Message

From: Chin, Lucita [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EA404E3F56574242AEE0811A07E309FC-CHIN, LUCITA]
Sent: 8/1/2018 5:03:04 PM
To: Perkins, Erin [Perkins.Erin@epa.gov]
Subject: FW: Gunnison Class III permit
Attachments: Excelsior UIC Appeal FINAL.PDF

Ex. 5 AC/DP

Lucita Chin
Senior Assistant Regional Counsel
Environmental Protection Agency
1595 Wynkoop St.
Denver, CO 80202
Office: (303) 312-7832

From: Chin, Lucita
Sent: Wednesday, August 1, 2018 10:37 AM
To: Matsumoto, Kimi <Matsumoto.Kimi@epa.gov>; Boydston, Michael <Boydston.Michael@epa.gov>; Denawa, Mai <Denawa.Mai@epa.gov>
Cc: Sutin, Elyana <Sutin.Elyana@epa.gov>
Subject: FW: Gunnison Class III permit

Ex. 5 AC/DP

Lucita Chin
Senior Assistant Regional Counsel
Environmental Protection Agency
1595 Wynkoop St.
Denver, CO 80202
Office: (303) 312-7832

From: Darman, Leslie
Sent: Tuesday, July 31, 2018 9:25 AM
To: Chin, Lucita <Chin.Lucita@epa.gov>
Subject: FW: Gunnison Class III permit

Hi Lucita – here is the Excelsior permit appeal, FYI.

Leslie Darman
US Environmental Protection Agency
Office of General Counsel
Water Law Office
202-564-5452

From: Campbell, Rich
Sent: Thursday, July 26, 2018 12:49 PM
To: Darman, Leslie <Darman.Leslie@epa.gov>
Cc: Lieben, Ivan <Lieben.Ivan@epa.gov>
Subject: RE: Gunnison Class III permit

Just received a substantive appeal of the Gunnison (aka Excelsior) permit. I'm still digesting it.

From: Darman, Leslie
Sent: Monday, July 23, 2018 3:48 PM
To: Campbell, Rich <Campbell.Rich@epa.gov>
Cc: Lieben, Ivan <Lieben.Ivan@epa.gov>
Subject: RE: Gunnison Class III permit

Hi Rich – thank you for forwarding me the PowerPoint and other materials on the Gunnison Class III permit and aquifer exemption. The attachment from Sharon Rock rescinding her appeal wasn't included with the pdf of the email from Nancy to you. If you could forward that, I'd appreciate it. And if anyone does file an appeal with the EAB, please let me know -- I'm here to help and support you.

Ex. 5 AC/DP

Thanks.

Leslie Darman
US Environmental Protection Agency
Office of General Counsel
Water Law Office
202-564-5452

From: Campbell, Rich
Sent: Monday, July 23, 2018 2:06 PM
To: Darman, Leslie <Darman.Leslie@epa.gov>
Cc: Lieben, Ivan <Lieben.Ivan@epa.gov>
Subject: RE: Gunnison Class III permit

Leslie,

Attached is a PPT we developed for regional management briefing last month.

Our website has the permit, response to comments, and technical background information:
https://www.epa.gov/uic/excelsior-mining-arizona-inc-gunnison-copper-project-class-iii-uic-area-permit-and-aquifer

We issued the final permit on June 22. The 30-day appeal period for the permit run today (124.19(a)(3)), except that we responded to some commenters by mail so there's 3 more days on the clock (124.20(d)) and the appeal period is the 26th for those commenters.

So far one appeal was received but the petitioner subsequently rescinded the appeal (see attached email). The EAB website, however, has yet to reflect the EAB's receipt of this rescission.
https://yosemite.epa.gov/oa/EAB_Web_Docket.nsf/f22b4b245fab46c6852570e6004df1bd/81a928bed8010fb5852582c60072090a!OpenDocument

I understand that I will have a draft index of the administrative record for my review by Wednesday, in anticipation of the likelihood that the EAB receives another appeal.

Please contact me with any additional questions!

Rich
415-972-3870

From: Darman, Leslie
Sent: Monday, July 23, 2018 10:04 AM
To: Campbell, Rich <Campbell.Rich@epa.gov>
Cc: Engelman, Alexa <ENGELMAN.ALEXA@EPA.GOV>
Subject: Re: Gunnison Class III permit

Thanks Rich!

Sent from my iPhone

On Jul 23, 2018, at 12:58 PM, Campbell, Rich <Campbell.Rich@epa.gov> wrote:

Leslie,

I'll forward along information later today that will bring you up to speed.

Rich

_____
Rich Campbell
USEPA Region 9
Office of Regional Counsel
415-972-3870

From: Engelman, Alexa
Sent: Monday, July 23, 2018 9:46 AM
To: Darman, Leslie <Darman.Leslie@epa.gov>
Cc: Campbell, Rich <Campbell.Rich@epa.gov>
Subject: RE: Gunnison Class III permit

Hi Leslie, just getting back and catching up. Rich Campbell in our office is actually the attorney working on the Excelsior permit, so CC'ing him here.

Best,
Alexa

From: Darman, Leslie
Sent: Wednesday, July 18, 2018 11:26 AM
To: Engelman, Alexa <ENGELMAN.ALEXA@EPA.GOV>
Subject: Gunnison Class III permit

Hi Alexa – Welcome back from your wedding week! I hope the wedding was everything you wanted it to be.

Sorry to greet you with a request, but on the UIC call today, David A. mentioned an appeal filed with the EAB that was filed July 9 and then withdrawn. He referred to it as the Excelsior project. I think you mentioned it to me once so I am guessing that you are the ORC attorney in that matter. (If not, please let me know.) Anyway, I just took a look at the petition and it appears to be for a copper mine in Arizona and perhaps raised some NEPA and ESA issues in comments. In case other appeals are filed and/or for general awareness purposes, could you please send me anything you might already have on the permit and any associated AE – a briefing paper perhaps or decision memo, or whatever you think would be best for me to get a quick summary of the permit and key issues? Thanks much.

Leslie Darman
US Environmental Protection Agency
Office of General Counsel
Water Law Office
202-564-5452