

Grant Johnson
President



Ronald Johnson
Vice President

Valentina Mgeni
Secretary

Michael Childs Jr.
Treasurer

Constance Campbell
Assistant Secretary/Treasurer

August 28, 2024

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155

VIA ONLINE COMMENT SUBMISSION

RE: Comments of the Prairie Island Indian Community
Draft National Pollution Discharge Elimination System Permit
3M Chemical Operations Cottage Grove Facility

To the Minnesota Pollution Control Agency:

The Prairie Island Indian Community (“Community”) offers the following comments to the draft National Pollution Discharge Elimination System Permit (“NPDES”) wastewater permit for the 3M Chemical Operations manufacturing facility in Cottage Grove:

- In the special conditions section, it says the Permittee “...shall analyze for all PFAS believed to be present (including but not limited to the compounds identified in this permit) in all water required to be monitored at all locations in this permit.” Has the Minnesota Pollution Control Agency (“MPCA”) or 3M compiled a comprehensive list of PFAS believed to be present? Will the existing testing regimen detect PFAS compounds beyond the primary 6? Will the treatment system effectively remove these contaminants?
- The removed contaminated material remains a concern from an environmental justice perspective. Material extracted during the treatment process will pose a threat to the environment and those along transport routes and where it is ultimately stored or destroyed.

- Roughly 20 years is an exceedingly long time for a permit to be extended considering progressively revealing science exposing the dangers and ubiquity of PFAS. While the most recent permit seems, to a reasonable degree, to address treatment of known, existing primary PFAS chemicals of concern at the 3M Cottage Grove facility, decades of impact has already affected the people and environment of our Community, Minnesota, and abroad. The true extent and nature of those effects may never be fully understood. If the process of updating permits does not allow for reasonable expedience and decision-making based upon the best available science, the process is restrictively slow and warrants revision. It should not take multiple decades to achieve a truly protective permit. The timeline for arriving at this partial solution to the PFAS issue at the 3M Cottage Grove facility is inconsistent with both the MPCA's mission and stated outcomes, and does not demonstrate an effective regulatory process.

MPCA Mission:

“Working with Minnesotans to protect, conserve and improve our environment and enhance our quality of life.”

MPCA Statewide Outcomes:

*“Pollution Control supports the following statewide outcome(s).
A clean, healthy environment with sustainable uses of natural resources.”*

- If the MPCA feels that existing statutory and regulatory authority is too restrictive to enable MPCA to effectively safeguard the health and environment of Minnesota and all its communities, the agency should engage with and petition leadership, legislators, and the public to enact sufficient change necessary to equip the agency with the proper tools to fulfill its mission and meet stated desired outcomes.
- What lessons were learned in the last two decades responding to the PFAS issue that will improve the agency's response to future threats?
- With respect to the above and emerging contaminants, the precedent of being reactive and not proactive ultimately enables putting profits before people and the environment. It is an unsustainable model that affects the many and financially benefits the few. The people of Minnesota would benefit from a more extensive and restrictive vetting process before a chemical sees widespread use. Recognizing that many useful products have been developed with the use of PFAS compounds, how those benefits balanced against the real but often hidden costs of using these chemicals? The benefits and consequences are often felt inequitably. Without meaningful change in this regard, PFAS may merely join the growing ranks of countless chemicals for which we have collectively done too little, too late.

The Community appreciates the Minnesota Pollution Control Agency's consideration of these comments on the draft NPDES Permit for 3M's Cottage Grove facility.

If you have any questions, please contact Henry Stelten, our Community's Non-Point Source Pollution Coordinator, at 651-381-3454 or henry.stelten@piic.org.

Pidámaya (Thank you),

A handwritten signature in blue ink, appearing to read 'G. Johnson', is positioned above the printed name.

Grant Johnson
Tribal Council President