

Minn. lawmakers look at new mining restrictions

By ELIZABETH DUNBAR , Associated Press

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ST. PAUL, Minn. - By some accounts, northeastern Minnesota has one of the largest undeveloped deposits for copper, nickel and precious metals in the world.

The proposed mining site, which sits in a region dotted with lakes and streams that empty into Lake Superior, is also creating a new environmental struggle in the Minnesota Legislature at the same time the state looks at ways to create more jobs.

Companies have mined iron ore in northeastern Minnesota for over a century, but the possibility of nonferrous mining has brought up new environmental concerns. Nonferrous mining there would require a process to separate the metals from sulfide minerals. If it isn't done right, sulfuric acid can be a byproduct that can escape and contaminate water.

"This is not like iron mining. When there's runoff in iron mining you have rust. Sulfide mining leads to something much more difficult to clean up," said state Rep. Alice Hausman, a Democrat from St. Paul who wants to make sure Minnesota has tougher restrictions on nonferrous mining.

As the state's first such mining project moves closer to completing its environmental review process, Hausman and other state lawmakers are moving forward with legislation that they say would help Minnesota avoid the long-term negative environmental effects other states have experienced.

The legislation would come with stricter rules on financial assurance — the money a mining company has to have available so that if it leaves or becomes bankrupt, government won't be stuck footing a cleanup bill.

The legislation would also require a mining company to establish ahead of time that when the mine closes, water flowing from and through the site won't need to be treated before emptying into the waters where Minnesotans fish, canoe and watch wildlife.

Too often, environmentalists say, old mines are left in such a dirty state that they need to be treated forever.

"Once they finish their mining, they ought to be able to close up their site and there would be no water treatment required. In other words, it's back to the green fields you started with. That's our goal," said Peter Fleming of Friends of the Boundary Waters Wilderness.

But the companies hoping to develop the mining operations say that proposal is so strict that nonferrous mining might no longer be possible under state law, which could deny northern Minnesota thousands of jobs at several potential nonferrous mining sites.

"Prohibit a permit for any mine that requires treatment post-closure and you essentially have a ban," said Frank Ongaro, who directs the nonferrous industry group MiningMinnesota and represents the mining companies' interests at the state Capitol. "That's extremely disappointing, especially at a time when the state needs jobs."

PolyMet Mining Corp., the company hoping to open a copper and nickel mine near Hoyt Lakes, said the definition of water treatment is too broad. "There's not a single industry in the state of Minnesota that could meet that standard," said spokeswoman LaTisha Gietzen.

A ban isn't the bill's intent, said state Sen. Jim Carlson, a Democrat from Eagan who worked with Hausman to craft the legislation. Carlson, a retired mechanical engineer, said that as the bill moves through the committee process, he'll be interested to hear the companies' more technical arguments about why the legislation could stop nonferrous mining in Minnesota. For now, he's skeptical.

"If they say they can't do it, what that means is that the threat of this pollution is too great for them to resolve," he said.

Two Republicans have already signed on in support of the bill, which was introduced this week. If it continues gaining bipartisan support, it could pass out of the Legislature — despite opposition from northern Minnesota Democrats who have defended mine interests over the years. A spokesman said Republican Gov. Tim Pawlenty is familiar with the issue but hasn't gotten a chance to study this specific bill.

Rep. Tom Rukavina, a Democrat from Virginia, said nonferrous mining is a prime opportunity in Minnesota to create jobs and satisfy demand for metals while using mining techniques that are much cleaner than those used in other countries.

"The same people that are behind (the restrictions) are the same people that want us to pass legislation for renewable energy, pass legislation for electric cars," Rukavina said. "All of those things, whether it's a wind turbine or a battery for an electric car, use these metals."

"Are you going to mine them in the Amazon where there's no restrictions and just turn your head and pretend you're not polluting the world?"

Rukavina is particularly sensitive to the need for job creation as nearly 1,000 mining jobs have been cut in Minnesota in the past year, including 590 layoffs announced this week at the Minntac Mine in Mountain Iron. Minnesota's overall unemployment rate is at nearly 7 percent and is predicted to grow. The PolyMet project alone would bring 400 permanent jobs to the state.

Other states in the Upper Midwest have responded to new nonferrous mining projects in different ways. Wisconsin has a mining moratorium designed to make mining companies prove that similar mines elsewhere operated without harming the environment.

In Michigan, a company must establish beforehand that its mine won't need so-called perpetual care to protect natural resources long after the mine closes. A proposed nickel and copper mine in the state's Upper Peninsula has been delayed by market conditions and by challenges to the project's permits.

In Montana, where a former copper mine near Butte became one of the country's largest federal cleanup sites, at least one environmentalist said the risks of nonferrous mining are still too great.

"It's something worth avoiding for the state of Minnesota," said Jim Jensen, executive director of the Montana Environmental Information Center. "Certainly placing Lake Superior at risk is a bad choice for our society."

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