Message

From: Ivan FMCV [isfmcv@hopitelecom.net]
Sent: 3/7/2018 9:37:15 PM
To: Rodriguez, Roberto [Rodriguez.Roberto@epa.gov]
CC: Jeff Mansfield [jlmansfield1981@gmail.com]; Carroll, Christina [carroll.christina@epa.gov]; Hecht, Hillary [Hecht.Hillary@epa.gov]; Magnuson, Janet [Magnuson.Janet@epa.gov]; Wells, Kimberly [wells.kimberly@epa.gov]; tthinelk [tthinelk@hopi.nsn.us]; Tim Bodell [tbodell@hopiuc.com]
Subject: [SPAM-Phish] Re: [SPAM-Phish] Re: EPA/FMCV Settlement Discussions re: FMCV Public Water System

Great. We will look forward to our conference call.

From: "Roberto Rodriguez" <Rodriguez.Roberto@epa.gov>
To: "CONSOLIDATED FIRST MESA VLGS" <isfmcv@hopitelecom.net>
Cc: "Jeff Mansfield" <jlmansfield1981@gmail.com>, "Christina Carroll" <carroll.christina@epa.gov>, "Hillary Hecht" <Hecht.Hillary@epa.gov>, "Janet Magnuson" <Magnuson.Janet@epa.gov>, "Kimberly Wells" <wells.kimberly@epa.gov>, "tthinelk" <tthinelk@hopi.nsn.us>, "Tim Bodell" <tbodell@hopiuc.com>
Sent: Wednesday, March 7, 2018 2:31:52 PM
Subject: Re: [SPAM-Phish] Re: EPA/FMCV Settlement Discussions re: FMCV Public Water System

I'll ask Hillary Hecht to send out conference call in information.

Roberto Rodriguez, Manager
Safe Drinking Water Act Enforcement Office
Enforcement Division, EPA Region 9
75 Hawthorne Street (ENF-3-3)
San Francisco, CA 94105
415-972-3302

On Mar 7, 2018, at 1:29 PM, Ivan FMCV <isfmcv@hopitelecom.net> wrote:

> That would work.
>
> ---
>
> **From:** "Roberto Rodriguez" <Rodriguez.Roberto@epa.gov>
> **To:** "CONSOLIDATED FIRST MESA VLGS" <isfmcv@hopitelecom.net>
> **Cc:** "Jeff Mansfield" <jlmansfield1981@gmail.com>, "Christina Carroll" <carroll.christina@epa.gov>, "Hillary Hecht" <Hecht.Hillary@epa.gov>, "Janet Magnuson" <Magnuson.Janet@epa.gov>, "Kimberly Wells" <wells.kimberly@epa.gov>, "tthinelk" <tthinelk@hopi.nsn.us>, "Tim Bodell" <tbodell@hopiuc.com>
> **Sent:** Wednesday, March 7, 2018 2:28:56 PM
> **Subject:** Re: EPA/FMCV Settlement Discussions re: FMCV Public Water System
>
> Thank you for your email. Can we plan to meet at 10:00 on Monday, 3/12?
>
> Roberto Rodriguez, Manager
> Safe Drinking Water Act Enforcement Office
> Enforcement Division, EPA Region 9

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San Francisco, CA 94105
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On Mar 7, 2018, at 1:11 PM, Ivan FMCV <isfmcv@hopitelecom.net> wrote:

> Thank you for your email requesting a telephonic conference for Monday. We will always make time to discuss these important matters with you. As Jeff stated in his email to you that we (villages) agreed to haver all calls to EPA through the Hopi Tribal General Counsel. I included her on this email to inform her that we will be talking with you and hope she can join our discussion.

From: "Roberto Rodriguez" <Rodriguez.Roberto@epa.gov>
To: "Jeff Mansfield" <jlmansfield1981@gmail.com>, "CONSOLIDATED FIRST MESA VLGS" <isfmcv@hopitelecom.net>
Cc: "Christina Carroll" <carroll.christina@epa.gov>, "Hillary Hecht" <Hecht.Hillary@epa.gov>, "Janet Magnuson" <Magnuson.Janet@epa.gov>, "Kimberly Wells" <wells.kimberly@epa.gov>
Sent: Wednesday, March 7, 2018 2:01:49 PM
Subject: RE: EPA/FMCV Settlement Discussions re: FMCV Public Water System

Mr. Mansfield,

Per our January 30, 2018 conference call with the Tribe and village representatives, our team stated that we would commence reaching out individually to each of the villages to discuss the terms of settlement. As I noted yesterday, we have already begun this process with the other villages and EPA would like to meet with FMCV. Hopi Tribe representatives will not be part of this call, nor do we plan to invite them. EPA would first like to discuss settlement directly with FMCV representatives. We look forward to hearing back from your office on a time when we can meet this coming Monday. Thank you.

Roberto Rodriguez, Manager
SDWA Enforcement Office
Enforcement Division, EPA Region 9
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San Francisco, CA 94105
415-972-3302

From: Jeff Mansfield [mailto:jlmansfield1981@gmail.com]
Sent: Tuesday, March 6, 2018 3:02 PM
To: Rodriguez, Roberto <Rodriguez.Roberto@epa.gov>
Subject: Re: EPA/FMCV Settlement Discussions re: FMCV Public Water System

Mr. Rodriguez,

Jeff Mansfield here, I apologize for the lack of clarification on FMCV's part (PWS#400106). I will definitely inform Mr. Sidney immediately and a confirmation will soon follow.

From what I've understood Mr. Rodriguez, since FMCV has signed onto the HAMP alternative (11/7/17) to remedy the 12+yrs non-compliant status of the PWS#400106, it was agreed upon between FMCV and the General Counsel of the Tribe, Mrs. Thin-Elk, that Mrs. Thin-Elk would be the Primary point of contact/POC in all matter pertaining to EPA DW9 and EPA Enforcement 9 as well. This is what FMCV has understood, but I reassure you, that FMCV is more than willing to comply with all directives issued by EPA Enforcement 9.

The last interaction FMCV has had, in regards to the AOC process was the term sheet stage, which was some time ago w/ the Tribe and other affected PWS (2nd Mesa). It was concluded at that time, that all PWSs would coordinate w/ EPA DW/EPA Enforcement 9 collectively, but on an individual basis to discuss mutual (with exception of mandatory terms) provisions of the "term sheet".

So with that said, are the other PWSs already in bilateral talks w/ you folks? If so, we have not been informed as far as I know, but like I previously stated, FMCV is ready to begin bilateral discussions.

I intend this reply to be taken as a statement of fact to FMCV's circumstance, not an excuse for meeting our PWS obligations and as always, Mr. Ivan Sidney Sr. will be the primary point of contact for FMCV. Thank you for your notification, and we shall have a definite confirmation time for Monday March 12. 2018.

Jeff Mansfield
FMCV Business Consultant

On Tue, Mar 6, 2018 at 12:47 PM, Rodriguez, Roberto <Rodriguez.Roberto@epa.gov> wrote:

> Mr. Sidney,
>
> EPA remains interested in entering into an administrative order on consent (AOC) with FMCV and the Hopi Tribe to address ongoing violations of the Safe Drinking Water Act. Currently, we are entering into settlement discussions with other Hopi villages and hopefully we can meet with FMCV in the near future to do the same. Hillary Hecht of my staff has made several attempts (January 31, 2018 email and February 7 and 21, 2018 phone conversations) to schedule the settlement discussions and thus far we have been unsuccessful in arranging a time and date to meet.
>
> We would like to schedule a one-hour formal call between EPA and FMCV representatives for Monday, March 12, any time between 9:00 am to noon. Please let me know what time works best for your office and we'll plan to call you on Monday at that time. Thank you and we look forward to speaking with you soon.

Roberto Rodriguez, Manager

SDWA Enforcement Office

Enforcement Division, EPA Region 9

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