



EDGEN MURRAY

## CONSUMER PRIVACY NOTICE

### Compliant with the “California Consumer Privacy Act of 2018”

Effective Date: January 1, 2020

This Consumer Privacy Notice (“Notice”) supplements the information contained in Edgen Murray’s Privacy Policy (<https://www.edgenmurray.com/privacy-policy/>) and applies solely to all visitors, users, and others who reside in the State of California, including customers, vendors and employees (hereinafter “Consumer(s)” or “you”). We adopt this Notice to comply with the California Consumer Privacy Act of 2018 (the “CCPA”) and any terms defined in the CCPA have the same meaning when used in this Notice.

#### 1. Information We Collect

Edgen Murray collects information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular Consumer or device (“Personal Information”). In particular, Edgen Murray, through Edgen Murray’s Website and voluntary disclosure of Personal Information by Consumers in the ordinary course of business, has collected the following categories of Personal Information from its Consumers within the last twelve (12) months:

CATEGORY	EXAMPLES	COLLECTED
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.  Some Personal Information included in this category may overlap with other categories.	YES

<p>C. Protected classification characteristics under California or federal law.</p>	<p>Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).</p>	<p>YES  <i>(Only in the context of employment)</i></p>
<p>D. Commercial information.</p>	<p>Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.</p>	<p>YES</p>
<p>E. Biometric information.</p>	<p>Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.</p>	<p>YES  <i>(Only in the context of employment)</i></p>
<p>F. Internet or other similar network activity.</p>	<p>Browsing history, search history, information on a Consumer's interaction with a website, application, or advertisement.</p>	<p>YES</p>
<p>G. Geolocation data.</p>	<p>Physical location or movements.</p>	<p>NO</p>
<p>H. Sensory data.</p>	<p>Audio, electronic, visual, thermal, olfactory, or similar information.</p>	<p>NO</p>
<p>I. Professional or employment-related information.</p>	<p>Current or past job history or performance evaluations.</p>	<p>YES  <i>(Only in the context of employment)</i></p>
<p>J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).</p>	<p>Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.</p>	<p>YES  <i>(Only in the context of employment)</i></p>

K. Inferences drawn from other Personal Information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES  <i>(Only in the context of employment)</i>
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Personal Information does not include:

- Publicly available information from government records.
- Deidentified or aggregated Consumer information.
- Information excluded from the CCPA's scope, like:
  - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
  - Personal Information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

Edgen Murray obtains the categories of Personal Information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete or products and services you purchase.
- Indirectly from you. For example, from observing your actions on our Website.

## 2. Use of Personal Information

We may use or disclose the Personal Information we collect for one or more of the following business purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to request a price quote or ask a question about our products or services, we will use that Personal Information to respond to your inquiry. If you provide your Personal Information to purchase a product or service, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders or process returns.
- To create, maintain, customize, and secure your account with us.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.

- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To help maintain the safety, security, and integrity of our Website, products and services, databases and other technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our Website, products, and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your Personal Information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Edgen Murray's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by Edgen Murray about our Website users is among the assets transferred.

Edgen Murray will not collect additional categories of Personal Information or use the Personal Information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

### 3. Sharing Personal Information

Edgen Murray may disclose your Personal Information to a third party for a business purpose. When we disclose Personal Information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that Personal Information confidential and not use it for any purpose except performing the contract.

#### *3.1 Disclosures of Personal Information*

In the preceding twelve (12) months, Edgen Murray has disclosed the Personal Information of Consumers for a business purpose. However, such disclosures have only been made in limited circumstances which vary according to a Consumer's relationship with Edgen Murray. In most circumstances, Personal Information is only disclosed when supplied by Edgen Murray employees ("Employee(s)") for a discrete purpose in connection with their employment. When a Consumer provides Personal Information to Edgen Murray, and such Personal Information is subject to a later disclosure, the Consumer will be made aware of such future disclosure at the time the Personal Information is initially provided to Edgen Murray. In no event will Personal Information be disclosed without the Consumer's prior notice of the purpose of such disclosure.

The Personal Information disclosed by Edgen Murray includes:

- Category A: Identifiers.

- Category B: California Customer Records personal information categories.
- Category C: Protected classification characteristics under California or federal law.
- Category E: Biometric information.

Edgen Murray may also disclose Personal Information:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Edgen Murray, our customers, or others.

For further information regarding Edgen Murray's internal privacy policies and procedures, please contact the Legal Department or consult Edgen Murray's internal "Personal Information Protection Policy."

### *3.2 Sales of Personal Information*

In the preceding twelve (12) months, Edgen Murray has not sold Personal Information.

## 4. Your Rights and Choices

The CCPA provides Consumers (California residents) with specific rights regarding their Personal Information. This section describes your CCPA rights and explains how to exercise those rights.

### *4.1 Access to Specific Information and Data Portability Rights*

You have the right to request that Edgen Murray disclose certain information to you about our collection and use of your Personal Information over the past 12 months. Once we receive and confirm your verifiable Consumer request (see *4.3 Exercising Access, Data Portability, and Deletion Rights*), we will disclose to you:

- The categories of Personal Information we collected about you.
- The categories of sources for the Personal Information we collected about you.
- Our business or commercial purpose for collecting or selling that Personal Information.
- The categories of third parties with whom we share that Personal Information.
- The specific pieces of Personal Information we collected about you (also called a data portability request).

### *4.2 Deletion Request Rights*

You have the right to request that Edgen Murray delete any of your Personal Information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable Consumer request (see *4.3 Exercising Access, Data Portability, and Deletion Rights*), we will delete (and direct our service providers to delete) your Personal Information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- a. Complete the transaction for which we collected the Personal Information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
- b. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- c. Debug products to identify and repair errors that impair existing intended functionality.
- d. Exercise free speech ensure the right of another Consumer to exercise their free speech rights, or exercise another right provided for by law.
- e. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *et. seq.*).
- f. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- g. Enable solely internal uses that are reasonably aligned with Consumer expectations based on your relationship with us.
- h. Comply with a legal obligation.
- i. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

#### *4.3 Exercising Access, Data Portability, and Deletion Rights*

To exercise the access, data portability, and deletion rights described above, please submit a verifiable Consumer request to us by either sending an email to [privacy@edgenmurray.com](mailto:privacy@edgenmurray.com) or calling our toll-free telephone number at 866-334-3648.

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable Consumer request related to your Personal Information. You may also make a verifiable Consumer request on behalf of your minor child.

You may only make a verifiable Consumer request for access or data portability twice within a 12-month period. The verifiable Consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm the Personal Information relates to you.

We will only use Personal Information provided in a verifiable Consumer request to verify the requestor's identity or authority to make the request.

#### *4.4 Response Timing and Format*

We endeavor to respond to a verifiable Consumer request within forty-five (45) days of its receipt. If we require more time, we will inform you of the reason and extension period in writing.

We will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable Consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your Personal Information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance, specifically a USB flash drive or CD-ROM.

We do not charge a fee to process or respond to your verifiable Consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

### **5. Non-Discrimination**

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

However, we may offer you certain financial incentives permitted by the CCPA that can result in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your Personal Information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

#### 6. Changes to Our Privacy Notice

Edgen Murray reserves the right to amend this Notice at our discretion and at any time. When we make changes to this Notice, we will post the updated Notice on the Website and update the Notice's effective date. Your continued use of our Website following the posting of changes constitutes your acceptance of such changes.

#### 7. Contact Information

If you have any questions or comments about this Notice, the ways in which Edgen Murray collects and uses your information described below, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Telephone: 866-334-3648

Email: [privacy@edgenmurray.com](mailto:privacy@edgenmurray.com)

Postal Address: Edgen Murray Corporation  
Attn: Data Protection/Legal Department  
10370 Richmond Avenue, Suite 900  
Houston, Texas 77042