



Environmental Standards Update



Coast Guard Proposes Rule for Dry Cargo Residue Discharges on the Great Lakes

By LT Heather St. Pierre, USCG

The Coast Guard recently published its notice of proposed rulemaking for dry cargo residue (DCR) discharges on the Great Lakes (73 Fed. Reg. 30014). This notice also announced the availability of the Draft Environmental Impact Statement (DEIS) associated with this proposed rule. The public comment period ends on July 22, 2008.

Within this notice, the Coast Guard is proposing a regulation that would allow the continuation of non-toxic, non-hazardous DCR in certain areas of the Great Lakes and require bulk dry cargo carriers on the Great Lakes to keep records of loading, unloading and sweeping operations.

This proposed rule would also encourage carriers, both U.S. and foreign, to use control measures to reduce the amount of DCR entering the waters of the Great Lakes. The DEIS identified many potential DCR control measures, for both ships and shore-side cargo facilities, including some that are already in use.

It has been the practice of



Deck washdown of coal residue after loading. (USCG photo)

bulk dry cargo carriers to sweep non-toxic, non-hazardous DCR – which is typically limestone, coal and taconite – overboard. Under the regulations in 33 CFR 151 implementing the Act to Prevent Pollution from Ships (33 U.S.C. §1901), DCR is defined as “garbage.” If strictly enforced, these regulations would prohibit the practice of DCR sweeping.

Since 1993, carriers on the Great Lakes have operated under a

Coast Guard “Interim Enforcement Policy” that allows the incidental discharge of non-toxic, non-hazardous DCR residues. This policy specifies where DCR sweeping can occur and where it is prohibited. In 1998, Congress granted the Coast Guard interim authority to allow this practice to continue. The current extension, granted by Congress in 2004, expires on September 30, 2008.

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Public meetings concerning the proposed rule and associated DEIS will be held in Duluth, MN on July 15, 2008 and in Cleveland, OH on July 17, 2008 (73 Fed. Reg. 32273). The locations of and times for these meetings can be found in the Calendar of Events at the end of this publication.

The notice of proposed rulemaking, DEIS, and notice of public meetings can be viewed at http://www.uscg.mil/hq/g-m/mso/dry_cargo.htm or at www.Regulations.gov. Once on the www.Regulations.gov site, enter "USCG-2004-19621" under "search" to view the materials on the docket for this rulemaking.

Comments on the proposed rule and DEIS can be submitted on-line at www.Regulations.gov, by attending either of the public meetings, or by mail or in person as described in the notice of proposed rulemaking (73 Fed. Reg. 30014).

For more information regarding this proposed rulemaking or public meetings, please visit our website at http://www.uscg.mil/hq/g-m/mso/dry_cargo.htm or contact LT Heather St. Pierre at (202) 372-1432 or by e-mail at Heather.J.St.Pierre@uscg.mil.

For additional information on the DEIS, you may contact Mr. Greg Kirkbride at (202) 372-1479 or by e-mail at

Gregory.B.Kirkbride@uscg.mil.



Taconite pellets - a typical example of non-toxic, non-hazardous dry cargo residue - can pose a significant concern if they are jettisoned in large amounts. (USCG photo)

Updated Ballast Water Reporting Data Now Available

By Dr. Whitman Miller, SERC

The National Ballast Information Clearinghouse (NBIC) is a joint program of the Smithsonian Environmental Research Center (SERC) and the Coast Guard to collect, analyze, and interpret data on the ballast water management practices of commercial ships that operate in the waters of the United States.

In an effort to make ballast water data more widely available to other parties, such as state and federal entities and the public,

NBIC has developed an online database that can be queried by anyone on the World Wide Web.

regularly, and in the coming months new features will be added to the site, such as mapping capabilities.



Smithsonian Environmental
Research Center



Data are accessible for all coastal states on a state-by-state basis, and can be displayed in either tabular or chart format. The searchable data will be updated

To access this new search function, and to check for updates as they are instituted, please visit: <http://invasions.si.edu/nbic/search.html>

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Great Lakes Ballast Water Working Group Update

A Successful Bi-national Program between the U.S. Coast Guard Ninth District, Transport Canada-Marine Safety, and the St. Lawrence Seaway Corporations

By LT Teresa Peace, USCG Ninth District

The Great Lakes Ballast Water Working Group (BWWG), comprised of representatives of the United States Coast Guard Ninth District, the U.S. Saint Lawrence Seaway Development Corporation, Transport Canada-Marine Safety, and the Canadian St. Lawrence Seaway Management Corporation was formed in January 2006. The group meets regularly throughout the year to develop, enhance, and coordinate bi-national enforcement and compliance efforts to reduce the introduction of aquatic invasive species via ballast water.

The BWWG is actively engaged and providing an energetic response to calls for tougher ballast water regulation of ocean-going ships transiting the Seaway.

Today, ballast water management requirements in the Great Lakes St. Lawrence Seaway System are the most stringent in the world. There is currently no unmanaged ballast water entering the Great Lakes.

Mandatory ballast water regulations that now include saltwater flushing, detailed documentation requirements, increased inspections, and civil penalties provide a tougher enforcement regime to protect the Great Lakes Seaway System. U.S. Coast Guard regulations,



Vessel discharging ballast water during port visit. (USCG photo)

Transport Canada's Ballast Water Control and Management Regulations, and the new Seaway ballast water regulation, require all ships destined for Great Lakes ports from beyond the exclusive economic zone (EEZ) to exchange their ballast at sea.

If the ships have not complied, they are required to retain the ballast water on board, pump the ballast water ashore, treat the ballast water in an environmentally sound manner, or return to sea to conduct a ballast water exchange.

In 2006, Canadian regulations began requiring all ships entering waters under Canadian jurisdiction to comply with the

International Maritime Organization (IMO) ballast water exchange standards including ships with "no ballast on board" (NOBOB). These NOBOB ships were required to expose residual water to conditions equivalent to ballast water exchange through saltwater flushing procedures before arrival in Montreal.

A new Seaway regulation was implemented at the start of the 2008 navigation season requires all NOBOB ships headed for U.S. ports to engage in saltwater flushing of their ballast water tanks before entering the Seaway, thus harmonizing U.S. regulations with those of Canada.

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Virtually every ship entering the Seaway System undergoes inspection in Montreal by the U.S. Coast Guard, Transport Canada, and the two Seaway Corporations to assure they are compliant with the saltwater flushing and exchange requirements. Until a national ballast water discharge standard is promulgated by the U.S. Coast Guard, this is an effective and responsible interim measure to address invasive species.

In 2007, there was marked improvement over the prior year's inspection program statistics in a number of areas, including ship compliance rates. In 2007, 100% of first trip ships bound for the Great Lakes received a ballast water exam. A total of 6,394 ballast tanks were examined with a 95% compliance rate for tank samples. There was a 21% increase over 2006 in the number of ships utilizing best management practices for ballast water.



Marine Science Technician 2nd Class Patrick O'Hare of Marine Safety Detachment Massena uses a refractometer to analyze ballast water salinity aboard the Italian-flagged vessel BBC Finland. (USCG photo)

In addition, 100% of ballast water reporting forms were screened to assess ballast water history, compliance, voyage information and proposed discharge location. The BWWG anticipates ever increasing ship compliance rates for the 2008 navigation season.

In preparation for ensuring compliance with the new Seaway regulation, the BWWG developed a more intensive inspection regime during the 2007 navigation season. The four agencies are working collaboratively and have dedicated additional resources to the increased tank inspection program in place for 2008.

There will be a sizeable increase in ship examinations as each and every ship entering the Seaway System from outside the EEZ will be examined on every transit. Furthermore, there will be an increase in the actual number of ballast tanks tested; on both ballasted and NOBOB ships. These efforts will ensure maximum compliance with the new regulations on saltwater flushing.

The BWWG will continue to combat the introduction of aquatic invasive species in the Great Lakes using regulatory, technological, and management-based protocols. The agencies take the threat of invasive species very seriously and are dedicated to finding new answers to combat the problem.



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IMO's Marine Environment Protection Committee Makes Several Advances

By LCDR Brian Moore, USCG



The International Maritime Organization's Marine Environment Protection Committee (MEPC) convened for its 57th session on March 31 - April 4, 2008, in London. The meeting was attended by 88 member states, and more than 50 other participants including non-member states, non-governmental, intergovernmental and United Nations agencies.

Several issues on the agenda were of particular importance to the U.S. delegation, including identification and protection of particularly sensitive sea areas and special areas, prevention of air pollution from ships, the translocation of harmful organisms by ships, and recycling of ships.

Particularly Sensitive Sea Areas and Special Areas

The Committee approved the final designation of the Papahānaumokuākea Marine National Monument (northwest Hawaiian Islands) as a Particularly Sensitive Sea Area effective April 3, 2008.

It also approved the designation of the Mediterranean Sea area as a Special Area under MARPOL Annex V (garbage) to be effective May 1, 2009, and agreed that member governments and industry groups should comply immediately on a voluntary basis.

Air Pollution from Ships

This was one of the most active portions of MEPC 57. The Committee decided upon new engine standards for nitrous oxide emissions applying to engines above 130kW.

These standards represent a 20% reduction from previous tier 1 levels to be achieved by 2012 and an 80% reduction from tier 1 levels to be achieved by 2016. The Committee agreed to apply these standards to existing engines based on the availability of emission upgrade systems.

The Committee also agreed to reduce the global fuel sulfur cap to 35,000 ppm by January 1, 2012 and to 5,000 ppm by January 1, 2020. The latter requirement would be subject to a

review to be completed by 2018 to determine the availability of fuel oil to comply with the limits.

Harmful Aquatic Organisms in Ballast Water

The Committee adopted a revised "Procedure for Approval of Ballast Water Management Systems that make use of Active Substances (G9)" to help prepare for future implementation of the IMO's Ballast Water Management Convention.

Basic Approval was granted to four systems: the Clear Ballast system submitted by Japan, the Resource Ballast Technology System submitted by South Africa, the Oceansaver system submitted by Norway, and the Gloen-Patrol Ballast Water Management System



Northwest Hawaiian Islands monk seal (NOAA photo)

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submitted by the Republic of Korea.

Further advancing the availability of Ballast Water Management Systems, the Committee granted Final Approval to the SEDNA System (using Peraclean Ocean) submitted by Germany.

Notably, the Committee denied Final Approval to two systems: the Electroclean system submitted by the Republic of Korea, and the CleanBallast System submitted by Germany. Both administrations are expected to re-submit these technologies at MEPC 58.

In total, ten systems have Basic Approval and two have Final Approval. One system, NEI's Venturi Oxygen Stripping system (which does not use active substances) has been type approved by an Administration.

EcoChlor has applied for Basic Approval at MEPC 58, and three systems have applied for Final Approval: Oceansaver; NK BlueBallast; and Electro-Clean.

Recycling of Ships

The Ship Recycling Working Group continued development of the draft Ship Recycling Convention. The Group continued work refining the hazardous materials list, including elimination of exceptions for new installation of asbestos on ships. The Group made significant progress in the

improvement of the Document of Authorization for shipboard facilities.

The Committee commissioned a correspondence group to discuss issues related to the adequacy of ship recycling capacity. The Committee agreed to delete the mandatory audit scheme proposal from the text of the Convention and instructed the working group to discuss the creation of a viable voluntary audit scheme.

An intercessional workgroup will be convened September 30 – October 3, 2008, in order to further develop the document for MEPC 58.

Other Issues

At this session, it was proposed and approved that an IMO guidance document be developed for minimizing the risk of ship strikes with cetaceans. In addition, the U.S. submitted an information paper on ship-generated noise and its potential adverse impact on marine life.

The Final Report of the 57th session of the MEPC is approved for release by the IMO Secretariat. U.S. citizens may request copies from the U.S. Coast Guard via its website (<http://www.uscg.mil/hq/g-m/mso/IMOMEPC.htm>).

Calendar of Events



July 15, 2008
Dry Cargo Residues
Public Meeting (Duluth)

1:00 - 5:00 pm
Holiday Inn
200 West First Street
Duluth, MN 55802
Phone: 218-727-7492



July 17, 2008
Dry Cargo Residues
Public Meeting (Cleveland)

1:00 - 5:00 pm
The Forum Conference Center
One Cleveland Center
1375 East Ninth Street
Cleveland, OH 44114
Phone: 216-241-6338



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