To: Minor, Dustin[Minor.Dustin@epa.gov]
Cc: Cohen, Adam[Adam.Cohen@dgslaw.com]
From: Cohen, Adam
Sent: Wed 1/31/2018 5:10:26 PM
Subject: ACMS Past Costs AOC - 1951 Contract
Contract No GS-OOP(d)-12116.pdf

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Dusty – I'm forwarding a copy of the 1951 contract entered into between the United States and Anaconda Copper Mining Company, which I referenced on yesterday's call. After considering this further and discussing it with Atlantic Richfield, I think the third option we discussed on the call has the best prospects for success. I look forward to seeing EPA/DOJ's next draft of the AOC, including the revisions we discussed (i) concerning the scope of ARC's reserved contribution claims under § 113(f) (to include claims to recover costs incurred in performing all Work under the UAOs) and (ii) listing or leaving blanks for the additional US departments and agencies that would be subject to suit.

Adam S. Cohen ▪ Partner
P: 303.892.7321 ▪ C: 720.936.3017 ▪ P: 303.892.9400 ▪ vcard
Davis Graham & Stubbs LLP

1550 17th Street, Suite 500 ▪ Denver, CO 80202

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