MINNESOTA POLLUTION CONTROL AGENCY

DRAFT 2025 INDUSTRIAL STORMWATER GENERAL PERMIT

Informational Meeting on Proposed Changes to the ISW General Permit

wq-strm3-100a

Industrial stormwater permittees in Minnesota are regulated by a general permit that is reissued every five years.

Current Permit

Issued on April 1, 2020

Expires on March 31, 2025

The new 2025-2030 General Stormwater Permit is currently in draft form.

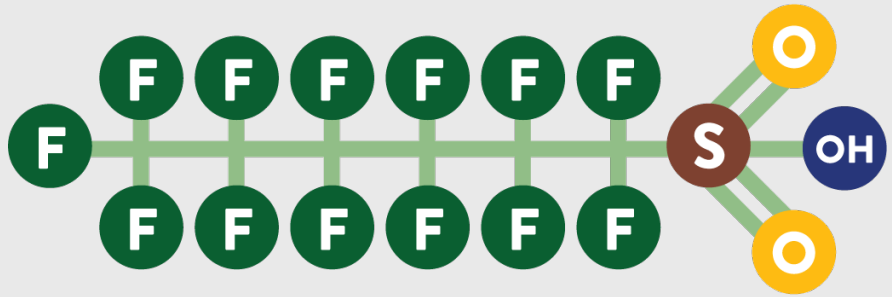
Proposed Changes to the ISW Permit

- PFAS Requirements
- Impaired Water Benchmark Monitoring for TSS
- New Requirements for Sector C. Chemical and Allied Products Manufacturing
- New Requirements for Sector P. Land Transportation and Warehousing
- Effluent Monitoring Changed From One to Two Samples Annually
- Removed Iron as a Benchmark Monitoring Parameter

PFAS

Minnesota's definition of PFAS

PFAS means "a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom."



Small amounts may be harmful

- Found in blood
- Mothers to infants
- Children most sensitive
- PFAS linked to certain cancers

Clean up is expensive

Cost to buy PFAS
to make consumer products

$50 - $1000
per pound

Cost to remove and destroy PFAS
from municipal wastewater

$2.7 million - $18 million
per pound

PFAS Regulations

- 2023 - 2024 Legislature
- Amara's Law
  - Minn. Statute 116.943

The Washington Post
Democracy Dies in Darkness

This article was published more than **1 year ago**

Environment Climate Weather Climate Solutions Animals Climate Lab Green Living

She died fighting 'forever chemicals.' They still linger in her town.

Amara Strande's life was ended by cancer. She was a powerful force in passage of a Minnesota law to ban many products containing PFAS.

Amara's Law – Currently unavoidable use prohibition

Starting Jan 1, 2032

No one can sell products with "intentionally added" PFAS, unless determined by rule to be a currently unavoidable use.

- "Currently unavoidable use" means a use of PFAS that the commissioner has determined by rule under this section to be essential for health, safety, or the functioning of society and for which alternatives are not reasonably available.

- Initial public comment period closed March 1, 2024. Additional public comment opportunities are being planned.

Prohibitions on intentionally added PFAS in products

Amara's Law

July 1, 2020	January 1, 2024	January 1, 2025	January 1, 2026	January 1, 2032
Use of PFAS in firefighting foam for testing or training	PFAS in food packaging PFAS in firefighting foam, with exceptions	PFAS in 11 product categories	PFAS reporting requirements begin	All other products containing currently avoidable PFAS

The MPCA is addressing:

- PFAS before it gets into the system
- PFAS when it is in the system
- PFAS when it has gone through the system and ended up in the environment
  - **Remediation Program**
  - **Industrial Stormwater's 2025 Permit**

PFAS – containing foam

- Any use or release of *PFAS – containing* foam must:
  - Immediately report to MN Duty Officer
  - Record in spill response plan
  - Take action!

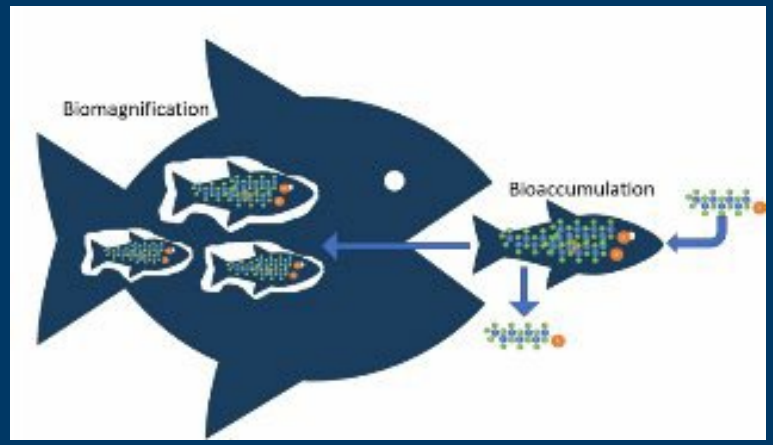
APPENDIX D. Primary SIC Codes that require Per-and polyfluoroalkyl (PFAS) Monitoring

Standard Industrial Classification (SIC) Codes subject to PFAS Monitoring Requirements		
Sector	**SIC Code**	**SIC – Nar. Act. Description ***
B	2621	Paper Mills
B	2656	Sanitary Food Containers, Except Folding
B	2671	Packaging Paper and Plastics Film, Coated and Laminated
B	2672	Paper; Coated and Laminated, Nec
B	2673	Bags: Plastic, Laminated, and Coated
C	2821	"Fluoro-polymer resins manufacturing (Plastics Materials, Synthetic Resins, and Nonvulcanizable Elastomers)"/Plastics Materials and Resins
C	2824	Manmade Organic Fibers, Except Cellulosic
C	2842	Specialty Cleaning, Polishing, and Sanitation Preparations
C	2844	Perfumes, Cosmetics, and Other Toilet Preparations
C	2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
C	2899	Chemicals and Chemical Preparations, Not Elsewhere Classified
D	2952	Asphalt Felts and Coatings
D	2992	Lubricating Oils and Greases
F	3399	Primary Metal Products, Not Elsewhere Classified
I	2911	Petroleum Refining
N	5093	Scrap and Waste Materials
S	4581	Airports, Flying Fields, and Services
V	2221	Broadwoven Fabric Mills, Manmade Fiber and Silk
V	2262	Finishers of Broadwoven Fabrics of Manmade Fiber and Silk
V	2273	Carpets and Rugs
V	2295	Coated Fabrics, Not Rubberized
V	2297	Non-woven Fabrics
V	2299	Textile goods, Not Elsewhere Classified
V	2385	Waterproof Outerwear
V	3131	Boot and Shoe Cut Stock and Findings
V	3161	Luggage
V	3172	Personal Leather Goods, Nec
V	3199	Leather Goods, Nec
X	2752	Commercial Printing, Lithographic
X	2796	Platemaking and Related Services
Y	3069	Fabricated Rubber Products, Nec
Y	3081	Unsupported Plastics Film and Sheet
Y	3082	Unsupported Plastics Profile Shapes
Y	3083	Laminated Plastics Plate, Sheet, and Profile Shapes
Z	3111	Leather Tanning and Finishing
AA	3471	Electroplating, Plating, Polishing, Anodizing, and Coloring
AA	3497	Metal Foil and Leaf
AB	3567	Industrial Furnaces and Ovens
AB	3589	Service Industry Machinery, Not Elsewhere Classified
AB	3599	Industrial and Commercial Machinery and Equipment, Not Elsewhere Classified
AC	3674	Semiconductors and Related Devices
AC	3695	"Magnetic Tape Manufacturing Operations"/Magnetic and Optical Recording Media
AC	3841	Surgical and Medical Instruments and Apparatus
AC	3861	Photographic Equipment and Supplies

PFAS Monitoring is Required

Primary SIC Codes will be listed in Appendix D of the Permit

- PFAS Stormwater Monitoring Plan
  - AOCs, DWSMAs, and Class 1 Waters of the State
  - Responsible individual(s)



PFAS Monitoring

- Four calendar quarters
  - U.S. EPA's Method 1633
  - Submit Data
  - Average Results

PFAS Monitoring Thresholds

- PFOS < 10 ng/L
- PFOA < 10 ng/L

Unless facility is in or within 1 mile of a DWSMA or within 1 mile of a Class 1 Water of the State:

- PFOS < 4 ng/L
- PFOA < 4 ng/L
- PFHxS < 10 ng/L
- PFNA < 10 ng/L
- HFPO-DA (commonly known as GenX chemicals) < 10 ng/L

**Exceedances of these thresholds does not constitute a violation*

Source and Exposure Reduction Plan (SERP)

No Exposure Certification Policy Change

- No Exposure Certification Policy Change (*Minn. R. Ch. 7090.3060)*:
  - All facilities with Primary SIC Code listed in Appendix D
    - Monitor for PFAS – 4 separate runoff events at least 72hrs apart
      - Area of Concern (AOC)
      - Method 1633
      - Monitoring Plan Template

Policy Change – PFAS and No Exposure Certifications

Thresholds

If a facility is within 1 mile of a DWSMA or is within 1 mile and discharges to a Class 1 Water:

- PFOA < 4 ng/L;
- PFOS < 4ng/L;
- PFHxS < 10ng/L;
- PFNA < 10ng/L; and
- HFPO-DA (commonly known as GenX chemicals) <10ng/L

Facilities not within 1 mile of a DWSMA or Class 1 Water:

- PFOA < 10 ng/L and PFOS < 10ng/L

ISW PFAS Staff Contacts

- Brittany Aubol – ISW PFAS Coordinator; 218-316-3862 and Brittany.Aubol@state.mn.us

- Mary West – ISW PFAS Inspector; 651-757-2385 and mary.west@state.mn.us

IMPAIRED WATERS

Impaired Waters: Total Suspended Solids

If a water is impaired for TSS (or a TSS surrogate) that is within one mile of a monitoring location **and** which a discharge flows to.

Benchmark value is 65 mg/L for Total Suspended Solids instead of 100 mg/L.

Surrogate Impairments for TSS:

- Fish Biota
- Invertebrate Biota
- Plant Biota
- Turbidity

Nitrate Added To Surrogate List

Drinking Water Standard for Nitrate

- Surrogate is Nitrate for Nitrite Plus Nitrate, Total (as N) monitoring

Impaired Waters: SWPPP Changes

Specific SWPPP requirements for impaired waters

Must document/implement the following:

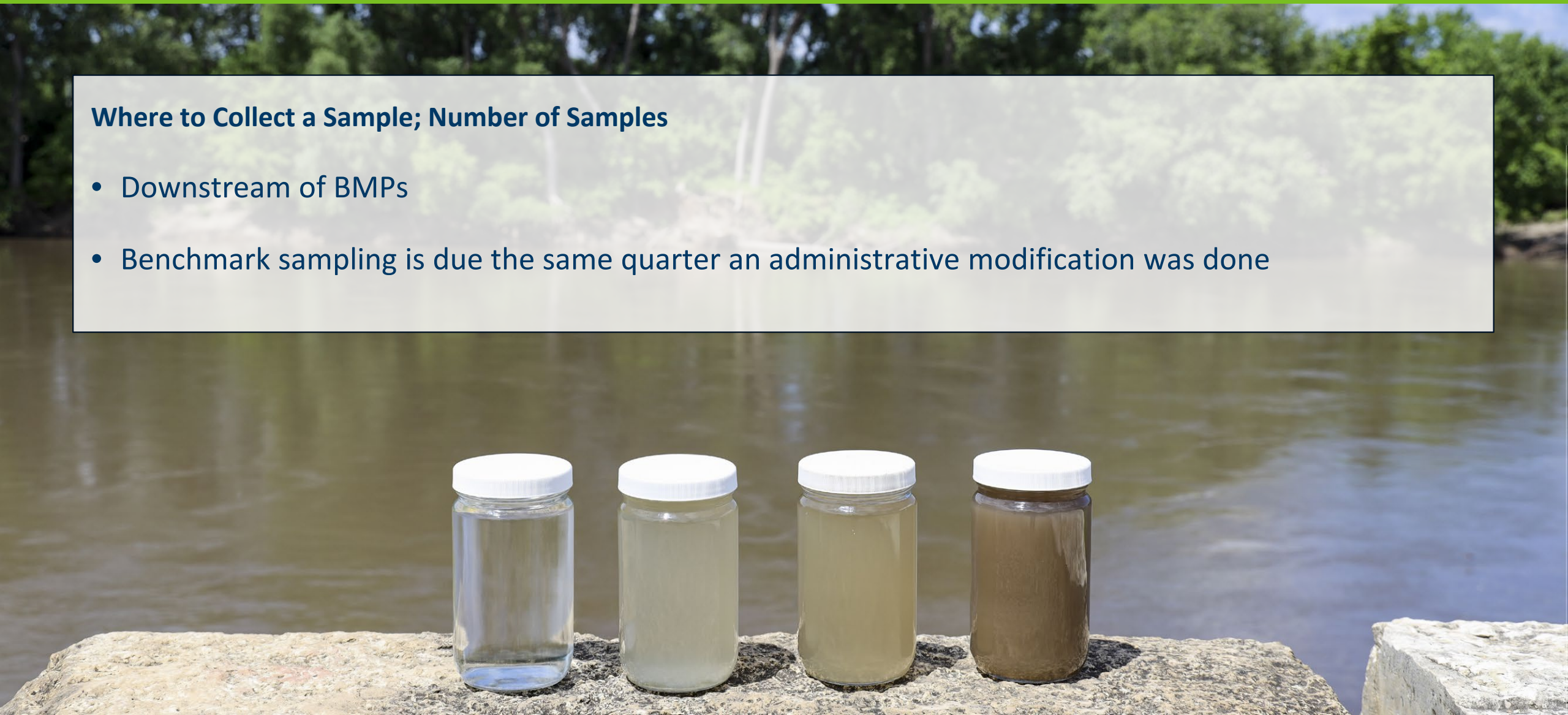
- BMPs designed specifically to address an impairment.
- Any applicable calculations that demonstrate the effectiveness of the chosen BMPs.
- Narrative describing how the permittee will monitor and maintain BMPs long term to ensure their effectiveness.

BENCHMARK MONITORING

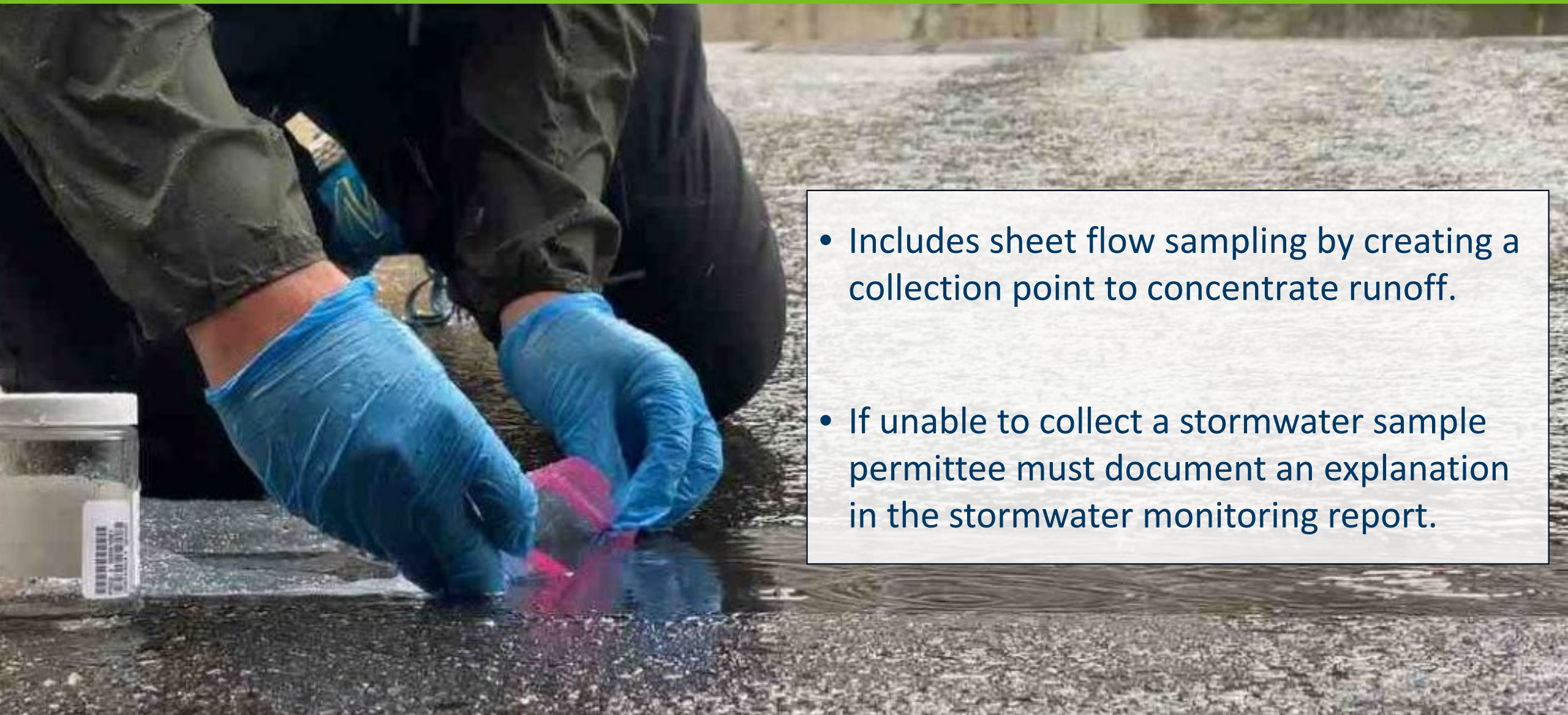
Benchmark Monitoring

Where to Collect a Sample; Number of Samples

- Downstream of BMPs
- Benchmark sampling is due the same quarter an administrative modification was done

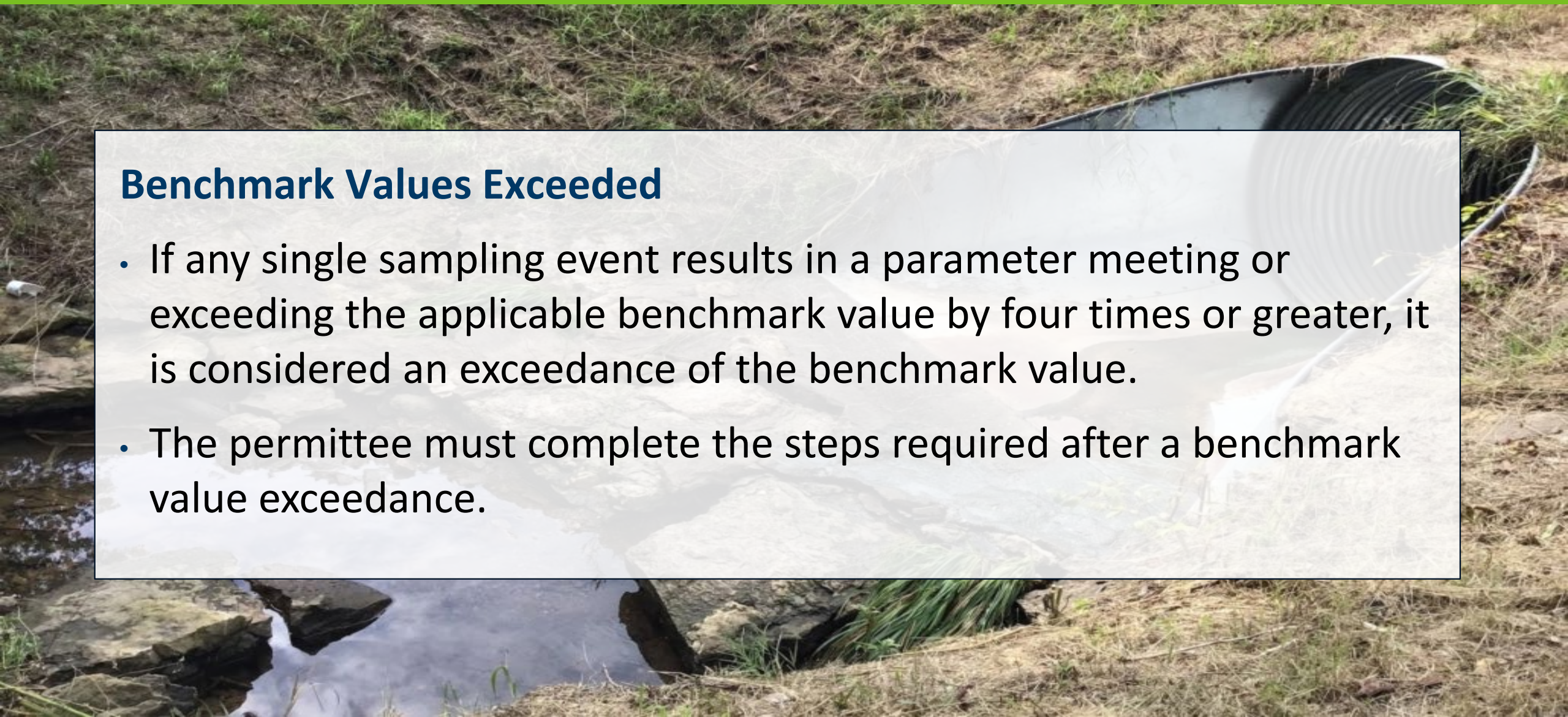


Benchmark Monitoring



- Includes sheet flow sampling by creating a collection point to concentrate runoff.
- If unable to collect a stormwater sample permittee must document an explanation in the stormwater monitoring report.

Benchmark Monitoring



Benchmark Values Exceeded

- If any single sampling event results in a parameter meeting or exceeding the applicable benchmark value by four times or greater, it is considered an exceedance of the benchmark value.
- The permittee must complete the steps required after a benchmark value exceedance.

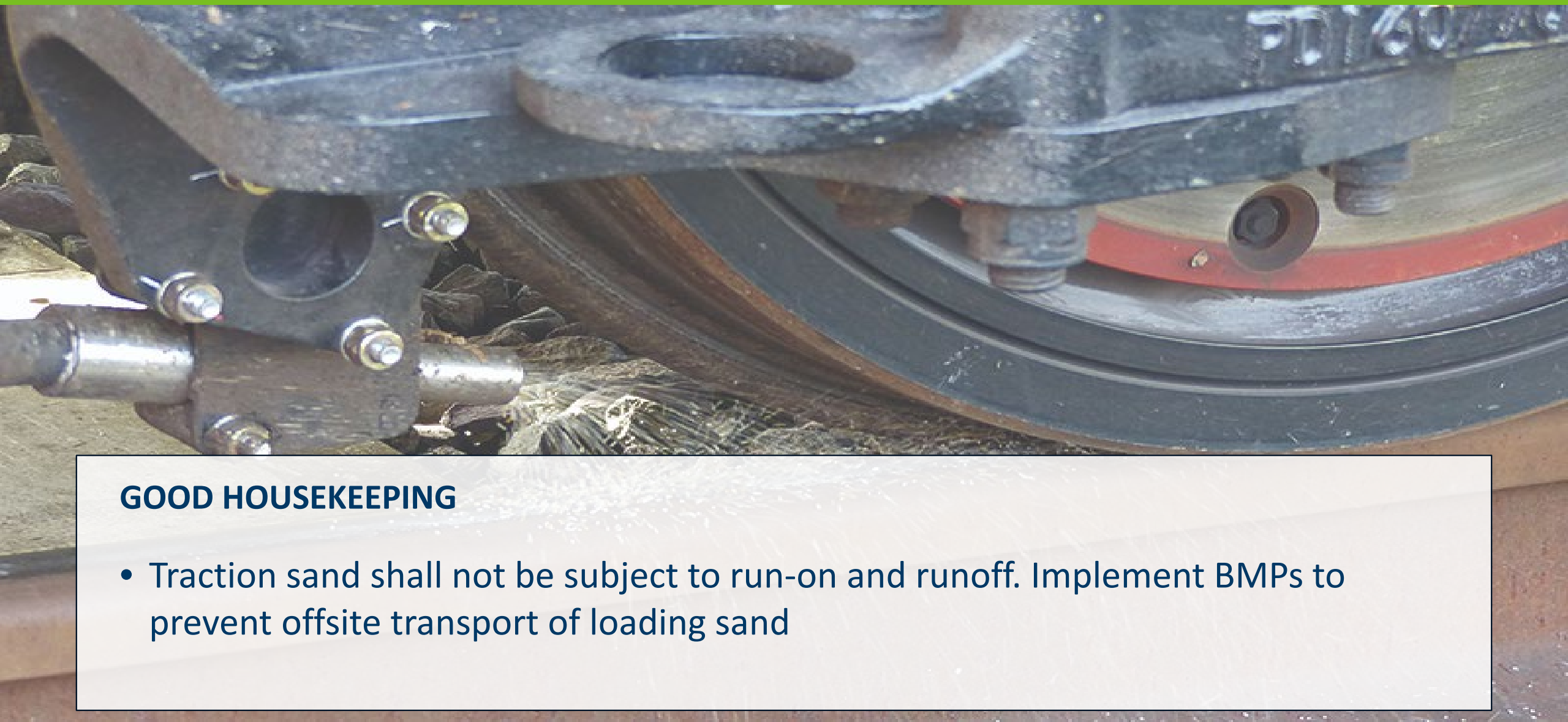
SECTOR SPECIFIC REQUIREMENTS

Sector C. Chemical and Allied Products Manufacturing Requirements

Good Housekeeping Additions

- Organic material shall:
  - Be stored in enclosed storm-resistant structures.
  - Be prevented from release by wind, spillage, or tracking.
  - Be cleaned up immediately onsite.
- Offsite tracking of any material shall be cleaned up within one day of discovery.
- Weekly inspection of milling areas required with daily cleanup of spilled product.

Sector P. Land Transportation and Warehousing Requirements



GOOD HOUSEKEEPING

- Traction sand shall not be subject to run-on and runoff. Implement BMPs to prevent offsite transport of loading sand

Sector U. Food and Kindred Products

Limitations on Authorization

Prohibition on stormwater discharges co-mingled with wastewaters or sources of non-stormwater, including those from:

- Sugar beet piling sites

SWPPP REQUIREMENTS

SWPPP Requirements

- Requirement to document BMPs used to manage runoff that diverts stormwater around areas that may contain pollutants or contaminants.

- Modify SWPPP within 30 days if a change at the facility occurs.
  - Include the date the SWPPP was implemented and last modified.

PFAS SWPPP Requirements

- Include PFAS Stormwater Monitoring Plan in SWPPP
  - Make available to MPCA within 72 hours of a request to review
  - Update Annually

PFAS SWPPP Requirements

- Requirements of a PFAS Stormwater Monitoring Plan:
  - Detailed description of Area of Concern (AOC) monitoring location(s)
  - Identify significant materials located within the AOC
  - Individual responsible for PFAS monitoring
    - Must be familiar with and conduct sampling according to the methods described in the current edition of the U.S. EPA's Method 1633
  - Facility Map:
    - All identified area(s) of concern boundaries
    - All AOC monitoring locations
    - Drinking Water Supply Management Areas within 1 mile
    - Class 1 Waters of the state that are within 1 mile of the facility and receive stormwater discharge from the facility

OTHER CHANGES

Updates

Monitoring Updates

- Iron benchmark removed
- Effluent monitoring required 2 times per year

Management of Runoff

- Stormwater outlet erosion protection required
- Prevent discharge of stormwater to and from contaminated areas.

Salt storage, management, and use at the facility

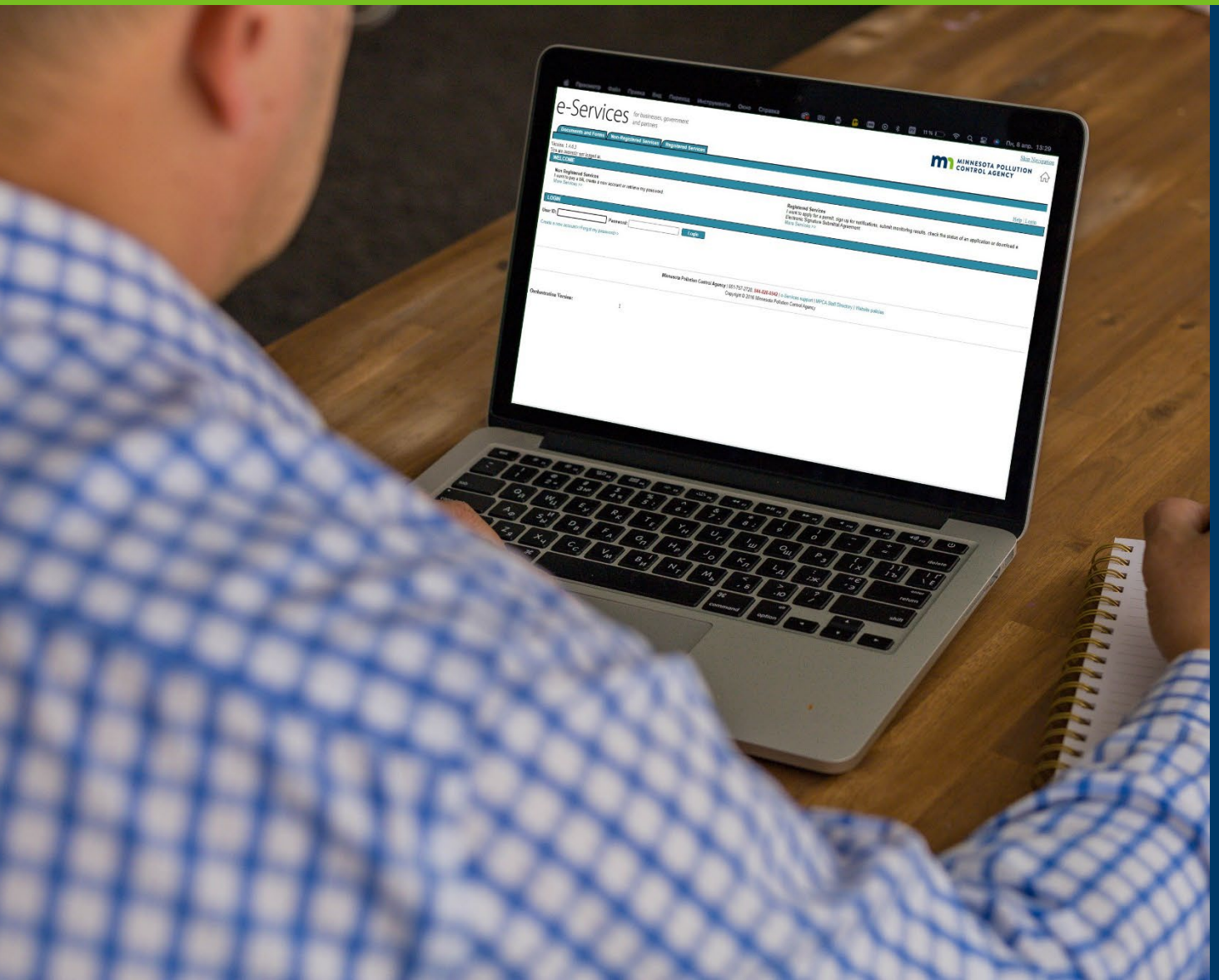
- Document locations of salt storage piles
- Implement practices to reduce salt exposure during loading and unloading.
- Cover salt piles or store salt piles within a storm-resistant shelter.

New Definitions

- Benchmark Value - means the average of four consecutive quarterly sampling results.
- Effluent Limit - means a restriction established by rule or permit condition on quantities, discharge rates, and concentrations of pollutants that are discharged from point sources into waters of the state.
- Measurable Runoff Event - means precipitation, snow melt, or other event that causes stormwater to flow at a monitoring location or area of concern.
- Area of Concern - means the area(s) of the facility where the Permittee, through an industrial activity, makes, uses, stores, or processes PFAS containing materials and/or where vents are located on buildings that make, use, store, or process PFAS.

Next Steps

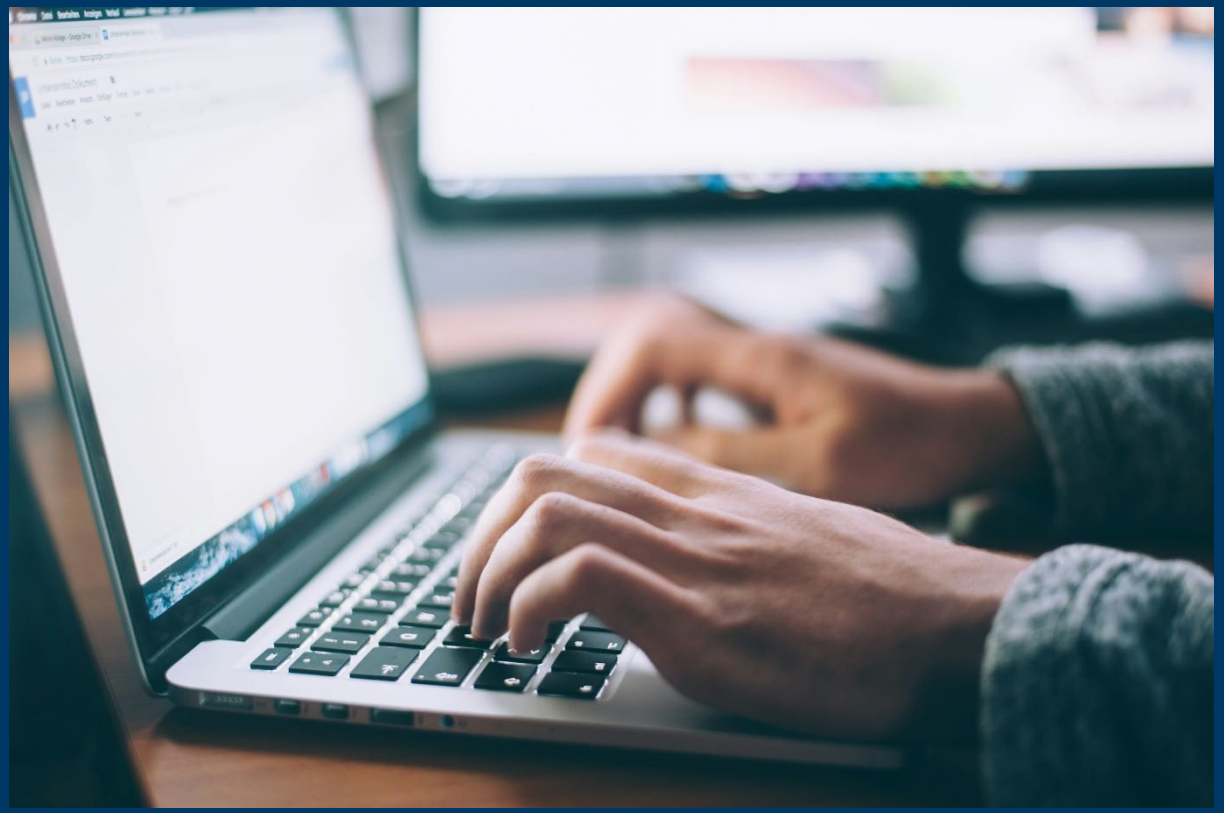
eService Update/Permit Application



- Currently updating the eService permit application service
- Coverage under the 2020 permit will remain effective until the 2025 permit is reissued.
- Wait to apply until the service is ready.
- Register for GovDelivery messages to stay informed.

Public Notice

- Formal public comment period will be communicated – Likely to come at end of 2024 or beginning of 2025.



Thank you again!

lswprogram.pca@state.mn.us

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