

December 8, 2023

Adolfo Quiroga, CEO
Smith Foundry Company Inc.
1855 E 28th Street
Minneapolis, MN 55407

Dear Adolfo Quiroga:

The Minnesota Pollution Control Agency is committed to improving health and environmental impacts for East Phillips residents. I appreciate that you and members of Smith Foundry attended the East Phillips community meetings on Monday, November 27, and Friday, December 1, 2023, to hear the community's frustrations and emotional pleas — a result of decades of unanswered environmental concerns and health impacts in the neighborhood. As a result, many residents want Smith Foundry to leave.

Emissions Monitoring Plan

In response to community concerns about ongoing emissions and to better ensure that those emissions from Smith Foundry do not cause or contribute to human health impacts, the Minnesota Pollution Control Agency is requesting you submit an air emissions testing, monitoring, and reporting plan (Emissions Monitoring Plan) that includes an analysis of feasible and infeasible options to measure and monitor emissions from the facility at 1855 East 28th Street in Minneapolis, Minnesota. The analysis must also include options and feasibility for monitoring uninterrupted emissions at the facility.

The plan should include quality objectives and criteria for measurement of data including sample design, monitoring equipment, methods descriptions, and quality control requirements to address other pollutants potentially emitted from the facility including volatile organic compounds (VOCs), lead, and hazardous air pollutant (HAP) emissions and metals.

The MPCA's request is separate and apart from any work and requirements Smith Foundry is undertaking in response to the U.S. Environmental Protection Agency's (EPA) actions, particularly the stack testing scheduled for mid-December 2023. It is our understanding that stack test results will be submitted to the EPA and MPCA approximately 30 days after completion and verification. The MPCA requests you and the third-party consultant to submit this data immediately after its verification.

Smith Foundry must reply to our request by Wednesday, December 20, 2023, with a proposed timeline to complete an Emission Monitoring Plan. We expect an Emissions Monitoring Plan to be submitted before mid-April 2024. We also expect regular updates (at least monthly) during the development of the plan.

As a reminder, your Emissions Monitoring Plan is public information and the MPCA plans to share these updates and submitted plan with the community to bring additional transparency and rebuild trust in Minnesota's environmental regulatory process.

Lead emissions

The MPCA recognizes Smith Foundry's public statements that it does not emit lead. The agency also recognizes the previous owner's previously self-reported lead emissions data. The December 2023 stack testing will provide direct data to verify whether there are lead emissions from the facility, but additional verification is needed.

Please submit all assessments of raw materials, including lead, conducted at the facility since you took ownership by Wednesday, December 20, 2023.

Indoor emissions

It is our understanding that Smith Foundry is evaluating a recommendation by the local Teamsters that represents your employees to bring a trusted industrial hygienist expert to assess the current workplace conditions. Emissions measurement and/or air monitoring are vital to ensure that the facility's overall operations are protective of human health — including that of its employees — and the environment.

New permit expectations

The MPCA will consider the stack testing data, data produced from the implementation of the Emissions Monitoring Plan along with other data as part of the agency's consideration of the company's air emissions permit application. Before the MPCA makes a final decision on an updated permit, the agency will analyze the cumulative level and effects of environmental pollution that is disproportionately impacting the community. That work includes a comprehensive look at all the environmental health-related information in the neighborhood.

As you heard last week, the MPCA publicly released a proposed permit timeline - the current feasible option for the facility. We expect to meet that timeline, if not complete the process ahead of schedule. The MPCA expects Smith Foundry to participate in each community meeting to discuss the cumulative levels and effects analysis and the draft permit. In addition, the MPCA expects to continue meeting with community members and sharing information to ensure that Minnesotans have all the relevant information to help them better understand the situation at Smith Foundry and East Phillips. The MPCA strongly encourages Smith Foundry to increase its engagement with the community as well.

I recognize the owners of Smith Foundry have been engaged in this facility for less than a year, and I appreciate your cooperation and expressed commitment to protecting East Phillips residents.

Adolfo Quiroga, CEO
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If you have questions, please contact Doug Wetzstein at 651-757-2819 or
doug.wetzstein@state.mn.us

Sincerely,


Katrina Kessler
Commissioner