

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



December 16, 2008

U.S. Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Attn: David Webster
Chief, Industrial Permits Unit
Office of Ecosystem Protection

RE: **Section 401 Water Quality Certification and Coastal Management Consistency
Concurrence**

National Pollutant Discharge Elimination System (NPDES) Vessel General Permit (VGP) for
Discharges Incidental to the Normal Operation of Commercial and Large Recreational
Vessels

Application No. WQC-200801845 (Inland)
Application No. WQC-200801846 (Coastal)

Subsequent to our issuance of Water Quality Certification pursuant to Section 401 of the
Federal Clean Water Act, information has been received that dictates a change to the conditions of
the certification. This information from the regulated community indicates that it is not practicable
to require an immediate cessation of the discharge of graywater from all vessels covered under the
VGP. Condition 7 of the 401 Water Quality Certification and Coastal Management Consistency
Concurrence issued on October 22, 2008 is hereby revised as follows:

- 7. Effective upon issuance of the VGP, graywater as defined in 33 USC § 1322 (a)(11) shall not be discharged into Connecticut waters from a vessel covered under the VGP unless such vessel is not equipped to hold such graywater for processing ashore or for discharge outside Connecticut waters.**

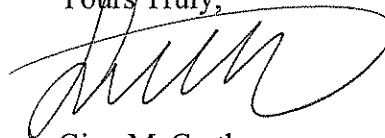
Effective January 1, 2012, graywater from any vessel covered under the VGP operating in Connecticut waters shall not be discharged into such waters unless such discharge is granted an extension under the limited circumstances described herein. This prohibition shall be in effect regardless of a vessel's traveling speed.

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No extensions will be made to the above implementation date, unless an entity covered under the VGP makes a request for an extension to the Commissioner and can provide sufficient justification for such a request. Any such extension request shall state and demonstrate that: (1) there is a shortage in supply of the technology necessary to meet the limits set forth in this certification, or a vessel-specific engineering constraint or other factor related to the availability and installation of technology beyond the vessel owner/operator's control, that delays the technology being available and installed in time to comply with this standard; (2) the unavailability of supply or installation constraint is the only reason the January 1, 2012 date cannot be met; and (3) the vessel has exhausted all other options to comply with this standard. Any extension request must be made no later than June 30, 2010, and the extension request shall indicate when the vessel will come into compliance with this deadline.

All other conditions of the certificate remain in full force and effect. The revision to condition 7 maintains the protection of water quality afforded by this water quality certificate and merely allows for a reasonable time for certain vessels to come into compliance consistent with the provisions of the New York state water quality certificate for the shared waters of Long Island Sound. If you have any questions regarding this matter please contact Rick Huntley in the Office of Long Island Sound Programs at (860) 424-3609. Thank you.

Yours Truly,



Gina McCarthy
Commissioner