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HAROLD LEGGETT, Ph.D.
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State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL SERVICES

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August 21, 2008

AI 159703 and AI 159704

Mr. Miguel I. Flores
Director, Water Quality Protection Division
US Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Re: Vessel General Permit (VGP), AI 159703, and Recreational Vessel Permit (RGP), AI 159704
Clean Water Act (CWA) Section 401 Certification

Dear Mr. Flores:

In accordance with Section 401 of the CWA and Louisiana Department of Environmental Quality (LDEQ) regulations (LAC Title 33, Part IX, Subpart 1, Chapter 15), LDEQ certifies that the two draft general permits proposed by EPA covering discharges incidental to the normal operation of vessels comply with state law and applicable provisions of the CWA – Sections 208(e), 301 (technology based effluent limitations), 302 (water quality based effluent limitations), 303 (water quality standards and implementation plans), 306 (national standards of performance), and 307 (toxic and pretreatment effluent standards).

One general permit called the Vessel General Permit (VGP), AI 159703, covers discharges incidental to the normal operation of commercial vessels and recreational vessels greater than or equal to 79 feet. The other general permit called the Recreational General Permit (RGP), AI 159704, covers discharges incidental to the normal operation of recreational vessels less than 79 feet in length.

On August 8, 2008, the LDEQ public noticed a proposal to issue 401 Certification for the two draft general permits proposed by EPA. This public notice was published in The Advocate of Baton Rouge (the official state journal), the Times Picayune of New Orleans, the Times of Shreveport, the News Star of Monroe, the Courier of Houma, the Town Talk of Alexandria, the Advertiser of Lafayette, and the American Press of Lake Charles; and was distributed to the LDEQ public notice mailing list.

One comment was received. The American Waterways Operators urged the state not to include additional state requirements in our 401 Certification of the EPA general permits. The state is not requiring additional requirements as part of this 401 Certification.

If you have any questions or need additional information, please contact Gary Aydell at (225) 219-3002 or e-mail gary.aydell@la.gov.

Sincerely,

Cheryl Sonnier Nolan,
Assistant Secretary

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