



→ Olander

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

Water Monitoring and Standards
P.O. Box 409, 401 E. State St
Trenton, NJ 08625-0409
Phone (609) 292-1623 Fax (609) 633-1276

ENVIRONMENTAL PROTECTION
AGENCY REGION II
08 OCT -1 AM 10:21
DIV. ENV. PLANN. & PROT.

September 24, 2008

Mr. Walter E. Mugdan, Director
US Environmental Protection Agency
Division of Environmental Planning and Protection
290 Broadway
New York, New York 10007-1866

Re: **Clean Water Act Section 401 Certification for Commercial Vessel and Large Recreational Vessel General Permit**

Dear Mr. Mugdan:

This certification is issued under Section 401(1) of the Federal Clean Water Act (CWA) in response to your letter of July 9, 2008 and is based on the information and materials included in Docket ID No. EPA-HQ-OW-2008-0055 available at <http://www.regulations.gov>.

NJDEP certifies that discharges from vessels covered by the United States Environmental Protection Agency General Permit for discharges incidental to the normal operation of commercial vessels and large recreational vessels (VGP) will not contravene New Jersey's effluent limitations or standards as provided for under CWA Sections 301, 302, 303, 306, 307 and 401, provided the following conditions set forth in the Certification are met.

These certifications shall expire five years after the date of issuance for the EPA's VGP.

Certification Conditions for the VGP

New Jersey Water Pollution Control Act (NJWPCA) requires the NJDEP to develop water quality standards for the waters of the State of New Jersey.

New Jersey Statutory Authority requires the NJDEP to develop effluent limits for discharges from point sources to the waters of New Jersey. Section 58:10A-6a of the NJWPCA requires no discharge to the waters of New Jersey may violate water quality standards. The discharge limitations, and other conditions set forth in this certification, are required to comply with New Jersey's regulations, set forth at N.J.A.C. 7:9B, which state no toxic or other deleterious substances may be discharged that impair the waters for their best usages. Conditions of this

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages ▶ 2

To Jishi Coxena	From Jim Olander
Dept./Agency Becky Larson	Phone # 212-637-3833
Fax # 202-566-9547	Fax #

New Je

b/c

Handwritten signature

Certification are needed to comply with the more stringent New Jersey statutes and regulations. In accordance with 40 CFR 124.53 (e)(3), these conditions cannot be made less stringent and still comply with State water quality standards.

1. Any vessel covered under the VGP permit that operates in New Jersey waters may NOT discharge treated or untreated graywater into waters of New Jersey State within three nautical miles of shoreline. This limit is in effect regardless of the speed the vessel is traveling.
2. Any vessel covered under the VGP operating in New Jersey waters may not discharge bilge water into embayments, as designated in the VGP, or into NY-NJ Harbor (Newark Bay, Raritan Bay, Arthur Kill, Kill Van Kull, saline portions of the Passaic, Hackensack, and Hudson Rivers and saline portions of tributaries to all of these waters) and Delaware Bay regardless of speed the vessel is traveling.

The contact person for consultation, submittals and approvals as referred to in this Certification is:

Debra Hammond, Chief
 NJDEP
 Water Monitoring and Standards
 Bureau of Water Quality Standards and Assessment
 401 E. State St., PO Box 409
 Trenton, NJ 08625-0409

The NJDEP reserves the right to challenge the EPA's VGP.

Should you require further information regarding this Certification, please contact Ms. Hammond at 609-777-1753.

Sincerely,

Handwritten signature of Leslie J. McGeorge

Leslie J. McGeorge,
Administrator

- c:
- Mark Mauriello, Assistant Commissioner, Land Use Management
 - Debra Hammond, Chief, Bureau of Water Quality Standards and Assessment
 - Jeffrey Reading, Division of Water Quality
 - Richard Langbein, Land Use Regulation
 - Ruth Ebinger, Policy Planning and Science

FAX TRANSMITTAL

Handwritten notes and stamps:
 2
 32-03
 3223
 202-552-7599
 202-552-7599