

# Minnesota Center for Environmental Advocacy

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## **Conservation groups seek end to 25 year delay in updating Minntac permit** *File to oppose U.S. Steel's lawsuit against Minnesota Pollution Control Agency*

ST. PAUL, MINNESOTA – To ensure a modern, up-to-date permit for the Minntac mine is issued as soon as possible, Minnesota Center for Environmental Advocacy (MCEA), Save Our Sky Blue Waters and Save Lake Superior Association filed today to be added as co-defendants in U.S. Steel's lawsuit against the Minnesota Pollution Control Agency (MPCA).

U.S. Steel's Clean Water Act permit for its mine tailings basin expired in 1992, and is the most out of date environmental permit in the entire state of Minnesota. Under a state law, U.S. Steel has been allowed to continue operating under the terms of the expired permit for more than two decades.

"U.S. Steel's lawsuit is yet another delaying tactic to prevent the application of modern, science-based standards to protect our water," stated Hudson Kingston, staff attorney for Minnesota Center for Environmental Advocacy. "Minnesotans deserve standards set by current science, not a zombie permit that expired the same year Billy Ray Cyrus's "Achy Breaky Heart" topped the charts."

The almost 25 year delay in updating the Minntac permit has led to dueling lawsuits. The conservation groups first sued in November 2016, asking MPCA to issue a new permit for Minntac that complies with current pollution standards. A week later, the MPCA published a draft permit, and the groups agreed to dismiss their suit as long as a final permit was issued in a timely fashion. Then in February, U.S. Steel sued the MPCA seeking to stop the agency from issuing that Clean Water Act permit. It claims that until pending rulemaking is complete and two petitions the company filed are resolved in the company's favor, the MPCA cannot issue a new water pollution permit for the Minntac facility.

"Minnesotans have waited for nearly 25 years for a modern, up-to-date permit for Minntac that protects our water," stated Le Lind, President of Save Lake Superior Association. "We are intervening in this lawsuit to ensure this happens as soon as possible."

U.S. Steel's actions and position in this lawsuit contradicts those who argue Minnesota agencies are too slow to issue environmental permits. "If U.S. Steel's position is upheld that the MPCA can't issue any permits until completing all pending rule changes, this should mean PolyMet's Clean Water Act permit cannot be issued either," stated Lori Andresen, President of Save Our Sky Blue Waters.

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