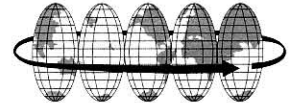


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## TRANSPORTATION INSTITUTE MEMORANDUM

TO: Member Companies

FROM: James L. Henry

DATE: December 19, 2008

RE: Vessel General Permit

Today, as expected, the Environmental Protection Agency has issued its final version of the Vessel General Permit (VGP) program. The program will regulate 26 specific fluid discharges incidental to the normal operations of a vessel in excess of 79 feet in length. Commercial fishing vessels would be exempted from the permit program for at least the next two years following the effective date of the permit program.

Given the broad scope and complexity of the permit program, it was felt that the industry needed additional time to adequately prepare to meet the numerous requirements of the permit program. At the urging of the Shipping Industry Ballast Water Coalition, to which the Institute is a member, the Northern District of California Court has extended the effective date of the permit program from December 20 of this year to February 6, 2009. During this interim period, the Institute will work with the Coalition and other interested parties to develop and implement a strategy for moving forward on this issue.

The final General Vessel Permit rulemaking is anticipated to be published in the *Federal Register* in the coming days. In the meantime, the text of the program can be accessed at <http://www.epa.gov/npdes/vessels>. The Institute will keep member companies apprised of any further developments should they occur.