Message

From: Wester, Barbara [wester.barbara@epa.gov]
Sent: 11/28/2018 4:09:05 PM
To: Melodia, Craig [melodia.craig@epa.gov]; Pierard, Kevin [pierard.kevin@epa.gov]; Holst, Linda [holst.linda@epa.gov]; Baltazar, Debbie [baltazar.debbie@epa.gov]; Bauer, Candice [bauer.candice@epa.gov]
Subject: RE: RESPONSE NEEDED NPDES/SDS permit for the Minntac Mine

if you feel you need me to participate with my indian law hat on, let me know, barbara

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From: Melodia, Craig
Sent: Wednesday, November 28, 2018 9:53 AM
To: Pierard, Kevin <pierard.kevin@epa.gov>; Holst, Linda <holst.linda@epa.gov>; Baltazar, Debbie <baltazar.debbie@epa.gov>; Wester, Barbara <wester.barbara@epa.gov>; Bauer, Candice <bauer.candice@epa.gov>
Subject: RE: RESPONSE NEEDED NPDES/SDS permit for the Minntac Mine

Kevin, I'm free tomorrow 10-2 or 3-4:30. I'm also available anytime Friday.

Thanks,

Craig

From: Pierard, Kevin
Sent: Wednesday, November 28, 2018 9:48 AM
To: Holst, Linda <holst.linda@epa.gov>; Baltazar, Debbie <baltazar.debbie@epa.gov>; Melodia, Craig <melodia.craig@epa.gov>; Wester, Barbara <wester.barbara@epa.gov>; Bauer, Candice <bauer.candice@epa.gov>
Subject: RESPONSE NEEDED NPDES/SDS permit for the Minntac Mine

Please let me know your availability on Thursday and Friday for this call. thanks

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From: Nancy Schuldt <NancySchuldt@FDLREZ.COM>
Sent: Wednesday, November 28, 2018 8:34 AM
To: Pierard, Kevin <pierard.kevin@epa.gov>
Cc: John Coleman (jcoleman@glifwc.org) <jcoleman@glifwc.org>; Esteban Chiriboga <esteban@glifwc.org>; Ann McCammon_Soltis <amsoltis@glifwc.org>; Margaret Watkins <mwatkins@grandportage.com>; Dvogt@1854treatyauthority.org; tkaspar@1854treatyauthority.org; Sean Copeland <SeanCopeland@FDLREZ.COM>; waynedupuis.fdlrez.com <waynedupuis@fdlrez.com>; Holst, Linda <holst.linda@epa.gov>; Wester, Barbara <wester.barbara@epa.gov>; Cozza, Daniel <cozza.daniel@epa.gov>; Moody, Jonathan <moody.jonathan@epa.gov>; McKim, Krista <mckim.krista@epa.gov>; Bauer, Candice <bauer.candice@epa.gov>; Baltazar, Debbie <baltazar.debbie@epa.gov>
Subject: RE: NPDES/SDS permit for the Minntac Mine

Thank you, Kevin, for the quick response; let me check with my tribal colleagues and find a few times to suggest. Today is out; half of us are at a working meeting at Mille Lacs. I'll get back to you later today.

Sincerely,
Nancy

From: Pierard, Kevin [pierard.kevin@epa.gov]
Sent: Wednesday, November 28, 2018 8:31 AM
To: Nancy Schuldt
Cc: John Coleman (jcoleman@glifwc.org); Esteban Chiriboga; Ann McCammon_Soltis; Margaret Watkins;

Dvogt@1854treatyauthority.org; tkaspar@1854treatyauthority.org; Sean Copeland; Wayne Dupuis; Holst, Linda; Wester, Barbara; Cozza, Daniel; Moody, Jonathan; McKim, Krista; Bauer, Candice; Baltazar, Debbie
Subject: RE: NPDES/SDS permit for the Minntac Mine

Nancy – Please send me some times for today, tomorrow or Friday that you are available for a call and we will get something set up.

From: Nancy Schuldt <NancySchuldt@FDLREZ.COM>
Sent: Tuesday, November 27, 2018 5:28 PM
To: Pierard, Kevin <pierard.kevin@epa.gov>; Holst, Linda <holst.linda@epa.gov>; Wester, Barbara <wester.barbara@epa.gov>; Cozza, Daniel <cozza.daniel@epa.gov>; Moody, Jonathan <moody.jonathan@epa.gov>; McKim, Krista <mckim.krista@epa.gov>
Cc: John Coleman (jcoleman@glifwc.org) <jcoleman@glifwc.org>; Esteban Chiriboga <esteban@glifwc.org>; Ann McCammon_Soltis <amsoltis@glifwc.org>; Margaret Watkins <mwatkins@grandportage.com>; Dvogt@1854treatyauthority.org; tkaspar@1854treatyauthority.org; Sean Copeland <SeanCopeland@FDLREZ.COM>; waynedupuis.fdlrez.com <waynedupuis@fdlrez.com>
Subject: RE: NPDES/SDS permit for the Minntac Mine

Kevin and all:

I appreciated seeing the comments and concerns that John Coleman submitted earlier today on MPCA's revised NPDES permit for the US Steel Minntac tailings basin. This 'updated' permit has certainly been a long time in coming, but MPCA still does not, from my perspective, adequately address the basic Clean Water Act deficiencies that we have extensively commented on – and requested consultation on – since about 2006 if I recall correctly. Additionally, Fond du Lac and Grand Portage requested an enforcement intervention on this facility back in 2011, I believe, and the Bands still have not received a response from Region 5 on how that was addressed or resolved.

We would like to request, if not formal consultation, an opportunity to discuss this proposed permit with EPA Region 5 staff and learn about the agency's perspectives on the permit conditions and the apparently institutionalized lack of compliance with state water quality standards for downstream waters. Could we schedule a teleconference for Thursday, November 29? I believe MPCA was offering the agency a 15 day review period, which ends this week. But I would still appreciate the chance to have dialog with EPA staff about the facility that represents "Ground Zero" for Minnesota tribes' effort to improve CWA regulation and enforcement on an industry that has adversely affected and degraded significant treaty protected resources.

Thank you for your consideration,
Nancy Schuldt
Water Projects Coordinator
Fond du Lac Environmental Program
1720 Big Lake Road
Cloquet, MN 55720
218.878.7110