

Message

From: Paul Balserek [pbalserek@steel.org]
Sent: 8/3/2017 10:16:50 PM
To: Greenwalt, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]; Dominguez, Alexander [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5ced433b4ef54171864ed98a36cb7a5f-Dominguez,]
Subject: Conduit Theory One Pager and Additional Materials for Aug 11, 10a.m. Call with AISI
Attachments: Conduit Theory One Pager for 8_11_17 EPA Call.pdf; Letter to Neblett - Final ELECTRONIC VERSION w attachments 5-23-2014.pdf; InsideEPA - EPAs-doubts-minnesota-discharge.pdf; EAB Case Sets Up Test For Trump EPA On CWA Groundwater Protections _ Ins .pdf; Minntac Draft NPDES-SDS Permit Fact Sheet Excerpt p7 - 8 - wq-wwprm1-28b.pdf; EPA R5 Pierard Comments to MPCA Re Minntac Draft NPDES-SDS Permit 12-21-2016 wq-wwprm1-28c.pdf

Dear Sarah and Alex,

Attached are the materials for our Aug 11, 2017, 10 a.m. phone call with you on conduit theory. We will walk through the "Conduit Theory One Pager" on the call. The additional attachments are additional material for your reference; they are:

- 1) Memo Regarding Regulation of seepage from Tailings Basins to water of the US from the Environmental Law Group to Minnesota Pollution Control Agency [Letter to Neblett – Final Electronic Version w. attachments 5-23-2014]. This is a lengthy but balanced view of the issue. It explains the problems with groundwater discharges being regulated under the NPDES program in Section III, but particularly III.E.
- 2) Inside EPA article from February 11, 2015 "*EPA's Doubts on Minnesota Discharge Permit Highlight Groundwater Debate*"
- 3) Excerpt from Minntac's Draft NPDES Permit Fact Sheet from Minnesota Pollution Control Agency Detailing How Groundwater Discharges and NPDES Point Source Discharges are regulated [Minntac Draft NPDES-SDS Permit Fact Sheet Excerpt p7 – 8]
- 4) Inside EPA article from May 16, 2017 "*EAB Case Sets Up Test for Trump EPA on CWA Groundwater Protections*"
- 5) EPA Region 5's Comments on the Draft NPDES/SDS Permit for Minntac dated December 21, 2016. [EPA R5 Pierard Comments to MPCA Re Minntac NPDES-SDS Permit 12-21-2016]

We appreciate your time and attention to this issue, and look forward to our call.

Best,
Paul

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