

EPA-R5-2014-001593-125

**Christine  
Wagener/R5/USEPA/US**  
01/09/2013 10:00 AM

To David Pfeifer  
cc Barbara Wester, Gary Prichard, Gaylene Vasaturo, Linda  
Holst, Thomas Poleck, Thomas Kenney  
bcc  
Subject RE: Agenda for EPA/MPCA Cliffs NPDES Permit Reissuance  
Conference Call

Dave,

By the way, I noted that a representative from DNR repeatedly referred to owner of the property known as "Area 5" (to which your conversation refers) as "Cliffs Natural Resources." We had a meeting with COE, DNR, MPCA, and EPA yesterday on the Northmet project. Tom Kenny was present and may be able to verify.

-----David Pfeifer/R5/USEPA/US wrote: -----

To: "Timerson, Brian (MPCA)" <brian.timerson [REDACTED]>  
From: David Pfeifer/R5/USEPA/US  
Date: 01/09/2013 08:26AM  
Cc: Linda Holst/R5/USEPA/US [REDACTED], Barbara Wester/R5/USEPA/US [REDACTED], Gary  
Prichard/R5/USEPA/US [REDACTED], Gaylene Vasaturo/R5/USEPA/US [REDACTED], Christine  
Wagener/R5/USEPA/US [REDACTED]  
Subject: RE: Agenda for EPA/MPCA Cliffs NPDES Permit Reissuance Conference Call

I think it would be valuable to have a MPCA/EPA call as soon as practicable to discuss MPCA's plans with respect to possible WQS actions related to Cliffs-Erie. I would like to have an opportunity to hear from MPCA how you plan to proceed, to provide feedback, and to discuss any areas of possible disagreement. The questions I would like to explore are provided below:

- From MPCA's perspective, what are the WQS compliance issues with Cliffs-Erie discharge and what would MPCA consider to be a successful outcome, both short-term and long-term?
- Is MPCA contemplating the possibility of a variance from WQS for the Cliffs -Erie discharge as part of the path to compliance with WQS?
- What does MPCA believe would be the basis for a variance from WQS for Cliffs -Erie?
- From MPCA's perspective, what would be the effect of a change in ownership on a possible WQS variance?

In my opinion, I think a conversation rather than a string of e-mails would be preferable.

David Pfeifer  
Water Quality Standards  
USEPA, Region 5

phone: [REDACTED]  
fax: 312-582-5164  
e-mail: pfeifer.david [REDACTED]

"Timerson, Brian (MPCA)" ---01/09/2013 07:59:05 AM---Dave, since we initially estimated that we would be farther along in the review process than we are,

From: "Timerson, Brian (MPCA)" <brian.timerson [REDACTED]>  
To: David Pfeifer/R5/USEPA/US [REDACTED],  
Cc: "Foss, Ann (MPCA)" <ann.foss [REDACTED]>  
Date: 01/09/2013 07:59 AM  
Subject: RE: Agenda for EPA/MPCA Cliffs NPDES Permit Reissuance Conference Call

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Dave, since we initially estimated that we would be farther along in the review process than we are, I had the meetings end this month . Hopefully we will be ramping up our communication with you on this project in the next few months so I extended these meetings out longer .

As before, if it is not necessary to have the call I will cancel it .

Please let me know if you have any questions or concerns .

Brian

**From:** Foss, Ann (MPCA)  
**Sent:** Monday, January 07, 2013 11:57 AM  
**To:** 'pfeifer.david@epamail.epa.gov'; Timerson, Brian (MPCA)  
**Subject:** Re: Agenda for EPA/MPCA Cliffs NPDES Permit Reissuance Conference Call

I will have Brian respond

**From:** Pfeifer, David [mailto:Pfeifer.David]  
**Sent:** Monday, January 07, 2013 05:41 PM  
**To:** Foss, Ann (MPCA)  
**Subject:** Re: Agenda for EPA/MPCA Cliffs NPDES Permit Reissuance Conference Call

Thanks. There was some disagreement here about whether or not a call was occurring. Is there a call scheduled in the future?

David Pfeifer  
Water Quality Standards  
USEPA, Region 5

phone: [redacted]  
fax: 312-582-5164  
e-mail: [pfeifer.david](mailto:pfeifer.david) [redacted]

▼ "Foss, Ann (MPCA)" ---01/07/2013 11:36:44 AM---It is cancelled. You did see a cancellation From: [Pfeifer.David@epamail.epa.gov](mailto:Pfeifer.David@epamail.epa.gov) [mailto:Pfeifer.Davi

From: "Foss, Ann (MPCA)" <[ann.foss](mailto:ann.foss)>  
To: David Pfeifer/R5/USEPA/US [redacted], "Timerson, Brian (MPCA)" <[brian.timerson](mailto:brian.timerson)>,  
Cc: "carmen.netten" <[carmen.netten](mailto:carmen.netten)>, Christine Wagener/R5/USEPA/US [redacted], "Carlson, Erik (MPCA)" <[Erik.Carlson](mailto:Erik.Carlson)>, "Koelfgen, Katie E (MPCA)" <[katie.koelfgen](mailto:katie.koelfgen)>, Kevin Pierard/R5/USEPA/US [redacted], Krista McKim/R5/USEPA/US [redacted], Mark Ackerman/R5/USEPA/US [redacted], Patrick Kuefler/R5/USEPA/US [redacted], "Clark, Richard (MPCA)" <[richard.clark](mailto:richard.clark)>, "Handeland, Stephanie (MPCA)" <[stephanie.handeland](mailto:stephanie.handeland)>, Stephen Jann/R5/USEPA/US [redacted]  
Date: 01/07/2013 11:36 AM  
Subject: Re: Agenda for EPA/MPCA Cliffs NPDES Permit Reissuance Conference Call

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It is cancelled. You did see a cancellation

**From:** Pfeifer, David [mailto:Pfeifer.David];  
**Sent:** Monday, January 07, 2013 05:35 PM  
**To:** Timerson, Brian (MPCA)  
**Cc:** Foss, Ann (MPCA); Netten, Carmen (AAG) <carmen.netten>;  
Wagener, Christine <Wagener.Christine>; Carlson, Erik (MPCA);  
Koelfgen, Katie E (MPCA); Pierard, Kevin <Pierard.Kevin>;  
McKim, Krista <McKim.Krista>; Ackerman, Mark <Ackerman.Mark>;  
Ackerman, Mark >; Kuefler, Patrick <Kuefler.Patrick>;  
>; Clark, Richard (MPCA); Handeland, Stephanie (MPCA); Jann, Stephen <Jann.Stephen>  
**Subject:** Re: Agenda for EPA/MPCA Cliffs NPDES Permit Reissuance Conference Call

Is there a Cliffs-Erie call today? I thought I saw a cancellation.

David Pfeifer  
Water Quality Standards  
USEPA, Region 5

phone: [redacted]  
fax: 312-582-5164  
e-mail: [pfeifer.david](mailto:pfeifer.david) [redacted]

▼ "Timerson, Brian (MPCA)" ---12/07/2012 10:26:30 AM---Attached is the agenda and some supporting information for the Monday Cliffs NPDES Permit reissuance

From: "Timerson, Brian (MPCA)" <brian.timerson>  
To: "Koelfgen, Katie E (MPCA)" <katie.koelfgen>, "Handeland, Stephanie (MPCA)" <stephanie.handeland>, "Clark, Richard (MPCA)" <richard.clark>, "Carlson, Erik (MPCA)" <Erik.Carlson>, "Foss, Ann (MPCA)" <ann.foss>, "Netten, Carmen (AAG)" <carmen.netten>, Krista McKim/R5/USEPA/US, Stephen Jann/R5/USEPA/US, Christine Wagener/R5/USEPA/US, Patrick Kuefler/R5/USEPA/US, Kevin Pierard/R5/USEPA/US, David Pfeifer/R5/USEPA/US, Mark Ackerman/R5/USEPA/US, Krista McKim/R5/USEPA/US, David Pfeifer/R5/USEPA/US, "Timerson, Brian (MPCA)" <brian.timerson>  
Date: 12/07/2012 10:26 AM  
Subject: Agenda for EPA/MPCA Cliffs NPDES Permit Reissuance Conference Call

Attached is the agenda and some supporting information for the Monday Cliffs NPDES Permit reissuance call .

Brian Timerson  
Project Lead, Metallic Mining Sector  
Industrial Division  
Minnesota Pollution Control Agency  
[redacted]  
[brian.timerson](mailto:brian.timerson) [redacted]

[attachment "Cliffs Erie EPA Call Agenda 12-10-12.docx" deleted by David Pfeifer/R5/USEPA/US] [attachment "DRAFT Cliffs Timeline 11-20-12.docx" deleted by David Pfeifer/R5/USEPA/US] [attachment "Cliffs Erie - Draft Mon-Compl Pts for TB-Area 5 12-7-12.xls" deleted by David Pfeifer/R5/USEPA/US]