Affidavit

I, Emma York, being over the age of 18 and of sound mind, state and depose under oath as follows:

1. I am employed at Evonik Corporation in Lafayette, Indiana. I have worked at the Tippecanoe Laboratories facility for 9 years in various positions related to Environmental, Safety and Health. I started my employment at the site in 2004 when it was owned and operated by Eli Lilly and Company. Currently, my title is Manager, Environmental, Safety, Health and Security, and I oversee 26 employees (18 Evonik personnel and 8 contractors).

2. Through recent discussion with a colleague who had previously been responsible for CEMS operation and maintenance at the facility, I became familiar with the operating history of the Cooper/Pall multi-metals Continuous Emissions Monitoring System located at Evonik's Tippecanoe Laboratories, Indiana facility (hereinafter "Facility") discussed herein.

3. Evonik acquired the Facility on January 1, 2010 as part of an asset purchase from Eli Lilly and Company. A rotary kiln incinerator (hereinafter "Incinerator") exists at the Facility and has existed at the Facility since the time of the acquisition.

4. Evonik uses the Incinerator to dispose of a homogenous waste feed generated from both onsite and offsite operations. The Incinerator is not a commercial hazardous waste incinerator.

5. At the time of the acquisition, a Cooper/Pall multi-metal Continuous Emissions Monitoring System unit (hereinafter "CEMS") existed on the Incinerator. Evonik understood the CEMS had been installed by Eli Lilly and Company in 2004 through a joint project between Eli Lilly and Company and Cooper Environmental Services.

6. When Evonik acquired the Facility, Evonik operated the CEMS in a very limited capacity, namely during RATA and performance testing only. The CEMS had operated intermittently for approximately six months following original installation in 2004. In the years following the original installation, the CEMS experienced frequent maintenance issues.

7. In 2005, the facility ceased using the CEMS during normal daily operations to measure emissions from the Incinerator. Rather, the CEMS was used only for short periods of time during testing or audits.

8. Evonik removed the CEMS from service permanently in August, 2011 due to software and firmware problems.

9. The facility's experience with the CEMS was that the CEMS was costly in terms of time and maintenance.

10. Ever since purchasing the facility in 2010, Evonik has not relied on the multi-metals CEMS for official monitoring purposes under the site's Title V permit

FURTHER AFFIANT SAYETH NOT.

SWORN AND SUBSCRIBED
Before me this 12th day
of March, 2013.

Notary Public Gerald M. Shank

My Commission Expires:
2-13-2017

GERALD M. SHANK
Tippecanoe County
My Commission Expires
February 13, 2017