

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL APPEALS BOARD
WASHINGTON, D.C.**

In re:

Montalban Oil & Gas Operations, Inc.

Jody Field 34-1 and Jody Field 34-2

Pondera County, Montana

UIC Class V Permit Nos.

MT52443-12513 (Jody Field 34-1; AR Doc 138)

MT52439-12514 (Jody Field 34-2; AR Doc 139)

and Aquifer Exemption Expansion

EPA Region 8 — Docket No.

EPA-R08-OW-2025-0852

UIC Appeal No. _____

(to be assigned by the Clerk)

PETITION FOR REVIEW

(40 C.F.R. § 124.19)

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Regulations. 40 C.F.R. §§ 124.6, 124.10, 124.13, 124.15, 124.17, 124.19, 124.20; 144.3, 144.5, 144.6, 144.12, 144.31, 144.51, 144.52, 144.54; 146.4; 261.3, 261.22, 262.11; 136.3 and Part 261, Appendix II.

EAB decisions. In re American Soda, LLP, 9 E.A.D. 280 (EAB 2000); In re Muskegon Dev. Co., 17 E.A.D. 740 (EAB 2019); In re Weber # 4-8 (Team Completions, L.L.C.), 11 E.A.D. 241 (EAB 2003); In re NE Hub Partners, L.P., 7 E.A.D. 561 (EAB 1998); In re Envotech, L.P., 6 E.A.D. 260 (EAB 1996); In re Desert Rock Energy Co., 14 E.A.D. 484 (EAB 2009).

INTRODUCTION

Petitioner Angela Otero seeks review under 40 C.F.R. § 124.19 of two final UIC Class V permit decisions issued by U.S. EPA Region 8 — Permit No. MT52443-12513 (Jody Field 34-1, AR Doc 138) and Permit No. MT52439-12514 (Jody Field 34-2, AR Doc 139) — authorizing injection of produced fluid and non-hazardous industrial wastewater from the Montana Renewables refinery into the Madison Formation in Pondera County, Montana. This Petition challenges only the permitting decisions. The merits of the aquifer-exemption expansion (the 40 C.F.R. § 146.4 criteria, confinement, and migration modeling) are reserved for a separate judicial-review proceeding and are not raised here.

The grounds below identify defects on the face of the permits and gaps in EPA's reasoned response to comments. The injectate is characterized in the application by a 2022 bench-scale projection, yet the record contains measured data that conflicts with it; the permits set no enforceable chemical limit on the injected fluid; the permits declare the stream “non-hazardous” in the same provision that makes testing the determinant of hazard; the permits' central USDW-protection condition is triggered by monitoring the permits never require; and EPA concedes that an unidentified chemical additive enters the injection zone. Each ground is framed to 40 C.F.R. § 124.19(a)(4).

I. PETITIONER, STANDING, AND TIMELINESS

Petitioner and standing (§ 124.19(a)(2)). Petitioner Angela Otero submitted written comments during the public comment periods on the draft permits and associated documents, and participated in the public hearings held April 3, 2024 at Conrad High School, Conrad, Montana, and September 23, 2025. She is therefore a person who filed comments on the draft permits and participated in the public hearings, eligible to petition for review. EPA accepted Petitioner's comments into the administrative record and responded to them in the Response to Comments (AR Doc 141).

Preservation (§ 124.13). Each issue raised below was raised during the public comment process, with record citations provided at each Ground. EPA accepted Petitioner's comments into the record and responded to them (see, e.g., AR Doc 141, Comments and Responses #84–#99, pp. 58–64).

Timeliness (§§ 124.19(a)(3), 124.20). EPA issued the final permit decisions and served notice of those decisions on interested parties, including Petitioner, by electronic mail on May 1, 2026 (Notice of Final Permit Decision, U.S. EPA Region 8 UIC Program, May 1, 2026, Ex. 7). That notice states that a petition for review must be filed within thirty days after service of notice of EPA's final permit decisions, consistent with 40 C.F.R. § 124.19. Under § 124.20(a), the thirty-day period began the day after service; the thirtieth day, May 31, 2026, fell on a Sunday, so under § 124.20(c) the deadline extended to the next business day, Monday, June 1, 2026. Because service was by electronic mail, the three-day extension under § 124.20(d) does not apply. The Clerk of the Environmental Appeals Board confirmed the June 1, 2026 filing date by telephone on May 28, 2026. This Petition is timely filed.

Acceptance of Petitioner's October 14, 2025 comments. EPA's public notice for the second comment period stated that written comments were due by midnight Mountain Time on October 13, 2025. The Regulations.gov docket, however, closed at 11:59 p.m. Eastern Time (9:59 p.m. Mountain) — approximately two hours before the published Mountain-Time deadline — locking Petitioner out while she was still preparing comments. Petitioner documented the lockout by email to EPA (V. Lozano) at 11:23 p.m. Mountain Time on October 13, 2025. The next morning, October

14, 2025, EPA replied inviting Petitioner to send her comments for addition to the record, and explained that the docket is managed in Eastern Daylight Time. Petitioner submitted her comments that same day, October 14, 2025, and EPA added them to the record and responded to them. The correspondence is attached as Exhibit 5. Petitioner's comments were therefore invited, accepted, and addressed by EPA; any objection to their timeliness is foreclosed.

II. STANDARD AND SCOPE OF REVIEW

Under 40 C.F.R. § 124.19(a)(4)(i), the Board grants review where a permit decision is based on a finding of fact or conclusion of law that is clearly erroneous, or involves an exercise of discretion or important policy consideration that the Board should, in its discretion, review. Under § 124.19(a)(4)(ii), a petitioner must identify the contested permit condition, demonstrate that the issue was preserved, cite the relevant comment and EPA's response, and explain why the response was clearly erroneous or otherwise warrants review.

The Board has held that where the Region fails to respond to a significant comment, or where the response is so inadequate that the Board cannot determine whether the Region meaningfully considered the comment, review and remand may be warranted. See *In re Muskegon Dev. Co.*, 17 E.A.D. 740, 746–52 (EAB 2019); *In re Weber # 4-8*, 11 E.A.D. 241 (EAB 2003). Each Ground below is framed to these requirements. As set out in Section I, each issue was preserved during the comment process.

III. STATEMENT OF FACTS

The injectate is the water phase from Montana Renewables' renewable-feedstock pretreatment unit (PTU). The pretreatment process technology is developed and licensed by Applied Research Associates, Inc. (ARA). The application characterizes the injectate in Attachment D, § 4 (AR Doc 001, Attachment D, § 4, at p. 376, duplicated at p. 848; citations to AR Doc 001 are to the PDF pagination for its 944 pages), which projects a raw pH of approximately 3 and TDS of 5,000–8,000 mg/L — expressly identified as based on bench-scale analyses and projections from ARA, for a system the application described as then “currently under construction” with “final water quality data ... not available” — and states that the pH will be adjusted prior to injection, which will increase TDS by 5 to 10 percent.

The administrative record also contains laboratory analyses of the PTU rundown stream (AR Doc 052), generated for the refinery operator, Calumet Montana Refining, LLC, which measured aqueous pH 6.8 (reported with qualifier “H,” analysis performed past method holding time, at p. 30) and a corrosivity pH 6.5 (method SW9040C, on a sample matrix coded “Solid” but characterized by the laboratory as a filterable liquid treated as the TCLP extract, at pp. 106–107), and TDS as high as 10,800 mg/L (at p. 30). EPA confirmed it relied on the generator's analyses and did not independently sample (AR Doc 141, Comment and Response #89, pp. 60–62).

Neither final permit recites a numeric injectate pH or TDS limit. Each characterizes the injectate by (a) the definition in Attachment II.6 (a feedstock list prohibiting injection of any hazardous waste as defined at 40 C.F.R. § 261.3; see AR Doc 141, p. 12) and (b) the Attachment III sampling parameters (AR Doc 141, pp. 13–14) — TDS, pH, specific gravity, and specific conductance, recorded quarterly, each with an “NA” MAIP-revision trigger and no numeric limit — plus an annual TCLP added by Permit Change #13 (AR Doc 141, pp. 13–14). The only Maximum Permit

Limits in Attachment IV are surface injection pressure, tubing-casing-annulus pressure, and cumulative volume; no chemical parameter is limited.

In the final decision, EPA did not retain the original quarter-mile exemption extent. EPA approved a single, consolidated aquifer exemption covering both wells, expanded laterally to 6.6 square miles (approximately 4,230 acres) and vertically to approximately 3,700 feet, sized to encompass the modeled migration of injected fluids over a 10,000-year period (Aquifer Exemption Record of Decision, AR Doc 140, Ex. 9). EPA's own Record of Decision identifies the non-exempted USDWs in the area as the Two Medicine Formation and Eagle/Virgelle Sandstone (which supply the area's drinking water, including the Town of Valier and Pondera Colony public water systems), the Lower Cretaceous Dakota, Kootenai, and Sunburst formations, and the Devonian Duperow Formation.

IV. ARGUMENT

A. Ground 1 — The injectate pH is internally contradicted and left unconstrained; EPA did not reconcile the conflict.

Contested condition. The Attachment III sampling table records pH quarterly but sets no enforceable pH limit and no MAIP-revision trigger (“NA”) (AR Docs 138 & 139, Attachment III). The injectate characterization underlying the permit (AR Doc 001, Attachment D, § 4, at p. 376, duplicated at p. 848) projects raw pH 3, while every measurement in the record is near neutral (pH 6.5–6.8; AR Doc 052, at pp. 30, 106–107).

Preservation (§ 124.13). Raised in Petitioner's comment (AR Doc 123, at pp. 243–244), which juxtaposed projected pH 3 against the published NREL HEFA literature describing such renewable-fuel wastewater as having a “natively low pH (<5)” and against the generator's measured pH 6.8, and asked why no agency had questioned the discrepancy.

EPA's response (§ 124.17). EPA addressed injectate composition and hazard status (AR Doc 141, Comment and Response #88, pp. 59–60) by listing the analytes tested and concluding the samples contain no hazardous constituents, but it did not reconcile projected pH 3 with the measured near-neutral values and did not state which value characterizes the fluid. pH appears in the final permits only as an unlimited quarterly Attachment III parameter.

Why review is warranted. A permit authorizing injection into a USDW must rest on an adequate characterization of the injected fluid: no injection may be authorized that allows a contaminant to move into a USDW in a manner that may endanger drinking water, and the applicant bears the burden of proof (40 C.F.R. § 144.12); permit conditions, including monitoring of the nature of the injected fluids, are established under § 144.52(a) and 40 C.F.R. part 146.

Petitioner does not contend that any particular pH value is correct. The defect is that the record contains three irreconcilable pH signals — the application's projected pH 3 (a bench-scale projection from the process designer, ARA, presented through the applicant's consulting engineer, Ramboll); the NREL HEFA literature's “natively low pH (<5)”;

and the generator's measured pH 6.5–6.8 — spanning roughly 3.8 pH units, several thousand-fold in hydrogen-ion activity. EPA neither reconciled them, nor resolved the conflict by independent testing, nor bounded the injected fluid by any enforceable pH limit. Nor is the conflict cured by the application's statement that pH “will be adjusted” prior to injection: by the application's own terms that adjustment changes the

fluid (increasing TDS 5–10 percent), yet the permits set no limit on the post-adjustment pH actually injected.

EPA cannot characterize this omission as reasonable reliance on the application's figures. In the final Aquifer Exemption Record of Decision, EPA updated the injectate TDS characterization from the application's bench-scale figures to the measured range of 3,440 to 10,800 mg/L “based on water quality analyses submitted to EPA” (AR Doc 140, Ex. 9). Having both possessed the measured data and conformed the record to it for TDS, EPA offered no explanation for leaving the injectate pH on the superseded bench-scale projection and unconstrained by any permit limit. The selective updating confirms that the unreconciled pH was not an unavoidable gap in the data but an unexplained choice.

Approving the permits on this unreconciled and unverified record is a clearly erroneous finding of fact reviewable under 40 C.F.R. § 124.19(a)(4)(i)(A); and EPA's failure to reconcile a discrepancy squarely raised in comments — having engaged injectate composition at Response #88 but not the pH conflict — is independently reviewable under § 124.17. Petitioner pleads the defect as pH unresolved across sources, unverified, and unconstrained by any permit limit — not as a corrosivity classification and not as a contention that any single value is correct.

B. Ground 2 — The hazard determination is internally contradictory on the face of the permit: the permit pre-labels the injectate “non-hazardous” in the same provision that makes TCLP the test for whether it is hazardous.

Contested condition. Attachment III, as amended by Permit Change #13, adds annual TCLP testing under a footnote stating that TCLP “applies only to the non-hazardous feedstock wastewater injectate from Montana Renewables,” while the stated reason for the change is that TCLP “is utilized to determine if a liquid waste is hazardous.”

Preservation (§ 124.13). AR Doc 123, at pp. 243–244, and the injectate-composition comments answered at Comment and Response #88, including the express request to test for PFAS (AR Doc 039, at p. 273; AR Doc 123, at pp. 223–224). Petitioner's comment also identified n-hexane as a possible constituent, citing the U.S. Department of Energy Environmental Assessment for the facility (EA-2275, Table 3-1b) for the proposition that n-hexane is the largest hazardous air pollutant the facility's federal environmental documents attribute to Montana Renewables' operations — alongside sulfur dioxide, nitrogen oxides, carbon monoxide, fine particulate matter, and volatile organic compounds — and asking whether those constituents are present in the injected wastewater (AR Doc 123, at pp. 249–250).

EPA's response (§ 124.17). EPA recorded the PFAS concern, listed the suite (TSS, TDS, COD, BOD, total metals, oil and grease, SVOC, and TCLP), and stated that a TCLP analysis provided January 22, 2024 confirmed the representative samples do not contain any hazardous constituents (Comment and Response #88); it described TCLP as the test utilized to determine if a liquid waste is hazardous (Permit Change #13). The final Aquifer Exemption Record of Decision likewise describes the water phase as constituting the non-hazardous industrial wastewater to be injected (AR Doc 140, Ex. 9). EPA did not address whether the analytical suite can detect n-hexane or the other hazardous air pollutants Petitioner identified.

Why review is warranted. Petitioner does not contend the Region was required to fully characterize the injectate's hazard status before issuance; the Board has held it need not, and that

post-issuance evaluation with reporting may suffice. See *In re American Soda, LLP*, 9 E.A.D. 280, 300–01 (EAB 2000). Nor does Petitioner contend the January 22, 2024 TCLP result is affirmatively false. The defect is narrower and facial: the permit declares the injectate “non-hazardous” in the very instrument that makes TCLP the determinant of hazard.

American Soda is not to the contrary. There, the permit prohibited hazardous-waste injection and required post-issuance evaluation to confirm the stream's status; it did not embed a conclusion (“non-hazardous”) in the same condition that establishes the test for reaching that conclusion. A permit condition that announces its own result before the test designated to determine that result is internally contradictory, and resting the “non-hazardous” classification on a determination the permit simultaneously treats as the operative test is a clearly erroneous conclusion of law reviewable under 40 C.F.R. § 124.19(a)(4)(i)(A).

The point is reinforced by a fact raised in comments and unaddressed by EPA: the analytical suite EPA relied upon does not detect PFAS or volatile organics such as n-hexane. Petitioner does not assert that PFAS or n-hexane are present; the point is that the “non-hazardous” label rests on an incomplete basis even on EPA's own terms, because the presence or absence of those constituents was never within the analytical scope. EPA's failure to address that gap is a reasoned-response failure under § 124.17.

C. Ground 3 — The permits' USDW-protection condition is illusory: corrective action is conditioned on USDW monitoring the permits never require, leaving the adjacent, non-exempted USDWs without a backstop.

Scope of this Ground. This Ground challenges a condition of the permits and does not contest the aquifer exemption. Petitioner does not ask the Board to review the § 146.4 exemption criteria, the confinement modeling, the 6.6-square-mile exempted area, or whether the exempted portion of the Madison Formation should be protected; those matters are not raised here. This Ground concerns only the adjacent, non-exempted USDWs — identified in EPA's own Record of Decision as the Two Medicine Formation and Eagle/Virgelle Sandstone (the formations supplying the area's drinking water, including the Town of Valier and Pondera Colony public systems), the Lower Cretaceous Dakota, Kootenai, and Sunburst formations, and the Devonian Duperow Formation (AR Doc 140, Ex. 9) — which the permits, by their own terms, continue to protect, and as to which the permits' protective machinery does not function as written.

Contested condition. Section I.1 of each permit (Conditions Applicable to All Permits — Prohibition on Movement of Fluid Into a USDW), read together with Attachment III (Sampling Requirements) and Attachment IV as amended by Permit Change #14 (AR Doc 141, pp. 14–19), which require monitoring of injectate parameters and of formation pressure but require no contaminant monitoring of any non-exempted USDW.

Preservation (§ 124.13). Petitioner objected during the comment period that the effluent's content was unknown and that independent sampling had been refused, and questioned EPA's ability to assure protection of other USDWs on the present record (AR Doc 123, at p. 96; AR Doc 123, at pp. 243–244, quoting 40 C.F.R. § 262.11). By email submitted as additional comments during the comment period, Petitioner asked whether EPA had received and tested a wastewater sample; EPA replied that MOGO had submitted sample analyses from the Calumet Refinery performed by Energy Laboratories on June 23, August 29, and October 12, 2023, that “the EPA has not tested a sample from the Calumet Refinery,” and that EPA had reviewed and added the submitted data to

the administrative record (Otero–Lozano correspondence, Apr. 4 and Apr. 8, 2024, Ex. 8). The County's offered April 2, 2024 opportunity to collect its own samples was rescinded (AR Doc 052, at pp. 65–66; also at AR Doc 039, at p. 190). The need for monitoring of the surrounding drinking-water sources — expressly distinguished from the injection well — was also raised on the record at the April 3, 2024 public hearing held at Conrad High School, Conrad, Montana (AR Doc EPA-R08-OW-2025-0852-0006 (hearing transcript), at pp. 9–10), addressing individual wells, public wells, and springs, not the injection well.

EPA's response (§ 124.17). EPA declined to require water-quality (contaminant) monitoring of any non-exempted USDW, reasoning that the exempted portion of the Madison is not a potential source of drinking water and that multiple confining layers, the absence of any identified hydraulic connection, and the migration modeling make contamination of the shallow drinking-water aquifers highly improbable (AR Doc 141, Comments and Responses #61–#66, pp. 50–52; and Comment and Response #38, p. 42). EPA did require a suite of injection-performance and integrity monitoring — continuous injection, annulus, and bradenhead pressures; injected-volume metering; monthly formation pore-pressure readings at two shut-in Madison wells; quarterly injectate sampling; periodic mechanical-integrity tests; an annual pressure fall-off test; and a one-time pre-injection noise log (Permit Change #14) — none of which is contaminant monitoring of the non-exempted USDWs that Section I.1's corrective-action trigger requires. EPA also confirmed it did not independently sample and that self-monitoring and self-reporting are permitted, with no requirement that testing be done under EPA supervision or by a third party (AR Doc 141, Comment and Response #89, pp. 60–62).

Why review is warranted.

The contested condition is clearly erroneous on the face of the permit (40 C.F.R. § 124.19(a)(4)(i)(A)). Section I.1 prohibits injection in a manner that allows the movement of a fluid containing any contaminant into USDWs, and provides that if any water quality monitoring of a USDW indicates the movement of any contaminant into the USDW, additional corrective requirements follow. That safeguard is triggered only by water quality monitoring of a USDW — yet no condition of the permits requires any such monitoring of the non-exempted USDWs the provision protects. A corrective-action trigger keyed to monitoring the permits never require cannot operate. As to those USDWs — the Two Medicine, Eagle/Virgelle, Dakota, Kootenai, Sunburst, and Duperow formations EPA itself identified — the permits' principal safeguard is, by their own terms, inoperative. This defect appears on the face of the permit and does not depend on any extra-record evidence or on contesting EPA's confinement findings; even if those findings are sound, the corrective-action condition remains inoperable as written.

EPA's reliance on unverified self-testing, without the backstop that justified self-testing in American Soda, warrants discretionary review (40 C.F.R. § 124.19(a)(4)(i)(B)). In American Soda, the Board permitted reliance on the applicant's self-determination of non-hazardous status precisely because the permit built in robust post-issuance verification — five quarters of baseline water-quality data from twenty-five sampling points, subject to the Director's review and written authorization before operations could begin. 9 E.A.D. at 288, 300–01. Here, no comparable backstop exists. The permits require only annual TCLP of the injectate (Permit Change #13) and formation-pressure monitoring at the injection wells (Permit Change #14); they require no contaminant monitoring of the receiving formation or of any adjacent, non-exempted USDW. The analyses on which EPA relied were generated and collected by the refinery operator (AR Doc 052),

and EPA confirms it did not independently sample (Comment and Response #89). The verification structure that American Soda found sufficient to justify reliance on self-testing is therefore absent, and the injectate characterization on which the permits rest is itself contested (Grounds 1, 2, and 4).

The defect is material. Because the permits require no contaminant monitoring of any non-exempted USDW that could detect what the characterization failed to capture, an error in the contested characterization would go undetected as to the very USDWs the permits still protect. The defect therefore goes to the basis for the permits, not to a technical detail.

D. Ground 4 — EPA authorized injection of an admittedly unidentified chemical additive without characterizing it.

Contested condition. A corrosion inhibitor enters the injection zone with the injectate, but is not identified, not characterized, and not among any Attachment III parameter or any laboratory sample.

Preservation (§ 124.13). The identity and hazard potential of the corrosion inhibitor were raised during the comment period (AR Doc 123, at p. 390; and AR Doc 141, Comment and Response #95, p. 63, in which EPA addressed the “currently unidentified corrosion inhibitor”). Petitioner separately requested that EPA identify the inhibitor's chemical composition, the ratio of inhibitor to injectate, the safety-data sheet, and the point of addition (Otero–Lozano correspondence, Apr. 16, 2024, Ex. 6). EPA acknowledged the request and stated it would respond fully once it reached a decision on the permitting action (EPA reply, Apr. 18, 2024, Ex. 6).

EPA's response (§ 124.17). At decision, EPA still described the corrosion inhibitor as “currently unidentified,” acknowledged that “a small, metered dose of corrosion inhibitor travels with the injectate into the deep, exempted injection zone,” and rested its no-impact conclusion on the expectation that the injectate would stay within the exemption boundary (Comment and Response #95). EPA confirmed no onsite treatment exists at the wells (AR Doc 141, Comment and Response #121, p. 71). Having acknowledged Petitioner's request and promised a full response at the permitting decision, EPA at decision still left the additive unidentified — sharpening, rather than answering, the question put to it.

Why review is warranted. By EPA's own admission, the fluid actually injected is the characterized raw water plus an unidentified, uncharacterized metered additive. The characterization samples are upstream PTU rundown (AR Doc 052) and do not include that additive. EPA never identified the additive or explained how an injected, uncharacterized chemical satisfies the characterization and USDW-protection requirements (40 C.F.R. §§ 144.12, 144.52(a)); resting the answer on the aquifer-exemption containment boundary rather than on any characterization of the additive is non-responsive to the question raised — a § 124.17 reasoned-response failure and an inadequate characterization. Petitioner pleads this as a characterization-completeness defect, not a corrosivity classification.

E. Ground 5 — The permits' characterization is inconsistent with EPA's simultaneously-issued final documents.

Contested condition. The permits characterize the injectate by the 2022 Attachment D projection (AR Doc 001, Attachment D, at p. 376, duplicated at p. 848; and in AR Doc 141, Introduction, p. 2), while EPA's simultaneously-issued AE ROD characterizes the same injectate by its measured

TDS of 3,440–10,800 mg/L (AR Doc 140, Ex. 9). The final documents also describe the injected fluid inconsistently among themselves.

Preservation (§ 124.13). Raised by Petitioner and others questioning reliance on stale projections when measured data existed (AR Doc 123, at pp. 243–244; AR Doc 052, at pp. 30, 165).

EPA's response (§ 124.17). EPA conceded that the 2025 draft AE ROD retained the original information supplied by the applicant in 2023 and that EPA updated the final AE ROD to reflect the water quality data (AR Doc 141, Comment and Response #85, p. 59). EPA also conceded that the original feedstock language led the public to believe the food and animal byproduct feedstocks would be trucked to the wells and injected, and stated it revised that language in both the permits and the AE ROD (AR Doc 141, Permit Change #11, p. 12; Response #84, p. 58).

Why review is warranted. EPA relied on the measured data in one final decision (the AE ROD) while the permits — the decisions under review — retain the superseded 2022 projection and impose no chemical limit. Moreover, the injectate is described at least three different ways across the final documents: as “primarily phosphorus, nitrogen, and salts” (AR Doc 141, Introduction); as “phosphorus, nitrogen, salts, and other impurities” (AR Doc 140, Ex. 9); and as “water, weak acid, phosphorus, nitrogen, salts and other impurities” (Permit Change #11). The revised feedstock phrasing EPA said it removed nonetheless survives, verbatim, in a footnote on page 2 of the final Response to Comments (AR Doc 141, Introduction) and in footnote 3 of the final AE ROD (AR Doc 140, Ex. 9). These shifting descriptions — which EPA acknowledges confused the public about what is injected — leave the injected fluid inadequately and inconsistently characterized across EPA's simultaneously-issued final decisions. The inconsistency renders the permits' characterization finding clearly erroneous and warrants remand to reconcile the record. Petitioner pleads this as inadequate and inconsistent characterization (40 C.F.R. §§ 144.12, 144.52(a)), not as a claim that unlimited material may be injected.

V. RELIEF REQUESTED

For the foregoing reasons, Petitioner respectfully requests that the Environmental Appeals Board:

- (1) grant review of the final permit decisions (MT52443-12513 and MT52439-12514) on Grounds 1 through 5;
- (2) remand the permits to EPA Region 8 with instructions to: (a) reconcile the injectate characterization, including pH, on the measured record, and impose enforceable limits on the design-critical injectate parameters; (b) make and document a non-circular hazard determination supported by an adequate analytical basis, including for constituents raised in comments such as PFAS and volatile organics; (c) require contaminant monitoring of the adjacent, non-exempted USDWs sufficient to give Section I.1 operative effect; (d) identify and characterize all additives introduced into the injected fluid; and (e) reconcile the inconsistent injectate characterizations across EPA's final documents;
- (3) grant such other relief as the Board deems just and proper.

Petitioner does not request oral argument.

STATEMENT OF COMPLIANCE WITH WORD LIMITATION

This Petition complies with 40 C.F.R. § 124.19(d)(3). Excluding the caption, table of contents, table of authorities, table of exhibits, this statement, and any attachments, the Petition contains approximately 4,300 words, which does not exceed 14,000 words.

RESPECTFULLY SUBMITTED

Dated: June 1, 2026

/s/ Angela Otero

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Individual authorized to receive service for this proceeding (40 C.F.R. § 124.19(i)(3)): Angela Otero, PO Box 591, Valier, Montana 59486-0591; 406-880-1222; QueensNecklace@gmail.com.

TABLE OF EXHIBITS

Exhibit 1 — Excerpt, Response to Comments (AR Doc 141): Comments and Responses #84–#99 (pp. 58–64) and Permit Changes #11 (p. 12), #13 (pp. 13–14), and Permit Change #14 (pp. 14–19).

Exhibit 2 — Application Attachment D, § 4 (Injectate Characteristics) (AR Doc 001, at p. 376, duplicated at p. 848).

Exhibit 3 — Calumet / Energy Laboratories sample analyses (AR Doc 052, at pp. 30, 106–107, and 165).

Exhibit 4 — Petitioner's comments (AR Doc 123, at pp. 96, 243–244, 249–250, and 390) and PFAS comments (AR Doc 039, at p. 273; AR Doc 123, at pp. 223–224).

Exhibit 5 — Otero–Lozano email correspondence, Oct. 13–14, 2025 (comment-deadline lockout and EPA's acceptance of Petitioner's comments).

Exhibit 6 — Otero–Lozano correspondence, Apr. 16 and Apr. 18, 2024 (request to identify the corrosion inhibitor and EPA's deferral).

Exhibit 7 — Notice of Final Permit Decision, U.S. EPA Region 8 UIC Program, May 1, 2026 (Petitioner's received copy).

Exhibit 8 — Otero–Lozano email correspondence, Apr. 4 – May 15, 2024 (Petitioner's additional comments regarding sampling, and EPA's reply confirming it did not test a sample from the Calumet Refinery).

Exhibit 9 — Aquifer Exemption Record of Decision (AR Doc 140, Ex. 9), signed by Sarah Bahrman, Acting Director, Water Division, EPA Region 8.

FILING AND SERVICE INFORMATION (40 C.F.R. § 124.19(i))

This Petition must be filed with the Clerk of the Environmental Appeals Board and served on the Regional Administrator and the permit applicant.

Filed with — Clerk of the Environmental Appeals Board, by the method authorized by the Board's procedures: the EAB electronic filing system; or U.S. mail to U.S. EPA, Environmental Appeals Board, 1200 Pennsylvania Avenue NW, Mail Code 1103M, Washington, DC 20460-0001; or hand delivery/courier to U.S. EPA, Environmental Appeals Board, WJC East Building, 1201 Constitution Avenue NW, Room 3332, Washington, DC 20004.

Served on — (1) Cyrus Western, Regional Administrator, U.S. EPA Region 8, 1595 Wynkoop Street, Denver, Colorado 80202-1129; and (2) Montalban Oil & Gas Operations, Inc. (permit applicant), c/o Patrick Montalban, 33 1st Ave SW, Cut Bank, Montana 59427-2937. Service is by United States certified mail, return receipt requested. See the Certificate of Service below.

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of June, 2026, I served a true and correct copy of the foregoing Petition for Review upon the following persons by United States certified mail, return receipt requested:

Cyrus Western
Regional Administrator
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street
Denver, Colorado 80202-1129

Patrick Montalban
Montalban Oil & Gas Operations, Inc.
33 1st Ave SW
Cut Bank, Montana 59427-2937

/s/ Angela Otero
Angela Otero, pro se
Dated: June 2, 2026

11. Attachment II.6 Injection Fluid Limitation

Draft language:

Injected fluids are limited to fluids associated with oil and natural gas production and industrial wastewater from Montana Renewable, generated from the pretreatment of renewable feedstocks. The renewable feedstocks may include, but are not limited to, vegetable oils (such as soybean oil and canola oil), animal fats (such as beef tallow, choice white grease, and poultry fat) distiller's corn oil, and used cooking oil. The Permittee shall not inject any hazardous substances, as defined in 40 CFR 261, at any time during the operation of the facility.

Final language:

This Permit authorizes injection of only the following fluids:

- Produced fluid from oil and gas exploration and production wells as defined at 40 CFR § 144.6(b)(1).
- Non-hazardous wastewater received from Montana Renewables generated from the processing of renewable feedstocks. The renewable feedstock may only include vegetable oils (such as soybean oil and canola oil), animal fats (such as beef tallow, choice white grease, and poultry fat), distiller's corn oil, and used cooking oil. The wastewater from Montana Renewables is prohibited from including any hazardous waste as defined at 40 CFR 261.3.

The burden of ensuring that only fluids authorized by the Permit are disposed of into the well is on the Permittee.

Reason for Change: This change is intended to clarify the allowable injectate. The Fact Sheet that accompanied the 2023 proposal to approve the Class V permits stated, “[i]n addition to continued oil and gas injection, MOGO proposes to inject wastewater generated from renewable feedstocks, which may include, but are not limited to, vegetable oils (such as soybean oil and canola oil), animal fats (such as beef tallow, choice white grease, and poultry fat) distiller’s corn oil, and used cooking oil.”³ This description led the public to believe that the described food and animal byproduct feedstocks would be trucked to the wells and injected into the two wells. Rather, this list described the feedstock that will go into the refining process at the Montana Renewable Refinery in Great Falls. The refining processes for vegetable oils coming from plant biomass includes pyrolysis, saccharification, gasification, and hydrothermal liquefaction and the refining process for animal fats/tallow include degumming, transesterification (ethanol and potassium hydroxide addition), separation, and washing. The wastewater generated from these refining processes that would be trucked and injected into the wells is primarily composed of water, weak acid, phosphorus, nitrogen, salts and other impurities. Commenters were also concerned that the “may include, but are not limited to...” language does not sufficiently limit injection materials. In response, the phrase “but are not limited to...” was removed to clarify the injectate limitation.

12. Attachment II.7 Endangered Species Act Mitigation Measures

Draft language:

None

Final language:

7. *Endangered Species Act Mitigation Measures*

To address the potential for impacts to grizzly bears related to truck traffic, trucking deliveries of

³ EPA Seeks Comments on Injection Well Permit, Fact Sheet (2023).

wastewater for injection at the Jody Fields site must only occur during daylight hours between one hour after dawn and one hour before dusk. Permit limitations on trucking delivery hours are in effect annually, from March 1st through November 30th.

Reason for Change: Permit limitations on trucking delivery hours were included to limit deliveries to daylight hours during non-hibernation periods to reduce potential interactions with threatened grizzly bears. These limitations on trucking delivery hours will be in effect annually from March 1st through November 30th since grizzly bears are in hibernation (torpor) and are not expected to be out of their dens or on the roadways from December 1st through the end of February.⁴ These permit provisions are intended to limit the trucking activities associated with this action to times when grizzly bears are expected to be less active.

13. Attachment III Sampling Requirements

Draft language:

Sampling Requirement	MAIP Revision Trigger	Minimum Recording Frequency	Minimum Reporting Frequency
Total Dissolved Solids (TDS)	--	Quarterly	Quarterly
pH	--	Quarterly	Quarterly
Specific Gravity	1.054*	Quarterly	Quarterly
Specific Conductance/Conductivity	--	Quarterly	Quarterly

* The specific gravity of the fluid provided with the application was estimated. A specific gravity greater than the MAIP Revision Trigger may require a MAIP recalculation (see Section B.4 of the Permit). The specific gravity MAIP Revision Trigger value will be revised after a sample analyzed for specific gravity is provided.

Final language:

Sampling Requirement	MAIP Revision Trigger	Recording Frequency	Reporting Frequency
Total Dissolved Solids (TDS)	NA	Quarterly	Quarterly
pH	NA	Quarterly	Quarterly
Specific Gravity	1.054*	Quarterly	Quarterly
Specific Conductance/Conductivity	NA	Quarterly	Quarterly
Toxic Characteristic Leaching Procedure (TCLP)**	NA	Annually	Annually

* The specific gravity of the fluid provided with the application was estimated. A specific gravity greater than the MAIP Revision Trigger may require a MAIP recalculation (see Section B.4 of the Permit). The specific

⁴ Montana Natural Heritage Program. 2026. "MTNHP Species Observations: Grizzly Bear (*Ursus arctos*) Records in Montana." Data set. Accessed April 10, 2026. <https://mtnhp.org/MapView/>

gravity MAIP Revision Trigger value will be revised after a sample analyzed for specific gravity is provided.
 ** TCLP sampling applies only to the non-hazardous feedstock wastewater injectate from Montana Renewables.

Reason for Change: Several commenters voiced concerns about the injectate characteristics and that the EPA did not have controls in place for limiting potential introduction of hazardous injectate into the well. Required analytical methods were updated to include Toxic Characteristic Leaching Procedure (TCLP) analysis to provide a more robust chemical composition analysis of fluids in the injectate. These requirements more fully identify the nature of the waste being placed into the subsurface, ensuring regulatory compliance, protecting underground sources of drinking water (USDWs), and evaluating the potential for geochemical reactions within the receiving formation. TCLP measures the mobility of organic/inorganic contaminants (metals, volatiles, pesticides) to ensure environmental safety and is utilized to determine if a liquid waste is hazardous. These analyses provide additional protection, and enforcement accountability for the EPA and public.

14. Attachment IV Monitoring and Reporting Requirements

A. Changes Specific to Jody Field 34-1 Permit

Draft language:

Monitoring and Reporting Requirement	Maximum Permit Limit	Report Parameter	Monitor Frequency	Recording Frequency	Reporting Frequency
Surface Inj Pressure (psi)	1,484	Min/Average/Max	Continuous	Monthly	Quarterly
TCA Annulus Pressure (psi)	100	Min/Average/Max	Continuous	Monthly	Quarterly
Injection Rate (bbl/day)	NA	Min/Average/Max	Continuous	Monthly	Quarterly
Cumulative Volume (bbl) (since Class V authorization)	8,811,350*	Monthly Total	Continuous	Monthly	Quarterly
Injection Volume (bbl)	NA	Monthly Total	Continuous	Monthly	Quarterly
Bradenhead Annulus Pressure (psi)	NA	Min/Average/Max	Continuous	Monthly	Quarterly
Field 14-34 Wellhead Pressure (psi)	NA	Min/Average/Max	Monthly	Monthly	Quarterly
Field 4-1A Wellhead Pressure (psi)	NA	Min/Average/Max	Monthly	Monthly	Quarterly
The Permittee must provide a listing of the sources of injected fluids. Copies of all monthly records on injected fluids, and any major changes in characteristics or sources of injected fluid shall be included in the Quarterly Report.					Quarterly

Document the review performed to determine if additional wells exist within the area of review that have not previously been identified. For those wells within the AOR that penetrate the overlying confining zone, a well construction diagram, cement records and cement bond log are also required.	Quarterly
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*This value represent the volume limitation permissible as a Class V UIC well. Past injection volumes have been accounted for in this calculation.

Quarterly Reports must cover the period from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31. Quarterly Reports must be submitted by the fifteenth day of the month following the end of the data collection period. EPA Form 7520-8 may be used or adapted to submit the Quarterly Report. The monitoring requirements specified in this Permit are mandatory even if an EPA form does not include all information.

Final language:

Monitoring and Reporting Requirement	Maximum Permit Limit	Report Parameter	Monitor Frequency	Recording Frequency	Reporting Frequency
Surface Injection Pressure (psi)	1,484	Min/Average/Max	Continuous	Monthly	Quarterly
Tubing Casing Annulus (TCA) Pressure (psi)	100	Min/Average/Max	Continuous	Monthly	Quarterly
Injection Rate (bbl/day)	NA	Min/Average/Max	Continuous	Monthly	Quarterly
Bradenhead Annulus Pressure (psi)	NA	Min/Average/Max	Continuous	Monthly	Quarterly
Monthly Injection Volume (bbl)	NA	Monthly Total	Continuous	Monthly	Quarterly
Cumulative Injection Volume (bbl) (since Class V authorization)	8,811,350*	Monthly Total	Continuous	Monthly	Quarterly
AOR well, Field 14-34 Formation Pore Pressure (psi)**	NA	Single Value	Monthly	Monthly	Quarterly
			Continuous (During PFOT)	Continuous (During PFOT)	Once
AOR well, Jody Field 4-1A Formation Pore Pressure (psi)**	NA	Single Value	Monthly	Monthly	Quarterly
			Continuous (During PFOT)	Continuous (During PFOT)	Once
The Permittee must provide a listing of the sources of injected fluids. Copies of all monthly records on injected fluids, and any major changes in characteristics or sources of injected fluid shall be included in the Quarterly Report.					Quarterly

Document the review performed to determine if additional wells exist within the area of review that have not previously been identified. For those wells within the AOR that penetrate the overlying confining zone, a well construction diagram, cement records and cement bond log are also required.	Quarterly
Summary of monthly reviews of seismic event(s) within a twenty (20) mile radius of the well, gathered from the USGS Earthquake Hazard Program website and/or personal communication.	Quarterly
The Permittee must submit a report describing the review in ATTACHMENT VIII 4.a. If the Permittee does not identify any discrepancies described in ATTACHMENT VIII 4.b., the report must state this.	Quarterly

*This value represents the volume limitation permissible as a Class V UIC well. Past injection volumes have been accounted for in this calculation.

**These wells must remain shut-in for the life of the Permit for the purposes of monitoring formation pore pressure. The pore pressure must be representative of top of the injection zone formation, and the Permittee must describe how the pore pressure was determined. The quarterly report must include all recorded formation pore pressure data, the date and time of the measurements, and the calculated change in pressure over time. The first formation pore pressure measurement must be recorded before injection begins and monthly thereafter. There is also a one-time requirement to continuously record the formation pore pressure at these wells during the first pressure fall off test (PFOT). This information must be included with the results of the PFOT, which must be submitted to the Director within 60 calendar days of the testing activity completion.

Quarterly Reports must cover the period from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31. Quarterly Reports must be submitted by the fifteenth day of the month following the end of the data collection period. EPA Form 7520-8 may be used or adapted to submit the Quarterly Report. The monitoring requirements specified in this Permit are mandatory even if an EPA form does not include all information.

Reason for Change: The monitoring and reporting table was modified to clarify and support the changes made in Permit Change #4 (Section B.11. Well Injection and Seismicity), Permit Change #5 (Section B.12 Site Security and Manifest Requirements), and Permit Change #16 (Attachment VIII Site Security and Manifest Requirements). This change also provides clarity on the reporting submittal requirements. Because several commenters requested monitoring of the injectate plume, EPA re-evaluated the monitoring and reporting requirement for the Jody Field 4-1A and Field 14-34 wells (AOR wells) to determine if the wells can provide additional information and support the computational model. The formation pore pressure is a more appropriate monitoring parameter, as the wellhead pressure may not yield a meaningful result if the water level is below the surface, which is possible at the AOR wells because data indicate static water levels at the Jody Field injection wells are below the surface. The requirement for minimum, average, and maximum values would provide no additional insight; therefore only a single monthly value for pressure is required. EPA added a requirement to continuously monitor the formation pore pressures of the AOR wells during the first pressure fall off test. By monitoring formation pressures in the shut-in AOR wells and comparing them to the injection well pressures, EPA can confirm that the model inputs remain representative. When fluid is injected into a formation, it creates a pressure increase at the injection point. Pressure then dissipates outward based on the ability of the formation to transmit fluid (hydraulic conductivity). Shut-in wells in the AOR act like remote sensors. Since these shut-in wells are not actively being used, any change in pressure at the AOR well mainly reflects the influence of the nearby injection activity. The comparison of pressure changes at the shut-in wells with the pressure changes at the injection well can show if the pressure is

spreading as expected through the formation. This monitoring requirement will provide data for EPA to re-evaluate the hydraulic conductivity of the formation. If EPA observes pressure changes that suggest the local hydraulic conductivity value used initially in the modeling is lower than indicated by the monitoring data, and the injectate plume might move beyond the AE boundary, there is an opportunity to refine the computational model and determine additional appropriate actions to prevent endangerment to USDWs based on this information.

EPA also made minor clarifying edits to the table in the Monitoring and Reporting Requirements column.

B. Changes Specific to Jody Field 34-2 Permit

Draft language:

Monitoring and Reporting Requirement	Maximum Permit Limit	Report Parameter	Monitor Frequency	Minimum Recording Frequency	Minimum Reporting Frequency
Surface Inj Pressure (psi)	688	Min/Average/Max	Continuous	Monthly	Quarterly
TCA Annulus Pressure (psi)	100	Min/Average/Max	Continuous	Monthly	Quarterly
Injection Rate (bbl/day)	NA	Min/Average/Max	Continuous	Monthly	Quarterly
Cumulative Volume (bbl) (since Class V authorization)	7,156,173*	Monthly Total	Continuous	Monthly	Quarterly
Injection Volume (bbl)	NA	Monthly Total	Continuous	Monthly	Quarterly
Bradenhead Annulus Pressure (psi)	NA	Min/Average/Max	Continuous	Monthly	Quarterly
Field 14-34 Wellhead Pressure (psi)	NA	Min/Average/Max	Monthly	Monthly	Quarterly
The Permittee must provide a listing of the sources of injected fluids. Copies of all monthly records on injected fluids, and any major changes in characteristics or sources of injected fluid shall be included in the Quarterly Report.					Quarterly
Document the review performed to determine if additional wells exist within the area of review that have not previously been identified. For those wells that penetrate the confining zone, a well construction diagram, cement records and cement bond log are also required.					Quarterly

*This value represent the volume limitation permissible as a Class V UIC well. Past injection volumes have been accounted for in this calculation.

Quarterly Reports must cover the period from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31. Quarterly Reports must be submitted by the fifteenth day of the month following the end of the data collection period. EPA Form 7520-8 may be used or adapted to submit the Quarterly Report. The monitoring requirements specified in this Permit are mandatory even if an EPA form does not include all information.

Final language:

Monitoring and Reporting Requirement	Maximum Permit Limit	Report Parameter	Monitor Frequency	Minimum Recording Frequency	Minimum Reporting Frequency
Surface Injection Pressure (psi)	688	Min/Average/Max	Continuous	Monthly	Quarterly
Tubing Casing Annulus (TCA) Pressure (psi)	100	Min/Average/Max	Continuous	Monthly	Quarterly
Injection Rate (bbl/day)	NA	Min/Average/Max	Continuous	Monthly	Quarterly
Bradenhead Annulus Pressure (psi)	NA	Min/Average/Max	Continuous	Monthly	Quarterly
Monthly Injection Volume (bbl)	NA	Monthly Total	Continuous	Monthly	Quarterly
Cumulative Injection Volume (bbl) (since Class V authorization)	7,156,173*	Monthly Total	Continuous	Monthly	Quarterly
AOR well, Field 14-34 Formation Pore Pressure (psi)**	NA	Single Value	Monthly	Monthly	Quarterly
			Continuous (During PFOT)	Continuous (During PFOT)	Once
AOR well, Jody Field 4-1A Formation Pore Pressure (psi)**	NA	Single Value	Monthly	Monthly	Quarterly
			Continuous (During PFOT)	Continuous (During PFOT)	Once
The Permittee must provide a listing of the sources of injected fluids. Copies of all monthly records on injected fluids, and any major changes in characteristics or sources of injected fluid shall be included in the Quarterly Report.					Quarterly
Document the review performed to determine if additional wells exist within the area of review that have not previously been identified. For those wells within the AOR that penetrate the overlying confining zone, a well construction diagram, cement records and cement bond log are also required.					Quarterly
Summary of monthly reviews of seismic event(s) within a twenty (20) mile radius of the well, gathered from the USGS Earthquake Hazard Program website and/or personal communication.					Quarterly
The Permittee must submit a report describing the review in ATTACHMENT VIII 4.a. If the Permittee does not identify any discrepancies described in ATTACHMENT VIII 4.b., the report must state this.					Quarterly

*This value represents the volume limitation permissible as a Class V UIC well. Past injection volumes have been accounted for in this calculation.

******These wells must remain shut-in for the life of the Permit for the purposes of monitoring formation pore pressure. The pore pressure must be representative of top of the injection zone formation, and the Permittee must describe how the pore pressure was determined. The quarterly report must include all recorded formation pore pressure data, the date and time of the measurements, and the calculated change in pressure over time. The first formation pore pressure measurement must be recorded before injection begins and monthly thereafter. There is also a one-time requirement to continuously record the formation pore pressure at these wells during the first pressure fall off test (PFOT). This information must be included with the results of the PFOT, which must be submitted to the Director within 60 calendar days of the testing activity completion.

Quarterly Reports must cover the period from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31. Quarterly Reports must be submitted by the fifteenth day of the month following the end of the data collection period. EPA Form 7520-8 may be used or adapted to submit the Quarterly Report. The monitoring requirements specified in this Permit are mandatory even if an EPA form does not include all information.

Reason for Change: The monitoring and reporting table was modified to clarify and support the changes made in Permit Change #4 (Section B.11. Well Injection and Seismicity), Permit Change #5 (Section B.12 Site Security and Manifest Requirements), and Permit Change #16 (Attachment VIII Site Security and Manifest Requirements). This change also provides clarity on the reporting submittal requirements. Because several commenters requested monitoring of the injectate plume, EPA re-evaluated the monitoring and reporting requirement for the Jody Field 4-1A and Field 14-34 wells (AOR wells) to determine if the wells can provide additional information and support the computational model. The formation pore pressure is a more appropriate monitoring parameter, as the wellhead pressure may not yield a meaningful result if the water level is below the surface, which is possible at the AOR wells because data indicate static water levels at the Jody Field injection wells are below the surface. The requirement for minimum, average, and maximum values would provide no additional insight; therefore only a single monthly value for pressure is required. EPA added a requirement to continuously monitor the formation pore pressures of the AOR wells during the first pressure fall off test. By monitoring formation pressures in the shut-in AOR wells and comparing them to the injection well pressures, EPA can confirm that the model inputs remain representative. When fluid is injected into a formation, it creates a pressure increase at the injection point. Pressure then dissipates outward based on the ability of the formation to transmit fluid (hydraulic conductivity). Shut-in wells in the AOR act like remote sensors. Since these shut-in wells are not actively being used, any change in pressure at the AOR well mainly reflects the influence of the nearby injection activity. The comparison of pressure changes at the shut-in wells with the pressure changes at the injection well can show if the pressure is spreading as expected through the formation. This monitoring requirement will provide data for EPA to re-evaluate the hydraulic conductivity of the formation. If EPA observes pressure changes that suggest the local hydraulic conductivity value used initially in the modeling is lower than indicated by the monitoring data, and the injectate plume might move beyond the AE boundary, there is an opportunity to refine the computational model and determine additional appropriate actions to prevent endangerment to USDWs based on this information.

EPA also made minor clarifying edits to the table in the Monitoring and Reporting Requirements column.

15. Attachment V Logging and Testing Requirements

A. Changes Specific to Jody Field 34-1 Permit

82. Commenters ask whether expanding the potentially affected area (Area of Review and aquifer exemption expansion) could further jeopardize federally protected wildlife, particularly grizzly bears, and other species, and they urge EPA to consult with the U.S. Fish and Wildlife Service under the Endangered Species Act to evaluate potential take, harm, or jeopardy. They also express concern about potential impacts to piping plover, Pluhars, and other listed or candidate species in the area.

Response: Consistent with ESA Section 7(a)(2), EPA prepared a Biological Evaluation (BE) and completed the consultation process with the U.S. Fish and Wildlife Service (FWS). The BE includes evaluation of the potential effects to federally listed species and species proposed for listing within the action area. Specifically, the BE analyzes potential effects to the grizzly bear, pallid sturgeon, monarch butterfly, and the Suckley's cuckoo bumble bee. EPA found no species identified as "Pluhar," and the commenter did not provide additional details for EPA to consider.

The expansion of the AOR and aquifer exemption only affects the groundwater aquifer at ~3,400 feet below the surface and would not affect any surface area. Thus, for purposes of the BE, the expanded AOR and aquifer exemption did not affect the action area. The underground injection of wastewater from both process wastewaters into the Madison Formation is not expected to impact surface water and is thus not expected to impact species that may utilize surface waters.

Environmental Justice and Climate Change Analysis

83. Several commenters generally criticized EPA's Draft Environmental Justice and Climate Change Analysis as incomplete, poorly substantiated, and containing significant omissions. Commenters raised questions about how EJSscreen factors were utilized and interpreted, whether other EJ screening tools should have been included, adequacy of the outreach to communities, and concerns about groundwater availability, particularly in light of climate change.

Response: EPA invited public comment on its Draft Environmental Justice and Climate Change Analysis during the initial comment period that began on December 7, 2023. The draft analysis was informed by several Executive Orders including, E.O. 12898, E.O. 13985, E.O. 13990, E.O. 14008, E.O. 14091, and E.O. 14096, all of which have since been rescinded. See, E.O. 14148 and E.O. 14173. Thus, these decisions are not informed by any portions of the analysis that were developed solely pursuant to the rescinded Executive Orders. In addition, due to the rescissions, EPA is not finalizing or making any changes to the draft analysis. With respect to general concerns about groundwater and the potential for future use of the aquifer, please see Responses #2, #3, #4, #1111, and #12.

Injectate

84. Several commenters submitted comments questioning the injectate description, "The renewable feedstocks may include, but are not limited to, vegetable oils (such as soybean oil and canola oil), animal fats (such as beef tallow, choice white grease, and poultry fat) distiller's corn oil, and used cooking oil. The Permittee shall not inject any hazardous substances, as defined in 40 CFR 261, at any time during the operation of the facility." Commenters are concerned that the "may include, but are not limited to..." language does not sufficiently limit injection materials.

Response: EPA agrees that the language in the draft permit was unclear. EPA removed the phrase "but are not limited to..." to clarify the injectate limitation in Attachment II.6 (Injection Fluid Limitation). The final permit language appears in Permit Change #11 (Attachment II.6 Injection Fluid Limitation). The same language was also revised in the AE ROD. The injectate is now limited to: produced fluid from oil and gas exploration and production wells as defined at 40 CFR § 144.6(b)(1) and non-hazardous wastewater received from Montana

Renewables generated from the processing of renewable feedstocks. The renewable feedstock may only include vegetable oils (such as soybean oil and canola oil), animal fats (such as beef tallow, choice white grease, and poultry fat), distiller's corn oil, and used cooking oil. The wastewater from Montana Renewables is prohibited from including any hazardous waste as defined at 40 CFR 261.3.

85. *One commenter stated that because the draft AE ROD notes Montana Renewables' pretreatment system is still under construction and final water quality data for feedstock blends are unavailable, they question what materials have been shipped to Idaho or other destinations in the interim and why EPA has not sampled those truck or rail shipments. Commenters raised concerns about the following statement from the permit application language dated October 2022: "The pre-treatment system is currently under construction and final water quality data for the various blends of feedstock are not available." They note that the statement may have been accurate at that time, but by the start of EPA's permitting process on December 7, 2023, over 13 months later, the final water quality data for the various blends of feedstock was known to Montana Renewables and their engineering consultants.*

Response: Water quality data about the injectate is available in the administrative record. This is discussed in more detail at Response #88. The draft 2025 AE ROD was only updated for the sections regarding the expanded Area of Review and new AE modeling and therefore retained original information supplied by the applicant in 2023. EPA has updated the final AE ROD to reflect the water quality data.

86. *Commenters expressed concern that no public notification is required if or when the materials in the injectate change and that public safety could be compromised as a result. Another commenter stated that the operator could switch to a different injectate in the future and claim nothing had changed, raising concerns about undisclosed changes to the waste stream.*

Response: As explained above in Response #84, the Permits have been changed to provide limitations on the injectate. The Permits limit the types of fluids that may be injected and include recordkeeping and monitoring requirements to guard against any undisclosed changes. Under the Injection Fluid Limitation provision, only the fluids specifically identified in Attachment II are authorized. If the operator wishes to introduce a different injectate at any point, they must first submit detailed notification and a description of any new fluid, including sampling results and an analysis of the new waste stream, to the Director for approval. Any such change would trigger EPA review and may require a permit modification to ensure that the Permittee is in compliance with the Permit and USDWs are protected. This process ensures that any material change in the composition of the injectate is fully disclosed, reviewed, and approved before it can be injected. Additionally, the Permits require accurate manifests and source records, with periodic sampling and analysis as outlined in Attachment III, making any unauthorized or undisclosed changes a violation subject to enforcement and penalties. See Permit Change #5 and #16.

87. *A commenter requested that only industrial wastewater from Montana Renewables generated from the pretreatment of renewable feedstocks be injected into the two wells. The commenter wanted injection of any wastewater from other unidentified sources to require EPA approval with County notification. The commenter noted that this request does not apply to the injection of wastewater previously permitted by the Board of Oil and Gas.*

Response: See Response #84, regarding Permit changes limiting the injectate. See Response #86 regarding the Permit requirements in order to change the injectate. The Safe Drinking Water Act and its UIC regulations do not authorize EPA to include Permit conditions requiring the Permittee to notify the County.

88. *Commenters expressed concern about the composition of the proposed injection fluid, stating that the injectate analysis required by EPA was insufficient to properly characterize the fluid proposed for injection,*

does not prove that the operation is in compliance with the permit, and asked EPA to clarify the composition of the injectate. One commenter asked for a complete list of all components, both organic and inorganic, that are in the industrial wastewater including proprietary components. Commenters voiced concern about the possibility of heavy metals and chemicals being present in the injectate. One commenter was concerned that there could be PFAS in the injectate. Commenters stated that no test results of the wastewater had been provided to the public or EPA and questioned if anyone knew what was in the injectate. Commenters also stated that the proposed compliance fluid tests specified for this permit in Attachment III—Sampling Requirement includes only general water quality parameters that will not characterize the non-hazardous or hazardous fluids or the hazardous derivative constituents that will likely be in the fluid mixture injected. Commenters also claimed sampling Requirements only include testing TDS, pH, Specific Gravity, Conductivity, which do not give any indication of presence of Hazardous or Non-Hazardous constituents. Commenters requested that fluid testing must include testing for these constituents and related or associated or possible hazardous constituents that might be present in the fluid and exceed the limits of the non-hazardous requirement.”

Response: Contrary to commenters’ assertion that no test results of the wastewater had been provided, the Permittee provided EPA with water quality analyses of the injectate for EPA’s technical review of the permit application, including analyses of the injectate sampled during bench scale testing and sampling performed after the startup of the biorefinery pretreatment unit. As part of its review of the permit application, EPA evaluated water quality sample results of representative wastewater samples. Additionally, Calumet water sample analyses were also submitted by members of the public to EPA. EPA considered all of the submitted information. While this information was submitted to EPA at various times, some of the water sample analyses were available in the draft administrative record during the 1st public comment period. All of the water sample analyses were part of the draft administrative record during the 2nd public comment period. These water samples were analyzed for Total Suspended Solids, Total Dissolved Solids, Chemical Oxygen Demand, Biochemical Oxygen Demand, Total Metals, Oil and Grease, and Semi-volatile Organic Compounds. Additionally, water quality test results of the proposed Montana Renewable injectate were provided to EPA on January 22, 2024, which was analyzed using the Toxic Characteristic Leaching Procedure (TCLP) to determine if the constituents occur at hazardous levels. These analytical results confirmed that the representative samples of the feedstock waste do not contain any hazardous constituents. As discussed in Responses #2, #3, and #4, this portion of the Madison Aquifer is being exempted from protection under the SDWA because it has no potential to be used as a source of drinking water. Therefore, injection is allowed as long as the constituents are non-hazardous and meet the requirements of the Permits.

The Final Administrative Record for the permitting decisions contains laboratory analytical results and is available on Regulations.gov at: <https://www.regulations.gov/document/EPA-R08-OW-2025-0852-0002>.

89. *Some commenters had questions about the source of the injectate wastewater. Several commenters were concerned that the injected biofuel waste could be anything that Montana Renewables would like to dispose of. 1213111312One commenter stated that EPA has not conducted its own testing and instead relied on the company’s tests to reach its conclusions. Commenters expressed concern that determinations of compliance will be based on self-reporting by the applicant and expressed concern that the Permittee and Montana Renewables could not be trusted to properly sample the injectate. Commenters contend EPA relied on the operator’s tests without independent verification and note that Montana Renewables allegedly denied access to the Pondera County Sanitarian and refused independent sampling, eroding public trust. Commenters expressed concern that there is no oversight to ensure that the companies follow the rules, with another stating that oversight is severely insufficient to safeguard compliance. Questions were submitted asking how EPA can expect these companies to regulate themselves. Why would the company report a problem with the well?*

They assert the injectate is not fully characterized in the permit documents and that neither EPA nor local officials know the exact composition, including potential trace constituents such as heavy metals, residual pesticides, or other chemicals. They argue that the lack of regular, independent testing makes EPA's expansion modeling suspect, because unknown or variable properties (e.g., viscosity, density, pH) could alter migration behavior and fracture risk, increasing the threat to USDWs. Another commenter asked how EPA knows if the next truckload of wastewater is not more hazardous than the last, since the contents of the wastewater will vary depending on the feed stock. Another commenter asked how the Permittee will not get the truckloads mixed up and how the Permittee will ensure the contents of one truckload don't intermingle with the contents of another. They request full disclosure and characterization of the injectate and routine independent sampling before any approval. Commenters requested that EPA allow the Pondera County Sanitarian, or other delegated outside entity, to take random samples at their discretion of any waste stream at Montana Renewables/Calumet, from tanker trucks, or at any Class V injection well-site in Pondera County for independent certified lab testing, with analysis and reporting to Pondera County commissioners and citizens. Commenters also stated that all costs incurred must be paid by the producer of wastewater.

Response: EPA acknowledges the importance of appropriate and accurate water quality testing. However, self-monitoring and self-reporting are consistent with the SDWA and the UIC regulations. There is no requirement that testing be done under EPA supervision or by a third party. The documents reporting the results of tests and monitoring activities must be certified under penalty of law as complete, true, and accurate by the Permittee. See 40 CFR § 144.32(d) and § 144.51(k). The required certification acknowledges that there are significant penalties for submitting false information. Sampling, monitoring, and reporting requirements for UIC permits are specified in 40 CFR §144.51 and 144.52, and include the use of proper sampling requirements, chain-of-custody, certified laboratories, and the use of accepted analytical methods. Under the EPA UIC program, the Permittee must allow EPA and its authorized representatives to enter, inspect, and collect samples to verify compliance. This authority is an enforceable permit condition under the UIC regulations.

EPA added a requirement in Attachment III of the Permits to require more detailed characterization of the injectate. This change is detailed in Permit Change #13 (Attachment III Sampling Requirements). The new permit condition requires the Permittee to perform an annual Toxic Characteristic Leaching Procedure (TCLP) analysis of the injectate from Montana Renewables to test for any hazardous characteristics. Hazardous characteristics include ignitability, corrosivity, reactivity extractable metals concentrations, extractable volatile organic compound concentrations, extractable semi-volatile organic compound concentrations, extractable pesticide concentrations, extractable herbicide concentrations. Additionally, Permit Change #11 (Attachment II.6 Injection Fluid Limitation) more specifically clarifies the allowable injectate. These permit conditions were included to adequately characterize and monitor the wastewater proposed for injection, to verify that the fluids to be injected into the well are the type of fluids authorized in the Permits, and to ensure the fluids meet the classification standard for Class V wells.

The EPA added a condition to the Permits that require the Permittee to submit a copy of the facility's manifest system prior to receiving authorization to inject. The Permits require the Permittee to maintain a manifest that includes a three-party custody record between the generator, transporter, and disposal facility. The Permits also require a certification from the Permittee that fluids injected into the wells are non-hazardous and are in compliance with the Permits. See Attachment VIII of the Permits. The purpose of these provisions is to protect USDWs by requiring accountability through detailed records of the waste being received and injected into the Class V wells. These changes are documented in Permit Change #5 (Section B.12 Site Security and Manifest Requirements) and Permit Change #16 (Attachment VIII Site Security and Manifest Requirements).

The SDWA and its UIC regulations do not provide authority to require Calumet/Montana Renewables, an entity

not regulated under the UIC program, to allow Pondera County to take samples of their wastewater. Furthermore, the SDWA and its regulations do not provide EPA the authority to require that the Permittee allow Pondera County to take samples at the Class V injection site.

90. *One commenter believes that quarterly sampling of the injection water is not adequate to monitor the potential degradation of groundwater above the limits for Class V injection wells.*

Response: The sampling requirements in the Permits are consistent with the UIC regulations which require that the samples taken for the purpose of monitoring "shall be representative of the monitored activity." 40 CFR 144.51(j). The commenter does not specify what alternate sampling intervals may be more appropriate nor what constituent(s) may be of concern. In this case, the wells inject into a portion of the Madison aquifer that has been exempted from protection under the SDWA because it does not have value as a potential source of drinking water. Therefore, the purpose of the Permits is not to prevent degradation of groundwater in the non-USDW areas where there is injection. The purpose of the Permits is to allow for injection into non-USDWs while preventing endangerment to the adjacent USDWs.

91. *A commenter asked how often the wastewater will be tested and who will test it.*

Response: Permit requirements for wastewater sampling, including recording and reporting frequency, are listed in Attachment III Sampling Requirements. It is the Permittee's responsibility to ensure that sampling and reporting of the wastewater be performed in accordance with the Permits. The Permits do not specify who must perform the tests.

92. *A commenter asked where the results of these wastewater tests will be published so that the public can know what is being transported and injected.*

Response: EPA does not typically publish laboratory analyses data or other data submitted by Permittees related to UIC permits post-permit issuance. With regard to the question about what wastewater injectate is being transported, Permit Change #5 (Section B.12 Site Security and Manifest Requirements), manifest requirements were added to the Permits. These include a requirement for a three-party custody record between the generator (responsible party from where the fluids were generated), transporter, and disposal facility (Permittee). The types of information required to be recorded include: where fluids were produced, fluid type (source of fluid), and volumes transported. For more information, see Attachment VIII of the Permits.

93. *The Pondera County Canal & Reservoir Company (PCCRC) asked to be provided with any analysis performed on the transported injectate current and future and that they be contacted immediately should an accidental spill occur in or around their water delivery system.*

Response: EPA does not typically publish laboratory analyses data or other data submitted by Permittees related to UIC permits post-permit issuance. Surface spills are outside the scope of the UIC program. Additionally, the UIC regulations do not authorize EPA to include permit conditions requiring the Permittee to provide notifications to third parties.

94. *One commenter noted that they received a Safety Data Sheet (SDS) from Montana Renewables and that the Safety Data Sheet states in Section 2, Hazards Identification under OSHA/HCS Status that "This material is considered hazardous by the OSHA Hazard Communication Standard (29 CFR 1910. 1200)." The commenter also noted that under Section 5. Fire-fighting measures, Special protective equipment for fire-fighters states "Fire-fighters should wear appropriated protective equipment and self-contained breathing apparatus (SCBA) with a full face-piece operated in positive pressure mode."*

Response: It is not clear what product is referenced by the SDS and whether it is related to the fluids that are proposed for injection. However, as discussed in Permit Change #11 (Attachment II.6 Injection Fluid Limitation), the Permits specifically prohibit the injectate from Montana Renewables to contain hazardous waste. The UIC regulations define hazardous waste as “hazardous waste as defined in 40 CFR 261.3.” 40 CFR § 144.3. The Permits also require that the fluids from Montana Renewables are tested and determined to be non-hazardous prior to injection.

95. *One commenter asked what the currently unidentified corrosion inhibitor to be injected is and whether it could pose hazards if the characterization or analysis proves incorrect.*

Response: Corrosion inhibitors are typically emplaced in the annulus (the space between the tubing and casing) and are isolated by a packer; therefore the corrosion inhibitor and annulus fluid do not contact any geologic layers. The proper operation and maintenance of a Class II well can require use of such additives. The only potential contact with the geological formations is when a small, metered dose of corrosion inhibitor travels with the injectate into the deep, exempted injection zone. If this were to occur, it would not have the potential to impact USDWs because the injectate is expected to stay within the exemption boundary.

96. *One commenter stated that no evidence has been furnished by the Applicant, by the U.S. Environmental Protection Agency nor the Montana Department of Environmental Quality that the biodiesel wastewater projected to be injected into these two wells is potable and otherwise safe for human or animal consumption.*

Response: The Safe Drinking Water Act and its UIC regulations do not require the wastewater injectate proposed for injection at the Jody Field wells to be potable or safe for human or animal consumption. As explained in Responses #2 and #3, this portion of the Madison aquifer is being exempted from protection because it does not have potential to serve as a source of drinking water. In this case, the wells inject into a portion of the Madison aquifer that has been exempted from protection under the SDWA because it does not have value as a potential source of drinking water. Therefore, the purpose of the Permits is not to prevent degradation of groundwater in the non-USDW areas where there is injection. The purpose of the Permits is to allow for injection into non-USDWs while preventing endangerment to the adjacent USDWs.

97. *One commenter asked what kinds of hazards these types of wastewater from Montana Renewables pose.*

Response: It is not clear about what kinds of hazards the commenter is concerned about. Under the Safe Drinking Water Act, EPA is issuing final Permits because the evaluation of technical information confirms that the fluids can be injected in accordance with the Permits without endangerment to USDWs. Therefore, EPA does not anticipate hazards associated with injection in accordance with the Permits.

98. *One commenter expressed concern about the injectate from Montana Renewables clogging the well and causing failure.*

Response: The Permits include a condition that requires the Permittee to “properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), which are installed or used by the Permittee to achieve compliance with the conditions of this Permit.” Furthermore, the Permit requires the Permittee to always maintain mechanical integrity of the well; injection into a well lacking mechanical integrity is prohibited. The commenter did not express concerns that these permit conditions are not adequate to protect USDWs.

99. *One commenter noted that “after looking at the sample brought in by Calumet, it was determined that the sample contained 250 ppm of phosphorous,” which the commenter believed was “sky high compared to the*

usual 3 - 5 ppm they stated the plant was capable of treating.” The commenter stated that “any leakage or movement of the biodiesel waste into the ground waters could lead to eutrophication of the entire Madison Formation groundwater system.”

Response: As explained in the Fact Sheets for these Permits, injection will occur into the Madison Formation, thousands of feet below ground surface. Eutrophication¹⁵ is due to excessive nutrients (e.g. nitrogen and phosphorus) entering a surface water body, frequently due to runoff from the land, which can cause a dense growth of algae. Significant increases in algae harm water quality, food resources and habitats, and decrease the oxygen that fish and other aquatic life need to survive. Eutrophication is not expected to occur in the Madison Formation at this location, since it is a deep groundwater formation over 3,000 feet deep, and algae require sunlight to grow. In addition to the depth of aquifer, the Madison Formation at the location of the proposed wells is separated from surface water bodies by thousands of feet of impermeable rock formations, including a competent confining layer.

Liability Bond and Financial Assurance

100. *Commenters requested that EPA require the Permittee and Montana Renewables/Calumet to have a 50-million-dollar bond spanning 30 years after closure and containing legally-enforceable guarantee and Covenant Safeguards. A commenter requested that the bond be in place for the full term of this project with Pondera County named as an additionally insured in the event of problems with the project because there should be money available to remediate any problem discovered several years later. Other commenters suggested that the financial assurance provisions listed in the permit were inadequate and had concerns regarding the bond amount, the bond covering damages if contamination occurs, mitigation, and the site being abandoned by the Permittee. One commenter asked what would happen in the event the applicant’s company fails and goes into bankruptcy.*

Response: For Class V wells, the UIC regulations only authorize EPA to require the Permittee to provide financial assurance to properly close, plug and abandon UIC wells. There are no provisions under the Safe Drinking Water Act or its implementing regulations that would allow EPA to require the Permittee to have financial assurance for other purposes, including the cleanup costs of any potential contamination. With this permitting action, the Permittee must maintain financial responsibility and resources to properly close, plug, and abandon the Jody Field 34-1 & 34-2 injection wells in a manner prescribed by EPA, which MOGO has satisfied. The Permittee has submitted a Standby Trust Agreement and Letter of Credit in the amount of \$46,357. This was executed on October 10, 2022, between Montalban Oil & Gas Operations, Inc. and Freedom Bank. The fund is explicitly established for plugging and abandonment of injection wells Jody Field 34-1 and Jody Field 34-2.

101. *One commenter stated that there appear to be no liability requirements beyond plugging the wells once injections end.*

Response: The Permits require compliance with financial responsibility conditions, as discussed above in Response #100.

¹⁵ <https://www.epa.gov/nutrientpollution/basic-information-nutrient-pollution>. <https://www.epa.gov/nutrientpollution/where-occurs-ground-water-and-drinking-water>. https://19january2021snapshot.epa.gov/nutrientpollution/sources-and-solutions_.html

Exhibit 2 — Permit Application — Attachment D

Ramboll - Montalban Oil & Gas Operations, Inc.
Area-Wide Class V UIC Application

Attachment D
Injection Operation and Monitoring Program
(40 CFR § 144.54)

Privileged and Confidential

4. INJECTATE CHARACTERISTICS

The wastewater from Montana Renewables will be generated from the pretreatment of renewable feedstocks. The renewable feedstocks may include, but are not limited to, vegetable oils (such as soybean oil and canola oil), animal fats (such as beef tallow, choice white grease, and poultry fat) distiller's corn oil, and used cooking oil.

The pretreatment process technology is developed and licensed by Applied Research Associates, Inc. (ARA). The technology involves a water-based (hydrothermal) cleanup process to pretreat feedstocks and feedstock blends prior to processing into renewable fuels. The pretreatment removes impurities from the renewable oils to extend the life of the catalysts. In this pretreatment process, water and a weak acid are mixed with the feedstock at high temperatures and pressure. After a predetermined contact time, the mixture is cooled and separated in an electrostatic separator to produce a renewable oil suitable for processing into renewable fuels, and a water phase. Phosphorus, nitrogen, salts and other impurities are removed with the water phase. This water phase comprises the wastewater requested for approval for injection.

The ARA pre-treatment system is currently under construction. Therefore, final water quality data for the various blends of feedstock are not available. However, based on bench scale analyses and projections from ARA, the following range of raw water quality is approximated:

- pH: 3
- TDS: 5,000 mg/L - 8,000 mg/L
- Conductivity: 2,809 μ S/cm - 4,500 μ S/cm

Prior to injection, the pH will be adjusted to be compatible with the injection well design based on geochemical modeling of water/well, water/rock and water/water interactions. Adjustment of the pH will result in an increase in TDS. Initial bench scale testing indicates this TDS increase to be in the 5 - 10% range and will depend on the buffering capacity of the wastewater during operation.

The wastewater will be injected into the Mississippian Madison Aquifer, which is determined to be an Underground Source of Drinking Water (USDW), with a measured TDS concentration within the UIC permit area of 5,440 mg/L. An aquifer exemption has been requested (UIC Permit Application, Attachment H).

At startup, the average volume of wastewater to be injected into each well is approximately 800 to 900 bbls/day. These volumes are consistent with the operation of the Class II wells, which have received up to an average of 850 bbls/day. The average and maximum injection rates are 1,300 and 2,000 bbls/day respectively. The maximum injection pressure is 1,025 pounds with an average injection pressure of 600 pounds. The pressures are authorized by the Montana Board of Oil & Gas Conservation within the current Class II UIC permits.

Montana Renewables plans to increase the wastewater injection volume over the life of the facility up to a potential maximum of 3,600 bbls/day. Future Class V UIC wells are proposed in the Area Wide UIC Permit Application to accommodate this expansion, as described in Attachment A of the Area Wide UIC Permit Application.

EXHIBIT 3

Calumet / Energy Laboratories Sample Analyses (Excerpts of AR Doc 052)

All page references are to the PDF pagination of AR Doc 052 (EPA-R08-OW-2025-0852). The table itemizes each laboratory result the Petition relies upon and the ground it supports; the verbatim report pages follow, each including its analytical-summary cover so that the sample provenance (Calumet Montana Refining, LLC; Energy Laboratories) appears with the data.

Parameter / Analysis	Result (as reported)	Doc 052 p.	Supports
Work Order B23082631 — sample dated 08/29/23 (pp. 28–30)			
Aqueous pH	6.8 s.u. (qualifier “H” — analysis past method holding time; measurement temp. 11.1 °C)	30	Ground 1 (pH conflict); Ground 3 (provenance)
Total Dissolved Solids (TDS)	10,800 mg/L (high end of measured range)	30	Ground 1; Ground 5 (measured data existed)
Chemical Oxygen Demand (COD)	15,400 mg/L	30	Stream-strength context (Grounds 2, 5)
Biochemical Oxygen Demand (BOD)	6,800 mg/L	30	Stream-strength context (Grounds 2, 5)
Oil & Grease (HEM)	650 mg/L	30	Ground 2 (constituents present)
Work Order B23062076 — corrosivity / TCLP (pp. 105–107)			
Corrosivity pH (SW9040C)	6.5 s.u. (measurement temp. 19 °C; sample characterized by the laboratory as a filterable liquid treated as the TCLP extract)	106	Ground 1 (pH conflict); Ground 2
TCLP VOC panel (SW8260B)	All listed analytes “ND” (non-detect), each carrying a “D” qualifier — reporting limit raised due to sample-matrix interference	106	Ground 2 (suite limitations; non-detect on raised RLs)
TCLP SVOC panel (SW8270C)	All listed analytes “ND,” “D” qualifiers; pesticides/herbicides (2,4-D) ND	106–107	Ground 2
Work Order B23052214 — sample dated 05/2023 (pp. 163–165)			
Total Dissolved Solids (TDS)	3,440 mg/L (low end of measured range)	165	Ground 5 (anchors low end of 3,440–10,800)
Biochemical Oxygen Demand (BOD)	960 mg/L	165	Ground 5 (context)
Chemical Oxygen Demand (COD)	2,260 mg/L	165	Ground 5 (context)
Client / provenance	“CLIENT: Calumet Montana Refining, LLC”	164	Ground 3 (refinery-operator provenance)

Measured values are reproduced as reported by the laboratory, including data qualifiers. The “H” qualifier denotes analysis performed past the method holding time; the “D” qualifier denotes a reporting limit raised due to sample-matrix interference. The Rose transmittal email (AR Doc 052, pp. 65–66) is a separate document and is not reproduced in this exhibit.



ANALYTICAL SUMMARY REPORT

September 14, 2023

Calumet Montana Refining, LLC
1807 3rd St NW
Great Falls, MT 59404-1998

Work Order: B23082631

Project Name: PTU H2O Rundown Testing

Energy Laboratories Inc Billings MT received the following 1 sample for Calumet Montana Refining, LLC on 8/29/2023 for analysis.

Lab ID	Client Sample ID	Collect Date	Receive Date	Matrix	Test
B23082631-001	PTU H2O Rundown	08/28/23 13:00	08/29/23	Aqueous	Metals by ICP/ICPMS, Total Biochemical Oxygen Demand, 5 Day Chemical Oxygen Demand Mercury, Total Specific Gravity Oil & Grease, Gravimetric Anions by Ion Chromatography Metals pH check by the Laboratory FIRST Nitrogen, Ammonia Nitrogen, Nitrate + Nitrite Nitrogen, Total Kjeldahl Nitrogen, Total (TKN+NO3+NO2) pH Metals Digestion by SW3010A Preparation for COD testing HACH 8000 Mercury Digestion by SW7470A Preparation for TDS A2540 C TKN preparation E351.2 Preparation for TSS A2540 D Solids, Total Dissolved Solids, Total Suspended

The analyses presented in this report were performed by Energy Laboratories, Inc., 1120 S 27th St., Billings, MT 59101, unless otherwise noted. Any exceptions or problems with the analyses are noted in the report package. Any issues encountered during sample receipt are documented in the Work Order Receipt Checklist.

The results as reported relate only to the item(s) submitted for testing. This report shall be used or copied only in its entirety. Energy Laboratories, Inc. is not responsible for the consequences arising from the use of a partial report.

If you have any questions regarding these test results, please contact your Project Manager.

Report Approved By:



CLIENT: Calumet Montana Refining, LLC
Project: PTU H2O Rundown Testing
Work Order: B23082631

Revised Date: 09/14/23

Report Date: 09/11/23

CASE NARRATIVE

Tests associated with analyst identified as ELI-G were subcontracted to Energy Laboratories, 400 W Boxelder Rd, Gillette, WY, EPA Number WY00006.

Revised Date: 9/14/2023

Per request from Maurice Frey at Calumet Montana Refining, LLC on 9/11/2023, add phosphorus, sodium, potassium, magnesium, calcium, iron, nickel, and chloride to sample PTU H2O Rundown (B23082631-001).

The report has been revised and replaces the previously issued report dated 9/11/2023 in its entirety.



LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: Calumet Montana Refining, LLC
Project: PTU H2O Rundown Testing
Lab ID: B23082631-001
Client Sample ID: PTU H2O Rundown

Revised Date: 09/14/23
Report Date: 09/11/23
Collection Date: 08/28/23 13:00
Date Received: 08/29/23
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
Specific Gravity 60/60F	1.007	unitless				D1429	08/30/23 16:02 / spb
pH	6.8	s.u.	H	0.1		A4500-H B	08/29/23 15:36 / ctb
pH Measurement Temp	11.1	°C		1.0		A4500-H B	08/29/23 15:36 / ctb
Solids, Total Suspended TSS @ 105 C	1020	mg/L		100		A2540 D	08/30/23 09:18 / pjw
Solids, Total Dissolved TDS @ 180 C	10800	mg/L		200		A2540 C	08/30/23 09:32 / idg
INORGANICS							
Chloride	113	mg/L		10		E300.0	09/12/23 13:18 / spb
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	15400	mg/L		2000		E410.4	09/01/23 12:40 / mas
Oxygen Demand, Biochemical (BOD)	6800	mg/L		3500		A5210 B	08/30/23 09:16 / ctb
NUTRIENTS							
Nitrogen, Ammonia as N	27.0	mg/L		0.5		E350.1	09/01/23 13:43 / krt
Nitrogen, Nitrate+Nitrite as N	ND	mg/L	D	0.02		E353.2	08/31/23 17:11 / krt
Nitrogen, Kjeldahl, Total as N	171	mg/L		5		E351.2	09/06/23 10:34 / jaw
Nitrogen, Total	171	mg/L		5		Calculation	09/06/23 13:25 / klc
METALS, TOTAL							
Arsenic	0.004	mg/L		0.001		SW6020	09/01/23 16:24 / aem
Barium	0.11	mg/L		0.05		SW6020	09/01/23 16:24 / aem
Cadmium	ND	mg/L		0.001		SW6020	09/01/23 16:24 / aem
Calcium	131	mg/L		3		SW6010B	09/13/23 13:56 / enb
Chromium	0.06	mg/L		0.01		SW6020	09/01/23 16:24 / aem
Iron	22.0	mg/L		0.06		SW6020	09/12/23 15:19 / jks
Lead	0.011	mg/L		0.001		SW6020	09/01/23 16:24 / aem
Magnesium	27	mg/L		5		SW6010B	09/12/23 16:21 / enb
Mercury	ND	mg/L	D	0.002		SW7470A	09/01/23 10:35 / nrb
Nickel	0.047	mg/L		0.005		SW6020	09/01/23 16:24 / aem
Phosphorus	243	mg/L		1		SW6010B	09/12/23 16:21 / enb
Potassium	63	mg/L		1		SW6020	09/01/23 16:24 / aem
Selenium	0.001	mg/L		0.001		SW6020	09/01/23 16:24 / aem
Silver	ND	mg/L		0.001		SW6020	09/01/23 16:24 / aem
Sodium	3250	mg/L		3		SW6010B	09/12/23 16:21 / enb
ORGANIC CHARACTERISTICS							
Oil & Grease (HEM)	650	mg/L		1		E1664A	09/01/23 09:31 / eli-g

- The sample fraction submitted for E1664A Oil & Grease (HEM) was received in the laboratory at pH >2. An additional 25 mL sulfuric acid was added prior to analysis to preserve to pH <2, per method requirements.

Report	RL - Analyte Reporting Limit	MCL - Maximum Contaminant Level
Definitions:	QCL - Quality Control Limit	ND - Not detected at the Reporting Limit (RL)
	D - Reporting Limit (RL) increased due to sample matrix	H - Analysis performed past the method holding time



ANALYTICAL SUMMARY REPORT

July 12, 2023

Calumet Montana Refining, LLC
1807 3rd St NW
Great Falls, MT 59404-1998

Work Order: B23062076 Quote ID: B16543

Project Name: PTU H2O Rundown Analysis for UIC

Energy Laboratories Inc Billings MT received the following 1 sample for Calumet Montana Refining, LLC on 6/23/2023 for analysis.

Lab ID	Client Sample ID	Collect Date	Receive Date	Matrix	Test
B23062076-001	PTU Rundown	06/22/23 16:00	06/23/23	Solid	Metals by ICP/ICPMS, TCLP Cyanide, Reactive Mercury, TCLP Flash Point pH of Liquid Waste Mercury Digestion by SW7470A Reactivity Preparation by SW846 Ch 7 Sulfide, Reactive TCLP Extraction by SW1311, Non- volatiles TCLP Zero Headspace Extraction by SW1311 Seperatory Funnel Liquid-Liquid Ext. SW3510C Herbicides, Chlorinated TCLP TCLP Metals Digestion by SW3010A Seperatory Funnel Liquid-Liquid Ext. SW3510C Organochlorine Pesticides, TCLP BNA TCLP Extraction Semi-Volatile Organic Compounds, TCLP Volatile Organic Compounds, TCLP

The analyses presented in this report were performed by Energy Laboratories, Inc., 1120 S 27th St., Billings, MT 59101, unless otherwise noted. Any exceptions or problems with the analyses are noted in the report package. Any issues encountered during sample receipt are documented in the Work Order Receipt Checklist.

The results as reported relate only to the item(s) submitted for testing. This report shall be used or copied only in its entirety. Energy Laboratories, Inc. is not responsible for the consequences arising from the use of a partial report.

If you have any questions regarding these test results, please contact your Project Manager.

Report Approved By:



LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: Calumet Montana Refining, LLC
Project: PTU H2O Rundown Analysis for UIC
Lab ID: B23062076-001
Client Sample ID: PTU Rundown

Report Date: 07/12/23
Collection Date: 06/22/23 16:00
Date Received: 06/23/23
Matrix: Solid

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
IGNITABILITY							
Flash Point (Ignitability)	>200	°F		30		SW1010A	06/30/23 10:54 / jlw
CORROSIVITY							
pH	6.5	s.u.		0.10		SW9040C	06/29/23 13:58 / jlw
pH Measurement Temp	19	C				SW9040C	06/29/23 13:58 / jlw
REACTIVITY							
Cyanide, Reactive	ND	mg/kg		0.05	250	SW846 Ch 7	06/28/23 13:33 / mas
Sulfide, Reactive	40	mg/kg		20	500	SW846 Ch 7	06/28/23 14:04 / fap
METALS, TCLP EXTRACTABLE							
Arsenic	ND	mg/L		0.1	5	SW6010B	07/03/23 22:59 / enb
Barium	ND	mg/L		0.5	100	SW6010B	07/03/23 22:59 / enb
Cadmium	ND	mg/L		0.01	1	SW6010B	07/03/23 22:59 / enb
Chromium	ND	mg/L		0.1	5	SW6010B	07/03/23 22:59 / enb
Lead	ND	mg/L	L	0.2	5	SW6010B	07/03/23 22:59 / enb
Mercury	ND	mg/L		0.002	0.2	SW7470A	06/30/23 13:55 / nrb
Selenium	ND	mg/L	L	0.2	1	SW6010B	07/03/23 22:59 / enb
Silver	ND	mg/L		0.02	5	SW6010B	07/03/23 22:59 / enb
VOLATILE ORGANIC COMPOUNDS, TCLP EXTRACTABLE							
Benzene	ND	mg/L	D	0.10	0.5	SW8260B	07/08/23 06:42 / jdb
Carbon tetrachloride	ND	mg/L	D	0.10	0.5	SW8260B	07/08/23 06:42 / jdb
Chlorobenzene	ND	mg/L	D	0.10	100	SW8260B	07/08/23 06:42 / jdb
Chloroform	ND	mg/L	D	0.10	6	SW8260B	07/08/23 06:42 / jdb
1,4-Dichlorobenzene	ND	mg/L	D	0.10	7.5	SW8260B	07/08/23 06:42 / jdb
1,2-Dichloroethane	ND	mg/L	D	0.10	0.5	SW8260B	07/08/23 06:42 / jdb
1,1-Dichloroethene	ND	mg/L	D	0.10	0.7	SW8260B	07/08/23 06:42 / jdb
Methyl ethyl ketone	ND	mg/L	D	2.0	200	SW8260B	07/08/23 06:42 / jdb
Tetrachloroethene	ND	mg/L	D	0.10	0.7	SW8260B	07/08/23 06:42 / jdb
Trichloroethene	ND	mg/L	D	0.10	0.5	SW8260B	07/08/23 06:42 / jdb
Vinyl chloride	ND	mg/L	D	0.10	0.2	SW8260B	07/08/23 06:42 / jdb
Surr: 1,2-Dichloroethane-d4	107	%REC		70-130		SW8260B	07/08/23 06:42 / jdb
Surr: Dibromofluoromethane	95.0	%REC		77-126		SW8260B	07/08/23 06:42 / jdb
Surr: p-Bromofluorobenzene	120	%REC		76-127		SW8260B	07/08/23 06:42 / jdb
Surr: Toluene-d8	108	%REC		79-122		SW8260B	07/08/23 06:42 / jdb
- The sample was characterized as a filterable liquid and as such the sample liquid itself is considered to be the TCLP extract.							
SEMI-VOLATILE ORGANIC COMPOUNDS, TCLP EXTRACTABLE							
Cresols, Total	0.076	mg/L	DJ	0.10	200	SW8270C	07/05/23 16:56 / jph
m+p-Cresols	0.076	mg/L	DJ	0.10		SW8270C	07/05/23 16:56 / jph
o-Cresol	ND	mg/L	D	0.10		SW8270C	07/05/23 16:56 / jph
Pentachlorophenol	ND	mg/L	D	0.50	100	SW8270C	07/05/23 16:56 / jph
2,4,5-Trichlorophenol	ND	mg/L	D	0.10	400	SW8270C	07/05/23 16:56 / jph

Report Definitions:

RL - Analyte Reporting Limit	MCL - Maximum Contaminant Level
QCL - Quality Control Limit	ND - Not detected at the Reporting Limit (RL)
D - Reporting Limit (RL) increased due to sample matrix	J - Estimated value - analyte was present but less than the Reporting Limit (RL)
L - Lowest available reporting limit for the analytical method used	



LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: Calumet Montana Refining, LLC
Project: PTU H2O Rundown Analysis for UIC
Lab ID: B23062076-001
Client Sample ID: PTU Rundown

Report Date: 07/12/23
Collection Date: 06/22/23 16:00
Date Received: 06/23/23
Matrix: Solid

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
SEMI-VOLATILE ORGANIC COMPOUNDS, TCLP EXTRACTABLE							
2,4,6-Trichlorophenol	ND	mg/L	D	0.10	2	SW8270C	07/05/23 16:56 / jph
2,4-Dinitrotoluene	ND	mg/L	D	0.10	0.13	SW8270C	07/05/23 16:56 / jph
Hexachlorobutadiene	ND	mg/L	D	0.10	0.5	SW8270C	07/05/23 16:56 / jph
Hexachlorobenzene	ND	mg/L	D	0.10	0.13	SW8270C	07/05/23 16:56 / jph
Hexachloroethane	ND	mg/L	D	0.10	3	SW8270C	07/05/23 16:56 / jph
Nitrobenzene	ND	mg/L	D	0.10	2	SW8270C	07/05/23 16:56 / jph
Pyridine	ND	mg/L	D	0.20	5	SW8270C	07/05/23 16:56 / jph
Surr: 2,4,6-Tribromophenol	82.0	%REC		25-140		SW8270C	07/05/23 16:56 / jph
Surr: 2-Fluorobiphenyl	80.0	%REC		28-107		SW8270C	07/05/23 16:56 / jph
Surr: 2-Fluorophenol	64.0	%REC		10-75		SW8270C	07/05/23 16:56 / jph
Surr: Nitrobenzene-d5	66.0	%REC		32-94		SW8270C	07/05/23 16:56 / jph
Surr: Phenol-d5	56.0	%REC		26-101		SW8270C	07/05/23 16:56 / jph
Surr: Terphenyl-d14	79.0	%REC		32-122		SW8270C	07/05/23 16:56 / jph

- The sample was characterized as a filterable liquid and as such the sample liquid itself is considered to be the TCLP extract.
- The sample extract was diluted 2 times at analysis due to non-target compound sample matrix interference. The Reporting Limit reflects this dilution.

PESTICIDES, TCLP EXTRACTABLE

Chlordane	ND	mg/L		0.025	0.03	SW8081B	07/03/23 17:32 / orr
Heptachlor	ND	mg/L		0.00050	0.008	SW8081B	07/04/23 00:36 / orr
Heptachlor epoxide	ND	mg/L		0.00050		SW8081B	07/04/23 00:36 / orr
Endrin	ND	mg/L		0.00050	0.02	SW8081B	07/04/23 00:36 / orr
gamma-BHC (Lindane)	ND	mg/L		0.00050	0.4	SW8081B	07/03/23 17:32 / orr
Methoxychlor	ND	mg/L		0.00050	10	SW8081B	07/04/23 00:36 / orr
Toxaphene	ND	mg/L		0.050	0.5	SW8081B	07/03/23 17:32 / orr
Surr: Decachlorobiphenyl	48.0	%REC		44-119		SW8081B	07/03/23 17:32 / orr
Surr: Tetrachloro-m-xylene	71.0	%REC		40-120		SW8081B	07/03/23 17:32 / orr

- The sample was characterized as a filterable liquid and as such the sample liquid itself is considered to be the TCLP extract.

HERBICIDES, TCLP EXTRACTABLE

2,4-D	ND	mg/L		0.010	10	SW8151A	07/06/23 19:14 / jmh
2,4,5-TP (Silvex)	ND	mg/L		0.0020	1	SW8151A	07/06/23 19:14 / jmh
Surr: DCAA	71.0	%REC		50-125		SW8151A	07/06/23 19:14 / jmh

- The sample was characterized as a filterable liquid and as such the sample liquid itself is considered to be the TCLP extract.

Report Definitions:
 RL - Analyte Reporting Limit
 QCL - Quality Control Limit
 D - Reporting Limit (RL) increased due to sample matrix
 MCL - Maximum Contaminant Level
 ND - Not detected at the Reporting Limit (RL)



ANALYTICAL SUMMARY REPORT

June 08, 2023

Calumet Montana Refining, LLC
1807 3rd St NW
Great Falls, MT 59404-1998

Work Order: B23052214

Project Name: PTU H2O Rundown Testing

Energy Laboratories Inc Billings MT received the following 2 samples for Calumet Montana Refining, LLC on 5/25/2023 for analysis.

Lab ID	Client Sample ID	Collect Date	Receive Date	Matrix	Test
B23052214-001	PTU H2O RUNDOWN	05/24/23 13:00	05/25/23	Aqueous	Metals by ICP/ICPMS, Total Biochemical Oxygen Demand, 5 Day Chemical Oxygen Demand Mercury, Total Oil & Grease, Gravimetric, Sulfur Corrected 8151-Herbicides, Chlorinated Metals Digestion by SW3010A Preparation for COD testing HACH 8000 Mercury Digestion by SW7470A Preparation for TDS A2540 C Preparation for TSS A2540 D Separatory Funnel Liquid Liquid Ext. SW3510C Separatory Funnel Liquid Liquid Ext. SW3510C 8081-Organochlorine Pesticides Solids, Total Dissolved Solids, Total Suspended Separatory Funnel SW3510C Liquid-Liquid Ext. Semi-Volatile Organic Compounds 8260-Volatile Organic Compounds-Short List
B23052214-002	Trip Blank	05/24/23 13:00	05/25/23	Trip Blank	8260-Volatile Organic Compounds-Short List

The analyses presented in this report were performed by Energy Laboratories, Inc., 1120 S 27th St., Billings, MT 59101, unless otherwise noted. Any exceptions or problems with the analyses are noted in the report package. Any issues encountered during sample receipt are documented in the Work Order Receipt Checklist.

The results as reported relate only to the item(s) submitted for testing. This report shall be used or copied only in its entirety. Energy Laboratories, Inc. is not responsible for the consequences arising from the use of a partial report.

If you have any questions regarding these test results, please contact your Project Manager.

Report Approved By:



CLIENT: Calumet Montana Refining, LLC
Project: PTU H2O Rundown Testing
Work Order: B23052214

Report Date: 06/08/23

CASE NARRATIVE

Tests associated with analyst identified as ELI-G were subcontracted to Energy Laboratories, 400 W Boxelder Rd, Gillette, WY, EPA Number WY00006.



LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: Calumet Montana Refining, LLC
Project: PTU H2O Rundown Testing
Lab ID: B23052214-001
Client Sample ID: PTU H2O RUNDOWN

Report Date: 06/08/23
Collection Date: 05/24/23 13:00
Date Received: 05/25/23
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
Solids, Total Suspended TSS @ 105 C	268	mg/L		50		A2540 D	05/26/23 09:43 / pjw
Solids, Total Dissolved TDS @ 180 C	3440	mg/L		50		A2540 C	05/26/23 09:35 / idg
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	2260	mg/L		200		E410.4	05/26/23 14:19 / mas
Oxygen Demand, Biochemical (BOD)	960	mg/L		49		A5210 B	05/25/23 14:29 / ctb
BOD test replicates show more than 30% difference between high and low values.							
METALS, TOTAL							
Arsenic	0.011	mg/L		0.001		SW6020	06/02/23 02:30 / jks
Barium	0.11	mg/L		0.05		SW6020	06/02/23 02:30 / jks
Cadmium	ND	mg/L		0.001		SW6020	06/02/23 02:30 / jks
Chromium	0.015	mg/L		0.005		SW6020	06/02/23 02:30 / jks
Lead	0.006	mg/L		0.001		SW6020	06/02/23 02:30 / jks
Mercury	ND	mg/L		0.0001		SW7470A	05/30/23 09:39 / car
Selenium	ND	mg/L		0.001		SW6020	06/02/23 02:30 / jks
Silver	ND	mg/L		0.001		SW6020	06/02/23 02:30 / jks
VOLATILE ORGANIC COMPOUNDS							
Benzene	0.79	ug/L	J	1.0		SW8260B	05/31/23 16:52 / msc
Bromobenzene	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
Bromochloromethane	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
Bromodichloromethane	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
Bromoform	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
Bromomethane	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
Carbon tetrachloride	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
Chlorobenzene	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
Chlorodibromomethane	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
Chloroethane	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
Chloroform	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
Chloromethane	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
1,2-Dibromoethane	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
2-Chlorotoluene	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
4-Chlorotoluene	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
Dibromomethane	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
1,2-Dichlorobenzene	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
1,3-Dichlorobenzene	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
1,4-Dichlorobenzene	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
Dichlorodifluoromethane	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
1,1-Dichloroethane	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
1,2-Dichloroethane	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
1,1-Dichloroethene	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
cis-1,2-Dichloroethene	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc
trans-1,2-Dichloroethene	ND	ug/L		1.0		SW8260B	05/31/23 16:52 / msc

Report Definitions: RL - Analyte Reporting Limit
QCL - Quality Control Limit

MCL - Maximum Contaminant Level
ND - Not detected at the Reporting Limit (RL)

J - Estimated value - analyte was present but less than the Reporting Limit (RL)

Exhibit 5 — Otero–Lozano Correspondence (Oct. 13–14, 2025)

Gmail - It's 11:19 PM Mountain Time, and the Docket is Closed!

5/30/26, 11:50 PM



Queen's Necklace <queensnecklace@gmail.com>

It's 11:19 PM Mountain Time, and the Docket is Closed!

4 messages

Queen's Necklace <queensnecklace@gmail.com> Mon, Oct 13, 2025 at 11:23 PM

To: "Lozano, Velrey (she/her/hers)" <Lozano.VelRey@epa.gov>

Cc: Jim Morren <jim.morren@ponderacounty.org>, Tom Kuka <tom.kuka@ponderacounty.org>, Zane Drishinski <zane.drishinski@ponderacounty.org>, Corrine Rose <Sanitarian@ponderacounty.org>

Dear VelRey,

The EPA's website stated public comments would be accepted until midnight tonight. Since this cannot be fixed now, the EPA must provide an opportunity for people to submit comments for at least one more hour. I wasn't finished.

Angela

Your website states:

We're sorry.

This document is not currently accepting comments on Regulations.gov.

Examples why a Document may not accept comments are listed below:

- The Document's comment period has not started.
- The Document's comment period is closed.
- The Document type does not accept comments.
- The Document belongs to a Non-Participating Agency that does not accept comments on Regulations.gov.

Please return to the [home page](#) to find Documents that are currently open.

If you believe you should not be getting this error page or the problem persists, please [contact the Help Desk](#).

Queen's Necklace <queensnecklace@gmail.com>

Tue, Oct 14, 2025 at 6:50 AM

To: "Lozano, Velrey (she/her/hers)" <Lozano.VelRey@epa.gov>

Cc: Jim Morren <jim.morren@ponderacounty.org>, Tom Kuka <tom.kuka@ponderacounty.org>, Zane Drishinski <zane.drishinski@ponderacounty.org>, Corrine Rose <Sanitarian@ponderacounty.org>

Good morning, VelRey.

I will be on the road today, unable to send or receive emails. Please let me know when the EPA will provide the public with at least an extra hour of time to submit their remaining comments.

Thank you,
Angela
[Quoted text hidden]

Lozano, Velrey <Lozano.VelRey@epa.gov>


Tue, Oct 14, 2025 at 7:46 AM

To: Queen's Necklace <queensnecklace@gmail.com>

Cc: Jim Morren <jim.morren@ponderacounty.org>, Tom Kuka <tom.kuka@ponderacounty.org>, Zane Drishinski <zane.drishinski@ponderacounty.org>, Corrine Rose <Sanitarian@ponderacounty.org>

Ms. Otero,

For future submissions, please note the EDT on the docket message. The docket is managed by D.C. and they use Eastern Daylight Time.

 Comment Period Ended: **Oct 13, 2025 at 11:59 PM EDT**

Please send me your comments and I will add them to the record.

Regards, VelRey

From: Queen's Necklace <queensnecklace@gmail.com>

Sent: Tuesday, October 14, 2025 6:51 AM

To: Lozano, Velrey <Lozano.VelRey@epa.gov>

Cc: Jim Morren <jim.morren@ponderacounty.org>; Tom Kuka <tom.kuka@ponderacounty.org>; Zane Drishinski <zane.drishinski@ponderacounty.org>; Corrine Rose <Sanitarian@ponderacounty.org>

Subject: Re: It's 11:19 PM Mountain Time, and the Docket is Closed!

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

[Quoted text hidden]

Queen's Necklace <queensnecklace@gmail.com>

Tue, Oct 14, 2025 at 6:55 PM

To: "Lozano, Velrey" <Lozano.VelRey@epa.gov>

Cc: Jim Morren <jim.morren@ponderacounty.org>, Tom Kuka <tom.kuka@ponderacounty.org>, Zane Drishinski <zane.drishinski@ponderacounty.org>, Corrine Rose <Sanitarian@ponderacounty.org>

Hello VelRey!

On the website, it said, "Written comments must be submitted to www.regulations.gov or postmarked by **midnight Mountain Time on October 13, 2025**. Whoever set up the link should have set the EDT for 2AM to correspond with mountain time.

I genuinely thought that midnight Mountain Time meant all public comments would be accepted until that time.

Thank you immensely for allowing me to send my final comments to you today. I am truly grateful for your assistance.

Kindest regards,

Angela

Comments Due October 13, 2025

Written comments must be submitted online using this link: [EPA-R08-OW-2025-0852-0001](https://www.regulations.gov/EPA-R08-OW-2025-0852-0001)

Comments may also be sent by mail to:

Velrey Lozano
U.S. EPA Region 8
Mail Code: 8WD-SDU
1595 Wynkoop Street
Denver, CO 80202-1129

Written comments must be submitted to www.regulations.gov or postmarked by **midnight Mountain Time on October 13, 2025**.

Exhibit 6 — Otero–Lozano Corrosion-Inhibitor Correspondence (Apr. 2024)

Gmail - Follow-up Clarification - MOGO – MT52443-12513 & MT52439-12514

5/30/26, 7:53 PM



Queen's Necklace <queensnecklace@gmail.com>

Follow-up Clarification - MOGO – MT52443-12513 & MT52439-12514

6 messages

Queen's Necklace <queensnecklace@gmail.com>

Tue, Apr 16, 2024 at 9:41 AM

To: "Lozano, Velrey (she/her/hers)" <Lozano.VelRey@epa.gov>, Lisa Schmidt <l.schmidt@a-land-of-grass-ranch.com>, Commissioner@ponderacounty.org, morgan.johnson@ponderacounty.org, Corrine Rose <Sanitarian@ponderacounty.org>, Peter Metcalf <peter@glaciertwomedicine.org>

Dear Ms. Lozano,

This is a request for information, not public comment. As a follow-up to my email sent yesterday, regarding the following:

The permit application states under "**INJECTION PROCESS FLOW, FACILITIES AND MONITORING**" that a corrosion inhibitor will be added to the injectate. Please advise the type/nature of the corrosion inhibitor as this information was not disclosed in permit documents which requested information regarding corrosive inhibitors.

I realized, after sending my request, that it needed to be more specific.

Fact Sheets, Page 3, state that "EPA considered the suitability of construction materials and well design for the injection activity, including the **prevention of corrosion from injected fluids**, and has concluded that well construction requirements in the permit are protective of USDWs."

1) Please identify all corrosive inhibitor chemicals to be added to injectate, and the ratio of corrosion inhibitor-to-injectate to be used.

2) Please supply the MSDS link to information on the corrosive inhibitor.

3) Please clarify where the inhibitor will be added – at the refinery by Montana Renewables – or at the injection well site by Montalban Oil & Gas Operations, or another other entity. If it's the latter, please indicate volumes of additive chemicals to be stored onsite.

4) Please provide the injectate pH, and identify its Hazardous Materials Classification (according to EPA's 1-9 Classes). Based on my research, the injectate appears to qualify as Class 8, as defined by MLI Environmental, below:

What Defines Corrosive Waste?

As defined by the EPA, corrosive liquids are those materials specifically listed as hazardous or have a level of corrosivity as a characteristic property. Corrosive materials have the property or quality to corrode, erode or eat away other materials on contact. Corrosive substances have the capability to severely attack and destroy metals, inorganic and organic polymers, and other organic compounds, including living tissues. Many of these types of wastes are generated from common industrial, manufacturing, petrochemical or commercial processes and must be shipped and disposed of properly

Class 8 – Corrosive Materials

Corrosive are substances that degrade or disintegrate other materials upon contact through a chemical reaction if leakage, or damage occurs to the surrounding materials. It is capable of destroying materials, such as living tissues. The department of transportation considers an acid with a pH <2 or greater than 12.5 to be corrosive. For additional information, see <https://mlienvironmental.com/blog/hazardous-waste-materials-guide-corrosive-liquids/>

A corrosion inhibitor – which prevents corrosion to well materials and components – is required only if the injectate fluids traveling through these wells have a corrosive characterization/nature that must be neutralized chemically. Use of a corrosion inhibitor is clearly stated – but not identified – in the permit application. While EPA language acknowledged the **"prevention of corrosion from injected fluids"** is central to **"the suitability of construction materials and well design"** in these Fact Sheets, EPA failed to state that this "prevention" requires the addition of a chemical corrosion inhibitor.

Since this will be a chemical addition to the injectate, it represents a contribution which increases the cumulative potential harms to USDWs, and it should have been identified in permitting documents prior to public comment. Given that EPA is in the final stage of review for these permits, and this information is crucial to your review, then EPA must have the missing information I am requesting. Please provide this information.

I appreciate your kind assistance.

Respectfully,
Angela Otero

Queen's Necklace <queensnecklace@gmail.com> Tue, Apr 16, 2024 at 9:45 AM
To: "Lozano, Velrey (she/her/hers)" <Lozano.VelRey@epa.gov>, Lisa Schmidt <l.schmidt@a-land-of-grass-ranch.com>, Commissioner@ponderacounty.org, morgan.johnson@ponderacounty.org, Corrine Rose <Sanitarian@ponderacounty.org>, Peter Metcalf <peter@glaciertwomedicine.org>

Apologies, please strike "which requested information regarding corrosive inhibitors" from my earlier email as shown in bold below.

The permit application states under **"INJECTION PROCESS FLOW, FACILITIES AND MONITORING"** that a corrosion inhibitor will be added to the injectate. Please advise the type/nature of the corrosion inhibitor as this information was not disclosed in permit documents.**which requested information regarding corrosive inhibitors.**

Many thanks,
Angela Otero
[Quoted text hidden]

Lozano, Velrey (she/her/hers) <Lozano.VelRey@epa.gov> Thu, Apr 18, 2024 at 4:18 PM
To: Queen's Necklace <queensnecklace@gmail.com>, Lisa Schmidt <l.schmidt@a-land-of-grass-ranch.com>, "Commissioner@ponderacounty.org" <Commissioner@ponderacounty.org>, "morgan.johnson@ponderacounty.org" <morgan.johnson@ponderacounty.org>, Corrine Rose <Sanitarian@ponderacounty.org>, Peter Metcalf <peter@glaciertwomedicine.org>
Cc: "Evans, Fraser (she/her/hers)" <Evans.Fraser@epa.gov>

Ms. Otero,

We have received your questions and are working on reviewing all questions and comments submitted. We will respond fully once we have reached a decision on the permitting action.

Thank you, VelRey

From: Queen's Necklace <queensnecklace@gmail.com>
Sent: Tuesday, April 16, 2024 9:41 AM
To: Lozano, Velrey (she/her/hers) <Lozano.VelRey@epa.gov>; Lisa Schmidt <l.schmidt@a-land-of-grass-ranch.com>; Commissioner@ponderacounty.org; morgan.johnson@ponderacounty.org; Corrine Rose <Sanitarian@ponderacounty.org>; Peter Metcalf <peter@glaciertwomedicine.org>
Subject: Follow-up Clarification - MOGO – MT52443-12513 & MT52439-12514

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

[Quoted text hidden]

Queen's Necklace <queensnecklace@gmail.com>
To: "stoptoxicwater@gmail.com" <stoptoxicwater@gmail.com>

Tue, May 7, 2024 at 8:37 PM

Kurt, I tried to get answers from the EPA to no avail. We do not know if this wastewater is corrosive/hazardous, or not. Below is an excerpt from Attachment D of the Permit Application.

Paragraph 3 is most telling as the figures are "approximated" with a pH of 3.

Paragraph 4 indicates (in an omitted fashion) that a corrosion inhibitor will be added, and TDS will increase. Further down, this corrosion inhibitor is stated.

Since Montana Renewables will not provide the Sanitarian with access to collect samples, and the EPA has not done any actual testing (but is relying on Energy Laboratories' analyses), no one knows if this stuff is corrosive or hazardous.

If they are transporting corrosive waste across several counties, then our volunteer first responders are at risk, but so far, no clear answers from the EPA on the pH. I've been told the truckers have paperwork stating this wastewater is not hazardous, and when they're pulled over, they show that – and no one questions it any further. A simple pH meter test might be all that's needed to put a halt to this – but who has the authority to do this? Do you know?

As found on Pages 376 & 848:

4. INJECTATE CHARACTERISTICS

The wastewater from Montana Renewables will be generated from the pretreatment of renewable feedstocks. The renewable feedstocks may include, but are not limited to, vegetable oils (such as soybean oil and canola oil), animal fats (such as beef tallow, choice white grease, and poultry fat) distiller's corn oil, and used cooking oil.

The pretreatment process technology is developed and licensed by Applied Research Associates, Inc. (ARA). The technology involves a water-based (hydrothermal) cleanup process to pretreat feedstocks and feedstock blends prior to processing into renewable fuels. The pretreatment removes impurities from the renewable oils to extend the life of the catalysts. In this pretreatment process, water and a weak acid are mixed with the feedstock at high temperatures and pressure. After a predetermined contact time, the mixture is cooled and separated in an

electrostatic separator to produce a renewable oil suitable for processing into renewable fuels, and a water phase. Phosphorus, nitrogen, salts and other impurities are removed with the water phase. This water phase comprises the wastewater requested for approval for injection.

The ARA pre-treatment system is currently under construction. Therefore, final water quality data for the various blends of feedstock are not available. However, based on bench scale analyses and projections from ARA, the following range of raw water quality is approximated:

- pH: 3
- TDS: 5,000 mg/L - 8,000 mg/L
- Conductivity: 2,809 µS/cm - 4,500 µS/cm

Prior to injection, the pH will be adjusted to be compatible with the injection well design based on geochemical modeling of water/well, water/rock and water/water interactions. Adjustment of the pH will result in an increase in TDS. Initial bench scale testing indicates this TDS increase to be in the 5 – 10% range and will depend on the buffering capacity of the wastewater during operation.

The wastewater will be injected into the Mississippian Madison Aquifer, which is determined to be an Underground Source of Drinking Water (USDW), with a measured TDS concentration within the UIC permit area of 5,440 mg/L. An aquifer exemption has been requested (UIC Permit Application, Attachment H).

At startup, the average volume of wastewater to be injected into each well is approximately 800 to 900 bbls/day. These volumes are consistent with the operation of the Class II wells, which have received up to an average of 850 bbls/day. The average and maximum injection rates are 1,300 and 2,000 bbls/day respectively. The maximum injection pressure is 1,025 pounds with an average injection pressure of 600 pounds. The pressures are authorized by the Montana Board of Oil & Gas Conservation within the current Class II UIC permits.

Montana Renewables plans to increase the wastewater injection volume over the life of the facility up to a potential maximum of 3,600 bbls/day. Future Class V UIC wells are proposed in the Area Wide UIC Permit Application to accommodate this expansion, as described in Attachment A of the Area Wide UIC Permit Application.

As found on pages 375 and 847 of the Permit Application:

The tubing casing annulus will be filled with water treated with a **corrosion inhibitor**, and the valve will remain closed during normal operating conditions so that the pressure will be maintained at zero (0) psi. A "tap" will be placed at a conveniently accessible location on the discharge line of the pump that leads to the injection wells for collection of representative samples of the injected fluid.

Please call me if you have time to get together tomorrow. I can meet you in Valier after 2:00.

Kindest regards,
Angela Otero

[Quoted text hidden]

Queen's Necklace <queensnecklace@gmail.com>
To: ellis.juhlin@umt.edu, Lisa Schmidt <l.schmidt@a-land-of-grass-ranch.com>

Wed, May 22, 2024 at 9:23 AM

[Quoted text hidden]

Queen's Necklace <queensnecklace@gmail.com>
To: Peter Metcalf <peter@glaciertwomedicine.org>, Amanda Galvan <AGalvan@earthjustice.org>, Emily Auld

Tue, Jul 2, 2024 at 11:10 PM

<emily@northernplains.org>, Lisa Schmidt <l.schmidt@a-land-of-grass-ranch.com>, Commissioner Email <Commissioner@ponderacounty.org>, Guy Alsentzer <guy@uppermissouriwaterkeeper.org>

Clarification Request sent April 16th, after the April 8th public comment period closed.

----- Forwarded message -----

From: **Queen's Necklace** <queensnecklace@gmail.com>

Date: Tue, Apr 16, 2024 at 9:41 AM

Subject: Follow-up Clarification - MOGO - MT52443-12513 & MT52439-12514

[Quoted text hidden]

[Quoted text hidden]

Exhibit 7 — Notice of Final Permit Decision (May 1, 2026)

Gmail - US EPA R8 UIC Notification - Public Notice of Montalban Oil a...rations (MOGO) Class V Jody Field 34-1 & 34-2 final permitting action 6/1/26, 8:58 PM



Queen's Necklace <queensnecklace@gmail.com>

US EPA R8 UIC Notification - Public Notice of Montalban Oil and Gas Operations (MOGO) Class V Jody Field 34-1 & 34-2 final permitting action

3 messages

R8UICMailbox <R8UICMailbox@epa.gov>
To: "Cheung, Wendy" <Cheung.Wendy@epa.gov>

Fri, May 1, 2026 at 2:43 PM

You are receiving this mailing because you requested to be notified as an "Interested Party" to this EPA Region 8 Underground Injection Control (UIC) permitting action.

U.S. ENVIRONMENTAL PROTECTION AGENCY REGION 8 UNDERGROUND INJECTION CONTROL (UIC) NOTIFICATION	
UIC PERMIT NUMBER(S):	MT52443-12513 and MT52439-12514
PERMITTEE NAME:	Montalban Oil & Gas Operations, Inc
FACILITY NAME:	Jody Field 34-1 and 34-2
MAILING ADDRESS:	33 1st Ave SW Cut Bank, Montana 59427-2937

ACTIVITY: The EPA Region 8 UIC Program is issuing two Class V permits to Montalban Oil & Gas Operations, Inc. (MOGO) for injection activities into the Jody Field 34-1 and 34-2 wells. The permits will allow for injection of produced fluid from oil and gas related activities and non-hazardous industrial wastewater into the two existing wells. The wastewater is from the Montana Renewables Refinery in Great Falls, MT, and is generated by pretreating renewable feedstocks. EPA is also issuing an aquifer exemption expansion approval in connection with the UIC Class V permits. Specifically, this approval consolidates and expands previously authorized exemptions for the Madison Formation at the Jody Field 34-1 and Jody Field 34-2 wells by expanding the exempted area laterally to 6.6 square miles and increasing the depth to approximately 3,700 feet below ground surface.

Exhibit 8 — Otero–Lozano Correspondence (Apr. 4–8, 2024)

Gmail - Quick Question: MOGO Jody Field Public Comments MT52443-12513 & MT52439-12514

5/11/26, 5:24 AM



Queen's Necklace <queensnecklace@gmail.com>

Quick Question: MOGO Jody Field Public Comments MT52443-12513 & MT52439-12514

9 messages

Queen's Necklace <queensnecklace@gmail.com> Thu, Apr 4, 2024 at 12:49 PM

To: "Lozano, Velrey (she/her/hers)" <Lozano.VelRey@epa.gov>
Cc: Lisa Schmidt <l.schmidt@a-land-of-grass-ranch.com>, Peter Metcalf <peter@glaciertwomedicine.org>, Commissioner@ponderacounty.org, Corrine Rose <Sanitarian@ponderacounty.org>, morgan.johnson@ponderacounty.org

Dear VelRey,

Has Montana Renewables submitted a sample of wastewater to the EPA for this project?

And, has the EPA tested this sample?

Many thanks,
Angela Otero

Queen's Necklace <queensnecklace@gmail.com> Mon, Apr 8, 2024 at 10:48 AM

To: "Lozano, Velrey (she/her/hers)" <Lozano.VelRey@epa.gov>
Cc: Lisa Schmidt <l.schmidt@a-land-of-grass-ranch.com>, Peter Metcalf <peter@glaciertwomedicine.org>, Commissioner@ponderacounty.org, Corrine Rose <Sanitarian@ponderacounty.org>, morgan.johnson@ponderacounty.org

Dear VelRey,

This is urgent. Can you please respond to my two quick questions? I have a third question now, as well.

- 1) Has either Montana Renewables, or Montalban Oil & Gas, submitted a sample of the wastewater to be permitted to the EPA?
- 2) If so, has the EPA tested this sample?

3) If the EPA has tested this sample, can you please send test results and analysis to Corrine Rose, Pondera County's Sanitarian? Ms. Rose's email address is included above.

It is critical to know if the EPA has received a sample of the wastewater proposed to be injected by EPA Permit Numbers MT52443-12513 & MT52439-12514, and I urge you to respond today. My first email was sent on April 4, 2024, the day after the public hearing.

This email, and my prior email, represent my additional public comments for MOGO Jody Field Public Comments MT52443-12513 & MT52439-12514.

Many thanks,
Angela Otero

Lozano, Velrey (she/her/hers) <Lozano.VelRey@epa.gov>

Mon, Apr 8, 2024 at 5:08 PM

To: Queen's Necklace <queensnecklace@gmail.com>
Cc: Lisa Schmidt <l.schmidt@a-land-of-grass-ranch.com>, Peter Metcalf <peter@glaciertwomedicine.org>, "Commissioner@ponderacounty.org" <Commissioner@ponderacounty.org>, Corrine Rose <Sanitarian@ponderacounty.org>, "morgan.johnson@ponderacounty.org" <morgan.johnson@ponderacounty.org>

Ms. Otero,

In response to your questions submitted;

Montalban Oil and Gas Operation (MOGO) has submitted sample analysis from the Calumet Refinery to the EPA. These laboratory analyses were performed by Energy Laboratories on 6/23/2023, 8/29/2023 and 10/12/2023.

The EPA has not tested a sample from the Calumet Refinery. The Class V permit application requires data of the chemical and physical characteristics of the injection fluid. We have reviewed the data submitted from MOGO and have added it to the administrative record for our permitting determination.

Thank you, VelRey

From: Queen's Necklace <queensnecklace@gmail.com>
Sent: Monday, April 8, 2024 10:48 AM
To: Lozano, Velrey (she/her/hers) <Lozano.VelRey@epa.gov>
Cc: Lisa Schmidt <l.schmidt@a-land-of-grass-ranch.com>; Peter Metcalf <peter@glaciertwomedicine.org>; Commissioner@ponderacounty.org; Corrine Rose <Sanitarian@ponderacounty.org>; morgan.johnson@ponderacounty.org
Subject: Re: Quick Question: MOGO Jody Field Public Comments MT52443-12513 & MT52439-12514

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

[Quoted text hidden]

Queen's Necklace <queensnecklace@gmail.com> Mon, Apr 8, 2024 at 8:22 PM
To: "Lozano, Velrey (she/her/hers)" <Lozano.VelRey@epa.gov>
Cc: Lisa Schmidt <l.schmidt@a-land-of-grass-ranch.com>, Peter Metcalf <peter@glaciertwomedicine.org>, "Commissioner@ponderacounty.org" <Commissioner@ponderacounty.org>, Corrine Rose <Sanitarian@ponderacounty.org>, "morgan.johnson@ponderacounty.org" <morgan.johnson@ponderacounty.org>

Thank you, VelRey, for responding today. I appreciate your kindness.

Angela Otero