Responsible mining? Minnesota has a long way to go.

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By Janet Keough and Bill Hansen

A view of the aftermath from a failed iron ore tailings dam owned by Brazilian miner Vale SA that burst, in Brumadinho, Brazil.

REUTERS/Adriano Machado
We appreciate the aspirations expressed by David Foster and Mark Ritchie in their recent Community Voices article "Minnesota can become a world leader in responsible mining." However, Minnesota has a lot of work to do before that could become a reality.

We agree there is merit in independent certification systems, particularly in global markets when some countries have weak labor and environmental standards. Organic and fair trade certifications are good examples: They have benefited workers, consumers and the environment while supporting the development of new and sustainable jobs.

However, the only copper-nickel mine that has reached the permitting stage in Minnesota – the PolyMet/Glencore mine – would fail any reasonable science-based independent certification system.

In June 2020, EarthWorks and Mining Canada released guidelines that could be used to certify responsible practices for mine tailings waste management. That document, "Safety First – Guidelines for Responsible Mine Tailings Management," is based on publicly available data and endorsed by more than 100 environment groups from around the world.

The PolyMet/Glencore project would fail all of these basic responsible mine tailings management guidelines:

- The goal of tailings management must be zero harm to people and the environment; safety – not cost – must be the determining factor in design. In contrast, PolyMet’s proposal puts cost above human and environmental safety with a cheap, unsafe design.
- Upstream dams should be banned at any new mines, due to the proven risks of their construction. PolyMet proposes upstream dam construction.
- Tailings must use liners beneath the tailings and covers over the tailings to minimize seepage and infiltration to groundwater.
PolyMet proposes unlined and uncovered tailings.

- Dry stack/filtered tailings should be mandated for any new tailings facility and large wastewater “ponds” on top of tailings impoundments — which increase risk of collapse — should be eliminated. PolyMet proposes saturated wet tailings with a huge permanent polluted “pond” on the top.

- There must be an independent and objective third-party evaluation of all aspects of design, construction, operation and maintenance of tailings and other mine waste facilities before they are approved. PolyMet has repeatedly rejected safety improvements proposed by independent engineers.

- Operating companies must secure meaningful engagement and consent of affected communities, including Indigenous peoples. PolyMet has failed to address the concerns of the Fond du Lac Band and Grand Portage Band of Lake Superior Chippewa and other downstream communities.

The guidelines conclude that if a mining project is uneconomic because of the costs of a safe tailings storage system, it is uneconomic. Period. Costs of environmental damage, harm to people, reclamation and remediation must not be transferred to downstream communities and taxpayers.
The PolyMet/Glencore project would use bargain-basement designs selected without consent or independent review. The mine would impose environmental and financial costs on Minnesota’s waters, communities, and taxpayers. Minnesota workers would also pay a price — the United Steelworkers ranked Glencore the world’s second worst corporation in 2015.

In addition, Minnesota’s existing taconite mining industry lags far behind when it comes to modern responsible mining standards. Not one existing taconite mine meets water-quality standards required by the federal Clean Water Act. All existing tailings basins and mine pits leak pollution — including sulfate, which has devastated natural wild rice stands, resulted in algae growth, and increased toxic mercury bioaccumulation and contamination of fish. The tailings basins and pits also leak “specific conductance,” a combination of dissolved salts that kill sensitive aquatic insects and fish.

As a result, the exercise of treaty rights and the health of downstream communities have been negatively impacted.

As northern Minnesota residents concerned about sustainable jobs and Minnesota’s clean water, we make the following recommendations:
1. Admit that there are serious problems with current Minnesota mining practices.

2. Update and enforce all existing taconite mine permits to meet Minnesota water-quality standards, prevent increased mercury contamination of fish, and ensure the safety of existing tailings dams. Facility upgrades to meet standards are a job-creation opportunity for the Iron Range.

3. Embrace a contested case hearing process for the PolyMet/Glencore mine as a do-over to ensure responsible standards and best available technology.

4. Temporarily pause copper-nickel mining until Minnesota’s non-ferrous mining laws are updated to reflect today’s understanding of meaningful tribal consent and the best available science and technology.

We welcome the efforts of the authors of the Aug. 7 commentary and urge them to join us in working to end irresponsible mining practices both at home and abroad. Together, we can safeguard the health of workers, downstream communities, and the environment.

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