

**Ohara, Jim, EMNRD**

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**From:** Ohara, Jim, EMNRD  
**Sent:** Tuesday, October 14, 2008 8:12 AM  
**To:** Ramsey Tim (Timothy.TC.Ramsey@bhpbilliton.com); 'Shepherd, Marie (MShepherd)'; Mark Hiles; 'Coats, Michael (MichaelCoats)'  
**Subject:** FW: Highlights

FYI – Any thoughts on an Ad Hoc meeting date?

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**From:** Jones, Dennis D. [mailto:DJones@PeabodyEnergy.com]  
**Sent:** Monday, October 13, 2008 4:14 PM  
**To:** Cochran, John N.; Murphree, Phillip  
**Cc:** Ohara, Jim, EMNRD  
**Subject:** RE: Highlights

Yes, I have to deal with this all the time in Colorado. As stated in the memo, one way out is

"the federal presumption is rebutted through a use attainability analysis."

My suggestion is to do a general UAA on livestock ponds, indicating that the coliform standard can not be met.

Good luck

Dennis Jones

Hydrologist

Senca Coal / Peabody Energy

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**From:** Cochran, John N.  
**Sent:** Monday, October 13, 2008 15:34  
**To:** Murphree, Phillip; Jones, Dennis D.  
**Subject:** FW: Highlights

Looks like New Mexico is on the verge of Colorado-esque CWA fervor...

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**From:** White, Cybil B [mailto:Cybil.B.White@bhpbilliton.com]  
**Sent:** Monday, October 13, 2008 15:12  
**To:** Cochran, John N.  
**Subject:** FW: Highlights

I'm not sure if you've seen this, but this has also surfaced:

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**From:** Ohara, Jim, EMNRD [mailto:jim.ohara@state.nm.us]  
**Sent:** Thursday, October 09, 2008 9:06 AM  
**To:** Brancard, Bill, EMNRD  
**Cc:** Shepherd, Holland, EMNRD; Leach, Carol, EMNRD; Smith, Mark A, EMNRD; Bada, Cheryl, EMNRD; Anderson, Monte, EMNRD; Clark, David, EMNRD; Delay, Linda, EMNRD; Guranich, John, EMNRD; Vinson, Joe, EMNRD  
**Subject:** Highlights

Not too much going on this week.

Yesterday I received an e-mail from ED that is likely to have a significant impact on the Coal mines (Of course this will also apply MARP mines). The Surface water folks are telling me that our livestock impoundments have been designated