

STATE OF MINNESOTA
 COUNTY OF RAMSEY

DISTRICT COURT
 SECOND JUDICIAL DISTRICT

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, Babbitt,
 Minnesota.

Court File Number: 62-CV-19-4626

Honorable Judge John H. Guthmann

**PROPOSED ORDER RE: MINNESOTA POLLUTION
 CONTROL AGENCY’S MOTION FOR PARTIAL SUMMARY JUDGMENT
 TO NARROW AND DEFINE ISSUES FOR HEARING**

The Court, having reviewed the Minnesota Pollution Control Agency (“MPCA”) Motion for Partial Summary Judgment to Narrow and Define Issues for Hearing, and being otherwise fully apprised, hereby Orders as follows:

1. All procedural irregularities alleged at the hearing must be based on MPCA actions;
2. MPCA’s conduct in compliance with the Memorandum of Agreement entered into with EPA does not constitute a procedural irregularity; and
3. There is no requirement to supplement responses to Minnesota Government Data Practices Act requests with newly created documents, or to produce attorney notes so any failure by MPCA to do so is not a procedural irregularity.

SO ORDERED this _____ day of _____, 2020.

BY THE COURT,

U.S. District Court Magistrate/Judge

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