To: Guevara, David[DGuevara@taftlaw.com]
Cc: Lam, Shelly[lam.shelly@epa.gov]; Marks, Thomas[marks.thomas@epa.gov]; Bednarz, Michael[bednarz.michael@epa.gov]; Jansen, Sally[jansen.sally@epa.gov]
From: Gonzalez, Maria
Sent: Mon 6/24/2013 9:18:00 PM
Subject: RE: FW:

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It is my understanding that Mike has gone through the cost documentation with your insurance contact. I think she had questioned the contractors' annual allocation charge and he explained that to her. Please confirm that we can proceed with the AOC, with its past cost figure of $118,046.25.

The language and terms of the draft AOC are subject to Agency review.

From: Guevara, David [mailto:DGuevara@taftlaw.com]
Sent: Thursday, June 20, 2013 11:46 AM
To: Gonzalez, Maria
Cc: Lam, Shelly; Marks, Thomas
Subject: RE: FW:

Maria,

The insurers inform me that the calculation of the US EPA's past costs in an amount of $118,046.25 does not comport with the actual invoices provided to us which total $117,617.27, for a difference of $428.98.

Can you explain the discrepancy?

Thank you.

Taft /

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Indianapolis, Indiana 46204-2023
Tel: 317.713.3500 • Fax: 317.713.3699
Direct: 317.713.3453
www.taftlaw.com / DGuevara@taftlaw.com

From: Guevara, David
Sent: Tuesday, June 18, 2013 3:42 PM
To: 'Gonzalez, Maria'
Cc: Lam, Shelly; Marks, Thomas
Subject: RE: FW:

Yes, thank you for following up on this matter.

Internal Revenue Service Circular 230 Disclosure: As provided for in Treasury regulations, advice (if any) relating to federal taxes that is contained in this communication (including attachments) is not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any transaction or matter addressed herein.

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From: Gonzalez, Maria [mailto:gonzalez.maria@epa.gov]
Sent: Tuesday, June 18, 2013 3:13 PM
To: Guevara, David
Cc: Lam, Shelly; Marks, Thomas
Subject: FW:

I am checking in to confirm that we can continue to process the AOC. You had asked me to wait until Monday.

From: Gonzalez, Maria
Sent: Friday, June 14, 2013 2:10 PM
To: 'Guevara, David'
Cc: Lam, Shelly; Marks, Thomas
Subject:

CONFIDENTIAL: FOR DISCUSSION PURPOSES ONLY

As discussed, I am attaching the current revision of the AOC, along with a comparison document of that revision with the revision I sent you on May 10, 2013. I caught a few spacing, cross reference, and citation errors. For example, the definition of future response costs referenced paragraph 23 (on off-site shipments) instead of 25 (on access); the directions for contesting future response costs at one point referred back to payment in the manner set forth in paragraph 37 (authority of On-Scene Coordinator) instead of paragraph 39; the financial assurance provision saying that Respondent must comply with 264.143(f) if it seeks to demonstrate the ability to complete the Work through a guarantee or demonstration by a third party referred back to 80.a. (surety bond), instead of 80.(e) and (f), and used "Part" instead of the section symbol for citations to sections in the C.F.R.; and paragraph 83 referenced Section "XV" for Dispute Resolution, instead of XVI. As discussed I also deleted the section on public comment as this Settlement does not compromise our past costs.

The language and terms of the attached draft AOC are subject to Agency review.

Maria Gonzalez

Associate Regional Counsel

U.S. EPA, Region 5

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Chicago, Illinois 60604

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