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# EPA's Multi-Sector General Permit (MSGP)

## Overview

Industrial stormwater has been regulated since the promulgation of EPA's 1990 stormwater regulations, which established NPDES permit requirements for "stormwater discharges associated with industrial activity." EPA's first MSGP for stormwater discharges associated with industrial activity was issued on September 29, 1995, and has since been reissued in 2000 and 2008. EPA's MSGP applies in areas of the country where EPA remains the NPDES permitting authority and has made the permit available for coverage, which includes four states (Idaho, Massachusetts, New Hampshire, and New Mexico), the District of Columbia, Puerto Rico, all other U.S. territories with the exception of the Virgin Islands, facilities operated by federal operators in four states (Colorado, Delaware, Vermont, and Washington), most Indian Country lands, and a couple of other specifically designated activities in specific states (e.g., oil and gas activities in Texas and Oklahoma) (click [here](#) to see the areas where the MSGP applies).

## Proposed 2013 MSGP

On September 27, 2013, EPA published in the *Federal Register* the proposed 2013 MSGP.

EPA has published in a *Federal Register* (PDF) (2 pp, 197K, [About PDF](#)) notice a 30-day extension of the public comment period for the proposed MSGP until December 26, 2013.

The proposed 2013 MSGP provisions are largely similar to the 2008 MSGP; however, some changes have been made to improve permit clarity, to address errors, and to make the permit more streamlined. The proposed 2013 MSGP, once finalized, will replace the 2008 MSGP, which expires September 29, 2013.

Note: EPA has made a technical correction to Part 8 of the proposed MSGP. In the *Federal Register* notice announcing the proposed permit, and in the fact sheet for the proposed permit, EPA proposed the inclusion of benchmark values for ten parameters in the MSGP for facilities discharging into saltwater: arsenic, cadmium, copper, cyanide, lead, mercury, nickel, selenium, silver, and zinc. However, EPA accidentally omitted the inclusion of saltwater parameters for four of these parameters, arsenic, cyanide, mercury, and selenium, from Part 8 of the proposed permit that was published on the MSGP website and included on the permit's docket. EPA has incorporated the missing saltwater benchmark monitoring requirements into the [proposed permit, part 8](#) (101 pp, 1MB, [About PDF](#)). The updated draft of the proposed permit has also been uploaded to the permit's docket (docket ID EPA-HQ-OW-2012-0803).

EPA's Proposed 2013 MSGP and related documents:

- [Federal Register Notice \(PDF\)](#) (6 pp, 225K, [About PDF](#))
- [Proposed 2013 Multi-Sector General Permit \(Parts 1-7\) \(PDF\)](#) (50 pp, 627K, [About PDF](#))
- [Proposed 2013 Multi-Sector General Permit \(Part 8\) \(PDF\)](#) (101 pp, 760K, [About PDF](#))

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*cited in Alaska Community Action on Toxics v. Aurora Energy Services, LLC No. 13-35709 archived on September 19, 2014*

[Proposed 2013 Multi-Sector General Permit \(Appendices\) \(PDF\)](#) (189 pp, 1.8MB, [About PDF](#))

[Proposed 2013 Multi-Sector General Permit Fact Sheet \(PDF\)](#) (83 pp, 760K, [About PDF](#))

[Short Fact Sheet About the Proposed 2013 Multi-Sector General Permit \(PDF\)](#) (2 pp, 161K, [About PDF](#))

## Expiration of the 2008 MSGP

The 2008 MSGP expired at midnight on September 29, 2013. A new permit to replace it has not been issued. Facilities that obtained coverage under the 2008 MSGP prior to its expiration are automatically granted an administrative continuance of permit coverage. The administrative continuance will remain in effect until a new permit is issued. Those facilities already covered under the 2008 MSGP are not required to submit a new NOI for permit coverage until the MSGP is reissued, and must continue to comply with all of the requirements in the 2008 permit, including requirements for monitoring and reporting.

EPA has extended a memorandum concerning new facilities that begin discharging stormwater associated with industrial activity after September 29, 2013. This memorandum provides a "no action assurance" for the new facilities that comply with the requirements of the 2008 MSGP, subject to particular terms and conditions as set forth in the memorandum. Until the new MSGP is issued, new facilities are unable to file an NOI for coverage under the expired MSGP. Therefore, information for coverage of these new facilities under the terms of the 2008 MSGP is included in the attached [memo \(PDF\)](#) (2 pp, 368K, [About PDF](#)).

At this time EPA expects to reissue the MSGP in the fall of 2014. At that time all facilities desiring coverage under the MSGP, including those with administrative continuance under the 2008 MSGP, will need to submit NOIs for permit coverage.

## Final 2008 MSGP

On September 29, 2008, EPA announced in the [Federal Register \(PDF\)](#) (7 pp, 112K, [About PDF](#)) publication of the final [2008 MSGP \(PDF\)](#) (247 pp, 4.5MB, [About PDF](#)). The 2008 MSGP provides coverage for [industrial facilities \(PDF\)](#) (7 pp, 250K, [About PDF](#)) located in 4 states, most Indian country lands, as well as at various Federal Facilities in several states (see [Appendix C of the 2008 MSGP \(PDF\)](#) (5 pp, 608K, [About PDF](#))), where EPA still remains the NPDES permit authority.

The 2008 MSGP specifies steps that facility operators must take prior to becoming eligible for permit coverage, including submitting a [Notice of Intent \(NOI\)](#), installing stormwater control measures to minimize pollutants in stormwater runoff, and developing a stormwater pollution prevention plan (SWPPP). View the [general two-page fact sheet \(PDF\)](#) (2 pp, 54K, [About PDF](#)) summarizing the final 2008 MSGP.

The 2008 MSGP expired at midnight on September 29, 2013. If the MSGP is not reissued prior to this date, it will be administratively continued in accordance with 40 CFR 122.6 and remain in force and effect. All NOIs submitted to the EPA through September 29th will be authorized under the 2008 MSGP upon the conclusion of the review period provided the NOI's authorization is not delayed or denied.

EPA's Final 2008 MSGP and related documents:

- [Final 2008 MSGP \(PDF\)](#) (247 pp, 4.5MB, [About PDF](#))
  - The 2008 MSGP includes (1) general requirements (Parts 1–7), (2) sector-specific requirements (Part 8), (3) specific State and Tribal requirements (Part 9), and definitions, general conditions, areas of coverage and eligible industries, and various forms (Appendices A–K). As of October 31st, 2009, the Alaska Department of Environmental

*Conservation is now the [stormwater permitting authority in Alaska](#)*

**EXIT Disclaimer**. Please go to their website to find out how to submit your Notice of Intent.

- [Permit – Parts 1–7 \(PDF\)](#) (51 pp, 792K, [About PDF](#))
- [Permit – Part 8 \(PDF\)](#) (93 pp, 990K, [About PDF](#))
- [Permit – Part 9 \(PDF\)](#) (27 pp, 332K, [About PDF](#))
- [Appendix A: Definitions, Abbreviations, and Acronyms \(PDF\)](#) (9 pp, 186K, [About PDF](#))
- [Appendix B: Standard Permit Conditions \(PDF\)](#) (11 pp, 202K, [About PDF](#))
- [Appendix C: Areas Covered \(PDF\)](#) (5 pp, 608K, [About PDF](#))
- [Appendix D: Activities Covered \(PDF\)](#) (7 pp, 250K, [About PDF](#))
- [Appendix E: Procedures Relating to Endangered Species Protection \(PDF\)](#) (9 pp, 194K, [About PDF](#))
- [Appendix F: Procedures Relating to Historic Properties Preservation \(PDF\)](#) (7 pp, 208K, [About PDF](#))
- [Appendix G: Notice of Intent \(NOI\) Form \(PDF\)](#) (7 pp, 714K, [About PDF](#))
- [Appendix H: Notice of Termination \(NOT\) Form \(PDF\)](#) (2 pp, 66K, [About PDF](#))
- [Appendix I: Annual Reporting Form \(PDF\)](#) (6 pp, 423K, [About PDF](#))
- [Appendix J: Calculating Hardness in Receiving Waters for Hardness Dependent Metals \(PDF\)](#) (3 pp, 225K, [About PDF](#))
- [Appendix K: No Exposure Certification Form \(PDF\)](#) (4 pp, 152K, [About PDF](#))
- [Final 2008 MSGP Fact Sheet \(PDF\)](#) (154 pp, 1.2MB, [About PDF](#)) – The MSGP fact sheet includes a section-by-section discussion of the final 2008 MSGP, including detailed summaries of all provisions, the changes made between the [2000 MSGP \(PDF\)](#) (137 pp, 1.3MB, [About PDF](#)) and the final 2008 MSGP, and the changes made between the proposed permit and the final 2008 MSGP.
- [Industrial Sector Fact Sheets](#) – These fact sheets summarize the types of facilities included in each of the 29 sectors regulated under the 2008 MSGP, the pollutants associated with this sector, and the types of stormwater control measures generally used.

#### How to Become Authorized Under the Final 2008 MSGP

- [Filing an NOI](#) – Industrial facilities are encouraged to file their NOI electronically, using EPA's fast and easy [eNOI system](#). Use of the eNOI system has the benefit of providing user-friendly forms, ensuring fast processing, and emailed reminders of monitoring and reporting requirements.
- [Water Locator Tool](#) – The Water Locator Tool helps industrial facilities complete their NOIs by pinpointing each site's latitude and longitude, approximating the nearest receiving water, and providing information on the impairment status of the water, applicable total maximum daily loads (TMDLs), and potential pollutants of concern.
- [List of Tier 2 and Tier 3 Waters](#) – You should consult this list of waters currently designated by states as Tier 2 or Tier 3 for antidegradation purposes to help you complete your NOI.

#### Developing SWPPPs, Reporting Monitoring Data and Annual Reports, and Other Guidance

- [Industrial SWPPP Guidance \(PDF\)](#) (45 pp, 2.9MB, [About PDF](#)) – Guidance on how to develop a SWPPP that meets the requirements of the 2008 MSGP.
- [Sample MSGP SWPPP Template \(Word Version\)](#) (22 pp, 355K) – Industrial facilities can use EPA's "Industrial SWPPP Template" to create their own SWPPPs. The Template provides step-by-step instructions for developing a SWPPP for your site, based on the requirements in the 2008 MSGP. As a reminder, all facilities must have a SWPPP completed prior to submitting their NOIs for coverage under the 2008 MSGP.
- [Sample Recordkeeping Templates \(Word Version\)](#) (21 pp, 332K) – Use the

sample templates and forms in the "Additional Documentation Template" to keep records of your monitoring, inspection, maintenance, visual evaluation, and corrective action activities.

- [Industrial Stormwater Monitoring and Sampling Guide \(PDF\)](#) (51 pp, 1.1MB, [About PDF](#)) – This guide is a how-to primer for industrial operators on how to conduct visual and analytical monitoring of stormwater discharges. The guide is written to help facilities understand and comply with the 2008 MSGP monitoring requirements, but can also be used by facilities subject to different state permits.
- [MSGP Industrial Discharge Monitoring Report \(MDMR\) Form \(PDF\)](#) (4 pp, 282K, [About PDF](#)) – Permittees unable to access the eNOI reporting system can use this paper form to submit analytical monitoring results to EPA. You may also use this paper form as a checklist for the information you will need when submitting a MDMR electronically via EPA's eNOI system. Note: Even though this publication is a PDF file, it allows you to type directly onto the form while it is open in the Adobe Acrobat Reader.
- [Annual Reporting Form \(PDF\)](#) (6 pp, 423K, [About PDF](#)) or [\(Word Version\)](#) (6 pp, 240K) – Permittees are required to submit to EPA annual reports summarizing their annual comprehensive site inspection and corrective actions taken during the year for the MSGP. EPA has developed this Annual Reporting Form, which can be used by permittees to submit this information to EPA.
- [Region 10 Questions and Answers about the MSGP 2008 \(PDF\)](#) (26 pp, 239K, [About PDF](#)) – This document provides answers to many of the commonly asked questions in Region 10 about the 2008 MSGP.
- [Memorandum Clarifying MSGP Coverage for Sand and Gravel Operations that Support Transportation Projects \(PDF\)](#) (3 pp, 1MB, [About PDF](#))
- [Monitoring and Reporting for EPA's 2008 MSGP Webinar](#) – This archived webinar discusses the monitoring requirements in the 2008 MSGP, including how to collect samples, to submit the monitoring results electronically via EPA's eNOI system, and to complete the annual report.
- [EPA's New Industrial Stormwater Permit: What You Need to Know about the 2008 MSGP Webinar](#) – This archived webinar provides an overview of the requirements of the 2008 MSGP.

*cited in Alaska Community Action on Toxics v. Aurora Energy Services, LLC  
No. 13-909 archived on September 15, 2014*

