



Iron Mountain Mines, Inc.

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

• IMMI Developments

June 23, 2011

Larry Martin Corcoran, Assistant U.S. Attorney
U.S. Government Department of Justice
Environmental Enforcement Section
P.O. Box 7611, Ben Franklin Station
Washington, DC 20044-7611

CERTIFIED MAIL RETURN
RECEIPT REQUESTED

Nancy J. Marvel, Regional Counsel
U.S. Environmental Protection Agency, Region IX
Office of the Regional Counsel
75 Hawthorne Street
San Francisco, California 94105

Re: Iron Mountain Mines real property; "US Wrongful Taking Without Just Compensation --
Fifth Amendment"

FACTUAL BACKGROUND

In 1896 Mountain Copper Company, an English Firm, purchased the Iron Mountain Mine Site in Shasta County, California, and actively mined the property. Stauffer Chemical Company, Rhone-Poulenc SA, a French Firm, and Imperial Chemical Industries, an English Firm are the successors in interest of the Mountain Copper Company, which actively mined the massive sulfide ore bodies from 1896 through 1962.

T. W. Arman and Iron Mountain Mine, Inc. (IMMI) purchased the Iron Mountain Mine Site from Stauffer Chemical Company on October 22, 1976. When IMMI purchased the property, Stauffer Chemical Company now Rhone-Poulenc intentionally failed to disclose material facts about the AMD problem at the property to IMMI.

IMMI contends that the above defendants are irresponsible corporate giants which sold Iron Mountain Mine to a small privately held corporation (IMMI) in an effort to avoid their corporate responsibilities and liability for the environmental problems they caused by actively mining the Mountain.

Further, since IMMI's ownership of the property, Rhone-Poulenc and Imperial Chemical Industries and ICI have actively interfered with IMMI's business activities by refusing to provide bonding required by the EPA to remove tailing piles. They have refused to recover void promissory notes and Deeds of Trust necessary to allow IMMI to obtain financing. Furthermore, the Environmental Protection Agency and its Contractors actively harass, interfere with and continue to refuse IMMI access to its private property so that it can develop the vast resources it owns at Iron Mountain.

As a result of Rhone-Poulenc's interference and EPA's stonewalling, IMMI has never mined any massive sulfide ore bodies that EPA claims causing AMD discharges at Iron Mountain. IMMI believes that the EPA

and the State did not in 1986 and still refuse to permit or allow IMMI to go forward with its own cleanup plan because EPA and the State wanted and still want to hold Iron Mountain Mines private property as a Superfund Site.

IMMI spent three years with a major engineering firm developing a comprehensive engineering plan for complete cleanup at the site, but the EPA rejected the plan as they subsequently have done with all plans IMMI has submitted to date. IMMI, through a partner contractor later developed an advanced technology to process the AMD at Iron Mountain into a beneficial agriculture fertilizer that meet all federal and state heavy metal requirements for fertilizer products and have submitted multiple work plans to the EPA only to be rejected. IMMI continues to actively pursue alternative remedial cleanup activities in an effort to eliminate the AMD problems at the mine site.

Since IMMI or T. W. Arman did not mine the ore bodies that EPA claims causes the AMD formation, IMMI or T. W. Arman can not be held to be the direct or indirect cause of any Hazardous Substance discharged Acid Mine Drainage within the meaning of CERCLA at Iron Mountain Mine.

The EPA claims payment for the cost recovery of \$26 Million plus interest. This amount was paid by the PRP's. This letter constitutes notice of payment from T. W. Arman to the EPA for their judgment; and demand by T.W. Arman for restitution from EPA for the remaining damages caused by EPA's wrongful conduct as follows.

EPA took 850,000 tonnes of Pyrite tailings, Iron tailings and High Density Sludge and buried it on top of Iron Mountain without T. W. Arman's permission who is the owner of the real property. The mineral and fertilizer value of these products are currently worth more than \$125 Million. EPA is responsible to pay the difference of \$125 Million and \$26 Million or \$99 Million plus interest to T. W. Arman immediately if the EPA is still claiming that T. W. Arman owes the cost recovery debt. The aforementioned valuation is based on June 1, 2011 LME metal prices.

The facts are that the cost recovery and judgment claimed by EPA at Iron Mountain Mines is False. The cost recovery was to be paid by the PRP's in direct proportion to each PRP's debt and causal relationship to the damage caused to the property if T. W. Arman could not pay it. Since Iron Mountain was never mined by myself of Iron Mountain Mines, Inc. neither Iron Mountain Mines Inc. or I have caused directly or indirectly, any damage to the property or the environment. Therefore the prejudgment environmental lien filed by the EPA on March 5, 2000, against the title to my real property should be removed immediately especially in light of the recent monetary judgment. There is no debt owed by IMMI or T. W. Arman to the EPA. See letter from Jeff Zelikson, Director, Hazardous Waste Management, dated September 20, 1989, and letter from Brian J. Stone, Attorney, dated January 2, 2001.

The EPA's wrongful conduct at my mine site and property includes the true "Taking without just Compensation" of the following partial list of assets:

1. High Density Sludge – Heavy Metals; 550,000 tonnes at \$200.00/ton equals \$110 Million.
2. Pyrite Tailings and Heavy Metals; 100,000 tonnes at \$100/ton equals \$10 Million.
3. Iron Tailings and Heavy Metals; 200,000 tonnes at \$25/ton equals \$5 Million.

Total Commercial Products taken on the above list is 850,000 tonnes valued over \$125 Million and does not include the millions of tonnes of rock taken during the ongoing construction process by the EPA at my property.

Furthermore EPA and or its contractors and employees took valuable mine equipment, hundreds of irreplaceable and historically significant artifacts and thousands of tonnes of valuable decorative rock. To date neither Iron Mountain Mine nor T. W. Arman has been paid restitution for the loss of these irreplaceable and valuable assets. The EPA continues to block off roads with large rock and boulders and refuses to remove them thereby preventing access and use of these assets by the property owner.

The EPA violates my civil rights and personal freedom by monitoring my every movement and at times restricting me access to the 3,000 acres and 10 miles of private road on my property. They require me to call the EPA's office on the site as I pass each of 32 markers along the roadway leading to the top of Iron Mountain even if there is no other traffic on the roads. EPA ignores the U.S. presidential order protecting the property rights of access to private property. If I fail to abide with EPA mandates they restrict me access to my property.

The EPA continues to discourage private investors, mining companies and contractors from working with IMMI by means of intimidation and strong armed tactics. They intimidated the University of Reno spinel ferrite research program when EPA personnel told university researchers that "the owner" of Iron Mountain "will never get into operation at this superfund site". The tactic was successful in killing the spinel ferrite project. The EPA also used strong arm tactics when removing ESI personnel, a contractor of IMMI, from the property at gun point, threats of arrest, confiscation of personnel property and prosecution, thereby shutting down all further research and development with this project causing monetary losses to ESI and myself.

In December 2010, while attempting to remove a valuable fertilizer product from the ESI plant location at Iron Mountain, the EPA refused to allow access to my property. Even after submitting multiple work plans the EPA refused to allow my bulk transport contractor and I access to my private property to remove the product. The product in the tank had been sold for \$40,000 and the income was very important. This event caused irreparable financial and business damage to IMMI and me.

The EPA took all 3,000 acres of my private property and continues to use 55,000 square feet of warehouse buildings at the site without paying a single cent, even though only 100 acres are necessary for the EPA's remedial cleanup at this Superfund Site.

The EPA buried 1,000,000 tonnes of valuable pyrite ore at Brick Flat and 50,000 tonnes of sulfur ore valued at \$300/ton. Additionally they have taken thousands of tonnes worth of magnetite ore and untold thousands of tonnes of decomposed granite without paying for it. The EPA also used thousands if not millions of tonnes of rock and earth to construct an 85 foot dam on my property without permission.

All the minerals were commercial products to which I had customers until EPA took them without permission thereby destroying my personal livelihood. The attached photos are the pyrite tailings, iron tailings, rock piles and decomposed granite with commercial value intended for customers. These assets had commercial value in the millions of dollars until EPA through its contractors took them without permission, compensation or credit to me.

Since 1977, thousands of tonnes of mine tailings were sold to customers annually. Then EPA buried them in 2000 thereby permanently rendering them inaccessible to me. Additionally the EPA/AIG lime plant operation uses Brick Flat Pit at Iron Mountain private property to store 550,000 tonnes of sludge and adds an additional 40,000 tonnes annually. The sludge could be processed and sold as commercial products except that the EPA refuses to allow any private development on my property. The sludge is a commercial mineral product recovered from the AMD that flows naturally from mines at the site. It is not a hazardous material when processed and can be used for commercial products.

From 1977 to 2000, T. W. Arman sold mineral products to the following parties: The U.S. Corp of Engineers, Nuclear Radiation Products, Fertilizer companies, Cement companies, Copper companies, rock companies, for use in hospital labs as radiation shielding, and as ballast in ships, the San Francisco/Concord Bart project used magnetite ore for a rail project. Research and Development was actively in process of further developing additional markets for my products worldwide when the EPA irreparably damaged me and Iron Mountain Mines by taking its property without just compensation. Currently the only business in progress at the property now is an attempt at forestry restoration of the 1,000 acres of burnt trees and 5 historic houses which were destroyed by fire. EPA also stored, without permission materials in a 96 year old schoolhouse with historical significance, causing damage to the structure.

I now know that the EPA and Water Board fabricated partial truths and outright lies about Iron Mountain in order to obtain funding from Congress and the existing Lime Plant funded by AIG is not an efficient process nor is it the best currently available technology for processing the AMD at my property. I have better proven technology available to process AMD into a beneficial fertilizer product that exceeds all federal and state regulations however EPA refuses to allow me to operate it. EPA prefers spending \$4 million annually for the next 3000 years (the time EPA claims it will take to remove all the

minerals) and create 40,000 additional tonnes of sludge annually that will require storage at brick flats pit.

In a further attempt to harass and intimidate me, EPA workers erected witchcraft symbols along the roads on my private property at Iron Mountain. I personally took them down along the 10 miles of road. It is my belief that EPA and or its workers did these things in an attempt to intimidate me because of my intent to build a Christ statue at the 3,500 foot level. This is a clear attempt by EPA to violate my spiritual belief and is another example of civil right violations perpetuated by EPA.

I have owned Iron Mountain since 1976 and have granted free access to universities all over the world for research studies in geology and mining undergraduate and postgraduate students. These field trips arranged by me were often looked on with disdain by EPA personnel unless EPA received media credit and publicity.

There are over 40 Million tonnes of ore remaining to be mined in the future at Iron Mountain. At today's metal prices is valued at more than \$4 Billion US Dollars. This is only a partial list of the Taking and Damages caused by the EPA Superfund site on the Iron Mountain private property.

Sincerely,



T. W. Arman, Ind. and for
Iron Mountain Mines, Inc.

CC: John H. McKinley
3031 W March Ln # 230W
Stockton, CA 95219-6568

Molly C. Dwyer, Clerk
Re: Case 11-15383
U.S. Court of Appeals
P.O. Box 193939
San Francisco, CA 94119

Ms. Lily Tavassoli
Remedial Project Manager, Superfund Division
U.S. Environmental Protection Agency
75 Hawthorne Street (SFD-7-2)
San Francisco, CA 94105



Iron Mountain Mines, Inc.

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Confidential

Brief Statistics

The Iron Mountain Mine has 2744.85 acres of fee simple property. The real estate appraisal is 30 to 40 million U.S. dollars. There are 36 patented lode claims. The proven and probable ore reserves are 40 million tonnes of massive sulfide mostly pyrite. At today's prices, the total mineral value is 10 Billion U.S. dollars. The mine property is zoned for mining by the Shasta County Planning Department and exempted from taxes as a superfund site.

The mineral water flowing out of the mine is 100 to 250 million gallons annually with 60 elements mostly iron, copper, zinc, aluminum, and traces of gold and silver. This is the 10th largest copper mine in the world to be mined by solution mining. The mine water is a liquid fertilizer that is necessary to help world wide farm lands mineralize their soil. This product is called "Ag-gel". To find out more about this product go to www.ag-gel.com.

EPA estimated that the natural mine water (AMD) will take 3000 years to deplete the massive sulfide ore bodies at Iron Mountain Mines. This assures the mineral resource in selling "Ag-gel" liquid fertilizer to farmers for growing food. This is also known as il-liquid asset and can be used for collateral. All the property is in a revocable trust.

Attached property and location map.

T.(Ted) W. Arman
Owner

LAW OFFICE OF
BRIAN J. STONE
A PROFESSIONAL CORPORATION
7466 RUSH RIVER DRIVE, SUITE 710-297
SACRAMENTO, CALIFORNIA 95831

BRIAN J. STONE

Tuesday, January 02, 2001

BUS: (916) 429-1101
FAX: (916) 429-1101
E-MAIL: stonebaw@ps.net

Mr. T.W. Arman, President & CEO
Iron Mountain Mines, Incorporated
P.O. Box 1790
Folsom, California 95763

Confidential

Re: United States of America v. Iron Mountain Mines, Inc., T.W. Arman, et. al.; United States District Court for the Eastern District of California, Civil Action No. S-91-0768, Consolidated for all purposes with Civil Action No. S-91-1167.

Dear Mr. Arman:


This letter represents a summary of the Settlement Agreement and Consent Decree issued in the above case on December 8, 2000. Federal Court Judge David F. Levi of the United States District Court in Sacramento, California issued a Court Order and approval of the Settlement Agreement and Consent Decree between all of the parties to this lawsuit on December 8, 2000.

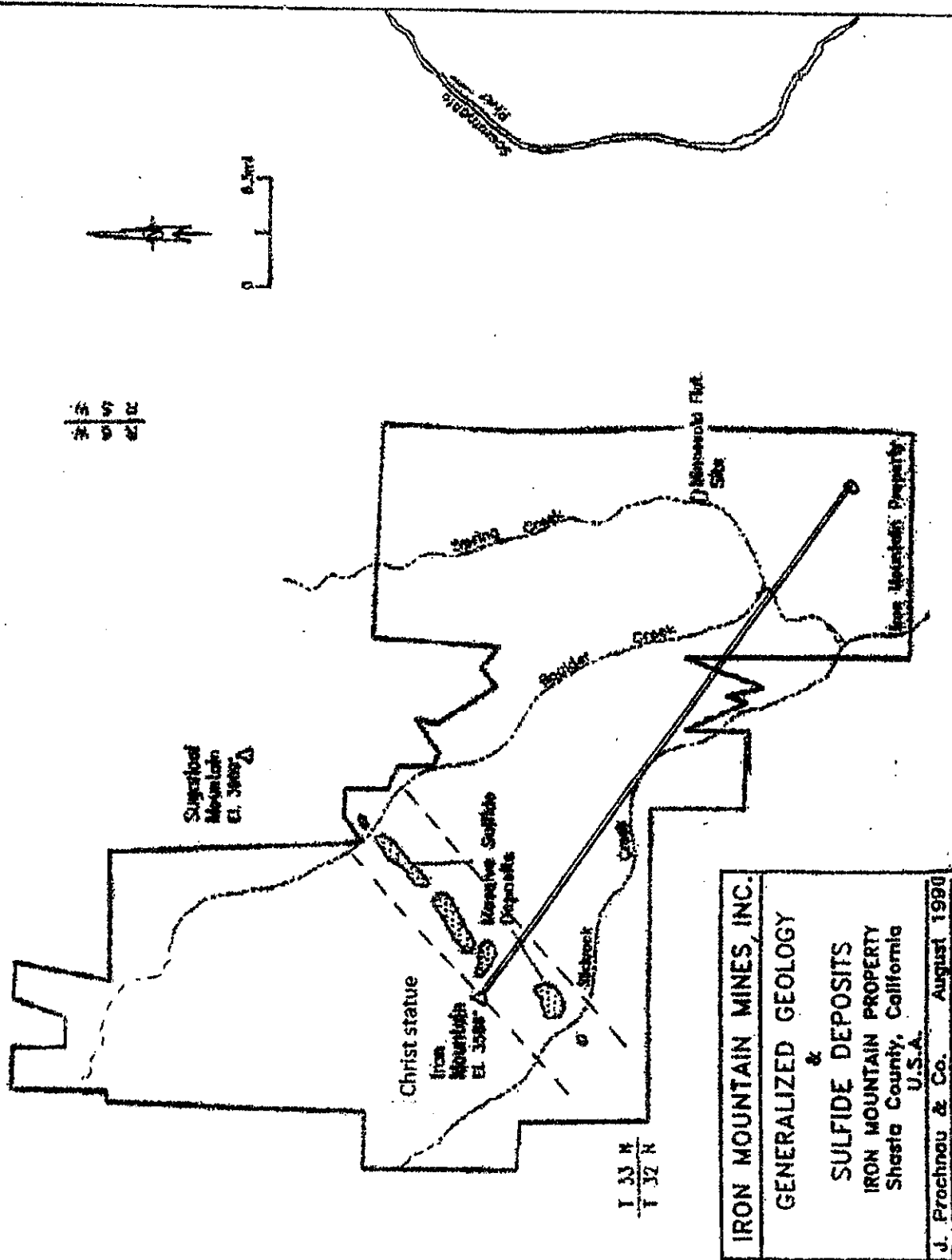
In essence, Defendant AVENTIS CROPSCIENCE USA, Inc. (formerly Rhone-Poulenc, Inc.) agreed to pay 835 Million Dollars (\$835,000,000.00) over a thirty-(30) year period to the Plaintiff United States of America, EPA and the State of California for remedial cleanup costs in perpetuity for the Iron Mountain Mines, Inc.'s real property in Shasta County, State of California.

You and Iron Mountain Mines, Inc. pursuant to Federal and State Law are entitled to a credit for the 835 Million-Dollar Settlement. Since the Government has been paid for all cleanup costs in the past, present and future, the Governmental Entities will not be seeking any monetary award against you and Iron Mountain Mines, Inc. in this matter.

If you have any questions, please call me. Congratulations!

Very Truly Yours,


Brian J. Stone, Attorney



IRON MOUNTAIN MINES, INC.
 GENERALIZED GEOLOGY
 &
 SULFIDE DEPOSITS
 IRON MOUNTAIN PROPERTY
 Shasta County, California
 U.S.A.
 J. Prachnow & Co. August 1980

T.W. (Ted) Arman, owner

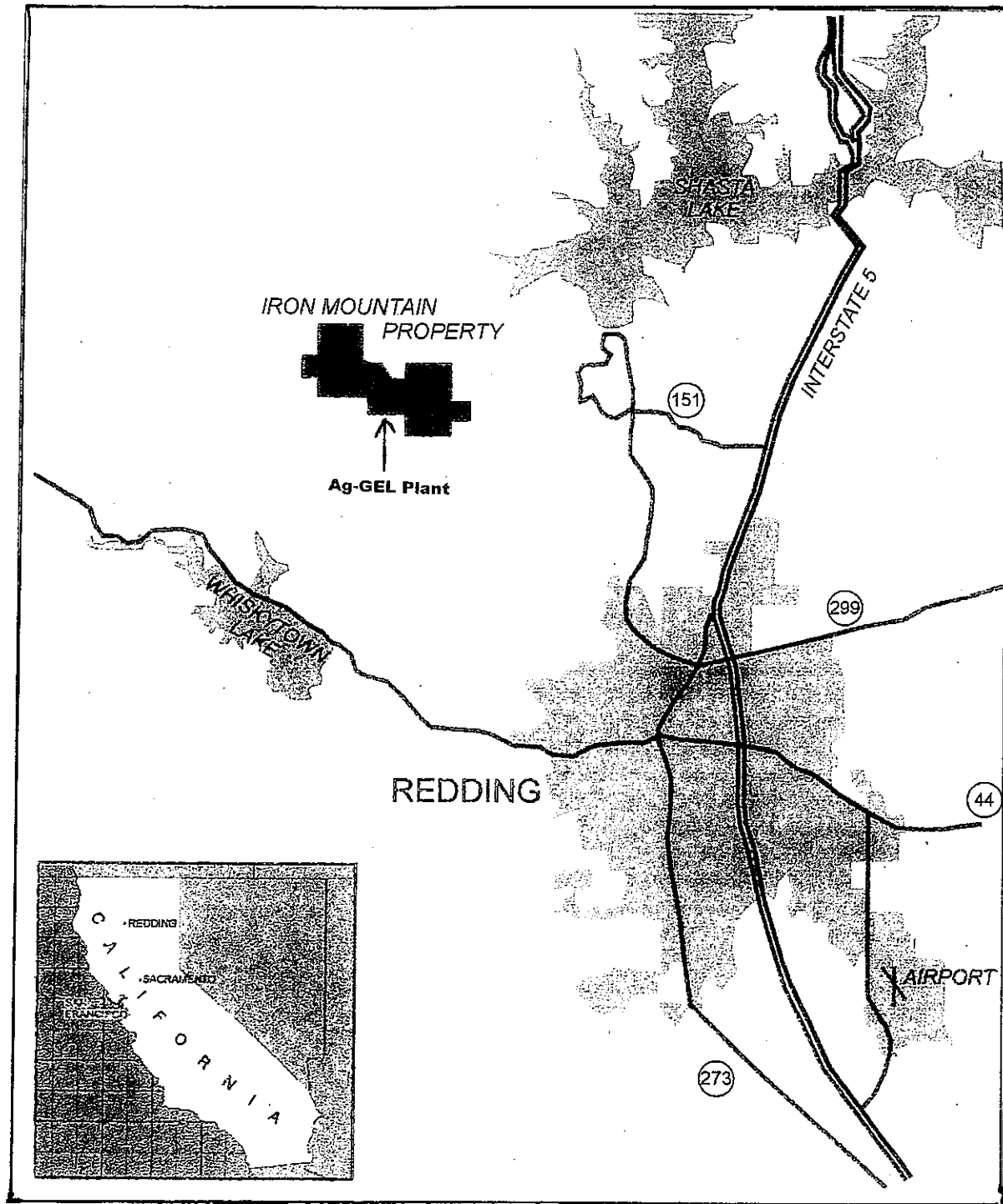


Iron Mountain Mines, Inc.

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

Essential Solutions, Inc.

Website: www.ag-gel.com



LOCATION MAP



◆ IMMI Developments

Iron Mountain Mines, Inc.

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July 12, 2011

Larry Martin Corcoran, Assistant U.S. Attorney
U.S. Government Department of Justice
Environmental Enforcement Section
P.O. Box 7611, Ben Franklin Station
Washington, DC 20044-7611

CERTIFIED MAIL RETURN
RECEIPT REQUESTED

Re: Iron Mountain Mines real property; **"US Wrongful Taking Without Just Compensation – Fifth Amendment"** and EPA Damages

Dear Mr. Corcoran,

This letter, and all information that has caused the taking and extensive damages and financial loss to IMMI and Ted Armin, is the beginning of the investigation and deposition of all parties involved with the Iron Mountain Mines private property since 1986, when it was made an EPA Superfund Site. This is based on false environmental information perpetrated by the California water quality control board in Redding, California. This false information was by James Pedri on the hazardous ranking score, to qualify for the National Priority List, to get Congress to fund seventy million dollars for remaining cleanup at this private property. None of this cost was necessary since IMMI was going to fund its own environmental cost with its mining operations until EPA stopped it in 1986. Now, after 27 years, EPA is still stopping IMMI from doing business on its private property, when all ore and mineral water (AMD) are commercial products to be sold. These damages caused by EPA to date are over seven billion dollars and seventy-two billion dollars in triple damages.

The following are additional lists and pictures showing EPA's involvement and damages. This letter is to be added to the certified letter mailed to the U.S. Justice Department on June 23, 2011. Enclosed are some of the photos of the taking of property and property damages caused by EPA, AIG, contractors and workers at this Superfund Site on private property. EPA's only environmental issue was salmon fish in the Sacramento River that is now delisted on the National Priority List. It never should have been listed and Iron Mountain Mines the owner would not have been involved in EPA's false cost-recovery claims. The following are issues of concern under Rudy Carver, project manager for AIG at Iron Mountain Mines property.

1. Where is the 300,000-gallon steel 20 feet high tank that was to be used by the owner for fire control on this private property?
2. Where is the magnetite ore stockpile that were near the 300,000-gallon tank that was sold to a buyer and waiting for delivery?
3. Rudy Carver would not let a tank truck through the gate on December 27, 2010 to pick up the fertilized product A6-6&1 for farming that was sold and waiting for delivery. The irony of this EPA fiasco is: Rudy Carver permitted logging operations and gate access without an approved EPA work plan but would not let our trucker through the gate.

4. Where are the four redwood cyanide tanks for recovering gold and silver taken by EPA contractors without payment or permission?
5. EPA or contractors took massive sulfide diamond drill ore samples from the Richmond mine building without payment or permission.
6. EPA/AIG workers were practicing witchcraft on seven miles of Iron Mountain Mines private road with witchcraft symbols along the road until removed by IMMI and the owner.

This letter includes the attached photo exhibits, one through eleven, to be added the letter dated June 23, 2011.

EPA continues to interfere with IMMI/TWA business at this site and private property.

Sincerely,



T. W. Arman, Property Owner, and
Iron Mountain Mines, Inc.

CC: John H. McKinley
3031 W March Ln # 230W
Stockton, CA 95219-6568

Molly C. Dwyer, Clerk
Re: Case 11-15383
U.S. Court of Appeals
P.O. Box 193939
San Francisco, CA 94119

Nancy J. Marvel, Regional Counsel
U.S. Environmental Protection Agency, Region IX
Office of the Regional Counsel
75 Hawthorne Street
San Francisco, California 94105

Ms. Lily Tavassoli
Remedial Project Manager
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

ATTACHED EXHIBITS FOR LETTER

Exhibit 1: Washing hands in the natural AMD mine water with no skin or health problem.

Exhibit 2: Iron tailings for sale but were buried by EPA contractors.

Exhibit 3: Magnetite ore for sale but were taken by EPA contractors.

Exhibit 4: A 300,000 gallon, 20 foot high steal tank destroyed by EPA contractors that was to be used as water storage tank for fire control.

Exhibit 5: Property owner and his contractor washing their hands in the acid mine drainage (AMD) without any harm to skin or health.

Exhibit 6: The natural mine water (AMD) flowing out of the mountain is used for liquid fertilizer.

Exhibit 7: Brick Flat pit before EPA began using it as a sludge dumping site without the owner's permission.

Exhibit 8: EPA engineers or contractors took hundreds of ore samples out of the Richmond Mine Building that did not belong to them.

Exhibit 9: There were four redwood cyanide tanks used for processing gold and silver taken by EPA contractors without payment of permission.

Exhibit 10: EPA stopped ESI's from delivering tis product Ag-Gel, a liquid fertilizer processed from the natural AMD even after multiple work plans were submitted.

Exhibit 11: EPA or its contractor took hundreds of massive sulfide diamond core drilled ore samples out of the Richmond Mine building without permission or paying for them. These were samples from an assay project costing more than 1 million dollars.

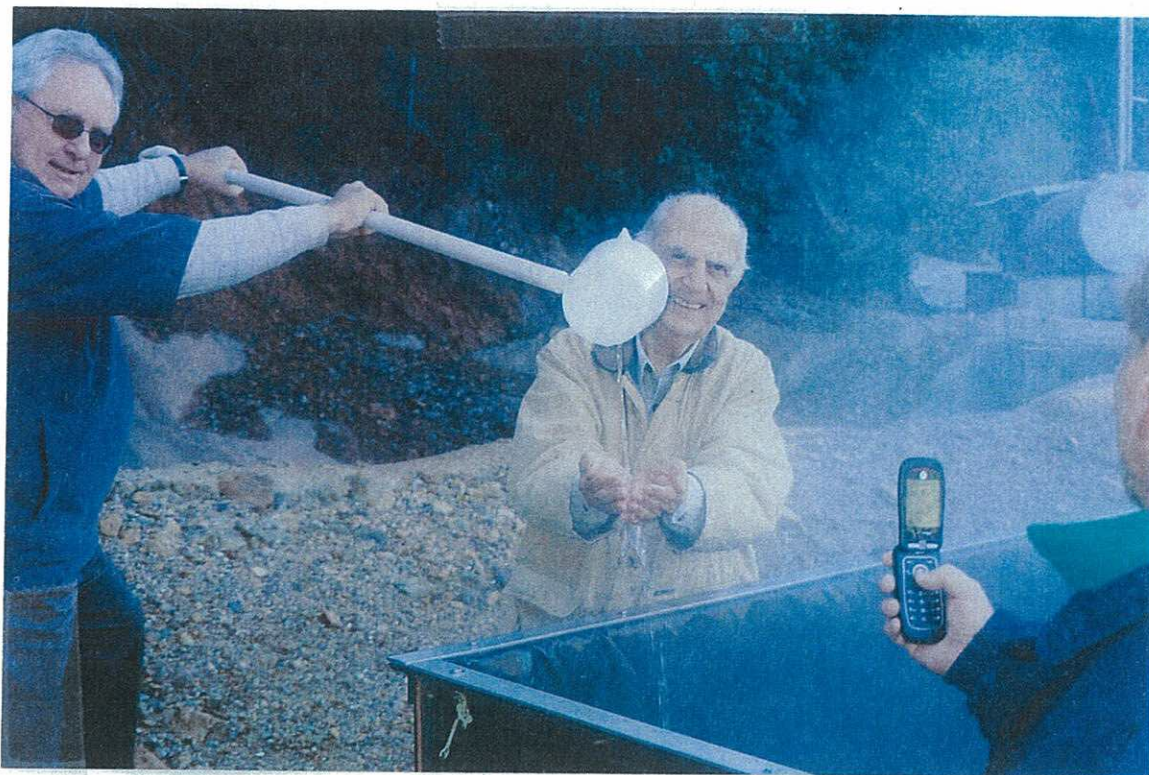


Exhibit 1: Property owner and his contractor washing their hands in the acid mine drainage (AMD) without any harm to skin or health.



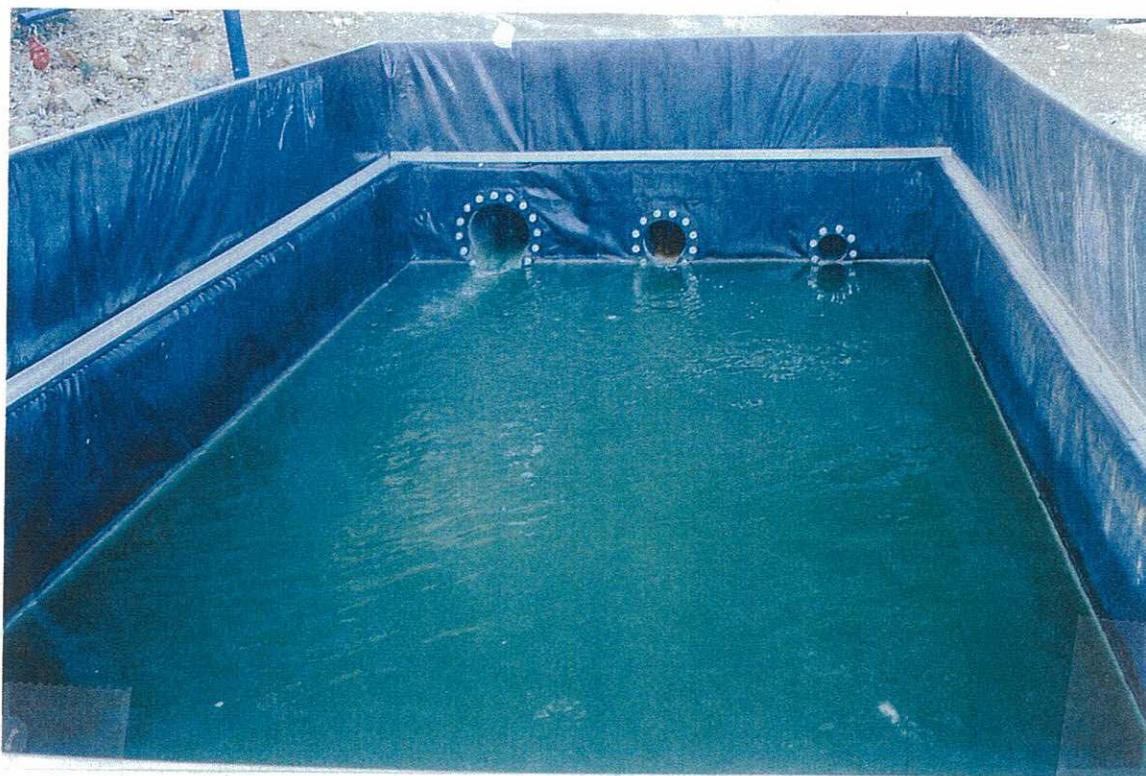


Exhibit 2: The natural mine water (AMD) flowing out of the mountain is used for liquid fertilizer.



Exhibit 1: Washing hands in the natural AMD mine water with no skin or health problem.



Exhibit 3: EPA COVERED THE IRON TAILINGS THAT WERE FOR SALE.

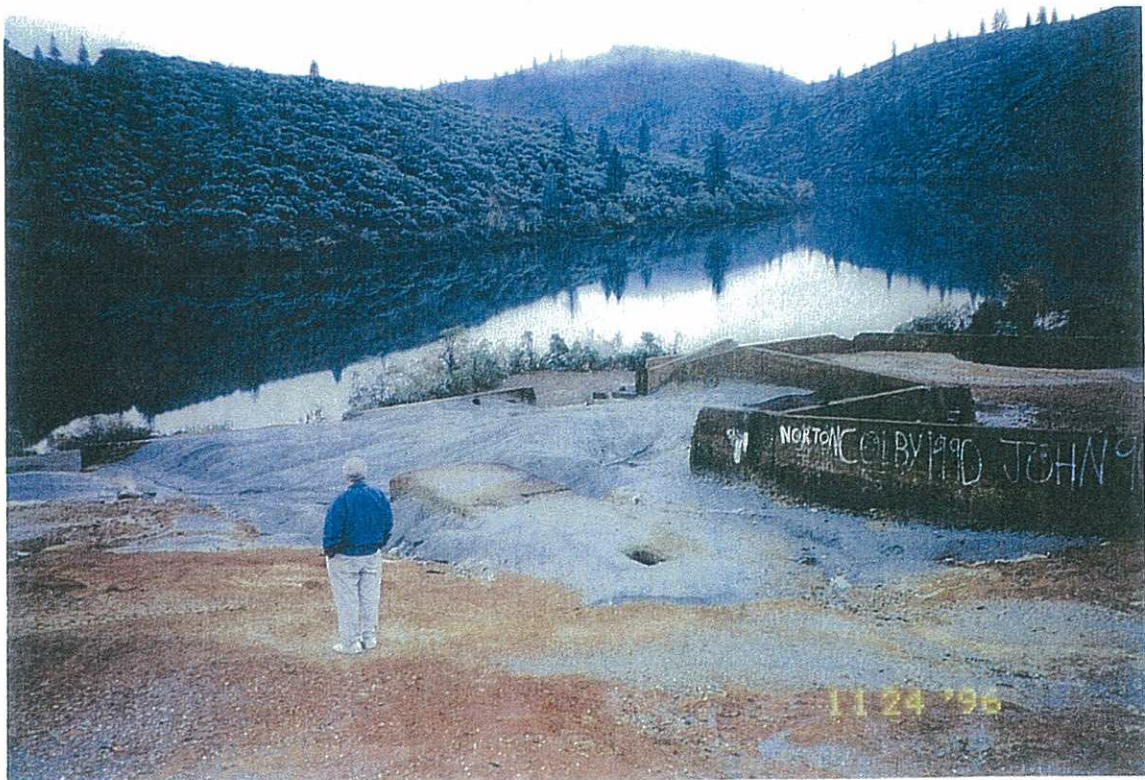


Exhibit 4: EPA BURIED PYRITE TAILINGS ON TOP OF IRON MOUNTAIN THAT WERE FOR SALE.



Exhibit 5: Brick Flat pit before EPA began using it as a sludge dumping site without the owner's permission.



Exhibit 6: Iron tailings for sale but were buried by EPA contractors.



Exhibit 7: EPA COVERED PYRITE ORE DEPOSIT, MINERAL SLUDGE AND SULFUR ORE THAT WERE FOR SALE.



Exhibit 8: A 300,000 gallon, 20 foot high steel tank destroyed by EPA contractors that was to be used as water storage tank for fire control.



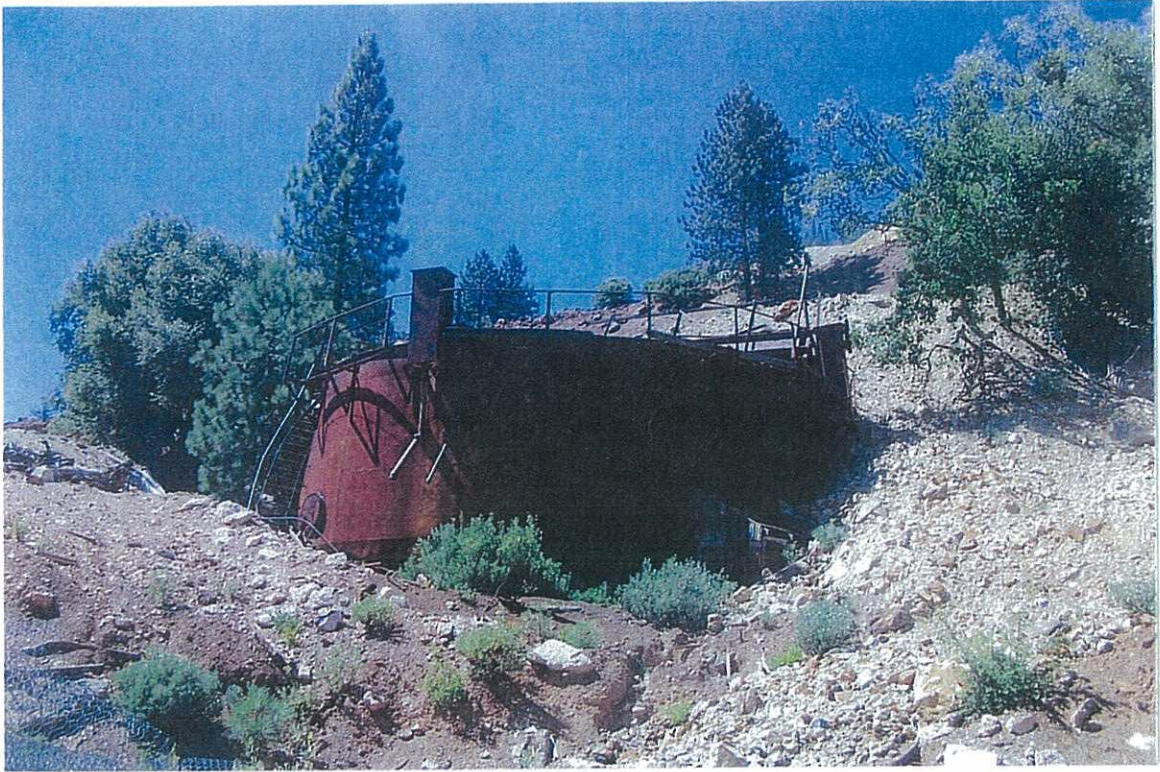


Exhibit 9: EPA DESTROYED AND BURIED THE 300,000 GALLON MINE WATER TANK THAT WAS FOR SALE.



Exhibit 10: EPA buried pyrite tailings on top of Iron Mountain that were for sale.

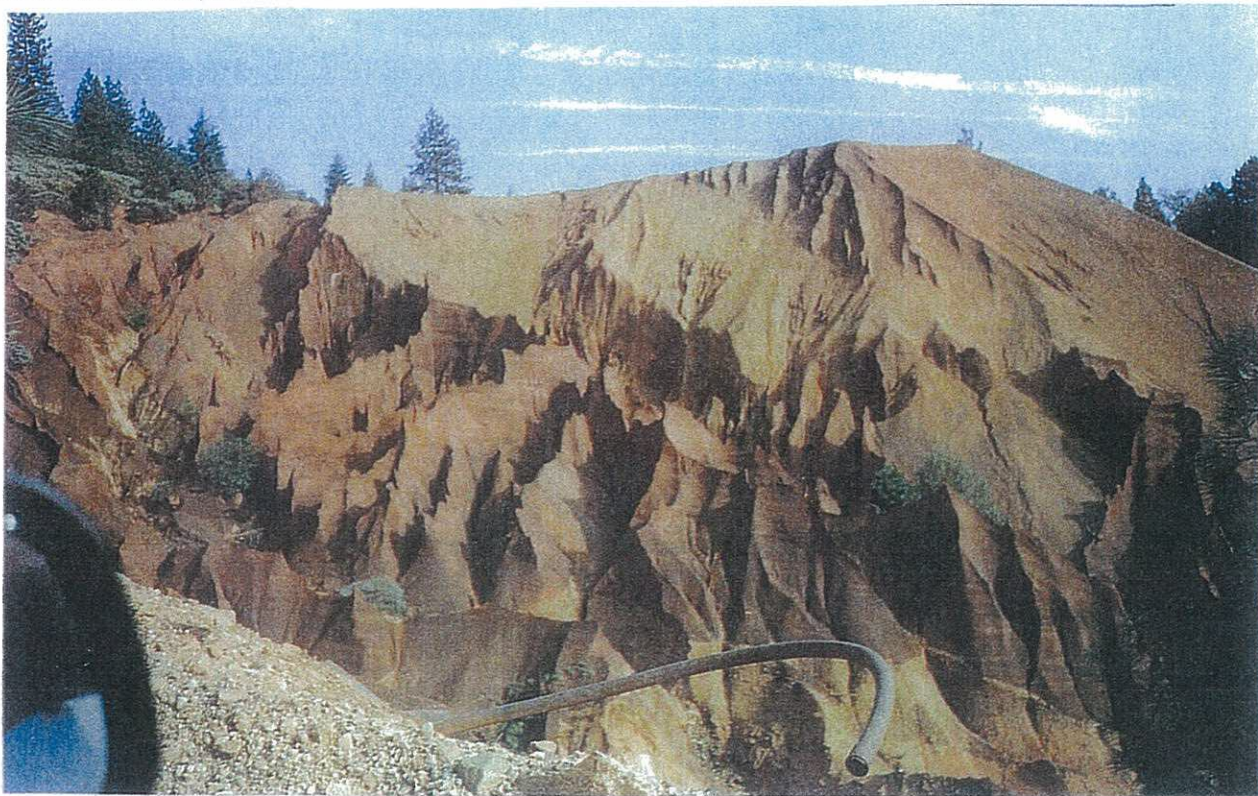


Exhibit 11: Iron tailings for sale but were buried by EPA contractors.



Exhibit 12: Magnetite ore for sale but were taken by EPA contractors.



Exhibit 13: EPA or its contractor took hundreds of massive sulfide diamond core drilled ore samples out of the Richmond Mine building without permission or paying for them. These were samples from an assay project costing more than 1 million dollars.





EXHIBIT 14: EPA COVERED THE DECORATIVE ROCK THAT WAS FOR SALE.

