

# SUMMARY OF TERMS OF THE DECREE

The most significant terms of the proposed Decree are as follows:

## 1. Payments by Exxon

Exxon is required to pay a total of \$900 million to the Governments over a ten-year period. Decree ¶ 8. The first payment of \$90 million became payable 10 days after the parties signed the decree and will be disbursed to the Governments upon "final approval" of the Decree, i.e., as soon as the Decree has been entered as a judgment and the time for appeal from that judgment has expired.<sup>4</sup> The remaining payments are to be made on the following schedule:

December 1, 1992	\$150,000,000 <sup>5</sup>
September 1, 1993	\$100,000,000
September 1, 1994	\$ 70,000,000
September 1, 1995	\$ 70,000,000
September 1, 1996	\$ 70,000,000
September 1, 1997	\$ 70,000,000
September 1, 1998	\$ 70,000,000
September 1, 1999	\$ 70,000,000
September 1, 2000	\$ 70,000,000
September 1, 2001	\$ 70,000,000

<sup>4</sup> In accordance with Paragraph 9 of the Decree, Exxon has already deposited this first payment in an interest-bearing escrow account. The payment will be disbursed to the Governments, with the accrued interest, within five days after final approval of the Decree. See Decree ¶ 9. If the escrow account earns less interest than the Treasury bond rate calculated as described in the Decree, Exxon must pay the difference to the Governments. Id.

<sup>5</sup> As set forth in subparagraph 8(b) of the Decree, Exxon will receive a credit against this payment equal to its costs for cleanup work performed in accordance with directions of the Federal On-Scene Coordinator ("FOSC") from January 1, 1991 through March 12, 1991, up to a cap of \$4 million, plus its costs of cleanup in accordance with directions of the FOSC or the State On-Scene Coordinator after March 12, 1991.