

Thank you for your enquiry seeking clarification about how TKMNA is responding to the REACH regulation and pre-registration of substances, specifically those contained in the metallic products that we supply.

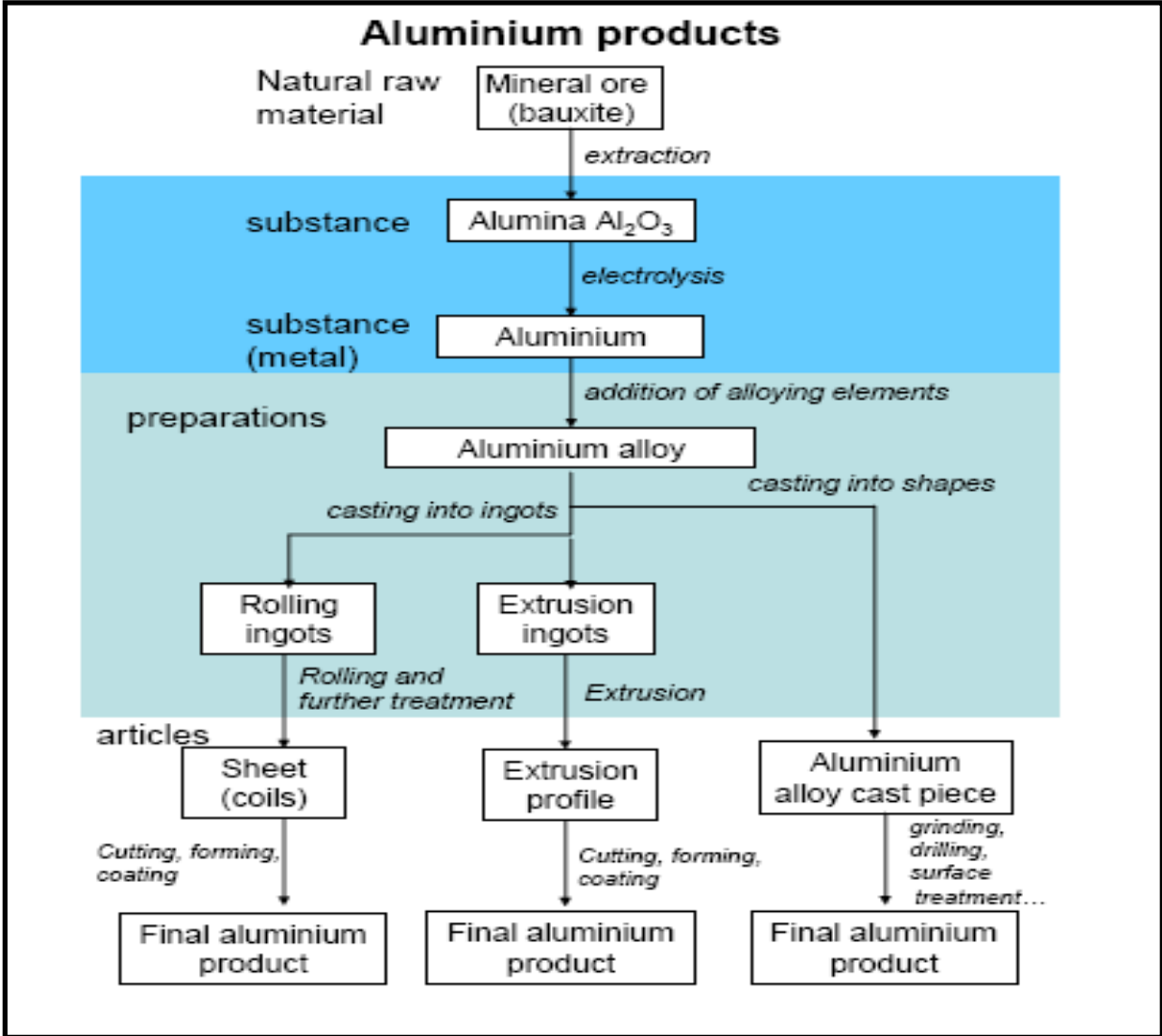
We have been investigating the implications of REACH by seeking guidance from various regulatory and advisory bodies and utilising the resources of our parent company ThyssenKrupp.

As you may be aware, the European Chemicals Agency (ECHA) is responsible for managing and carrying out the technical, scientific and administrative aspects of REACH.

Guidance about assessment of substances incorporated into special preparations, such as metals incorporated in alloys was only published by ECHA on 26 May 2008.

http://reach.jrc.it/docs/guidance_document/articles_en.pdf

The guidance indicates that the metallic products placed on the market by ThyssenKrupp Materials NA, whether they be from EU sources or imported from outside the EU are 'articles', as defined by REACH. See diagram below, taken from the guidance document, which uses aluminium as an example.



Because the metallic products we supply are 'articles' and do not contain substances that are intended to be 'released', the guidance document states there is no requirement for *registration*.

Furthermore, requirements for *notification* are limited only to those substances (contained in the articles) that are classed as 'substances of very high concern' (SVHCs), and even then only under specific circumstances.

The SVHCs that may require notification will be named on the so called 'candidate list' which should be published on the ECHA website towards the end of this year. Such notifications will not be required until June 2011.

We will continue to monitor the ECHA web site and review the list of candidate substances against the substances contained in the articles we supply so that notification can be made, where required.

Please be assured that we are committed to compliance with the REACH regulation and will continue to take an appropriate course of action. Please contact me if you have any questions or concerns.