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## ENVIRONMENTAL ALERT

### ***USEPA Issues Revised Multi-Sector General Permit***

On June 4, 2015, the U.S. Environmental Protection Agency (“USEPA”) issued the revised National Pollutant Discharge Elimination System (“NPDES”) Multi-Sector General Permit (“2015 MSGP”) which would authorize stormwater discharges associated with industrial activities. The 2015 MSGP only applies in areas where the USEPA is the permitting authority, which includes Puerto Rico. The 2015 MSGP replaces the 2008 MSGP which expired on September 29, 2013 and was administratively continued for covered facilities. All industrial facilities subject to the 2015 MSGP need to submit a complete and accurate Notice of Intent (“NOI”) with the USEPA, including facilities already covered under the 2008 MSGP.

The 2015 MSGP provisions are fundamentally similar to the 2008 MSGP. Nonetheless, the 2015 MSGP includes some changes to streamline the permitting process, and improve environmental protections. Among the most significant changes, the 2015 MSGP includes: (1) additional specificity for several of the technology-based standards; (2) streamlining of Stormwater Pollution Prevention Plans (“SWPPP”) documentation; (3) less requirements for inspections; (4) electronic reporting; and (5) specific deadlines for taking corrective actions.

To be covered under the 2015 MSGP, operators of industrial activities already authorized for coverage under the 2008 MSGP must submit the NOI no later than September 2, 2015. If the NOI is submitted before this date, the authorization under the 2008 MSGP is automatically continued until 30 days after USEPA’s notification that it has received a complete NOI. Prior to submitting the NOI for coverage under this new permit, the permittee must review and update the SWPPP to ensure that 2015 MSGP’s requirements are addressed.

Operators of industrial activities that commence discharging after September 2, 2015, or operators seeking coverage for discharges previously covered under an individual permit or an alternative general permit must submit the NOI 30 days prior to commencing discharge.

If you have any questions or comments or wish additional information regarding this matter, please contact any of the attorneys listed below, members of our Environmental, Energy & Land Use Practice Group:

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