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CLIENT BRIEFING
September 29, 2008

FEDERAL REGULATORY DEVELOPMENT

RE: Environmental Protection Agency (EPA) – New Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit 2008

Today, Regions 1, 2, 3, 5, 6, 9 and 10 finalized EPA's NPDES general permit for stormwater discharges from industrial activity, also referred as the Multi-Sector General Permit 2008 (2008 MSGP). The 2008 MSGP replaces the MSGP originally issued in 2000, which expired on October 30, 2005 (2000 MSGP). The 2008 MSGP covers stormwater discharges associated with certain industrial activities within the jurisdiction of Puerto Rico.

According to EPA, the 2008 MSGP consists of thirty four (34) separate Regional EPA permits that may vary from each other based on the State or Tribal water quality-based requirements. EPA made a number of significant changes to the 2008 MSGP from the 2000 MSGP (e.g., information required in the Notice of Intent, discharge authorization time frame, monitoring, and industry sector-specific requirements). Similar to earlier permits, the 2008 MSGP authorizes the discharge of stormwater associated with industrial activities in accordance with the terms and conditions described therein. An individual permit may be necessary if the discharger cannot meet the terms and conditions or eligibility requirements established in the 2008 MSGP. Additionally, EPA notes that industrial dischargers have the choice to seek coverage under an individual permit.

The new 2008 MSGP takes effect today, **September 29, 2008**.

If you need further information on the foregoing, or wish to assess its potential impact on your plans or operations, you may contact any of the attorneys at the O'Neill & Borges Environmental Law Practice Group.

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