

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



P.O. Box 30755
LANSING, MICHIGAN 48909

DANA NESSEL
ATTORNEY GENERAL

August 16, 2023

Clerk of the Court
30th Circuit Court—Ingham County
315 S. Jefferson Street
P.O. Box 319
Mason, MI 48854

Re: *Dana Nessel, Attorney General of the State of Michigan, Ex Rel,
Michigan Department of Environment, Great Lakes, and Energy v
Copper Range Company*
Case No.: 97-86913-CE

Dear Clerk:

Enclosed for filing is a Proof of Service confirming service of the Stipulation and Amendment to July 22, 2021, Stipulated Order for Assignment and Assumption for Consent Decree, dated August 8, 2023 on Mr. Semenoff and Mr. Steiner in the above-referenced matter.

Thank you for your assistance, and please feel free to contact me if you have any questions.

Sincerely,

/s/ Brian J. Negele

Brian J. Negele
Assistant Attorney General
Environment, Natural Resources,
and Agriculture Division
(517) 335-7664
negeleb@michigan.gov

BJN/rc

Enclosures

cc: Mark N. Semenoff (True copy served)
Scott J. Steiner (True copy served)
Cyndi Mollenhour, EGLE (via email)

STATE OF MICHIGAN
CIRCUIT COURT FOR THE 30TH JUDICIAL CIRCUIT
INGHAM COUNTY

DANA NESSEL, ATTORNEY GENERAL OF
THE STATE OF MICHIGAN, EX REL,
MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND
ENERGY,

Plaintiff,

v

COPPER RANGE COMPANY,

Defendant.

No. 97-86913-CE

HON. WANDA M. STOKES

**STIPULATION AND
AMENDMENT TO JULY 22,
2021, STIPULATED ORDER
FOR ASSIGNMENT AND
ASSUMPTION OF CONSENT
DECREE**

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**STIPULATION AND AMENDMENT TO JULY 22, 2021, STIPULATED
ORDER FOR ASSIGNMENT AND ASSUMPTION OF CONSENT DECREE**

At a session of said Court held in the City of Mason,
Ingham County, Michigan, on August 8, 2023.

PRESENT: HONORABLE WANDA M. STOKES

This matter comes before the Court on the request of the parties hereto to provide for the amendment of the Stipulated Order for Assignment and Assumption of the Consent Decree entered by this Court on July 22, 2021, to revise the due date for White Pine Copper LLC (WPC) to provide a Financial Assurance Mechanism (FAM) as provided in Paragraph 6.

NOW, THEREFORE, upon the consent of the parties, by their attorneys,
IT IS HEREBY ORDERED, ADJUGED AND DECREED:

Pursuant to Exhibit A of the Stipulated Order for Assignment and Assumption of Consent Decree, Section XVIII Modifications/Incorporation by Reference, the parties Stipulate and agree that the Stipulated Order for Assignment and Assumption of the Consent Decree entered on July 22, 2021, shall be amended as follows:

6. By July 22, 2025, WPC will provide an additional FAM in the form of a certificate of deposit in the amount of \$3,075,344.00, which is based on the estimated cost to implement, operate, and maintain a system for dilution of chloride in the surface water discharge authorized by the NPDES permit.

No other provisions of the July 22, 2021, Stipulated Order for Assignment and Assumption of Consent Decree are hereby modified.

IT IS SO ORDERED.

CLINTON CANADY III



Hon. Wanda M. Stokes
Circuit Court Judge

APPROVED AS TO FORM AND CONTENT:

Dated: August 3, 2023

/s/ Brian J. Negele
Brian J. Negele (P41846)
Attorney for Plaintiff Michigan
Department of Environment
Great Lakes, and Energy

Dated: August 3, 2023

/s/ Mark N. Semenoff (with permission)
Mark N. Semenoff
Attorney for Defendant Copper
Range Company

Dated: August 3, 2023

/s/ Scott J. Steiner (with permission)
Scott J. Steiner (P42490)
Attorney for White Pine Copper LLC

LF: White Pine Mine (Copper Range) DEQT/AG #2011-0028705-A/Stipulation and Amendment to July 22, 2021, Stipulated Order for Assignment and Assumption of Consent Decree 2023-08-03

STATE OF MICHIGAN
CIRCUIT COURT FOR THE 30TH JUDICIAL CIRCUIT
INGHAM COUNTY

DANA NESSEL, ATTORNEY GENERAL OF
THE STATE OF MICHIGAN, EX REL,
MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND
ENERGY,

Plaintiff,

v

COPPER RANGE COMPANY,

Defendant.

No. 97-86913-CE

HON. WANDA M. STOKES

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PROOF OF SERVICE

On August 16, 2023, I sent via First-class mail a true copy of the Stipulation and Amendment to July 22, 2021, Stipulated Order for Assignment and Assumption for Consent Decree, dated August 8, 2023 to:

Mark N. Semenoff
Semenoff LLC
P.O. Box 19220
Golden, CO 80402

Scott J. Steiner
Rhoades McKee PC
55 Campau Avenue NW, Suite 300
Grand Rapids, MI 49503

I declare that the statements above are true to the best of my information,
knowledge, and belief.

/s/ Rachel Cissel
Rachel Cissel, Legal Secretary

LF: White Pine Mine (Copper Range) DEQT/AG #2011-0028705-A/POS 2023-08-16