

# EPA Vessel General Permit

Overview of the Final 2013 VGP

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# Presentation Overview

- 2013 Final VGP Overview
- Summary of Key Conditions
  - eNOI Coverage
  - Reporting
  - Key Effluent limits and monitoring
  - Inspections and Enforcement
- EPA Enforcement Response Policy and Joint USCG Cover Letter
- Small Vessel general permit
- Additional Resources



# 2013 Final VGP – Overview

- Effective December 19, 2013 to December 18, 2018
- Jurisdiction of the permit
  - Inland waters, territorial sea up to 3 nautical miles (nm)
- Discharge coverage
  - 27 discharge types incidental to the normal operation of a non-recreational and non military vessels 79 feet or longer, except commercial fishing vessels, and all ballast water discharges, regardless of size
  - Additional vessel class-specific conditions for 8 classes of vessels
- Certain vessel discharges not eligible for coverage(e.g., sewage)
- Vessel Operators must submit a 2013 VGP Notice of Intent for coverage



# Coverage Under the 2013 VGP

- Notice of Intent (NOI) for coverage
  - For the VGP, NOI is required only for certain vessels:
    - Greater than or equal to 300 gross tons; or
    - Have a ballast water capacity of at least 8 cubic meters.
  - Must be submitted electronically, unless a waiver is requested and granted in writing
  - Must be submitted at least 7 days prior to operating in U.S. waters
  - Visit [www.epa.gov/npdes/vessels/eNOI](http://www.epa.gov/npdes/vessels/eNOI) to access system
  - Contact [VGPeNOI@epa.gov](mailto:VGPeNOI@epa.gov) for questions
  
- Notice of Termination (NOT) of coverage
  - Permittee must submit when permanently terminating coverage under the VGP
  - Permittees do not need to submit NOTs every time they leave waters subject to this permit (e.g. international voyages)



# Reporting

- Annual Reports
  - First report due by February 28, 2015 (for activities through December 31, 2014)
    - Discharge Monitoring Reports (DMRs) to be submitted with annual report
    - Submit reports Annually thereafter
  - Replaces one-time report and annual non-compliance report requirements from the 2008 VGP
  - Submit electronically unless EPA Grants individual waiver
- Discharges that Endanger Health or the Environment
  - Oral notification to EPA Region (OR National Response Center) within 24 hours
  - Written notification within 5 days



# Ballast Water Approach

- Ballast water requirements primarily found in Part 2.2.3 of the VGP
  - Mandatory Management measures (Parts 2.2.3.1-2.2.3.4)
  - Numeric Limits (2.2.3.5)
  - Interim Requirements (2.2.3.6)
  - Specific requirements for vessels entering the Great Lakes (2.2.3.7)



# Ballast Water - Mandatory Management Measures

- Section 2.2.3.1-2.2.3.4
- Ballast water management plan
- Applicable to all vessels to reduce risk from ballast water discharges
  - e.g., must use pumps when ballasting or deballasting when feasible if not using a ballast water treatment system



# Ballast Water – Numeric Effluent Limits

- Section 2.2.3.5: Expressed as instantaneous maximum

Large Organisms ( $> 50\mu\text{m}$ )	Small Organisms ( $>10\mu$ and $\leq 50\mu\text{m}$ )	Toxigenic <i>Vibrio cholerae</i> (O1 & O139)	<i>Eschericia coli</i>	Intestinal enterococci
< 10 per $\text{m}^3$	< 10 per ml	<1 cfu per 100 ml	<250 cfu per 100 ml	<100 cfu per 100 ml

# Ballast Water – Implementation

- Four possible options to meet limits:
  - Use a treatment device (e.g. U.S. type approved system or an AMS)
  - Use onshore treatment
  - Use public water supply water (from US and Canada only)
  - No discharge
- Implementation schedule:

	Vessel's Ballast Water Capacity	Date Constructed	Vessel's Compliance Date
New vessels		After December 1, 2013	On delivery
Existing vessels	Less than 1500 m <sup>3</sup>	Before December 1, 2013	First scheduled drydocking after January 1, 2016
	1500-5000 m <sup>3</sup>	Before December 1, 2013	First scheduled drydocking after January 1, 2014
	Greater than 5000 m <sup>3</sup>	Before December 1, 2013	First scheduled drydocking after January 1, 2016



# Ballast Water - Monitoring

- Monitoring requirements if using a treatment device
  - **Functional**
    - Goal is to test if the system functioning as designed (e.g., applying chlorine dose, filtering water)
  - **Biological**
    - E. coli, enterococci, and total heterotrophic bacteria
  - **Active substance and residuals** (for systems that use them)
    - Numeric limits for systems using chlorine, chlorine dioxide, ozone, and peracetic acid
    - Other parameters set at Gold Book values (if such systems were to be developed)
  - Reduced frequency monitoring schedule available if system is one for which US government has high quality efficacy/toxicity type approval data from flag administration or vendor



# Ballast Water – Interim Requirements

- Interim requirements must be met until numeric limits apply
  - Requirements fundamentally the same as the 2008 VGP
- Interim requirements include:
  - Incorporating existing U.S. 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 and 200 nm from shore
  - Mandatory exchange and flushing for vessels engaged in Pacific nearshore voyages
  - Conducting exchange as early as practicable



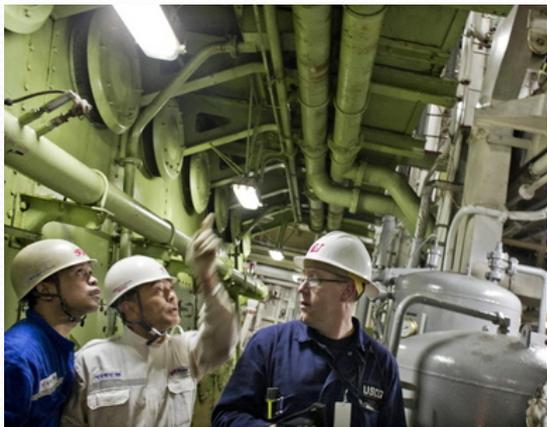
# Ballast Water: Additional WQ based requirement

- Certain vessels entering the Great Lakes must conduct ballast water exchange/saltwater flushing in addition to treatment if they have taken on ballast from freshwater or brackish water ecosystems within the previous month
- Estimated to impact fewer than 200 vessels per year



# Current Implementation and Enforcement Approach

- EPA – Implements and administers the VGP
- USCG – Inspect vessels for compliance with the VGP
- EPA – Conducts enforcement actions for the VGP



# EPA Ballast Water Enforcement Response Policy

- As EPA & USCG work to ensure that we are as consistent as possible under our respective statutory authorities, on December 27, 2013 EPA issued an Enforcement Response Policy (ERP).
- The ERP states that vessels that do not meet the VGP's numeric ballast water limits and have received an extension from the USCG and are otherwise in compliance with all other VGP requirements, including submission of a valid NOI, are considered a low enforcement priority.
- EPA and the USCG developed a joint package that is sent to vessel owners / operators that have received an extension from the USCG.
  - This package includes the USCG extension, the ERP and a joint cover letter signed by both Agencies.
- We believe the ERP addresses the primary concerns of industry regarding non-alignment of requirements of the USCG and EPA.



# Biofouling – VGP Requirements

- Hull Fouling regulated under 3 discharge types in the VGP
  - Anti-foulant Hull Coatings (2.2.4)
  - Cathodic Protection (2.2.7)
  - Underwater Ship Husbandry - Primary Section (2.2.23)



# Biofouling – VGP Requirements

- Vessel operators must minimize hull fouling when not engaged in short distance voyages (from Underwater Ship Husbandry requirements):
  - Management measures to minimize the transport of attached living organisms include:
    - Selecting an appropriate anti-foulant management system and maintaining that system,
    - Conducting an in-water inspection,
    - Cleaning and maintenance of hulls, and
    - Thorough hull and other niche area cleaning when a vessel is in drydock.
  - Specified management measures consistent with IMO guidelines
- When feasible, flush-fit sacrificial anodes to the hull or vessel fill the space between the anode and hull backing (from Cathodic Protection requirements)



# 2014 Small Vessel general permit (sVGP)

Available at - <http://water.epa.gov/polwaste/npdes/vessels/Small-Vessel-General-Permit.cfm>

- Effective December 19, 2014 to December 18, 2019
- Authorizes discharges incidental to the normal operation of non-military, non-recreational vessels *less than 79 feet*, operating in a capacity as a means of transportation





# New ANS invasions that might be tracked to vessel vectors

- Are there notable new invasions in the previous year that have been caused by vessel discharges (ballast water, hull fouling, etc.)?
- Has there been a change in the rate of ANS invasions?
- Are there other sources of ANS tracking
  - NEMESIS database
  - USCG NAS database
  - Other sources?

# Additional Resources

- General VGP questions
  - [VGP@epa.gov](mailto:VGP@epa.gov)
  - [www.epa.gov/npdes/vessels](http://www.epa.gov/npdes/vessels)
- eNOI questions
  - [VGPeNOI@epa.gov](mailto:VGPeNOI@epa.gov)
  - [www.epa.gov/npdes/vessels/enoi](http://www.epa.gov/npdes/vessels/enoi)
- Webinars
  - EPA has held 4 webinars on the 2013 VGP
  - The archived presentations are available at <http://water.epa.gov/polwaste/npdes/vessels/VGP-Additional-Resources.cfm>
- Sampling Reference Tool
  - <http://water.epa.gov/polwaste/npdes/vessels/VGP-Monitoring-and-Reporting.cfm>
- Frequently Asked Questions (FAQs)
  - Revised FAQs for the 2013 VGP available at <http://water.epa.gov/polwaste/npdes/vessels/Vessels-FAQs.cfm>

