Message

From: Nicole Ducheneaux [NDucheneaux@ndnlaw.com]
Sent: 10/2/2017 7:26:14 PM
To: Shea, Valois [Shea.Valois@epa.gov]
CC: Sarah Whitford [SWhitford@ndnlaw.com]; dnelson@crstepd.org
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Thank you, Valois. This should be perfect. We will hope to have Steve Vance in attendance.

FREDERICKS PEEBLES & MORGAN LLP
ATTORNEYS AT LAW

Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

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From: Shea, Valois [mailto:Shea.Valois@epa.gov]
Sent: Monday, September 25, 2017 6:06 PM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,
Let's start with Monday, October 16 at 2:00 to see if that works for everyone who will be attending. That's great that David Nelson and some of his staff will attend. Would it also be possible to include the Tribal Historic Preservation Officer? Is Steve Vance still in that position? He was instrumental in educating me about the concerns of the Sioux Tribes back at the beginning of this process. It would be great to have his input, if that is possible.

I appreciate the heads-up about awareness of national conferences. I will keep that in mind when proposing future consultation sessions. Maybe we could talk about how I can make sure I keep up with those events.

I appreciate your help with scheduling!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276

Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]
Sent: Wednesday, September 20, 2017 9:00 AM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

The week of October 16 will work for the informational session. Please let me know what date works for you. Chairman Frazier will be at the National Congress of American Indians conference in Milwaukee, but the director of CRST's EPA and his team will be available anytime that week. We can talk about timelines too. If you make a proposal for dates for future consultation, then I will work with the Tribe to pin it down. With enough advance notice, barring things like national conferences, tribal officials can be available pretty much anytime.

Thanks so much,

FREDERICKS PEEBLES & MORGAN LLP
ATTORNEYS AT LAW

Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

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From: Shea, Valois [mailto:Shea.Valois@epa.gov]
Sent: Tuesday, September 12, 2017 10:30 AM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Sounds good!
Thanks!
Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129

Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]
Sent: Tuesday, September 12, 2017 8:35 AM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

Thank you so much for your response. I will discuss with the Chairman and get back to you as soon as possible, but no later than next Monday.

Thanks again,

FREDERICKS PEEBLES & MORGAN LLP
ATTORNEYS AT LAW

Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

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From: Shea, Valois [mailto:Shea.Valois@epa.gov]
Sent: Monday, September 11, 2017 4:12 PM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,
I apologize for taking so long to get back to you. Between figuring out my travel schedule for work and family issues, it has taken me a while to figure out what my schedule is!

How about we start with the week of Oct 16 and narrow it down to a day and time from there, depending on the schedules on your end?

There are a couple of items it would be helpful to talk through with you:
1) I envision the webinar the week of Oct 16 to be an inform and educate session, so my senior management would not necessarily be involved while I am giving the presentation. However, we would like to have the inform and educate effort go both ways, if possible. If Chairman Frazier would like our senior management to join the webinar after my presentation so they could be present for receiving information from the Tribe, I could work on making that happen.

We would like to know the preference of Chairman Frazier and the Tribe so we have the right people present on our end.

2) If a portion of the inform and educate session is conducted with senior staff from the Tribe and EPA, I was hoping this webinar would be an opportunity to address the Tribe's second bullet under #2 on page 7 of the tribal consultation letter dated June 19: "*Coordinate with the Tribe before consultation begins, especially with development of an agreement on consultation timelines*" The EPA is interested in beginning that coordination effort with this webinar, if possible. With regard to the timeline for consultation, we anticipate that a number of meetings would be needed to discuss the topics the Tribe has identified in the June 19 letters.

Please give me a call if it would be helpful to discuss these items in person.
Thanks!
Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]
Sent: Wednesday, August 23, 2017 9:35 AM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

Getting multiple schedules nailed down is proving difficult. May I propose that we set a date sometime in early or mid-September and I will make Cheyenne River officials available? Thanks again for your patience.

Best regards,

FREDERICKS PEEBLES & MORGAN LLP
ATTORNEYS AT LAW

Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

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From: Shea, Valois [mailto:Shea.Valois@epa.gov]
Sent: Monday, August 21, 2017 9:39 AM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,
I am working at home today. If you have a chance to call me today, please call me at 303-437-7314.
Thanks!
Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]
Sent: Thursday, August 17, 2017 9:31 AM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Valois,

Thank you so much for your patience. The end of the summer is a busy time for the Tribe. As such, I am still looking for a good time for the informational session. I wanted let you know that I am still working on it. I will be in touch on Monday to give you a more definite answer.

Thank you again,

FREDERICKS PEEBLES & MORGAN LLP
ATTORNEYS AT LAW

Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

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From: Shea, Valois [mailto:Shea.Valois@epa.gov]
Sent: Friday, August 4, 2017 1:28 PM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Great!
Let's start with the week of Aug 14, then look at the week of Aug 28.

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]
Sent: Friday, August 04, 2017 12:25 PM
To: Shea, Valois <Shea.Valois@epa.gov>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,

Nikki

FREDERICKS PEEBLES & MORGAN LLP
ATTORNEYS AT LAW

Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

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From: Shea, Valois [mailto:Shea.Valois@epa.gov]
Sent: Friday, August 4, 2017 1:21 PM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hi Nicole,
There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?
Thanks!
Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]
Sent: Wednesday, July 19, 2017 9:47 AM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: NE Filing <nefiling@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

FREDERICKS PEEBLES & MORGAN LLP
ATTORNEYS AT LAW

Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

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manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [mailto:Shea.Valois@epa.gov]
Sent: Tuesday, July 18, 2017 8:00 AM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,
The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website: https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.
Thanks!
Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]
Sent: Monday, July 17, 2017 1:52 PM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>
Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

Best regards,

Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

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