

Revision to Captain Mark VanHaverbeke Expert Reports Based on Court's Phase Two Ruling

After becoming aware of an error concerning certain calculations related to a paragraph on page 5 of my September 12, 2014 expert report, I updated the calculations. In performing this update, I used the values found on page 5 of the United States' Third Supplemental Response to Defendants' First Set of Discovery Requests to the United States of America Relating to the Clean Water Act Penalty Phase ("U.S.

presented in errata first submitted on December 5, 2014.

included as an appendix to this revision. These errata did not alter any of the opinions or conclusions offered in my report.

I now revise my reports to conform to the Court's Phase Two Findings of Fact and Conclusions of Law (Rec.

Both my original reports and errata presented calculations of the shares of oil skimmed, burned, chemically dispersed, and deemed unrecoverable.

my errata were calculated by dividing the values for those categories found on page 5 of the U.S. Disc.

into the environment).

substituting the value given by the Court on page 44 of the Phase Two Findings in place of the U.S.

place:

Category	Calculation	Share of Total Oil
Share of oil burned	260,000/3,190,000	8.
Share of oil skimmed	160,000/3,190,000	5.

The values for oil deemed unrecoverable and chemically dispersed presented in my errata were also calculated using values taken from the U.S. Disc. Resp. Because categories in the U.S.

rates as presented in the Oil Budget Calculator (Trex-9182), I don't know that they can be accurately updated in light of the Court's ruling.

These revisions do not alter any of the opinions or conclusions offered in my report.



Mark G. VanHaverbeke

January 19, 2015

¹ In our reports, both Captain Paskewich and I relied on the values found in the U.S. Disc. Resp. in performing our calculations of the shares of oil dispersed, burned, skimmed, and available for recovery.