



United States Environmental Protection Agency  
Office of Water, Office of Wastewater Management  
Water Permits Division



**November 2011 • EPA-800-F-11-002**  
**Draft 2013 Vessel General Permit and Small Vessel**  
**General Permit**

*On November 30, 2011, the U.S. Environmental Protection Agency (EPA) signed the Draft 2013 National Pollutant Discharge Elimination System (NPDES) Vessel General Permit (VGP) and Small Vessel General Permit (sVGP).*

### **Background**

On March 30, 2005, the U.S. District Court for the Northern District of California (in *Northwest Environmental Advocates et al. v. EPA*) ruled that the EPA regulation excluding discharges incidental to the normal operation of a vessel from NPDES permitting exceeded the Agency's authority under the Clean Water Act (CWA). EPA appealed the District Court's decision, and on July 23, 2008, the Ninth Circuit upheld the decision. In response, EPA developed the Vessel General Permit to regulate discharges from vessels. EPA signed the VGP on December 18, 2008, with an effective date of February 6, 2009. The draft VGP currently being proposed would replace the current 2008 VGP when it expires on December 19, 2013.

The draft Small Vessel General Permit (sVGP), if finalized, would authorize discharges incidental to the normal operation of non-military and non-recreational vessels less than 79 feet in length. Currently, a Congressional moratorium (initiated by Public Law 110-299 and subsequently extended by Public Law 111-215) exempts all incidental discharges, with the exception of ballast water, from commercial fishing

vessels and non-recreational, non-military vessels less than 79 feet in length from having to obtain a Clean Water Act permit until December 18, 2013. The Small Vessel General Permit would provide permit coverage for these entities after that date.

### **Summary of the Proposed 2013 Draft VGP**

The 2013 draft VGP would continue to regulate 26 specific discharge categories that were contained in the 2008 VGP, and for the first time, would authorize the discharge of fish hold effluent (which was previously exempt by Public Law 111-215).

For the first time, the draft VGP contains numeric ballast water discharge limits for most vessels. The draft VGP also contains more stringent effluent limits for oil to sea interfaces and exhaust gas scrubber washwater, which would improve environmental protection of U.S. waters. EPA has also improved the efficiency of several of the VGP's administrative requirements, including allowing electronic recordkeeping, requiring an annual report in lieu of the one-time report and annual noncompliance report, and requiring small vessel owners and/or operators to obtain coverage under

the VGP by completing and agreeing to the terms of a Permit Authorization and Record of Inspection form.

### **Summary of the Proposed 2013 Draft sVGP**

The sVGP is organized by discharge management categories. All covered discharges are located in these categories. The discharge management categories in the draft sVGP include fuel management, engine and oil control, solid and liquid maintenance, graywater management, fish hold effluent management, and ballast water management.

All vessels eligible for coverage under the sVGP will receive coverage at the time and date of the expiration of the moratorium, December 18, 2013. As a requirement of this permit, vessel owner/operators must complete the sVGP Permit Authorization and Record of Inspection (PARI) form. The PARI form must be signed and maintained onboard the vessel for the entire permit term. Additionally, the permittee must conduct an annual self-inspection and certify that he or she has done so by signing the form each year.

### **How to Comment**

EPA will accept comment on the proposed permits for 75 days after publication in the *Federal Register*. Comments for the draft VGP should go to Docket ID No. EPA-HQ-OW-2011-0141 and comments for the draft sVGP should go to EPA-HQ-OW-2011-150. Comments may be submitted by one of the following methods:

1. Online at <http://www.regulations.gov>; Follow the online instructions for submitting comments.
2. Email [ow-docket@epa.gov](mailto:ow-docket@epa.gov).

3. Mail to: Water Docket, U.S. Environmental Protection Agency, Mail Code: 2822T, 1200 Pennsylvania Avenue NW Washington DC 20460 Attention Docket ID No: EPA-HQ-OW-2011-{place appropriate number here}.

Such deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

### **Public Meetings and Webcast**

EPA will hold two public meetings and one webcast to give an overview of the proposed permits and to take comment. The meetings are scheduled as follows:

- *January 11, 2012*, 9:00 am – 5:00 pm (EST) or until all comments have been heard at EPA East 1153, 1201 Constitution Ave NW, Washington DC 20460.
- *January 23, 2012*, 10:00 am – 5:00 pm (CST) or until all comments have been heard at Ralph H. Metcalfe Federal Building, Room 331, 77 West Jackson Blvd, Chicago IL 60604.
- *Webcast TBD*. For more information on the upcoming webcast, visit <http://www.epa.gov/npdes/vessels>.

### **For More Information**

Visit <http://www.epa.gov/npdes/vessels>.

For questions about the VGP, email [VGP@epa.gov](mailto:VGP@epa.gov).

For questions about the sVGP, email [sVGP@epa.gov](mailto:sVGP@epa.gov).