

# **EXHIBIT 228**

## Message

**From:** Christie Kearney [ckearney@polymetmining.com]  
**Sent:** 12/11/2017 1:06:13 PM  
**To:** Clark, Richard (MPCA) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fe0b3faecd44e1684ed7f7fb2985cb8-rclark]  
**CC:** Fontaine, Greg A. [greg.fontaine@stoel.com]; Keith Hanson [KHanson@barr.com]  
**Subject:** RE: PolyMet's Comments on Draft Permit and Draft Fact Sheet

Richard,

Its difficult for us to determine what you consider a “relatively straight forward” change and what will be “more difficult” or “time consuming.” Regardless, I’ve developed a table of priorities of changes, as follows:

1. Changing the wording associated with the Performance Monitoring for SO4 and Cu at WS074. Highest Priority!
2. Removing the monitoring of SO4 and Cu at SD001
3. Correcting the wording of downstream vs receiving water
4. Delete boilerplate anti-backsliding provision near beginning of permit
5. Updating the language associated with the Allowable Discharge regulation (40 CFR 440)
6. Chapter 6.12 (LCEQ and HCEQ Basin requirements)
7. Clarifications to GoldSim annual and five-year assessments
8. Changes in reporting schedules
9. Clarifications on process/schedules for various planning documents (“14 day” language)
10. Reduction of monitoring downstream of the FTB to just SO4 (Embarrass River, Unnamed Creek, Trimble Creek, Unnamed (Mud Lake) Creek)
11. Changes to facility description language, especially maps. Can live with most of the existing language if we get the paragraph about Project design and configuration can change subject to necessary approvals
12. Reduction in unnecessary constituents in the monitoring program.
13. Other changes suggested

Let me know if you have questions on this. Thanks!



**Christie Kearney**  
**Environmental Site Director**

Mobile: 218-461-7746 | Office: 218-471-2150 | Direct: 218-471-2163

[ckearney@polymetmining.com](mailto:ckearney@polymetmining.com) | [www.polymetmining.com](http://www.polymetmining.com)

*This message is intended for the sole use of the intended recipient. The message and any files transmitted with it may contain material that is confidential and/or legally privileged. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.*

Please consider the environment before printing this email

**From:** Clark, Richard (MPCA) [mailto:richard.clark@state.mn.us]  
**Sent:** Monday, December 11, 2017 8:09 AM  
**To:** Christie Kearney  
**Subject:** RE: PolyMet's Comments on Draft Permit and Draft Fact Sheet

Good morning,

There appears to be a lot of comments for us to consider – many of them look to be relatively straight forward but also several areas that may be more difficult or time consuming. To aid tomorrow’s discussion, it would

help if you could identify and prioritize the top 'subject areas' for PolyMet, considering (a) the relative importance of the issue to PolyMet and (b) your perspective on the degree of Agency management 'decision making' that may need to be involved. We should try to focus on those areas tomorrow.

If we could get that list today, that would be helpful.

Thanks!

---

**From:** Christie Kearney [mailto:ckearney@polymetmining.com]  
**Sent:** Sunday, December 10, 2017 10:06 PM  
**To:** Clark, Richard (MPCA) <richard.clark@state.mn.us>; Handeland, Stephanie (MPCA) <stephanie.handeland@state.mn.us>  
**Cc:** Greg Fontaine <greg.fontaine@stoel.com>; Keith Hanson <khanson@barr.com>  
**Subject:** Re: PolyMet's Comments on Draft Permit and Draft Fact Sheet

Due to the size of this submittal, please confirm receipt. Thank you!

Christie

---

**From:** Christie Kearney  
**Sent:** Sunday, December 10, 2017 10:05:04 PM  
**To:** Richard Clark; Stephanie Handeland  
**Cc:** Greg Fontaine; Keith Hanson  
**Subject:** PolyMet's Comments on Draft Permit and Draft Fact Sheet

Richard and Stephanie,

Attached are PolyMet's comments on the following items:

- NorthMet draft permit
- NorthMet draft fact sheet
- NorthMet draft HRF permit section (provided separately)

I am also attaching a technical memorandum associated with our position on the proposed monitoring, including a request for changes on the proposed monitoring and the technical justification for these requested changes.

Give me a call if you have questions. Thank you!

Christie