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August 2, 2016

John Linc Stine
Commissioner
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155

RE: Poly Met Mining, Inc.'s Section 401 Water Quality Certification for the NorthMet Project

Dear Commissioner Stine:

In December 2014, Poly Met Mining, Inc. (PolyMet) voluntarily withdrew its request for Water Quality Certification under Section 401 of the Clean Water Act. This withdrawal allowed sufficient time for completion of PolyMet's NorthMet Project Final Environmental Impact Statement (FEIS) and the subsequent determination of adequacy under the Minnesota Environmental Policy Act (MEPA) before MPCA was required to consider PolyMet's request for Section 401 Water Quality Certification. PolyMet's withdrawal letter indicated that PolyMet would renew its request for certification at the appropriate time.

As you know, the Final EIS was published in November 2015 and deemed adequate under MEPA in March 2016. In April 2016, Minnesota state agencies held a public informational meeting to provide an overview of the permitting process for the NorthMet Project, including the Section 401 Water Quality Certification process. The Section 401 Water Quality Certification, unlike other state permitting, concerns MEPA's consideration of whether actions described in the pending application for a Section 404 Clean Water Act permit from the U.S. Army Corps of Engineers are consistent with State water quality standards.

In light of all these developments, PolyMet is hereby renewing its request for Section 401 Water Quality Certification for its NorthMet Project. We believe that the FEIS and subsequent Section 404 documentation provides information sufficient to provide Certification and look forward to working with MPCA as it considers this request.

Because PolyMet recognizes the complexities associated with review of its Application and the voluminous supporting materials, PolyMet is submitting applications to MPCA, including this Application, pursuant to Minn. Stat. § 116.07, subd. 4d(f), as follows:

> *Permit applicants who wish to construct, reconstruct, or modify a facility may offer to reimburse the agency for the costs of staff time or consultant services needed to expedite the permit development process, including the analysis of environmental review documents. The reimbursement shall be in addition to permit application fees imposed by law. When the agency determines that it needs additional resources to develop the permit application in an expedited manner, and that expediting the development is consistent with permitting program priorities, the agency may accept the reimbursement. Reimbursements accepted by the agency are appropriated to the agency for the purpose of developing the permit or analyzing*

> *environmental review documents. Reimbursement by a permit applicant shall precede and not be contingent upon issuance of a permit; shall not affect the agency's decision on whether to issue or deny a permit, what conditions are included in a permit, or the application of state and federal statutes and rules governing permit determinations; and shall not affect final decisions regarding environmental review.*

In requesting this review, PolyMet acknowledges that, consistent with the statutory language, the reimbursement of MPCA costs will not influence the timing or nature of MPCA's ultimate permitting decision and instead is intended to ensure that MPCA can secure adequate internal and external resources to undertake its permitting obligations without unduly delaying the permitting process. The details regarding the amount and schedule of PolyMet's reimbursement to MPCA will be set forth in a separate Income Contract between PolyMet and the State of Minnesota, which will apply to the permit and certification applications submitted by PolyMet to MPCA.

Thank you in advance for your efforts to review PolyMet's request. If any questions or concerns arise during MPCA's review of NorthMet Project documentation, please do not hesitate to contact me at 218-461-7746 or ckearney@polymetmining.com.

Sincerely,

Christie M. Kearney, P.E.
Environmental Site Director

Attachments:

- November 2013 Wetland Permit Application, Version 2
- Summary of the NorthMet Project Mdoifications since Publication of the SDEIS and attached email from Jennifer Saran to Ralph Augustin (10/28/2015)

Cc: Jeff Stollenwerks, MPCA (with attachments)
Jen Oknich, MPCA (without attachments)
Kenton Spading, U.S. Army Corps of Engineers (without attachments)