

1 **VINCE RABAGO, Esq. (State Bar No. 015522)**
2 **VINCE RABAGO LAW OFFICE PLC**
3 500 N. Tucson Blvd. Ste. 100, Tucson, Arizona 85716
4 (520) 955-9038 (Office)
5 (888) 371-4011 (Fax)
6 vince@vincerabagolaw.com

7 Attorney for Appellant Joel Fisher

8 **IN THE OFFICE OF ADMINISTRATIVE HEARINGS**
9 **FOR THE STATE OF ARIZONA**

10 In the Matter of:

11 ADEQ
12 Air Quality Permit No. 55223
13 Rosemont Copper Project

14 Place ID: 135845

Docket No. 13A-A006-DEQ (Docket Nos.
13A-A006-DEQ, No. 13A-A007-DEQ, No.
13A-A010-DEQ - CONSOLIDATED)

**APPELLANT JOEL FISHER'S
INITIAL LIST OF WITNESSES AND
EXHIBITS**

(Assigned to the Hon. Thomas Shedden)

15 Appellant Fisher, through counsel, hereby files this initial list of witnesses and exhibits.

16 **I. WITNESSES:**

17 Dr. Joel Fisher, appellant. Dr. Fisher is expected to testify about numerous deficiencies
18 and/or failures underlying ADEQ's issuance of the permit and information provided by
19 Rosemont Copper in support of their permit, including significant evidence, methodology, and
20 science-based technical deficiencies or failures. Dr. Fisher is expected to testify about public
21 health, and his own, health risks not adequately accounted for in the issuance of the permit.

22 Dr. Fisher lives in the area and has over 50 years experience in the area of environmental
23 pollution contaminants, including working for the EPA since its inception, as well as 26 years
24 in air pollution and air quality and toxic contaminant issues working for the U.S. State
25 Department, and subsequent private consulting through 2012. He brings considerable personal
26 experience and expertise and will testify as a fact witness and also testify using his expertise on

1 issues directly bearing on the relevant standards and requirements, science, and public health
2 issues underlying issuance of the permit, and ADEQ's rejection of related public comments and
3 objections. The scope of his testimony may include but is not limited to all issues raised in his
4 written and oral objections filed with ADEQ during the public comment period, as well as the
5 issues raised in his Appeal. - Two and a half hours (2.5) hours estimated at present.

6 16. Any witness listed by any other party, or necessitated as rebuttal witnesses, or as a
7 result of information or evidence provided by other parties.

8 **EXHIBITS**

- 9
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15 [npri/default.asp?lang=en&n=A9C1EE34-1#s8_2](http://www.ec.gc.ca/inrp-npri/default.asp?lang=en&n=A9C1EE34-1#s8_2).
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- 9 Dust: A Review of Human Carcinogens, Lyon, France pp. 219-294.
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- 12 **11.** Epidemiology: Fear in the dust, online 9 December 2010 | Nature 468, 884-885 (2010);
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- 14 **12.** JRB Consultants for SWCA Environmental Consultants, 2011; Amendment to Rosemont
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- 16 Calculation Methodology and Appendices A-G. Tucson, AZ
- 17 **13.** United States Navy, 1998; ES310, Introduction to Naval Weapons Engineering, Course
- 18 Syllabus, Notes on Chemistry. Accessed through [http://www.fas.org/man/dod-](http://www.fas.org/man/dod-101/navy/docs/)
- 19 101/navy/docs/
- 20 **14.** W.L.Lewis, A.H.Radasch and H.C.Lewis, 1954; Industrial Stoichiometry, McGraw Hill,
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- 22 **15.** CRC (2012), Handbook of Chemistry and Physics, 93rd Edition
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- 20 **36.** Any Exhibits supplemented by the next scheduled Court date.
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24 Dated: June 17, 2013

RESPECTFULLY SUBMITTED

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VINCE RABAGO, Attorney for Joel Fisher

CERTIFICATE OF SERVICE

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I certify that the foregoing document was filed electronically on June 17, 2013, with the OAH, via the Court's online docketing system by emailing the document to webmaster@azoah.gov, which served all parties and counsel electronically:

s/ Vince Rabago, Esq.
Vince Rabago