



## FOR IMMEDIATE RELEASE

**Media Contact:** Paula Maccabee, WaterLegacy Executive Director & Counsel  
(cell) 651-775-7128, paula@waterlegacy.org

**POLYMET PERMIT TO MINE REVIEW PAUSED  
BY MINNESOTA DEPARTMENT OF NATURAL RESOURCES**  
*WaterLegacy States It Is Time for DNR to Deny Mine Application*

**ST. PAUL, MINN., November 25, 2024** – The Minnesota Department of Natural Resources (DNR) announced that their review of PolyMet’s copper-nickel sulfide ore permit to mine will be suspended until August 2025. This decision delays final briefing on whether the DNR should adopt Administrative Law Judge (ALJ) James LaFave’s November 2023 recommendation to deny PolyMet’s permit to mine since the proposed tailings basin storage plan would violate Minnesota’s Reactive Mine Waste Rule.

Paula Maccabee, Executive Director and Counsel for WaterLegacy, stated, “We appreciate that the DNR’s stay avoids the waste of yet more resources on a PolyMet plan that has repeatedly failed in court and is under reconsideration by its new owners and operators, Glencore and Teck Resources.” Maccabee continued, “With changed operators and an uncertain plan, it’s time for DNR to deny PolyMet’s application and send this flawed and dangerous mine project back to square one.”

The DNR’s decision is the latest step in a permit review that has seen Minnesota’s state agencies spend millions of taxpayer dollars defending permits for a copper-nickel sulfide ore mine that would neither use modern technology nor comply with the requirements of state, federal, or tribal law.

### **Background**

The PolyMet permit to mine was issued by the Minnesota DNR on November 1, 2018. WaterLegacy, other environmental groups, and the Fond du Lac Band appealed. The Minnesota Court of Appeals ruled on January 13, 2020 that the DNR was required to hold a contested case hearing, and the Minnesota Supreme Court affirmed in part on April 28, 2021, ruling that the DNR was required to hold a hearing on whether the bentonite amendment proposed by PolyMet to control pollution from tailings waste “is a ‘practical and workable’ reclamation technique that will satisfy the DNR’s Reactive Waste Rule, Minn. R. 6132.2200, subp. 2(B)(2).”

On November 28, 2023, Administrative Law Judge (ALJ) James LaFave recommended that the PolyMet permit to mine application to the DNR should be denied. The ALJ found that the bentonite amendment PolyMet proposed to control reactive tailings waste from the mine is not a “practicable and workable” reclamation technique that would satisfy

Minnesota's Reactive Mine Waste Rule. The ALJ's findings, conclusions and recommendation concluded the bentonite amendment failed this test.

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