Wis. sand-mine spills cause call for penalties against Minn. firms

Article by: JOSEPHINE MARCOTTY
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Wisconsin regulators are seeking civil penalties against Minnesota-based mine operators for two large sand spills, a first taste of the kind of environmental risks that accompany the gold rush of frac sand mining underway in both states.

"It's a whole new world," said Deb Dix, enforcement officer for the Wisconsin DNR, which last week referred both cases to Wisconsin Department of Justice for civil action.

Sand lying underground in parts of Minnesota and Wisconsin has skyrocketed in value in recent years because it is vital to the controversial oil and gas extraction practice known as hydro-fracking. The sand, which is prized for its hardness, large size and round shape, is injected thousands of feet underground to help open up cracks in the rock and release natural gas and oil.

The two sand spills reported this spring, including one into the St. Croix River, are the first instances of environmental damage significant enough to spark regulatory action. Both illustrate the lessons emerging as a fledgling industry learns how to safely construct massive mine pits and measure the possible damage that could be inflicted on water, wildlife and the landscape.

In the past two years, about 60 sand mines and 38 processing facilities have opened in western Wisconsin. Many more are now in development in southeast Minnesota and along bluffs on both sides of the Mississippi River. The growth in Minnesota lags Wisconsin's, but a clear economic boom is underway in sand mining, as well as the processing and shipping facilities needed to support it.

At the same time, the new operations have spawned a wave of protest and moratoriums in dozens of counties, cities and townships in southeast Minnesota.

The first sand leak occurred in late April at a 50-acre sand mine and processing site near Grantsburg, Wis., owned by Plymouth-based Interstate Energy Partners and operated by Maple Grove-based Tiller Corp. It's located 100 feet outside the St. Croix National Scenic Riverway.

For five days, massive amounts of ultra-fine sand and water flowed from a pond through an inadequate berm that was formed to contain it and into an environmentally sensitive area that included a wetland, creek and the federally protected St. Croix River. A hiker discovered the cream-colored spill as it flowed through the creek into the river.

Company officials did not immediately return phone calls Monday. But the Wisconsin DNR said the operators are working to fix the problem and, earlier, a company spokesperson said the company regretted the incident.
Dix said an investigation into the damage is underway. But a sand spill of that size could destroy a wetland and smother fragile fish spawning grounds and mussel beds in the river, environmental officials said.

"They used on-site soils that were too fine to maintain a tight seal" in the berm, Dix said.

The second spill occurred in early May at a 160-acre sand mine near Blair, Wis., owned by Preferred Sands of Minnesota. Company officials also did not return phone calls Monday.

After a heavy rain, a river of wet sand sluiced more than 2,000 feet downhill onto neighboring properties, including into the first floor of a home and a garage. Much of it flowed into a wetland and a creek. Dix said the company did not have anything in place to prevent problems from storm-water runoff.

The sand may also have contained chemicals used in processing, but that has not yet been determined, she said.

Patricia Popple, a member of the Save the Hills Alliance in Chippewa Falls, Wis., said she was concerned that in both cases the spills were reported by citizens, not the companies.

"They are both serious violations," she said, praising the state for pursuing possible penalties.

"And action needs to be taken."

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By Josephine Marcotty marcotty@startribune.com Wisconsin regulators are seeking civil penalties against Minnesota-based mine operators for two large sand spills, a first taste of the kind of environmental risks that accompany the gold rush of frac sand mining underway in both states. "It's a whole new world," said Deb Dix, enforcement officer for the Wisconsin DNR, which last week referred both cases to state Department of Justice for civil action. The sand beneath parts of both Minnesota and Wisconsin has skyrocketed in value in recent years because it is vital to the controversial oil and gas extraction practice known as hydro-fracking. The sand, which is prized for its hardness, large size and round shape, is injected thousands of feet underground to help open up cracks in the rock and release natural gas and oil. The two sand spills reported this spring, including one into the St. Croix River, are the first instances of environmental damage significant enough to spark regulatory action. Both illustrate the lessons emerging as a fledgling industry learns how to safely construct massive mine pits and measure the possible damage that could be inflicted on water, wildlife and the landscape.

In the last two years, some 60 sand mines and 38 processing facilities have opened up in western Wisconsin. Many more are now in development in southeast Minnesota and along bluffs on both sides of the Mississippi River. The growth in Minnesota lags behind Wisconsin, but a clear economic boom is underway in sand mining, as well as the processing and shipping facilities needed to support it. At the same time, the new operations have spawned a wave of protest and moratoriums in dozens of counties, cities and townships in the southeast corner of Minnesota. The first sand leak occurred in late April at a 50-acre sand mine and processing site near Grantsburg, Wis. owned by Plymouth-based Interstate Energy Partners and operated by Maple Grove based Tiller Corp. It's located 100 feet outside the St. Croix National Scenic Riverway. For five days massive amounts of ultra-fine sand and water flowed from a pond through an inadequate berm that was formed to contain it and into an environmentally sensitive area that included a wetland, creek and the federally protected St. Croix River. A hiker discovered the cream colored spill as it flowed through the creek into the river. Company officials did not immediately return phone calls Monday. But the Wisconsin DNR said the operators are working to fix the problem, and earlier a company spokesperson said the company regretted the incident. Dix said that the investigation into the damage is still underway. But a sand spill of that size could destroy a wetland and smother fragile fish spawning grounds and mussel beds in the river, environmental officials said. "They used on site soils that were too fine to maintain a tight seal (in the berm)," Dix said. The second spill occurred in early May at a 160-acre sand mine near Blair, Wis. owned by Preferred Sands of Minnesota. Company officials also did not return phone calls Monday. After a heavy rain, a river of wet sand sluiced more than 2,000 feet downhill onto neighboring properties, including into the first floor of a home and a garage. Much of it flowed into a wetland and a creek. Dix said the company did not have anything in place to prevent problems from storm water runoff. The sand may also have contained chemicals used in processing, but that has not yet been determined, she said. Patricia Popple, a member of the Save the Hills Alliance in Chippewa Falls, Wis., said that she was concerned that in both cases the spills were reported by citizens, not the companies. "They are both serious violations," she said, praising the state for pursuing possible penalties. "And action needs to be taken." Josephine Marcotty