Message

From: Minter, Douglas [Minter.Douglas@epa.gov]
Sent: 10/27/2020 4:19:18 PM
To: O'Connor, Darcy [oconnor.darcy@epa.gov]
CC: Bahrman, Sarah [Bahrman.Sarah@epa.gov]; Robinson, Valois [Robinson.Valois@epa.gov]; Chin, Lucita [Chin.Lucita@epa.gov]; Arnold, Rick [Arnold.Rick@epa.gov]
Subject: Update/Timing on DB Final Permit Effort

Minter, Douglas has shared a OneDrive for Business file with you. To view it, click the link below.

EPADewey-BurdockFinalAquiferExemptionRecordofDecision_Clean.docx

Hi Darcy: based on our Dewey Burdock Team call yesterday, the following additional sections of the RTC are ready to review:

General Concerns – comments 188-199
Tribal consultation 200 - 211
Tribal treaty rights 212 – 229
General tribal concerns 230 - 235
EJ 236 – 262
NHPA 263
NEPA 264 (Everett is confirming this with Erin)
ESA 374 – 385
Outside of scope comments (end of document, sections A to Z)

I am also attaching a copy of the AE ROD for management review.

Once Lucita is done reviewing/revising the list of permit changes near the beginning of the RTC, this should also be available for our review this week.

The one significant set of responses still being finalized is for the CEA related comments. We expect to have the CEA done this week so our responses can be finalized.

The other outstanding major tasks are:

- Drafting a letter to the NRC and other NHPA PA signatory agencies briefly describing our role in signing on. Mike and Valois expect to have this letter ready for your review this week before we send it to these agencies asking them to comment asap. The final letter will include EPA's formal signature page for the PA.
- Addressing all internal comments on the permits, AE ROD (also being peer reviewed by Region 7's UIC regulatory expert), supporting documents (e.g., CEA), and the RTC.
- Completing the Administrative Record and Index with paralegal support including a large number of technical reference documents needed to defend our permit changes/responses to comments.

- A comprehensive legal review of all documents (including the RTC) and the AR by Lucita to ensure accurate cross referencing, consistency in language, etc. to minimize the likelihood of a remand.
- Follow up letters to all consulting tribes notifying them that: 1) EPA's consultation duties have concluded; 2) EPA is signing on to NRC's NHPA PA, and; 3) the attached RTC shows how their input was considered in our final decisions (note: we are meeting with Paul and Kim later today to finalize our approach). We will also be sending a similar letter to the SD SHPO.
- Completion and deployment of the Communications Strategy and Press Release in coordination with final permit/AE signature/issuance.

Based on the above, we project final permit issuance by Friday, November 13th.

Let us know if you would like to discuss further, etc.

Douglas