

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

UNITED STATES OF AMERICA
AND THE STATE OF INDIANA,

Plaintiffs

v.

Civil No.

ATLANTIC RICHFIELD COMPANY;
ARCO ENVIRONMENTAL
REMEDICATION, L.L.C.; BP PRODUCTS
NORTH AMERICA INC.; E.I. DU PONT
DE NEMOURS AND COMPANY;
EXXON MOBIL CORPORATION;
GATX CORPORATION; GEORGIA-
PACIFIC CORPORATION; ISPAT
INLAND INC.; AND UNITED
STATES STEEL CORPORATION,

Defendants.

APPENDIX A

LIST OF FACILITIES

<u>SETTLING DEFENDANT</u>	<u>FACILITIES</u>
Atlantic Richfield Company; Arco Environmental Remediation, L.L.C	All real and personal property that Atlantic Richfield Company ("Atlantic Richfield"), ARCO Environmental Remediation LLC ("AERL"), or their predecessors owned, leased, operated or controlled in the cities of East Chicago and Hammond, Indiana, including but not limited to the former refinery properties owned by either ECI, Atlantic Richfield, or any of their predecessors in the cities of East Chicago and Hammond; all associated real property, buildings, docks, man-made structures, tanks, piping and other equipment thereon; all processing, refining, manufacturing, storage, marketing, terminal, transportation, waste treatment, demolition, environmental response and other operations and facilities thereon; and all appurtenant and connecting pipelines.

<p>BP Products North America Inc.</p>	<p>BP Products North America Inc. refinery located in Whiting, East Chicago and Hammond, Indiana including but not limited to its oil and product storage tanks, processing operations, marketing and terminal operations, power and cogeneration operations, docks, wastewater treatment plant, the area known as the J&L site and appurtenant crude oil, product and chemical pipelines and chemical operations conducted by BP Amoco Chemical Company and BP Pipelines (North America) Inc.</p>
<p>E.I. du Pont de Nemours and Company</p>	<p>The DuPont East Chicago facility consists of about 440 acres and is located at 5215 Kennedy Avenue, East Chicago, in Lake County, Indiana. The western boundary of the facility borders Kennedy Avenue. The southern boundary borders the East Branch of the Grand Calumet River. The northern boundary is due south of the Indiana Harbor Belt Railroad tracks. The eastern portion is located on natural dune and swale that extends from the northern boundary southward to the banks of the Grand Calumet.</p>
<p>Exxon Mobil Corporation</p>	<p>Former ExxonMobil refinery, then later petroleum product terminal, located at 3823 Indianapolis Boulevard in East Chicago, Indiana. Other historical company names associated with the site are Socony-Vacuum, Socony-Mobil and Mobil Oil Corporation. The refining process at the site was to manufacture aviation gasoline, automotive fuel, diesel fuel, fuel oil, and kerosene from crude oil. The facility contained storage tanks, piping and processing equipment. The facility is now owned and operated by TransMontaigne Terminals, Inc. and is used as petroleum product facility.</p>

<p>GATX Corporation</p>	<p>Since its founding in 1898, GATX Corporation, or its affiliates, subsidiaries or predecessors, owned real property in East Chicago, Indiana. It is GATX Corporation's intent that all such real property be a "Facility" for purposes of this Decree. Without limiting the foregoing, the following specific properties are listed:</p> <p>a. Approximately 39.3237 acres of real property, including buildings and railroad track, located at 4245 Railroad Avenue, East Chicago, Indiana. This property was formerly used as a rail car cleaning and repair facility. The property is currently for sale.</p> <p>b. Approximately 123.862 acres of real property, including buildings and railroad track, located at 4520 Euclid Avenue, East Chicago, Indiana, (71.575 acres located on the east side of Euclid Avenue and 52,287 acres located on the west side of Euclid Avenue). This property was formerly used as a rail car manufacturing plant. The plant was closed between 1968 and 1973 and the property subsequently sold.</p> <p>c. A large parcel of real property, including buildings, located at the corner of Railroad Avenue and West Chicago Avenue. This facility was used by GATX to manufacture Aerocoach busses. GATX exited the bus manufacturing business prior to 1950 and the facility was subsequently sold.</p>
<p>Georgia-Pacific Corporation</p>	<p>The former Georgia-Pacific tissue mill located at 2nd & Waite Street (240 Waite Street), Gary, Indiana 46404. The mill is adjacent to the Grand Calumet River. The mill is located on the south shore of the Grand Calumet River north of Industrial Highway. Included, as one of the parcels is a river water intake pond located south of the Indiana Toll Road. The total area of the property was 24.4970 acres. The mill and property referred to in this section is now owned by SCA Tissue.</p> <p>The Georgia-Pacific lagoon parcels are located on the eastern corner of Industrial Highway and Clark Road, Gary, Lake County, Indiana. The property is bounded by the Calumet River to the south, Industrial Highway to the west and the Pittsburgh, Fort Wayne & Chicago Railway right-of way to the east. The property is a 28.230 acre parcel located just east of the Gary / Chicago Airport.</p>

<p>Ispat Inland Inc.</p>	<p>The Ispat Inland Inc. facilities are comprised of the Indiana Harbor Works including but not limited to its docks, revetments, land, production and maintenance operations, raw material, product, bi-product, co-product and waste material storage, wastewater treatment plants including lagoons, property leased to others for the purpose of coke, electrical production and material handling, all of the property known as Plant 1 (Parcel ID No. 007-24-31-0005-0002), Plant 2 (Parcel ID No's. 007-24-31-0003-0004, 007-24-31-0003-0005, 007-24-31-0005-0001, 007-24-31-0006-0002, and 007-24-31-0006-0005), Plant 3 (Parcel ID No. 007-24-31-0010-0002), Plant 4 (Parcel ID No. 007-24-31-0019-0001), the Frick Property (Parcel ID No. 007-24-31-0018-0001) and the Main Office complex including buildings, garages, and parking lots collectively at 3210 Watling Street in East Chicago, Indiana (Parcel ID No's. 007-24-30-0257-0001, 007-24-30-0257-0013, 007-24-30-0257-0014, and 007-24-30-0250-0012) and Ispat Inland Research Laboratories including all buildings and land located at 3001 E. Columbus Drive also in East Chicago, Indiana (Parcel No. 007-24-31-0027-0008), approximately 2.5 acres of undeveloped property bordering on Lake Michigan at 1919 Lake Michigan Drive in Gary, Indiana (Parcel No. 001-25-40-0173-0013), and a shipping warehouse and surrounding property known as the Cline Avenue Shipping Facility at 1920 Blaine Street in Gary, Indiana (Parcel No. 001-25-40-0101-0011).</p>
<p>United States Steel Corporation</p>	<p>The United States Steel Corporation ("U.S. Steel") Facilities are comprised of properties owned, leased or operated by U. S. Steel in the cities of East Chicago and Gary, Indiana, including the East Chicago Tin Mill located on East 129th Street in East Chicago; the Gary Works Steel Plant in the northern part of the city of Gary located on the southern shore of Lake Michigan; additional properties owned by U.S. Steel on the Grand Calumet River in the vicinities of Bridge Street and Buchanan Road in the city of Gary; and two facilities formerly owned and operated by U.S. Steel on or adjacent to the Grand Calumet River in the vicinity of Bridge Street and the Indiana Toll Road in the city of Gary; all as depicted on the U.S. Steel Property Locator Map attached hereto as Exhibit 1, and all associated real and personal property, buildings, docks, inventory, man-made structures, tanks, piping and other mobile and stationary equipment thereon.</p>

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APPENDIX B


ILLUSTRATIVE MAP

(AERIAL VIEW WITH SELECTED FEATURES OF THE GCR/IHC RIPARIAN SITE)

APPENDIX B

Aerial view with selected features of the GCR/IHC Riparian Site

 Grand Calumet River, Indiana Harbor & Canal


 Indiana Dunes National Lakeshore




 Georgia Pacific

 ARCO

 BP-AMOCO

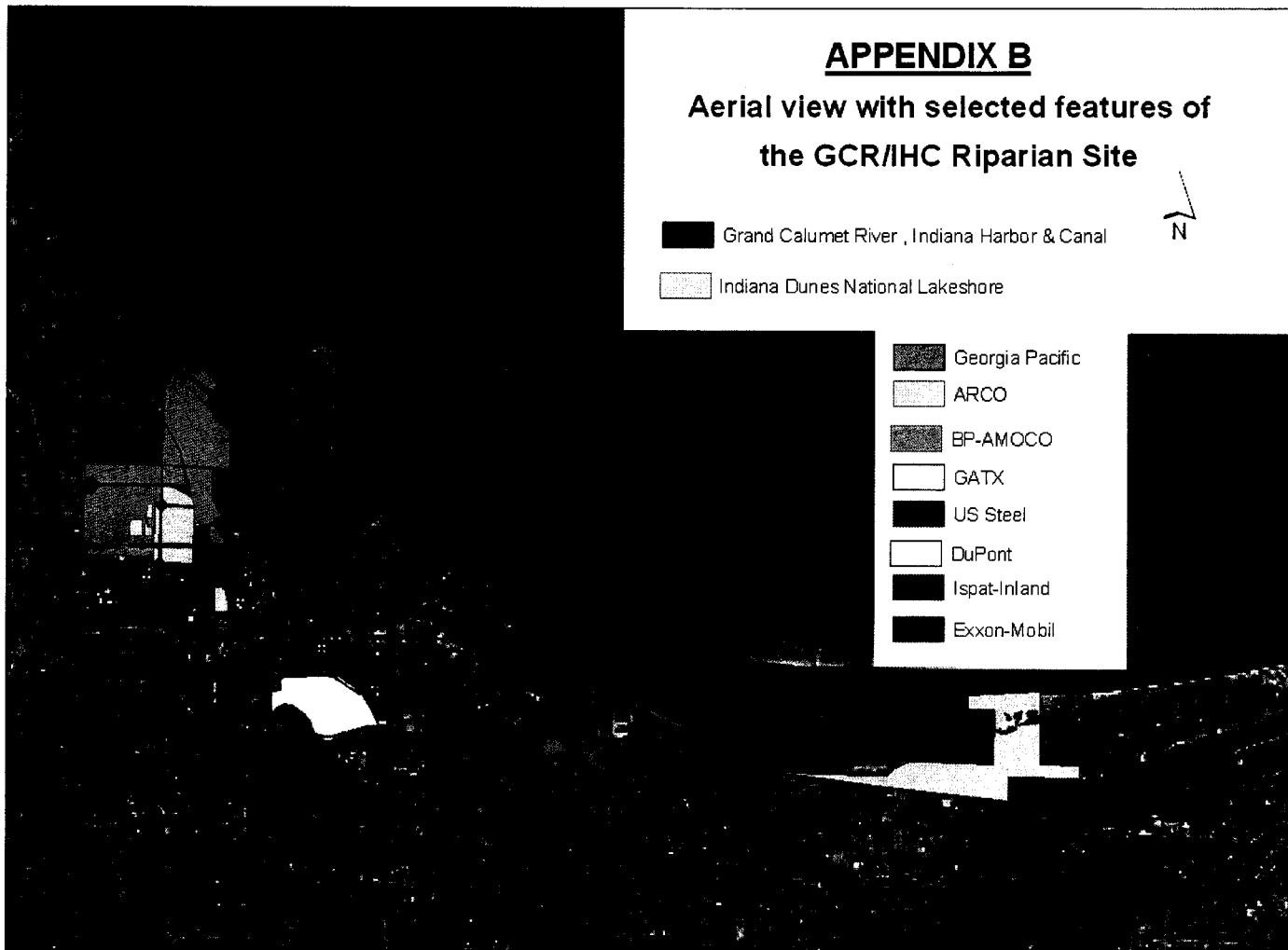
 GATX

 US Steel

 DuPont

 Ispat-Inland

 Exxon-Mobil



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APPENDIX C

LIST OF RESTORATION PROPERTIES
(and CONVEYING PARTY)

1. Lake Mary (approximately 25 acres located south of Lake George Canal). (BP).
2. Amoco Wetlands (approximately 25 acres located south of Lake George Canal). (BP).
3. Approximately 8 acres owned by Republic Technologies International f/n/a Republic Engineered Steels, Inc., located in Calumet Township, Lake County Indiana, part of Section 2, Township 36 North, Range 8 West of the Second Principal Meridian. (United States Steel Corporation).
4. Dupont natural dune and swale parcel (approximately 172 acres located east of the old manufacturing area); to submit the land to a conservation easement for the benefit of the Indiana Department of Natural Resources. (Dupont)
5. Up to three acres of the (former) lagoon property owned by Georgia-Pacific, to be identified by IDEM. (Parcel 1: Part of the Southwest Quarter of Section 31, Township 37 North, Range 8 West of the Second Principal Meridian being more particularly described as beginning at the

Southwest corner of said Section; Parcel 2: Part of the Northwest Quarter of Section 6 Township 36 North, Range 8 West of the Second Principal Meridian being more particularly described as beginning at the Northwest corner of said Section 6). (Georgia-Pacific)

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APPENDIX D

LIST OF COMPANIES ASSOCIATED WITH CERTAIN SETTLING DEFENDANTS

SETTLING DEFENDANT	OTHER PARTIES
BP Products North America Inc.	BP Amoco Chemical Company BP Pipelines (North America) Inc. BP Corporation North America Inc.
GATX Corporation	GATX Financial Corporation, a Delaware corporation GATX Tank Erection Corporation, a Delaware corporation
Ispat Inland Inc.	Inland Steel Company Inland Steel Industries Ryerson Tull
United States Steel Corporation	Elgin, Joliet & Eastern Railway Company

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APPENDIX E

PAYMENT OBLIGATIONS OF SETTLING DEFENDANTS

COMPANY	RESTORATION COST PAYMENT	ASSESSMENT COST PAYMENT TO DOI	ASSESSMENT COST PAYMENT TO IDEM	TOTAL ASSESSMENT COST PAYMENT	TOTAL PAYMENTS
Atlantic Richfield Company/AERL	\$5,700,000	\$182,143	\$107,143	\$289,286	\$5,989,286
BP	\$2,500,000	\$79,887	\$46,992	\$126,879	\$2,626,879
DuPont	\$10,000,000	\$319,549	\$187,970	\$507,519	\$10,507,519
Exxon Mobil Corporation	\$2,400,000	\$76,692	\$45,113	\$121,805	\$2,521,805
GATX	\$2,300,000	\$73,496	\$43,233	\$116,729	\$2,416,729
Georgia Pacific	\$2,400,000	\$76,692	\$45,113	\$121,805	\$2,521,805
Ispat Inland	\$7,900,000	\$252,444	\$148,496	\$400,940	\$8,300,940
United States Steel	\$20,453,000	\$639,097	\$375,940	\$1,015,037	\$21,468,037
TOTAL	\$53,653,000	\$1,700,000	\$1,000,000	\$2,700,000	\$56,353,000

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APPENDIX F

PAYMENT SCHEDULES FOR RESTORATION COSTS

COMPANY	60 days after Effective Date of Consent Decree (P1)	P1 + 1 year¹	P1 + 2 years¹	P1 + 3 years¹	P1 + 4 years¹
Atlantic Richfield Company/AERL	\$1,140,000	\$1,140,000	\$1,140,000	\$1,140,000	\$1,140,000
BP	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
DuPont	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Exxon Mobil Corporation	\$2,400,000				
GATX	\$460,000	\$460,000	\$460,000	\$460,000	\$460,000
Georgia Pacific	\$480,000	\$480,000	\$480,000	\$480,000	\$480,000
Ispat Inland	\$1,580,000	\$1,580,000	\$1,580,000	\$1,580,000	\$1,580,000
United States Steel	\$4,453,000	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000

¹ Amounts shown in these columns are base amounts only. Actually payments in these years will include accumulated interest calculated from the Effective Date pursuant to the terms of the Consent Decree.

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APPENDIX G

PAYMENT PROCEDURES

1. Each Settling Defendant shall make the payments required by Paragraph 6 (Restoration Costs and Interest thereon) and Paragraph 8.a. (Assessment Costs to be paid to DOI) by Fedwire Electronic Funds Transfer, in accordance with the procedures set forth in paragraph 2 below. The payments must reference NRDAR Account No. 14X5198, the Grand Calumet River/Indiana Harbor Canal Site ("GCR/IHC Riparian Site"); U.S. DOJ Reference Numbers 90-11-3-1683 and 90-11-3-1683/1, and U.S. Attorney's Office No. 2004v00049. Any payments received after 4:00 p.m. Eastern Time shall be credited on the next business day.

2. Exhibit 1 to this Appendix is an example of the electronic fund transfer procedures to be utilized in this matter. Before making any payment, each Settling Defendant must obtain additional or specific coding instructions from Anita Hoover, Office of the United States Attorney, N.D. Indiana: Telephone (219) 937-5500.

**FEDWIRE Electronic Funds Transfer
to the
United States Department of Justice**

TO: Settlers under Consent Decree in U.S.A, et al. v. Atlantic Richfield Co., et al.

To transfer funds electronically to the Federal Reserve/United States Treasury Department in New York City for credit to the United States Department of Justice, the following information must be provided to the bank from which the funds are to be transferred. This information will enable the sending bank to complete those fields associated with the beneficiary bank of a "*FedWire Structured Third Party Format*" electronic funds transfer.

ITEM	DESCRIPTION	CODING INFORMATION FOR FEDWIRE FORMAT
2	Receiving Bank ABA Code	021030004
3	Message Type Code	1000
7	Wire Amount	#[Amount to be Wired]
9 10 11	Receiving Beneficiary Bank, Name & Account No.	TREAS NYC/CTR/BNF=DEPT OF JUSTICE/AC-15030001
12	Required Beneficiary Information: *Collection Office Identifier *Debtor Name *Collection Office Claim No.	USAO/INN Atlantic Richfield Co., et al. [USAO Number - - to be provided]

ATTENTION FINANCIAL LITIGATION PERSONNEL:

Each of the above blank spaces "**MUST**" be completed before providing this form to the debtor/debtor's attorney. Once completed, the debtor/debtor's attorney must provide this form to the bank from which the funds are to be transferred to ensure that the electronic transfer of funds is accomplished and properly credited to the United States Department of Justice/Debt Accounting Operations Group.

AUTHORITY:

The above information requirements are in accordance with the United States Treasury Department "Treasury Requirements Manual/Part 6 - Chapter 8000"; Appendix E of the "Federal Reserve Bank Funds Transfer Systems Manual"; and, 31 CFR Part 206 (Federal Register - Vol. 59, No. 20).

Questions regarding this FedWire EFT should be directed to the responsible Collection Office:

POINT OF CONTACT: Anita Hoover

TELEPHONE NUMBER: (219) 937-5500

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APPENDIX H

LIST OF PRE-APPROVED RESTORATION PROPERTIES

1. Lake Mary (approximately 25 acres located south of Lake George Canal). (BP).
2. Amoco Wetlands (approximately 25 acres located south of Lake George Canal). (BP).
3. Approximately 8 acres owned by Republic Technologies International f/n/a Republic Engineered Steels, Inc., located in Calumet Township, Lake County Indiana, part of Section 2, Township 36 North, Range 8 West of the Second Principal Meridian. (United States Steel Corporation).
4. Dupont natural dune and swale parcel (approximately 172 acres located east of the old manufacturing area); to submit the land to a conservation easement for the benefit of the Indiana Department of Natural Resources. (Dupont)

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APPENDIX I

UNITED STATES STEEL CORPORATION FINANCIAL ASSURANCE PROCEDURES

1. Within 30 days of the effective date of the Consent Decree to which this document is appended ("Consent Decree"), or by January 15, 2004, whichever is later, United States Steel Corporation ("U.S. Steel") shall provide the United States Department of Interior, Office of the Solicitor, at the address set forth in Section XVI of the Consent Decree:

a. A document certified by the Vice President and Controller, United States Steel Corporation, that shows that, as of the Effective Date of the Consent Decree, U.S. Steel is able to meet the following criteria consistent with the financial test requirements set forth in 40 C.F.R. § 264.143(f)(1)(ii)(B)-(D):

(i) U.S. Steel has a tangible net worth at least six times the sum of its current closure and post-closure cost estimates and its remaining NRD consent decree restoration cost payment obligation (\$16 million);

(ii) U.S. Steel has a tangible net worth of a least \$10 million; and

(iii) U.S. Steel possesses title to assets located in the United States amounting to at least six times the sum of its current closure and post-closure cost estimates and its remaining NRD consent decree restoration cost payment obligation; and

b. A letter of credit for the restoration cost payments to be made in Years 4 and 5 (\$8 million) under the schedule set forth on Appendix G of the Consent Decree. This letter of credit shall expire no earlier than the first anniversary of the Effective Date of the Consent Decree.

2. Upon the first anniversary of the Effective Date of the Consent Decree, U.S. Steel shall

provide the Office of the Solicitor:

a. A document certified by the Vice President and Controller, United States Steel Corporation, that shows that, as of the date of the first anniversary of the effective date, U.S. Steel is able to meet the following criteria, consistent with the financial test requirements set forth in 40 C.F.R. § 264.143(f)(1)(ii)(B)-(D):

(i) U.S. Steel has a tangible net worth at least six times the sum of its current closure and post-closure cost estimates and its remaining NRD consent decree restoration cost payment obligation under the schedule set forth on Appendix G of the Consent Decree (\$12 million);

(ii) U.S. Steel has a tangible net worth of a least \$10 million; and

(iii) U.S. Steel possesses title to assets located in the United States amounting to at least six times the sum of its current closure and post-closure cost estimates and its remaining NRD consent decree restoration cost payment obligation; and

b. A letter of credit for the restoration cost payments to be made in Year 5 (\$4 million) under the schedule set forth on Appendix G of the Consent Decree. This letter of credit shall expire no earlier than the second anniversary of the Effective Date of the Consent Decree.

3. Upon the second anniversary of the Effective Date of the Consent Decree, U.S. Steel shall provide the Office of the Solicitor - -

A document certified by the Vice President and Controller, United States Steel Corporation, that shows that, as of the date of the second anniversary of the Effective Date, U.S. Steel is able to meet the following criteria, consistent with the financial test requirements set forth in 40 C.F.R. § 264.143(f)(1)(ii)(B)-(D):

(i) U.S. Steel has a tangible net worth at least six times the sum of its current closure and post-closure cost estimates and its remaining NRD consent decree restoration cost payment obligation under the schedule set forth on Appendix G of the Consent Decree (\$8 million);

(ii) U.S. Steel has a tangible net worth of a least \$10 million; and

(iii) U.S. Steel possesses title to assets located in the United States amounting to at least six times the sum of its current closure and post-closure cost estimates and its remaining NRD consent decree restoration cost payment obligation.

4. Upon the third anniversary of the Effective Date of the Consent Decree, U.S. Steel shall provide the Office of the Solicitor - -

A document certified by the Vice President and Controller, United States Steel

Corporation, that shows that, as of the date of the third anniversary of the Effective Date, U.S. Steel is able to meet the following criteria, consistent with the financial test requirements set forth in 40 C.F.R. § 264.143(f)(1)(ii)(B)-(D):

(i) U.S. Steel has a tangible net worth at least six times the sum of its current closure and post-closure cost estimates and its remaining NRD consent decree restoration cost payment obligation under the schedule set forth on Appendix G of the Consent Decree (\$4 million);

(ii) U.S. Steel has a tangible net worth of a least \$10 million; and

(iii) U.S. Steel possesses title to assets located in the United States amounting to at least six times the sum of its current closure and post-closure cost estimates and its remaining NRD consent decree restoration cost payment obligation.

5. Should U.S. Steel not be able to satisfy the above financial tests in any given year, it shall provide the Office of the Solicitor an alternative form of financial assurance consistent with Section XVII of the Consent Decree.

6. Compliance with the requirements of this Appendix shall fulfill the requirements of Section XVII of the Consent Decree.