UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
INSPECTOR GENERAL

June 12, 2019

**MEMORANDUM**

**SUBJECT:** Project Notification:
Hotline Complaint—EPA Review of the PolyMet Mining Company's
National Pollutant Discharge Elimination System Permit
Project No. OA&E-FY19-0217

**FROM:** Khadija Walker, Acting Director
Water Directorate, Office of Audit and Evaluation

**TO:** Cathy Stepp, Regional Administrator
Region 5

The Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA) is beginning an audit of a hotline complaint regarding Region 5's review of the PolyMet Mining Company's National Pollutant Discharge Elimination System (NPDES) permit.

The OIG's objective is to determine whether the EPA followed appropriate Clean Water Act and NPDES regulations to review the PolyMet permit approved by Minnesota and issued in 2018.

We will contact you to arrange a mutually agreeable time for a kickoff meeting within the next two weeks. At the meeting, we will discuss our objective and the purpose of our project. We would also be particularly interested in any areas of concern that you may have. We will answer any of your questions about the project process, reporting procedures, methods used to gather and analyze data, and what we should expect of each other during the project. Throughout the project, we will provide updates on a regular basis via both emails and telephone calls.

To expedite our review, we request that you please provide the following information at the kickoff meeting:

- NPDES regulations and guidance that govern the EPA's role in permit review.
- Analysis and meeting documents from all staff and management related to the review of the PolyMet permit issued in 2018, to include Region 5's written comments for the permit.

We respectfully note that the OIG is authorized by the Inspector General Act of 1978, as amended, to have timely access to personnel and all materials necessary to complete its objectives. We will request that you resolve the situation if an agency employee or contractor refuses to provide requested records to the OIG or otherwise fails to cooperate with the OIG. We may report unresolved access matters to the Administrator and include the incident in the *Semiannual Report to Congress*.

Please address any information related to the project to me at (312) 886-3106 or walker.khadija@epa.gov.

cc: Henry Darwin, Associate Deputy Administrator and Chief of Operations
Ryan Jackson, Chief of Staff
Kevin DeBell, Acting Deputy Chief of Staff
Annette Morant, Agency Follow-Up Coordinator
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