



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
WATER AND
WATERSHEDS

**Requesting Permission to Apply for Coverage
Under the 2008 MSGP – Sector AD
For Industrial Storm Water Discharges Located In Areas
Where EPA Region 10 is the NPDES Permitting Authority**

The U.S. Environmental Protection Agency's (EPA) *National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit for Storm Water Associated with Industrial Activities (2008 MSGP)* authorizes "storm water discharge associated with industrial activity" as defined in federal regulations at 40 CFR 122.26(b)(14)(i-xi).¹ The full text of the 2008 MSGP and supporting information can be found online at <http://www.epa.gov/npdes/stormwater/msgp>.

The 2008 MSGP is available to operators of industrial activities located in the State of Idaho; in Indian Country within Oregon, Idaho, Alaska and Washington; and on federal lands within the State of Washington. See Appendix C of the 2008 MSGP for the specific geographic areas where the 2008 MSGP is available.

Under a unique provision of the 2008 MSGP called "Sector AD," operators of industrial activity which are not specifically defined in the federal regulations - but which need federal Clean Water Act permit authorization for their storm water discharges- must request permission from the EPA Region 10 Director prior to submitting an application for coverage under the 2008 MSGP.

Written requests for permission to apply for coverage under the 2008 MSGP-Sector AD must be sent to the EPA Region 10 Director at the address below:

Michael A. Bussell, Director
Office of Water and Watersheds
Attention: 2008 MSGP – Sector AD
U.S. EPA, Region 10
1200 6th Avenue, Suite 900 (OWW-130)
Seattle, WA 98101

A request for permission to apply for 2008 MSGP-Sector AD should summarize relevant information related to the industrial activity and its storm water discharges. The EPA Region 10 Director will make a determination whether the 2008 MSGP, or other NPDES permit options, are appropriate for authorizing storm water discharges from the industrial activity.

Requests for Permission to Apply for the 2008 MSGP-Sector AD May Include:

Who: The name of the Company or Agency considered to be the operator; include the mailing address; name of a point of contact, phone number, and email address.

What: Describe the *facility, industrial activity, and/or the storm water discharges associated with industrial activity* for which the *operator* seeks permit coverage; include the Standard Industrial Classification (SIC) or the North American Industrial Classification

¹ Federal regulations can be accessed online at <http://www.gpoaccess.gov/cfr/index.html>. In general, industrial activities needing to obtain NPDES permits for storm water discharges broadly encompass 29 industrial sectors, and are listed by Standard Industrial Classification (SIC) code in Appendix D of the 2008 MSGP; see http://www.epa.gov/npdes/pubs/msgp2008_appendixd.pdf.

System (NAICS) code, as appropriate. Describe any other *co-located industrial activities* under the operator's control, as well as *storm water discharges associated with construction activity*, maintenance activity, and/or routine use. (Definitions of each italicized term can be found in 2008 MSGP –Appendix A, http://www.epa.gov/npdes/pubs/msgp2008_appendixa.pdf.)

Where: Provide the locations of the industrial activity and any conveyances/outfalls discharging storm water to waters of the U.S; include latitude/longitude; range/township; maps and/or other location information as appropriate. Identify all water(s) of the United States that receive storm water discharges from the industrial activity.

When: Describe the temporal scope of the industrial activity (e.g., the activity is on-going, seasonal, or a future activity). Provide estimated start and stop dates, as appropriate. If the activity is contingent or conditioned upon other approvals, actions, etc., please describe the circumstances which would affect the timing of the industrial activity and use of the associated drainage system.

How: Briefly describe any *Best Management Practices* (BMPs) currently used by the operator to prevent or eliminate pollutants in storm water discharges from the industrial activity. See the 2008 MSGP-Appendix A for definitions of *Best Management Practices* at http://www.epa.gov/npdes/pubs/msgp2008_appendixa.pdf.

Other: Water Quality - Indicate whether discharges enter water(s) considered *impaired* under Clean Water Act Section 303(d), and whether a *Total Maximum Daily Load (TMDL)* has been developed for the segment of the water body receiving the discharge. As necessary, provide the pollutants listed by the State agency as causing the impairment, and the pollutants addressed by any applicable TMDL. See the 2008 MSGP-Appendix A for definitions of *impaired water* and *TMDL* at http://www.epa.gov/npdes/pubs/msgp2008_appendixa.pdf.

Endangered Species/Critical Habitat - Identify whether federally listed species or critical habitat(s) designated under the Endangered Species Act (ESA) exist where the discharge, or discharge related activities, occur. See the 2008 MSGP-Appendix E regarding endangered species requirements: http://www.epa.gov/npdes/pubs/msgp2008_appendixe.pdf. Specific ESA listings within the Pacific Northwest can be found on the following websites:

National Marine Fisheries Service: <http://www.nwr.noaa.gov/Species-Lists.cfm>

U.S. Fish & Wildlife Service, Idaho: <http://www.fws.gov/idaho/Species.htm>
 Oregon: <http://www.fws.gov/oregonfwo/Species/Lists/>
 Washington: <http://www.fws.gov/wafwo/species.html>
 Alaska: <http://alaska.fws.gov/fisheries/endangered/listing.htm>

National Historic Properties - Identify whether the storm water discharges occur near areas designated under the National Historic Properties Act (NHPA). See 2008 MSGP-Appendix F regarding historic properties requirements: http://www.epa.gov/npdes/pubs/msgp2008_appendixf.pdf. State & Tribal Historic Preservation Office contacts may be found through the Advisory Council on Historic Preservation, www.achp.gov/programs.html.

If you have questions regarding the 2008 MSGP and these instructions, please contact Dirk Helder, EPA Region 10, (208) 378-5749, or helder.dirk@epa.gov