Message

From: Pierce, Jennifer [pierce.jennifer@epa.gov]
Sent: 1/12/2021 9:23:54 PM
To: Garnett, Desean [Garnett.Desean@epa.gov]
Subject: FW: CES_Couple Quick Questions, Next Steps and Timing
Attachments: RE: [Ext] RE: EPA Site Characterization Evaluation of CES Class VI Permit Application

Hey Desean – FYI below – I'll ask Calvin to make sure to include you in future communications about this permit! I'm going to loop in Kimby and Alexa, because the action area issue kind of confuses me. Will cc you.

Jenny

Assistant Regional Counsel
EPA Region 9, Office of the Regional Counsel
Direct: (415) 972-3883

This email, including attachments, may contain information that is confidential and/or protected by the attorney/client, attorney work product, or other privileges.

From: Ho, Yenhung <Ho.Yenhung@epa.gov>
Sent: Monday, January 11, 2021 11:22 AM
To: Pierce, Jennifer <pierce.jennifer@epa.gov>
Subject: FW: CES_Couple Quick Questions, Next Steps and Timing

Hi Jenny,

CES has the below questions regarding areas studied and timing required under the ESA and NHPA.

Please let us know if you have any thoughts/comments on these questions.

Thanks,
Calvin

From: Rebecca Hollis <rhollis@cleanenergysystems.com>
Sent: Monday, January 11, 2021 9:49 AM
To: Ho, Yenhung <Ho.Yenhung@epa.gov>
Cc: Albright, David <Albright.David@epa.gov>; 'Natalie Nowiski' <NNowiski@slb.com>; Keith Pronske <klpronske@cleanenergysystems.com>; Larry Trowsdale (wepco2012@gmail.com) <wepco2012@gmail.com>
Subject: RE: CES_Couple Quick Questions, Next Steps and Timing

Hi Calvin,

Happy New Year! I hope you had a safe and joyous holiday. It was a pretty quiet one here. Nothing like the usual large family get togethers and such. Looking forward to returning to some semblance of normalcy in 2021!

At CES, we are back in the swing of things and I wanted to follow up on a few items related to our Class VI permit application.

First, an update related to the Biological and Cultural studies required under the ESA and NHPA. We have kicked off both studies for the Mendota plant site only. That is, the studies currently do not include the full AOR, nor the area to be

surveyed via 3d seismic. The Biological study is on track to complete late this month, while the cultural study should complete in March. Our current plan is to submit the reports as they come in, i.e. not wait to submit the reports together, due to your need to collaborate with other federal agencies. Do you agree with this approach?

Also, we have some follow on questions regarding the areas studied and timing. For example, does the entire AOR require biologic and cultural surveys, or just the areas of surface disturbances such as monitoring wells and/or other monitoring activities? Also, we have engaged a 3D seismic acquisition company and are presently outlining scope, reviewing permitting requirements, etc. However, we are still months away from collecting data. In your 14-October email (attached for reference) you stated that, "Due to the shock waves associated with the 3D seismic survey, the entire property that will be included in the survey is part of the action area."
We will certainly comply with all permit requirements before collecting any data but there appears to be a timing mismatch between this portion of the ESA/NHPA work and the current pre-construction permit application responses, e.g. 3D seismic may be collected after issuance of Authorization to Construct.
I think a short phone call/web meeting to discuss may be easiest to sort through these matters. Do you have availability to discuss this week?

Otherwise, we are still working toward the 3rd party review and cost estimate for the site ERR (for FR). We can update on the status during our call and hopefully get an update from your side on the status of the upcoming Information Request.

Thanks, Calvin. Talk soon.

Best Regards,
-Rebecca

Rebecca Hollis
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The Power to Reverse Climate Change

From: Ho, Yenhung <Ho.Yenhung@epa.gov>
Sent: Monday, November 23, 2020 1:49 PM
To: Rebecca Hollis <rhollis@cleanenergysystems.com>
Cc: Albright, David <Albright.David@epa.gov>; Natalie Nowiski <NNowiski@slb.com>; Vivian Rohrback <VRohrback@slb.com>; Keith Pronske <klpronske@cleanenergysystems.com>
Subject: RE: CES_Couple Quick Questions, Next Steps and Timing

Hi Rebecca,

Please see our responses to your questions in green below.

Best regards,
Calvin

Calvin Ho
Groundwater Protection Section

Water Division (WTR-4-2)
U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3262

From: Rebecca Hollis <rhollis@cleanenergysystems.com>
Sent: Thursday, November 19, 2020 1:41 PM
To: Ho, Yenhung <Ho.Yenhung@epa.gov>
Cc: Albright, David <Albright.David@epa.gov>; Natalie Nowiski <NNowiski@slb.com>; Vivian Rohrback <VRohrback@slb.com>; Keith Pronske <klpronske@cleanenergysystems.com>
Subject: CES_Couple Quick Questions, Next Steps and Timing

Hi Calvin,

I hope all is well. Its hard to believe that the Thanksgiving holiday is next week and before we know it, 2021 will be here!

Wanted to reach out with a few quick questions regarding our Class VI permit application, the current response we are working on, the next steps and estimated timing.

First, we are working on our responses to EPA's latest Technical Evaluation Comments and Information Request. It is our understanding that this is the fourth and final request from EPA's review of our permit application submitted in February. Based upon the feedback, there will be updates required to several of our permit documents. However, we are continuing to operate under the assumption that we should wait to update and resubmit these documents, e.g. Narrative, Attachments, etc., until after EPA has completed its review and requests said updates. To be more specific, our response to EPA Info Request number #4 will indicate the updates to be made to various documents/Attachments but will not include the updated document itself in our response. Once EPA is satisfied with all of our responses/plans, we will update all necessary documents and resubmit as one package. Do you agree this approach? This approach should work -- please be specific when indicating/describing the updates to documents/Attachments that will be made.

Which leads to our next questions, when do you believe EPA will be prepared to provide feedback to our Responses (#1, #2, #3 and #4)? Also, will feedback be in the form of additional information requests? Or perhaps meetings or working sessions, etc.?
We are aiming to provide CES with one complied set of follow-up questions to all your four responses by late January or early February 2021 in the form of additional information request.

As an update on our end, we are on track to meet the 4-December target for responding to information request #4. We are also working on updated information for our Financial Responsibility Demonstration will have additional information to EPA by year end (hopefully sooner). Noted.

Finally, any additional information you could provide on estimated timing will help us with resource planning, as well as support other areas of the project such as securing financing for the next phase(s). For example, do you feel we are on track for a draft Authorization to Construct permit, and if so, do you have a sense of when this may occur? I understand it is a moving target and there are still several items that are still TBD. Obviously, the EPA permit is a key milestone for our project development and will lead to management decisions and releases. So, we are just trying to get a sense to support our project planning.
In addition to the ongoing review of your responses, we will need to review your updated information for FA, ESA, and NHPA that is still pending. We will probably have a better feel for the estimated timing of a draft permit until we have completed all these reviews.

I am happy to jump on a call to discuss.

Thank you again for your time and consideration.

Best Regards,
-Rebecca

Rebecca Hollis
Director Business Development -

CLEAN ENERGY SYSTEMS

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The Power to Reverse Climate Change

-----Original Message-----
From: GS Data Tool <velo-epa@epa.velo.pnnl.gov>
Sent: Wednesday, October 28, 2020 9:53 AM
To: Rebecca Hollis <rhollis@cleanenergysystems.com>
Subject: Class VI UIC Notification: Information Request

PLEASE DO NOT REPLY TO THIS EMAIL--REPLIES WILL NOT BE SEEN!

This is a notification of a new or updated Information Request made by your Class VI UIC permitting authority. Attached is a read-only copy of the Information Request including links to download files containing the detailed request.

This is a system-generated notification. Please do not reply to this email. To comply with the Class VI Rule, use the Information Request module on the GS Data Tool operator landing page to reply to the request.

If you have further questions or comments, please contact the UIC Program Director responsible for your project.

This Information Request was made on Oct 28, 2020 at 12:52 PM Eastern Daylight Time