



# EPA's Vessel General Permit (VGP)



An Introduction to the Final VGP

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4/21/09



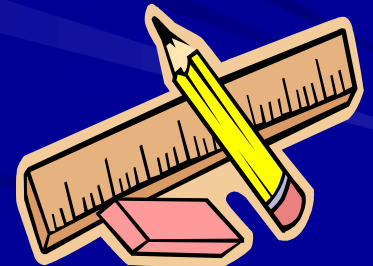
# Do I need coverage under the VGP?

- If you discharge into Waters of the United States, you need to have an NPDES permit for your discharge(s), unless you are one of the following types of vessels:
  - Recreational Vessel
  - Vessel of the Armed Forces
  - Vessel less than 79 feet (unless discharging ballast water)
  - Commercial fishing vessel (unless discharging ballast water)

## Frequently Asked Question #1

- Should I use the “documented length” of my vessel for determining whether my vessel is eligible for coverage for purposes of the VGP?

YES!





# Notice of Intent

- For most NPDES general permits, permittees must file a Notice of Intent (NOI) to obtain coverage.
- For the VGP, all vessels eligible for coverage are initially granted coverage.
- To continue coverage, the VGP requires vessels to submit a NOI by September 19, 2009 only if the vessel is:
  - Greater than or equal to 300 gross tons; or
  - Able to have a ballast water capacity of at least 8 cubic meters
- All other vessels are granted continuing coverage without submitting an NOI.
- NOI information includes:
  - Vessel and owner/operator information    -- Discharge Information
  - General Vessel Voyage Information        -- Certification
- EPA has identified June 19, 2009 as the date they will begin processing the NOI submittals.



# Permit Overview

- Initial Issuance of Vessel General Permit (VGP) is national in scope
  - No EPA fees for the VGP
  - Jurisdiction of the permit covers inland waters and 3 nautical mile (nm) Territorial Sea
- Vessel Discharges Eligible for Coverage
  - The permit identifies 26 specific discharges eligible for coverage.
  - Ballast Water is a specific discharge covered!
- 30 States and Tribes provided additional conditions under the Clean Water Act Section 401 Process.



# Discharge Specific Limits: Ballast Water



- The permit:
  - Incorporates Coast Guard mandatory management and exchange requirements
  - Mandatory saltwater flushing for all vessels with residual ballast water and sediment (NOBOBs) coming from outside the USEEZ



# Discharge Specific Limits: Ballast Water (cont.)



- Must use shore based treatment if available and economically practicable and achievable
- Must conduct exchange as early as practicable
- Exchange/flushing requirements have a safety exemption and do not mandate diversion.
- Reopener clause in the permit to allow for inclusion of a more stringent standard if appropriate before permit reissuance.



# 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 – State 401 certification conditions
- Appendices





# Inspections, Monitoring, Recordkeeping and Reporting (Part 4)

## ■ Self inspections

- Routine visual inspections
- Annual vessel inspections are more comprehensive and must focus on areas likely to generate harmful pollution or violate effluent limits.
- Dry dock Inspection: More comprehensive than annual inspection and only required in coordination with dry docking

## ■ Analytical monitoring and reporting for select cruise ships and vessels with experimental ballast water treatment.

## ■ Recordkeeping

- Records must include owner and voyage information, additional maintenance & discharge information, certification, safety exemptions claimed, and any monitoring or inspection results

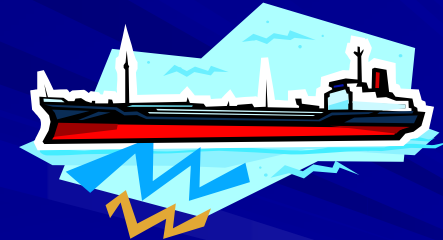
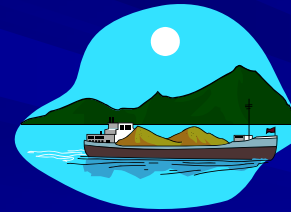
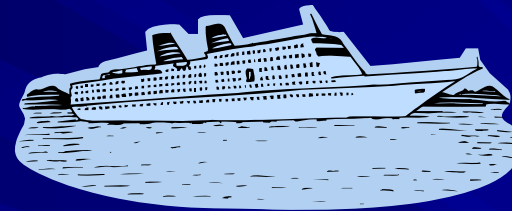
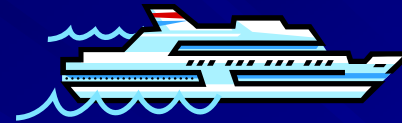
## ■ Reporting required for ballast water release (to Coast Guard), spills that endanger health or welfare, spills of oily materials, and annual noncompliance



# Vessel Class-Specific Requirements (Part 5)

Eight classes or types:

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





# 401 Certification Requirements (Part 6)

- Vary from State to State – 30 States, Tribes, and Territories added additional conditions.
  - Some are being challenged in state courts or administrative proceedings, but are still effective as included in the permit.
- EPA strongly recommends that permittees read the conditions for each States' or Tribes' waters in which they will be operating.
- If permittees have questions regarding conditions in a given States' waters, EPA advises the permittees to contact the State Agency directly.



# Additional Ballast Water State 401

## Certification Requirements

- Ballast Water treatment standards with compliance schedules are incorporated by 8 states
  - There are four different treatment standards incorporated: IMO equivalent (Ill, Ind, Minn), S. 1578 equivalent (New York), California and Pennsylvania (zero discharge above 50 microns), and “Michigan Approach” (must use select treatment approaches (e.g., hypochlorite)).
- Some states require exchange without deviation allowances
- Some states are requiring Atlantic Nearshore Exchange and Flushing
- Connecticut requires use of a treatment system if installed for any reason (e.g., STEP, to meet IMO conditions, or to meet 401 certification conditions for any other state).



# One Time Report

- As part of the permit, EPA is requiring a one time report for all vessels covered under the permit.
- This report will help EPA assess the impact of the permit during its first term.
- The report cannot be submitted earlier than 30 months, but must be submitted no later than 36 months after obtaining permit coverage.
- Simple report (6 questions)
  - Assures permittees are in basic compliance with the permit.
  - Gives EPA information about the impact of the requirements on vessel operation.
  - Form will be available electronically on EPA's website.



# For More Information



- Visit [www.epa.gov/npdes/vessels](http://www.epa.gov/npdes/vessels)
  - This website contains all the permit documents and links to websites and further information.
  - More documents available at [www.regulations.gov](http://www.regulations.gov), Docket # OW-2008-0055.
- Contact Information (Dec. 29 Federal Register Notice)

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# Questions? Comments?

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