To: Rumrill, Nancy[Rumrill.Nancy@epa.gov]
Cc: Campbell, Rich[Campbell.Rich@epa.gov]
From: Albright, David
Sent: Wed 1/10/2018 7:28:31 PM
Subject: FW: EPA

Nancy, FYI. I'm interested in the description of the call with EPA from Pete. Maybe we could discuss this as I was not on the call except for the very tail end. Thanks, David

From: Stephen Twyerould [mailto:stwyerould@excelsiormining.com]
Sent: Wednesday, January 10, 2018 10:15 AM
To: Albright, David <Albright.David@epa.gov>
Subject: FW: EPA

Hi David,

I reached out to Pete Dronkers directly and he provided me a copy of their comments and Tom's supplement. I also asked him if he would consider dropping his request for a public hearing (see email chain below). It would appear he was not satisfied with EPA's explanation as to why the UIC permit is protective, so perhaps that December 20 meeting didn't go as well as you had thought. It may also be that Pete Dronkers is just being disingenuous when saying that the EPA did not explain/describe the effectiveness of the monitoring in the draft UIC. Perhaps you can give me a call as I'm interested in your thoughts on the matter.

I have added the red annotation to Pete's email to me.

Stephen Twyerould

President & CEO

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From: Pete Dronkers [mailto:pdronkers@earthworksaction.org]
Sent: Tuesday, January 9, 2018 5:43 PM
To: Stephen Twyerould <stwyerould@excelsiormining.com>
Subject: Re: EPA

Hi Stephen, I think it's pretty clear in the comments what we're asking for, and since we're all signed onto the same comments, that means all the groups listed, including Amerind Foundation. At this point, we're not going to drop the request for a hearing.

We would like to talk with you about the citing of monitoring wells as requested in our comments (we already met with Earthworks, Amerind and Dragoon Conservation Alliance to discuss this very issue. *(We stated that we believed the monitoring in the APP and UIC to be more than adequate, but would be happy to consider additional monitoring outside the AOR if they could be specific about how many wells, where they wanted them, and what they wanted monitored. They gave no specifics other than what was in their prior comments, which was vague and not useful. We subsequently went back to Amerind asking them specifically if they wanted us to sample their water well in town. Amerind did not answer this question, and just said they wanted more data, which we provided but they did not access or download. We also asked Amerind to meet and discuss their specific requirements. Again Amerind did not respond to this request).* If you believe the current configuration is adequate to detect contaminant migration, please explain this in writing to the best of your ability. We asked EPA on a phone call about this; and they did not explain at all. They did not even comment about the lack of monitoring wells further away from the project site despite repeated attempts to ask the same

question in different ways. So if you can explain this, we'd love to hear you out. *(We have explained why this is not necessary and doesn't make sense on several occasions – specifically explaining that monitoring closer is preferential to monitor further away, and that distant monitoring wells, being monitored very frequently, doesn't make sense given it may take 5 or 10 years or more before something would show up in a well several miles away. Also explained the high level of connectivity in and around the deposit and the multiple layers of monitoring close by – inner and outer IMW's, HC wells, Observation wells and POC wells. Maybe they needed to hear this from EPA and not just the company?)*

I know you've said in the past that this would require an in person conversation. Now that these comments are out of the way, I think this winter would be a fine time for that conversation. I would visit you regardless of whether or not Tom could attend just to get a better idea of risk and monitoring from your perspective. Maybe a written response from you wold help prep me for an in person meeting?

Food for thought.

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Pete Dronkers

Earthworks
Southwest Circuit Rider

(775) 815-9936
pdronkers@earthworksaction.org

On Tue, Jan 9, 2018 at 4:42 PM, Stephen Twyerould <stwyerould@excelsiormining.com> wrote:

> Pete, I see you have asked EPA for a hearing. Clearly the decision on a public hearing is up to the EPA, however in the interest of time, money and effectiveness, it would be nice if you withdraw your request for a public hearing and instead dealt directly with us. As I have said in the past, if Amerind could just be specific in what they want then we could talk much more effectively.

Regards,

Stephen Twyerould

President & CEO

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