

Jena Mertz, Owner of Giant (Jena Mertz)

I am writing as a Duluth business owner who works closely with the mining industry and its supply chains. My business, like many others in our region, work closely with Minnesota's mines and the thousands of jobs they support. Because of this, I have a vested interest in the outcome of the draft NPDES permits MN0055948 and MN0031879 for U.S. Steel Keetac.

While I, like most Minnesotans, care deeply about protecting our environment, I am concerned about the Minnesota Pollution Control Agency's (MPCA) sulfate water quality standard of 10 mg/L for wild rice waters and its consequences for the Iron Range, Duluth, and communities across the state. MPCA was directed in 2011 to review and update this standard but has not done so. In the meantime, the outdated 10 mg/L standard places enormous strain on industries, local governments, and businesses like mine that depend on a reliable mining economy.

The 10 mg/L sulfate standard does not reflect modern science. Wild rice health depends on many factors—water depth, fluctuations, predation, and competing vegetation—not simply sulfate levels. In fact, wild rice has been documented thriving in waters with sulfate concentrations up to 1,600 mg/L and beyond. A standard that ignores these realities is unworkable and sets businesses and communities up for failure. Compliance with this limit is not only unattainable but also comes at great economic cost with no guarantee of protecting wild rice.

The compliance schedule in the draft Keetac permits is far too short. No commercially proven, cost-effective sulfate treatment technologies exist today. Rushing compliance risks forcing untested methods that create more problems—such as increased waste needing disposal, higher energy use, and greater greenhouse gas emissions. A longer schedule, or a variance, is necessary to allow time for research, regulatory review, and development of real solutions that both protect the environment and sustain Minnesota jobs.

The permits require sulfate compliance at every Keetac outfall, even though they all discharge to the same water body. A single downstream compliance point would both protect wild rice and reflect the true nature of the discharge. Denying Keetac's request to combine compliance points ignores the facts on the ground and creates unnecessary burdens.

U.S. Steel has submitted site-specific standard (SSS) requests for Hay Lake, following MPCA's own guidance, yet these were dismissed or left unacted upon. Keetac has discharged into Hay Lake for nearly 60 years, during which wild rice has continued to grow. Ignoring this evidence undermines the credibility of the permitting process and disregards the reality of site conditions.

As a business owner whose employees and customers are connected on a strong mining industry and supply chain, I urge the MPCA to:

Refrain from including sulfate limits in Keetac's permits until a modern, science-based standard is established.

If sulfate limits remain, modify the permits to use a single downstream compliance point and extend the compliance schedule to a realistic timeframe.

Abide by the 2011 law and update the sulfate standard using sound science and site-specific data.

The decisions made in these permits will not only impact Keetac, but also ripple across Duluth, the Iron Range, and Minnesota's entire economy. Please give this issue the thoughtful consideration it deserves.

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