To: Shari.Ring@cadmusgroup.com[Shari.Ring@cadmusgroup.com]; JAMES D WALKER[jameswalker5@msn.com]
Cc: Rumrill, Nancy[Rumrill.Nancy@epa.gov]; Albright, David[Albright.David@epa.gov]
From: Rao, Kate
Sent: Fri 7/14/2017 8:18:27 PM
Subject: FW: Excelsior revised application (Updated deliverable due dates)

Shari/Jim –

I have updated the below Excelsior deliverable summary in yellow highlights. If the status is incorrect, please let me know. Also, do you have a target date for item #2 and are we still on track for #3?

Thanks!

Kate

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Kate Rao
Drinking Water Protection Section (WTR 3-2)
USEPA Region 9
75 Hawthorne St., San Francisco, CA 94105
tel: (415) 972-3533 / fax: (415) 947-3549

From: Rao, Kate
Sent: Thursday, June 29, 2017 12:01 PM
To: 'Shari Ring' <Shari.Ring@cadmusgroup.com>; JAMES D WALKER <jameswalker5@msn.com>
Cc: Rumrill, Nancy <Rumrill.Nancy@epa.gov>; Albright, David <Albright.David@epa.gov>; Greenberg, Leslie <Greenberg.Leslie@epa.gov>
Subject: FW: Excelsior revised application (Updated deliverable due dates)

Shari/Jim – Based on our conversation today, see below for updated deliverable due date info and TD clarification. Please let me know if you have questions or if I did not capture our agreement correctly. Thanks. Kate

1. Review the updated permit application to determine whether it is responsive to EPA's information requests and questions. Ex. 4 - CBI

Update: a. Bonding cost estimate evaluation. Ex. 4 - CBI COMPLETED Status: Nancy is reviewing.

b. Excelsior call is Thursday 7/6 @ 10 am PT. Nancy will call Jim @ 9 am on 7/6 to go over bonding cost estimate. COMPLETED Status: Another call conducted on 7/12. Next call is 7/27.

c. Review updated permit application to determine if EPA's comments have been addressed. Ex. 4 - CBI COMPLETED Status: Nancy will review.

2. Compare the ADEQ draft APP permit to the proposed draft UIC permit conditions and identify potential conflicts or discrepancies. Ex. 4 - CBI (assuming we get the final application and permit this week).

Update: Cadmus doing initial review of ADEQ draft APP permit and comparing it to attachment P1 (FC permit) and the Excelsior draft permit. At this point, no deal breakers found. Cadmus will send to Jim to review today or tomorrow. ADEQ comment period ends on 7/21. Evaluation due to EPA on 7/14 but will try to get it in earlier so we can draft informal comments to ADEQ during the public comment period if needed. STATUS: 7/14/2017 – (see email from Shari dated 7/14/2017 @ 11:08 AM) due to FC priority tech support, Cadmus will provide deliverable the week of 7/17 … but prior to 7/21.

3. Update the proposed draft permit text to incorporate new information; also add appendices and figures from the final application. We can also address your EPA's comments on our June 9 draft, if you can provide comments in the next week or so. Ex. 4 - CBI

Update: EPA is not planning on providing comments on the June 9th draft; will review draft final permit terms and conditions. Ex. 4 - CBI STATUS: Is Cadmus still on track to submit the deliverable on 7/26?

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Kate Rao

Drinking Water Protection Section (WTR 3-2)
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75 Hawthorne St., San Francisco, CA 94105
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From: Rumrill, Nancy
Sent: Wednesday, June 21, 2017 10:34 AM
To: Rao, Kate <Rao.kate@epa.gov>
Cc: Albright, David <Albright.David@epa.gov>
Subject: FW: Excelsior revised application

Ok with the LOE. Nancy

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United States Environmental Protection Agency

Nancy Rumrill (rumrill.nancy@epa.gov)

Drinking Water Protection Section (WTR-3-2)

US EPA, Region IX

75 Hawthorne St.

San Francisco, CA 94105

Phone (415) 972-3293

From: Shari Ring [mailto:Shari.Ring@cadmusgroup.com]
Sent: Wednesday, June 21, 2017 10:30 AM
To: Rumrill, Nancy <Rumrill.Nancy@epa.gov>; Rao, Kate <Rao.kate@epa.gov>
Cc: JAMES D WALKER <jameswalker5@msn.com>
Subject: RE: Excelsior revised application
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Thank you Nancy.

I don't think your edits change the needed LOE. Jim's consultations will continue under task 5.

Good to see that the APP permit was posted.

Shari Ring

The Cadmus Group, Inc.

703.247.6159

From: Rumrill, Nancy [mailto:Rumrill.Nancy@epa.gov]
Sent: Wednesday, June 21, 2017 1:21 PM
To: Shari Ring <Shari.Ring@cadmusgroup.com>; Rao, Kate <Rao.kate@epa.gov>
Cc: JAMES D WALKER <jameswalker5@msn.com>
Subject: RE: Excelsior revised application

See edits below. The ADEQ draft permit is at http://azdeq.gov/public-notice-decision-issue-individual-app-gunnison-copper-project. I'm sending the additional ADEQ APP application material for reference, if needed, but does not need to be reviewed.

The other ongoing tasks are conference calls every two weeks with the applicant. Under this task, Jim should identify any clarifications as he's reviewing the revised application to review before the call with EPA and for discussion with Excelsior during the call.

Priorities are good. Let us know if my comments affect the LOE.

Thanks, Nancy

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United States Environmental Protection Agency

Nancy Rumrill (rumrill.nancy@epa.gov)

Drinking Water Protection Section (WTR-3-2)

US EPA, Region IX

75 Hawthorne St.

San Francisco, CA 94105

Phone (415) 972-3293

From: Shari Ring [mailto:Shari.Ring@cadmusgroup.com]
Sent: Tuesday, June 20, 2017 1:24 PM
To: Rumrill, Nancy <Rumrill.Nancy@epa.gov>; Rao, Kate <Rao.kate@epa.gov>
Cc: JAMES D WALKER <jameswalker5@msn.com>
Subject: RE: Excelsior revised application

Hi Nancy and Kate

Jim and I talked about the activities needed to move forward with the Excelsior review. It appears that there are three components to the review, and given the volume of information to review, we propose prioritizing them as follows:

Review the updated permit application to determine whether it is responsive to EPA's information requests and questions. Ex. 4 - CBI Note: Jim is spending an enormous time going through revised permit material. Excelsior didn't provide a summary of where comments were addressed. They are just incorporated into document. No index provided to show where
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comments were incorporated. Did provide redline versions but changes go back months. Comments addressed in conf call and hardcopy. Not sure if we need to request an index but will need more time. Jim about ½ way through. If no FC issues, Jim can submit on July 14th.

Bonding cost estimate evaluation – can Jim get us that point as soon as we can. Ex. 4 - CBI

1.

2. Compare the ADEQ draft APP ~~application and~~ permit to the proposed draft UIC permit conditions and identify potential conflicts or discrepancies. Ex. 4 - CBI assuming we get the final application and permit this week).

Cadmus doing initial review of ADEQ draft APP permit and comparing to attachment P1 (FC permit) and draft permit. Nothing deal breaker. Jim may need more time. Will propose new deliverable date next week if needed. May be able to get to EPA soon, prior to the ADEQ comment period ending (7/21).

3. Update the proposed draft permit text to incorporate new information; also add appendices and figures from the final application. We can also address your EPA's comments on our June 9 draft, if you can provide comments in the next week or so. Ex. 4 - CBI (revised 7/26)

Nancy got June 9th draft. At this time, she will not provide comments on June 9th draft – for a draft it's adequate. Will look at final draft terms/conditions. Jim – there are a couple of concerns about how to proceed with monitoring requirements. Under FC, there is level 1 and level 2 but it's not the same in Excelsior. Jim will make proposals and then negotiate during final review.

We believe that each of these pieces will take about 30 to 40 hours to develop and QA (Cadmus and Jim will share the load on this to expedite completing the three pieces). That comes to a total Ex. 4 - CBI split between OY1 and OY2.

Is this acceptable?

PS. We are working hard here to get Jim's subcontract in place as soon after July 1 as possible so we don't anticipate any slowdown at this critical time.

Shari Ring

The Cadmus Group, Inc.

703.247.6159

From: Rao, Kate [mailto:Rao.kate@epa.gov]
Sent: Monday, June 19, 2017 5:48 PM
To: JAMES D WALKER <jameswalker5@msn.com>; Rumrill, Nancy <Rumrill.Nancy@epa.gov>
Cc: Shari Ring <Shari.Ring@cadmusgroup.com>
Subject: RE: Excelsior revised application

Hi Jim –

Just to clarify, the below TDM covers the tech support items you described in your email on 6/19/2017: review revised permit application material & for permit terms and conditions --- review/compare draft APP terms and conditions to ensure consistency. (See below email thread.)

- Review revised permit documentation (under Task 4 – Permit Tech Review)

- Draft permit terms and conditions (under Task 1.2 – Tech Review Analysis) – includes reviewing and comparing the draft APP terms and conditions.

Please let me know if you need further clarification.

Thanks. Kate

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Kate Rao
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75 Hawthorne St., San Francisco, CA 94105
tel: (415) 972-3533 / fax: (415) 947-3549

From: Rao, Kate
Sent: Monday, June 19, 2017 11:57 AM
To: 'JAMES D WALKER' <jameswalker5@msn.com>; Rumrill, Nancy <Rumrill.Nancy@epa.gov>
Cc: Shari.Ring@cadmusgroup.com
Subject: RE: Excelsior revised application

Shari/Jim/Nancy –

Below is the current TDM for Excelsior and it appears all needed support is listed. As for hours, let me know how many you anticipate for the app review and permit terms.

Thanks. Kate

Contract No. EP-C-15-022, Workplan Assignment No. 1-90

Updated Technical Direction: Excelsior Gunnison Copper Project Class III UIC Permit Application

R9 Tech Support for Implementation of the UIC Program – Excelsior Mining Company - Class III UIC Permit #R9UIC-AZ1-FY-16-1

Task 4 (Project Technical Reviews) & Task 5 (Consultation) & Task 1.2 (Tech Review Analysis)

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Technical Direction

Technical Review and Draft Permit Technical Terms and Conditions

Task 1.2 (Technical Review Analysis)

Background: Excelsior submitted a UIC area permit application to operate a Class III ISR copper mining facility in Chochise County, AZ. On 3/24/2016, we issued a TDM to Cadmus on 11/2/2017 requesting a technical review of Excelsior's Class III permit application. Cadmus submitted technical review comments on 6/8/2016, 1/18/2017, 4/21/2017. Based on these technical evaluations, EPA sent out technical comments to Excelsior in 10/2016, 2/2017, and lastly on May 10, 2017. Excelsior submitted responses in 12/2016 and 3/29/2017. The revised permit application is expected to include all updated information agreed on by Excelsior in Conference calls and prior responses.

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AE Record of Decision

We are seeking support from Cadmus to complete the aquifer exemption Record of Decision. Contractor should confirm that the proposed Aquifer Exemption for Excelsior Gunnison Copper Project UIC application has the information needed for the Record of Decision. The prior responses have been reviewed by Cadmus, therefore Attachment S and other parts of the application should have the information to draft the Record of Decision. Please note any information that may be subject to change upon receipt of additional information. EPA may obtain/request any additional information from ADEQ or have Cadmus modify Figures in the application to complete the record. See model example provided.

Deliverable:

a) Provide a written draft AE Record of Decision, 5-10 pages. Identify figures from the application to be referenced and any additional information needed for EPA to obtain.

b) Upon consideration of comments from EPA. Revise the Record of Decision to completion.

Due Date: Ex. 4 - CBI for first draft (via email to Kate Rao, Nancy Rumrill and David Albright). If additional time is needed, please let me know.

Kickoff call: Nancy will coordinate the kickoff call to discuss this item with Jim directly.

Estimated LOE: 30-40 hours

Draft Permit Technical Terms and Conditions

Based on Excelsior's agreed upon revision of the UIC application, Cadmus will propose and complete the draft technical terms and conditions to be imposed in the draft permit -operational, monitoring, testing, reporting, etc. for the Proposed Excelsior Gunnison Copper Project. Attached is a draft permit for Florence Copper that can be used as an example to structure the content for the draft Gunnison Copper Project permit. Please put in a place holder or highlight any conditions that may be subject to change upon receipt of the last response and the updated/revised application.

Deliverable: Draft permit technical terms and conditions. Identify information from the application to reference for draft permit appendices.

Due Date: Ex. 4 - CBI for first draft (via email to Kate Rao, Nancy Rumrill and David Albright). If additional time is needed, please let me know.

Kickoff call: Nancy will coordinate the kickoff call to discuss this item with Jim directly.

Ex. 4 - CBI

Material: Excelsior Gunnison Copper Project UIC permit application and prior responses already provided to Cadmus (Jim Walker). Upon receipt in approximately 2-3 weeks, a complete e-copy and hardcopy of the Excelsior UIC application submittal.

Model Examples: Florence Copper UIC Permit, Aquifer Exemption Record of Decisions

Initial TDM from 11/2016:

Contract No. EP-C-15-022, Workplan Assignment No. 1-90

R9 Tech Support for Implementation of the UIC Program – Excelsior Mining Company - Class III UIC Permit #R9UIC-AZ1-FY-16-1

Task 4 (Project Technical Reviews) & Task 5 (Consultation)

Technical Direction

Background: Excelsior Mining Company (Excelsior) has submitted a UIC area permit application to operate a Class III ISR copper mining facility in Chochise County, AZ.

On 3/24/2016, we issued a TDM requesting a technical review of Excelsior's Class III permit application. Cadmus submitted technical review comments on 6/8/2016 (see attached: Comments on the Excelsior Mining Arizona Gunnison Copper Project_6-8-2016.docx). EPA utilized these comments to issue the attached Notice of Deficiency on 10/14/2016 to Excelsior. Excelsior has requested a conference call with EPA Region 9 to discuss the NOD.

Under Task 5 (Consultation), the contractor shall make available a staff person to consult, directly with EPA staff and/or on calls with EPA & applicant, on the Excelsior Class III permit application and supporting material.

- Material: Will be sent prior to call or discussed on call.
- Ex. 4 - CBI includes prep time)
- Deliverable: Summary of consultation support -- noted in monthly progress report and if possible, within 5 working days of the conference call, send draft notes to EPA via email.

a. Call scheduled for Tuesday, November 8th from 8:30 am to 11:00 am. Pre-discussion and de-brief discussion may be requested (TBD) and will be organized by Nancy Rumrill as needed.

- Material to review: 6/8/2016 Cadmus comments and 10/14/2016 NOD.
- Ex. 4 - CBI (includes prep and calls)
- Deliverable: written summary of consultation provided on call.

Under Task 4 (Project Technical Review), the contractor shall provide technical review for revised/updated Excelsior Class III permit documentation and supporting material. The contractor shall incorporate any comments from EPA and shall provide a final draft to the EPA WACOR.

- Material: same as under Consultation Task and additional material as provided by the applicant.

o Ex. 4 - CBI

o Deliverable: Prepare written comments in a format agreed upon when tech review is requested.

o Schedule: 1 – 2 weeks for each request unless noted otherwise.

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Kate Rao
Drinking Water Protection Section (WTR 3-2)
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75 Hawthorne St., San Francisco, CA 94105
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From: JAMES D WALKER [mailto:jameswalker5@msn.com]
Sent: Monday, June 19, 2017 11:46 AM
To: Rumrill, Nancy <Rumrill.Nancy@epa.gov>
Cc: Rao, Kate <Rao.kate@epa.gov>; Shari.Ring@cadmusgroup.com
Subject: RE: Excelsior revised application

HI Nancy,

I received the Excelsior revised permit application today in hard copy and CD versions. Will the TDM be amended for the time required to review the application and update the draft permit in addition to comparison with the draft APP terms and conditions? When would be a good time to discuss the scope of the work with you? I am available today at 1 or 2 pm Pacific time if that works for you.

I received a notice of cancellation of the biweekly conference call with Excelsior last week. Does that apply to the scheduled call for this coming Thursday?

Thanks,

Jim

From: Rumrill, Nancy
Sent: Thursday, June 15, 2017 5:38 PM
To: JAMES D WALKER
Cc: Rao, Kate
Subject: Excelsior revised application

Hi Jim,

The Gunnison revised application is expected to be sent directly to you. Alison Jones will be fedexing to both of us tomorrow. You can start reviewing it when you receive it. I will not be in tomorrow, but I will be in Monday to discuss the work with you.

Thanks, Nancy

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United States Environmental Protection Agency

Nancy Rumrill (rumrill.nancy@epa.gov)

Drinking Water Protection Section (WTR-3-2)

US EPA, Region IX

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San Francisco, CA 94105

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