Message

From: Swenson, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EAF7E8D916134568BA23121A89260045-PSWENSON]
Sent: 2/12/2018 9:33:51 PM
To: Citizen Name / Ex. 6
BCC: McCree, Barbara [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d9c75b26978b45b29e8354f8c82e8d17-BMcCree]
Subject: FW: Your email message regarding the Back Forty Project

Dear Ms. Citizen Name / Ex. 6

I appreciate your message, and your continued interest regarding the Back Forty Project. I have also forwarded your comments to the Michigan DEQ for their consideration.

In answer to your specific questions,

EPA is in the process of reviewing the proposed Clean Water Act Section 404 permit for the project, but our review is not complete. The technical review is being done by members of my staff.

Final decision makers on U.S. EPA's review are:

Christopher Korleski, Director
Water Division,
U.S. EPA, Region 5

Cathy Stepp
Regional Administrator
U.S. EPA, Region 5

Sincerely,

Peter Swenson, Chief
Watersheds and Wetlands Branch
U.S. Environmental Protection Agency, Region 5

From: Swenson, Peter
Sent: Thursday, February 08, 2018 8:37 AM
To: Burdick, Melanie <Burdick.Melanie@epa.gov>; Melgin, Wendy <melgin.wendy@epa.gov>; Pallesen, Reginald A. <pallesen.reginald@epa.gov>
Cc: Wester, Barbara <wester.barbara@epa.gov>
Subject: FW: Your email message regarding the Back Forty Project

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From: Citizen Name / Ex. 6
Sent: Thursday, February 08, 2018 8:07 AM
To: Swenson, Peter <swenson.peter@epa.gov>
Subject: Re: Your email message regarding the Back Forty Project

Hi Mr. Swenson,

EPA oversight of Aquila Resources/Michigan's DEQ wetlands permit happens Now.
Please see that their application is read with a fine toothed comb. It is full of contradictions, inaccuracies, under-estimates, etc. It leaves NO doubt Aquila is inept, and cannot safely protect our wetlands or operate a mine.
Please see the review by experts our Coalition to Save the Menominee River submitted in public comments. It will direct you to an entire ringed binder full of areas of concern with Aquila's open pit sulfide mining application within yards of the Menominee River.
I understand you are busy, but this is vital to the largest watershed in Michigan's Upper Peninsula, and all the wetlands, webs of life, and all living things plant, animal, & human in the watershed. The value of the wetlands to our fresh water is uncontested. This mining proposal will destroy much of it.
Of course, water and wetlands will be affected on the Wisconsin side of our river too. Wisconsin needs your federal intervention.
Please veto this application. Please put a final end to this threat to our wetlands and fresh water.
Very sincerely, Citizen Name / Ex. 6
P.S. Please reply with either what you are finding to object to in this application, or with specific names and contact information of EPA people evaluating this proposal and who have veto power over it.

From: Citizen Name / Ex. 6
Sent: Friday, May 26, 2017 10:55 AM
To: Swenson, Peter
Subject: Re: Your email message regarding the Back Forty Project

Dear Mr. Peter Swenson, thank you for your reply. Our understanding is the EPA does have oversight of the Wetlands permit.

We DO NOT WANT THIS (or any sulfide or cyanide using) mine here.

PLEASE DO NOT ALLOW this mine! We know there has never in the history of our planet been such a mine that hasn't polluted. We do not want that here. We cannot afford to lose our water. Water is life. Please do what you can to stop this now.

Count us as 4 people vehemently opposed to this mine!

Very sincerely, Citizen Name / Ex. 6 and with their permission to include their names, my husband Citizen Name / Ex. 6 and my children Citizen Name / Ex. 6

P.S. If you are not someone personally involved in the approval process for the wetlands permit, please let us know names of people who are, and how to contact them.

From: Swenson, Peter <swenson.peter@epa.gov>
Sent: Tuesday, May 23, 2017 1:44 PM
Subject: Your email message regarding the Back Forty Project

Thank you for your recent email message expressing concerns about the proposed Aquila Resources Inc. Back Forty Project in Menominee County, Michigan.

As currently proposed, the Back Forty Project requires a number of permits, including permits required by federal statute. The State of Michigan has the authority and responsibility to review permit applications and issue these permits. In its oversight role, EPA reviews the State's permits to ensure their consistency with federal statutes. EPA has engaged with the Michigan Department of Environmental Quality (MDEQ) on each of the following permits required by federal law:

Clean Air Act Permit: During the public comment period, EPA stated its concerns with some of the draft air construction permit conditions. As part of its permitting process, MDEQ provided a response to comments document addressing EPA's comments and all comments received during the public comment period at time of final air construction permit issuance. MDEQ revised certain permit conditions to address EPA's concerns.

Clean Water Act Section 402 Permit (wastewater discharge permit): EPA provided comments on the draft permit during the public comment period. MDEQ provided a revised permit and the State's responses to comments. EPA provided additional comments to MDEQ on the revised permit. EPA's comments were focused primarily on toxicity testing and ambient monitoring requirements. EPA's comments were accepted by MDEQ and incorporated into the permit before it was issued on April 5, 2017.

Clean Water Act Section 404 Permit (wetlands permit): In August 2016, EPA objected to MDEQ issuing a 'Wetlands and Inland Lakes and Streams Permit.' Aquila Resources Inc. subsequently withdrew its MDEQ permit application. In January 2017, Aquila Resources Inc. re-applied to MDEQ. After MDEQ completes review of the application for completeness, MDEQ will issue a public notice, at which time, the public, tribes, and EPA will have an opportunity to provide comments. EPA will provide a thorough review of the revised permit application at that time.

Michigan also maintains state authority to issue mining permits under Part 632 of its Natural Resources and Environmental Protection Act. EPA does not have authority to oversee the State's Part 632 permits. If you have formal comments you wish to make, we recommend you submit them to the MDEQ within the relevant comment periods.

EPA is committed to ensuring that permits issued by MDEQ for the Back Forty Project comply with applicable federal environmental protection laws.

Thank you for your interest in this matter.

Peter Swenson
Chief, Watersheds and Wetlands Branch
U.S. Environmental Protection Agency, Region 5