

# news

## Environment

# Judge recommends against key permit for NewRange copper mine, formerly known as PolyMet

Dan Kraker Duluth November 28, 2023 7:49 PM



A former iron ore processing plant near Hoyt Lakes, Minn., that would become part of a proposed PolyMet copper-nickel mine is seen. Jim Mone | AP file photo

A state administrative law judge has dealt another blow to the proposed

NorthMet copper-nickel mine by recommending that the Minnesota Department of Natural Resources deny the key “Permit to Mine” the facility needs to operate.

In a [40-page ruling](#) issued late Tuesday, Judge James E. LaFave found that the mine’s proposed method of storing reactive mine waste, by lining the mine’s tailings waste facility with a type of clay known as bentonite, “is not a practical and workable reclamation technique.”

It’s another in a string of setbacks for the proposed mining project in northeastern Minnesota formerly known as PolyMet, which was [renamed NewRange Copper Nickel](#) earlier this year after the company formed a 50-50 joint venture with the Canadian mining company Teck. PolyMet is now wholly owned by the Swiss mining and commodities giant Glencore.

The ruling from the administrative law judge, which followed a week-long contested case hearing held before the judge in March, is only a recommendation. The Minnesota DNR could still choose to issue the permit to mine, which was put on hold about two years ago by the Minnesota Supreme Court.

## Grow the Future of Public Media

MPR News is supported by Members. Gifts from individuals power everything you find here. Make a gift of any amount today to become a Member!

[Donate Today](#)

But two other major permits NewRange needs to open the mine also have been blocked by litigation. In August, the Minnesota Supreme Court [sent a key water quality permit back](#) to the Minnesota Pollution Control Agency for additional work.

And earlier this year, the U.S. Army Corps of Engineers [revoked a key federal wetlands permit](#) over concerns the project would result in pollution downstream on the reservation of the Fond du Lac Band of Lake Superior Chippewa.

“I think this is one of 1,000 cuts,” said Paula Maccabee, attorney and advocacy director for the nonprofit WaterLegacy, one of several environmental groups that along with the Fond du Lac Band challenged the permit to mine.

“It seems that every time anybody makes an independent evaluation of the PolyMet project, it comes up short. And so I think it’s time that the governor and Minnesota agencies should really step back and take a hard look at whether it’s

time to pull the plug on this project.”

A spokesperson for NewRange Copper Nickel said the company is reviewing the judge’s recommendation and evaluating its options.

The project formerly known as PolyMet is vying to become the first mine in the state to tap into a rich deposit of copper, nickel and other precious metals that stretches across a wide swath of northeastern Minnesota, that includes the eastern end of the Iron Range and extends to the Boundary Waters Canoe Area Wilderness.

Mining companies have explored the region for decades. PolyMet first submitted its plans to the Minnesota DNR in 2005, to dig an open pit mine near the town of Babbitt, and repurpose an old taconite mining facility outside the small city of Hoyt Lakes to process the ore.

The roughly \$1 billion project received state and federal approval in late 2018 and early 2019. Backers say it would provide a huge economic boost to the region, and provide metals that are needed to build electric vehicle batteries and other technologies needed to transition to a green economy.

But for years environmental groups and tribes have fought the project, arguing that this new kind of mining for Minnesota poses substantial environmental risks that threaten to pollute ground and surface water with acid mine drainage and other pollution.

“This is yet another repudiation of the permits issued to PolyMet, and should be the final nail in the coffin of this failed proposal,” said Kathryn Hoffman, CEO of the Minnesota Center for Environmental Advocacy, which also challenged the permit.

“The Minnesota DNR should heed the judge’s clear recommendation that the permit to mine be denied.”

[Minneapolis will distribute \\$8 million to help residents with ash tree removal. But there’s no relief for homeowners who’ve already had trees condemned](#)  
[East Phillips residents press regulators to close foundry](#)  
[Climate funding is in short supply. So some want to rework the financial system](#)



© 2023 Minnesota Public Radio. All rights reserved.

