To: Elsen, Henry[Elsen.Henry@epa.gov]; 'Sither, John (ENRD)'[John.Sither@usdoj.gov]; Freeman, James (ENRD)[James.Freeman2@usdoj.gov]
Cc: Richard Curley[rcurley@curleylegal.com]; Kelley, Jill (Kelly Services)[Jill.Kelley@bp.com]; Cord Harris[Cord.Harris@bp.com]; Thun, Roy I[Roy.Thun@bp.com]; Sturn, David[sturn.david@epa.gov]; Jim Freeman[james.freeman2@usdoj.gov]; Jean Martin[martija5@bp.com]; Lensink, Andy[Lensink.Andy@epa.gov]; Vranka, Joe[vranka.joe@epa.gov]; 'Thun, Roy I'[Roy.Thun@bp.com]; Kelley, Jill (Kelly Services)[Jill.Kelley@bp.com]
From: Duffy, William
Sent: Tue 7/9/2013 1:08:18 AM
Subject: RE: Interest Calculation for the Interim Past Costs Consent Decree - U.S. v. ARCO (D. Mt.)

Thank you, Henry. Your estimate of the interest due through the date of lodging (paragraph 17.b) is sufficient at this point.

I would appreciate if you, or perhaps this request is better directed to John or Jim, would provide Atlantic Richfield with an estimated timeframe for the US' filing of a motion to enter the CD, assuming no adverse comments were received? If comments were received during the comment period, I ask that the US share such comments with me for distribution to my client group. Thank you.

Bill

Bill Duffy

Davis Graham & Stubbs

1550 Seventeenth Street, Suite 500

Denver, CO 80202

(303) 892-7372 (direct)

From: Elsen, Henry [mailto:Elsen.Henry@epa.gov]
Sent: Monday, July 08, 2013 12:47 PM
To: Duffy, William
Cc: Richard Curley; Kelley, Jill (Kelly Services); Cord Harris; Thun, Roy I; Sturn, David; John Sither; Jim Freeman; Jean Martin; Lensink, Andy; Vranka, Joe
Subject: Interest Calculation for the Interim Past Costs Consent Decree - U.S. v. ARCO (D. Mt.)

Bill,

Pursuant to subparagraph 17.b. of the Interim Past Costs Consent Decree (CD) lodged in U.S. v. ARCO (D.Mt.), EPA is obligated to provide an interest calculation to the Atlantic Richfield Company (AR) within 30 days of the date of lodging of the CD, for Interest costs described in that subparagraph (updated Interest through the date of lodging). By my calculations, today is when the thirty days from lodging date occurs.

EPA has done an informal calculation of such Interest. That amount will be approximately $130,000. Payment of the final interest calculation by AR is due within 30 days of the date of entry of the CD, and is in addition to the other payments described in Paragraph 17 of the CD.

Unfortunately, because of furloughs and leave time for key financial personnel, EPA cannot at this time provide the formal calculation of such interest. We expect that formal calculation to be prepared and finalized within the next two weeks.

Thank you. Please let me know if you have questions or concerns.

Henry Elsen, Attorney

Legal Enforcement Program

US EPA Region 8