

EXHIBIT 1

**Deposition of MPCA Designee Jeff Udd - 10/15/2019
In the Matter of the Denial of Contested Case Hearing Requests, et al.**

1 STATE OF MINNESOTA DISTRICT COURT
 2 COUNTY OF RAMSEY SECOND JUDICIAL DISTRICT
 3 Court File No. 62-CV-19-4626
 Case Type: Civil Other/Misc.

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

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 DEPOSITION OF
 MPCA DESIGNEE JEFF UDD
 BY WRITTEN QUESTIONS

25 Taken: October 15, 2019 By Mary Piehl, B.S.Ed, RPR

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1 APPEARANCES
2 CROWELL MORING
3 1001 Pennsylvania Avenue NW
4 Washington, DC 20004-2595
5 Phone: 202.624.2905
6 Fax: 202.628.5116
7 Email: rschwartz@crowell.com
8
9 By: Richard Schwartz, Esquire
10 For MPCA
11
12 HOLLAND & HART
13 25 South Willow Street, Suite 200
14 Jackson, Wyoming 83001
15 Phone: 307.739.9741
16 Fax: 202.393.6551
17 Email: jcmartin@hollandhart.com
18 By: John Martin, Esquire
19 For MPCA
20
21 MASLON
22 3300 Wells Fargo Center
23 90 South 7th Street
24 Minneapolis, Minnesota 55402
25 Phone: 612.672.8200
Fax:
Email: evan.nelson@maslon.com
By: Evan Nelson, Esquire
For Center for Biological Diversity and
Friends of the Boundary Waters
GREENE ESPEL
222 South 9th Street, Suite 2200
Minneapolis, Minnesota 55402
Phone: 612.373.0830
Fax: 612.373.0929
Email: mmills@greeneespel.com
dwilliams@greeneespel.com
By: Monte Mills & Davida McGhee, Esquires
For PolyMet

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1 APPEARANCES - cont'g

2

MINNESOTA CENTER FOR ENVIRONMENTAL ADVOCACY

3

1919 University Avenue West

St. Paul, Minnesota 55105

4

Phone: 651.223.5969

Fax: 651.788.3886

5

Email: elarson@mncenter.org

6

By: Elise Larson, Esquire

For Center for Biological Diversity

7

8

JUST CHANGE LAW OFFICES

1961 Selby Avenue

9

St. Paul, Minnesota 55104

Phone: 651.646.8890

10

Fax: 651.646.57546

Email: pmaccabee@justchangelaw.com

11

By: Paula Goodman Maccabee, Esquire

12

For Relator Water Legacy

13

SONOSKY, CHAMBERS, SACHSE, ENDRELON & PERRY

14

1425 K Street NW, Suite 600

Washington, DC 20005

15

Phone: 202.682.0240

Fax: 202.682.0249

16

Email: mmurdock@sonosky.com

17

By: Mike Murdock, Esquire

For Fond du Lac Band of Lake Superior

18

Chippewas

19

MINNESOTA POLLUTION CONTROL AGENCY

20

520 Lafayette Road North

St. Paul, Minnesota 55155

21

Phone: 651.757.2791

Email: adonis.neblett@state.mn.us

22

katrina.kessler@state.mn.us

23

By: Adonis Alfonso Neblett, General Counsel

Operations Division

24

Katrina Kessler, Assistant Commissioner

Extern Travis Murray

25

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1 company submitted in July of 2016. They revised
2 the permit application and submitted another one
3 in October of 2017. Section 124.22, paragraph 7
4 on page 4 of the MOA states "The director may
5 assume, after verification of the receipt of the
6 application, that no comment is forthcoming if he
7 has received no response from the regional
8 administrator at the end of 20 days."

9 EPA did not provide any comments on the
10 revised permit application at the end of 20 days,
11 therefore MPCA concluded it could proceed.

12 (b) Describe MPCA's discussions with EPA in
13 2018 regarding potential amendment of the MOA to
14 reflect a procedure specific to the PolyMet NPDES
15 Permit, including for what purpose such
16 discussions and how they were resolved.

17 THE WITNESS: The MPCA is not aware of any
18 such discussions.

19 4. Since the 1974 MPA, identify every NPDES permit
20 other than the PolyMet NPDES Permit for which EPA
21 prepared written comments on the draft NPDES
22 permit, did not send the written comments and,
23 instead, read the comments aloud to MPCA.

24 THE WITNESS: The MPCA is not aware of any.

25 5. Since the 1974 MOA, identify every NPDES permit