



June 7, 2012

Shuka Rastegarpour
Environmental Scientist
Ocean Standards Unit
Division of Water Quality
California State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Re: Section 401 Water Quality
Certification for USEPA Vessel
General Permit

Dear Ms. Rastegarpour,

Canal Barge Company, Inc. (CBC) is a family-owned company that has been in business for over 78 years. We operate a fleet of 32 inland towboats and more than 800 barges, including coastal and offshore unmanned deck barges. We are proud to be a part of the industry that is the most environmentally friendly mode of freight transportation, and our personal commitment to the environment is illustrated by the dozens of Environmental Achievement Awards that our vessels received last year from the Chamber of Shipping of America.

Thank you for soliciting for comments on the California State Water Resources Control Board's intention to certify the Environmental Protection Agency's (EPA) Vessel General Permit (VGP) and Small Vessel General Permit (SVGP) in March 2012, to which CBC responded on May 11, 2012. Thank you, also, for this opportunity to comment on the conditions that the Water Resources Control Board proposes adding to the certification. Please consider these our comments on both the draft VGP certification and the draft SVGP certification.

As we explained in our May comments, we share California's commitment to protect the waters in which we work, especially when it comes to eliminating the transfer of invasive species. However, the VGP is not the best regulatory vehicle to accomplish this goal because it is an extremely poor fit for vessels like ours that travel through the waters of multiple states on a regular basis. This is because the 401 certification process allows states to impose multiple, and potentially conflicting, requirements in addition to the VGP's provisions. It is extremely difficult for vessel crews to change the operations of a towing vessel moving across invisible state lines while they are also focused on the safe operation of the vessel.

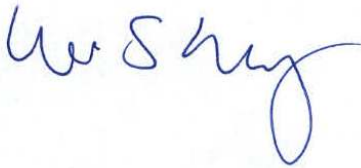
Furthermore, the fact that most of the conditions apply to all vessels covered by the VGP does not recognize the extremely diverse structural and operational characteristics of different types

and classes of vessels that makes it difficult or impossible for some, such as towing vessels and barges, to comply with certain requirements. The conditions also do not take into account the varying levels of risk that different classes and types of vessels pose for discharging pollutants and transferring invasive species. For example, compared to ocean-going freight ships or large cruise vessels, towing vessels and unmanned barges have fewer (or no) crews and much smaller amounts of discharges, which means they pose a much lower risk of polluting surrounding waters or transferring invasive species. Requiring them to comply with the same requirements as vessels that pose much higher risks for these activities harms the state economy while doing little or nothing to improve environmental quality. Therefore, we urge Water Resources Control Board to certify the VGP without any additional conditions.

The true solution is for Congress to establish a new, uniform statutory framework for the regulation of vessel discharges. This framework would provide for environmentally protective standards that keep our waters clean while being tailored to the operations of vessels in interstate commerce. Fortunately, last November, the House of Representatives passed a Coast Guard Authorization Bill with a title that would establish such a framework. Again, we urge the State Water Resources Control Board to ask Senator Barbara Boxer and Senator Dianne Feinstein to work to advance this bill in the Senate.

Thank you again for the opportunity to comment on the State Water Resources Control Board's draft conditions as a part of the 401 certification of the VGP. Please do not hesitate to let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "W S Murphy". The signature is written in a cursive style with a large, looped "y" at the end.

William S. Murphy