Message

From: Wester, Barbara [wester.barbara@epa.gov]
Sent: 6/1/2016 1:02:19 PM
To: Pelka, Amy E. [Mucha.Amy@epa.gov]; Pierard, Kevin [pierard.kevin@epa.gov]; Melgin, Wendy [melgin.wendy@epa.gov]; Swenson, Peter [swenson.peter@epa.gov]
CC: McKim, Krista [mckim.krista@epa.gov]; Burdick, Melanie [Burdick.Melanie@epa.gov]
Subject: FW: june 7 meeting between epa and mcea/mining for truth

fyi

From: Wester, Barbara
Sent: Wednesday, June 01, 2016 8:00 AM
To: 'khoffman@mncenter.org' <khoffman@mncenter.org>
Cc: McKim, Krista <mckim.krista@epa.gov>; Burdick, Melanie <Burdick.Melanie@epa.gov>
Subject: june 7 meeting between epa and mcea/mining for truth

hello kathryn – thank you for the draft agenda that you sent to krista mckim and melanie burdick in anticipation of the meeting between epa and mcea/mining for truth, which is scheduled for june 7. we have reviewed your proposed agenda and our comments are provided below.

as you may be are aware, epa provided comments on the final northmet environmental impact statement on December 21, 2015. at this point, all of the decisionmaking involved in the northmet project, including the ways in which the lead agencies for the EIS address our comments, is in the hands of other federal or state agencies who have not yet made final decisions. thus there currently are no actions for epa to review. many of the issues raised in your agenda are pre-decisional and speculative and epa is not in a position to engage in any substantive discussion of the questions you pose.

we are aware of the recent minnesota legislative changes and we are addressing those through our response to waterlegacy's pending petition seeking epa's withdrawal of the state's NPDES program. our final protocol for responding to the allegations raised in the petition is posted to our website, located at https://www.epa.gov/mn/npdes-petition-program-withdrawal-minnesota. our investigation of the allegations raised in the petition is currently ongoing.

epa is aware of which waters were identified as wild rice waters through the northmet EIS process and we are aware of minnesota's ongoing development of a sulfate water quality criterion, including the state's effort to identify those waters designated for a wild rice use, and we strongly recommend that you provide comments directly to the state so that they may be considered in the state's process.

with respect to the proposed NPDES rule changes, we cannot speculate about the implications of proposed rules to any specific action. if you have comments on the proposed rules, we recommend that you provide them to our national office. https://www.federalregister.gov/articles/2016/05/18/2016-11265/national-pollutant-discharge-elimination-system-npdes-applications-and-program-updates

during the meeting on june 7 we will be available to listen to any concerns you may have and we will do our best to convey your concerns to the agencies that have the lead responsibilites for decisionmaking on the issues you raise. we also strongly recommend that you directly engage the decisionmaking agencies on your issues and concerns.

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