



May 13, 2010

Annette Weissbach
DNR Northeast Region
Department of Natural Resources
2984 Shawano Avenue
Green Bay, WI 54313

RE: Statement of Qualification for Skana Aluminum Company to be Deemed a Bona Fide Prospective Purchaser under CERCLA

Dear Ms. Weissbach:

We previously sent you one copy of the Phase I Environmental Site Assessment (ESA) report of the former Koenig & Vits property in Manitowoc, Wisconsin (the "Property"). The report was prepared by AECOM as requested by Skana.

The Phase I Environmental Site Assessment was conducted by AECOM in accordance with ASTM Standard E 1527-05 and EPA's All Appropriate Inquiry rules. The purpose of the Phase I was to provide Skana with information about the general environmental character of the former site and to meet the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Section 107 Defense.

By completing the Phase I ESA, Skana asserts that Skana has complied with the federal CERCLA Bona Fide Prospective Purchaser defense requirements. Skana also asserts that it will continue to comply with these requirements including, any continuing obligations associated with maintaining the landowner liability protections over time which may include taking reasonable steps to stop a release, prevent a threatened release, and prevent or limit exposure to a release or threatened release from the Property.

Skana is NOT potentially liable for contamination at the site under CERCLA, Section 107, and affirms that:

- (i) Skana did not cause, contribute, or consent to the release or potential release of any hazardous substances at the Property;
- (ii) Skana is not potentially liable, or affiliated with any other person that is potentially liable for response costs at a facility through any direct or indirect familial relationship or any contractual, corporate, or financial relationship, or as a result of a reorganization of a business entity that was potentially liable;



- (iii) Skana will, if necessary, stop any continuing release, prevent any threatened future release, and prevent or limit human, environmental, or natural resource exposure to any hazardous substance released on or from the Property;
- (iv) Skana intends to provide full cooperation, assistance, and access to persons that are authorized to conduct response actions at the Property in connection with any release or threatened release;
- (v) Skana will comply with any land use restrictions established or relied on in connection with the response action at the facility, and will not impede the effectiveness or integrity of any institutional control employed in connection with a response action;
- (vi) Skana is in compliance with any request for information or administrative subpoena issued by the President under CERCLA;
- (vii) Skana will provide all legally required notices with respect to the discovery or release of any hazardous substances at the site.

If you have any questions regarding the report or need additional information, please feel free to contact me.

Very truly yours,

SKANA ALUMINUM COMPANY

A handwritten signature in dark ink, appearing to read "Thomas R. Testwuide, Sr.", written in a cursive style.

Thomas R. Testwuide, Sr.
Chairman and CEO