

August 31, 2021

Energy, Natural Resources and Environmental Practice Group Newsletter



Update of NOM 001 SEMARNAT 2021, which establishes permissible limits of pollutants in wastewater discharges in federal receiving bodies.

The National Consultative Committee for the Normalization of the Environment and Natural Resources (Comarnat) approved on August 27, the Official Mexican Standard NOM-001-SEMARNAT-2021, which establishes the permissible limits of pollutants in wastewater discharges into federal receiving bodies, and it is expected to be published in the Federal Official Gazette in the coming days.

Said Standard replaces the one issued in 1996, and its main modifications include:

- New parameters for true color, chemical oxygen demand and toxicity are introduced.
- The maximum temperature for discharges in rivers, streams, canals and drains is reduced to 35 degrees.
- Updating of the list of Mexican Standards used to carry out the sampling and analysis of the parameters referred to for the application of this Standard, eliminating those that have been canceled or modified.
- The maximum permissible limits of pollutants in wastewater discharges to receiving bodies of national property will be modified, making them stricter.

- The parameter "Total Organic Carbon" will be incorporated to measure the organic load of pollutants in waters with a concentration greater than 1000 mg/l of chlorides.
- The concept of Instantaneous Value is also introduced, which is the result obtained from the laboratory analysis of a sample of residual water collected as a result of the verification carried out by CONAGUA or PROFEPA.
- The parameter of fecal coliforms would be replaced by the determination of *Escherichia coli*.
- The way in which residual water discharges are classified will be modified, considering the nature of the receiving body: rivers, streams, canals and drains; reservoirs, lakes and lagoons; Mexican marine zones and estuaries; and soils (irrigation of green areas or infiltration and other risks).

It is important to note that once this new Standard has been published in the Federal Official Gazette, it will be mandatory for those responsible for discharging wastewater in any type of federal receiving body in Mexico.

The Standard would not be applicable to water discharges from drains destined exclusively for rainwater or for those that discharge directly to municipal drainage and sewerage systems.

If you have doubts about the Environmental Compliance of your company, our Environmental team has extensive experience in these matters. If you require any further information or support regarding the aforesaid, please do not hesitate to contact us.

This newsletter was prepared by Francisco Andrés Gámez-Garza (agg@sanchezdevanny.com) and Claudia Georgina García-González (claudia.garcia@sanchezdevanny.com).

Sánchez Devanny is a leading Mexican law firm that provides **full-service legal advice** both to Mexican and international clients.

We build enduring client relationships because we make every effort to understand our clients' businesses and expectations, to serve as an ally, and to provide **complete, accessible and personalized advice**.

Contact

Claudia Georgina García-González
claudia.garcia@sanchezdevanny.com

Francisco Andrés Gámez-Garza
agg@sanchezdevanny.com

Gerardo Prado-Hernández
gph@sanchezdevanny.com

José Antonio Postigo-Uribe
japostigo@sanchezdevanny.com

Mexico City:

Av. Paseo de las Palmas #525 Piso 6
Col. Lomas de Chapultepec, 11000
Ciudad de México
T. +52 (55) 5029 8500

Monterrey:

José Clemente Orozco #335 Piso 4
Despacho 401 Col. Valle Oriente, 66269
San Pedro Garza García N.L.
T. +52 (81) 8153 3900

Querétaro:

Av. Antea #1090, Piso 2 Int 206
Col. Jurica, 76100
Querétaro, Qro.
T. +52 (442) 296 6400



www.sanchezdevanny.com

Sánchez Devanny refers to Sánchez-Devanny Eseverri, S.C., a leading Mexican law firm that provides full-service legal advice both to Mexican and international clients.

This publication contains general information only and is just for informative purposes. Sánchez Devanny is not rendering legal advice or services by means of this publication. To obtain legal advice or services and before making any decision or taking any action that may affect your business you should consult a qualified professional advisor.

Sánchez Devanny provides legal services in the areas of Corporate and M&A; Corporate and Project Finance; International Trade and Customs; Real Estate, Infrastructure and Hospitality; Tax; Labor, Social Security and Immigration; Corporate Governance and Regulatory Compliance; Energy, Natural Resources and Environmental; Life Sciences; Intellectual Property, Entertainment and Sports Law; Litigation and Alternative Dispute Resolution; Antitrust; Financial Institutions and Services; Private Wealth Management and Estate Planning and Data Privacy and Information Technology to both public and private clients, especially in the automotive, retail, pharmaceutical, manufacturing, real estate and energy industries.