

**Iron Mountain Mines, Inc.**

P.O. Box 992867, Redding CA 96099  
Tel: (530) 275-4550 • Fax: (530) 275-4559

**fax cover sheet**Date 12-23-07Number of pages 72 (including cover page)**TO:**Name JOHN HUTCHENS

Company \_\_\_\_\_

Telephone 925-240-8460Fax 925-258-6615

## Comments:

① EPA NOTICE OF LIEN

② EPA WORKERS PRACTICE OF WITCHCRAFT AT IRON MOUNTAIN PROPERTY

③ RE: ILLEGAL INTERFERENCE WITH IRON MOUNTAIN MINES  
PART I④ RE: IRON MOUNTAIN MINES, INC.  
REBUTTAL IRON MOUNTAIN MINES SUPERFUND SITE  
CERCLA LIEN PROCEEDING  
PART II**FROM:**Name TED ARMAN

Company \_\_\_\_\_

Telephone \_\_\_\_\_

Fax \_\_\_\_\_

The United States has caused this instrument to be executed through the United States Environmental Protection Agency, and its attorney, in her official capacity as Regional Counsel of the United States Environmental Protection Agency, Region IX. I verify that response actions were taken by the United States at the above-described location pursuant to 42 U.S.C. § 9601 et seq.

Signed at San Francisco, California, this <sup>19th</sup> day of May, 2000.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY

Nancy J. Marvel  
Nancy J. Marvel  
Regional Counsel  
U.S. EPA, Region IX

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IMPORTANT RELEASE INFORMATION:

With respect to the costs and damages for which the person named in this notice is liable to the United States Environmental Protection Agency as set forth herein, unless a Notice of Lien is refiled, this Notice shall operate as a Certificate of Release, pursuant to 42 U.S.C. § 9613(g)(2)(A) & (B), which sets forth limitations periods for actions for recovery of costs as follows:

"(A) for a removal action, within three (3) years after completion of the removal action, except that such cost recovery action must be brought within six (6) years after a determination to grant a waiver under section 104(c)(1)(C) of this title for continued response action; and

(B) for a remedial action, within six years after the initiation of physical on-site construction of the remedial action..."

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## Iron Mountain Mines, Inc.

P.O. Box 992867, Redding CA 96099  
Tel: (530) 275-4550 • Fax: (530) 275-4559

August 4, 2006

Ms. Elizabeth Adams, Chief  
Site Cleanup Branch, Superfund Division  
United States Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, CA 94105

RE: Iron Mountain Mines

Dear Ms Adams:

The practice of witchcraft and associated occult activities on Iron Mountain Mines private property by personnel whom the EPA is responsible to manage has been extremely destructive to my personal and business interests.

In the thirty years that I have owned this property I have developed an intense affinity for, and relationship with, this land. As you may know by now, when I first acquired Iron Mountain Mines in 1976 I had no interest in the land or the mines. I needed only the iron pyrite tailings stockpiled there to fulfill a business contract I had at the time.

But I soon realized the enormous historical economic benefit the mines had provided to the region, and their equally enormous potential future economic benefit. I have been striving for all these years to bring about the proper development of this potential, against the concerted opposition of the EPA and its allied agencies.

Beyond that, this beautiful mountain property of 2772 acres has become for me a sacred spiritual retreat where I worship and commune with the God of the universe Who created it. I have dedicated the property primarily to His glory and service, and economic considerations are secondary, though their importance is just as enormous as ever.

As a practical step in these directions, I have placed title to the property in a living trust by whose terms it can never be sold or developed as real estate, but instead is dedicated in perpetuity as a wildlife refuge. Naturally, environmentally sensitive extractive mining within the relatively small mineralized areas is a permitted use, as has always been recognized by both County and State governments. The preferred mining technology is what is known as "in situ", or "solution" mining.

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But a larger goal is to open the property in a judiciously controlled fashion to people who are seeking to improve their relationship with God and would appreciate having a secluded natural retreat conducive to their communion. The purpose of the control will be to preserve the tranquility inherent in this beautiful environment. Planning for this spiritual venture is progressing.

One feature I have planned for this aspect of the property is the construction and sculpting of a large statue of our Lord Jesus Christ on the pinnacle of the mountain peak most visible from the Sacramento River Valley and the Redding Basin below.

It was when my intent to place this statue on my property became known, that the manifestations of witchcraft and occultism began to appear. With this background, I am sure you can understand why this sacrilege, desecration, and defilement of this beautiful, sacred land by EPA personnel has been particularly aggravating, annoying, insulting, and disconcerting.

The EPA's presence on my private property was already extremely and unnecessarily intrusive, seriously infringing upon my rights as a property owner, taking away most of my enjoyment of ownership, as I have complained at length to your on-site and project management.

But the occult activities intrude and infringe way beyond that! Consider, if you will, the evil and wickedness that reside in the heart of anyone who will worship the devil, Satan, in this way. There is no way of knowing what further evil and wickedness such mentally and morally corrupt, unstable, and deranged people are capable of. For twenty-nine years I had always felt perfectly comfortable and safe in going up upon my land at any hour of the day or night, absolutely alone. But now, fearing with good reason for my personal safety, I can no longer have this enjoyment, because the perpetrators are still present and are still employed, directly or indirectly, by the EPA.

Worse than that, their presence is tacit acknowledgement that the management of AIG Insurance Company's Iron Mountain Operations and of the EPA so-called "remedial project" and Iron Mountain not only tolerate but condone their employees' evil, wicked, illegal, and criminal activities. The mere fact that management has very recently apparently caused the physical manifestations of occultism (the erection of witchcraft symbols) to cease is cold comfort, because the occultism can be continuing without leaving evidence thereof, and, as I said, the perpetrators are still on the property, monitoring my location and movements.

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It is most unfortunate that such evil has invaded this beautiful private property in the person of EPA employees. There is no way that anyone can get on the property through the two locked gates, which are under EPA management and control, without the knowing cooperation of the EPA employees who work in the computer control room and who, therefore, are responsible for the total of 27 witchcraft symbols placed all along my private roads so as to disrupt the development of the spiritual sanctuary and Christian center on my private property. Many of these symbols incorporated large rocks too heavy for a single person to move. So, either your employees, who are often there alone at night on a rotating shift schedule, admitted more than one intruder to the property, or they themselves participated in the witchcraft. Either way, it is absolutely intolerable.

These employees have been very damaging, jealous, prejudiced, and discriminatory toward me for many years. Moreover, by engaging in their nefarious activities while on the government payroll, they have been cheating the United States of the federal funds (the AIG-funded EPA trust fund established to pay for the so-called remedial program) used to pay them for the times when they were doing things absolutely outside the scope of their employment. This is criminal. And their activities can be considered criminal trespass. And, because of the anti-Christian, terroristic intent of their blatant occultism, they are guilty of hate crimes as well. They should be prosecuted on all these counts, and they and the management who did not control them adequately all should be terminated from their government jobs.

They all should be replaced with honest personnel who have open minds about the economic value of my property and the actually minimal environmental hazard it has ever presented, who respect private property rights and the U.S. Constitution as a whole, and who embody constructive, cooperative attitudes toward the management of Iron Mountain Mines, Inc.

Once again, I request that you and I meet personally to work out an equitable settlement of the litigation pending between your agency and my company and me in Federal Court, one that actually accords with CERCLA, EPA published policy, and the December 8, Settlement decree as it pertains to all parties, including third parties.

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**Sincerely,**



**T.W. Arman**  
**President, CEO, and Chairman of the Board**  
**Iron Mountain Mines, Inc., and Essential Solutions, Inc.**

**cc: Congressman Wally Herger**  
**Barry Breen, Deputy Asst. Admin., Ofc. of Solid Waste Emergency Response**  
**William A. Logan, Jr., Esq.**  
**Jerry D. Hall, Esq.**



## Iron Mountain Mines, Inc.

P.O. Box 992867, Redding CA 96099  
Tel: (530) 275-4550 • Fax: (530) 275-4559

**November 9th, 2006**

**Ms. Elizabeth Adams, Chief  
Site Cleanup Branch, Superfund Division  
United States Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, CA 94105**

### **RE: Illegal Interference with Iron Mountain Mines**

Dear Ms. Adams:

Concerning the pending cost recovery litigation under CERCLA lien section 107 (1), this letter is demanding that you have the statutory lien that was put on Iron Mountain Mines (private property) on May 5th, 2000 be removed and also that you inform Shasta County Recorders Office to remove the lien on file. Since Iron Mountain Mines, Inc. (IMMI) has objected to this illegitimate lien in the first place with a wrongful filing and since the six year lien period is past and the lien has no more authority as a CERCLA lien concerning a pending cost recovery litigation. The lien is unenforceable through operation of the statute of limitations (CERCLA Section 107 (1) (2); 42 U.S.C. 9607 (1) (2)).

Also, this lien had no legitimate basis since the EPA and the State had been paid in full for the alleged cost recovery claims by the AIG Consultants, Inc., a division of AIG Insurance Company, under the Federal Court Order Consent Decree on December 8th, 2000. The statutory lien put on Iron Mountain Mines private property was deliberate, capricious, and arbitrary by the government to harm and illegally interfere with Mr. Ted Arman's property, thereby restricting development and damaging his company while preventing him from making a living while at the same time destroying and discouraging investors from doing business with IMMI. Never the less IMMI continues to operate with private loans because of the vast wealth of minerals and property that he owns outright for his security. This is in spite of the EPA's harassment and damaging effects along with their malicious lies. Iron Mountain Mines, Inc. will be filing at least a sixty 60) billion dollar lawsuit increased from the six (6) billion dollar lawsuit to be filed against the EPA for the potential losses from development of products in the health field, pharmaceutical fields, and EPA's contractors and workers have stolen equipment, artifacts and destroyed said buildings along with other valuable resources. The abuse and harassment by the EPA and their worker's has been an ongoing non-cooperative attitude that is very destructive, which has been most stressful to the owner Mr. Ted Arman who trusts in God for all his strength, wisdom and daily blessings.

Now according to EPA policy and guidelines concerning a Superfund site Iron Mountain Mines no longer qualifies as Superfund site and needs to be removed, if certain conditions are met. Iron Mountain Mines meets those conditions, so now the Superfund image needs to be erased and all of the EPA reports and records along with announcements and news reporting should be for the mutual benefit of IMMI and the EPA. That means investors, financiers and businesses will no longer shy away from IMMI and consider it an excellent investment.

The EPA's project manager Rick Sugarek at Iron Mountain always brags to the local press that they are doing such a great remedial clean-up job concerning the acid mine drainage

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that 99.7% is now corrected. Meaning that the image of Superfund should no longer be needed. Based on this report by the EPA the symbol Superfund should be removed immediately. Since it has and is most damaging to the IMMI image by discouraging investors and banks to do financing and investments with IMMI since the alleged environmental danger is now controlled by the EPA's acid mine drainage (AMD) operations at this site the word "Hazardous" no longer exists and should be removed.

The statutory Lien was put on the IMMI property by the EPA in case the property was sold and they would recover their \$51 million but since the property is in a living trust and can not be sold under the trustee directors, the lien by the EPA is worthless and needs to be removed immediately from the Shasta County Recorders Office.

The so-called alleged toxic elements have been extracted and diverted by the EPA, so Mr. Ted Arman demands his freedoms and property back to manifest IMMI's God given opportunities to benefit the world. *Now that the EPA has caused so much damage to the owner of Iron Mountain, is it satisfied?* Mr. Ted Arman is an eighty-five year old humanitarian and WW2 veteran, which is not asking anymore, but demanding (all rights and waiving none) that the EPA and all Government agencies, pay him what is rightfully owed to him for the "interference without just compensation" the \$168,000,000 (see page 10 attached list), which is guaranteed to him under the United States Constitutional Fifth Amendment rights and he also demands the removal of all prodigious parties from IMMI's premises.

Mr. Ted Arman's first interest in Iron Mountain was the 100,000 tonnes of pyrite tailings that was stock piled near the entrance of Iron Mountain property owned by Stauffer Chemical Company. Mr. Ted Arman had a potential fertilizer order for 5 million dollars of pyrite tailings. To be shipped to Israel but it was boycotted by the U.S. Government because of the 6 day Egypt & Israel war. The original order was then cancelled or there would be a 25, 000 dollar a day fine against Mr. Ted Arman, even if you talked about it on the telephone. Since Mr. Ted Arman had already purchased the Iron Mountain property to acquire pyrite tailings and the order was cancelled he suffered a complete loss. Since he was not interested in owning any land and this major order was cancelled his interests was to get a joint venture going with major mining companies to mine the massive sulfite ore deposits. During the entire 11 months of property purchase negotiations with Stauffer Chemical Company and the California State Water Quality Control Board they never mention the environment problems at this site, even though Mr. Arman asked a direct question to the engineering geologist. This was his last and final question before the purchase by Mr. Arman, "are there any environmental problems at this site" and Mr. Wesley Paulson the engineering geologist knew Stauffer and the State officials said no there was not. Mr. Wesley Paulson was the one that found the property for Mr. Ted Arman.

Iron Mountain Mines is and has been a mining company since 1860 and could still be operating at full scale to produce minerals and other products that can benefit mankind all over the world, if it was not presently illegally being restricted by the U.S. Government and its entities since 1976, when IMMI became the legal owner. Iron Mountain Mines is the 10th largest copper mine in the world and copper is a demanded commodity, which is just as important as salmon eggs. The alleged loss of salmon eggs was the only problem the EPA said it was and is concerned about. The massive sulfide ore bodies are rich with some 78 elements, which can be used for the benefit of all living systems when used properly. Geologists estimate that there are approximately 40 million tons of commercial ore still remaining in Iron Mountain that can contribute many benefits to the world with uses for humans, animals, plants, and also salmon eggs as well as for the environment including Shasta County employment opportunities along with state and federal

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tax revenues. All of the so-called hazardous constituents can now be removed and used for other useful purposes with IMMI's new scientific technology, which is presently at hand with known information from the government as well as from the private sector.

The EPA and the State were wrong to stop and/or discourage IMMI's mining and liquid fertilizer (AG-Gel) operation, this is against our U. S. Constitutional rights as well as being morally wrong. Iron Mountain Mines with its 2,500 years of mineral resources according to the EPA that shows its ignorance by saying it is poisonous, hazardous, dangerous and useless is absurd, our scientists have stated that the resources of Iron Mountain can be converted into such products as medicines, plant and animal foods as well as many other useful products that are needed around the world. What has prevented Mr. Ted Arman and his company from going broke it is not because he owns all of this private property but because of his strong support groups from around the country that believe in him and his Iron Mountain Mine property.

The Iron Mountain Mine's property is locked into a living trust and the business operates through joint ventures and leases or through direct company operations. This is what Mr. Ted Arman's God given mission is at Iron Mountain Mines to continue with his destiny, passion, visions and dreams through divine intervention, which is totally controlled by a living trust where the property can never be sold, transferred or developed and dedicated for mining, pharmaceuticals, science, health, wildlife as well as a spiritual sanctuary for spiritual leaders from around the world.

Mr. Ted Arman, the sole owner of IMMI is presently setting up a team of company consultants of expert scientists, pharmaceutical scientists, engineers, geologists, financial advisors, environmental specialists, operations and management administrators for his T.W. Foundation. Mr. Ted Arman the owner of Iron Mountain Mines, Inc. (IMMI) demands the following information; EPA's contracts with others businesses, along with the time sheets, pay scale, complete job descriptions, education and college degrees of each employee that presently works on Iron Mountain or has been there from the beginning, along with complete operating expenditures itemized for the past twenty three years.

This entire twenty-three years attempted interference by the EPA of Mr. Ted Arman's property is unjust because he has never had his day in court in which he demands a jury trial (of the people and for the people) to decide the un-interruption of business operation of his property. If the EPA refuses to pay what is owed Mr. Ted Arman and it is not settled in a timely fashion he will also ask for numerous other damages as well as the highest rate of interests the law allows, "To this date the EPA has paid nothing of the \$168,000,000" (see page 10 attached list). What the Government agencies have done is to conspire against Mr. Ted Arman and dictate whatever they wanted in their court, which is illegally interfering with a going concern for the EPA's own benefit. This is totally illegal interfering with a going concern and stealing and destroying property without just compensation, that is not exercising human freedoms and rights but shows an injustice by or U.S. Government with violations of our Constitutional rights afforded all United States citizens. If this isn't resolved immediately the next step is to make the American public aware as well as the rest of the world by exposing all of these injustices, which will be our next offensive mode.

Everything has been documented over the past 23 years with many witnesses of what has taken place! The L.A. Times newspaper said Mr. Ted Arman drives a 1989 Lincoln with over 300,000 miles on it, which the LA times made famous. They want Mr. Ted Arman's IMMI newspaper leads for all the rest of the nations. Other newspapers are waiting for the story, which will take place with the filing of the documented violations and injustices with a Federal Court

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Summons to appear in court. There will also be depositions of all papers involved in Iron Mountain Mines operation.

When all of the EPA's attempted interference started happening was when the State of California was going to lose millions of dollars of Federal funding with the EPA in less than 30-days, if the state didn't have a certain amount of Superfund sites and the state needed a scapegoat to pin the donkey's tail on. Iron Mountain Mining was picked as an example of a demonstration site to appease U.S. Congress when the Superfund became a national environmental issue, while the state ignored 19 other copper mines in the surrounding area. It is also very strange that expert geologists for CH2M Hill engineering company the prime engineering company for the EPA had done ten water samples of the pyrite tailings stockpiled on several acres and couldn't find any of the illegal cadmium levels, which only one sample done by the California Water Board was made and was the highest ranking score that put IMMI on the National Priority List (NPL) listing with their false laboratory test. To put IMMI on the highest EPA hazardous ranking score for water samples that were falsified so that it would qualify for the National Priority List (NPL) the California Water Quality Control Board with rejection of CH2M Hill engineering company analysis of ten samples taken out of the pyrite tailings pond water was done because the hazardous ranking was zero. The California Water Board took their own (one sample) on a rainy day to get a false positive laboratory test result where there was only one gallon per minute spillage thus giving it the highest rating, so that they could claim that IMMI qualified to be on the National Priority List (NPL) to get EPA funding at IMMI's expense. Then IMMI contracted with an engineering company to prove that the California Water Board's test did not qualify IMMI to be on the NPL, but the EPA conveniently ignored this. A legitimate lab test is never done on one analysis but taken from a cross-section of at least 10 to 20 different lab test samples for proper determination. This further demonstrates the EPA's and the Water Board inefficiency. All of these documented engineering reports are in a very safe place and will be available for inspection by your Attorneys with the proper paper work.

All of these destruction activities by EPA in their remedial cleanup activities have interfered with IMMI activities over the last 16 years. The EPA interfered with the shipping of pyrite tailings that was for a large mineral fertilizer company in Lathrop California that manufactures "Best Fertilizer". To keep the IMMI operation open the EPA gave IMMI three years to sell these tailings but demanded one million dollars cash bond, which was impossible for IMMI to meet to continue shipping iron pyrite. The EPA moved in with contractors and buried millions of dollars of this valued commercial product on top of Iron Mountain and IMMI lost two of the largest mineral fertilizer contracts and other companies that wanted this product for their businesses from IMMI. Now the EPA says that IMMI still owns these tailings belonging to IMMI but the EPA covered and buried it with several feet of dirt, which destroyed the quality of this product that is now a total loss of business as well as Mr. Ted Arman's personal income. This was deliberate, capricious and arbitrary. The pyrite tailings were being sold to commercial customers and it would have all been removed by IMMI, if the EPA did not interfere with this opportunity for IMMI operation.

These government decisions were done in a very unprofessional cold manner that could not be rebutted and were basically done by a telephone call. The EPA took all their samples in secret in which Iron Mountain experts were not invited to check it out with them, just to keep them honest, which they are not. To prove their dishonesty, check out the millions of dollars of missing equipment, artifacts, and decorative rock they stole off Mr. Ted Arman's private property. We also have witnesses that saw the EPA workers carrying containers to sampling sites,

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which we believe there were no toxic elements to be found in their analysis. Then to top it off, in 1984 the largest mining company in the world was discouraged by EPA to continue their engineering operations with IMMI. Then more harassment began, which was done by a 24-year psychologist who wrote the first "Record of Decision" that knew nothing about mining or what he was talking about (completely out of his field of study), so he didn't understand what was going on, except what he was being told by the EPA that employed him to do (there dirty work) that they wanted and that was to interfere with IMMI for the EPA's financial benefit. This arrogant psychologist sat in an EPA office in San Francisco and never knew what he was talking about and never even went to Iron Mountain for a single inspection.

The following is a sample of the EPA's continual harassment that IMMI had to put up with. The EPA workers themselves have run through their own locked gate and knocked it down, which is made of heavy-duty metal construction, which has happened numerous times (are they drinking or on drugs or something worse). EPA warning sign posted at the entrance at Richmond Mine has a warning to wear protective clothing when entering the mine portal but none of the workers ever do and that's because there is no hazardous danger there. This is just another EPA fiasco to frighten the public and/or anyone else that may be allowed on this private property site gated off by the EPA. Mr. Ted Arman has been up on his Mountain with guests and has witnessed reckless driving by EPA workers. The speed limits on Iron Mountain Mines is posted by them to be 20 MPH of which their drivers at least double or triple that speed limit, which is very dangerous on mountain roads with blind corners. In the 31 years Mr. Ted Arman has owned Iron Mountain Mines he has never had an accident whereas the EPA has had numerous accidents because of careless conduct of EPA's employees. Mr. Ted Arman goes up on his mountain as often as possible at night and sometimes at midnight to fast and meditate, to alleviate the stress the EPA has put on his life. On one occasion Mr. Ted Arman was up on the mountain by himself and his car's battery went dead, so he used his cell phone to call a triple-A (AAA). The triple-A (AAA) arrived at IMMI's locked gate and was turned away. Mr. Ted Arman continued to call triple-A (AAA) and made them return again. The EPA's gatekeeper finally let them in and on purpose he gave triple-A (AAA) the wrong directions. *How do we know it was on purpose?* Because they have required the owner Mr. Ted Arman to radio to them at every sign they have posted on the property, which means he is continually kept track of at all times by the EPA's mandate.

The local Redding press and TV always play's into the hands of the EPA concerning Iron Mountain Mines claiming it is most polluted site in the world (another lie), because of the lies perpetrated by EPA's project manager Rick Sugarek who continually brags about the fact that more money has been spent at Iron Mountain Mines than at the Valdez Oil Spill and Love Canal put together, which are complete lies that makes it impossible for IMMI to get financial backing from investors. According to the news it took three years and costs were over 2.1 billion dollars for the Valdez Oil Spill and 20 years at \$400 million for Love Canal. This is just another way the EPA is trying to impress the public and congress that they are doing the right thing without any concern of the damage they are doing to the environment even when MMI had a much better solution that could have solved the problem for nothing. They just needed to waste the taxpayer's money and act like big shots by pushing the little guy around. IMMI demands punitive damages from the EPA for what they have done damaging IMMI image and stopping investors from participating in an excellent investment in their company. The story goes on and on after 23 years while the owner of Iron Mountain Mine's Civil and Constitutional rights have been totally violated. Mr. Ted Arman's life has been totally devastated by the government's conspiracy,

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which continues right on down the line with lies and cheating from our so-called public servants (public official's) and lawyers.

Getting the public on the side of justice by complaining to their government representatives with e-mails, and writing letters to stop injustice to fellow citizens, like Mr. Ted Arman the owner of Iron Mountain Mines, Inc. This is the only way to win against such insurmountable odds. When the state and federal governments conspire against it own citizens it is time for the public to react. These agencies of the government have unlimited funds to do whatever they want while they control the complete judicial system and license the lawyers, which they also control. That's why nobody will help you out because everybody is afraid to go against them for fear of reprisals.

As a National Iron Mountain Mines support group we are more than happy to show you the documentation, which the government has already tried to get us to agree to confidentiality to keep it from the news and public sector of our society. Mr. Ted Arman has refused after being lied to so many times, just like they did with the American Indians. IMMI is on the side righteousness and refuses to back down and instead taking the offensive until we see some kind of justice in this system with equal rights for all Americans.

One of most creative operations of IMMI's natural flowing mine water has been to convert the mines drainage into a liquid mineral fertilizer for growing food while recovering other valuable minerals for commercial, pharmaceuticals, medicines and other valuable uses. The EPA objected to this operation at IMMI's pilot plant over an accidental spill of less than five gallons of our liquid fertilizer called AG-Gel, which was completely non-toxic in fact healthy for the environment. Over this nothing incident they ordered our workers off the property at gunpoint, which was totally uncalled for and embarrassing. One of these individuals was a friend and scientist who was also part owner of this product, while several others were investors in IMMI's products. This incident by EPA has caused IMMI millions of dollars of lost revenue. IMMI has always been cooperative and willing to give the EPA a copy of the lab results of AG-Gel the product that was spilled, but no, they were looking for another excuse to break IMMI financially and keep Mr. Ted Arman and his guests off his property and stopping IMMI from operating. They could have also checked this non-toxic spill to prove IMMI's analysis of being non-toxic but they didn't because they knew there was nothing hazardous or environmentally dangerous. Now the EPA is requiring their illegal ridiculous work plan that only satisfies their demands without justification before they will unapprove IMMI to use its AG-Gel building, also they continually illegally occupy all of IMMI's buildings of which Mr. Ted Arman is the owner. The EPA has become a dictator without any regards to the law and has refused to be reasonable in their decision making and thus preventing IMMI from operating and/or have any type of legal justice at its disposal. To make things worse the EPA got a court order to come on Iron Mountain Mine's property when it was not necessary. The EPA refuses to sign IMMI's "Code of Conduct" for property protection and safety. Now the EPA uses the court order as though they own the property, when they don't. Less than 100 acres out of approximately 3,000 acres has anything to do with the environmental and EPA remedial clean up at this site. The EPA's only activity is the maintenance of the environmental operations and not to interfere with IMMI's operations or is IMMI's operation not to interfere with the EPA's operation but to cooperate with each other.

Check out the pictures taken by our religious leaders at IMMI and you will finally become aware of the witchcraft (devil worship) and the occult being practiced by the EPA workers at Iron Mountain, which has recently stopped after reporting it to the Redding Sheriff's

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Department. These EPA workers have continually damaged Mr. Ted Arman and his company. They are still there and need to be removed. The EPA workers have refused to open the gate when the owner Mr. Ted Arman has arrived with important clients, investors and scientists as guests. This uncooperative attitude and harassment of the EPA has been very damaging, stressful and completely unnecessary. These incidents have cost IMMI millions of dollars of lost business revenues.

**Another Embarrassing Incident:**

This just happened 10/27/2006 around 2pm with numerous witnesses present. Mr. Ted Arman took several business associates to his Iron Mountain Mine (IMMI) and as they were checking in by signing the EPA guest register. This unfortunate incident just occurred concerning the EPA workers at Iron Mountain Mines, which is very insulting and embarrassing to the owner Mr. Ted Arman. He was with two important guests that he was showing his property to a Mr. Gary Fry (Fry Construction) logging and his brother a retired insurance executive. When they were signing the guest register at the EPA office as required there was the foulest language and cursing directed at the owner Mr. Ted Arman. This was an unbelievable incident, which we have ever witnessed and heard in our lives. It was so embarrassing that we left immediately and could not understand what was going on, that these EPA workers would act in such an unprofessional manner. Especially, when their project business administrator, Lee Warner was right there. Mr. Ted Arman had a difficult time trying to explain this bad behavior to his guests. The EPA's harassment continues by the EPA employees directed to Mr. Ted Arman as well as all his guests he takes to his Iron Mountain. In fact it is dangerous for Mr. Ted Arman to go there by himself anymore for fear of what might happen to him as indicated by the workers attitudes directed towards him from the workers employed by the EPA. As soon as Mr. Ted Arman reaches the main locked gate it starts, which the EPA makes him call before letting him on his own property. They make the owner Mr. Arman wait as long as they want before opening the gate, which he has to call several times to get them to open up the gate. The EPA refuses to give Mr. Arman the two gate codes and the main gate code does not work most of the time. Mr. Ted Arman the owner should have the code to both gates at all times but the EPA refuses to do this for no apparent reason, except to keep up the continual harassment. Mr. Ted Arman has heard from several different sources that the EPA has told the State that they would give them anything they want, if they just get rid of the owner (Mr. Ted Arman). The EPA and its workers have become such a serious threat to Mr. Ted Arman that could do bodily harm that he now fears that he must have a body guard with him at all times, as he continues to go on his own property.

**Conclusion:**

What the EPA has been done to this United States Citizen we hope and pray for a fair response from our government that they drop all alleged claims against Mr. Ted Arman and his property without further issues concerning the cost recovery of Iron Mountain Mines site. However, if a settlement cannot be reached IMMI will be prepared to file in court a sixty billion dollar law suit increased from six (6) billion dollars against the government, EPA, State, all engineers, employees, workers, employment agencies contractors, suppliers and who ever else they let on Iron Mountain property over the past 23 years regardless of IMMI's legal costs. There will be lengthy depositions and interrogatories to determine who took even one rock, including government tools, equipment, supplies as well as all the missing items such as the name plates off of the large air compressor in the Richmond warehouse and other items stolen off the three-half

Iron Mountain Mines, Inc.

Ms. Elizabeth Adams

November 9<sup>th</sup>, 2006

Page 8

mile tram way also stolen were IMMI's ten ton, five ton, and one ton cranes. All IMMI buildings were broken into as well as the five houses on the property were all vandalized along with the historic schoolhouse ruined. The EPA's contractors poured concrete that was not being used in the Richmond Mine buildings that are historical sites and were in good shape thus ruining them. They were responsible for Mr. Ted Arman's property, of which they had locked gates and tracking devices to know exactly what was happening at all times. The EPA's carelessness has amounted to millions of dollars of replacement costs, damages and vandalism because of EPA's blatant disregard for Mr. Ted Arman's property. There is much more to this story of IMMI being interfered with by the EPA that will be in the court records from our legal suit. Mr. Ted Arman has been keeping track and has thousands of pages along with documents and photographs of violations by the EPA. Other infractions that Mr. Ted Arman recorded of the EPA activities of which their contractors were responsible for was the forest fire where over 5 acres were burned along with pollution and contaminations, and massive sulfide surface spillages caused by EPA's contractors while cleaning the Richmond Mine's portal that will affect Boulder creek for the next 100 years.

The EPA will have to explain why they demanded Mr. Ted Arman to use CB's and report at each road marker over the ten-mile of roads, when there were not any other vehicles on the road such as weekends and after 5pm when workers had left. They monitored all Mr. Ted Arman's activities from the EPA's computer room, which is all done on the property he owns. This is just an inkling of the harassment IMMI has had to put up with. IMMI will be hiring special engineers and lawyers who will exam every charge made on the 51 million dollar claim on the EPA's cost recovery. The over charges, which IMMI has checked out on some of the costs shows the EPA's gross negligence that are totally unbelievable. All of the EPA's accounting records will be subpoena and investigated and each item will be examined as well as employees, contractors, engineers of what was done along with all the missing equipment and supplies removed from Iron Mountain Mining site. Mr. Ted Arman has been recording all of this since the EPA's interference of which Mr. Arman already knows many of the answers before asking the questions under oath.

The EPA has already spent over a half billion dollars in 20 years and it is calculated in the billions of dollars of the taxpayer's money within 30 years of their continued interference with IMMI's businesses. Now they want IMMI to pay 51 million dollars plus interest since 1994 all based on deceiving Mr. Ted Arman in the Consent Decree court proceedings. Then the EPA has the audacity to lien his property to keep him from expanding his business. This falsified alleged Cadmium level in the mine water has just been a money making issue for the State and EPA bureaucracy, which was done all over salmon fish eggs. The EPA conclusion of pollution and hazardous material going into the Sacramento River has been totally falsified. Acid drainage is a normal elemental life cycle that has been going on for millions of years and can't be stopped, which is healthy for the environment. Drive up to Iron Mountain and check out the effects of EPA's work. You will see the ugly contamination and waste along Spring Creek Debris Dam on the Bureau of Land Managements property that the EPA has created on Bureau of Land Managements property, which is really the people's property. This is not caused by IMMI, while EPA is totally responsible but of course with the EPA's unlimited money for advertising the public will blame IMMI for the unsightly mess. *Why didn't the EPA clean it up? Is it to show it to the public and blame IMMI?* With IMMI's pending lawsuit we will go public so we can all see how much more of the taxpayer's money the government and EPA want to waste. Mr. Ted Arman the owner of Iron Mountain wants the public to check it out for themselves. Take a good

Iron Mountain Mines, Inc.  
Ms. Elizabeth Adams  
November 9<sup>th</sup>, 2006  
Page 9

look at what was once a beautiful stream on Spring Creek before the government, state and EPA continues to mess it up. Check this contamination and pollution site along Iron Mountain Road on the way to Iron Mountain's private property four miles further up the road. You can't miss this polluted site caused by the EPA operations. This is your EPA's billion-dollar failure done with the peoples tax dollars.

I apologize for the lengthy letter but the truth must be told and heard about the wrongful cost recovery claimed by the EPA on Iron Mountain Mines. The EPA says that there is a "preponderance of evidence" that supports their claims against IMMI and IMMI has a preponderance of evidence that the EPA claims are not true. This legal battle will continue until the alleged cost recovery injustice at Iron Mountain Mines by the EPA is removed. A full explanation will be forwarded soon.

This was overlooked and needed to stated. *Why does EPA management tolerate witchcraft on Mr. Ted Arman's Iron Mountain Mine's property? Are they all guilty of conspiracy against God's movement directed by the humanitarian Mr. Ted Arman?* Why has management tolerated workers doing witchcraft on Iron Mountain Mine's property, what Ted Arman call's "God's Mountain", are they themselves guilty of encouraging such activity or maybe management must have been doing it themselves, since no one was ever dismissed for such sacrilegious actions, speaks for itself.

Sincerely,



Iron Mountain Mines, Inc.  
T.W. Arman  
President, CEO, and Chairman of the Board  
Iron Mountain Mines, Inc. and Essential Solutions, Inc.

cc: Congressman Wally Herger  
Barry Breen, Deputy Asst. Admin., Ofc. of Solid Waste Emergency Response  
William A. Logan, Jr., Esq.  
Jerry D. Hall, Esq.

Enclosures



IMMI Developments

## Iron Mountain Mines, Inc.

P.O. Box 992867, Redding CA 96099

Tel: (530) 275-4550 • Fax: (530) 275-4559

**Page 10 of 11**

**Nov. 9th, 2006**

**TO:** Whom it may concern

**From:** T.W. Arman, President and CEO, Iron Mountain Mines, Inc. and  
Essential Solutions, Inc.

**RE:** The basis of relatively simple and easy preliminary lawsuit, as a prelude  
to the main lawsuit for sixty (60) billion dollars.

### **EPA's Takings & Loss of Business**

The following is a compilation of recent takings by the United States Government, in the guise of the Environmental Protection Agency, of commercial ore product stockpiles, and the confiscation of IMMI's buildings without paying rents at a reasonable \$0.03 per square foot, \$15,000 per month, on going since 1986. We are also asking 20% interest for the past 20 years on of the following values as stated. These actions constitute unconstitutional takings without just compensation, in violation of the United States Constitutional Fifth Amendment Rights. These items have been submitted to IMMI's corporate CPA, and he has recorded them in the Accounts Receivable section of IMMI's books.

1. Iron tailings valued at:	\$2,000,000 taken and buried by the EPA.
2. Magnetite ore valued at:	\$1,000,000 taken and buried by the EPA.
3. Pyrite tailings valued at:	\$4,800,000 taken and buried by the EPA.
4. Pyrite ore valued at:	\$100,000,000 taken and buried by the EPA.
5. Sulfur ore valued at:	\$50,000,000 taken and buried by the EPA.
6. Decomposed granite valued at:	\$1,600,000 taken and used by the EPA.
7. Stolen & Destruction valued at:	\$500,000 taken and used by the EPA.
8. Rents not paid by the EPA:	\$3,600,000 (50,000 sq.ft. @ \$0.30/mo. 1986-2006).

### **Total Due:**

\$167,500,000.00 x 20% for 20 years (compounded interests) = Approx. 1-billion dollars

If necessary, a lawsuit will be initiated to recover these specific accounts receivable, payment of which the United States Government has unreasonably withheld. Such a lawsuit will almost certainly be needed to recover these illegal, unconstitutional takings, because to date the government has been totally uncooperative in the matter. The proposed lawsuit should be relatively easy to prosecute, because the takings are recent and thus should have no statute of limitations issues, and the existence and disposition of the taken commodities has been appraised and should be easy to prove. This does not include the potential loss of \$500 million of AG-Gel business over the past 5 years due to the EPA's interference.

Revised: 001aa6212006

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

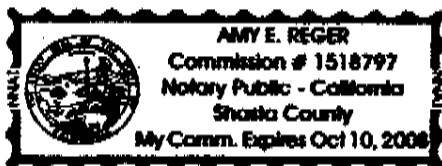
County of

Shasta

} ss.

On November 13, 2006 before me, Amy E. Reger, Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
 personally appeared T. W. Arman  
Name(s) of Signer(s)

☒ personally known to me  
☐ proved to me on the basis of satisfactory evidence



to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal.

Amy E. Reger  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document:

Correspondence

Document Date:

November 9, 2006

Number of Pages:

11

Signer(s) Other Than Named Above:

None**Capacity(ies) Claimed by Signer**

Signer's Name:

T. W. Arman

- ☐ Individual  
☒ Corporate Officer — Title(s): Chairman, President, CEO  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing:

Iron Mountain Mines, Inc.

RIGHT THUMBPRINT  
 OF SIGNER  
 Top of thumb here





IMMI Developments

**Iron Mountain Mines, Inc.**

P.O. Box 992867, Redding CA 96099  
Tel: (530) 275-4550 • Fax: (530) 275-4559

**December 7<sup>th</sup>, 2006**

Ms. Elizabeth Adams, Chief  
Site Cleanup Branch, Superfund Division  
United States Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, CA 94105

Dear Ms. Adams:

You have already received part one and this is the follow-up that is needed to clarify our position as taken from the EPA records.

Part 1 of 2 sections as dated and sent

## Part II

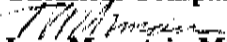
Part 2 of 2 sections as dated and sent

Joanna Delucia - EPA Regional Judicial Officer  
United States Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, CA 94105

RE: Iron Mountain Mines, Inc.  
Rebuttal Iron Mountain Mines Superfund Site CERCLA Lien Proceeding

**Let it be Known and Placed on Record:**

The owner Mr. Ted Arman and IMMI does not waive any rights afforded by State and/or Federal rights concerning these matters and demand all rights of claims against these agencies and demands further proceedings with this rebuttal as stated in the following enclosed pages. We demand the EPA immediately stop interfering with our business and remove those that are prejudice against the owner Mr. Ted Arman from his private property, drop the lien and assessments against IMMI as well as pay the monies owed with interest to Mr. Ted Arman the titled owner of Iron Mountain Mines, Inc. We demand the following all be returned due to falsification, entrapment, coercion, threats and conspiracy directed against Mr. Ted Arman and IMMI. We want back what was paid out and as stated in the Consent Decree Settlement of Dec. 8<sup>th</sup> 2000, dropping of the 10 million dollar lawsuit, legal costs, giving up an option of 900 acres of property & the \$864 million from Stauffer Chemical Companies awarded for this environmental clean-up.

  
Iron Mountain Mines, Inc.  
T.W. Arman  
President, CEO, and Chairman of the Board  
Iron Mountain Mines, Inc. and Essential Solutions, Inc.

cc: Congressman Wally Herger  
Barry Breen, Deputy Asst. Admin., Ofc. of Solid Waste Emergency Response  
William A. Logan, Jr., Esq.  
Jerry D. Hall, Esq.



IMMI Developments

## Iron Mountain Mines, Inc.

P.O. Box 992867, Redding CA 96099

Tel: (530) 275-4550 Fax: (530) 275-4559

To Whom It May Concern:

December 7, 2006

United States Environmental Protection Agency  
Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

In the Matter of

Iron Mountain Mines, Inc.  
Iron Mountain Mines Superfund Site

CERCLA Lien Proceeding

Attention: Joanna Delucia  
EPA Regional Judicial Officer

Dear: Joanna Delucia:

This letter is a late response to the United States Environmental Protection Agency (EPA) in the matter of: See attached and "Determination of Probable cause", and the comments and objections by Mr. Ted Arman owner of Iron Mountain Mines, Inc. (IMMI). The matter of due diligence by Ted Arman, proprietor of Iron Mountain Mines, inspection and EPA misrepresentation for the filing a wrongful statutory lien and CERCLA liability against IMMI on May 4, 2000. This lien is now unenforceable because May 4, 2000 date of filing is over and six years that is past the statue of limitations, including the renewal of this lien by EPA. Furthermore, "the lien was wrongfully imposed" as per the following statements made by Ted Arman. First, the following two type written pages by EPA's Steven W. Anderson, Regional Judicial Officer and the author of this "Determination of probable cause". This is an introduction to his letter of May 4, 2000 with IMMI's comments and objections.

Iron Mountain Mines, Inc.

### DETERMINATION OF PROBABLE CAUSE

"This matter is a proceeding to determine whether the United States Environmental Protection Agency (EPA) has a reasonable basis to perfect a lien pursuant to Section 107(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) on certain property in Shasta County, California owned by Iron Mountain Mines, Inc. (IMMI)."

"The proceeding is being conducted in accordance with EPA's Supplemental Guidance on Federal Superfund Liens dated July 20, 1993 (OSWER Directive No. 9832.12-1a). In accordance with the Supplemental Guidance, I have been designated to make a written recommendation to the regional counsel (the Region 9 official authorized to file liens) as to whether EPA has a reasonable basis to perfect the lien."

"A telephone conference call was held on April 25, 2000 with the owner and chief executive officer of IMMI, IMMI's attorney, and representatives of EPA, at which time each party made oral presentations in support of its position in a letter dated March 9, 2000 to the Regional Council."

"After considering the lien filing record and presentations made by the parties in the April 25, 2000 conference call, I find that the lien filing record supports the determination that EPA has probable cause, or a reasonable basis to believe that the requisite statutory criteria have been met, to file a CERCLA lien against this property."

**Rebuttal:** IMMI believes that the "Requisite Statutory Criteria" was not met because of flaws and misrepresentations by Mr. Anderson in his lien explanation.

#### CERCLA Lien Provisions

"Section 107 (1) of CERCLA, 42 U.S.C. §9607(1), provides that all costs and damages for which a person is liable to the United States in a cost recovery action under CERCLA shall constitute a lien in favor of the United States upon all real property and rights to such property which (1) belong to such person and (2) are subject to or affected by a removal or remedial action. The lien arises at the time costs are first incurred by the United States with respect to a response action under CERCLA or at the time the landowner is provided written notice of potential liability, whichever is later. CERCLA Section 107(1) (2) : 42 U.S.C. 9607(1)(2). The lien also applies to all future costs incurred at the site. The lien continues until the liability for the costs or a judgment against the person arising out of such or the statute of limitations occurs. CERCLA Section 107(1) (2) ; 42 U.S.C. 9607 (1)(2)."

**Rebuttal:** The lien is already past the statute of limitations and the future costs has been paid with the \$864 Million approved by the consent decree on December 8, 2000, with IMMI's business operations permitted by EPA, there is no additional funding required.

#### Due Process Requirements

"While CERCLA does not provide for challenges to imposition of a lien under Section 107(1), in accordance with the Supplemental Guidance the Agency affords property owners an opportunity to present evidence and to be heard when it files

Iron Mountain Mines, Inc.

CERCLA lien notices. The Supplemental Guidance was issued by the Agency in response to the decision in Reardon v. U.S. 947 F.2d 1509 (1<sup>st</sup> Cir. 1991). Under Reardon, the minimum procedural requirements would be a notice of an intention to file a lien and provision for a hearing when the property owner claimed that the lien was wrongfully imposed. Reardon at 1522; In the Matter of Harbucks, Inc., Revere Chemical Site, EPA Docket No. III-93-004L, Probable cause determination, November 2, 1994.

***Rebuttal:*** IMMI never agreed to this wrongful lien and demands that it be removed from the court records.

Ted Arman and IMMI strongly object to the letter and its content from Steven W. Anderson's bias opinion, who was Regional Judicial Officer's opinion on May 4, 2000 that was the author of this "determination of probable cause". Mr. Arman considers it to be unfounded, arbitrary and capricious and very damaging to his property and business. Mr. Ted Arman demands that the EPA remove this wrongful statutory lien immediately. The lien is based on an alleged cost recovery claim that the EPA has already paid and is a double payment, whereas EPA has already been paid by the \$864 Million approved by the consent decree on December 8, 2000. The reason for this alleged costs for remedial cleanup activity over the threat to Salmon fish eggs in the Sacramento river, and the alleged hazardous materials emanating from Iron Mountain Mines is incorrect. If hazards are an issue here, then all paint manufactures and users of household and artist paints should be on the Superfund for the same reason that Iron Mountain Mines is on the Superfund. EPA has chosen Iron Mountain Mines for a Superfund site as a money-grabbing scheme to obtain the \$864 million given to Ted Arman and his Business (now being financially restricted) over no logical reasons but to damage and swindle him. The EPA has cost Ted Arman and his Company 23 years of business at Iron Mountain Mines by the taking without just compensation for over \$6,169,500,000 of minerals and over \$3,600,000 of past rents not including compound interest since 1994. This Iron Mountain Mines property was never abandoned but is a going concern for mining as declared by the California Mines and Geology as a Significant ore body and should be protected for future mining of minerals and security for the United States and all its U.S. Citizens. EPA's operators at this site do not make any provisions for revenue to pay Mr. Ted Arman and/or taxes from commercial operations but only to spend the \$864 million as soon as possible in order to scam more funds. It's an EPA boondoggle when IMMI can solve this fiasco with its own commercial operations, if permitted to operate at this site, which was proposed in 1984 by the best engineering company in the world. Please make noticed that the following rebuttal and comments will be in the order of a 60 (sixty) billion-dollar lawsuit against EPA and all its parties during the last 23 years of EPA's remedial activities on this private property, for all of the wrongdoings to date.

#### *Criteria for Review*

"Under the Supplemental Guidance", the courts have to considered all facts relating to whether EPA has a reasonable basis to believe that the statutory elements for perfecting a lien under Section 107(1) of CERCLA have been satisfied. Specific factors for the courts consideration include:

Iron Mountain Mines, Inc.

- (1) Was the property owner sent notice by certified mail of potential liability?
- (2) Is the property owned by a person who is potentially liable under CERCLA?
- (3) Is the property subject to or affected by a removal or remedial action?
- (4) Has the United States incurred costs with respects to a response action under CERCLA?
- (5) Does the record contain any other information which is sufficient to show that the lien should not be filed?"

**Rebuttal:** look at this record again and it will be clear that this lien was wrongfully filed.

There are other types of written portions of Mr. Anderson's letter that are part of this letter by Ted Arman, which give a full understanding of the matter in question. A copy of Mr. Anderson's letter in full will be attached.

**He States:** "Factual Background" His statements are full of misinformation and false comments against Ted Arman and IMMI, perpetrated against Mr. Anderson in his lien report.

"In order to demonstrate that EPA lacks a reasonable basis for perfecting the lien, IMMI must show by a preponderance of the evidence that the property owner is not liable for cleanup or that the property is not subject to or affected by a removal or remedial action."

**Rebuttal:** This letter by Ted Arman shows reasonable cause that this lien should not have been filed. This information shows that reasonable cause:

"Declaration of James C. Pedri, Engineer-in-charge of the Redding Office of the California Regional Water Quality Control Board, Central Valley Region. Beginning in August 1977, the Regional Water Quality Control Board (RWQCB) issued a series of orders to IMMI drainage and runoff containing heavy metals for IMMI's property; IMMI has not complied with the orders to the RWQCB's satisfaction. See Declaration of James C. Pedri." Pointing to the contradictory statements by (RWQCB).

**Rebuttal:** *What heavy metal is EPA concerned about?* There are around 70 different chemical elements in the acid mine drainage making up the solution flowing naturally out of Iron Mountain Mines. Specifically what chemical elements were the cause of this lien. *Why didn't the EPA check the other 19 surrounding copper mines that may have been considered hazardous and used as superfund sites?*

"In 1982 and thereafter, EPA notified IMMI that it considered IMMI to be the responsible party at the Iron Mountain Mine Superfund Site, and in accordance with the provisions for joint and several liability of section 107 of CERCLA, demanded payment of costs incurred to date in excess of \$7.75 million. Letters dated April 5, 1982 and [date illegible on filed copy]. As stated by letter

## Iron Mountain Mines, Inc.

dated January 25, 2000, EPA notified IMMI of its intent to perfect a lien on the property in order to secure payment to the United States of costs and damages for which IMMI, as the owner of the property, would be liable to the United States under Section 107(a) of CERCLA."

**Rebuttal:** The costs and damages by EPA cannot be justified when IMMI was in the process of its own remedial cleanup that the EPA interfered with in 1984 and drove off all engineering companies and investors.

The EPA's "factual background" does not cover all of the facts because the EPA never knew the entire background or how Ted Arman became involved with the Iron Mountain mines property, in 1976. The EPA conveniently chose to ignore this early history.

When Ted Arman's mining operation in Nevada got an inquiry for 100,00 tons of iron pyrite his geologist located exactly 100,000 tons of pyrite tailing in Redding California, owned by Stauffer Chemical Company who was known by Wesley Paulson, a geologist and certified mining engineer. That was the beginning of a long negotiation with Stauffer Chemical Company to purchase this mineral product and to sell it in a pending purchase order for \$5 million to an overseas contact as a fertilizer material. This was the only reason Ted Arman was interested in the Iron Mountain property at that time- none other. Stauffer required that the total property had to be purchased to acquire these pyrite tailings.

The Statutory lien filed by EPA in May 4, 2000 claimed that Ted Arman did not make proper or substantial effort to become aware of the environmental problems at this site. On the contrary, a tremendous effort was made and there is a "preponderance of evidence" to prove that fact. This alleged Claim by EPA is not true. EPA wanted to down grade Ted Arman and harm him financially while damaging his company. There was eleven months of negotiations from November 1975 to October 1976 with Stauffer to purchase this 100,000 tonnes of pyrite tailings that were stockpiled at Iron Mountain mines, which is approximately 15 miles northwest of Redding, California. Stauffer's asking price was too high, but after 11 months of negotiations they dropped their price and IMMI purchased the property including the iron pyrite tailing of 100.000 tonnes on October 22, 1976. There is no question of the "preponderance of evidence" that every precaution was taken to learn as much as possible before purchasing this property. The two engineers that Ted Arman hired to advise him during these lengthy negotiations were very detailed and thorough. The last and final question was "are there any environmental problems at this site" before signing the purchase agreement Mr. Ted Arman was told by these engineers that there was none. They were to be part of the new corporation to be formed- Iron Mountain Mines, Inc. Nick Fougrouse, an aerojet engineer who died before the signing of the purchase agreement and Wesley Paulson, geologist and certified mining engineer who became part of the new corporation named IMMI. He was the one who said, when asked if there were any environmental problems, that there were none. He was an experienced and certified geologist and mining engineer with his own company who had been dealing with the state over many years and knew all about state

Iron Mountain Mines, Inc.

regulations. *Why would he say that as an officer in this new company of IMMI and risk his reputation as an engineer along with large future fines?* I trusted him when he said there were not any environmental threats of any major concern as stated in 1975-76. Ted Arman had two qualified engineers advising him and it took eleven months to cover every detail before buying this property. It is totally wrong for the EPA to state that Mr. Ted Arman did not use good judgment and due diligence in buying this property when he hired experts in the field to advise him.

Steven W. Anderson, a Regional Judicial Officer for EPA made wrongful claims in his "determination of probable cause" report, in the matter of Iron Mountain Mines, Inc. in the CERCLA lien proceedings. The following attachments and writings are some of the proceedings, which were from a conversation on the telephone between IMMI attorney, Brien Stone, and EPA attorney, Mr. Anderson, EPA Regional Judicial Officer. All done in a time constraint even though it was a lengthy telephone call. Since the EPA lien is still at issue and reviewing its content in detail, this lien information by EPA is untrue, capricious and arbitrary with misleading and false information by EPA, therefore I demand all my rights and waive none, that IMMI should be removed from all claims and proceedings in government and state files. One of the issues that EPA makes in their report is "windfall" that any gain or profit that would benefit a landowner from EPA's remedial clean up activities would be a "windfall" for IMMI. It should be pointed out that all of the EPA's remedial activities were completely unnecessary since IMMI already had the world's most prominent engineering company on the Iron Mountain Mines project in 1984 when EPA filed this property on the National Property List as a Superfund Site. This stopped all further engineering plans for IMMI when EPA listed IMMI as the worst pollution site in the world. This drove off all financing and investment capital needed to develop the resources contained at IMMI. The EPA National Property Listing was filed because of the copper that leaches naturally out of the massive sulfide ore bodies that has been going on over the past 4 million years by Mother Nature, which was not caused by mining. There are approximately 70 chemical elements leaching naturally, but EPA only selected copper as their main reason to make Iron Mountain Mines an EPA CERCLA demonstration site. There are over 100 Superfund sites in California that prove to congress that the EPA is doing something for the environment in California. EPA had no concern of destroying the state natural ore body that is a significant mineral resource for the state mines and Geology department. EPA's remedial clean up action is over salmon eggs in the Sacramento River that has a normal mortality rate that has nothing to do with copper. The copper in solution as ACID mine drainage out of Iron Mountain was selected out of 70 chemical elements because it would cost EPA and the state billions of dollars in laboratory test to prove the hazardous and harmful effect of each element that could effect humans as well as aquatic life, so EPA selected copper. There are 19 other mines in the Shasta lake area with the same environmental and mineral problems, but none of them were selected as Superfund Sites. The EPA conspired with the state for funding by planning to use Iron Mountain as a demonstration site, one of their objectives was to punish Stauffer and the new owner Mr. Ted Arman. They built their whole case on salmon fish eggs, since it was an easy to convince the public by using fish to support their record of decisions. The EPA refers to Iron Mountain as hazardous while ignoring all household chemicals and commercial chemicals that are far more hazardous. The whole

## Iron Mountain Mines, Inc.

issue was to make IMMI look bad, which they have been doing to discourage investors and developers and keeping EPA operating for 2,500 years. The EPA already claims that it will take at least 2,500 years to deplete this massive ore body at IMMI, so that EPA can keep operating their remedial activities, funding and federal employment forever.

Mr. Ted Arman will change this with a lawsuit filing against EPA for \$60 Billion dollars for damages and taking over his property without just compensation and the loss of business. Just the covering up of commercial ore and not paying rents by using Mr. Ted Arman's steel warehouses and building is over \$168,100,000 dollars to date. Ted Arman and his company, IMMI, believes that the EPA already had plans to make Iron Mountain mines property as a Superfund Site. IMMI would not have bought this property from Stauffer if the state Water Board had warned that the new owners would be responsible for all of the existing environmental problems at this site and/or would have to pay millions of dollars for all past, present, and future remedial clean up costs. This would have stopped any responsible investors from buying this property but the conspiracy by Stauffer and the state, prevented Mr. Ted Arman from knowing it. Stauffer Chemical Company and the Water Board made it very easy for Ted Arman to buy the Iron Mountain Mines property. First, Stauffer said that the Water Board's orders did not apply to IMMI, which was legally correct. Stauffer also made it look like there would not be any new Water Board's orders. Mr. Ted Arman checked into the other mines in the area and none of them had any Water Board orders or problems. IMMI was not allowed to see the orders that Stauffer had, which they said did not mean anything to IMMI. The new orders from the Water Board did not come to IMMI until 4 to 6 months after IMMI bought the property. Once this happened it was too late to complain to Stauffer or the Water Board concerning its contents since the Iron Mountain property was already purchased. All of this deceiving was done on purpose as a conspiracy by Stauffer and the Water Board. *Why didn't Stauffer and the Water Board warn Ted Arman and IMMI before becoming new owners that they would be responsible for millions of dollars for environmental costs instead of saying that the Water Board orders did not apply to IMMI, and that their only concern was the continued operation of the small copper plant?* This small copper plant was built and operated by the original owners of Mountain Copper Company from 1894 to 1962 and operated later by Stauffer Chemical Company from 1966 to 1976, at which time, IMMI bought this property and has owned it ever since. The reasons the two certified engineers advised Mr. Ted Arman that there were no environmental problems at this site prior to this purchase, was that there were none concerning owning land in California. It was the responsibility of the Water Board to advise Ted Arman and IMMI over the seriousness of any and all environment problems at this site, which was done years later. Stauffer wanted to get out of this property because of hidden environmental problems and made it easy for Mr. Ted Arman's small company to purchase this large mineral and property holdings. That is why all of this was carefully planned or conveniently ignored and is why Mr. Ted Arman and IMMI are claiming an "innocent land owner defense". It must be understood by the EPA, state and all parties that in 1976 during the early stages of buying property in California that there were no environmental concerns. IMMI did make an inspection with qualified engineers of the Iron Mountain mine's property but had no interest in the mining operation and facilities for that matter. That's the reason all of this mining equipment was auctioned by

## Iron Mountain Mines, Inc.

IMMI right after the property was purchased. Stauffer had the copper precipitation plant loaded with tonnes of scrap shredded iron for copper operations as an incentive to buy this property and make money, and said that the continued operation of this small copper plant would produce enough income to meet the monthly payments. Later, IMMI found that this small copper plant was losing money and IMMI had to lay off two employees and close this plant down. That's when IMMI got in trouble with the Water Board because IMMI was never told by Stauffer or the Water Board, prior to the property purchase, that the copper plant operation was part of the purchase agreement with Stauffer. If this had been known at the time, IMMI would have made a much better deal with Stauffer. ***Was this another oversight or a planned business decision?*** This was too much for IMMI to cover at that time being against a major company and the state of California Water Board. All EPA operations concerning the original remedial cleanup action cost \$65 million and were completed before 1994, but not paid by IMMI, who claims that this cost recovery was (Mr. Ted Arman was made to believe as stated by court records and attorneys) paid out of the December 8, 2000 federal court consent decree. Also, the statutes of limitations on the lien were past due 6 years from the date after the remedial clean up by EPA, which was considered 99.7% effective over 6 years ago. The AIG Consultants Inc. a division of the AIG Insurance Company paid \$864 million dollars to cover all environmental cost for 30 years. Since EPA and the state have been paid, it is wrong for EPA to attempt to collect these costs in question again. The following typed written letter copies are IMMI's comments and rebuttals. Also, see the copy of the Stauffer letter of February 4, 1977 signed by T.S. Kent Real Estate Director for Stauffer Chemical Company, and the EPA letter dated 20 September 1989, signed by Jeff Zelikson, Director, of Hazardous Waste Management Division for EPA. Again, EPA has failed to get all of the facts prior to filing their liens and "determination of probable cause".

### **IMMI Comment and Rebuttal:**

IMMI tried to get as much information as possible concerning the environmental issues from Stauffer Chemical Company. The attached copy of the letter from Stauffer clearly shows that they deliberately deceived IMMI and their engineers from any information. Even the Water Board, by Jim Pedri, was very limited in giving any environmental information and salmon fish egg was not an issue. This would have definitely been a Red Light and IMMI would have cancelled the sale of property or negotiated a different deal with Stauffer.

These last four copies of typed written pages cover more detail on how Mr. Steven W. Anderson of EPA is wrong for accusing IMMI for not having due diligent. It has already been explained on how IMMI tried to be informed concerning the purchase of the Iron Mountain Mines and any environment issues at this site.

"[A]t the time the PRP acquired the facility PRP did not know and had no reason to know that any hazardous substance were the subject of the release or threatened release was disposed of on, in, or at the facility.  
CERCLA section 101(35) (A) (i) ; 42 U.S.C. §9601 (35) (i)."

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"In order to establish that it had no reason to know of the disposal of hazardous substances at the facility, a defendant must have undertaken, at the time of acquisition, all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice in an effort to minimize liability. The court shall take into account commonly known or reasonably ascertainable information about the property, the obviousness of the presence or likely presence of contamination at the property, and the ability to detect such contamination by appropriate inspection."

CERCLA Section 101 (35) (b) ; 42 U.C.S. §9601 (35) (B)."

**Rebuttal:** Ted Arman spent 11 months and two certified engineers to seek all the information possible on this property before purchase. But was denied "Good Commercial or Customary Practice" the word contamination or toxic or ACID mine drainage was never mentioned or never came up because of the conspiracy by Stauffer and the Water Board that took place at that time. These words concerning the environment came up much later after all legal documents were signed and sealed.

"IMMI has failed to show by a preponderance of the evidence that it meets this condition."

**Rebuttal:** Not True

"While there is evidence that Stauffer Chemical Company attempted to withhold information" "relating to environmental issues" from IMMI, see memorandum form T.J. Kent to L.E. Mannion dated February 4, 1977, there is no dispute that prior to the close of escrow on the property IMMI was aware the property had been the site of large scale mining operation."

**Rebuttal: So what?** IMMI was not interested in purchasing mining property at that time. Read Mr. Ted Arman's report, he bought this property only to acquire the iron pyrite tailings and was not interested in buying any real estate.

"This alone should have been enough to put a prospective buyer on notice of possible environmental problems at the site. In addition, IMMI was aware that the RWQCB was interested in having IMMI continue operation of the Boulder Creek copper cementation plant."

**Rebuttal:** Only the copper mining operation was supposed to make enough money to make the property payments. Unfortunately because of the EPA's interference with a going concern this did not happen. Check the court records: "Deposition of Theodore Arman dated August 12, 1996, vol. 1, at 166:11-24."

**Rebuttal:** The environmental concern was never mentioned during the 11 months of negotiation with Stauffer Chemical Company or when meeting with Mr. Pedri in Redding.

Iron Mountain Mines, Inc.

"While IMMI disputes that Mr. Pedri, the RWQCB engineer, told Mr. Ted Arman at that time of the RWQCB's full environmental concerns regarding the property, even if Mr. Pedri only inquired whether IMMI would continue to operate the Boulder Creek copper cementation plant, that inquiry by a state regulatory official should have been enough to put a prospective buyer on notice of possible water contamination problems at the site."

**Rebuttal:** Contamination or problems with the mine water was never mentioned or the sale would have been stopped by Ted Arman and a new deal taking this into consideration would have been made with Stauffer on this issue or it would have been the end of any further dealings.

"IMMI asserts that all the contamination at the site was caused by previous owners; EPA notes that release of hazardous substances (for example. ACID mine drainage) continues to occur at the site."

"IMMI entered into an agreement to purchase the property October 22, 1976; escrow closed December 15, 1976."

**Rebuttal:** the mine water is from aquifers a natural occurrence that has been flowing naturally for millions of years and not any of it from mining operations.

IMMI was not interested in buying the large mill, only the pyrite tailings but had to take the mine and property to get it. The EPA and the state are wrong to blame Ted Arman and IMMI for this natural occurrence of nature. This process will never stop, and will be contaminated naturally depending what the mine water comes in contact with while flowing. IMMI's scientists claim proper studies have not been done to prove contamination due to the interactions of the 70 other chemical elements in the water.

**Comment:**

During the entire 11 months of property negotiation the name ACID mine drainage never came up at any of the brief meetings with Mr. Jim Pedri of the Water Board in Redding, California. This property sale was filled with detailed information as well as lengthy. *Why should Stauffer or anyone else bring up any environmental problems? IF it would stop a sale?* Stauffer knew the sale would stop if these environmental issues were brought up. Every effort was made by Stauffer not to disclose any environmental information to Ted Arman or IMMI. The small copper plant operation was suppose to be a money maker that was suppose to make the property payments. At the time the Water Board was only concerned that the small copper plant continue operating that they had approved. The ACID mine drainage was not mentioned. Fish kills were not mentioned. Fines were not mentioned. The copper plant was already in operations with two former Stauffer Employees. This appeared to be a good business deal, but unfortunately, none of this worked out, instead the EPA stepped in with it's interference after all legal documents were signed and sealed. IMMI was coerced, lied to and later found out that this small copper plant was loosing money, instead of making money.

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"In addition, the RWQCS issued a cleanup and abatement order to Stauffer Chemical Company on November 5, 1976, which addressed the effects of the discharge of ACID mine drainage into Spring Creek and the Sacramento River. A copy of the cleanup and abatement order was received by IMMI some time in November 1976. Deposition of Theodore Arman dated August 12, 1996, vol. 1, at 129:5-22 and 161:8-17. Thus, before the close of escrow in December, 1976 IMMI had specific information as to a significant environmental problem at the property. IMMI has therefore failed to show by a preponderance of the evidence that it did not know and had no reason to know that hazardous substances had been disposed of on the property."

***IMMI comment and rebuttal:*** This is not true! The purchase of the Iron Mountain Mines property was made on October 22, 1976, therefore the sale was completed by that date. ***So what good would this have done?*** Nothing was received until after all legal papers were signed and sealed a true conspiracy was at hand. During this time period all bank accounts of all involved parties need to be checked and accounted for. **IMMI would like to see a copy of this so-called abatement order, what address was it sent to, who signed signature is on it, who received it and at what date and time!**

Stauffer specifically told Ted Arman that the Water Board orders were for Stauffer only and none of its contents applied to IMMI, a small company. Ted Arman asked the other mines in the area about Water Board orders and there were none. This confirmed to Ted Arman that IMMI would not be receiving any new orders. Therefore, there was no reason to worry about it, but after 4 to 6 months after the purchase the Water Board orders conveniently came (conspiracy). Let's check bank accounts at that time of all parties involved to prove the conspiracy between Stauffer and the Head of the California Water Board, etc.

"(3) IMMI argues that "it was defrauded at the point of the property sale by Stauffer . . . in which Stauffer intentionally failed to disclose material facts about the AMD [acid mine drainage] problem at the property to IMMI, and that Stauffer should therefore bear all of the cost to remedy the acid mine drainage situation at the site."

***Rebuttal:*** ACID mine drainage (AMD) was never mentioned by Stauffer or the California Water Board.

"Without expressing any opinion as to the likelihood that IMMI would or would not prevail in civil litigation against Stauffer on grounds of fraud. Mr. Ted Arman noted that IMMI's argument does not present a defense to liability under Section 107 of CERCLA. As discussed above, in order to avoid CERCLA liability a purchaser of property must undertake "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice in an effort to minimize liability". CERCLA section 1-101 (35) (B) ; 42 U.S.C. §9601 (35) (B)."

***Rebuttal:*** IMMI's statement done by Mr. Ted Arman can be seen on. Pg28,

Iron Mountain Mincs, Inc.

"Stauffer appears to have withheld information from IMMI regarding environmental conditions on the property, See the attached Stauffer internal memorandum dated February 4, 1997 for T.J. Kent to L.E. Mannion, in which Mr. Kent States:

... we agreed that you would not provide IMM (IMMI) with any geological or technical information not pertinent to the 1900 acres sold last year to IMM nor would you give up any correspondence, reports, etc. relating to environmental issues at Iron Mountain.

**Rebuttal:** This is in favor of Ted Arman's case what else can be said, check Pg28. *Why can't lawyers and judges read and accept the truth in this Iron Mountain Mines matter instead of trying to squeeze out of it (conspiracy)?* Something is wrong in our legal system

"In spite of this, IMMI should have been able to inform itself about the acid mine drainage an other environmental problems during the purchase of the property by reviewing RWQCB records or by conducting a thorough inspection of the property."

**Rebuttal:** Acid Mine Drainage was never brought up. What does EPA mean "in spite of this" Mr. Ted Arman and IMMI were very thorough in this investigation and purchased this property for the specific reason and were not into continuing the mining operation. This has been thoroughly explained.

"I therefore find that, with respects to its liability under Section 197 (a) of CERCLA, IMMI did not undertake an "appropriate inquiry into the previous . . . uses of the property" before purchase, regardless of any efforts by Stauffer to avoid disclosing environmental information in its possession".

**Rebuttal:** A thorough inspection was made before purchasing this property. If this is not clear to the EPA, read this rebuttal and comments as stated by Ted Arman once again. Typically lawyers never got anything straight the first time around and ask the same question over and over again. *Isn't this considered a scattered brain?*

EPA is off course here again and is twisting the facts for their advantage with more lies (pay-off's). All these terms - AMD, ACID mine drainage, contamination hazardous, material facts, etc... The EPA has been notorious in twisting the facts and using the wrong time period throughout the proceedings. Let's check the real truth with proven paperwork not their lies. None of these were real estate problems at that time.

**IMMI comments and rebuttals:** - the deceit and lies perpetrated by Mr. Anderson (more pay off's) could be proved by a simple lie detector test. He has already damaged IMMI's business with malicious lies thereby discouraging investors.

IMMI will not be finished with its comment as more information is recalled that will benefit IMMI, however, enough is said that will show the EPA after 31 years of recalling information how wrong they are in this statutory lien or CERCLA lien. How

Iron Mountain Mines, Inc.

can EPA expect IMMI and Ted Arman to do its business concerning the environment issues when Stauffer and the Water Board conspired against IMMI and would not tell the truth about what was happening with the property. This was a blind alley situation for Ted Arman against seasoned conspirators. Stauffer and the Water Board knew it. ***Did the Water Board and EPA already have planes to make this private property as a federal Superfund site (more threats and pay-off's)?*** They imposed millions of dollars of fines and/or costs to drive off the new owners, so that they could take it over. The EPA, the state, and all parties are going to be faced with at least a \$60 billion dollar damage and taking without just compensation lawsuit. Whatever EPA schemes are in the back of all of the cost recovery claims will be scrutinized with a through investigation and discovery as covered in the lawsuit. This letter shows that Mr. Ted Arman and IMMI are very thorough in trying to get all the information on the EPA's interference with the acquisition of private property as well as with their environmental issues. Mr. Steven W. Anderson and EPA need to reexamine their position in their "determination of probable cause" and the wrongful lien that was filed against IMMI. These government servants need to clear up all of the misinformation immediately, since this misfiled lien is causing tremendous business loss and investment as well as financial opportunities to Ted Arman and IMMI, which they are responsible for lost revenues with interests on ongoing bases.

**It is the EPA's call – they need to tell the truth and make it good before the American public is made aware and forces them to obey the laws of the land!**

**There are further comments that need to be added to this letter:**

***Was it not Stauffer and the Water Boards responsibility to warn IMMI and Ted Arman that there were environmental issues pending such as state and federal fines, etc., and that there was a pollution problem from operating this small copper precipitate plant? Why did they wait till all the legal paperwork of the purchase was signed and sealed before informing IMMI of environmental problems?*** If fines were mentioned the question would have been, what kind of fines are you talking about, but because fines were never mentioned that question was never asked. The real estate law did not require any environmental disclosure in 1976. If their problems were mentioned, IMMI would have negotiated a completely different deal with Stauffer before purchasing the property. Ted Arman is a businessman and would not be buying a multi-million dollar pollution problem or would any other responsible businessman.

Mr. Anderson's comments in his May 4, 2000 letter are ridicules in many of his statements. Such as his lies that said, Mr. Arman knew about all of the pollution problems before he bought this property. ***Where is his proof probably in his bank account? Furthermore, what is a wealthy chemical company like Stauffer Chemical Company doing selling their property to a small new corporation that was undercapitalized?*** Do not over look the fact that the only reason Ted Arman bought this property was to acquire the iron pyrite tailing pile and not any real estate. Mr. Ted Arman and IMMI was assured by Stauffer that the small copper plant would make enough money by producing copper out of the mine water to make all of the property payments. This story has been told many times. ***Why can't the lawyer and the court get it on record as stated?*** This whole

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EPA problem is full of misunderstandings, deceits, misrepresentation by Stauffer, the Water Board, the state and EPA as are all conspiracies. Figure it out for yourself, this was done on purpose (conspiracy). This case by the EPA against IMMI is truly an "innocent land owner defense" case that will be examined again by the federal courts that will vacate this entire cost recovery claim as stated by the EPA. *Check what this has done (physically, mentally and medically-more legal recoveries) to Mr. Ted Arman for the past 23 years?*

On the 8<sup>th</sup> of May, 2000, Nancy J. Marvel, Regional Counsel, U.S. EPA region IX Pg34 signed and filed the notice of a lien against IMMI in the Shasta County Recorders Office in Redding, California.

IMMI did not have the opportunity (another legal violation), at that time, to object to the "determination of probable cause" prepared by Steven W. Anderson, Regional Judicial Officer with EPA. Please see the following false conclusions as stated by Mr. Anderson, which IMMI rebuts all the claims as stated. The basis for filing or perfecting this lien was not reasonable but was arbitrary and capricious to damage and hurt a small company that couldn't fight back. As proven by all the records saved and taken by Mr. Ted Arman.

**\*Conclusion:**

"After considering the lien filing record and presentations made by the parties in the April 25, 2000 conference call, I find that the lien filing record supports a determination that EPA has a reasonable basis to perfect a lien under Section 107 (I) of CERCLA against the specified property owned by Iron Mountain Mine, Inc. in Shasta County, California. IMMI has not established any issue of fact or law which rebuts EPA's claim that it has a reasonable basis to perfect a lien."

***Rebuttal:*** Mr. Anderson as a public servant for the people have conspired against an American and are so wrong in your statements that it is ridiculous – you should be immediately imprisoned and fired. The issues of fact are again covered in this rebuttal and comments as stated by Ted Arman and IMMI. The rest of it will be made known when the \$60 billion dollar lawsuit is filed against you, EPA and the state, etc.

"The scope of this proceeding is narrowly limited to the issue of whether or not EPA has a reasonable basis to perfect its lien and whether or not the property owner has proven any of the defenses available under Section 107 of CERCLA. This recommended decision does not bar EPA or the property owner from raising any claims or defenses in further proceedings. This recommended decision is not a binding determination of ultimate liability or non-liability. This recommended decision has no preclusive effect, nor shall it be given deference or otherwise constitute evidence in any subsequent proceeding."

**Signed:** Steven W. Anderson, Regional Judicial Officer. Dated: 5/4/00.

Iron Mountain Mines, Inc.

**Rebuttal:** There are no "reasonable bases to perfect its lien". Mr. Ted Arman and IMMI will be more than happy to prove its defenses with facts, written documents and paperwork collected for the past 23 years. **Wake Up EPA! If a decision is not final, why was the lien filled and recorded in Shasta County?** If the EPA and the State including congress does not want this to become world news, they better settle this right now (notice is hereby given with a 30 day time limit for response) and let Mr. Ted Arman and its businesses continue without further interruptions. As mentioned, Brian Stone and Mr. Ted Arman (ignored was previous court paperwork awarded to Mr. Ted Arman) were unprepared and rushed into this telephone conference with Anderson. There should have been a time set in person – not by telephone to resolve the problems while we needed to be prepared for such a lien action done to a going concern, which was all done by a public servant. The copy of the entire EPA letter from Mr. Anderson is attached for your information and review.

Sincerely

T.W. Arman

Iron Mountain Mines

President and CEO

cc: Jerry Hall, Esq.; Bill Logan, Esq.

STAUFFER

COPY

INTER-OFFICE CORRESPONDENCE

San Francisco

Richmond

From T. J. Kent

February 4, 1997

Attention:

L. E. Mannion

Subject: Iron Mountain – Geology Data

COPY TO

R. P. Bond

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Iron Mountain Mines, Inc.

E. L. Conant  
H.O. Thomas  
F. S. Waise  
J. V. Wiseman

"Earlier this week, you were contacted by an Iron Mountain Mines representative to see if he could visit you today and obtain the remaining geological data in your office about Iron Mountain. As we discussed and agreed yesterday by phone, copies – without attempting to tabulate what was passed on.

Moreover, we agreed that you would not provide IMM with any geological or technical information that was not pertinent to the 1900 acres sold last year to IMM nor would you give up any correspondence, reports, etc. relating to environmental issues at Iron Mountain Mine (IMMI).

Transmittal of data in this fashion is in accord with the agreement for sale and purchase of property, which we executed jointly with IMM on October 22, 1976. Safekeeping of all the data passed on to IMM must be its responsibility henceforth.

Signed: Tom"

T.J.

Note: the original Stauffer Chemical Company letter is on file with Iron Mountain Mines, Inc.

See Attached amendment that is part of this letter.



IMMI Developments

## Iron Mountain Mines, Inc.

P.O. Box 992867, Redding CA 96099

Tel: (530) 275-4550 Fax: (530) 275-4559

### AMENDMENT

This is part of the Steven W. Anderson letter dated May 4, 2000 with a copy of the entire letter is available on the courts request.

Acquired by the PRP after the disposal or placement of the hazardous substances on, in, or at the facility, and

... (a) at the time the PRP acquired the facility the PRP did not know and had no reason to know that any hazardous substance which is the subject of the release or threatened release was disposed of on, in, or at the facility.

CERCLA Section 101 (35) (A) (i) ; 42 U.S.C. §9601 (35) (A) (i) .

In order to establish that it had no reason to know of the disposal of hazardous substances at the facility, a defendant

must have undertaken, at the time of acquisition, all appropriate inquiry into the previous ownership and uses of practice in an effort to minimize liability. . . . The ascertainable information about the property, the obviousness of the presence or likely presence of contamination at the property, and the ability to detect such contamination by appropriate inspection.

CERCLA Section 101 (35) (B) ; 42 U.S.C. §9601 (35) (B) .

**Rebuttal: The appropriate inspection was not done!** Ted Arman and two engineers representing him for 11 months of investigation with Stauffer Chemical Company made "All appropriate inquiries". See the attached letter, Stauffer kept Mr. Ted Arman and his group from all environmental information at that time. Read Stauffer's office memo yourself. **Wake Up!**

"IMMI has failed to show by a preponderance of the evidence that it meets this condition. While there is evidence that Stauffer Chemical Company attempted to withhold information "relating to environmental issues" from IMMI, see memorandum from T.J. Kent to L.E. Mannion dated February 4, 1997, there is no dispute that prior to the close of escrow on the property IMMI was aware the property had been the site of large scale mining. This alone should have been enough to put a prospective buyer on notice of possible environmental problems at the site."

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**Rebuttal:** the word ACID mine drainage was never used or mentioned. Only the issue of copper was discussed as a way to make the payment incurred by the purchase of said property.

"In addition, IMMI was aware that the RWQCB was interested in having IMMI continue operation of the Boulder Creek copper cementation plant. Deposition of Theodore Arman dated August 12, 1996, vol. 1, at 166:11-24. While IMMI disputes that Mr. Pedri only inquired whether IMMI would continue to operate the Boulder Creek copper cementation plant, that inquiry by a state regulatory official should have been enough to put a prospective buyer on notice".

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IMMI asserts that the previous owners caused all the contamination at the site; EPA notes that release of hazardous substances (for example, acid mine drainage) continues to occur at the site.

IMMI entered into an agreement to purchase the property October 22, 1976; escrow closed December 15, 1976.

Concerning possible water contamination problems at the site. In addition, the RWQCB issued a cleanup and abatement order to Stauffer Chemical Company on November 5, 1976, which addressed the effects of the discharge of acid mine drainage into Spring Creek and the Sacramento River. A copy of the cleanup and abatement order was received by IMMI some time in November, 1976."

**Rebuttal:** IMMI would like the EPA to produce the dated signed letter as stated that was sent to IMMI. Stauffer told IMMI that their order did not apply to IMMI. "Deposition of Theodore Arman dated August 12, 1996, vol. 1 at 129:5-22 and 161:8-17. Thus, before the close of escrow in December, 1976, IMMI had specific information as to a significant environmental problem at the property. IMMI has therefore failed to show by a preponderance of the evidence that it did not know and had no reason to know that hazardous substances had been disposed of on the property."

"(3) IMMI argues that "it was defrauded at the point of the property sale by Stauffer. . ." in that Stauffer "intentionally failed to disclose material facts about the AMD [acid mine drainage] problem at the property to IMMI," and that Stauffer should therefore bear all of the cost to remedy the acid mine drainage situation at the site."

"Without expressing any opinion as to the likelihood that IMMI would or would not prevail in civil litigation against Stauffer on grounds of fraud, I note that IMMI's argument does not present a defense to liability under Section 107 of CERCLA. As discussed above, in order to avoid CERCLA liability a purchaser of property must undertake "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice in an effort to minimize liability." CERCLA Section 101 (35) (B) ; 42 U.S.C. §9601 (35) (B) ."

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**Rebuttal:** IMMI spent 11 months making this inquiry with 2 certified engineers. Stauffer appears to have withheld information from IMMI regarding environmental conditions and/or issues on the property. See the Stauffer internal memorandum dated February 4, 1977 from T.J. Kent to L.E. Mannion, in which Mr. Kent states:

"... we agreed that you would not provide IMM (IMMI) with any geological or technical information not pertinent to the 1900 acres sold last year to IMM nor would you give up any correspondence, reports, etc. Relating to environmental issues at Iron Mountain."

**Rebuttal:** the word ACID mine drainage was never used or mentioned, only copper.

"In spite of this, IMMI should have been able to inform itself about the acid mine drainage and other environmental problems at the property by reviewing RWQCB records or by conducting a thorough inspection of the property. I therefore find that, with respect to its liability under Section 107 (a) of CERCLA, IMMI did not undertake an "appropriate inquiry into the previous . . . uses of the property" before purchase, regardless of any efforts by Stauffer to avoid disclosing environmental information in its possession."

(4) IMMI argues that EPA has "waived its right to impose a filing because the lien risk of the EPA's ability to recover costs is impaired."

(5) IMMI argues that because of pending cost recovery litigation brought by EPA against Stauffer and other companies considered by EPA to be potentially responsible parties at the site. The lien "is premature and legally improper" because the United States Federal district Court has superior jurisdiction over this matter. IMMI suggest that EPA could "request" a lien, if a judgment is rendered in that case against IMMI."

"Contrary to the argument put forward by IMMI, a CERCLA lien can be filed irrespective of whether there is pending cost recovery litigation regarding the site. Section 107 (1) of CERCLA provides for an independent in rem action against the property subject to the lien:

The costs constituting the lien may be recovered in an action in rem in the United States district court for the district in which the removal or remedial action is occurring or has occurred."

"CERCLA Section 107 (1) (4) ; 42 U.S.C. 9607 (1) (4). there is no requirement that EPA can institute a civil cost recovery action under CERCLA as a prerequisite to the imposition of a CERCLA lien or for the purpose of recovering costs under the lien. To the contrary, it was anticipated that CERCLA liens would often be filed early in the history of a response action, at a point where EPA would not know the full cost of its response action, let alone have filed any type of cost recovery case. Reardon v. U.S., 947 F. 2d. 1509, 1513 (1<sup>st</sup> Cir. 1991). Just as it is not necessary to institute a cost recovery action under CERCLA in order to impose a CERCLA lien, this CERCLA lien proceeding

Iron Mountain Mines, Inc.

is not part of the pending cost recovery action referred to by IMMI, and the EPA is free to proceed with lien filing regardless of the procedural posture of the pending cost recovery litigation. In the Matter of Paoli Rail Yard Superfund Site, EPA Docket No. III-93-0041, Determination of Probable Cause, November 30, 1995."

"To the extent IMMI suggest that EPA could "request" a lien, if a judgment is rendered against IMMI in the pending cost recovery litigation, IMMI is confusing a judgment lien with a CERCLA lien under Section 107 (1).

As noted below, this determination of probable cause does not bar EPA or the property owner from raising any claims or defenses in further proceedings. Consequently, the present"

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The matter is United States and State of California v. Iron Mountain Mines, Inc. et al., No. CIV-S-91-0768 DFL JFM. Determination does not limit or foreclose any claims or defenses either EPA or IMMI may have in the pending cost recovery litigation.

### Conclusion

"After considering the lien filing record and presentations made by the parties in the April 25, 2000 conference call, I find that the lien filing record supports a determination that EPA has a reasonable basis to perfect a lien under Section 107 (1) of CERCLA against the specified property owned by Iron Mountain Mines, Inc. in Shasta County, Californian. IMMI has not established any issue of fact or law which rebuts EPA's claim that it has a reasonable basis to perfect a lien."

"The scope of this proceeding is narrowly limited to the issue of whether or not EPA has a reasonable basis to perfect its lien and whether or not the property owner has proven any of the defenses available under Section 107 of CERCLA. This recommended decision does not bar EPA or the property owner from raising any claims or defenses in further proceedings. This recommended decision is not a binding determination of ultimate liability or non-liability. This recommended decision has no preclusive affect, nor shall it be given deference or otherwise constitute evidence in any subsequent proceeding."

Signed: Steven W. Anderson; Regional Judicial Officer. Dated 5/4/00

### ATTACHMENTS

Stauffer Letter (T.J. Kent), February 4, 1997

EPA Letter (Jeff Zelikson), September 20, 1989



## INTER-OFFICE CORRESPONDENCE

San Francisco

TO : Mr. T. J. Kent

February 4, 1977

ATTENTION : L. E. Morrison

SUBJECT: Iron Mountain -- Geology Data

COPY TO

R. P. Bond  
E. L. Conant  
B. O. Thomas  
P. S. Weiss  
J. V. Wilsen

Earlier this week, you were contacted by an Iron Mountain Mines representative to see if he could visit you today and obtain the remaining geological data in your office about Iron Mountain. As we discussed and agreed yesterday by phone, you will turn over all pertinent material to IMM -- both originals and primary copies -- without attempting to tabulate what's passed on.

However, we agreed that you would not provide IMM with any geological or technical information not pertinent to the 1900 acres sold last year to IMM nor would you give up any correspondence, reports, etc., relating to environmental issues at Iron Mountain.

Transmission of data in this fashion is in accord with the Agreement for Sale and Purchase of Property which we executed jointly with IMM on October 22, 1976. Safeguarding of all the data passed on to IMM must be its responsibility henceforth.

*TJK*  
T. J. Kent

TJK/ph

RECEIVED

FEB 7 1977

RECEIVED FROM IMM  
CORRESPONDENCE

SAFEGUARD COMPANY INFORMATION

FORM 100-100-100-100

OOP\_0948



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, Ca. 94105-3901

Stauffer Chemical Co., a Division of Rhone-Polenc, Inc.  
c/o Prentice Hall Corp. Systems, Inc.  
229 South State St.  
Dover, DE 19001

20 SEP 1990

RE: Iron Mountain Mine  
Determination under Paragraph V of Order no. 89-18

Dear Sir or Madam:

This notice is being sent to all Respondents to the above-referenced order pursuant to Paragraph V of that Order. John Varnum, counsel for T. W. Arman and Iron Mountain Mines, Inc. (IMMI), informed the Environmental Protection Agency on August 10, 1989, that neither Mr. Arman nor IMMI have the financial resources to undertake the tasks required by the Order. Accordingly, the Environmental Protection Agency ("EPA") has determined that Mr. Arman and IMMI are unable to comply with the Order in a timely fashion. Under Paragraph V of the Order, Stauffer Chemical Co., a Division of Rhone-Poulenc, Inc., ("Stauffer") is now also required to comply with the activities required by this Order. On September 7, 1990, ICI Americas, Inc. ("ICI"), acting for Stauffer, informed EPA of its intent to comply with this Order.

This notice does not excuse either Mr. Arman or IMMI from any responsibilities under the order. EPA expects that Mr. Arman and IMMI will continue to cooperate with Stauffer, and their representatives, ICI, in their efforts under the Order.

If you have any questions regarding this determination, please contact Rick Sugarek of my staff at (415) 974-9312, or have your attorney contact Michael Hingerty of the Office of Regional Counsel at (415) 974-9671.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeff Zelikson", is written over a horizontal line.

Jeff Zelikson

Director

Hazardous Waste Management Division

cc: T. W. Arman  
John Varnum, Esq.  
Patrick Finley, Esq.  
Samual Malovrh, Esq.  
RWQCB - J. Pedri  
DHS - J. Astheng  
Fish and Game - Harry Rectenwald  
Mike Smith



## **Iron Mountain Mines, Inc.**

P.O. Box 992867, Redding CA 96099  
Tel: (530) 275-4550 • Fax: (530) 275-4559

### **Attention: Notice of Additional Attachment**

Aug 28<sup>th</sup> 1997-Defamation of Character and Interfering with IMMI's Private Business  
and it's Private Properties Owned by IMMI (consists of 6 pages).  
This is part of the 2<sup>nd</sup> letter sent to Mrs. Elizabeth Adams

**Ms. Elizabeth Adams, Chief  
Site Cleanup Branch, Superfund Division  
United States Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, CA 94105**

Iron Mountain Mines, Inc.

1 August 28, 1997

2  
3 Defamation of Character and Interfering with IMMI's  
4 Private Business and it's Private Properties Owned by IMMI  
5

6 Every effort has been made by Stauffer Chemical Company (Stauffer) and  
7 EPA over the past 10 years to interfere with Iron Mountain Mines, Inc.'s (IMMI)  
8 operations of the Iron Mountain Mine.

9 Stauffer Management at the mine recently told contractors for IMMI "to  
10 watch it" concerning being paid.

11 Stauffer contractor, Churn Creek Construction told an IMMI contractor that  
12 "Ted does not pay his bills" in an attempt to discourage IMMI contractors from  
13 working for IMMI although Churn was paid immediately on his invoice to IMMI.

14 Stauffer and their contractor at Iron Mountain continue to slander IMMI to  
15 discourage IMMI contractors from doing any work for IMMI.

16 Rick Sugarek, Site Manager at Iron Mountain Mine for EPA, told the Dean  
17 of the University of Nevada, Reno (UNR) that IMMI would not make any money at  
18 Iron Mountain from the Ferrite Project being introduced by the Mackey School of  
19 Mines. This was stated in a telephone conversation to discourage UNR from doing  
20 any business with IMMI.

21 When the Union Pacific Railroad needed ballast for their railroad and IMMI  
22 took their Superintendent of Meridian Table Mountain Quarry to Iron Mountain and  
23 showed him rock for ballast, Stauffer filed a complaint to their headquarters which  
24 said IMMI could not take the rock shown. Later, the rock was removed by Stauffer  
25 contractors and IMMI lost a possible large sale. Stauffer never consulted IMMI  
26 when they took rock materials for remedial clean-up operations. It does not matter  
27 whether IMMI needs the materials Stauffer just takes it with no consideration of  
28 IMMI's needs for its private property and sales.

## Iron Mountain Mines, Inc.

1           There has been continuous pilferage - 3 large hoists in the warehouses owned  
2           by IMMI have been taken. Buildings are continually being broken into by workers  
3           for Stauffer and EPA. Attempts have been made to steal 2 large safes that are now  
4           broken and one smaller safe.

5           One of the contractors for Stauffer, Churn Creek Construction keep their  
6           equipment and office trailer at the mine and have scattered junk, and an old car in  
7           this unsightly area. The building behind this area was a field office for IMMI which  
8           is now totally destroyed since Stauffer and EPA have been on the property.

9           IMMI has lost security control. Stauffer and EPA workers do anything they  
10          want and take anything they want from this private property with no concern for  
11          IMMI.

12          On several occasions, Stauffer workers refused to open the main gate for Ted  
13          Arman, owner, when he had important clients with him. The client would question  
14          whether Ted Arman and IMMI owned the Iron Mountain property. Ted now has his  
15          own private code and does not have to call the Stauffer office to open the gate.  
16          Stauffer has continuously put IMMI in embarrassing situations with IMMI clients.  
17          IMMI is always put into a position of explaining that neither Stauffer nor EPA own  
18          the Iron Mountain Mines property, that EPA made the property a superfund site. All  
19          of these interference's has made it difficult for IMMI to conduct business at Iron  
20          Mountain Mine.

21          Stauffer and EPA have interfered with every project IMMI has been working  
22          on at Iron Mountain:

23                Covered up diamond drill holes that were for exploration to confirm ore  
24                bodies.

25                Covered up commercial pyrite tailing for sale to fertilizer and mining  
26                companies.

27                Covered up pyrite ore bodies that has a commercial value of \$216,000,000  
28                on the market.

## Iron Mountain Mines, Inc.

1 Taking of rock without any consideration whether IMMI needs this material  
2 for its own operation and markets.

3 Damaging commercial ore in Brick Flats by covering this ore with sludge's  
4 from the lime neutralization plant on Iron Mountain, operated by Stauffer under  
5 EPA orders.

6 Damaging warehouse and tram buildings; broken windows and doors, junk  
7 and scrap equipment scattered making the entire area look like a junkyard.

8 Approximately 30 acres of prime real estate on the Iron Mountain Mines  
9 property, at a commercial value of \$1.5 Million, has been taken by EPA and  
10 Stauffer without just compensation or even stating that they needed this property for  
11 their remedial action clean-up. The area has an unsightly lime plant, 210 foot  
12 diameter, thickener, and 5 sludge ponds. This area was beautiful with rolling hills,  
13 trees, bushes, and wildlife.

14 EPA and Stauffer took approximately 3 to 5 acres of land at Iron Mountain  
15 without authorization and payment that was designated for plant site for in situ  
16 mineral recovery plant and put in sludge ponds with a temporary lime plant that is  
17 still there. This site can no longer be used for IMMI's operations.

18 On January 22, 1997, IMMI wrote a letter to Stauffer objecting to Stauffer's  
19 complaint for IMMI taking rip rap and ballast rock. In this letter, IMMI informed  
20 Stauffer that IMMI is demanding payment of \$70,975,000 for damages to valuable  
21 ore bodies at Iron Mountain. Interest for non-payment has not been added.

22 When IMMI had a superintendent of a large company at Iron Mountain on  
23 June 27, 1997 to show the hematite stockpile for sale, a comment was made by  
24 Stauffer's employee that "Stauffer is not going to allow any material to be removed  
25 from Iron Mountain." This again is the abuse and interference with IMMI's  
26 operations and business.

27 All of the EPA facilities at Iron Mountain were forced on IMMI when EPA  
28 and Water Board claimed mortality of fish in the Sacramento River which is now

## Iron Mountain Mines, Inc.

1 known to be the cause of the warm water out of Shasta Dam instead of mineral in  
2 the mine water drainage from Iron Mountain.

3 A retired engineer, whose name will not be mentioned, told IMMI that when  
4 the pipe line was laid under the mine roads for acid mine drainage (AMD), the  
5 seams joining the large pipes were so poorly made that there could be leaks all along  
6 several miles of pipe laid by Stauffer contractors. When the engineer pointed out this  
7 problem, he was told to mind his own business and go away. This problem can be a  
8 disaster in the future when these underground pipes start leaking AMD. The cost of  
9 the pipe line was approximately \$10 Million.

10 Ever since the Federal and State Court gave EPA and the Water Board free  
11 access to the Iron Mountain private property, there continues to be damage to  
12 buildings and equipment by their workers who have no consideration for this private  
13 property. A cone crusher worth \$30 thousand used and \$240 thousand new was  
14 totally destroyed by contractors for EPA when they moved this equipment.

15 The most recent incident last week was the management for Stauffer, Joe  
16 Cogliati, at the property refused to open the 2<sup>nd</sup> gate for an IMMI contractor after he  
17 stopped by the office and registered. The manager let him sit by the gate for 10  
18 minutes waiting for the gate to be opened. Finally, the IMMI contractor went back  
19 to the office and told management that he would drive through the gate if it was not  
20 immediately opened. The manager, Joe Cogliati, then opened the gate. This is just  
21 an example of the abuse and lack of consideration IMMI gets from EPA and  
22 Stauffer at IMMI's own private property. There is continuous undermining by  
23 Stauffer employees and EPA to discourage IMMI contractors from working at Iron  
24 Mountain. Millions of dollars have been made at Iron Mountain by contractors  
25 working for EPA and Stauffer. EPA contractors don't want to see any changes as  
26 long as they can continue to make millions off of this superfund site. Over \$102  
27 Million has been spent to date by EPA and Stauffer contractors on Iron Mountain  
28

## Iron Mountain Mines, Inc.

1 with no improvement in the environment or changes in the Sacramento River  
2 concerning fish.

3 The large ore deposits at Iron Mountain and mine water drainage contain  
4 valuable minerals for industry, aerospace and computer products. These important  
5 minerals are copper, zinc, cadmium, iron, sulfur, aluminum, magnesium,  
6 manganese, gold, silver, palladium and minerals needed for agriculture,  
7 pharmaceuticals, health foods and other mineral products. The good life would not  
8 be possible without these mineral products.

9 IMMI has always planned to recover these metals. Iron Mountain is not a  
10 mineral pollution site as EPA, Water Board and Fish and Game are attempting to  
11 portray to the public. Life can not exist without the above minerals. Removing these  
12 minerals under the best technology and environmental practices is the interest of Iron  
13 Mountain Mines, Inc.

14 IMMI wants a court order to stop EPA and Stauffer from interfering with  
15 IMMI's operations and business.

16 The new lime neutralization plant designed and built by Stauffer and EPA  
17 has many problems and is only 60% to 80% efficient. There are continuous  
18 breakdowns due to poor design, and equipment and maintenance problems to keep  
19 this plant operating. EPA blames Stauffer and Stauffer blames EPA. According to  
20 EPA, this plant cost approximately \$26 Million and the new 270 ft. diameter  
21 thickener designed by EPA cost \$8 Million which also has problems with only 66%  
22 to 80% efficiency.

23 This is another situation of EPA's poor operations at Iron Mountain, of  
24 which none of this was necessary for the protection of fish in the Sacramento River.

25 All of the sludges being created by Stauffer could be taken to an off-site  
26 landfill waste disposal site instead of dumping sludges on commercial ore that could  
27 be sold at a profit.  
28

## Iron Mountain Mines, Inc.

1 EPA's costs as stated in EPA Record of Decision for remedial clean-up at  
2 Iron Mountain is estimated at \$351 Million for the initial clean-up and \$1.4 Billion  
3 for the total clean-up. This includes Spring Creek Dam, Keswick Dam, Shasta Dam,  
4 Red Bluff Dam and the Sacramento River between these dams. EPA contends that  
5 Iron Mountain could be responsible for these costs. Rhone Poulenc and ICI  
6 America's Potential Responsible Parties as former owners of the Iron Mountain  
7 Mines properties are disclaiming responsibility in this matter and are in Federal  
8 court with IMMI as defendants against EPA and the United States of America as  
9 plaintiffs.

10 EPA has extended the Iron Mountain cleanup are far beyond the Iron  
11 Mountain Mine's property in an attempt to hold potential responsible parties for all  
12 environmental problems in this area.

13 EPA and Stauffer (Rhone Poulenc Basic Chemicals Company) have been in  
14 environmental remedial clean-up on the Iron Mountain Mine's property without  
15 listing IMMI as additional insured on their policies. Stauffer and RP have not  
16 provided a Certificate of Insurance to IMMI showing that IMMI is listed as  
17 additional insured on their policies. IMMI has requested Stauffer to provide this  
18 information with no response.

19 These are only a few of the incidences known to IMMI. If a full investigation  
20 were made, the problems of over expenditure and mismanagement by contractors for  
21 EPA and Stauffer at Iron Mountain would be staggering of the total waste of money  
22 by Stauffer, EPA and other government agencies.  
23  
24  
25  
26  
27  
28

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of

Shasta

} ss.

On Dec. 7, 2006

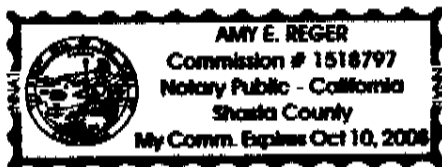
Date

before me, Amy E. Reger, Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared T.W. Arman

Name(s) of Signer(s)

☒ personally known to me☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Amy E. Reger  
Signature of Notary Public

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**Title or Type of Document: CorrespondenceDocument Date: Dec. 7, 2006 Number of Pages: 22Signer(s) Other Than Named Above: none**Capacity(ies) Claimed by Signer**Signer's Name: T.W. Arman☐ Individual☒ Corporate Officer — Title(s): President, CEO, Chairman☐ Partner — ☐ Limited ☐ General☐ Attorney-in-Fact☐ Trustee☐ Guardian or Conservator☐ Other: \_\_\_\_\_Signer Is Representing: Iron Mountain Mines, Inc. and  
Essential Solutions, Inc.RIGHT THUMBPRINT  
OF SIGNER

Top of thumb here