To: Herrera, Angeles[Herrera.Angeles@epa.gov]; Minor, Dustin[Minor.Dustin@epa.gov]; Ball, Harold[Ball.Harold@epa.gov]
Cc: jrcollins@ndep.nv.gov[jrcollins@ndep.nv.gov]
From: Greg Lovato
Sent: Wed 1/10/2018 6:48:11 PM
Subject: RE: Anaconda Copper Mine Site - MOA btw NRD Trustees and ARC

It may, but ARC expecting something is not definite. We can update this when new information is available.

I have some new information on overall timing from my management. Does EPA have time to discuss tomorrow between 8 and noon? I think an hour would be good. I'll send out some prep materials today.

-----Original Message-----
From: Herrera, Angeles [mailto:Herrera.Angeles@epa.gov]
Sent: Wednesday, January 10, 2018 10:12 AM
To: Greg Lovato <glovato@ndep.nv.gov>; Minor, Dustin <Minor.Dustin@epa.gov>; Ball, Harold <Ball.Harold@epa.gov>
Cc: Jeff R. Collins <jrcollins@ndep.nv.gov>; Jeryl Gardner <JGARDNER@ndep.nv.gov>
Subject: RE: Anaconda Copper Mine Site - MOA btw NRD Trustees and ARC

Thanks Greg.

Atlantic Richfield is prepared to sign the tolling agreement concurrently with execution of the Deferral Agreement between NDEP and EPA, the Interim Administrative Order on Consent between NDEP and Atlantic Richfield, and other deferral-related agreements, which is expected to occur in the next few weeks…may be interpreted as a done deal.

-----Original Message-----
From: Greg Lovato [mailto:glovato@ndep.nv.gov]
Sent: Wednesday, January 10, 2018 10:03 AM
To: Herrera, Angeles <Herrera.Angeles@epa.gov>; Minor, Dustin <Minor.Dustin@epa.gov>; Ball, Harold <Ball.Harold@epa.gov>
Cc: jrcollins@ndep.nv.gov; Jeryl Gardner <JGARDNER@ndep.nv.gov>
Subject: FW: Anaconda Copper Mine Site - MOA btw NRD Trustees and ARC

fyi

-----Original Message-----
From: Cohen, Adam [mailto:Adam.Cohen@dgslaw.com]
Sent: Wednesday, January 10, 2018 9:36 AM
To: ROBERT SAINT-AUBIN <rfsaint@me.com <mailto:rfsaint@me.com> >; steve.o'rourke@usdoj.gov
Cc: jcallan@blm.gov <mailto:jcallan@blm.gov> ; charlie.chandler@bia.gov <mailto:charlie.chandler@bia.gov> ; damian_higgins@fws.gov <mailto:damian_higgins@fws.gov> ; dmcginnis@mcginnisandassociates.com <mailto:dmcginnis@mcginnisandassociates.com> ; gerry.emm@bia.gov <mailto:gerry.emm@bia.gov> ; ginaleemckay@yahoo.com <mailto:ginaleemckay@yahoo.com> ; ghatch@ypt-nsn.gov <mailto:ghatch@ypt-nsn.gov> ; Greg Lovato <glovato@ndep.nv.gov <mailto:glovato@ndep.nv.gov> >; john.krause@bia.gov <mailto:john.krause@bia.gov> ; lthom@ypt-nsn.gov <mailto:lthom@ypt-nsn.gov> ; MFairbank@ag.nv.gov <mailto:MFairbank@ag.nv.gov> ; montina.threefingers@bia.gov <mailto:montina.threefingers@bia.gov> ; fperdomo@ag.nv.gov <mailto:fperdomo@ag.nv.gov> ; rfs@coastmediator.com <mailto:rfs@coastmediator.com> ; speters@mcginnisandassociates.com <mailto:speters@mcginnisandassociates.com> ; toby_mcbride@fws.gov <mailto:toby_mcbride@fws.gov> ; Wonsook.Sprague@sol.doi.gov <mailto:Wonsook.Sprague@sol.doi.gov> ; wrptgapmanager@gmail.com <mailto:wrptgapmanager@gmail.com> ; Block, Nathan <Nathan.Block@bp.com

<mailto:Nathan.Block@bp.com> >; Brian.S.Johnson@bp.com <mailto:Brian.S.Johnson@bp.com> ; Cohen, Adam <Adam.Cohen@dgslaw.com <mailto:Adam.Cohen@dgslaw.com> >
Subject: Anaconda Copper Mine Site - MOA btw NRD Trustees and ARC

Robert and Steve – As outside counsel for Atlantic Richfield Company, I am sending this email to confirm Atlantic Richfield's approval of the version of the "Memorandum of Agreement Between Atlantic Richfield Company and the NRD Trustees for Anaconda Mine Site, Lyon County, Nevada" ("tolling agreement") that we received from representatives for the Yerington Paiute Tribe on October 20, 2017. A copy of that version of the tolling agreement is attached here. We previously sent written notice of Atlantic Richfield's approval to NDEP on November 8, 2017. Atlantic Richfield is prepared to sign the tolling agreement concurrently with execution of the Deferral Agreement between NDEP and EPA, the Interim Administrative Order on Consent between NDEP and Atlantic Richfield, and other deferral-related agreements, which is expected to occur in the next few weeks. I suggest that one of you or another representative of the Trustee Council circulate a final executable pdf version of the tolling agreement for all parties to sign.

Let me know if you have any related questions.

Adam S. Cohen ▪ Partner
P: 303.892.7321 ▪ C: 720.936.3017 ▪ P: 303.892.9400 ▪ vcard
<http://www.dgslaw.com/images/vCards/acoh.vcf>
Davis Graham & Stubbs LLP <http://www.dgslaw.com>

1550 17th Street, Suite 500 ▪ Denver, CO 80202

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