



PFAS Monitoring/Proposed Permit Conditions

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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.



MN PFAS Regulations

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



The Washington Post
Democracy Dies in Darkness

🕒 This article was published more than 1 year ago

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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**



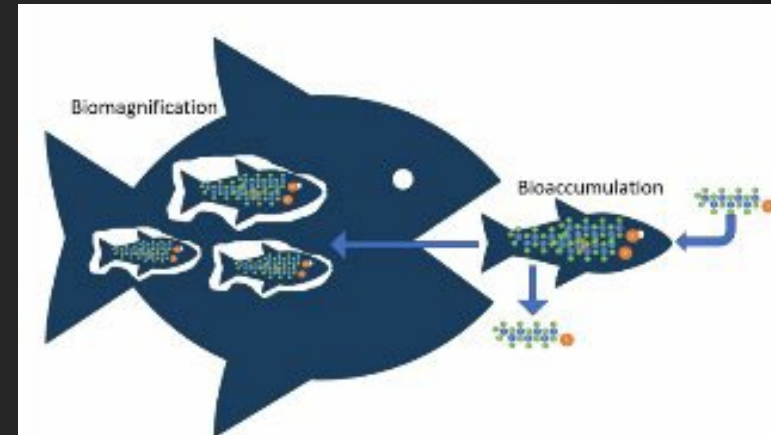
PFAS – containing foam

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

PFAS Monitoring is Required in the Draft Permit

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)



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

- 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*

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

Thank you!

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