



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

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CHICAGO, IL 60604-3590

MAY 31 2012

REPLY TO THE ATTENTION OF:

E-19J

Erik Carlson  
Minnesota Department of Natural Resources  
500 Lafayette Road  
St. Paul, Minnesota 55155-4040

Tom Hale  
U.S. Forest Service – Superior National Forest  
8901 Grand Avenue Place  
Duluth, Minnesota 55808

Tom Hingsberger  
US Army Corps of Engineers  
180 5<sup>th</sup> Street, Suite 700  
St. Paul, Minnesota 55101-1678

**Re: EPA Comments over the Underground Mining Alternative Position Paper for the PolyMet NorthMet Site**

Gentlemen:

I would like to clarify some statements in EPA's May 15, 2012 comment letter, sent by Mike Sedlacek of my staff, on the *draft Underground Mining Alternative Position Paper* ("Position Paper"), that could lead to misunderstandings. First, in our May 15 comment letter, we recommended an alternative called "open pit/underground mine" be included in the Supplemental Draft Environmental Impact Statement (SDEIS). The topic of underground mining was discussed briefly in the Draft EIS, which concluded that it would not be economically viable. In our Draft EIS comments, EPA noted that this conclusion lacked justification. The purpose of the Position Paper is to address whether underground mining is an approach that warrants detailed analysis by the co-lead agencies, or to provide a solid, defensible justification for dismissing it as an option. Let me clarify that, until the Position Paper is finalized using up-to-date information, a recommendation to develop underground mining as an alternative in the SDEIS is premature. We are, however, open to discussing the feasibility of such an alternative.

EPA retracts the following statement in our May 15 letter, "we support underground mining as the preferred mining method at the NorthMet Site." This statement was premature. The NEPA process and the Clean Water Act Section 404 permit process consider a variety of environmental, technical, and economic factors when determining what alternatives should be evaluated in detail, and when selecting the preferred alternative. Selection of a preferred alternative should be informed by the analysis to be included in the SDEIS and subsequent public comment.

EPA understands that the co-lead agencies will revise the Position Paper so that it contains updated environmental and economic data that compares costs of both pit mining and underground mining options. Please share the revised Position Paper with us for our further review.

Please feel free to contact me at 312-886-2910, or by email at [westlake.kenneth@epa.gov](mailto:westlake.kenneth@epa.gov).

Sincerely,



Kenneth A. Westlake, Chief  
NEPA Implementation Section  
Office of Enforcement and Compliance Assurance

cc: John Coleman, Great Lakes Indian Fish and Wildlife Commission  
Esteban Chiriboga, Great Lakes Indian Fish and Wildlife Commission  
Margaret Watkins, Grand Portage Band of Lake Superior Chippewa  
Nancy Schuldt, Fond du Lac Band of Lake Superior Chippewa  
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Nick Rowse, U.S. Fish and Wildlife Service  
Steve Colvin, Minnesota Department of Natural Resources  
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Brad Moore, PolyMet Corporation