



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

April 29, 2022

REPLY TO THE ATTENTION OF:
W-15J

Chad Konickson, Chief
Regulatory Division
U.S. Army Corps of Engineers
180 Fifth Street East, Suite 700
Saint Paul, MN 55101-1678

Subject: Transmittal of EPA's Clean Water Act Section 401(a)(2) Evaluation and Recommendations with respect to the Fond du Lac Band's Objection to the Proposed Clean Water Act Section 404 Permit for the NorthMet Mine

Dear Mr. Konickson:

Pursuant to Clean Water Act (CWA) Section 401(a)(2), 33 U.S.C. § 1341(a)(2), the U.S. Environmental Protection Agency Region 5 prepared the enclosed evaluation and recommendations with respect to the objection raised by the Fond du Lac Band of Lake Superior Chippewa to the U.S. Army Corps of Engineers' (Corps') issuance of a CWA Section 404 permit for the proposed PolyMet NorthMet project. I will provide a summary of EPA's evaluation and recommendations at the hearing on May 3, 2022. If you have any questions about EPA's evaluation and recommendations please feel free to contact me. I may be reached by telephone at (312) 886-6735 or by email at fong.tera@epa.gov.

Sincerely,

Courtesy Copy, original signed

Tera Fong
Division Director, Water Division

Enclosure

cc: Rebecca Graser, Army Corps of Engineers (via email)
Desiree Morningstar, Army Corps of Engineers (via mail)