From: Smyser, Jeff (MPCA)
To: *EQB_Silica Sand
Subject: Popple comments FW: Considerations for EQB TEAM: Tools to Assist Local Governments-Dec. 13th draft
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From: Patricia J. Popple [mailto:sunnyday5@charter.net]
Sent: Saturday, January 25, 2014 10:11 AM
To: Smyser, Jeff (MPCA)
Cc: Wozniak, Michael
Subject: Considerations for EQB TEAM: Tools to Assist Local Governments-Dec. 13th draft

Jeff Smyser:

I haven't had much chance to review all of the pages of the EQB report but there are a few pieces of information that might be of help to the group studying the issues:

These may or may not be referenced in the report, but I want to make comment to you with the hope you will know if the item is in the report and considered.

1. Reclamation is an important element of the entire process of mining. In Chippewa County, some plot testing is going to be done beginning this spring to see if it is possible to make adequate reclamation of those plots. It is critical that companies be able to assure an acceptable level of "reclamation" that will result in agricultural use as most companies seem to be promising that level.

At one meeting held here in Chippewa Co., one member of the committee asked "What happens if the reclamation technique doesn't work?" and the response was "We will tear the plot out and start over." Based upon those remarks, my thoughts are that there are very few acceptable practices that allow for reclamation in frac sand mines, the ground water flow can not be reclaimed as it was formed 500 million years ago, and that there is a vast difference between "reclamation" and "restoration" or any other term that might be promised on the part of frac sand mining companies.

2. There are some mentions of the use of HEPA filters used in the process (probably the cleaning process). One toxicologist once told me that every aspect of frac sand mining operations should be using street cleaners that employ a form of **vacuuming** using HEPA filters as fugitive dust is sucked up and conveyed to an enclosed canister(s) before it is disposed of. Here in WI, several of us have seen street sweepers in operation on streets, roads, sidewalks that use a brush that not only stirs up dust but visually puts a great deal more into the air. Brush sweepers are a problem and therefore should be banned in any agreement to use them. Every operation should have the new technology so that fugitive dust issues can be corrected particularly on the roads, sidewalks, etc. around the areas of mines, plants, transport systems.

3. Some farmers in Chippewa Co. and Trempealeau Co. and perhaps others are using frac sand (the sand that can't be used in hydraulic fracturing operations) for bedding for their cattle. The frac sand mining companies are supposed to transport waste back to the mines

for purposes of reclamation, but some mining companies can make additional monies delivering frac sand to the farmer. At one meeting, the company was confronted with the idea that the reclamation plan might have to be "reopened" for discussion if they did not cease and desist the practice of delivering the frac sand to farmers. Cleaned frac sand (or even cleaned sand that can't be used in the hydraulic fracturing process) is filled with dust as evidenced by peer reviewed studies done by NIOSH and yet farmers use the sand for bedding. Is it possible that the farmer in the barn filled with cattle using the frac sand bedding is being dangerously exposed for respirable crystalline silica beyond acceptable levels in MN? Agricultural employees and their families may be innocently exposed to unacceptable levels of carcinogenic dust. It seems to me that many farmers would not even think about the danger and might not do anything like wear a respirator to protect themselves. I doubt there is any monitoring agency for the agricultural employee who might train them, alert them or test them for unacceptable levels. Some consideration should be given to this issue in the document.

4. In WI, when a processing company delivers sludge back to the mines, industrial waste or sludge is left on the highways, round-a-bouts, bridges etc. even though supposedly trucks are "sealed" and not supposed to dribble large amounts on the highways. When the waste or sludge drops on the highway and dries, the particulates are left to dissipate into the air (fugitive dust). Companies have been given permission to transport sludge or industrial waste between processing plants and the mines. There seems to be a loop hole allowing this practice and leaving the responsibility for clean up to the companies with the State Patrol responsible for enforcement. Citizens have reported events, bags of sludge have been picked up as samples on the road/roadsides etc. but there seems to be no consequences. There appears to be no communication between the air quality division and the waste management divisions at the DNR levels here. I have submitted documents as of this date but still not heard of any resolution to the problem. One waste management person referred to the industrial waste as "clean fines" even though the wet sludge consisted of clay cakes, baghouse wastes, and other junk that could not be disposed of at the processing plant. This is an issue that others should be aware of so resolution can be sought at the upper levels or at least at the county level.

5. In relationship to "waste" some folks have discovered frac sand mining companies delivering "waste" to their farm fields without permission. Mining operations dump it on someone's land without permission and sometimes come back to retrieve it. It may be the mine can't accept the waste at the moment, but there should be no dumping of waste on anyone else's property. Appropriate fines should be applied. At quick glance I don't happen to see "waste" as an issue in the report. It may be that in some localities in MN, it is too early to be a problem. However, it has been mentioned as observed in some of the W-DNR reports to the waste management division and yet I doubt there are any regulations created regarding this issue to date. One of the higher administrators in the air quality division is to respond to information I submitted in November and mentioned at a meeting in September. It is one area to check out anyway.

There may be other issues. I will continue to search for additional pieces this weekend as time permits.

Thanks for this opportunity for input. I hope some of it is not redundant.

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