Message

From: Johnson, Kathleen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D36DE0CD8EE14FF6A6AA2F1DF9B159F6-KJOHNS05]
Sent: 4/17/2017 4:13:28 PM
To: Tomiak, Robert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e43d67fe354a4d06be80afa6eb65e614-Tomiak, Rob]
CC: Moutoux, Nicole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=574b3a85014d46d3965b59700a04a55e-NMOUTOUX]; Goforth, Kathleen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0821ccf0ea9e4c18a3d2a583158b713e-KGOFORTH]; Suriano, Elaine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=470f2e90e6dc4f5fae5ed305ee2def58-Esuriano]; Knight, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=47fc4b0c90f94826a1d9a48381f4009f-Knight, Kel]; Marshall, Tom [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5d29134e5e32489b9ab0aeb262f55075-TMARSHAL]; Eisenberg, Mindy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cfb4c26bb6f44c7db69f9884628b3ef9-Eisenberg, Mindy]; Goodin, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3eac342f280a4b9db4079c81f66d1913-JGoodin]; Brush, Jason [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ade1a32824404ed5a333dcd77f2dfc4a-JBRUSH]; Torres, Tomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8b2f42bb7a684e199190092e3a2e7520-TTORRES]
Subject: RE: Rosemont letter

Alexis did include the one-pager in the weekly to the political team – and she just forwarded that to you. All of the

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Kathleen H. Johnson
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From: Tomiak, Robert
Sent: Saturday, April 15, 2017 3:24 AM
To: Johnson, Kathleen <Johnson.Kathleen@epa.gov>
Cc: Moutoux, Nicole <Moutoux.Nicole@epa.gov>; Goforth, Kathleen <Goforth.Kathleen@epa.gov>; Suriano, Elaine <Suriano.Elaine@epa.gov>; Knight, Kelly <knight.kelly@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Goodin, John <Goodin.John@epa.gov>; Brush, Jason <Brush.Jason@epa.gov>
Subject: Re: Rosemont letter

I appreciate the clarification. Just so I'm clear, Alexis is still providing an update to the political team, correct? Do you know who that goes to?

Second, you all are drafting a response to the letter. Is Alexis "responding on behalf of the Administrator" or providing a recommended response to OICR (or someone else) to staff at HQ?

Just want to ensure I understand and can support all the pieces.

Thanks, Rob

On Apr 14, 2017, at 7:38 PM, Johnson, Kathleen <Johnson.Kathleen@epa.gov> wrote:

Hey Rob,

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We will get you copies of the letters you requested.

Thanks, and we will be in touch on this next week.

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From: Tomiak, Robert
Sent: Friday, April 14, 2017 7:01 AM
To: Moutoux, Nicole <Moutoux.Nicole@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>
Cc: Goforth, Kathleen <Goforth.Kathleen@epa.gov>; Suriano, Elaine <Suriano.Elaine@epa.gov>; Knight, Kelly <knight.kelly@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Goodin, John <Goodin.John@epa.gov>; Brush, Jason <Brush.Jason@epa.gov>
Subject: RE: Rosemont letter

One point, one ask, and one recommendation:

- I think you need to speak to the part of the Governors letter that talks about the Corps not issuing a permit until the EPA's concerns (via April 14, 2015 memo) are resolved. The paper seems to go light on the 404 component.

Please send me the April 14, 2015 memo and the State's June 12th response. I fully understand this is a memo that went out from your OW office, but I think we all here at HQ need those two documents for the full picture.

My recommendation is that you lay out options for the Administrator, [redacted] Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 For example, one option would be for the Administrator to respond with a letter (drafted by R9) that lends support, but reinforces the need to remedy critical deficiencies. Another option would be for the EPA to commit to hosting a collaborative dispute resolution discussion with USACE and the company. Sure that you all have other thoughts on options as well.....just thinking out loud a bit.

Thanks, Rob

From: Moutoux, Nicole
Sent: Thursday, April 13, 2017 6:24 PM
To: Tomiak, Robert <tomiak.robert@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>
Cc: Goforth, Kathleen <Goforth.Kathleen@epa.gov>; Suriano, Elaine <Suriano.Elaine@epa.gov>; Knight, Kelly <knight.kelly@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Goodin, John <Goodin.John@epa.gov>; Brush, Jason <Brush.Jason@epa.gov>
Subject: Re: Rosemont letter

Hi Rob-
Per Kathleen's message below, here is the 1-pager on Rosemont that our Acting RA will send out later today.
Thanks
Nicole

Nicole G. Moutoux
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From: Tomiak, Robert
Sent: Wednesday, April 12, 2017 4:12:00 PM
To: Johnson, Kathleen
Cc: Moutoux, Nicole; Goforth, Kathleen; Suriano, Elaine; Knight, Kelly; Marshall, Tom; Eisenberg, Mindy; Goodin, John; Brush, Jason
Subject: Re: Rosemont letter

Good plan; thanks! Rob

On Apr 12, 2017, at 6:46 PM, Johnson, Kathleen <Johnson.Kathleen@epa.gov> wrote:

> I spoke with Alexis about this today. She puts together an email every Thursday and sends to the political team in Washington. She would like to provide the issue paper to the team through the mechanism of her Thursday email. FYI, yesterday, we hosted Ken

Wagner, who is a newly installed political serving as a Regional Liaison to the Administrator. She gave Ken a heads up on this issue when he was here yesterday.

We had created a one-pager on this to put in a briefing book for our new (anticipated) RA. We can dust off that paper and add the latest info.

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From: Tomiak, Robert
Sent: Wednesday, April 12, 2017 4:17 AM
To: Moutoux, Nicole <Moutoux.Nicole@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>; Goforth, Kathleen <Goforth.Kathleen@epa.gov>
Cc: Suriano, Elaine <Suriano.Elaine@epa.gov>; Knight, Kelly <knight.kelly@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Goodin, John <Goodin.John@epa.gov>
Subject: Re: Rosemont letter

One follow up thought: would also appreciate your thoughts on who should forward an issue paper...OW, OECA, or R9....

Thanks, Rob

On Apr 12, 2017, at 7:12 AM, Tomiak, Robert <tomiak.robert@epa.gov> wrote:

> Very helpful; I appreciate the update. Given the visibility, I think we need to provide a status update to Byron; perhaps a one page issue paper. I will vet whatever you all draft with OW here before anything is sent forward by either of us.
>
> Thanks, Rob
>
> On Apr 11, 2017, at 3:08 PM, Moutoux, Nicole <Moutoux.Nicole@epa.gov> wrote:
>
> > Hello all
>
> **Deliberative Process / Ex. 5**

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Please feel free to call us with any questions or if you'd like more information.
Thanks
Nicole

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From: Tomiak, Robert
Sent: Friday, April 07, 2017 5:18 AM
To: Moutoux, Nicole <Moutoux.Nicole@epa.gov>; Goforth, Kathleen <Goforth.Kathleen@epa.gov>; Suriano, Elaine <Suriano.Elaine@epa.gov>
Cc: Knight, Kelly <knight.kelly@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>
Subject: RE: Rosemont letter

My first read of the letter led me to check in with Mindy Eisenberg (OW) who indicated that Jason Brush (I assume he's in your OW section?) is coordinating, so please, if appropriate, loop him in as well.

Kelly and Tom are out today, but Elaine and I could be available before noon (est); I have to head over to CEQ NLT 12:30.

It would be helpful if you have the following and can send in advance:

- Our DEIS and FEIS comments letter
- The letter R9 sent to USACE regarding the 404 permit concerns
- A summary of discussions R9 and USACE's DE have had since then, and where both agencies stand on a response to the State rebuttal

If you all have an outline of a proposed way ahead, that would also be helpful. I'll also look for you all to signal to me/Mindy that engagement with USACE HQ would be helpful.

Thanks, Rob

From: Moutoux, Nicole
Sent: Thursday, April 06, 2017 5:54 PM
To: Tomiak, Robert <tomiak.robert@epa.gov>
Subject: RE: Rosemont letter

Ok – please let me know a good time and number and we'll call you.

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From: Tomiak, Robert
Sent: Thursday, April 06, 2017 2:51 PM
To: Moutoux, Nicole <Moutoux.Nicole@epa.gov>
Cc: Knight, Kelly <knight.kelly@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>
Subject: Re: Rosemont letter

I don't think Kelly will be in, but yes, let's discuss.

Rob

On Apr 6, 2017, at 5:46 PM, Moutoux, Nicole <Moutoux.Nicole@epa.gov> wrote:

Hi Rob-

Thanks for the conversation today. I know you are all are juggling a lot – I think it helps for staff to hear the context. On another note, I'm checking in on Rosemont. We received a copy of a letter sent to Administrator Pruitt from AZ governor and there are few other things going on related to the project. Are you and Kelly available tomorrow to speak with me and Kathy Goforth.

Thanks
Nicole

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