

Clarifications (as of October 5, 2010):

Q. Has either of the parties ratified MARPOL?

A. The answer can be found in the record.

Q. Are there reservations that either party has made to the relevant treaties or international principles that we should know about? For example, has either of the parties made a reservation to the Convention on the Law of the Sea, the Convention on Biological Diversity or MARPOL?

A. The record is silent with respect to reservations; therefore, you should assume that the parties have not made any reservations to the relevant treaties.

Q. Since Repelmuto has not ratified UNCLOS, what distance does it consider its EEZ?

A. Repelmuto claims a 200-mile EEZ.

Q. Is there stated reason why Repelmuto did not ratify UNCLOS?

A. No, the record is silent on this point.

Q. Does Repelmuto have laws that protect the marine environment?

A. Yes, you may assume that Repelmuto has domestic environmental laws comparable to other industrialized countries.

Q. In what region of the world are Repelmuto and Albacares located?

A. The specific region is not relevant, but you may assume that the countries are located in an area that supports warm water coral reefs.

Q. Are either or both countries located in a “special area,” as defined in MARPOL?

A. There is nothing in the record to indicate this, so you should assume that the Gulf of Sedna has not been established as a special area under MARPOL.

Q. What are the component chemicals of ChemEx-5000?

A. ChemEx-5000 is very similar to COREXIT 9500, which was used in the Gulf of Mexico spill. The chemical components are listed at <http://www.epa.gov/bpspill/dispersants-ganda.html#chemicals>. The precise amounts of each ingredient are considered a trade secret.

Q. Does ChemEx-5000 contain any ozone-depleting substances?

A. Please see answer above.

Q. Has Repelmuto taken a specific stance on the precautionary principle? Does it recognize it as a general principle or customary law?

A. The record is silent on this point, and you may make reasonable inferences from the record.

Q. Whose "warnings" are mentioned in paragraph 16 ("A later investigation by the Repelmutu Congress found that that Fahy Oil had ignored warnings indicating faulty safety systems in the days leading up to the explosion.")?

A. Workers on the *Blue Ocean* reported to their supervisors concerns about the proper functioning of the safety systems.

Q. What type of offshore oil rig is the *Blue Ocean*?

A. The *Blue Ocean* was a semi-submersible rig, similar to the *Deepwater Horizon* that sank in the Gulf of Mexico. Figure 1 in paragraph 11 provides a representative illustration.