

# Exhibit D

**STATE OF MINNESOTA  
IN COURT OF APPEALS**

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*In the Matter of the Denial of Contested  
Case Hearing Requests and Issuance of  
National Pollutant Discharge Elimination  
System/State Disposal System Permit No.  
MN0071013 for the Proposed NorthMet  
Project St. Louis County Hoyt Lakes and  
Babbitt Minnesota*

**DECLARATION OF  
STEPHANIE HANDELAND**

Appellate Case Nos.  
A19-0112  
A19-0118  
A19-0124

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I, STEPHANIE HANDELAND, in accordance with section 38.116 of the Minnesota Statutes and rule 15 of the Minnesota Rules of General Practice, declare as follows:

**Background**

1. My job title is Environmental Specialist 4, Permit Writer, for the Minnesota Pollution Control Agency (“MPCA”). I have been employed by MPCA since May 1995.
2. My job responsibilities have included developing and drafting National Pollutant Discharge Elimination System/State Disposal System Permit No. MN0071013 (“Water Permit”) for the Poly Met NorthMet Mine project.
3. I was involved in developing the Water Permit from the beginning of preliminary discussions in 2015 until issuance on December 20, 2018. I also participated in regular meetings and conference calls with EPA during the development of the Water Permit, including the April 5, 2018, telephone call with EPA referenced in WaterLegacy’s May 17, 2019, Motion for Transfer to the District Court or, in the Alternative, for Stay Due to Irregular Procedures and Missing Documents (“Motion”).

4. I submit this Declaration to the Court based on my personal knowledge and in support of MPCA's Response to WaterLegacy's Motion.

**MPCA Discussions With EPA**

5. EPA was by far more involved in the development of this Water Permit than it had been in any other permit I have worked on in my previous 23 years with MPCA.

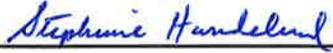
6. I participated in essentially all of the phone calls and meetings that MPCA had with EPA about the Water Permit, including the April 5, 2018, conference call between MPCA and EPA in which EPA read from its draft written comments.

7. During the April 5 call, EPA did not refer to its comments as "final" comments, but said, "These are our comments." There was nothing new or surprising in EPA's comments, all of which had been covered and discussed in previous meetings or conference calls, except for one small concern about domestic wastewater, which MPCA summarized and addressed in the fact sheet. In the April 5 call, EPA just restated all of the major concerns that EPA had raised throughout the process, all of which MPCA had already heard and taken into consideration.

8. I looked through the WaterLegacy submittal and found the notes she referenced on P. 3 as "EPA wants to make sure all things considered are available to the public." That statement was in reference to the permit application. (See WL Motion Ex. C, Page 2). The application had a number of supporting documents which were available electronically, but were not submitted with the permit application, such as water management plans and Design & Operation Reports. The EPA wanted us to make these

references or supporting documents available to the public, which we did by putting the relevant documents on the MPCA Poly Met Permit website.

Dated: May 28, 2019  
Ramsey County  
St. Paul, Minnesota

  
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Stephanie Handeland  
Environmental Specialist 4, Permit Writer  
Minnesota Pollution Control Agency