Proposed Vessel General Permits
Public Meetings and Hearing

June 19, 24, 26 & July 21, 2008

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US EPA

Outline

- Overview of Permits
  - Which vessels are eligible for coverage under each permit
- General Permit for Commercial Vessels and Large Recreational Vessels (VGP)
- General Permit for Recreational Vessels (RGP)

Overview

- Initial Issuance of general permits will be national in scope
- No EPA fees for either permit
- Under CWA, NPDES permitting for vessels being used as a means of transportation covers inland waters and 3 nautical mile (nm) Territorial Sea

The two-permit framework

- One general permit to cover all commercial vessels and large recreational vessels (greater or equal to 79 feet)
- One general permit to cover most recreational vessels less than 79 feet and uninspected passenger vessels less than 79 feet
- Both permits only cover incidental discharges (those discharges excluded under 122.3(a) regulation, e.g., no industrial discharges)

VGP Structure

- Part 1 – Coverage under the Permit
  - (General Information and Standard Requirements)
- Part 2 – Effluent Limits and Related Requirements
- Part 3 – Corrective Actions
- Part 4 – Inspections, Monitoring, Reporting, and Recordkeeping
- Part 5 – Vessel Class Specific Requirements
- Part 6 – Reserved for 401 certification
- Part 7 – Definitions
- Appendices

VGP – Obtaining Coverage

- For most Clean Water Act discharge permits, permittees must file Notices of Intent (NOIs) to obtain coverage.
- After 6 months, you must submit an NOI to obtain coverage if your vessel is:
  - greater or equal to 300 tons,

    or
  - has a ballast water capacity of at least 8 cubic meters
- All other vessels are granted coverage without submitting an NOI.

VGP Effluent Limits

- Technology-Based Effluent Limits applicable to all vessels
- Technology-Based Effluent Limits for specific discharge types
  - 28 discharge types listed
    - We will discuss 4 discharge types today
- Water Quality-based Effluent Limits (WQBELs)

VGP: Effluent Limits applicable to all vessels

Currently 5 Effluent Limits that apply to all vessels:

- Material Storage
- Toxic and Hazardous Materials
- Fuel Spills and Overflow
- Discharges of Oil and Oily Mixtures
- Compliance with other Regulations and Statutes

Discharge-Specific Effluent Limits

- 28 discharges identified, each with at least one BMP associated with the discharge
  - Ballast Water, Bilgewater, AFFF, Hull Leachate, Graywater, Underwater Husbandry. . .
- Discharges identified in UNDS, from MARAD, and from public comment

Discharge Specific Limits: Ballast Water

- All vessels with Ballast Water Tanks that will discharge ballast water must follow permit requirements
- The permit:
  - Incorporates Coast Guard mandatory management and exchange requirements
  - Vessels engaged in Pacific Nearshore Voyages must conduct exchange greater than 50 nm from the coast
  - Mandatory saltwater flushing for all vessels with residual ballast water and sediment (NOBOBs) coming from outside the USEEZ and
    - For above practices, there is a safety exemption, and
    - Vessels are not required to divert to exchange
  - Must use shore based treatment if available and economically practicable and achievable
  - Must conduct exchange as early as practicable
- Reopener clause in the permit to allow for inclusion of a more stringent standard if appropriate before permit reissuance.

Select Discharge Specific Limits: Bilgewater

- All vessels must minimize production of bilgewater
- Large Vessels (greater than 400 tons)
  - may not discharge untreated bilgewater (reinforces existing requirement),
  - may not discharge treated bilgewater within 1 nm of shore or into waters protected for conservation purposes, and
  - If discharging within 1 and 3 nm, must discharge while underway at a minimum of 6 knots.

Select Discharge Specific Limits: Graywater

- Specific requirements for Cruise Ships and Ferries
- Minimize introduction of kitchen oils
- For large ocean going vessels (greater than 400 tons), may not discharge within 1 nm if vessel has holding capacity
- All vessels that have storage capacity may not discharge in waters federally protected for conservation purposes

Select Discharge Specific Limits: Underwater Husbandry

- Vessel owner/operators must minimize the transport of attached living organisms when entering U.S. waters or traveling between Captain of the Port Zones (COTP)
- When possible, clean out of water or in drydock.
- Limit use of hard brushes
- Cleaning may not result in a visible plume of paint in the water

Select Discharge Specific Limits: Other Limits

(list not inclusive)

- Must use phosphate-free and non-toxic soaps for any activities where effluent will be discharged (i.e. deck washdown)
- Must use coamings on deck (deck washdown)
- Certain discharges (those EPA identified as being able to turn on or off) may not be discharged in waters federally protected for conservation purposes (i.e. National Marine Sanctuaries, National Wildlife Refuges)
- The anchor chain must be carefully and thoroughly washed down (*i.e.*, more than a cursory rinse) as it is being hauled out of the water to remove sediment and marine organisms

WQBELs

- Each permittee must control its discharge as necessary to meet applicable water quality standards
- Anticipate additional state-specific requirements as part of receiving 401 certifications

VGP Corrective Actions
(Required Permit Conditions)

- Exceedance of an effluent limit is a permit violation
- The permit will require the permittee to take corrective action when they become aware of a violation
- Failure to take corrective action within specified time period is a permit violation
- Corrective Actions must be taken:
  - Minor changes: within two weeks
  - Major changes (requiring new parts): within three months
  - Major Renovations: before relaunching from the next drydocking (approximately 5 year cycle)

Inspections and Monitoring

- Self inspections
  - Routine visual inspections
    - Ensure areas are clear of garbage, exposed raw materials, oil, and other pollutants and constituents of concern and to ensure that pollution prevention mechanisms are in proper working order
  - Annual vessel inspections are more comprehensive, and must focus on areas likely to generate harmful pollution or violate effluent limits. Examples include:
    - Vessel hull for attached living organisms, flaking antifoulant paint, exposed TBT surfaces, and
    - Chain locker for both sediment and living organisms. . .
- Analytical monitoring for select cruise ships and vessels with experimental ballast water treatment systems

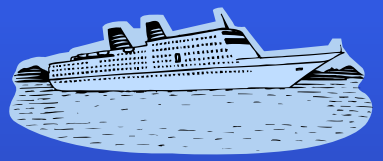
Recordkeeping and Reporting

- Recordkeeping
  - Records will include owner and voyage information, additional maintenance & discharge information, certification, safety exemptions claimed, and any monitoring or inspection results
- Reporting required for Ballast Water Release (to Coast Guard), spills that endanger health or welfare, or spills of oily materials
  - All based on existing regulation

Vessel Class-Specific Requirements

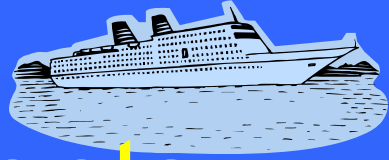
Currently 8 classes or types:

- ***Medium Cruise Ships***
- ***Large Cruise Ships***
- Large Ferries
- Oil or Petroleum Tankers
- Barges
- Research Vessels
- Rescue Boats
- ***Vessels with Experimental Ballast Water Treatment Systems***





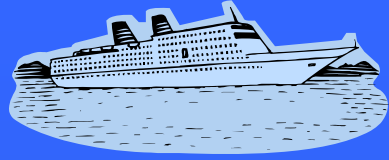


Cruise Ship Requirements

- Nationalize requirements for Graywater discharges currently incorporated in Title XIV-statute for “Certain Alaskan Cruise Ship Operations” (for large Cruise Ships)
  - May require limited monitoring (5 times to show system effective; 2 times per year subsequently)
  - As of 2006, industry group estimated that 40 percent of its member ships had systems able to meet these standards, with 8 to 12 percent added every year.
- Discharge location limitations
- Education and Training Requirements

Cruise Ship Requirements

- Based on conditions in Title XIV for Alaska
- Applies Nationwide (not just Alaska)



Land

1 nm

3 nm

Treated graywater if:

- meets 2º treatment standards (BOD, TSS, pH)
- < 20 fecal coliform/100 mL
- ≤ 10 μg/L total residual chlorine

Discharge prohibitions in nutrient impaired estuary (if vessel has holding capacity)

≥ 6 knots

- **Graywater without limits (unless in nutrient impaired estuary).**

OR

< 6 knots

Same as < 1 nm from shore.

AND

- **Nutrient Impaired Estuaries**
  - Must hold if vessel has capacity:
  - if discharging must meet secondary standards *(large cruise ships only)*

Experimental Ballast Water Treatment Systems

- Permittees may discharge residual biocides if:
  - Lower than acute water quality criteria
  - Lower than 100 ug/L of residual chlorine
- EPA specifically requesting comment on appropriate limits, and whether to include other limits for biocides (i.e. Total Residual Oxidant)
- Permittees may apply for individual permits if they do not meet these terms

Recreational Vessels (RGP)

- Covers recreational vessels less than 79 feet in length
- No NOI requirement
- Effluent limits comprised of required Best Management Practices (BMPs) and vessels may not cause or contribute to water quality standards violations
- Encouraged Best Management Practices

RGP Structure

Total Length – 13 pages

- Part 1 – Overview
- Part 2 – Effluent Limits
- Part 3 – Encouraged Best Management Requirements
- Part 4 – Additional Requirements
- Part 5 - Reserved for 401 certification
- Part 6 – Definitions
- Regional Contacts

RGP

- ***General***
  - only authorizes discharges from normal operations; no visible sheen of oil allowed; no visible garbage in effluents; no discharges of visible living organisms (except bait)
- ***Fuel Management***
  - clean up any visible sheen originating from vessel; have oil absorbent rags available if drip/spill; do not overfill tanks; regularly look for fuel leaks
- ***Trash Management***
  - have secure trash receptacles onboard; prevent trash/garbage from entering wastestreams; secure loose items; do not dispose of fish wastes in harbors/marinas
- ***Deck/Hull***
  - minimize transport of visible living aquatic organisms between waterbodies; inspect hulls and remove living organisms; clean organisms from hull/trailer if trailering to another waterbody; use non-toxic phosphate free soaps and cleaners; minimize paint chip discharger while cleaning/maintaining

RGP

- ***Anti-foulant Paint***
  - avoid use if unnecessary; no TBT; do not clean hulls within 90 days of application; use soft sponges to clean hulls
- ***Engines/Oil Control***
  - when pumping bilge watch for visible sheen and clean up if occurs; minimize entry of oil into bilge; inspect engine for loose seals, gaskets, etc.
- ***Graywater***
  - minimize graywater discharges in areas with heavy vessel traffic and/or sensitive areas such as marine sanctuaries; use non-toxic phosphate-free soaps/detergents; do not allow used cooking oil to enter graywater systems/do not discharge such oil overboard

RGP

- Encourage Best Management Practices
  - Examples: large cleaning, maintenance, and repair jobs should be done while the boat is out of the water
  - It is preferable that cleaning of hulls with anti-fouling hull paint take place out of, and away from, the water
  - When possible, use restrooms, showers, and laundry facilities on shore

Submitting Comments

- Public comment period ends on August 1
- Submit your comments, identified by Docket ID No. **EPA-HQ-OW-2008-0055** for the VGP or Docket ID No. **EPA-HQ-OW-2008-0056** for the RGP, by one of the following methods:
  - www.regulations.gov: Follow the on-line instructions for submitting comments.
  - Email: ow-docket@epa.gov.
  - Mail: Original and three copies to: Water Docket, Environmental Protection Agency, Mail Code: 2822T, 1200 Pennsylvania Ave., NW, Washington, DC 20460.
  - Hand Delivery: EPA Docket Center, Public Reading Room, EPA Headquarters West Building, Room 3334, 1301 Constitution Ave., NW, Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Additional Details

Permits are available on our webpage:

www.epa.gov/npdes/vessels