To: Minor, Dustin[Minor.Dustin@epa.gov]; jrcollins@ndep.nv.gov[jrcollins@ndep.nv.gov]
Cc: Collins, Jim[Collins.Jim@epa.gov]; Seter, David[Seter.David@epa.gov]; Rodriguez, Dante[Rodriguez.Dante@epa.gov]; Herrera, Angeles[Herrera.Angeles@epa.gov]; Ball, Harold[Ball.Harold@epa.gov]
From: Frederick J. Perdomo
Sent: Wed 1/3/2018 5:24:12 PM
Subject: RE: Walker River MOU

Dusty,

Substantively the document looks good to us. We caught three grammatical issues that should be corrected before the MOUs are distributed to the Tribes. They are as follows:

∀□□□□□□□□ Section I(D) - NDEP has authority over identification, investigation and cleanup of facilities where hazardous substances and contaminants have come to be located in Nevada. NDEP exercises this authority pursuant to the Nevada Water Pollution Control Law (NWPCL), NRS §§ 445A.300 *et seq.*, and Nevada Hazardous Waste Law (NHWL, NRS §§ 459.600 *et seq.*). NDEP maintains the authority to administer and enforce provisions of the NWPCL and NHWL and to settle and compromise all disputes relating to violations of NWPCL and NHWL.

- Edit is needed in both YPT and WRPT MOUs

∀□□□□□□□□ Section II Title - **POST-DEFERRAL_COORDINATION AND CONSULTATION OUTSIDE THE WALKER RIVER PAIUTE RESERVATION**

- Edit is needed in both YPT and WRPT MOUs

∀□□□□□□□□ Section III(B)(5) - EPA and the Tribe intend the provisions of paragraphs III(B)(2) and III(B)(4) to provide the framework for discussion of issues related to post-deferral response activities on the Reservation.. If any such issues cannot be resolved pursuant to such provisions, the Tribe may request the involvement of EPA's Regional Administrator.

- Edit by EPA in the WRPT MOU is also needed in the YPT MOU if not already made.

Thank you for your work on this document. Greg is still out this week, but Jeff and I are generally available if anyone from your team needs to speak about the MOUs or any other deferral matter.

--Rick

Senior Deputy Attorney General

State of Nevada | Office of the Attorney General

☎ (775) 684-1250 | 7 (775) 684-1275

From: Minor, Dustin [mailto:Minor.Dustin@epa.gov]
Sent: Tuesday, January 02, 2018 5:22 PM
To: Frederick J. Perdomo; jrcollins@ndep.nv.gov
Cc: Collins, Jim; Seter, David; Rodriguez, Dante; Herrera, Angeles; Ball, Harold
Subject: Walker River MOU

Rick and Jeff,

Attached is the Walker River MOU. I am also attaching a redline comparing it to the YPT MOU Rick sent out on 12/21/2017. I anticipate that Alexis will send out letter later this week to both tribes inviting them to a meeting in the end of January attaching the MOUs.

Please review the WRPT MOU and confirm it is accurate or propose revisions if needed.

Thank you.

Dusty

Dustin Minor

Assistant Regional Counsel

(415) 972-3888

From: Jeff R. Collins [mailto:jrcollins@ndep.nv.gov]
Sent: Tuesday, January 02, 2018 2:48 PM
To: Ball, Harold <Ball.Harold@epa.gov>
Cc: Minor, Dustin <Minor.Dustin@epa.gov>; Collins, Jim <Collins.Jim@epa.gov>; Perdomo, Frederick (FPerdomo@ag.nv.gov) <FPerdomo@ag.nv.gov>; Seter, David <Seter.David@epa.gov>; Rodriguez, Dante <Rodriguez.Dante@epa.gov>; Herrera, Angeles <Herrera.Angeles@epa.gov>
Subject: RE: Tribal MOU

Harry, we have a very similar Coordination Protocol between NDEP and the WRPT. I can send it to you if that helps.

Jeff Collins, Chief

Bureau of Corrective Actions

Nevada Division of Environmental Protection

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From: Ball, Harold [mailto:Ball.Harold@epa.gov]
Sent: Tuesday, January 02, 2018 2:44 PM
To: Jeff R. Collins <jrcollins@ndep.nv.gov>
Cc: Minor, Dustin <Minor.Dustin@epa.gov>; Collins, Jim <Collins.Jim@epa.gov>; Perdomo, Frederick (FPerdomo@ag.nv.gov) <FPerdomo@ag.nv.gov>; Seter, David <Seter.David@epa.gov>; Rodriguez, Dante <Rodriguez.Dante@epa.gov>; Herrera, Angeles <Herrera.Angeles@epa.gov>
Subject: FW: Tribal MOU

Jeff: We are trying to prepare an equivalent MOU for WRPT to the YPT version that Perdomo shared previously (see below and attached). One small problem: See Section I.J. of the MOU wherein the YPT Consultation Protocol is discussed. Are you aware of an equivalent signed agreement with Walker River Paiute Tribe? If not, then we may need to delete the first 3 sentences and have this section consist of just the final sentence. Thoughts? Thanks. Harry

=====

Harold Ball, Chief, NV & Federal Facilities Section (S82), EPA Region 9 Superfund, w) 415.972.3047, c) 415.819.9821, ball.harold@epa.gov

From: Frederick J. Perdomo [mailto:FPerdomo@ag.nv.gov]
Sent: Thursday, December 21, 2017 5:15 PM
To: Manzanilla, Enrique <Manzanilla.Enrique@epa.gov>; Herrera, Angeles <Herrera.Angeles@epa.gov>; Collins, Jim <Collins.Jim@epa.gov>; Minor, Dustin <Minor.Dustin@epa.gov>
Cc: glovato@ndep.nv.gov; jrcollins@ndep.nv.gov
Subject: Tribal MOU

Enrique, Angeles, Dusty, and Jim,

I have attached revised drafts of the Tribal MOU (redline and clean) based on our discussions this afternoon. If you have any questions or comments about these drafts, please feel free to contact me.

--Rick

Frederick "Rick" J. Perdomo

Senior Deputy Attorney General

State of Nevada | Office of the Attorney General

Bureau of Gaming and Government Affairs

Division of Natural Resources

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