



DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO

GOVERNOR

MIKE D. McDANIEL, Ph.D.

SECRETARY

September 7, 2005

Ms. Susan Hampton
Chief, Regulatory CEMVD-PD-K
U.S. Army Corps of Engineers
P.O. Box 80
Vicksburg, MS 39181-0080

RE: Emergency Response following Hurricane Katrina AI #130531

Dear Ms. Hampton:

The Louisiana Department of Environmental Quality (LDEQ) recognizes that the state of Louisiana is in a state of emergency as a result of the widespread damage caused by Hurricane Katrina. Finding that the hurricane created conditions requiring immediate action to prevent serious threats to life or safety and irreparable damage to the environment, a Declaration of Emergency and Administrative Order was issued by the LDEQ on August 30, 2005.

Section 401 of the Clean Water Act, 33 U.S.C. 1251 *et. seq.* requires a water quality certification from the state to conduct any activity which may result in any discharge into navigable waters. Because of the immediate need to drain and pump out the flood waters in affected areas to protect public safety and the necessity to repair, replace, or restore public infrastructure damaged or destroyed by Hurricane Katrina, the LDEQ by this letter states that it has no objection to the U.S. Army Corps of Engineers or the U.S. Environmental Protection Agency waiving or otherwise dispensing with the requirement of a water quality certification from the state prior to authorizing or performing such work needed to abate the present emergency that will result in discharges into navigable waters.

To the extent practicable, the performance of the work referenced herein should be done in a manner which will minimize potential impacts on water quality.

If you have any questions regarding this letter, please contact Tom Griggs in the Office of Environmental Services, at (225) 219-3469.

Sincerely,

Mike D. McDaniel, Ph.D.
Secretary

OFFICE OF THE SECRETARY

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