Message

From: Ho, Yenhung [Ho.Yenhung@epa.gov]
Sent: 4/13/2021 5:04:29 PM
To: Garnett, Desean [Garnett.Desean@epa.gov]
Subject: RE: Meeting request RE ESA NHPA study areas and timing_CES Class VI app (pre-construction)

Okay, I will propose to have a call on either Apr 21 or 22.

We responded to CES's questions about ESA/NHPA via email in Jan this year. However, they still wanted to have further discussion via call with us but postponed the call until now.

From: Garnett, Desean <Garnett.Desean@epa.gov>
Sent: Tuesday, April 13, 2021 9:39 AM
To: Ho, Yenhung <Ho.Yenhung@epa.gov>
Subject: RE: Meeting request RE ESA NHPA study areas and timing_CES Class VI app (pre-construction)

Hey Calvin,

I'm available each of those dates, but would prefer later in the week, April 21 or 22. Were they not satisfied with our response on the last call?

Desean

Desean Garnett
Attorney-Advisor
U.S. EPA Region 9
(415) 972-3046

From: Ho, Yenhung <Ho.Yenhung@epa.gov>
Sent: Tuesday, April 13, 2021 9:31 AM
To: Garnett, Desean <Garnett.Desean@epa.gov>
Subject: FW: Meeting request RE ESA NHPA study areas and timing_CES Class VI app (pre-construction)

Hi Desean,

CES requests to have a follow-up discuss with us regarding ESA and NHPA next week. Will you be available and prefer any of the following? Thanks.

4/19: 11-12pm, 4/20: 8-9am, 4/21: 3-3:30pm, or 4/22: 3-3:30pm

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From: Rebecca Hollis <rhollis@cleanenergysystems.com>
Sent: Monday, April 12, 2021 4:39 PM
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>; Davitt, Andrew <andrewdavitt@chevron.com>
Subject: Meeting request RE ESA NHPA study areas and timing_CES Class VI app (pre-construction)

Hi Calvin,

I hope all is well.

Per our recent discussion, we would like to have a call with EPA and your Office of Regional Counsel to discuss the requirements under the ESA and NHPA for our Class VI permit application, specifically regarding the study area and timing. I am hoping it can be a short call, estimate 30-45 mins. Could you please advise some available days/times next week (week of 19-April) that work from your side? I will then coordinate schedules on our end and send out a meeting invite.

Thanks again and happy Monday,
-Rebecca

Rebecca Hollis
Director Business Development -

CLEAN ENERGY SYSTEMS
3035 Prospect Park Drive, Suite 120
Rancho Cordova, CA 95670
Main: 916-638-7967
Mobile: 916-798-4114 ← ***please use this number while CES is working remotely***
rhollis@cleanenergysystems.com
The Power to Reverse Climate Change

From: Ho, Yenhung <Ho.Yenhung@epa.gov>
Sent: Wednesday, January 27, 2021 1:23 PM
To: Rebecca Hollis <rhollis@cleanenergysystems.com>
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>; Pierce, Jennifer <pierce.jennifer@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: CES_Couple Quick Questions, Next Steps and Timing

Understood. Thanks, Rebecca.

Best,
Calvin

From: Rebecca Hollis <rhollis@cleanenergysystems.com>
Sent: Wednesday, January 27, 2021 11:29 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>; Pierce, Jennifer <pierce.jennifer@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: CES_Couple Quick Questions, Next Steps and Timing

Thank you, Calvin.

I would still like to hold a follow up discussion but have gone back to our seismic acquisition contact with a few clarifying questions. I am expecting their feedback next week. So, I will reach out next week to set up a time for our call.

Thank you for your patience.

Best regards,
-Rebecca

Rebecca Hollis
Director Business Development -

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From: Ho, Yenhung <Ho.Yenhung@epa.gov>
Sent: Monday, January 25, 2021 10:06 AM
To: Rebecca Hollis <rhollis@cleanenergysystems.com>
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>; Pierce, Jennifer <pierce.jennifer@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: CES_Couple Quick Questions, Next Steps and Timing

Hi Rebecca,

CES needs to submit the BE/cultural resources evaluations for all potentially impacted areas prior to EPA being able to issue the Authorization to Construct.

We are available for a call this week (on 1/28 btw 2pm and 2:30pm, on 1/29 btw 1pm and 2:30pm) if you like and are available.

Regards,
Calvin

From: Rebecca Hollis <rhollis@cleanenergysystems.com>
Sent: Tuesday, January 19, 2021 9:34 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>; Pierce, Jennifer <pierce.jennifer@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: CES_Couple Quick Questions, Next Steps and Timing

Hi Calvin,

Thank you very much for the feedback.

Understood the biological and a cultural resources studies should/will cover the areas impacted by 3d seismic surveys. Do these studies need to be submitted, reviewed and approved by EPA before Authorization to Construct can be issued? Or, could this happen in the next phase, i.e. during Pre-Operation, prior to issuance of an Authorization to Inject, when the 3d seismic surveys are envisioned?

It may still be worthwhile to have a short discussion this week to ensure we are all on the same page as far as scope and timing of activities. Also, we have learned a lot more about 3d seismic acquisition since we last spoke. For example, using "Veibroseis" trucks to vibrate on the ground at a tailored frequency as to not disturb nearby structures and wildlife – far less intrusive than previous methods of data collection.

Looking at the calendar, Thursday or Friday (21 or 22-Jan) this week would work for us – preferably in the afternoon.

Thanks again, Calvin, and Happy Tuesday.

Regards,
-Rebecca

Rebecca Hollis
Director Business Development -

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From: Ho, Yenhung <Ho.Yenhung@epa.gov>
Sent: Friday, January 15, 2021 8:48 AM
To: Rebecca Hollis <rhollis@cleanenergysystems.com>
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>; Pierce, Jennifer <pierce.jennifer@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: CES_Couple Quick Questions, Next Steps and Timing

Hi Rebecca,

CES should submit the biological and a cultural resources studies for all potential effects of the proposed action (the Class VI permit). These studies need to include the entire action area, including the area(s) that will be impacted by the shock waves associated with the 3D seismic survey. EPA will then review these studies and conduct appropriate consultation under ESA and NHPA.

Although we don't think a call about ESA/NHPA is necessary, let us know if you have any further questions about this.

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: Ho, Yenhung
Sent: Monday, January 11, 2021 10:30 AM
To: Rebecca Hollis <rhollis@cleanenergysystems.com>
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

Happy New Year, Rebecca!

Let us figure out the answers to your questions – will let you know if we need a discussion call this week.

Best regards,
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
Director Business Development -

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