

# MINNESOTA REGULATORS POOR RECORD IN PROTECTING THE ENVIRONMENT

## TWO MINNESOTA AGENCIES INVOLVED IN REGULATION OF MINING ACTIVITIES

- Minnesota Department of Natural Resources (**DNR**)
  - Promulgates / enforces copper-nickel mining rules
  - Oversees the environmental review process for proposed mining operations
  - Grants permits to mine and oversees the reclamation process once mining operations cease.
- The Minnesota Pollution Control Agency (**MPCA**)
  - Participates in the environmental review process and oversees the granting of air and water permits
  - However, the MPCA generally begins its regulatory role after mine plans have been approved. As such, the DNR is the lead agency relative to mining in Minnesota from start to finish.
- The DNR, based on Minnesota mining laws, has a dual mandate to:
  - Promote copper-nickel mining development and to
  - Regulate the environmental impacts of such mines.
- This dual mandate has the potential to create serious environmental consequences as we cannot assume that the DNR is looking out for the local community and the environment as they go through mine reviews and permitting processes.

***“Minnesota’s mining regulations are less protective than Maine or Montana and aren’t as protective as Chile’s or Costa Rica’s.” (Ann Cohen – MCEA)***

## CASE 1: RESERVE MINING DUMPING TOXIC TAILINGS IN LAKE SUPERIOR

- In the early 70’s, a US District Court determined the Reserve Mining Company was responsible for amphibole asbestos fibers found in the public drinking water of Duluth, Minnesota and other North Shore communities.

***This case was driven by the EPA - The DNR and MPCA seemed just fine with allowing asbestos fibers in our drinking water – failing to protect the people.***

## CASE 2: POLYMET AND MPCA DEBACLE

- Feb 22 - Minnesota Court of Appeals found that the MPCA did not evaluate whether polluted groundwater from the proposed sulfide mine would pollute streams and rivers downstream in the Lake Superior watershed. The court reversed and remanded the permit to the MPCA, and required MPCA to reevaluate groundwater pollution.
- July 21 - Minnesota Court of Appeals for the second time found that the MPCA failed to consider that PolyMet failed to disclose relevant facts and knowingly submitted false information.

***The MPCA and DNR do not seem to be interested in protecting the people or the environment given case law on this topic.***

Learn more at [www.tamarackwateralliance.org](http://www.tamarackwateralliance.org)

## CALL TO ACTION

1. Get informed.
2. Share this flyer with others.
3. Contact us to give community talks at local organizations.
4. Join our mailing list at <http://eepurl.com/hOboEb>

## Sources Consulted

<https://www.duluthnewstribune.com/opinion/columns/local-view-lets-be-honest-about-minnesotas-mining-standards>



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