

Senator pulls mining bill

ST. PAUL — A senator pushing a bill to increase financial oversight and protect the environment as a new type of mining develops in northern Minnesota abruptly withdrew the measure Wednesday night.

By: [Andrew Tellijohn](#), Duluth News Tribune



Copper/nickel projects

ST. PAUL — A senator pushing a bill to increase financial oversight and protect the environment as a new type of mining develops in northern Minnesota abruptly withdrew the measure Wednesday night.

In front of a busload of Iron Range residents who opposed the bill, fearing it would hurt the chance for a new mine, Sen. Jim Carlson pulled the bill from consideration after a Senate committee spent 12 hours discussing the issue this week. Carlson said that he was unsure whether he had the votes for the bill to proceed. "I feel good that we had a good hearing," he said. "This was one of the best fact-finding meetings we've had in a long time."

Carlson acknowledged that environmental advocates are disappointed with his decision. But, he added, his bill would have done less to restrict a proposed copper and nickel mine than a draft Environmental Impact Statement that some say could not stand up in court. "This is not going anywhere until those questions are answered," he said.

The committee had spent hours looking into nonferrous mining in two Monday meetings and nearly five hours Wednesday night.

Carlson, DFL-Eagan, pulled the bill just before 10 p.m., after the committee heard discussion of the Environmental Protection Agency's concerns about PolyMet Mining Corp.'s draft EIS and Carlson's bill aimed at firming up the level of financial assurances mining companies must present before they can open a nonferrous mine, such as those that would produce copper and nickel.

PolyMet officials and other mine supporters say the protections sought under Carlson's bill are duplicative and could delay or kill the project, thus putting hundreds of jobs at risk.

The discussion stems from several proposed plans for nonferrous mining projects in northern Minnesota. Furthest along is PolyMet, which is closing in on permits and approvals necessary for opening the state's first such mine.

Wednesday night's committee meeting came in front of a packed Capitol committee room, with some people forced to listen to the proceedings in other parts of the Capitol. Most in the committee room opposed Carlson's bill and live near where PolyMet and other companies propose mines.

PolyMet has spent more than \$25 million and nearly four years on the permitting process for its copper and nickel mine. The company expects the \$602 million project, at the eastern end of the Mesabi Iron Range, to create \$242 million in economic impact for St. Louis County and establish hundreds of stable jobs.

Carlson said he supports nonferrous mining and would rather speed up the project than slow or stop PolyMet's project. "If this was to stop mining I wouldn't be involved," he said.

Carlson added that each entity involved in the project must reduce the risks associated with this new type of mining, which in some areas has been reported to produce large levels of sulfuric acid.

He acknowledged that many aspects of the project are regulated in existing rules. His bill aims to take those state and federal rules and put them into a state law dealing specifically with nonferrous mining to protect taxpayers in the event a mining company pollutes the land, shuts its doors and tries to leave town.

Supporters of Carlson's bill say mining companies have a history of polluting the land and sticking taxpayers with the cleanup costs.

Steve Morse, executive director of the Minnesota Environmental Partnership, said he recognizes that mining is and will be a vital part of Minnesota's economy. He reiterated that Carlson's bill doesn't deal specifically with PolyMet but with protecting taxpayers with that and similar nonferrous projects.

"This is not jobs vs. the environment," he said. "This is about how we move forward in a way that is protective of the environment."

Marlene Pospeck, mayor of Hoyt Lakes, where the PolyMet project would be located, said the bill could delay it by up to two years if not kill it all together. She asked the committee to stop the road blocks "and let PolyMet get on with it." "Hundreds of livable-wage jobs hang in the balance," she said.

Kelly Payne, manager of environmental remediation for Rio Tinto, which also is exploring mining in northern Minnesota, said the company has several concerns about the bill, particularly its move to disallow the use of letters of credit and surety bonds.

Payne said the company posted an \$18 million surety bond on a recently permitted nickel, copper, sulfide mine in Michigan to cover remediation and would expect a similar requirement in Minnesota based on existing statutes.

Andrew Tellijohn works for Forum Communications Co., which owns the News Tribune.