

Dirk Leemkuil

From: Kevin Pylka <kpylka@polymetmining.com>
Sent: Thursday, November 17, 2011 12:09 PM
To: Dirk Leemkuil
Cc: Carol Fortman
Subject: RE: Hazardous Waste Management

Dirk,

I have the following answers to your questions as outlined in bold red. If you would like to discuss please call or email me. Once again I apologize for the delay in getting this to you.

Kevin

From: Dirk Leemkuil [<mailto:Dirk.Leemkuil@erm.com>]
Sent: Wednesday, October 19, 2011 5:04 PM
To: Kevin Pylka
Subject: Hazardous Waste Management

Hi Kevin,

I have a few questions that I'm hoping you can answer or discuss with me. Regarding hazardous waste management between the plant and mine, will PolyMet manage haz waste with appropriately trained PolyMet employees, or with a contractor or vendor? **PolyMet employees will be trained to manage hazardous and universal wastes appropriate to the type of waste they will be handling within their specific job duties. At this time it is undetermined whether a vendor or PolyMet employees would handle hazardous waste, or at what point management of the waste would transition to a contractor or vendor for off-site disposal. The level of training for hazardous wastes will depend upon the generator status upon which we will operate, which has not yet been determined.**

Have you prepared or modified your preliminary SPCC plan or is the latest version ER05, PolyMet 2007? **The SPCC plan has not been updated since preliminary version ER05, PolyMet 2007. Completion of an SPCC Plan that will allow Professional Engineer certification is not possible for the project until construction has been completed.**

Do your internal SOP's require you to prepare a Hazardous Materials Management Plan (HMMP) or something similar? If not, what regulatory citation stipulates preparation of a HHMP? **PolyMet has not yet developed any internal SOP's requiring preparation of a Hazardous Materials Management Plan. We would be preparing the appropriate management plans or similar, relevant to our proposed generator status and the amount of hazardous waste we would accumulate on site as per the rules under EPA 40 CFR 260-279, and the legal requirements for:**

**SPCC plans (EPA 40 CFR 112),
Hazard Communications Standards under MSHA Rule 30 CFR Part 47,
Emergency Response Plans (29CFR 1910.120) and
Spill Response Plans (29 CFR 1910.120 / CAA Section 112 and/or Minnesota Statute Chapter 115)**

Will the NorthMet project require you to prepare a Pollution Prevention and Response Plan per MN Statute Chapter 115E Oil And Hazardous Substance Discharge Preparedness? **No, not as per the statute as we do not expect to trigger the following thresholds: (3) persons who own or operate facilities containing 1,000,000 gallons or more of oil or hazardous substance in tank storage at any time; (4) persons who own or operate facilities where there is transfer of an average monthly aggregate total of more than 1,000,000 gallons of oil or hazardous substances to or from vessels, tanks, rolling stock, or pipelines, except for facilities where the primary transfer activity is the retail sales of motor fuels;**

Thanks,

Dirk W. Leemkuil, PG, CPG
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