Idaho Department of Environmental Quality

FINAL §401 Water Quality Certification

September 30, 2008

NPDES Permit: Vessel General Permit for Discharges Incidental to the Normal Operation of Commercial Vessels and Large Recreational Vessels (VGP)

Pursuant to the provisions of Section 401(a)(1) of the Federal Water Pollution Control Act (Clean Water Act), as amended, 33 USC Section 1341 (a)(1), the Idaho Department of Environmental Quality (DEQ) has authority to review National Pollution Discharge Elimination System (NPDES) permits and issue a water quality certification decision.

DEQ has reviewed the facts and the figures presented in the permit and fact sheet for the above referenced discharges. Based upon its review and consideration of this information, DEQ certifies that if the permittee(s) comply with the terms and conditions imposed by the above-referenced permit along with the conditions set forth in this water quality certification, then there is reasonable assurance the discharge(s) will comply with the applicable requirements of Sections 301, 302, 303, 306, and 307 of the Clean Water Act, including the Idaho Water Quality Standards (WQS) (IDAPA 58.01.02) and other appropriate requirements of state law.

This certification does not constitute authorization of the permitted activities by any other state or federal agency or private person or entity. This certification does not excuse the permit holder from the obligation to obtain any other necessary approvals, authorizations or permits.

CONDITIONS THAT ARE NECESSARY TO ASSURE COMPLIANCE WITH OTHER APPROPRIATE REQUIREMENTS OF STATE LAW

Reporting of Discharges Containing Hazardous Substances or Oil
Any discharges containing hazardous substances or oil must be reported to the Idaho State Communications Center (1-800-632-8000) or to the appropriate DEQ Regional Office (IDAPA 58.01.02.850).

Regional Office	Phone #	Regional Office	Phone #
Boise	(208) 373-0550	Lewiston	(208) 799-4370
Coeur d'Alene	(208) 769-1422	Pocatello	(208) 236-6168
Idaho Falls	(208) 528-2650	Twin Falls	(208) 736-2190

Regulations Prohibiting Discharges on Certain Water Bodies
Owners or operators of vessels covered by this general permit must be aware of and comply with applicable Idaho Administrative Code provisions governing discharges from vessels. The discharge of graywater or a sewage/graywater mixture otherwise authorized under this general permit is prohibited in certain regions of the state pursuant to IDAPA 41.01.01.200.01(c). Those areas include Boundary, Bonner, Kootenai, Benewah, and Shoshone counties in northern Idaho. (IDAPA 41.01.01.200.01 *et seq.*)

RIGHT TO APPEAL FINAL CERTIFICATION
This final Section 401 Water Quality Certification may be appealed by submitting a petition to initiate a contested case, pursuant to Idaho Code § 39-107(5), and the Rules of Administrative Procedure Before the Board of Environmental Quality, IDAPA 58.01.23, within 35 days of the date of the final certification.

Questions regarding the actions taken in this certification should be directed to Johnna Sandow, DEQ (State Office) at (208) 373-0163.

Barry N. Burnell

Barry N. Burnell
Administrator
DEQ Water Quality Division