WaterLegacy
Protecting Minnesota's waters and the communities who rely on them

PolyMet Sulfide Mine & Mine Wastes Pollution
History & Evolution of Claims Regarding Need for Long-Term Treatment[1]

The PolyMet NorthMet Draft Environmental Impact Statement (DEIS) released in October 2009 included Tribal Cooperating Agencies' Comments in its text as follows:

> "It is the position of the tribal cooperating agencies that financial assurance should be fully explored in the DEIS. This is particularly important given the potential for very long-term/perpetual treatment, maintenance and monitoring that may be needed for the Proposed Action. . . It is the position of the tribal cooperating agencies that the potential long term impacts of the project and the potential need for post closure activities would continue for hundreds or thousands of years . . . It is the position of the tribal cooperating agencies that these activities would also have to be conducted in perpetuity." (DEIS, p. 3-49)

> "Tribal cooperating agencies note that the analysis of stockpile leachate collection (Table 4.1-45) indicates that collection would be needed for 2000 years in order to avoid violations of water quality standards. Furthermore, periodic collection of wastewater from the hydrometallurgical tailings facility would have to continue in perpetuity. Therefore, it is the tribal cooperating agencies' position that the WWTF would also have to operate for a minimum of 2000 years. Tribal cooperating agencies suggest that this does not meet the Minnesota goal of maintenance free closure." (DEIS, p. 4.1-67)

> "It is the position of the Tribal cooperating agencies that the Proposed Action has a number of serious flaws that must be addressed, both from the perspective of the substantive environmental impacts of the Proposed Action and from the perspective of presenting an adequate assessment of the potential impacts that the Project may cause. These include the likelihood of structural failure at the tailings facility, the lack of structural integrity information, for the proposed stockpiles, and the need for perpetual water treatment to avoid contamination to surface and groundwater resources. . . What data is available for the mine site, suggests that water treatment would be needed for an unspecified period of time (likely centuries) in order to avoid contamination to the Partridge River." (DEIS, p. 5-2)

PolyMet Supplemental Draft Environmental Impact Statement (SDEIS) 2013:
The PolyMet SDEIS removed tribal comments about the need for perpetual water treatment from the body of the SDEIS. In addition, WaterLegacy has determined that throughout the SDEIS review process, text revisions progressively diminished or minimized disclosures about long-term pollution and long-term need for treatment.

Preliminary SDEIS released in May 2013:
Tribal comments stated that the SDEIS text "should indicate that water treatment and maintenance of permanent facilities would be required in perpetuity." The Co-Lead "Disposition" for these tribal comments dated August 19, 2013 stated as follows:

> "Text edited to reflect that the closure objective is to provide mechanical and non-mechanical treatment for as long as necessary to meet regulatory standards at evaluation

[1] The following excerpts from PolyMet NorthMet documents have been prepared by Paula Maccabee, Advocacy Director/Counsel for WaterLegacy, pmaccabee@justchangelaw.com (January 2014)

locations in groundwater and surface water. Both mechanical and nonmechanical treatment will require periodic maintenance and monitoring activities. Modeling predicts that treatment activities will be a minimum 200 years at the Mine Site and a minimum of 500 years at the Plant Site. While long-term, these time frames for water treatment are not necessarily perpetual. The owning company would be held accountable to maintenance and monitoring required under permit and would not be released until all conditions have been met." (SDEIS, pdf pages 2106, 2107, 2110, 2115, 2140, 2144, 2145 w/o ownership responsibility text 2114, 2116, 2117, 2118, 2164, 2165, 2169)

The Track Changes Draft SDEIS provided in September 2013 stated as follows:

"Both mechanical and non-mechanical treatment will require periodic maintenance and monitoring activities. Modeling predicts that treatment activities will be a minimum of 200 years at the mine site and 500 years at the plant site. While long term, these time frames for water treatment are not necessarily perpetual. The owning company would be held accountable to maintenance and monitoring required under permit and would not be released until all conditions have been met." (PSDEISV2_Track changes_DRAFT Chapt.05.02.02_ Water, p. 5-3) (Sept. 2013)

The Certification Review SDEIS provided in November 2013 stated as follows:

"The objective for closure is to provide mechanical or non-mechanical treatment for as long as necessary to meet regulatory standards at evaluation locations in groundwater and surface water. Both mechanical and non-mechanical treatment would require periodic maintenance and monitoring activities. Modeling predicts that treatment activities would be required for a minimum of several hundred years. While long-term, these timeframes for water treatment are not necessarily perpetual. The owning company would be held accountable for maintenance and monitoring required under any permit and would not be released until all conditions have been met." (Certification Review SDEIS, p. 65-7)(November 2013)

The SDEIS Released by Co-Lead Agencies in December 2013 stated as follows:

"Both mechanical and non-mechanical treatment would require periodic maintenance and monitoring activities. Mechanical water treatment is part of the modeled NorthMet Project Proposed Action for the duration of the simulations (200 years at the Mine Site, and 500 years at the Plant Site). The duration of the simulations was determined based on capturing the highest predicted concentrations of the modeled NorthMet Project Proposed Action. It is uncertain how long the NorthMet Project Proposed Action would require water treatment, but it is expected to be long term; actual treatment requirements would be based on measured, rather than modeled, NorthMet Project water quality performance, as determined through required monitoring." (SDEIS, p. ES-11, ES-24, 5-7)(December 2013)

For current statements from PolyMet and co-lead agencies regarding the need for long-term or perpetual treatment, please see the most recent statements in press or publicity materials.

To comment or express your concerns regarding long-term or potentially perpetual pollution and pollution treatment from the PolyMet open-pit sulfide mine and mine wastes, go to

http://www.waterlegacy.org/PolyMet-Comment