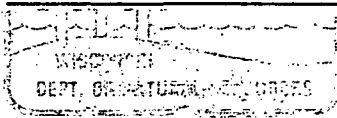


George E. Meyer
Secretary

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES



George E. Meyer
Secretary

101 South Webster Street
Box 7921
Madison, Wisconsin 53707
TELEPHONE 608-266-2621
TELEFAX 608-267-3579
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June 21, 1993

Assistant Attorney General Greg Sukys
U.S. Department of Justice
Environment and Natural Resources Division
Environmental Enforcement Section
P.O. Box 7611
Washington, D.C. 20044

SUBJECT: U.S.A. v. Kerr-McGee Chemical Corporation

Dear Greg:

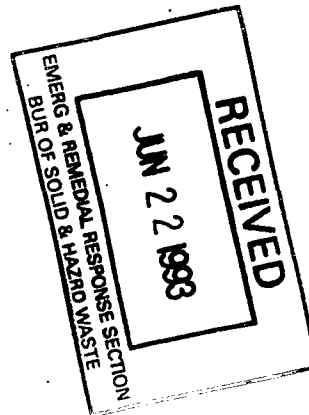
I have enclosed the affidavit that you requested. Please let me know if I can be of further assistance.

Sincerely,

Linda Meyer

Linda Meyer
Staff Attorney
Bureau of Legal Services

cc: Lisa Levin - WDOJ
→ Gary Edelstein - SW/3



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
KERR-MCGEE CHEMICAL CORPORATION,)
Defendant.)

No. 91-CV-1396

HON. RUDOLPH T. RANDA

THE STATE OF WISCONSIN,)
Plaintiff,)
v.)
KERR-MCGEE CHEMICAL CORPORATION,)
Defendant.)

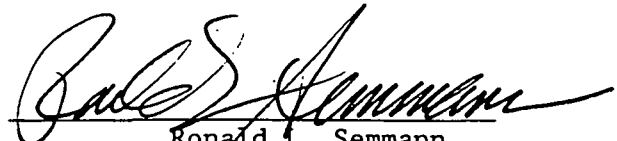
No. 92-CV-0006

AFFIDAVIT OF RONALD L. SEMMANN

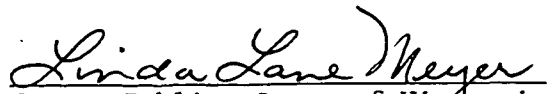
STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Ronald L. Semmann, being first duly sworn, states that he is the Deputy Secretary of the Wisconsin Department of Natural Resources, that as Deputy Secretary he is the legal custodian for all the files and records of the Wisconsin Department of Natural Resources, and that Department staff have made a diligent search of Department files in the Southeast District Office and the Department's Central Office in Madison and have found no record of any order issued to Moss-American Company in the 1970's that required the closure of wastewater impoundments located on the Moss-American property (now known as the Moss-American Superfund Site) or required the removal of sludge from Moss-American's impoundments. The only order relating to what is now the Moss-American Superfund Site that is found in the Department's files is an order issued to the Moss-American Company in 1970 that simply required the Moss-American Company to discharge its wastewater to the local sanitary sewer after pretreatment.

Dated this 17 day of June, 1993.


Ronald L. Semmann
Deputy Secretary

Subscribed and sworn to before
me this 17th day of June, 1993.


Notary Public, State of Wisconsin
My commission is permanent.