Permit Term	Verbiage	Comment
17.3	*D. Material Safety Data Sheet (MSDS), for the additive(s), which must include:*	Update language to just safety data sheet (SDS), which is standard now.
18.5	*Industrial stormwater ponds and infiltration systems must not contribute to a pollutant or contaminant spreading to a greater extent or magnitude in locations where pollutants or contaminants exist in the soil or in the shallow aquifer and are under other regulatory authority. A qualified professional (e.g. professional hydrogeologist, engineer, etc.) shall conduct a site analysis evaluating for extent and magnitude of impacted soil and groundwater and file a report with the SWPPP for any pollutant or contaminant on-site. [Minn. R. 7090, Minn. Stat. 115.02]*	Is this a requirement for all sites with existing ponds? This requirement will be a significant burden for many sites that have historic ponds especially on the timeline required to comply with SWPPP requirements by the application date. If the existing timeline holds for the April 1st application due date, there will also likely be issues with access due to ice conditions. Generally, this takes a level of expertise that most businesses will not have and will be costly and time consuming to outsource. Please clarify if this requirement is limited to certain sites.
19.2	*Unless the facility is inactive and unstaffed, the Permittee shall develop and implement an inspection schedule that includes a minimum of one facility inspection per calendar month that the facility is active and staffed. Further, the Permittee shall conduct a minimum of one of these inspections per calendar year during a rain or snowmelt runoff event. [Minn. R. 7090]*	Request to change language here to note that most sectors have a sector specific requirements to collect two discharge inspections per year. This has been a major source of confusion for many permittees.

28.2	*C. A Permittee with authorization under the previous version of this permit shall modify the SWPPP to comply with the* *requirements of this permit prior to submitting the application.*	A complete update of the SWPPP to comply with Permit regulations will likely be difficult given the timeline between final permit issuance and the due date for the application. This is contradictory to information given during the webinar where it was stated that the application could be submitted by April 1st and updates could be made after the deadline. Many states give a deadline after the permit date (60 or 90 days) to update the SWPPP.
29.3	*The SWPPP must contain the following components:* *A. Industrial stormwater volume reduction and/or pollutant concentration reduction BMPs, designed to restrict industrial stormwater discharges to the designated water;* *B. The SWPPP must include calculations to demonstrate the effectiveness of the chosen BMPs in reducing volume and/or pollutant concentrations;*	This will be a significant burden to permittees. There are many permittees that discharge to impaired waters and get very high quality samples that are well below the threshold values. This requirement exceeds the capability of many onsite staff and would require use of a consultant. Please clarify the extent of calculations required or remove this requirement. If this requirement is maintained, please provide examples for how calculations should be done.
41.2	*A. Is 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;*	Sometimes this isn't feasible. For example, the discharge location from the final BMP is not safe to collect a sample (sewer system with access in a public road, steep slope with dangerous conditions during precipitation, no access). It makes sense to do this but is not always feasible.

47.3	*Prior to the first full calendar quarter following the US EPA-approved listing of the impaired water, the Permittee shall submit an administrative modification application to restart benchmark monitoring. Then the Permittee shall begin the additional monitoring for the pollutant(s) causing the impairment or its appropriate surrogate(s) listed in the Surrogates: Pollutant of Impairment section. [Minn. R. 7090]*	Please clarify if the requirement to review impaired waters during the annual report is being changed to reviewing the impaired waters immediately upon approval. If the new list is approved on September 28th, would the administrative update be due to be completed by October 1st?
49.2	*If the benchmark value is exceeded, the Permittee shall collect at least one sample in the following quarter. After collecting another sample, the Permittee shall calculate the average of the four most recent quarters and compare this new average with the applicable benchmark value(s)*	Does this mean that samples have to be consecutive quarters? If there is a quarter with no flow, does that disqualify the permittee? Or does it mean the four most recent samples that were able to be collected. Could the language be made more clear?
389.2	*Permittees shall collect PFAS stormwater samples for four calendar quarters after receiving coverage. Permittees must collect samples from a measurable runoff event or acceptable snowfall event at each of the facility's at the AOC, provided there is a gap of three days between measurable runoff events. [Minn. R. 7090]*	Does this mean that if there is snow on the ground, a sample must be collected even if there isn't run off? Many facilities that will be required to do PFAS monitoring do not have a risk of atmospheric PFAS contamination that would show up in snow. Often the PFAS and PFOA areas of concern are in areas of facilities that will be plowed and there may not be snow present in these areas even if there is generally snow cover in the region.