PolyMet Mining, Inc.'s NorthMet Mining Project Update

Minnesota Pollution Control Agency

April 4, 2017

Background

- State environmental review concluded on March 3, 2016, allowing PolyMet to submit applications for permits.
- PolyMet would need several permits from the MPCA to authorize construction, including permits covering air quality, wastewater/water quality (NPDES/SDS), construction stormwater and 401 certification (wetlands).

Current Permitting Status

- *Water quality permit*
  - Application submitted by PolyMet on July 11, 2016.
  - MPCA staff are continuing with a thorough technical evaluation of the application components and additional information provided by PolyMet. Work is ongoing in the areas of antidegradation, permit limitations and other permit requirements.
  - MPCA staff are engaging EPA Region 5 permitting staff on a biweekly basis to receive feedback on various technical and policy issues.
    - Some differences of opinion have been identified, but to date none are considered unresolvable.
- *401 certification*
  - Application submitted by PolyMet on August 2, 2016.
  - MPCA staff are continuing to coordinate with the Minnesota Department of Natural Resources and the U.S. Army Corps of Engineers during the certification process.
- *Air quality permit*
  - Application submitted by PolyMet on August 24, 2016.
  - MPCA staff have been reviewing the air modeling reports and other elements of the permit application. The review of the Class I air modeling report is complete and MPCA has approved the report. Now MPCA will use the report to draft permit conditions that ensure continued protection of the air quality in nearby Class I areas, including the Boundary Waters Canoe Area Wilderness. MPCA will continue to review the other modeling reports and consider the other elements of the permit application.
  - The air modeling protocols, permit application, and Class I modeling report approval are posted online.

Next steps for Permitting/Certification

- MPCA staff will continue with technical review of the water quality application and development of further-defined draft permit requirements and the supporting permit fact sheet. MPCA will continue frequent dialogue with EPA Region V permitting staff.
- MPCA staff will proceed with technical review of the air quality application and development of draft permit conditions.
- MPCA staff will continue to coordinate with the Minnesota Department of Natural Resources and the U.S. Army Corps of Engineers as needed during the 401 certification process.
- The timeline(s) for processing the applications remains unknown; it depends partly on the quality of information in the applications, whether PolyMet makes any modifications to its applications, as well as the degree of interaction with the public, EPA, and the Tribes.
- The permitting/certification process has opportunities for public input. This will include a formal public notice of the permits/certification and a public meeting(s). There are also opportunities for legal challenges following public notice and following permit/certification decisions, and we expect those to occur.

- There are important connections between the different permits requiring state and federal agencies to coordinate closely throughout the permitting process. For example, certain aspects of the MPCA water quality permit and the DNR permit to mine inform each other, requiring processing of the two permits to be closely linked.

Public Engagement

- The next quarterly update to the state's email subscription list for the project is expected in mid-April. The update will provide a summary of MPCA activities on the project during the first quarter of 2017.
- We will continue to make use of the email subscription list, the state web portal ([HYPERLINK "http://polymet.mn.gov"]), and the MPCA website ([HYPERLINK "https://www.pca.state.mn.us/northmet"]) to ensure the public has timely access to information, understands each permitting/certification process, and knows when there are opportunities for public engagement.