

July 17, 2026

Mr. Craig Jones
MT Department of Environmental Quality
PO Box 200901
Helena, MT 59620-0901

Ms. Erin Fryer
Custer Gallatin National Forest
P.O. Box 130
Bozeman, MT 59771

**Re: Stillwater Mine Major Amendment 014 Joint Environmental Impact Statement –
Stillwater Mining Company Scoping Considerations**

Dear Mr. Jones and Ms. Fryer:

Stillwater Mining Company (SMC), doing business as Sibanye-Stillwater, appreciates the opportunity to provide comments during the public scoping period for the Joint Environmental Impact Statement (EIS) for Major Amendment 014 (MA 014).

SMC recognizes the significant effort the Montana Department of Environmental Quality (DEQ), the Custer Gallatin National Forest (CGNF), and the third-party contractor have invested over the past several years to reach this important milestone. The review of MA 014 has involved extensive technical evaluation, multiple rounds of application review, agency coordination, and public outreach. We appreciate the professionalism and collaborative approach demonstrated throughout this process and look forward to continuing to work with the Agencies during preparation of the EIS.

Enclosed for your consideration is *Attachment A – SMC Scoping Comments on the Joint Environmental Impact Statement for Major Amendment 014*. SMC appreciates your consideration of these comments and looks forward to continuing our collaboration throughout the environmental review process.

Sincerely,



Jen Lane
Environmental Permitting Manager
Sibanye Stillwater US PGM Operations

Cc: SMC (Corne Strydom, Heather McDowell, Randy Weimerr, Kevin Mitchum)
DEQ (Eric Dahlgren, Millie Olsen, Shanna Law)
USFS (Amy Haas, Lauren Oswald, Sarah Hill, Jen Baranovic)
GNA (Carla Nordlund, Sarah Zuzulock, Stephanie Bonucci)

ATTACHMENT A

Major Amendment 014 Scoping Considerations Joint Environmental Impact Statement

Executive Summary

Stillwater Mining Company (SMC) appreciates the opportunity to provide comments during scoping for the Joint Environmental Impact Statement (EIS) for Major Amendment 014 (MA 014, or “Proposed Action”).

These comments are intended to assist the Montana Department of Environmental Quality (DEQ) and the Custer Gallatin National Forest (CGNF) in preparing a comprehensive, balanced, and legally defensible EIS. SMC supports a thorough environmental review that appropriately evaluates both the environmental impacts and environmental benefits of the Proposed Action while recognizing the distinct statutory responsibilities of DEQ under the Montana Environmental Policy Act (MEPA) and the CGNF under the National Environmental Policy Act (NEPA).

SMC respectfully requests that the Agencies take the following comments into consideration while developing the EIS.

Distinguish Agencies' Authority and Scope in the Joint MEPA and NEPA Analysis

SMC recognizes that the joint EIS is being prepared to meet the needs of both MEPA and NEPA. Preparing a single environmental document is appropriate and promotes consistency between the Agencies' analyses. However, the EIS should also recognize the distinct statutory authorities and decision-making responsibilities of DEQ and the CGNF.

DEQ's environmental analysis appropriately encompasses the entire Proposed Action because the Agency's permitting authority under the Montana Metal Mine Reclamation Act extends across the entire operating permit area, including facilities located on both public and private lands.

While CGNF's NEPA analysis should likewise evaluate the Proposed Action within the scope of effects relevant to the Agency's decision, CGNF's decision should focus on the proposed amendment to the Stillwater Mine Plan of Operations on National Forest System (NFS) lands. Accordingly, while the joint EIS should disclose environmental effects across the entire project, the level of detail devoted to individual resources and project components should be proportional to each Agency's jurisdiction and regulatory responsibilities.

SMC respectfully requests that the EIS clearly distinguish where analyses support both Agencies' decisions. Furthermore, consistent with USDA's NEPA regulations and *Seven County Infrastructure Coalition v. Eagle County*, the EIS should reflect the CGNF's broad discretion to establish a reasonable and manageable boundary around the scope and level of detail of its analysis, which emphasizes effects relevant to its federal decision and regulatory authority on NFS lands and resources.

Purpose and Need

In addition to the Agencies' purpose and need statements, the joint EIS should also accurately reflect SMC's defined need for the Proposed Action, including the purpose, benefits, and objectives of MA 014.

In summary, MA 014 allows for the next phase of waste rock and tailings storage management to ensure continuation of existing mining operations once currently permitted and utilized facilities reach capacity. The Proposed Action is not intended to materially change mining or processing rates, workforce levels, traffic volumes, operating schedules, or the overall nature and intensity of existing mining operations.

Clear and accurate purpose and need statements will support development of reasonable alternatives and provide the appropriate framework for evaluating the Proposed Action, alternatives, and No Action Alternative.

Analytical Baseline

SMC respectfully requests that the EIS consistently use the No Action Alternative, under which MA 014 would not be approved, and SMC would continue operating and developing its existing facilities within the scope of prior agency authorizations, as the analytical baseline for defining and evaluating environmental and socioeconomic effects of MA 014.

The EIS should compare the reasonably foreseeable mine-related environmental conditions expected under the No Action Alternative, which includes continued operation and full buildout of previously authorized facilities, with the incremental environmental and socioeconomic conditions reasonably attributable to the Proposed Action. Consistent with USDA's NEPA regulations and *Seven County Infrastructure Coalition v. Eagle County*, the analysis should focus on effects caused by the mine-related actions under review and relevant to the Agencies' respective decisions, rather than effects of separate actions, projects, or broader regional changes outside their regulatory authority. The purpose of the EIS is to compare the reasonably foreseeable environmental conditions that would occur under the No Action Alternative with those that would occur under the Proposed Action and reasonable alternatives.

Because the Stillwater Mine has operated under valid federal and state authorizations for more than forty years, the mine's existing facilities, previously approved disturbances, and the environmental conditions resulting from those previously authorized activities provide the proper context for comparing, defining, and evaluating any additional effects associated with MA 014. In summary, the environmental analysis should focus on the incremental differences between the No Action Alternative, which reflects continued operations under existing authorizations, and the Proposed Action rather than comparing the Proposed Action to pre-development, pre-mining, or other historical conditions that no longer represent the approved operating environment.

Alternatives Analysis

SMC supports an alternatives analysis focused on alternatives capable of meeting the Agencies' purpose and need while also satisfying SMC's underlying project needs and objectives.

Alternatives carried forward for detailed evaluation should:

- be technically feasible, economically feasible, operationally practicable, and meet the same objectives as included in the Proposed Action;
- be capable of implementation before existing facilities reach capacity;
- be within each Agency's respective authority and meet their purpose and need statements.

SMC has already completed extensive engineering, environmental, and operational evaluations of alternative waste management strategies during project planning. The

EIS should build upon that work and avoid detailed analysis of alternatives that cannot reasonably satisfy the project's objectives.

Critical Minerals

The Stillwater Mine is the principal domestic producer of platinum group metals.

Platinum and palladium are designated critical minerals and play an essential role in national defense, transportation, manufacturing, energy technologies, emissions control, and numerous strategic industrial applications.

If approved, MA 014 could allow continued mining operations for approximately forty-two additional years. Without approval of MA 014 and the additional waste management capacity, mining would likely cease around 2030.

The EIS should recognize the national importance of maintaining a secure domestic supply of platinum group metals and evaluate these public benefits alongside environmental considerations.

Rehabilitation of Lower Nye Creek

The proposed relocation of Lower Nye Creek provides an opportunity to rehabilitate a stream reach that has been altered by historic mining and recreational activities.

Currently, Lower Nye Creek flows through historic chromite tailings, includes approximately 369 feet of culverted channel, and terminates in confined trout ponds, constructed in 1979, rather than flowing into the Stillwater River.

Under the Proposed Action, the creek would be relocated away from the historic tailings, the culverted reach would be removed, and the stream would be reconnected to the Stillwater River, restoring fish passage and reducing the potential for continued erosion of historic chromite tailings.

The Proposed Action incorporates a sinuous channel design exceeding the minimum design necessary for permitting to provide greater channel complexity and improved aquatic habitat.

Conversely, under the No Action Alternative, the existing altered condition of Lower Nye Creek would remain. The creek would continue to flow through the historic chromite tailings area, the culverted reach would remain in place, and the stream would

continue to terminate at the trout ponds without reconnecting to the Stillwater River. Consequently, the environmental restoration and fish passage benefits associated with the Proposed Action would not occur.

The EIS should fully evaluate these beneficial environmental effects under the Proposed Action and clearly compare them with the No Action Alternative.

Project Scale and Disturbance

The EIS should accurately characterize the overall scale of MA 014.

The existing Stillwater Mine Operating Permit and Plan of Operations encompass approximately 3,344 acres across the Nye, Hertzler Ranch, and Benbow project areas.

MA 014 would increase the approved operating permit boundary on private and NFS lands by 14.1 acres, a 0.4% increase. Separately, the expanded permit boundary on private lands represents a 0.34% increase of the proposed 3,358.1-acre permit boundary, while the increase on NFS lands represents a 0.075% increase.

Similarly, MA 014 would add 137.6 acres to the approved disturbance area, from 1,233.7 acres to 1,371.3 acres. This represents a 7.7% increase in approved disturbance on private and a 2.3% increase in approved disturbance on NFS lands. As described above, the vast majority of additional MA 014 acreage would be on private land owned by SMC.

Although MA 014 includes continued availability and use of the existing water-treatment facilities at the Benbow Portal through the life of the Stillwater Mine, it does not propose any additional disturbance at Benbow. The EIS should clearly distinguish between continued use of existing, previously authorized facilities under the Proposed Action versus new surface disturbance, construction, and infrastructure under the No Action Alternative. Under the No Action Alternative, the existing water-treatment facilities at Benbow would be decommissioned, removed, and the area reclaimed, only to be potentially rebuilt in the future to accommodate future water management needs.

Presenting these acreage distinctions is important to accurately characterize the scale of the Proposed Action and improve public understanding. The analysis should clearly identify the limited increase in the overall permit and Plan of Operations boundary, distinguish private-land disturbance from disturbance on NFS lands, and recognize that the vast majority of the proposed disturbance would occur at the privately owned Hertzler Ranch rather than on federally managed land.

Socioeconomics

The Stillwater Mine has been a strategic and important contributor to the economy of south-central Montana for over forty years.

MA 014 would provide additional waste management capacity necessary to continue existing operations beyond 2030.

If approved, MA 014 could allow mining to continue for approximately forty-two additional years. Without approval, mining would likely cease around 2030.

Accordingly, the EIS should evaluate socioeconomic consequences of the No Action Alternative, including potential effects on employment, local businesses, public services, schools, county revenues, contractors, and surrounding communities.

The Proposed Action does not require or propose reopening the West Side of the Stillwater Mine, which is currently in care and maintenance. However, MA 014 also does not restrict SMC's ability to return the West Side to operation, consistent with applicable permits, approvals, and future regulatory requirements. The EIS should not assume that approval of MA 014 would permanently limit SMC to its current internal operating configuration as observed today.

Conclusion

SMC appreciates the Agencies' continued collaboration throughout development of MA 014 and preparation of the EIS.

SMC respectfully requests that the EIS:

- reflect the distinct statutory responsibilities of MEPA and NEPA;
- recognize SMC's need for MA 014, including the purpose, benefits, and objectives;
- use the No Action Alternative as the analytical baseline;
- focus detailed alternatives analysis on technically and economically feasible alternatives which will also fulfill SMC's objectives;
- highlight the critical nature of PGMs and the fact that SMC provides the only domestic supply of that metal;
- recognize the environmental restoration benefits associated with Lower Nye Creek;

- recognize the environmental benefit of maintaining existing water management infrastructure at Benbow vs. potential need to re-create at some point in the future;
- accurately characterize the limited increase in project disturbance;
- distinguish between private-land and NFS-land impacts; and
- fully evaluate the long-term socioeconomic importance of continued mining operations.

SMC looks forward to continuing to work collaboratively with DEQ, CGNF, and the third-party contractor throughout preparation of the Draft EIS.

References

- Major Amendment 014 Application, June 2026.
- MA 014 Scoping Presentation, July 7, 2026.
- 42 U.S.C. §§ 4321–4336h.
- 7 CFR Part 1b.
- 36 CFR Part 228.
- Montana Metal Mine Reclamation Act, Title 82, Chapter 4, Part 3, MCA.
- Hard Rock Mining and Exploration, Title 17, Chapter 24, Subchapter 1, ARM.
- Montana Environmental Policy Act, Title 75, Chapter 1, MCA.
- Montana Environmental Policy Act Rules, Title 17, Chapter 4, Subchapter 6, ARM.
- *Seven County Infrastructure Coalition v. Eagle County*, 605 U.S. 168 (2025).