

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

In re:)	
)	
Florence Copper, Inc.)	UIC Appeal No. 17-03
)	
UIC Permit No. R9UIC-AZ3-FY11-1)	
)	
)	

**FLORENCE COPPER, INC.’s MOTION FOR CLARIFICATION OF SCOPE
OF ORAL ARGUMENT AND STATEMENT OF INTENTION TO PARTICIPATE**

Permittee Florence Copper, Inc. (“FCI”) respectfully moves for clarification of the Environmental Appeals Board’s May 17, 2017 Order Scheduling Oral Argument and Directing Parties to Provide Notice of Election to Participate. FCI is uncertain whether the Board intends that each of the three petitions for review of Region 9’s decision to issue the above-captioned UIC permit be the subject of oral argument; or instead that only the Gila River Indian Community petition be the subject of oral argument, in which all three petitioners may participate. FCI requests the clarification because the Gila River Indian Community was the only Petitioner to request oral argument on its petition and the second paragraph of the Order states that “[t]he parties to all three petitions may participate in the oral argument.” In response to FCI’s requests pursuant to 40 C.F.R. § 124.19(f)(2), Petitioner SWVP-GTIS MR, LLC supports this motion for clarification; Petitioner Town of Florence does not object to the motion; Petitioner Gila River Indian Community takes no position on the motion; and Region 9 does not oppose the motion. Petitioner John Anderson did not respond to FCI’s § 124.19(f)(2) request (which was made by voicemail and e-mail).

FCI also hereby notifies the Board that FCI intends to participate in the July 27, 2017 oral argument in person. George Tsiolis will present FCI's argument and FCI's general counsel Rita Maguire will be present and available to help answer any questions that the Board may have.

Dated: May 31, 2017

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the attached **FLORENCE COPPER, INC.’s**
MOTION FOR CLARIFICATION OF SCOPE OF ORAL ARGUMENT AND
STATEMENT OF INTENTION TO PARTICIPATE to be served by e-mail upon the parties
listed below.

Dated: May 31, 2017



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