Minnesota’s solutions for dealing with difficult permittees

Melissa Wenzel, Industrial Stormwater Program Coordinator

February 23, 2018
3,495 permittees

5 types of difficult permittees

Our solutions.
Why do we care about water in Minnesota?

Minnesota has 90,000 miles of shoreline, more than California, Florida and Hawaii combined.
Most permittees comply. Some do not.
They have their reasons. 

Find out why.

Work with them on compliance.
1 Hand-holders
Hand-holders

Need help filling out application, developing SWPPP, getting trained. Resource-intensive!
Hand-holders: solutions

• They’re not alone. We developed web guidance to help these facilities.

• Provide them technical assistance and guidance. Go at their pace and work at their level.

• Take your time with these permittees. They care enough to want to comply.

• The trust you build with them means they’ll likely call you for other regulation questions.
Does not understand regulations
They understand their business

But not the regulations. You have to appeal to their business sense to motivate them.
For permittees who don’t understand regs: solutions

• Focus on shared goals: protecting our state’s surface waters, drinking water sources.

• Take the time to help them understand the requirements.

• Help them understand cost-savings, or sustainability goals, or worker safety issues.

• Ask them how you can help them.
No follow-through
No follow-through
They agree to comply but fail to follow through. Don’t ignore them.
No follow-through: solutions

Consider a meeting instead of an inspection for known issues. Let them know carrot could be a stick.

Take your time with these permittees. They may want you to go away, but be persistent.

Don’t let them off the hook. Remind them you haven’t forgotten even if they have.
Violently angry permittees
Violently angry permittees: solutions

- Violent acts against regulators is NEVER okay.
- Contact your management and your legal staff.
- File a police report.
- Contact organization’s legal staff or HR about issue.
- Leave facility if conducting an inspection.
Additional thoughts

While permittees do not love being regulated, they do not have the right to cause harm or insinuate causing harm to regulators.

Be careful how communication messages go out.

Have communication staff and/or management review them before sending them.

Take care of yourself but don’t give up or let them “win”.
Frustrated:
new regs
during
↓ economy
Frustrated permittees
They likely want to comply but have valid barriers to successful compliance. Here them out.
Frustrated permittees: solution

MN issued its first MSGP during the Great Recession (April 2010). Understandably, permittees were angry at new requirements in a bad economy. We listened, and created:

• SWPPP checklist & Template
• Sampling & BMP manuals
• Sector-specific guidance documents
• Sampling YouTube videos
• Quarterly newsletter
Do not give up on difficult permittees!

- Listen to them and to their concerns.
- Genuinely validate them
- Work with them to produce solutions and achieve resilient partnerships
Thank you!

Melissa Wenzel

melissa.wenzel@state.mn.us

651-757-2816