To: Monsen, Dawn M.[dawn.monsen@klgates.com]; Vaughn, Stephanie[Vaughn.Stephanie@epa.gov]
Cc: Mack, Karyllan Dodson[Karyllan.Mack@klgates.com]
From: Flanagan, Sarah
Sent: Mon 10/21/2013 9:29:54 PM
Subject: RE: LPRSA RI/FS Trust
Revised Performance Guarantee_102113.PDF

Dawn,

Thank you. Attached is EPA's letter approving the Revised Performance Guarantee.

-Sarah

Sarah P. Flanagan
Office of Regional Counsel, NJ Superfund Branch
USEPA, Region 2
290 Broadway, 17th Floor
New York, NY 10007
Tel: 212-637-3136

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From: Monsen, Dawn M. [mailto:dawn.monsen@klgates.com]
Sent: Monday, October 21, 2013 11:51 AM
To: Flanagan, Sarah; Vaughn, Stephanie
Cc: Mack, Karyllan Dodson
Subject: RE: LPRSA RI/FS Trust

Sarah,

We hope to deposit the additional $2 million before December 13, but included a short period of time to collect any overdue assessments from Group members. We can also prepay a portion in mid- to late-November to the extent we don't have the full $2 million collected. We confirm

that the balance will not drop below $1 million.

Thanks,
Dawn

From: Flanagan, Sarah [mailto:Flanagan.Sarah@epa.gov]
Sent: Friday, October 18, 2013 4:50 PM
To: Monsen, Dawn M.; Vaughn, Stephanie
Cc: Mack, Karyllan Dodson
Subject: RE: LPRSA RI/FS Trust

Dawn,

After the first half of the tenth payment of $4 million has been deposited in the Trust (let's say next week), and the group of invoices that you submitted today are paid (in the first week of November), it looks like there would be approximately $1.45 million remaining in the Trust.

Assuming the remainder of the tenth payment is due by December 13, 2013 as proposed, could you confirm that the account balance will not drop below $1 million, between now and that date?

Thanks

-Sarah

Sarah P. Flanagan
Office of Regional Counsel, NJ Superfund Branch
USEPA, Region 2
290 Broadway, 17th Floor
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From: Monsen, Dawn M. [mailto:dawn.monsen@klgates.com]
Sent: Friday, October 18, 2013 2:10 PM
To: Vaughn, Stephanie; Flanagan, Sarah
Cc: Mack, Karyllan Dodson
Subject: LPRSA RI/FS Trust

Stephanie and Sarah,

Attached please find a proposal for a revised performance guarantee for the RI/FS Trust. We included not later than December 13, 2013 as the due date of the tenth payment. However, pursuant to our discussions, the CPG will pre-pay a portion of the tenth payment in the amount of at least $2 million as soon as possible. $1.5 million has been transferred by de maximis to US Bank and $500,000 will be transferred in the next few days. Written confirmation will be provided to EPA. We will transmit the second $2 million as soon as funds are collected from Group members, which we will push for in advance of December 13. Please let us know if you have any questions.

Thanks,
Dawn

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