



# Save Lake Superior Association Fall 2019

Dedicated to the restoration and preservation of this Great Lake

[www.savelakesuperior.org](http://www.savelakesuperior.org)

## SLSA's 50th Anniversary - A Time to Learn from the Past

The Save Lake Superior Association was founded February 22, 1969 in Two Harbors, Minnesota. The purpose of this organization was to promote--in interest of the general welfare--the education of the public about the urgent need to prevent pollution of Lake Superior. It is the oldest citizen group working exclusively to preserve and protect Lake Superior.

The main scope of the organization originally centered around the legal case brought against the Reserve Mining Company and its parent companies for the pollution of Lake Superior by the dumping of taconite tailings into the lake. Save Lake Superior Association was a plaintiff in this case.

More than seven hours of recordings are available through the [Northeast Minnesota Historical Center](#), preserving oral history as remembered by grassroots citizens who were directly involved in the Reserve case.

The project includes

interviews with Arlene Lehto, Arnold Overby, Gary Glass, Grant Merritt, John Pegors, Judge Miles Lord, LeRoger Lind, and Walter Sve. Links can be found on the Save Lake Superior website under History.



### A brief history of the Reserve Case

- **1955:** Reserve Mining Company, subsidiary of Republic Steel and Armco (American rolling mill company) began mining taconite near Babbitt, and processing at Silver Bay.
- **By 1960:** Taconite mining on the Iron Range was responsible for 15% of all U.S. iron ore. For every ton of taconite pellets produced, Reserve was dumping 2 tons of waste into Lake Superior.
- **By the late 1960's:** Local and commercial fishermen began to complain about the tailings sediment killing fish and clouding the water. During this time, scientists at the Environmental Protection Agency (EPA) lab in Duluth looked through a microscope at a sample of Duluth's water and saw tiny, thin mineral fragments that looked suspiciously like asbestos. The fragments could be traced 50 miles up the shore to Silver Bay, where

Reserve was dumping its tailings. (Phil Cook of the Duluth EPA lab continued his studies of asbestiform particles until his death in 2015.)

- **February 22, 1969:** Save Lake Superior Association founded.
- **February 17, 1972:** the Dept. of Justice, on behalf of the EPA, filed a suit against Reserve. Judge Miles Lord would preside.
- **December 7, 1972:** Arlene Lehto, spokesperson for SLSA, made the case before the International Joint Commission in Duluth that the tailings contained cummingtonite-grunerite amphibole fibers which partially make up asbestos, a known carcinogen.
- **June 1973:** Dr. Irving Seikoff with the Mt. Sinai School of Medicine in N.Y. argued that the lake contained asbestos fibers and a thorough study should be done.
- The citizens of Duluth and the North Shore relied on unfiltered Lake Superior water for their drinking supply. Bottled water sold out, and even Michigan legislators jumped on board to stop the dumping.
- **August 1973:** The official trial began. Reserve claimed that it was impossible to dump tailings on land, but subpoenaed documents showed that the company had previously looked at alternative land disposal.
- Meanwhile, friends and neighbors were pitted against each other--some depending on Reserve for jobs, others depending on a clean environment. Judge Lord called on both sides to work out a settled agreement on the dumping.
- William C. Verity, Chairman of Reserve owner Armco Steel, read a statement declaring Reserve's waste was not dangerous and that Reserve would not build a land dump, unless the government paid. He told Judge Miles Lord, "We don't have to, we won't." (The Legacy of the Reserve Mining Case, MPR, Oct. 29, 2003)
- **April 1974:** Judge Miles Lord ordered the plant shut down. But a Federal appeals court allowed Reserve to continue dumping 67,000 tons of waste a day into the lake until an alternative was found.
- **1980:** Reserve began to deposit waste at Milepost 7.
- **1985:** Reserve obtained permission to pump filtered outflow from the tailings pond back into Lake Superior. Reserve closed in 1986. The mine was re-opened on a smaller scale by Northshore Mining in 1989.
- Water from Milepost 7 is either recycled or chemically treated and filtered before being discharged into the Beaver River. Should Milepost 7 fail, a wall of sludge 28 feet high would inundate the area all the way to Lake Superior.

Reserve Mining spent 25 years dumping its tailings into Lake Superior. At the same time that the Reserve controversy was taking place, the University of Minnesota was doing ore and geological research on non-ferrous deposits, with money appropriated by the state legislature. The Minnesota Regional Copper-Nickel Study was published in **1979**. But at the time, falling copper prices led AMAX and INCO to abandon their exploratory plans.

SLSA has continued to be involved with the most current threats to Lake Superior from mining activities - the permitting of PolyMet, the first copper-nickel mine in the Lake Superior watershed. Once a sulfide mine is permitted--whereby the state agencies claim that sulfide mining can be done without harming the water-rich environment of northeast Minnesota--it will be impossible to deny granting further permits without the state facing huge financial lawsuits from billion dollar multi-national mining conglomerates.

Under President LeRoger Lind, SLSA has submitted substantive comments and also signed on with other major environmental groups to oppose the opening of a copper-nickel sulfide mine in the Lake Superior watershed. Despite legitimate concerns put forth by environmental groups throughout the environmental process, the political landscape of Minnesota pushed forward the permitting of PolyMet, ignoring the environmental impacts that will be handed down for generations to come.

### **PolyMet Timeline**

PolyMet began the scoping process for its NorthMet mine project in **2004**, and acquired the bankrupt LTV Mining Company crushing facility and tailings basin in **2005**. The draft Environmental Impact Statement (EIS)

was released by the DNR in Oct. of **2009**, and was found to be Unsatisfactory/Inadequate by the EPA. PolyMet then ramped up its team by hiring former MPCA Commissioner Brad Moore as executive vice president of environmental and governmental affairs in **2011**. This was followed in **2012** by their hiring of Jon Cherry, who was previously responsible for the permitting of the Eagle Mine in Michigan and the Resolution Mine in Arizona. After considerable political pressure, the EPA found significant progress on PolyMet's environmental review. The supplemental draft EIS was released in December of **2013**. The final EIS was released in **2015** and declared adequate by the DNR on March 3, **2016**. **On March 22, 2019**, the DNR granted the final permit needed to proceed with the mine.

### **Lawsuits Continue**

U.S. Forest Land Exchange - SLSA is a plaintiff on one of 4 lawsuits, which were filed in early 2017. On Sept. 30, 2019, Judge Joan Ericksen dismissed the lawsuits by ruling that all plaintiffs lacked standing to challenge the land exchange transaction; instead, the USFS is allowed to trade 6,700 acres of public land in Superior National Forest to PolyMet, a Canadian company now financially taken over by multinational mining conglomerate Glencore. The decision may be appealed.

Dam Safety and Permit to Mine - SLSA is a plaintiff. On October 23, the state Court of Appeals heard arguments from environmental groups and Tribes to overturn the DNR granting of the PolyMet Permit to Mine and dam safety permits. The Court has 90 days to make a decision. The Court agreed to a stay on the permits until a decision is reached.

Since 2016, the state legislature has appropriated \$6 million to defend the PolyMet permit decisions. This funding has allowed the state to hire experienced Washington D.C. attorneys who work to defend mining companies.

### **FOIA Requests and Whistle Blower Complaints Move Forward**

Internal emails have surfaced showing that former Assistant MPCA Commissioner Shannon Lotthammer sought to convince EPA officials to withhold public comments as the state finalized a water discharge permit for PolyMet. A newer release of documents shows that the head of the MPCA, former Commissioner John Linc Stine, was also in contact with the EPA in an effort to limit their comments. Both the EPA and Minnesota Office of the Legislative Auditor are investigating.

### **Continued Threats**

As SLSA celebrates its 50th anniversary, the Lake Superior watershed continues to face threats from taconite mine expansion and additional sulfide mining proposals from Teck, Twin Metals, and Encampment. The impacts from mining activities include mercury and sulfate pollution affecting fish, wild rice, and human health, the leaching of heavy metals into surface and ground water, the depletion and contamination of aquifers, loss of wildlife habitat and aquatic species, contributions to greenhouse gases and climate change, intrusion of roadways and invasive species, and loss of forest integrity. The goal of SLSA remains the same: to educate the

#### **Membership Dues**

Please check your Newsletter mailing label for expiration date. If the year is not current, it needs to be updated.

#### ALL EXCEPT LIFETIME ARE PER PERSON PER YEAR

\$10 Fixed income	\$50 Sustaining	\$200 Lifetime
\$20 General	\$100 Benefactor	(per person)
\$30 Family		

The Lifetime option is only available to new members or members whose label is currently up-to-date.

#### **Please designate your choice when you renew**

We appreciate your interest as well as your support.

public about the urgent need to prevent pollution of Lake Superior and its watershed, for ourselves and future generations.

*Elanne Palcich, Board Member*

Save Lake Superior Ass'n  
P.O. Box 101  
Two Harbors, MN 55616

Non-profit Org.  
U.S. Postage Paid  
Duluth, MN  
Permit No. 171

***RETURN SERVICE REQUESTED***

**Save Lake Superior Association Annual Meeting**

On October 12, 2019 we held our annual meeting celebrating 50 years of protecting our beautiful Lake Superior.

A short business meeting was held and the following officers for the 2020 year term were elected by the 23 members in attendance:

- LeRoger Lind** President
- Lori Andresen** Vice President
- Will Munger** Treasurer
- Tom Opfer** Secretary
- Elanne Palcich** Board Member at Large

We had presentations from two guest speakers this year. Our first speaker was member Elanne Palcich who spoke on the 50 year history of Save Lake Superior Association and shared a detailed handout locating our accomplishments over the last 50 years from taconite tailings to sulfide mining.

Our second speaker was member Bob Tammen who presented a review of the lingering pollution, environmental and economic effects of mining on the Iron Range.

A light lunch was enjoyed while our speakers answered questions.

If you did not receive your postcard invitation to the annual meeting please notify us using one of the methods listed in this newsletter.

*Tom Opfer, Secretary*

Please send us your change of address when applicable.

**Your SLSA Board Members**

- LeRoger Lind - President
- Lori Andresen - Vice President
- Will Munger Jr. - Treasurer
- Thomas Opfer - Secretary
- Elanne Palcich - Board Member

[www.savelakesuperior.org](http://www.savelakesuperior.org)

