



Challenging the Morality of the Year 2011 Changes Being Proposed for Minnesota's Environmental Laws, Rules and Regulations

Avoiding Environmental Review has Enabled Harmful Pollution on Minnesota's Iron Range in the Past

On a long summer's day in 2005 the Minnesota Pollution Control Agency conducted a hearing on the permitting of pollution from a new venture to develop a prototype mini-blast furnace (Mesabi Nugget) on the eastern Iron Range in northeastern Minnesota. This would be the forerunner of what could be many such plants producing pig iron pellets from finely ground iron and coal granules by direct reduction. The process requires the formation of small balls of iron and coal concentrate to feed into a high temperature oven. During the heating process large volumes of greenhouse gases, acid rain components and mercury are released into the atmosphere.

The developer had been given the authority to proceed to the permitting phase for this plant without going through Minnesota's environmental review process. This prototype plant was to be one-fourth the size of a full scale plant. The projected mercury air



emissions were not to exceed 75 pounds of mercury each year. This would be one-tenth of the total mercury emissions goal to be proposed for the entire state. The air emissions permit that was issued not only allowed this mercury emission but also did not require any equipment to be installed to reach this goal. As a permit requirement, a space was to remain unoccupied for air emissions equipment to be defined later. The public review process would have focused attention on the pollution aspects and the many unproven and unavailable processes needed to prevent harmful air pollution.

The mercury level in the process water discharge would be high enough to require a federal NPDES discharge permit to meet the Lake Superior watershed 1.3 nanograms per liter limit. There was no low cost equipment available to filter the wastewater to meet this standard either. An unproven, experimental water filter was designed using taconite tailings as the filtering medium. The project water discharge permit was issued with this untested water pollution control system. There was no requirement for standard engineering design and performance testing or reliability testing. The legislature did not seriously consider the consequences. This would have been done during environmental review. These water and air pollution issues were not thoroughly analyzed and discussed during the permitting process.

Enough pro-pollution votes were available to pass the legislation exempting Mesabi Nugget from environmental review.

Environmental Protection should not be a Matter of Subjective Political Interpretation

In early 2006 a group of concerned citizens along with Representative Keith Ellison demonstrated outside of the MPCA building in St. Paul against the MPCA's lenient proposed standards for mercury emissions. A hearing on the maximum daily load of mercury emissions to be allowed from all in-state sources in Minnesota was being conducted. Taconite plants had previously been exempted from a mercury reduction bill by the legislature. The new prototype plant limit was very high. The citizen group that assembled was relatively small but well informed and strident in their concern for the effect of mercury poisoning fish and other sources of food on low income populations. A number of citizens from environmental groups also joined them for a short time before testifying at the hearing.

On the same day a large group of citizens was demonstrating against abortion on the steps of the state capitol. This group was given inspiration by then Governor Tim Pawlenty and Representative Michelle Bachman. Ironically, both were strongly in favor of the legislation that had been introduced to set aside environmental review in the permitting of the mini-blast furnace on the Iron Range. The fact that mercury emissions from the furnace would enter the water and food streams of citizens living in or visiting northeast Minnesota was not an issue for them. Most of the Iron Range legislative delegation backed the special state law (S.F. 3022) and some even helped write it. The contrast in expressions of concern for the well-being of living things was stark. The fact that methylized mercury causes developmental disabilities in infants including the unborn did not deter their support for this potential major source of pollutants. They weren't interested in the outcome of an environmental review of the project. The plant is currently spewing mercury and other pollutants into the Lake Superior watershed not to mention the surrounding communities.

Careless use of New-found Political Power may undo Past Environmental Protections

The concept of "precautionary measures" has been replaced by that of "reasonable assurance" in the permitting of pollution in Minnesota. The permitting agency only need be reasonably sure that the human fatality rate from a pollutant will be less than one in ten thousand. The basis for that calculation is always difficult to challenge, especially when the outcome of the analysis is a reviewable performance criteria for the employees given the task. This type of pressure on the environment has been accelerated as a result of the 2010 election of legislators. The hypocrisy of the rhetoric proclaiming a concern for all living things is stunning. The Iron Range contingent of legislators has been joined by a majority of so called "conservative" legislators in an attack on long-standing rules that have prevented wanton pollution for decades. One election cycle may enable irreversible pollution of northeastern Minnesota ground and surface water from leakage from vast waste piles and strip mining pits. What's "conservative" about that?

Protection of Human Life both before and after Birth is an Issue of Morality

Preventing pollution of water, air and natural habitat is protective of human life. The callous disregard for this position is a threat to human life. A narrow definition of "life" limited to the unborn in obvious circumstances is hypocritical and inexcusable when misused. A broader definition should be used and include damage to the same unborn as well as to all susceptible humans and other living organisms. Ignoring the negative effects of human activity on all life on this planet is immoral and counterproductive.

Political actions to reduce or eliminate protection from purposeful pollution of air, water and habitat are wrong and must be defeated. The current rush to eliminate precautionary measures in

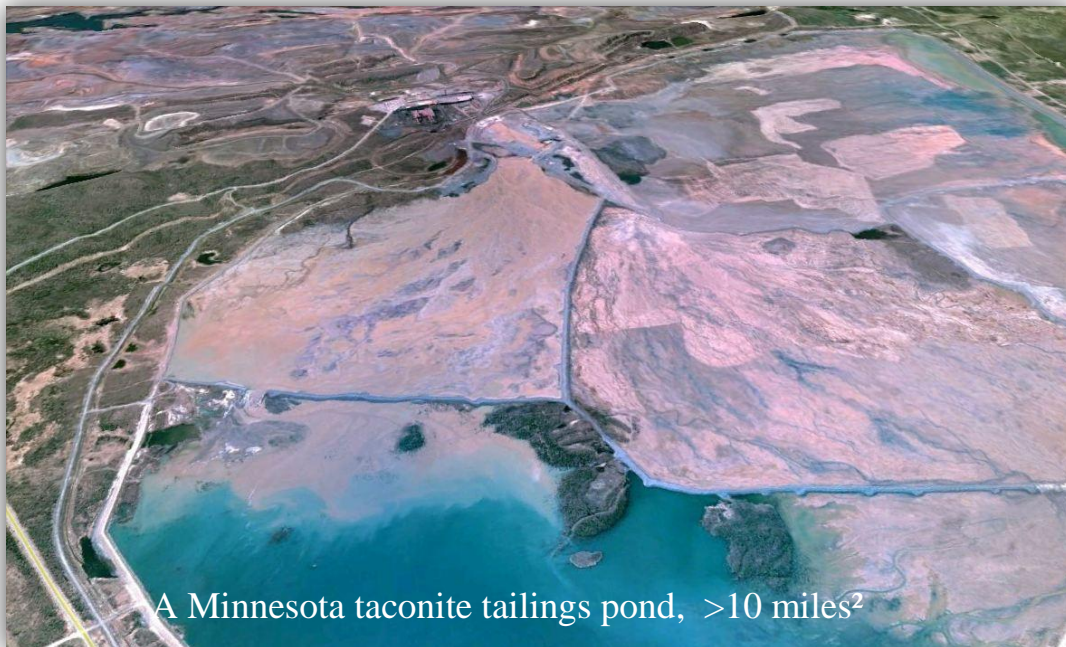
the name of reducing economic uncertainty is a thinly veiled demonstration of ignorant self-service and greed. Taking a selective position on protecting the obviously defenseless does not give one a free pass to pollute all other living things.

Historically, the use of “precautionary measures” when reviewing pollution permit applications has been a conscious effort to respect and protect public health and natural habitat. Pollution prevention based upon widely accepted technical knowledge cannot be dismissed as an unreasonable attack on economic values. Weighing public health on the same scale as financial benefit is not a valid values comparison. Anyone that is seriously ill will testify to the overwhelming value of good health.

Wasteful and Destructive Consumption Sacrifices both Physical and Mental Well-being

We have an obligation to ourselves and to our heirs to protect our environment by eliminating wasteful and destructive consumption. Lowering our environmental standards in order for corporations to compete in global markets would be a mistake. This type of behavior is not sustainable and cannot be used as the basis of resource allocation. Reversing the effect of the recent manipulation and subsequent collapse of the financial system will be difficult but survivable. However, allowing mindless reactions to this economic failure to enable irreversible damage to our water, air and natural habitat would be inexcusable. Sacrificing unnecessary consumption would be a change for the better and a virtue, not a burden. Personal freedom from the pressure of consumption stimulates wellness and creativity.

Mining, Energy and Industrial Projects must Pass Vigorous Environmental Review or Not be Issued Environmental Permits in Minnesota



A Minnesota taconite tailings pond, >10 miles²

In Northeastern Minnesota the waste of resources and wealth is the real sacrifice when reckless mining, energy and other industrial ventures are permitted. The cycles of excessive expansion followed by inevitable recessions and irreversible destruction will spell an end to existence on a

planet with limited resources. We are in a state of denial. This is no longer just science fiction or “Road Warrior” movie mentality.

From an alternative perspective, constructive endeavors for personal interest and sustenance can be designed to serve the present as well as the future. In practice this approach is more effective than appealing to a sense of morality or abstinence in a population of lethargic consumers. For example, finding a way to invest more mining company profits in our schools would reduce property taxes and improve education. A better educated population would make better choices for the environment such as buying higher efficiency vehicles.

A “values assessment” must be carefully applied to the disposal of waste material from extraction, processing or exploration. The waste products must either be recyclable or convertible into harmless products. Otherwise the projects must not be permitted, especially if irreversible damage may occur as a result. Historically the prevention of pollution from waste material has been seriously and purposefully underfunded. This has been especially true when there is a large time lag between the beginning of financial benefits from the projects and the onset of environmental damage. Such would be the case with copper-nickel mining waste as has been proven time and again worldwide.

Saying “NO” to bad projects is part of a human survival strategy. Don’t kill the planet that supports our lives!

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