

APG SILICA TRUST
Notice of Acceptance of Claims Filings
and
Frequently Asked Questions

December 4, 2013

Please see the attached Notice of Acceptance of Claims Filings for information on how to file claims arising from silica-related disease with the APG Silica Trust, how to obtain additional information and how to obtain claim forms and other relevant documents.

A claim form is attached for your convenience. Claims may be filed electronically, by facsimile, by overnight delivery or by mail.

In addition, please see the attached Frequently Asked Questions for answers to the questions the APG Silica Trust has been receiving from prospective claimants.

APG SILICA TRUST

Anne M. Ferazzi, Trustee

APG SILICA TRUST

Notice of Acceptance of Claims Filings

December 4, 2013

The APG Silica Trust (the “**Trust**”) was established on April 30, 2013 pursuant to the Third Amended Plan of Reorganization of Global Industrial Technologies, Inc., et al., dated December 8, 2005, as Amended, Revised and Supplemented, as confirmed by an order of the United States Bankruptcy Court for the Western District of Pennsylvania entered on February 13, 2013, and affirmed by an order of the United States District Court for the Western District of Pennsylvania entered on March 11, 2013 (the “**GIT Plan**”), pursuant to Section 1121(a) of Title 11 of the United States Code (the “Bankruptcy Code”) in the Chapter 11 Case of Global Industrial Technologies, Inc., et al. (the “**Bankruptcy Case**”), Case No. 02-21626 JKF in the United States Bankruptcy Court for the Western District of Pennsylvania (the “**Bankruptcy Court**”).

Capitalized terms used herein and not otherwise defined shall have the meanings assigned to them in the GIT Plan, the Definitions attached as Exhibit 1 to the Disclosure Statement to Accompany the Third Amended Plan of Reorganization dated December 28, 2005 of Global Industrial Technologies, Inc. and its Subsidiaries, as amended and modified, or the TDP (defined below).

The sole trustee of the Trust is Anne M. Ferazzi, and the Trust Advisor is Bryan Blevins of the Provost Umphrey Law Firm, L.L.P. The Future Claims Representative is Philip A. Pahigian, and counsel to the Future Claims Representative is Gary P. Nelson of Sherrard, German & Kelly, P.C. General Counsel to the Trust is Steven A. Buxbaum of Haynes and Boone, LLP. The Trust was formed to resolve all APG Silica Trust Claims and Demands for which the APG Entities (as defined in Exhibit A hereto) have Legal Responsibility, as provided in and required by the GIT Plan and the APG Silica Trust Agreement. As used in the TDP “**Legal Responsibility**” means responsibility for (i) a claim for personal injury caused by exposure to goods manufactured or sold, or by operations (including installation) conducted by an APG Entity where initial exposure occurred on or prior to February 14, 2002, which is the Petition Date applicable to each of the APG Entities, involving products containing respirable crystalline silica or (ii) a claim for personal injury caused by exposure to goods manufactured or sold, or operations (including installation) conducted by General Refractories Company on or prior to August 1, 1994, involving products containing respirable crystalline silica. “**Legal Responsibility**” does not include responsibility for workers’ compensation claims.

The Trust will be accepting claims filings by mail, facsimile or overnight delivery effective December 15, 2013 for Silica Personal Injury Claims. The Trust will accept claims filings electronically as soon as its claims system is fully functional. That will be announced on the Trust’s website identified below. Claims for which the applicable statute of limitations had expired before February 14, 2002 are not eligible for payment by the Trust. Claims which were first diagnosed prior to February 14, 2002 for which the applicable statute of limitations had not expired on or before that date must be filed with the Trust on or before December 31, 2014. Claims first diagnosed after February 14, 2002 must be filed with the Trust on or before December 31, 2016 or within three years after the date of first diagnosis, whichever occurs later.

See the TDP, available on the Trust's website, for a description of the types of claims, medical and exposure criteria, claims values and other matters. The Trustee has established an initial payment percentage for the Trust of 20% with the consent of the Future Claims Representative and the Trust Advisor.

Claims are being processed for the Trust by Trust Services, Inc., P.O. Box 1299, Greenville, TX 75403-1299. The Claim Form, the Trust Distribution Procedures (the "**TDP**") and the APG Silica Trust Agreement are available at www.apgsilicatruster.org. Copies of those documents are also available by mail by request to Trust Services, Inc. in writing or by (toll free) telephone at 1-866-618-8814. Claims may be filed electronically. Law Firms representing claimants should contact Joyce Rutter (903) 453-2160 ext. 176 or jrutter@trustservices.org at Trust Services, Inc. for law firm registration, training or further information on claims submission.

**NOTICE REGARDING REPORTING OF ALLOWED CLAIMS TO THE CENTERS
FOR MEDICARE & MEDICAID SERVICES**

THE TRUST IS REQUIRED TO, AND WILL, REPORT ALL PAYMENTS IT AGREES TO MAKE TO OR FOR THE BENEFIT OF CLAIMANTS FOR WHOM REPORTING IS REQUIRED TO THE CENTERS FOR MEDICARE & MEDICAID SERVICES, WHICH MAY SEEK TO RECOVER A PORTION OF THOSE PAYMENTS FROM CLAIMANTS TO RECOVER MEDICARE OR MEDICAID BENEFITS PAID TO OR FOR THE INJURED PARTY ON ACCOUNT OF A SILICA-RELATED DISEASE.

By filing a claim with the Trust, claimants consent to any required reporting by the Trust to the Centers for Medicare & Medicaid Services of the United States Department of Health and Human Services and/or any other agency or successor entity charged with responsibility for monitoring, assessing, or receiving reports made under Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (P.L. 110-173), or any other similar statute or regulation, and any related rules, regulations, or guidance issued or amendments or amendatory statutes passed in connection therewith (the Centers for Medicare & Medicaid Services of the United States Department of Health and Human Services and/or any other such agency or successor entity are collectively referred to herein as "**CMS**"), of the name and the social security number of, and amounts the Trust has agreed to pay to, claimant and other information required to be reported to CMS if claimant has an allowed APG Silica Trust Claim. In addition claimants consent to the Trust reporting such information to the APG Entities and the APG Silica Trust Funding Insurers if required on the terms and under the circumstances described in the APG Silica Trust Agreement. In the absence of satisfaction or waiver of any CMS subrogation lien, it is anticipated that CMS will require each claimant to reimburse CMS, in its role as secondary payor, for some or all of any funds previously paid by CMS, and not yet recovered or settled and released, for medical care of the claimant or the Injured Party, as applicable, on account of a Silica-related disease.

APG SILICA TRUST

Frequently Asked Questions

December 4, 2013

1. What silica-related diseases are covered by the Trust?

Simple Silicosis, Severe Silicosis, Lung Cancer with underlying Silicosis, Complicated Silicosis.

2. Will the Trust allow claims for mixed dust disease or mixed dust pneumoconiosis?

The Trust will only allow claims for mixed dust disease or mixed dust pneumoconiosis if the claimant has a diagnosis of Silicosis.

3. If I filed a claim in the Global Industrial Technologies, Inc. Chapter 11 case, do I need to file a claim with the APG Silica Trust in order to receive a payment?

Yes, under the GIT Plan, claimants with a claim for a silica-related disease were not given any monetary award, but were given the right to file a claim with the APG Silica Trust. The claim must meet the criteria for a Type 1, Type 2 or Type 3 Claim to receive an allowance of the claim from the Trust. There is no automatic allowance or payment by the Trust to any claimant.

4. If I was a plaintiff in a lawsuit against A.P Green Refractories or Global Industrial Technologies, Inc. prior to the filing of the Chapter 11 case on February 14, 2002, do I need to file a claim with the APG Silica Trust in order to receive a payment?

Yes, under the GIT Plan, claimants with a claim for a silica-related disease, including those who previously filed suit on their claims, were not given any monetary award, but were given the right to file a claim with the APG Silica Trust. The claim must meet the criteria for a Type 1, Type 2 or Type 3 Claim to receive an allowance of the claim from the Trust. There is no automatic allowance or payment by the Trust to any claimant.

5. Do I have to provide medical evidence of my silica-related disease to the Trust?

Yes, the Trust Distribution Procedures (“TDP”) identify the medical evidence and the diagnosis that must be provided to the Trust for allowance of a Type 1, Type 2 or Type 3 Claim.

6. Do I have to provide the Trust with proof of exposure to silica-containing products?

The APG Entities made and sold silica-containing refractory products which were used in a variety of industries listed in the TDP. Claimants filing a Type 1 Claim must prove a

minimum of six months' exposure in one of those industries. Claimants filing a Type 2 Claim must prove a minimum of six months' exposure in one of those industries as well as a minimum of six months' exposure in one or more of the occupations listed in the TDP that involve an increased exposure to refractory products. The exposure must have been at least ten years prior to the date of initial diagnosis of a silica-related disease. Claimants filing a Type 3 Claim do not need to prove exposure and only need to meet the medical criteria for one or more of the silica-related diseases listed in the TDP.

7. How can I prove exposure in an industry or occupation?

The TDP provides alternative means for proving exposure in an industry or occupation, including social security records and third-party affidavits.

8. What is the last date of exposure that will support a Claim against the Trust?

Initial exposure must have occurred on or prior to February 14, 2002 to support a Claim against the Trust.

9. What is a Convenience Class Claim, and am I eligible to file one?

A Convenience Class Claim is a Type 3 Claim as discussed above. To file a Convenience Class Claim, you must have cast a ballot for or against approval of the GIT Plan and elected Convenience Class treatment on the ballot. The Trust has a list of those eligible to file a Type 3 Claim and will not consider Type 3 Claims for anyone not on the list. Anyone who did elect Convenience Class treatment on his or her ballot is not limited to filing a Type 3 Claim and can file a Type 1 or Type 2 Claim instead of a Type 3 Claim.

10. How will Convenience Class Claims be paid?

See the response to question #16 below. Type 3 Claims have a full value of \$1,000, but they will not be paid unless and until the Payment Percentage reaches 50%, and when they are paid, the \$1,000 ALV will be multiplied by the Payment Percentage to determine the payment amount. The initial Payment Percentage has been set at 20%, and it is unknown whether the Payment Percentage will be increased to or above 50% in the future.

11. Can I meet the exposure requirements if my only exposure to silica products was as a sandblaster?

The GIT Entities made and sold silica-containing refractory products and did not make or sell any sandblasting products or materials. As a result, you cannot satisfy the Trust's exposure requirements if your only exposure was to sandblasting operations, unless your exposure was in a foundry or other setting where refractory products were used. In that case, you could be eligible for a limited recovery for a Type 1 or Type 2 claim as provided in the TDP.

12. Does the Trust have responsibility for workers' compensation claims against the GIT Entities?

No, the Trust does not pay workers' compensation claims against the GIT Entities, except in the limited circumstances provided in the TDP.

13. How can I file a claim?

*Claimants can obtain claims materials and other important documents from the Trust's website (www.apgsilicatrust.org) or from Trust Services, Inc. as explained in the Notice of Acceptance of Claims Filings dated December 4, 2013 (the "**Notice**"). A claim form was delivered with each copy of the Notice and is available on the Trust's website. Claims may be filed electronically, by facsimile, by overnight delivery or by mail.*

14. Is there a deadline for filing my claim?

*Yes. If your silica-related disease was first diagnosed before February 14, 2002 and the applicable statute of limitations had not expired by that date, you must file your claim on or before December 31, 2014, or it will be barred. If your silica-related disease was first diagnosed after February 14, 2002, you must file your claim by the later of December 31, 2016 or the date that is three years following the date of first diagnosis. The applicable statute of limitations is the one that was in effect in the Claimant's Jurisdiction on February 14, 2002. The TDP contains a definition of the "**Claimant's Jurisdiction**."*

15. Once I file a claim, how long will it take for me to hear from the Trust?

The Trust will process claims on a first-in, first-out basis. The Trust anticipates an initial filing of thousands of claims, so it may take several months before you hear from the Trust. If your claim is incomplete or there are other deficiencies in your filing, the Trust will notify you of the deficiencies as provided by the TDP, and you will have an opportunity to cure the deficiencies.

16. If the Trust allows my claim, what will be the value of the claim and how much will I receive?

*The value of an allowed claim (its "**Allowed Liquidated Value**" or "**ALV**") will vary by disease and with other factors that are included in the information you provide in the claim form. The TDP sets forth scheduled and maximum values by disease for Type 1 and Type 2 Claims. Type 3 Claims have an ALV of \$1,000. The amount paid will be the ALV for the allowed claim multiplied by the applicable Payment Percentage. The Payment Percentage is set by the Trustee with the consent of the APG Silica TAC and the APG Silica Future Claims Representative. It is a percentage that is intended to provide equal treatment to all claimants over the life of the Trust. It is not anticipated that the Trust will have enough funding to pay all claims in full. The initial Payment Percentage has been set at 20%. It may be increased or decreased in the future, and if it is*

increased, claimants who have already received their payments will receive catch-up payments to the new percentage as provided in the TDP. Type 3 Claims will not be paid unless and until the Payment Percentage reaches 50%, and when they are paid, the \$1,000 ALV will be multiplied by the Payment Percentage to determine the payment amount.

17. Why will the Trust report payments to me to the Centers for Medicare & Medicaid Services of the United States Department of Health and Human Services (“CMS”)? What is the effect of reporting those payments?

If you have received Medicare or Medicaid benefits related to your silica-related disease, CMS is entitled to recover those benefits from any payments the Trust makes to you. The Trust is contractually obligated to report the payments to CMS, and you will be obligated to resolve CMS’s claim out of the payments you receive if their claim has not been previously resolved or released.

18. Will the Trust report payments to me if I do not claim exposure to silica-containing refractory products after December 5, 1980?

The MMSEA Section 111 User Guide provides limited circumstances in which reporting is not required for payments of claims based on exposures that ended before December 5, 1980. However, reporting is required if there is a release for exposures after that date, whether or not they are claimed by the Claimant. The Trust is responsible for claims arising from exposures on or before February 14, 2002, so the release the Trust will obtain from Claimants will include a release for exposures on or after December 5, 1980, and those payments will be reported by the Trust if CMS’s claim has not been previously resolved or released.

19. What payment amount will be reported to CMS and how will it be reported?

The Trust is required to report on behalf of all insurers who settled policy claims and contributed cash amounts to the Trust, as well as on behalf of the GIT Entities. Only the amount the Trust pays to you or your attorney on your behalf (the ALV multiplied by the Payment Percentage) will be reported, but it will be reported under the reporting number of each settling insurer and each of the GIT Entities. Therefore, the same amount will be reported multiple times as multiple payments to you, and you may need to explain the multiple reporting to CMS if you have a claim to resolve with CMS.

20. If there is an increase in the Payment Percentage and I receive an additional payment, will that additional payment also be reported to CMS?

Yes. Only the amount the Trust pays to you or your attorney on your behalf will be reported, not the amount of the entire ALV, so subsequent payments as a result of increases in the Payment Percentage will also be reported unless CMS’s claim has been previously resolved or released.