



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

MAY 02 2016

Mike Kaszuba
Editor
Public Record Media
2375 University Avenue West
St. Paul, Minnesota 55114

REPLY TO THE ATTENTION OF:

Re: Federal Freedom of Information Act request EPA-R5-2016-005345

Dear Mr. Kaszuba:

Thank you for your March 29, 2016 request under the Federal Freedom of Information Act (FOIA). In that request, you asked for any and all correspondence (in written and electronic form) between EPA and staff or representatives of Congressman Rick Nolan's office regarding the proposed NorthMet Mine (PolyMet Corporation) and Twin Metals Mine during the period January 1, 2013 and December 31, 2014.

This FOIA reply covers all responsive materials from the Region 5 Office of Enforcement and Compliance Assurance (OECA). You may receive separate replies from other EPA programs.

Documents provided:

- 1) 8/4/14 email from Jim Swiderski, Congressman Nolan's legislative director, to Kenneth Westlake, EPA;
- 2) 8/5/14 email from Jim Swiderski to Kenneth Westlake, EPA;
- 3) 8/8/14 email from Jim Swiderski to Kenneth Westlake, EPA;
- 4) 8/11/14 email from Jim Swiderski to Kenneth Westlake, EPA;
- 5) 8/11/14 email from Jim Swiderski to Eileen Deamer, EPA;
- 6) 8/14/14 email from Congressman Nolan to Kenneth Westlake, EPA;
- 7) 8/14/14 email from Jim Swiderski to Kenneth Westlake, EPA;
- 8) 8/15/14 email from Richard Periman, US Forest Service, to Jim Swiderski;
- 9) 8/15/14 email from Jim Swiderski to Richard Periman;
- 10) 8/15/14 email from Douglas Bruner, US Army Corps of Engineers, to Jim Swiderski;
- 11) 8/15/14 email from Jim Swiderski to Douglas Bruner;
- ~~12) 8/15/14 email from Douglas Bruner to Jim Swiderski;~~
- ~~13) 8/15/14 email from Alan Walts, EPA, to Jim Swiderski;~~
- ~~14) 8/15/14 email from Jim Swiderski to Alan Walts, EPA;~~
- 15) 8/15/14 email from Alan Walts, EPA, to Jim Swiderski;
- 16) 8/19/14 email from Barb Naramore, Minnesota Department of Natural Resources Assistant Commissioner, to Jim Swiderski;
- 17) 11/24/14 email from Jim Swiderski to Kenneth Westlake, EPA;
- 18) 12/3/14 email from Eileen Deamer, EPA, to Jim Swiderski.

You may appeal this response to:

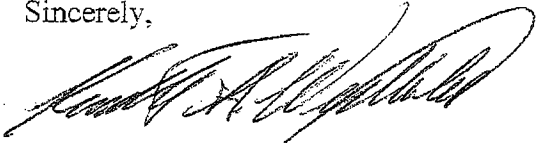
National Freedom of Information Officer
U.S. EPA, FOIA and Privacy Branch
1200 Pennsylvania Avenue, N.W. (2822T)
Washington, DC 20460 (U.S. Postal Service Only)
FAX: (202) 566-2147
E-mail: [hq.foia@\[REDACTED\]](mailto:hq.foia@[REDACTED]).

Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30-calendar-day limit. The appeal letter should include the FOIA number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

There are no billable costs associated with preparing this FOIA response, as EPA granted your request for a waiver of costs.

If you have any questions or concerns about the OCEA materials, please feel free to contact me at [REDACTED] or [westlake.kenneth@\[REDACTED\]](mailto:westlake.kenneth@[REDACTED]).

Sincerely,



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

Enclosures



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REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 05 2016

REPLY TO THE ATTENTION OF:

Mike Kaszuba
2375 University Avenue W
Suite 200
St. Paul, Minnesota 55114

Re: Freedom of Information Act Request EPA-R5-2016-005345

Dear Mr. Kaszuba:

This letter is the final response to your March 29, 2016 Freedom of Information Act (FOIA) request for any and all correspondence (in written or electronic form) between EPA and staff or representatives of Congressman Rick Nolan's office that relate to the proposed NorthMet (PolyMet) or Twin Metals mining projects during the period January 1, 2013 and December 31, 2014.

The Office of the Regional Administrator has concluded its search for records responsive to your request and uploaded those records to the FOIAonline system. You may receive separate replies from other EPA programs. You will soon receive an email from the FOIAonline system providing you a direct link to those records. If any costs are billable under the FOIA, a bill will be issued by the FOIA office.

You may appeal this response to the National Freedom of Information Officer, U.S. EPA FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), e-mail: hq.foia@epa.gov. Only items mailed through the U.S. Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, D.C. 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the request number EPA-R5-2016-005025. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

If you have any questions regarding this response, please contact Gayvonne Gary at [REDACTED].

Sincerely,

A handwritten signature in cursive script that reads "Cheryl L. Newton".

Cheryl L. Newton
Acting Deputy Regional Administrator

Enclosure(s)