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BRAD HENRY  
Governor

STEVEN A. THOMPSON  
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

September 12, 2008

Mr. Miguel I. Flores (6WQ)  
Director, Water Quality Protection Division  
United States Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733

6WQ-E-copy, 6WQ-D-E-copy,  
6WQ-A..... 6WQ-C.....  
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6WQ-S.....  
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Re: Water Quality Certification for EPA NPDES Vessel General Permit for Discharges Incidental to the Normal Operation of Commercial Vessels and Large Recreational Vessels (VGP)

Dear Mr. Flores:

We have received your request for a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (Public Law P.L. 92-500), as amended by the Clean Water Act of 1977 (P.L. 95-217), for activities to be permitted under the EPA NPDES Vessel General Permit for Discharges Incidental to the Normal Operation of Commercial Vessels and Large Recreational Vessels (VGP). The Department of Environmental Quality rules governing 401 Water Quality Certification are contained in Oklahoma Administrative Code (OAC) 252:611-3-1 through 252:611-3-6 pursuant to 27A O.S. 2-6-103(C)(2). For copies of the Department's rules and regulations related to the 401 procedures, please contact the Customer Assistance Division at (405) 702-1000 or online at [www.deq.state.ok.us/rules/2001-611.pdf](http://www.deq.state.ok.us/rules/2001-611.pdf).

The Oklahoma Department of Environmental Quality waives Clean Water Act 401 Water Quality Certification for the Environmental Protection Agency NPDES Vessel General Permit.

The Oklahoma DEQ has waived certification due to the following:

1. DEQ believes this permit will have limited applicability in the state.
2. DEQ has no reason to believe that the covered discharges will have an appreciable effect on the waters of the state.
3. Access to sufficient data and information are not available for DEQ to certify there will not be an effect on the waters of the state from the specified discharges.

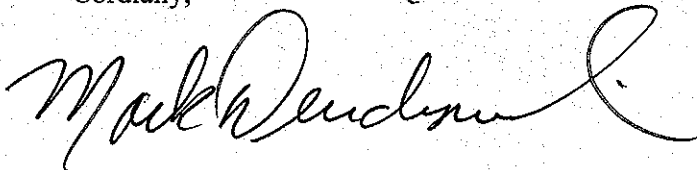


4. Current information does not provide a basis to deny certification of this permit for vessels operating in the state.

To comply with Oklahoma's Water Quality Standards, conditions in the draft permit must remain as stringent as they exist in the draft submitted to the DEQ on July 14, 2008.

Thanks you for your consideration. If you need any additional information, please contact me or have your staff contact Joe Long at 405-702-8198.

Cordially,

A handwritten signature in black ink, appearing to read "Mark Derichsweiler". The signature is fluid and cursive, with a large initial "M" and a long, sweeping tail.

Mark Derichsweiler, P.E.  
Watershed Planning and Storm Water Permitting  
Water Quality Division