

○ SPRING 2011



IN THIS ISSUE:

- ▶ UPDATE ON SAB 1
- ▶ ONE-TIME REPORTS 1
- ▶ EPA AND USCG MOU 2
- ▶ SETTLEMENT 2
- ▶ NY EXTENSION 2
- ▶ FACT SHEETS 2

NPDES Vessels Program *Quarterly*

NAVIGATING THE EPA REGULATED VESSELS UNIVERSE

UPDATE ON EPA'S SCIENCE ADVISORY BOARD ACTIVITIES

On March 15 and 17, 2011, EPA's Science Advisory Board (SAB) held teleconferences discussing its draft advisory report on the status of existing and future ballast water treatment technologies. During the calls, SAB committee members discussed final revisions for the report. The public had the opportunity to provide comments during the meeting through oral or written statements, and these requests to comment were due approximately one week before the calls. A copy of the SAB's draft report can be seen at <http://yosemite.epa.gov/sab/sabproduct.nsf/MeetingCal/1B3CEFBBCD2758B5385257833006FD8F1?OpenDocument>.

EPA's SAB is charged with evaluating the status of ballast water treatment technologies. Conclusions from the panel will help inform EPA in developing the next VGP. EPA expects a final report from the SAB by June 2011.

One-Time Reports Due Starting June 19th

The Vessel General Permit (VGP) requires owner/operators to submit a one-time report for each vessel between 30 months and 36 months after obtaining permit coverage (see Part 4.4.4 of the VGP). EPA is requiring this information to assure permittees are complying with the

provisions of this permit, to learn how owner/operators are implementing the permit, and to gain a better understanding about the universe of permittees covered by this general permit. All vessels covered by the VGP are required to submit one-time reports, regardless of whether or not NOIs were required to be submitted to EPA.

By June 19, 2011, the report form will be available electronically through EPA's eNOI system available at EPA's website at

<http://www.epa.gov/npdes/vessel/eNOI> or for printing as a file at <http://cfpub.epa.gov/npdes/vessels/monitoringreporting.cfm>. The eNOI system will include several features that will save vessel owner/operators and certifiers time and will expedite the processing of the report. EPA strongly advises permittees to complete the reports electronically. To view a copy of the report form, please see Part 13 of the permit at http://www.epa.gov/npdes/pubs/vessel_vgp_permit_november%202010.pdf.



To learn more about the NPDES vessels program, please visit <http://www.epa.gov/npdes/vessels>. For questions or concerns about the VGP, please e-mail CommercialVesselPermit@epa.gov.

EPA AND U.S. COAST GUARD MOU

On February 11, 2011, the U.S. Coast Guard (USCG) and U.S. EPA signed a Memorandum of Understanding (MOU) to better coordinate efforts to implement and enforce VGP requirements for vessels. Under the MOU, the two agencies will share information, expertise, and provide technical assistance on implementing and enforcing the VGP, which will help reduce government redundancy and enable each agency to accomplish its mission more effectively. Additionally, the USCG will assist with verifying compliance of the VGP for domestic and foreign vessels.

To view a copy of the MOU, please visit

<http://epa.gov/compliance/resources/agreements/cwa/mou-coastguard-vesselpermitrequirements.pdf>.

Settlement with Environmental Groups and the State of Michigan

On March 8, 2011, EPA reached settlement with several environmental groups and the State of Michigan regarding their legal challenge to the VGP. Under the settlement, EPA is required to propose the next draft VGP by November 30, 2011, and issue the final VGP by November 30, 2012, a full year before the expiration of the existing VGP, which will allow the regulated community time to become familiar with and come into compliance with the new permit. The current VGP expires on December 19, 2013.

The settlement also requires EPA to include numeric concentration-based effluent limits for ballast water

discharges expressed as organisms per unit of ballast water volume in the next draft VGP. In the current VGP, vessel owner/operators are required to conduct saltwater flushing, mid-ocean exchange, and/or other best management practices to reduce the spread of aquatic invasive species. Additionally, EPA has agreed to take several actions to improve the VGP Clean Water Act's Section 401 certification process, including providing states with at least six months after proposal of the next VGP to take action on Section 401 certifications.

To see a copy of the settlement, please visit http://www.epa.gov/npdes/pubs/settlement_agreement_mi_nrdc.pdf.

EXTENSION OF NEW YORK'S BALLAST WATER COMPLIANCE DATES



On February 7, 2011, the New York Department of Environmental Conservation granted an extension for vessels to come into compliance with the State of New York's ballast water treatment standards by August 1, 2013. The original compliance date, as outlined in New York's 401 certification of the VGP, was January 1, 2012. Specifically, Condition #2 of New York's 401 certification required vessels that transit through New York waters to meet certain ballast water treatment standards by January 1, 2012 unless a time extension has been obtained. For more information, please visit <http://www.dec.ny.gov/permits/72399.html>.

INFORMATIONAL FACT SHEETS NOW AVAILABLE

Short informational fact sheets about the VGP are now available in English, Chinese, French, Russian and Spanish at <http://www.epa.gov/npdes/vessels>. These fact sheets give a general overview of the VGP and requirements that vessel owner/operators must follow.

The Clean Water Act's Section 401 certification process allows states and tribes to provide more stringent effluent limitations and monitoring requirements for federal permits. Additional permit requirements as required by states or tribes are located in Part 6 of the VGP.