

State Water Resources Control Board

SEP 27 2012

David Smith
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
Mail Code: WTR-5
San Francisco, CA 94105

Dear Mr. Smith:

SUBJECT: CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION FOR U.S. ENVIRONMENTAL PROTECTION AGENCY'S VESSEL GENERAL PERMITS


The U.S. Environmental Protection Agency (USEPA) had requested on December 8, 2011 that the State Water Resources Control Board (State Water Board) issue a water quality certification pursuant to Clean Water Act (CWA) Section 401 for two permits under the USEPA National Pollutant Discharge Elimination System (NPDES) vessels program: (1) Vessel General Permit (VGP) and (2) Small Vessel General Permit (sVGP). The VGP applies to discharges incidental to the normal operation of commercial vessels and non-recreational vessels greater than or equal to 79 feet in length and the sVGP applies to discharges incidental to the normal operation of commercial vessels and non-recreational vessel less than 79 feet in length.

State Water Board staff reviewed the information submitted by USEPA describing the activities and the proposed water quality protection measures for these permits. On March 28, 2012, a Public Notice was posted for the Water Quality Certifications for the USEPA VGP and sVGP to satisfy the public notice requirements of section 3861, title 23, of the California Code of Regulations. Comments on this action were due within 45 days of the posting date.

Pursuant to title 23, section 3838 of the California Code of Regulations, I hereby make the certification determination described in Enclosures I and II for the VGP and sVGP respectively.

If you require further assistance, please contact Ms. Shuka Rastegarpour, the staff lead person for this certification, at (916) 341-5576 (srastegarpour@waterboards.ca.gov) or Dr. Maria de la Paz Carpio-Obeso, Chief of our Ocean Standards Unit, at (916) 341-5858 (mcarpio-obeso@waterboards.ca.gov).

Sincerely,



Thomas Howard
Executive Director

Enclosure I: VGP Water Quality Certification Order:

Attachment 1: Signatory Requirement

Attachment 2: List of Chemical Names and Common Names for Hazardous Wastes and Hazardous Materials, title 22, Chapter 11, Appendix X, California Code of Regulations

Attachment 3: Effluent Limitations Based on Narrative Objectives in the California Ocean Plan and Basin Plans

Attachment 4: Monitoring and Reporting

Enclosure II: sVGP Water Quality Certification Order:

Attachment 1: Signatory Requirement

Attachment 2: List of Chemical Names and Common Names for Hazardous Wastes and Hazardous Materials, Title 22, Chapter 11, Appendix X, California Code of Regulations

Attachment 3: Effluent Limitations Based on Narrative Objectives in the California Ocean Plan and Basin Plans

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