



031

11-11-06

Top Hat Plan Exemption
Employee Benefits Security Administration

2520032540616

Room N-1513
U.S. Department of Labor
200 Constitution Avenue NW
Washington, D.C. 20210

Gentlemen:

Pursuant to Labor Department Regulations Section 2520.104-23, Alternative Method of Compliance for Pension Plans for Certain Selected Employees, BYK-Chemie USA Inc. respectfully submits the following:

1. Name and Address of Employer:

BYK-Chemie USA Inc.
524 South Cherry Street
Wallingford, CT 06492-7651

2. Employer Identification Number:

13-1978006

3. Declaration:

BYK-Chemie USA Inc. maintains an unfunded non-qualified arrangement for the purpose of providing deferred compensation for a select group of management or highly compensated employees. There are currently 5 (five) employees in this plan.

Please direct any inquiries to my attention.

BYK-Chemie USA Inc.

By: Matthew Wallace

Title: VP FINANCE & OPERATIONS

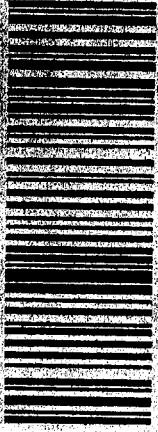
BYK-Chemie USA Inc.
524 South Cherry Street
Wallingford, CT 06492-7651
Telephone (203) 265-2086
Te efax (203) 284-9158
www.byk-chemie.com
cs@bykchemieusa.com

ALSTON & BIRD LLP

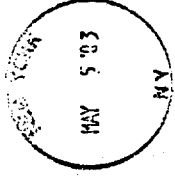
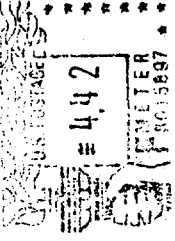
90 Park Avenue
New York, New York 10016-1387

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

CERTIFIED MAIL



7002 0860 0004 4075 5042



CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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