

PLANNING COMMISSION MINUTES

DATE: July 9, 2012

TIME: 4:30 p.m.

PRESENT: Chairperson Porter; Commissioners Boettcher, Eyden, Gromek, Ballard, Briggs, Davis, and Olson

ABSENT: Commissioner Buelow

STAFF PRESENT: Assistant City Planner, Carlos Espinosa

The meeting was called to order at 4:30 p.m. by Chairperson Porter.

Approval of Minutes – June 25, 2012

The minutes for June 25, 2012 were approved, unanimously as submitted upon motion by Commissioner Eyden and second by Commissioner Ballard.

Sand Moratorium Study: Air Quality

Commissioner Porter opened the public comment period of the agenda item and asked if anyone representing CASM would like to speak.

Marie Kovesci stated that CASM would like to see the City institute the same air quality monitoring regulations as the County. Ms. Kovesci also stated that CASM would like to ensure that a wetting suppressant is used to minimize the potential for dust, although CASM had some concern about the suitability of using water. Ms. Kovesci stated that any air quality monitoring should be started immediately to establish a baseline of data. Ms. Kovesci also stated that CASM had some questions about the information in the agenda packet.

Tony Wasinger stated that he is the General Manager of Kohner Materials and would be representing the industry during the comment period. Mr. Wasinger stated aggregate mining and processing is a centuries old industry that is regulated by a number of federal and state agencies. Mr. Wasinger stated that mining regulations related to air quality and silica content are based on operations from the 1970's which included unprotected grinding and crushing in the mining process. However, silica sand that is mined and processed for frac sand is not subjected to grinding or crushing. As a result, frac sand mining and processing does not create hazardous silica dust.

Marie Kovesci stated that she is also a member of the Blasting Committee/Neighbors Concerned About Blasting (NCAB) and would be speaking on behalf of Kim Sharpe who could not make it to the meeting. Ms. Kovesci stated that Mr. Sharpe had concerns about the ability of sand grains to maintain moisture and the ability of the aqua spear presented in the staff report to accurately measure moisture content. Overall, the NCAB would like to see air quality testing.

Jane Cowgill, 217 Walnut Street, stated that Dr. Hillary Carpenter from the Minnesota Department of Health said at the meeting with state agencies that he would be “yelling and screaming” to get proper air monitoring done around sand facilities. Ms. Cowgill also stated that she thought air monitoring should be done by a third party.

Mary Ann Bymann, 327 West Wabasha, stated that she lives 5 blocks from the frac sand loading facility on Second Street and her neighborhood recently bore the brunt of sand blowing south from the operation. Ms. Bymann stated that she wanted to know where the science is that determines what level of silica in the air is unhealthy. Overall, Ms. Bymann stated that operational definitions should be added to any ordinance amendments meant to address air quality.

There being no other speakers for the public input period, Chairperson Porter asked staff to present. Mr. Espinosa presented the agenda item and stated it was staff's recommendation to consider implementing a standard for a moisture content of 3% in the sand moving through Winona. That standard would involve adding the following to the Performance Standards section of the City Code:

Moisture testing of sand or other material with the potential to produce Particulate Matter emissions may be required to ensure that moisture levels are above 3%.

Dr. Frank Bures, Winona Health, presented information about chronic, accelerated, and acute silicosis. Mr. Bures also stated that particulates are ubiquitous and can be carried over very long distances – one example is smoke particles from fires in other states. Mr. Bures emphasized the importance of more data to determine risks to the public from particulates. Overall, Mr. Bures stated that in order to know more about health risks, we need more data.

Dave Gutterud, Indoor Environmental Group, presented information about occupational silica exposure. Mr. Gutterud stated that the frac sand industry is not dealing with fractured silica – where there have been proven issues with silica exposure. Rather, silica sand operations are designed specifically to keep the sand in an un-fractured state. The most serious size of particulates for health risks is PM4 – particulates less than 4 microns in size. Right now there are no federal or state standards for PM4 particulates, but there are standards for PM10 and PM 2.5. There is a lot of general information available for these size particulates, but information is limited for frac sand facilities because it's a relatively new industry. One of the problems encountered with air monitoring is that there are a number of regulatory agencies – each with different thresholds for air quality related to respirable silica.

Mr. Gutterud also presented information about gradations of sand and the amount of fines in a typical load of raw sand to be processed for fracking. In a sample done at a Twin Cities frac sand loading site, less than .5% of the sand sampled was PM4 or smaller. Thus, all but .5% of the sand grains transported for use as frac sand were larger than the size of sand fines most hazardous to health. Additionally, a very small portion of the .5% was silica, most of the fines were clay or silt. Air quality monitoring over 4 days at the same Twin Cities site found no violations of OSHA or NIOSH dust

PLANNING COMMISSION MEETING MINUTES

JULY 9, 2012

PAGE 3

thresholds, and the dust that was there had no detectable silica. Overall, Mr. Gutterud stated that there can be visible dust at frac sand loading sites, but tests thus far have determined that the dust is not silica.

Chairperson Porter asked if Commissioners had any questions.

Commissioner Eyden asked if this report from the Twin Cities was the only air monitoring that has been completed for silica. Mr. Gutterud stated that this is the only report by indoor environmental group that has been released to the public. Other reports have been completed for private interests.

Chairperson Porter asked what protocols were followed for the monitoring. Mr. Gutterud responded that there are no specific protocols for this type of monitoring, but a number of variables were considered – including taking upwind and downwind samples. Mr. Gutterud stated that one interesting finding was that spikes in particulates/dust in the air were caused by truck traffic.

There being no further questions, Chairperson Porter brought discussion back to the Planning Commission.

Commissioner Gromek stated that he thinks air monitoring is a good idea.

Commissioner Olson stated that he thinks the federal government and the state government are already doing a good job at protecting the public.

Commissioner Davis asked how fast sand stockpiles dry out. Commissioner Boettcher asked if industry representatives could say how long sand sits out before it is transported out of Winona. A representative stated that the sand has to sit a minimum of 72 hours to get to a 5% moisture content. A representative also stated that they are currently loading out sand from a stockpile started in October which has a moisture content of 3%. A test sample taken the day of the meeting from a stockpile that is 3 months old had to go 6 inches deep to reach wet sand. In a recent train that went out, the first couple cars had a moisture content of 1.8%, but later rail cars in the same train had moisture contents of 2.8 to 3.5%.

Chairperson Porter asked what part of the piles are the dustiest. Commissioner Davis asked if the top of the piles can be watered. An industry representative stated that the front end loaders which move the sand have buckets that are 4 feet deep. Thus, the drier surface sand is mixed with wetter subsurface sand throughout the day. As a result, semis or railcars are not loaded with pure dry sand.

Commissioner Eyden asked if we can have all stock piles covered, and stated that air testing should occur now to establish a baseline for future tests.

There being no further comments or questions, Chairperson Porter asked if there was a motion. Commissioner Ballard made a motion to recommend testing for a moisture content of 3% as outlined in the agenda. The motion was seconded by Commissioner

PLANNING COMMISSION MEETING MINUTES
JULY 9, 2012
PAGE 4

Boettcher. Upon vote the motion was passed 7-1 with Commissioner Olson voting against.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:15 p.m.



Carlos Espinosa
Assistant City Planner