

## **SUMMARY OF FACTS**

The draft Keetac permit would allow up to 75.5 pound of additional mercury emissions per year.

Although the draft permit states that U.S. Steel Corp. will install activated carbon injection mercury control equipment or an “equivalent” technology within a year, at no time is there a step down or reduction of the permitted level of mercury emissions.

Fuels and ore characteristics of Keetac and Minntac furnaces vary and mercury control efficiency is unknown. Continuous emissions monitoring (CEM) for mercury would best characterize emissions.

If the Keetac Air Emissions permit were approved, mercury emissions from U.S. Steel Corp. Minntac and Keetac plants would increase up to 366 pounds per year from the 2008 level of 267 pounds.

The EIS for the Keetac expansion concluded mercury from the Project would have an adverse effect to human health and that cumulative impacts with other projects would have a significant adverse effect.

The Schedule of Compliance contains requirements that the U.S. Steel Corp. conduct studies and trials for mercury reduction. It requires no specific mercury reductions from any facility by any date.

The Schedule of Compliance allows U.S. Steel Corp. and MPCA staff to make a determination that no mercury technologies have been identified for installation without public, EPA or Citizens’ Board review.

The U.S. Steel Schedule of Compliance documents violations of water quality standards (sulfates and hardness) at the Minntac tailings basin, but does not require that water quality standards be met.

## **DISPUTED ISSUES**

How much additional mercury emissions will result from the Keetac expansion?

Whether the Schedule of Compliance will result in reduction of mercury emissions from the existing Minntac and Keetac taconite plants and, if so, in what time frame?

Whether increased mercury emissions allowed by the draft Keetac permit are inconsistent with Minnesota’s mercury TMDL, TMDL Implementation Plan and protection of human health and the environment?

## **ACCOUNTABILITY CONCERNS**

The MPCA notice and press release regarding the Keetac expansion and air emissions permit did not disclose to the public that the expansion would allow an increase of mercury emissions by up to 75.5 pounds per year. Neither document even included the word “mercury.”

The MPCA staff Findings supplied to the Citizens Board noted that 12 citizen comments were received during the comment period, but did not disclose that more than 400 citizen comments opposing the Keetac mercury emissions increases were received by MPCA.

The MPCA staff Findings supplied to the Citizens Board quoted Minn. R.7007.0800, subp. 2 to argue that tougher permit conditions could not be set since a TMDL is not an “applicable requirement,” without citing the next section of the rule that any permit “shall also include any condition the agency determines to be necessary to protect human health and the environment.”

MPCA staff did not disclose either to the public or to the Citizens Board that the EPA is investigating violations of water quality at the Minntac tailings basin and the inappropriateness of the Schedule of Compliance that allows these violations to continue.