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Sulfate regulations

MPCA shouldn't let politics loosen rules that keep our waters safe for wild rice

Posted Thursday, May 8, 2025 9:08 am

There is justified public skepticism over the specifics and the timing of a proposal by the Minnesota Pollution Control Agency to create what is known as a multi-discharger variance, or MDV, in order to streamline the process for exempting companies from the state's sulfate limit for wild rice waters.

Sulfate discharges are a major issue in Minnesota, which has the strictest sulfate limits in the nation, limits that were enacted in the 1970s in order to protect wild rice.

The MPCA has a checkered history when it comes to enforcing this pollution standard and only began to do so after tribal nations began pressuring state regulators about 15 years ago to enforce its own rules. Users of wild rice, both tribal and non-tribal, had become increasingly concerned about the apparent decline in the extent and abundance of wild rice in the state and understandably wanted every step that could possibly be taken to stem the decline. Wild rice, or manoomin, is an exceptional food, tasty and highly nutritious, that can be easily stored for years once processed. For the Ojibwe people, it has long been a mainstay and is foundational to their culture.

Sulfate isn't the only threat to wild rice, of course. Climate change is probably an even greater threat in the longer term. But addressing sulfate discharges is a step that Minnesota can take on its own to help protect this unique resource.

Addressing the problem by making it easier to obtain a variance isn't an auspicious start. A variance is, in effect, a permit that allows a discharger to exceed a pollution standard.

Typically, variances are granted to single dischargers, and only in cases where current technology can't control the discharge or doing so would not be economically viable. An MDV would make it much easier to grant variances to a large number of dischargers. There are certainly some instances where such a variance is justified, but MPCA officials were cagey in a web presentation last week when asked whether the MDV process might encompass the state's taconite industry, which has been discharging high levels of sulfate into wild rice waters for decades. The industry would undoubtedly argue that it is not economically feasible to address its sulfate problem because the only fully proven technology – reverse osmosis – would be far too costly at the scale that would be necessary. As we have previously reported, it appears there are cost-effective methods to substantially reduce sulfate levels in water that have been developed in our region, but the taconite industry appears loath to pursue such alternatives. They may be banking on a variance instead.

There is much at stake on this issue. Unlike some parts of the state, where water is naturally higher in sulfate (and wild rice is largely absent), waters in northeastern Minnesota that are unimpacted by mining are exceptionally low in sulfate, typically no more than 1-2 mg/l, which is one reason that wild rice thrives in our region's waters. But high sulfate discharges (exceeding 1,000 mg/l in some cases) from taconite operations, such as U.S. Steel's Minntac plant, appear to have impacted downstream wild rice lakes. Those discharges may also be contributing to increased methylation of mercury in downstream waters, such as Lake Vermilion, where sulfate levels in Pike Bay are as much as five times higher than background levels due to inflow of mining discharge from the Pike River. That discharge of sulfate from the Minntac tailings basin has been traced through water testing all the way to Crane Lake. To date, the state of Minnesota has mostly dragged its feet when it comes to cleaning up the Minntac facility. If not for pressure from tribes, with backing from the federal Environmental Protection Agency, it's likely the MPCA would have taken its cues from the Legislature – and done nothing to address the issue.

Unfortunately, that pressure from federal regulators is now all but vanished, as the Trump administration is undertaking a virtual dismantlement of the EPA. That makes the timing of the MPCA's push to develop a blanket variance process particularly troubling. If the MPCA is planning to use this variance process to address its ongoing regulatory headache over the mining industry, the only pushback is likely to come from the public, including tribes, wild rice users, anglers concerned about mercury, and environmentalists. There will be opportunities for public comment on this proposal and residents of the North Country who care about clean water should be paying attention and speaking out. The political influence of the mining industry in our region can seem overpowering at times, but sustained public pressure can make a difference. Without it, nothing will change.

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VOL. 36, ISSUE 18

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Park service drops unpopular frozen lake use plan



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WATER SAFETY

Mission: Reduce drowning risks

Community effort providing life preservers at area beaches

by JODE SCHMITT Towar-Soudie Editor

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ST. LOUIS COUNTY JAILS

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A closer look at how mental illness is reshaping life at the county jail

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WATER QUALITY

MPCA seeks to ease exemptions from sulfate discharge rule

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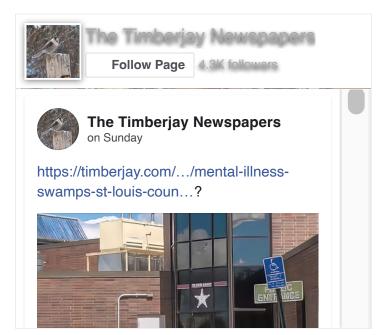


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