February 26, 2025

Matthew Moon
Industrial Division
Minnesota Pollution Control Agency
504 Fairgrounds Rd, Suite 200
Marshall, MN 56264
Matthew.Moon@state.mn.us

Dear Mr. Moon,

Thank you for providing the Minnesota Department of Health (MDH) with the opportunity to comment on the Industrial Stormwater Multi-Sector General Permit. MDH's mission is to protect, maintain, and improve the health of all Minnesotans. An important aspect to protecting Minnesotans' health is the protection of drinking water sources. MDH is the agency responsible for implementing programs under the Safe Drinking Water Act.

Source Water Protection (SWP) is the framework MDH uses to protect drinking water sources. The broad goal of SWP in Minnesota is to prevent contamination of public and private groundwater and surface water sources of drinking water using best management practices and local planning. There are approximately 240 community water supply systems that are considered to have highly vulnerable aquifers or rely on surface water sources. These water supplies are susceptible to land surface contaminant point sources such as industrial facilities.

To aid in the revision of the MPCA's draft permit, and to assist in working together toward addressing mutual goals and priorities, MDH SWP staff have compiled the following general recommendations and considerations on various priority issues related to source water and drinking water protection:

1) Clarification on whether the Industrial Stormwater General Permit can be applied to multiple sites with the same activities. If so, should additional considerations be given to sites within highly vulnerable Drinking Water Supply Management Areas (DWSMA)?
    a) Specifically thinking about gravel pits within DWSMAs: if a company has multiple gravel pits outside a DWSMA and then develops within a highly vulnerable DWSMA, does it make sense for the general permit to still apply?
    b) To view DWSMAs and vulnerability information, visit MDH's online map viewer: Source Water Protection Web Map Viewer - MN Dept. of Health

https://www.health.state.mn.us/communities/environment/water/swp/mapviewer.html.

2) Do the subsector benchmark and effluent limits consider discharge to groundwater and/or drinking water? If not, contaminants that pose a risk to human health and have Maximum Contaminant Levels (MCL) set by the EPA or Health Based Values (HBV) set by MDH should be considered.

    a) The following webpage provides more information on these human health-based drinking water rules and guidance: https://www.health.state.mn.us/communities/environment/risk/guidance/gw/table.html.

3) Suggest replacing all references of "wellhead protection areas" with "DWSMA". The DWSMA is the area that public water suppliers (PWS) are required to manage.

4) The permit references groundwater protection areas when mentioning DWSMAs and Wellhead Protection Areas. Surface Water DWSMAs should also be included in these references.

    a) Surface Water DWSMAs contain two areas of concern: the Emergency Response Area (ERA), and the Spill Management Area (SMA). Potential point source contamination is considered within these two areas. For more information, visit https://www.health.state.mn.us/communities/environment/water/swp/surfwater.html.

5) When a DWSMA (groundwater or surface water) is revised by MDH and industrial facilities located within the area are notified, the industrial facility should update their SWPPP to reflect the new DWSMA (especially if they were not previously located within a protected area).

In addition to the general comments listed above, MDH SWP have also compiled section-specific questions and comments, summarized below:

1) **Section 18.5/18.6**: Is groundwater or soil monitoring required to ensure an infiltration system is not spreading/introducing contamination (both within highly vulnerable groundwater DWSMAs and within surface water ERAs)?

2) **Section 18.7**: The MN Stormwater Manual references MDH guidance for distances of infiltration/storm water basins from wells. However, this is just guidance, and wells are not typically considered in practice. Suggest a standard distance of 100' from a well for infiltration/storm water basins.

3) **Section: 18.9-10**: Surface water protection areas (ERA and SMA) should be included in addition to groundwater DWSMAs.

4) **Section 28.2**: Stormwater pollution prevention plan (SWPPP) should identify contact info of PWS if the facility is located within either a groundwater DWSMA or surface water ERA or SMA.

5) **Section 31.2**: SWPPP facility maps should include groundwater DWSMAs and surface water ERAs and SMAs, if present.

6) **Section 39.1**: As infiltration is a stormwater management strategy, consider requiring groundwater quality samples to characterize the groundwater before any activity starts. This not only provides a baseline for potential changes, but it can also protect the industry from needing to clean up contamination that isn't their responsibility.

7) **Section 41.2**: Benchmark monitoring locations are defined as "*after the final down-gradient BMP from the source of industrial activity or significant materials, but prior to discharging from the Permittee's operational control*". Suggest considering impacts to drinking water through infiltration in both groundwater and surface water.

8) **Section 47.1**: Is groundwater considered a receiving water?

9) **Section 56.2**: This is unclear. Do they not need to monitor if they have infiltration?

10) **Section 65.2**: How would effluent monitoring work for infiltration basins to groundwater/drinking water?

11) **Section 66.1** MDH appreciates the enhanced sampling of the effluent and subsequent follow-up after violations. Please also consider including the requirement to notify the PWS and MDH if within a groundwater or surface water DWSMA, as a violation could pose a risk to drinking water.

Within these recommendations and considerations, you will find various data, information, and resources to aid in the development and implementation of the permit and associated projects. If you have any questions or would like additional resources or technical assistance, please feel free to contact us at 651-259-5733 or Anneka.Munsell@state.mn.us. Again, thank you for the opportunity to be involved in this draft permit revision.

Sincerely,

Anneka Munsell

Digitally signed by Anneka Munsell
Date: 2025.02.26 14:33:42 -06'00'

Anneka Munsell, PE
Minnesota Department of Health
Source Water Protection Unit
PO Box 64975
St. Paul, MN 55164-0975
www.health.state.mn.us

CC: Mark Wettlaufer, MDH Source Water Protection Unit
Danielle Luzinski, MDH Source Water Protection Unit
John Woodside, MDH Source Water Protection Unit
Steve Robertson, MDH Drinking Water Protection Section