



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Office of Regional Counsel

Andrew S. Goldman (3RC10)
215-814-2487
Goldman.andrew@epa.gov

The date of this letter is the date on the digital signature.

VIA EMAIL

Dan J. Jordanger, Esquire
Hunton Andrews Kurth LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219

**Re: Culpeper Settlement (CERCLA-03-2020-0055DC):
Dispute Regarding EPA Demand for Stipulated Penalties**

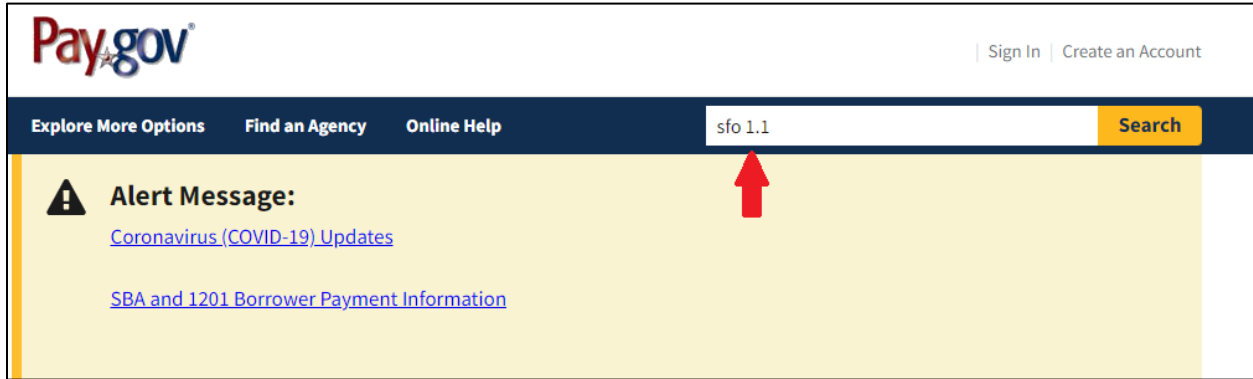
Dear Dan:

This responds to your letter of March 9, 2022, wherein you advised that your client has accepted EPA's proposal to pay \$30,000 in stipulated penalties to resolve the ongoing dispute. We are pleased to put this matter behind us.

In your letter you ask about Paragraph 50 of the settlement, which states that an agreement reached in informal dispute resolution shall be in writing and signed by the parties and, upon signature, becomes incorporated into the settlement. This requirement is intended for situations where a dispute regarding performance of the work has been resolved via informal dispute resolution and the signed agreement effects a modification to the work. It is not necessary where, as here, the dispute pertains to payment of stipulated penalties and our correspondence and your client's payment will establish a record of resolution.

Payment and notice procedures have changed as a result of EPA's enrollment in the pay.gov online payment system and EPA Region 3's ongoing office move. To close this matter out, please have your client do the following:

1. Within 30 calendar days of the date of this letter, submit payment to www.pay.gov, which accepts debit and credit cards and Automated Clearing House payments. You need not establish an account. On the www.pay.gov main page, enter sfo 1.1 in the search field and click the search button to obtain EPA’s Miscellaneous Payment Form – Cincinnati Finance Center (see image below). Complete the form with the due date, Site Name, and SSID # (which is 03M3); and



2. Provide notices required by Paragraph 66 of the settlement, except that the Paragraph 66(c) notice should be via email to me at goldman.andrew@epa.gov rather than postal mail.¹ All information required by Paragraph 66 should be included in each notice.

The period for informal dispute resolution (called the “Negotiation Period” under Paragraph 50 of the settlement) is terminated as of the date of this letter.

I thank you for your patience and cooperation as we worked through our differences. If you have any questions regarding this letter, please to not hesitate to contact me.

Respectfully,

ANDREW S. GOLDMAN
Sr. Assistant Regional Counsel

cc: Evelyn Sorto
CINWD_AcctsReceivable@epa.gov
R3_Hearing_Clerk@epa.gov

¹ Note that the email addresses in Paragraph 66(a) and 66(b) have underscores beneath spaces and should be typed as “CINWD_AcctsReceivable@epa.gov and “R3_Hearing_Clerk@epa.gov”.