

APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	Last/Name of Business ████████████████████ ██████████	First ██████████	Middle ██████████
Claimant ID	██████████	Claim ID	██████████
Claim Type	Business Economic Loss		
Law Firm	████████████████████		

II. DECISION

Select the Compensation Amount set forth in either BP's Final Proposal or the Claimant's Final Proposal as the final outcome on the claim and check the appropriate box to signify your decision.

<input checked="" type="checkbox"/> BP's Final Proposal	Compensation Amount	\$98,941
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$98,941
	Risk Transfer Premium	1.25
	Prior Payment Offset	\$0

III. PRIMARY BASIS FOR PANELIST DECISION

Please select the primary basis for your decision. You may also write a comment describing the basis for your decision.

- Error in documentation review.**
- Error in calculation.**
- Error in RTP multiplier.**
- Error in Prior Spill-Related Payment Amount.**
- No error.**

Comment *(optional)*:

BP appeals a BEL award to a ██████████ paint and flooring store on a single preserved basis, arguing that the Administrator erred in granting Claimant a Zone B designation (with a 1.25 RTP) instead of a Zone C designation (with an RTP of .25). Claimant is located on ██████████. in ██████████ in a location that is considerably south of Interstate 10. Its counsel's sole argument on appeal is that its location is within .25 miles



of an exit ramp to a limited access road, namely [REDACTED] thus placing it within one of Exhibit 1B's geographic extensions of a Zone. As BP correctly points out, the said Exhibit's map confers Zone C status , since the portion of [REDACTED] constituting Zone B ends at the southern boundary of I-10 and does not extend southward to where Claimant's premises are located. Additionally, no evidence in this record shows that [REDACTED] is a "limited access" road, as it appears to be a surface road with several cross streets and no exit ramps. Additionally, [REDACTED] south of I-10 is not included in the Exhibit 1B maps containing Zone B. Lastly, even Claimant in its Program claim form acknowledged its address and its location in Zone C. As such, BP's final proposal, agreeing to the compensation amount but reducing the RTP to a Zone C .25, must be chosen after a de novo review.