

Rebecca and Jim Myerly

RE: U.S. Steel Keetac Mine and Tailings Basin Permits (MN0031879 and MN0055948) and Application for Variance

Dear Minnesota Pollution Control Agency Staff,

Having lived on the St Croix River for a decade and previously on a lake for over three decades, both being bodies of water extremely vulnerable to pollution from upstream sources, we know the vital importance of having established effective standards for pollution control and regulated enforced monitoring to protect humans, creatures, and all creation downstream from the source of pollution.

With this background and awareness of the U.S. Steel Keetac Mine and Tailings Basin Permits, we affirm the Minnesota Pollution Control Agency's proposal to reissue wastewater (NPDES/SDS) permits for the Keetac Mine Area (MN0031879) and Tailings Basin Area (MN0055948). These permits will require compliance with Minnesota's wild rice sulfate standard. The 10 parts per million (mg/L) standard is clearly stated in the permits as a 14 mg/L monthly average and a 24 mg/L daily maximum. We also agree with MPCA's proposal to deny U.S. Steel a variance based on requirements in Minnesota law and federal regulations.

Together with WaterLegacy, we believe that MPCA can and should strengthen the proposed Keetac permits because:

1. Enforcement of Minnesota's sulfate standards would not be required until April 30, 2030. From 2011 through 2016, MPCA already went through a planning, study, and testing process for Keetac sulfate reduction water quality treatment. There is no need to start over. The U.S. EPA, in September 2024, told MPCA that more delay for compliance with the wild rice sulfate standard would not be appropriate. The new owner of U.S. Steel, Nippon Steel, has promised \$11 billion in capital upgrades in order to increase U.S. Steel profits to \$1.7 billion per year. Keetac sulfate treatment should be included in those upgrades.
2. MPCA's draft Keetac permits do not include protection of groundwater which is required under state law. The permits have no groundwater monitoring locations and don't disclose how much polluted wastewater is seeping into groundwater, particularly from the tailings basin.
3. MPCA's draft Keetac permits do not adequately protect aquatic life. MPCA permits let Keetac wait three years before even starting to test if its discharge is toxic to aquatic life. No justification is given for this delay. The permits only require biological assessments "once every five years" with no date to start the testing. Since there is no testing, there are also no limits on pollution (salts and ions) that kill sensitive aquatic life.
4. MPCA's draft Keetac permits add mercury monitoring at discharge points, but

do not require monitoring for mercury in surface water. Downstream waters are impaired for mercury in fish. Sulfate pollution increases mercury released from sediments to water and mercury bioaccumulation in the food chain.

We ask the MPCA to strengthen the Keetac permits in these four ways for the protection and wellbeing of all downstream from the Keetac mine and tailings basin in addition to enforcing the wastewater permits established in 2011 and denying U.S. Steel a variance for this site.

Thank you.

Sincerely,
Rebecca and Jim Myerly