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The “scrapyard” or “Metal salvage facilities” which we prefer “recycled materials industry” truly supports the goal of addressing per- and poly- fluoroalkyl substances (PFAS) contamination and holding accountable manufacturers and heavy users of these compounds. However, we are concerned that the MPCA’s Remediation Division Draft PFAS Guidance is assigning liability to passive receivers of these materials, such as the Recycled Materials Industry, would in effect deter recycling of certain products with no reasonable alternative.

The reality is that these passive recipients will be much better positioned to work with MPCA to mitigate, and hopefully eliminate the introduction of PFAS into the ecosystem. The Recycled Materials Industry is such a passive receiver of materials that contain PFAS. In the simplest terms, the recycled materials industry is transforming end of life products into new and useful products for consumers and the common good. We manufacture steel beams utilized in the construction of essential infrastructure like hospitals, bridges, and schools. Additionally, our products are transformed into plumbing fixtures, siding, and foundational components for residential structures. Our contribution is integral to the development of new roadways within our nation from the rebar we produce. Furthermore, our operations result in an impressive 90% reduction in carbon emissions compared to extracting raw materials from the Earth to replace recycled resources. At its essence, the Recycled Materials Industry already mitigates products containing PFAS from entering the ecosystem by the very nature of producing raw materials and keeping those “discarded products” from entering landfills,

Again, recognizing the significance of addressing PFAS as a vital, long-term issue requiring effective solutions, we respectfully request a reconsideration of your stance on two specific matters presented in the PFAS Guidance document:

- We have been categorized among PFAS generators or users of PFAS-related products as an integral part of the manufacturing process. We do not employ PFAS in any of our facility operations. We kindly ask that “scrapyards” and “metal salvage facilities” be excluded from this section and reclassified as potential pass-through entities. This would also be consistent with the IRTC Section 2.6 document the MPCA references (page 6, section 2.6.3 see attached and highlighted)
- On page 3 the recycled materials industry, specifically “scrapyards” and “metal salvage facilities”, are depicted as solid waste facilities. Our current classification does not align with the designation of solid waste facilities according to existing regulations.

PFAS release from solid waste facilities (including municipal solid waste landfills, legacy disposal sites, scrap yards, metal salvage facilities, and unpermitted dumps) is associated with the handling and disposal of PFAS-containing industrial waste or products. Solid waste facilities associated with PFAS-containing industrial waste, sludge, site mitigation waste, and consumer waste and septage are therefore of concern when identifying sources of PFAS.

We genuinely appreciate your commitment to collecting feedback from the public, businesses, and governmental agencies. Please do not hesitate to contact us if you have any further questions or require additional information.

Thank you for your attention to this matter.

Respectfully,

Neil Byce

Grant VanWyngeeren