)

[^](#) //

April 21, 2009

**Sustainable and cost-efficient metal pretreatment**

Silane technology replaces former zinc phosphating process Sustainable and cost-efficient metal pretreatment Fahrzeugwerk [more...](#)

[^](#) //

February 05, 2009

**Chemetall Aerospace Technologies has successfully integrated the NDT business of Ely Chemical Company Ltd.**

"We are proud to inform our customers around the world that Chemetall has effectively transferred and [more...](#)

[^](#) //

January 20, 2009

**Chemetall Oakite changed its name to Chemetall**

Effective January 1, 2009 the new legal entity name for Chemetall Oakite will be Chemetall US, Inc., [more...](#)

[^](#) //

January 20, 2009

**Chemetall Oakite changed its name to Chemetall**

Effective January 1, 2009 the new legal entity name for Chemetall Oakite will be Chemetall US, Inc., [more...](#)

[^](#) //

2008

August 01, 2008

**Chemetall acquires Nalco Finishing Technologies**

Rockwood Holdings, Inc./ Chemetall-Group has acquired Nalco's Finishing Technologies (FT) business [more...](#)

[^](#) //

July 31, 2008

**Chemetall announces global price increases**

Chemetall is currently increasing prices within a range of 5 to 20 percent or implementing and adjusting [more...](#)

[^](#) //



April 01, 2008

**Chemetall acquires NDT Business of Ely Chemical Company Ltd.**  
Chemetall GmbH, Frankfurt/M., via its UK subsidiary, has acquired the NDT business of the UK based null  
[more...](#)

[▲ #](#)

2007

March 29, 2007

**Chemetall Signs Distribution Agreement with Advanced Chemistry & Technology, Inc.**  
Chemetall Aerospace Technologies announced that it has signed an exclusive sales and distribution agreement  
[more...](#)

[▲ #](#)

February 21, 2007

**Chemetall Acquires the Chemical Division Business of Wirral Fospray**  
Chemetall PLC has announced the acquisition of the chemical division business from Wirral Fospray Limited,  
[more...](#)

[▲ #](#)

January 22, 2007

**Rockwood Appoints Monika Engel-Bader President of Chemetall**  
Rockwood Holdings, Inc. (NYSE:ROC) has announced that Dr. Monika Engel-Bader has been appointed to null  
[more...](#)

[▲ #](#)

kind of activity: Production  
fields of activity : Lithium

< // > //



**Chemetall US, Inc.**

Country: United States  
Streetaddress: 13177, Huron River Drive  
ZIP: MI 48174  
City: Romulus  
Phone: +1-734-941 3800  
Fax: +1-734-941-5524  
kind of activity: Production  
fields of activity : Surface Treatment  
Map: [Map](#)

< // > //



**Chemetall US, Inc.**

Country: United States  
Streetaddress: 16961 Knott Ave  
ZIP: CA 90638  
City: La Mirada  
Phone: +1 800-331-1197  
Fax: +1 714-670-6480  
kind of activity: Sales, Production  
fields of activity : Surface Treatment  
Map: [Map](#)

< // > //



**Chemetall US, Inc.**

Country: United States  
Streetaddress: 675 Central Avenue  
ZIP: NJ 07974  
City: New Providence  
Phone: +1-908-464-6900  
Fax: +1-908-464-5571  
kind of activity: Headoffice, Sales, Production  
fields of activity : Surface Treatment  
Direct Contact Email: [oakite.products@chemetall.com](mailto:oakite.products@chemetall.com)  
Map: [Map](#)

< // > //

America

United States



**Chemetall Foote Corp.**

Country: United States

Streetaddress: 348 Holiday Inn Drive

ZIP: NC 28086

City: Kings Mountain

Phone: +1-704-739 2501

Fax: +1-704-734 0208

kind of activity: Headoffice, Sales, Production

fields of activity : Lithium

Direct Contact Email: [foote.lithium@chemetall.com](mailto:foote.lithium@chemetall.com)

Map: [Map](#)

<# #>



**Chemetall Foote Corp.**

Country: United States

Streetaddress: 675 Central Avenue

ZIP: NJ 07974

City: New Providence

Phone: +1-908-665-9466

Fax: +1-908-665-8543

kind of activity: Headoffice, Sales

fields of activity : Special metals

Map: [Map](#)

<# #>



**Chemetall Foote Corp.**

Country: United States

Streetaddress: 856 Foote Lane

ZIP: TN 37134

City: New Johnsonville

Phone: +1-931-535 3401

Fax: +1-931-535 3404

kind of activity: Production

fields of activity : Lithium

Map: [Map](#)

<# #>



**Chemetall Foote Corp.**

Country: United States

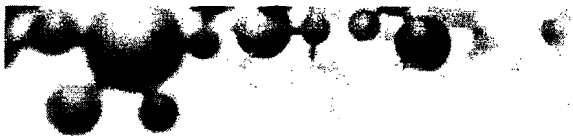
Streetaddress: Hwy 265

ZIP: NV 89047

City: Silver Peak

Phone: +1-775-937-2222

Fax: +1-775-937-2250



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## **Chemetall Oakite changed its name to Chemetall**

Effective January 1, 2009 the new legal entity name for Chemetall Oakite will be Chemetall US, Inc., doing business as Chemetall. The same applies to the Canadian subsidiary, whose official name will be Chemetall Canada, Limited.

"Customers around the world link Chemetall with quality, innovation and extraordinary technical services", says Joris Merckx, President Surface Treatment at Chemetall. "One consistent name of our all our subsidiaries will strengthen our corporate brand and with it our image", he commented.

No changes will be made to the Mexican and Brazilian entities, as these countries already operate their business under the name of Chemetall.

### ***About Chemetall***

*Chemetall, a company of Rockwood Holdings, Inc. (NYSE: ROC), is one of the leading global companies committed to specialty chemistry. The Group's activities focus on products and processes for the chemical treatment of metal surfaces and plastics, as well as selected fields of fine chemistry, including lithium and cesium compounds.*

**Contact:** Sandra Zirm  
**Phone:** +49 69 7165 3605  
**Mall:** [sandra.zirm@chemetall.com](mailto:sandra.zirm@chemetall.com)

