To: Consoli, Carla[CConsoli@lrrc.com]
From: Campbell, Rich
Sent: Mon 12/4/2017 9:14:22 PM
Subject: RE: FOIA request EPA-R9-2018-001377 regarding Excelsior

Carla,

Forgot to ask the obvious re our FOIA response. May we exclude communications between EPA and Excelsior?

Rich

From: Campbell, Rich
Sent: Monday, December 4, 2017 7:55 AM
To: 'Consoli, Carla' <CConsoli@lrrc.com>
Subject: RE: FOIA request EPA-R9-2018-001377 regarding Excelsior

Much appreciated. We'll be in contact shortly about the meeting request.

From: Consoli, Carla [mailto:CConsoli@lrrc.com]
Sent: Monday, December 4, 2017 7:53 AM
To: Campbell, Rich <Campbell.Rich@epa.gov>
Subject: RE: FOIA request EPA-R9-2018-001377 regarding Excelsior

Rich-

That should work.

Thank you,

Carla.

From: Campbell, Rich [mailto:Campbell.Rich@epa.gov]
Sent: Monday, December 04, 2017 8:48 AM
To: Consoli, Carla
Subject: RE: FOIA request EPA-R9-2018-001377 regarding Excelsior

Thanks Carla, would a six-month period prior to the application date be sufficient? Open to suggestion.

From: Consoli, Carla [mailto:CConsoli@lrrc.com]
Sent: Monday, December 4, 2017 7:39 AM
To: Campbell, Rich <Campbell.Rich@epa.gov>
Subject: FW: FOIA request EPA-R9-2018-001377 regarding Excelsior

Good Morning Rich-

Thank you for the summary of our discussion regarding the currently filed FOIA request. I note that we did request copies of any records that pre-date Excelsior's application, though we did not anticipate there would be many.

I look forward to receipt of the documents and to continuing to work with you,.

Best regards,
Carla.

Carla A. Consoli
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602.734.3896 fax
cconsoli@lrrc.com

http://www.lrrc.com/Carla-Consoli

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201 East Washington Street, Suite 1200
Phoenix, Arizona 85004-2595
lrrc.com

From: Campbell, Rich [mailto:Campbell.Rich@epa.gov]
Sent: Friday, December 01, 2017 4:10 PM
To: Hoefner, Dietrich; Consoli, Carla
Cc: Rumrill, Nancy
Subject: RE: FOIA request EPA-R9-2018-001377 regarding Excelsior

Carla, Dietrich,

Thanks for discussing the FOIA today. I have the following understanding of how to proceed with our response:

1. Our search extends back to the date Excelsior submitted the UIC permit application.
2. We will provide you with an initial response comprised of records of public comments received by EPA related in any way to the UIC Permit and all records of communications between EPA and the public related in any way to the UIC permit by Friday December 15, 2017, with the understanding that our centralized computer search may turn up additional responsive records and require a supplemental production of such documents in our final FOIA response.
3. We will provide you a second set of responsive documents comprised of internal

EPA communications by December 29, 2017. As we discussed, due to the Holidays, and the time it takes to conduct the centralized search, it is likely we will need additional time to provide you a final (third) response to the FOIA in January.

4. We will not need to provide you with Outlook calendaring records, with two exceptions: (1) we will produce such records if they contain discussions beyond simply "date/time/meeting location" details, and (2) if they reference meetings with outside third parties.
5. We will not need to provide you with drafts of the permit's public notice that were attached to internal EPA communications. As mentioned, any drafts would not have been shared externally.

Do not hesitate to contact me if I missed something. Thanks again for your flexibility.

Sincerely,

Rich

415.972.3870

From: Hoefner, Dietrich [mailto:DHoefner@lrrc.com]
Sent: Wednesday, November 29, 2017 8:48 AM
To: Rumrill, Nancy <Rumrill.Nancy@epa.gov>
Cc: Campbell, Rich <Campbell.Rich@epa.gov>; Consoli, Carla <CConsoli@lrrc.com>
Subject: RE: FOIA request EPA-R9-2018-001377 regarding Excelsior

Hi Nancy:

Thanks for your message. Carla Consoli (copied above) and I are available during the following times:

- This afternoon from 1-3pm (12-2pm PST),
- Tomorrow from 11am-2pm (10am-1pm PST), or
- Friday from 12-3pm (11am-2pm PST).

Would one of these work for you and Rich?

All best,

Dietrich

Dietrich C. Hoefner
Associate
303.628.9589 office

303.623.9222 fax
dhoefner@lrrc.com

Lewis Roca Rothgerber Christie LLP
1200 17th Street, Suite 3000
Denver, Colorado 80202-5855
lrrc.com

From: Rumrill, Nancy [mailto:Rumrill.Nancy@epa.gov]
Sent: Tuesday, November 28, 2017 5:28 PM
To: Hoefner, Dietrich
Cc: Campbell, Rich
Subject: FOIA request EPA-R9-2018-001377 regarding Excelsior

Mr. Hoefner,

I left you a voice mail to try to schedule a conference call to discuss your FOIA request. Are you available on Wednesday (11/28) morning from 9:30 am to 10:00? If this works for you, I can call you then with our EPA attorney Rich Campbell to clarify and discuss you FOIA.

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

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