



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

August 13, 2008

David M. Webster
Industrial Permits Branch
Office of Ecosystem Protection
USEPA New England
Mail Code CMP
One Congress St, Suite 1100
Boston, MA 02114-2023

Subject: Certification of NPDES Vessel General Permit

Dear Mr. Webster:

By letter dated June 25, 2008, the U.S. Environmental Protection Agency requested State Certification of the NPDES Vessel General Permit and The General Permit for Discharges Incidental to the Normal Operation of Commercial and Large Recreational Vessels (RGP). States have since been advised that EPA will not be issuing the RGP.

The EPA publicly noticed the availability of the draft permit, including the Fact Sheet, in a notice dated June 25, 2008. The Public Notice provided a public comment period until August 1, 2008. NHDES commented with a letter dated August 1, 2008.

Upon final issuance by the federal EPA, the New Hampshire Department of Environmental Services assumes EPA will include the following provision: "On September 30, 2005, the State of New Hampshire was granted permission by EPA for a No Discharge Area. The No Discharge Area consists of all tidal and estuarine waters, including all bays and rivers to the tidal dams, and all ocean waters within three miles of the New Hampshire shoreline and Isles of Shoals. In the No Discharge Area, all boat sewage discharge, whether treated or untreated, is prohibited." Furthermore, NHDES assumes that EPA will consider and respond to all the comments presented in our letter of August 1, 2008.

Contingent upon proper consideration and response to our comments and after appropriate staff review, State Certification is hereby granted pursuant to Section 401 of the Clean Water Act.

Sincerely,

Harry T. Stewart, P.E., Director
Water Division

cc: Paul Heitzler, NHDES
Christian Williams, NHDES
Greg Comstock, NHDES
Doug Grout, New Hampshire Fish & Game
Sara Green, EPA-NE

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