

Submitted via MPCA's Online Comment Form

September 3, 2025

Minnesota Pollution Control Agency
Stephanie Handeland – Industrial Division
Ian Babson – Environmental Analysis and Outcomes Division

Re: Variance Denials for U.S. Steel Keetac – Minnesota's 10 mg/L Sulfate Standard

Dear Ms. Handeland,
Dear Mr. Babson,

I am writing on behalf of my colleagues and myself, as residents of Hibbing and citizens whose family and livelihoods are tied to the Iron Range. We care deeply about the natural environment of northern Minnesota and want to see it protected. At the same time, we want to ensure that permitting decisions like this are looked at properly, that everyone involved has their voice heard, and that the outcomes are equitable for both the environment and the communities that depend on mining.

1. Statement of Interest

As Iron Range residents, our families and communities depend directly on the stability of mining operations. We have a personal interest in ensuring that permitting decisions balance environmental protection with the long-term well-being of our communities.

2. Requested Action

We respectfully request that MPCA reconsider its preliminary decision to deny Keetac's variance requests under the sulfate standard, and instead grant a variance or develop an alternative site-specific path forward. Specifically, we ask MPCA to revisit its determinations regarding:

- Substantial and widespread economic and social impacts of compliance, and
- The role of human-caused and legacy conditions contributing to sulfate levels.

3. Reasons Supporting Our Position

Our concerns include economic impacts, enforcement timing, legacy contributions, cultural balance, ripple effects, precedent-setting risks, and current wild rice conditions. To that end, we ask MPCA to answer the following questions in the final record with evidence, data, and explanation of methods used:

a. Economic Impacts & Export Viability

The Minnesota Department of Revenue estimated pellet production costs at \$49.05 per ton of pellets in 2021. Adjusted for inflation using the U.S. Producer Price Index for iron and steel (which increased from 250.67 in December 2021 to 269.16 in July 2025), the equivalent cost today is approximately \$52.70 per ton. MPCA projects that enforcing the 10 mg/L sulfate standard would add \$17.50–\$20.00 per ton of pellets produced, representing a 33–38% increase in production cost. This represents a significant burden, not a minor one. What analysis did MPCA conduct to determine that such a substantial increase would not constitute a widespread economic impact? Please identify the data sources, economic models, or

assumptions MPCA used, and explain how the agency accounted for impacts on export competitiveness, jobs, community donations, and regional economic stability.

b. Enforcement Timing – “Why now?”

The sulfate standard has existed since the 1970s, but for decades, it was not enforced as a strict numeric limit. What new peer-reviewed scientific evidence or regulatory analysis supports MPCA’s decision to begin strict enforcement now? If no new scientific findings exist, what policy or advocacy considerations led MPCA to shift its enforcement posture, and why does the agency consider those sufficient to justify enforcement at this time? Please cite the specific studies, reports, or policy directives relied upon.

c. Legacy Mining Contributions

Sulfate loading in northern Minnesota waters is influenced not only by current discharges but also by legacy mining activities dating back to the 1880s. What analysis did MPCA conduct to separate sulfate contributions from historic waste rock and stockpiles versus current operations at Keetac? What methodology, sampling data, or modeling was used to apportion responsibility, and how will MPCA ensure that Keetac’s compliance target reflects only its modern contributions rather than cumulative historic conditions?

d. Cultural Balance

MPCA highlights the cultural and spiritual significance of wild rice to Native communities, which we acknowledge and respect. How does MPCA weigh this significance against the cultural significance of mining to Iron Range families, who have built communities around mining for more than 130 years? What framework, criteria, or consultation process does MPCA use to balance competing cultural values when they are both central to Minnesota’s identity?

e. Community Ripple Effects

Variance decisions have impacts beyond mining facilities. What assessment did MPCA perform to evaluate ripple effects on loggers, contractors, suppliers, charities, recreational groups, and professional services that depend on mining stability? If these broader community impacts were excluded from the variance analysis, why were they excluded, and what steps will MPCA take to remedy this omission? Please provide documentation of any social or economic impact assessments conducted.

f. Precedent for Other Facilities

Does MPCA acknowledge that denying Keetac’s variance will establish a precedent for similar actions at Minntac, United Taconite, municipal wastewater facilities, paper mills, and agricultural operations? If so, what statewide analysis has MPCA conducted to evaluate the cumulative economic and social consequences of applying the 10 mg/L standard uniformly across these sectors? Please identify the modeling, projections, or studies on which MPCA relies.

g. Current Wild Rice Conditions in Hay Lake

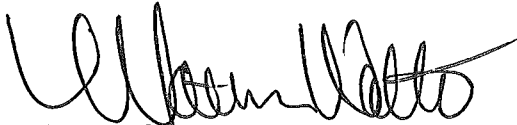
Wild rice is the primary resource that the 10 mg/L sulfate standard is intended to protect. Yet, in a September 3, 2025 Mesabi Tribune article, United Steelworkers Local 2660 President Jake Friend stated that the wild rice crop on Hay Lake is “very healthy this year.” What site-specific evidence does MPCA rely upon to support its

conclusion that Keetac's discharges are harming wild rice in Hay Lake, given this observation of healthy stands despite years of sulfate discharges above 10 mg/L? Please provide monitoring data, field studies, or scientific analyses specific to Hay Lake that demonstrate measurable harm.

Conclusion

For these reasons, we urge MPCA to reconsider its preliminary denial of Keetac's variance requests. We are not asking for weaker environmental protections; we are asking for permitting decisions that are fair, balanced, and science-based—decisions that take into account both ecological and human realities. A variance is not a waiver of environmental responsibility; it is a regulatory tool meant for circumstances like this, when strict compliance is not feasible, would impose widespread social and economic costs, and when cumulative human-caused factors beyond a single permittee's control prevent attainment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Matthew Walto', with a stylized, cursive script.

Matthew Walto
Hibbing, MN

(On behalf of the following co-signers)

Co-signers:

Robert Crowe, Hibbing, MN

Austin Dusek, Hibbing, MN

John Reed, Hibbing, MN