

## General information

**Public comment period begins:** January 20, 2023  
**Public comment period ends:** February 21, 2023  
**Current permit issued:** December 1, 2011  
**Current permit expiration date:** November 30, 2016

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to reissue this permit for a term of approximately five years.

**Name and address of Permittee:**

Cliffs Erie LLC  
PO Box 900  
Hoyt Lakes, MN 55750-0900

**Facility name and location:**

Cliffs Erie-Taconite Harbor Dock  
8124 W Highway 61  
Schroeder, MN 55613  
Cook County  
T058N, R05W, Section 001

**MPCA contact person:**

Courtney Sullivan  
Industrial Division  
Minnesota Pollution Control Agency  
525 Lake Ave South, Suite 400  
Duluth, MN 55802  
Phone: 218-302-6667  
Email: [courtney.sullivan@state.mn.us](mailto:courtney.sullivan@state.mn.us)

File manager phone: 651-757-2728 or  
844-828-0942

A draft permit is available for review on the MPCA Public Notices webpage at <http://www.pca.state.mn.us/publicnotices>. Additional materials relating to the issuance of this permit are available for inspection by appointment at any MPCA office (<https://www.pca.state.mn.us/about-mpca/mpca-offices>) between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The MPCA will mail or email a copy of the draft permit upon request. Comments, petitions, and other requests must be received at the MPCA in writing on or before the public comment period end date and U.S. Mail comments must be received by 4:30 p.m.

**Watershed:** Lake Superior - North

**Receiving water:** Lake Superior Shoreline - Class 1B, 2A, 3, 4A, 4B, 5, 6 water

## Description of permitted facility

Cliffs Erie LLC is the responsible party for the (inactive) Taconite Harbor Dock and Closed Ash Landfill site located at 8124 West Highway 61, Schroeder Township, Cook County, Minnesota. The former activity at this site consisted of rail car unloading, transfer, storage and bulk ship loading of taconite pellets, limestone stockpiling and electrical power generation (which still occurs, but under different ownership) utilizing coal. The power plant and associated coal pile are located in the northeast of the site, and currently owned and operated by Minnesota Power, under the original NPDES/SDS permit issued when the site was engaged in its former activity. Coal ash is a waste product of power production and was landfilled at this site.

The Taconite Harbor Dock & Closed Ash Landfill facility is 428.3 acres. Of this approximately 25% or 110 acres is or was engaged in an industrial activity. The site extends from the shore of Lake Superior, angling towards the northwest. It covers nearly all of the S1/2 of Sec. 2, T58N, R5W; most of the E1/2 of Sec 11, T58N, R5W, and the S1/2 of the triangle forming the landlocked portion of S.12, T58N, R5W. The Closed Ash Landfill is located in the center of the S1/2, S.2, T58N, R5W.

The former Dock Water Sedimentation Basin System (Sedimentation Ponds A & B and the Clear Water Basin), Dock Dust Suppression System, and Dock Wash Water System are completely inactive. There are no discharges into or out of Sedimentation Ponds A & B or the Clear Water Basin, which were an active part of the treatment system for the former ore dock operations. The Taconite Ore Loading Dock is inactive and has been cleaned. The Dock's twenty-five stormwater drains have been unplugged (during former operations water from the stormwater drains was routed to the Dock Water Sedimentation Basin System) and stormwater from the Ore Loading Dock is allowed to discharge directly to Lake Superior.

This permit authorizes the discharge of stormwater associated with past industrial activity and may contain minor amounts of residual taconite iron units (pellets, pellet chips & fines) scattered throughout the site and remainders of limestone stockpiles as a result of past operations; as well as windblown coal fines from the adjacent Minnesota Power Taconite Harbor Energy Center Power Plant. The majority of the stormwater is conveyed to Lake Superior via a 72-inch diameter stormwater culvert, regulated as Surface

Discharge station (SD) 001. The Permittee has established a system of berms, ditches, and drainageways to convey stormwater contacting areas of previous industrial activity towards the sedimentation ponds and the 72" storm culvert. Stormwater drainage from the closed ash landfill area is routed through a series of four sedimentation ponds (sedimentation ponds 1-4). Sedimentation pond 3 discharges into sedimentation pond 4 which in turn discharges into the 72" storm culvert which discharges into Lake Superior.

In the near center of the site is the closed coal ash landfill. Leachate from the closed coal ash landfill is collected and discharged into a leachate collection pond, located immediately to the east of the closed landfill. The permittee conducts influent analysis of pollutant levels for various minerals and metals (waste stream station WS 001). Flow volume into the pond is not monitored, but is estimated to average approximately 2,880 gallons per day (gpd) [pumping rate of ~2 gallons per minute (gpm)] and an ~ maximum rate of 15,120 gpd (pumping rate of ~10.5 gpm) based on visual observations.

Periodically, the volume is pumped from the leachate pond and transported off-site to the city of Grand Marais' wastewater treatment facility (POTW).

There are eight ground water monitoring wells; wells GW 002, 003, 004, 005, 006, and 007 are located downgradient of the landfill and the leachate collection pond. GW 001 (Aldinger Well at a private residence) is a control well used as background and is located to the north across the property line. Its location ensures that it is unaffected by the landfill or leachate collection pond. GW 008 is located to the east of the landfill and north of the leachate collection pond. All other wells are south and east of the closed landfill, consistent with ground water flow patterns. Well GW 004 is 150 feet downgradient of the closed landfill and GW 003 is in the same general area. GW 002 is adjacent to the leachate collection pond, and 50 feet downgradient of the landfill with respect to general groundwater flow. Wells GW 005, 006, and 007 are further downgradient of both the closed landfill and the leachate collection pond; GW 005 being 900 feet downgradient.

The preliminary determination to reissue this Wastewater permit is tentative.

## Procedure for public participation

As stated in Minn. R. chs. 7000 and 7001, there are three formal procedures for public participation in the MPCA's consideration of this matter. Interested persons may:

- (1) Submit written comments on the draft permit.
- (2) Petition the MPCA to hold a public informational meeting.
- (3) Petition the MPCA to hold a contested case hearing.

## Submitting written comments

Comments may be submitted:

- 1) Online at <http://www.pca.state.mn.us/publiccomments>; or
- 2) By U.S. postal mail to the following address:  
Minnesota Pollution Control Agency  
c/o Courtney Sullivan  
525 Lake Ave South, Suite 400  
Duluth, MN 55802

Submitted comments or petitions must state:

- 1) Your interest in the permit application or the draft permit.
- 2) The action you wish the MPCA to take, including specific references to the section of the draft permit you believe should be changed.
- 3) The reasons supporting your position, stated with sufficient specificity as to allow the MPCA to investigate the merits of the position.

## Public informational meeting

A public informational meeting is an informal meeting during which interested persons can ask questions concerning the proposed facility. MPCA staff will be present to provide information. If an interested person would like the MPCA to hold a public informational meeting, the person should include all information identified above and in addition include a statement of the reasons the person desires the MPCA to hold a public informational meeting and the issues that the person would like the agency to address at the public informational meeting.

## Contested Case Hearing

A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding

issues of fact. As described in Minn. R. 7000.1800, persons who submit petitions for a contested case hearing must also state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (which may be in the form of proposed findings) supporting an MPCA decision to hold a contested case hearing. Failure to comply with these rules exactly may result in a denial of the request. To the extent known, the petitioner may also submit a list of prospective witnesses to be called at a hearing, a proposed list of publications, references, or studies to be introduced at a hearing and the approximate time required for the petitioner to present the matter at a hearing. The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900.