

Emergency Planning and Community Right-To-Know Act of 1986, 42 U.S.C. §§ 11004, et seq., with which Respondent shall comply if and to the extent applicable.

XIV. AUTHORITY OF ON-SCENE COORDINATOR

54. The OSC shall be responsible for overseeing Respondent's implementation of this Order. The OSC shall have the authority vested in an OSC by the NCP, including the authority to halt, conduct or direct any Work, or to direct any other removal action undertaken at the Site. Absence of the OSC from the Site shall not be cause for stoppage of work unless specifically directed by the OSC. The OSC's authority shall only extend to the removal action (including emergency response under Section XIII) required under this Order.

XV. PAYMENT OF FUTURE RESPONSE COSTS

55. a. Respondent shall pay EPA all Future Response Costs not inconsistent with the NCP, up to a total, cumulative amount of \$400,000 in accordance with this Section XV. On an annual basis, EPA will send Respondent a bill requiring payment that includes an itemized cost summary. Respondent shall make all payments within 45 days after receipt of each bill requiring payment, except as otherwise provided in Paragraph 57.

b. Respondent shall make all payments required by this Paragraph 55 by a check made payable to "EPA Hazardous Substance Superfund," referencing Respondent's name and address and EPA Site/Spill ID number 0564 OU1 or by wire transfer in accordance with instructions provided by EPA. Respondent shall send the check(s) to:

U.S. Environmental Protection Agency
Program Accounting & Analysis Section
P.O. Box 70753
Chicago, Illinois 60673

c. At the time of payment, Respondent shall send notice that payment has been made to the Director, Superfund Division, U.S. EPA-Region 5, 77 West Jackson Blvd., Chicago,

Illinois 60604-3590.

d. The amounts paid by Respondent pursuant to subparagraph 55.a, above, shall be deposited in the GM-Bedford Special Account within the EPA Hazardous Substance Superfund to be retained and used to conduct or finance response actions at or in connection with the Site or be transferred by EPA to the EPA Hazardous Substance Superfund.

56. In the event that payment of Future Response Costs is not made within 45 days after Respondent's receipt of a bill, Respondent shall pay Interest on the unpaid balance. Interest on Future Response Costs shall begin to accrue on the date of the bill and shall continue to accrue until the date of payment. Payments of Interest made under this Paragraph 56 shall be in addition to such other remedies or sanctions available to the United States by virtue of Respondent's failure to make timely payments under this Section.

57. Respondent may dispute all or part of a bill for Future Response Costs submitted under this Order, if Respondent alleges that EPA has made an accounting error, or if Respondent alleges that a cost item is inconsistent with the NCP, subparagraph 7.g or j, above, or this Section XV. If any dispute over costs is resolved before payment is due, the amount due will be adjusted as necessary. If the dispute is not resolved before payment is due, Respondent shall pay the full amount of the uncontested costs to EPA as specified in Paragraph 55 on or before the due date. Within the same time period, Respondent shall pay the full amount of the contested costs into an interest-bearing escrow account. Respondent shall simultaneously transmit a copy of both checks to the person listed in subparagraph 55.c, above. Respondent shall ensure that, if EPA prevails in the dispute, EPA shall receive the amount upon which it prevailed from the escrow funds plus any accrued Interest due thereon within 30 days after the dispute is resolved.

XVI. DISPUTE RESOLUTION

58. Unless otherwise expressly provided for in this Order, the dispute resolution procedures of this Section XVI shall be the exclusive mechanism for resolving disputes arising