

Great Lakes Ballast Water Collaborative

US States Activities Update

August 2, 2012

Susan Sylvester

Wisconsin Department of Natural Resources

Roger Eberhardt

Michigan Department of Environmental Quality

Jeff Stollenwerk

Minnesota Pollution Control Agency

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Wisconsin Activities Update

Susan Sylvester

*Wisconsin Department of Natural Resources
Water Quality Bureau Director*

EPA Meeting

- EPA mtg. in Chicago
- Great Lakes states discussed 401 Certs.
- States shared concerns
- Focused on common ground
- Series of conference calls
- Goal: uniform 401 Certs.

Great Lakes States Shared Interests

- Consistent regional/federal discharge standards
- Protect water quality – enhance data collection to develop “protective” standards
- Install treatment
- Ballast Water Exchange
- Mechanism beyond IMO needed

Shared Interests (Continued)

FEDERAL GOVERNMENT PARTNERING

- **Develop sampling protocols**
- **Standardize methods/analysis**
- **Create framework for data**

WI's Clean Water Act Section 401 Certification of VGP

GENERAL CONDITIONS

- Reasonable entry
- Activities prohibited
- Revoke or modify

WI's Clean Water Act Section 401 Certification of VGP

SPECIFIC CONDITIONS

- **Ballast Water Exchange** for vessels from beyond EEZ
- **WI's water quality standards**
- **Emergency treatment measures**
- **Freshwater testing of treatment systems**
- **Report non-compliance immediately**
- **Monthly visual inspections**

S. 401 Certification Process

- Public Noticed 401 Cert. for VGP April 6
- NR 299, Wis. Adm. Code, allows for requests for a contested case hearing
- Received 2 contested case hearing requests:
 - Environmental groups
 - Oceangoing shipping companies

Status of Legal Proceedings

- WDNR:
 - Granted and denied requests
 - Requested hearings
- Pre-hearing conference calls scheduled:
August 8

Ballast Water Contacts

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Michigan Activities Update

Roger Eberhardt

Michigan Department of Environmental Quality

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Minnesota Activities Update

Jeff Stollenwerk

Minnesota Pollution Control Agency

Minnesota 401 Certification

- Draft 401 certification sample issues to be resolved . . .
 - Numeric WQBEL to meet water quality standards
 - State permit – implementation schedule
 - Ballast water exchange and flush
 - Ballast discharge monitoring
 - Treatment system performance
 - Vessels not scheduled to treat ballast

Minnesota State Ballast Permit

- State ballast permit expires September 2013, some items to consider during review...
 - Is state permit still necessary
 - Discharge standards (currently IMO)
 - Treatment system installation schedule
 - Vessel not required to treat ballast

Minnesota Activities Schedule

- 401 Certification
 - August 28 – MPCA Board Decision
 - September 24-25 – Alternate MPCA Board Decision (only if deferred during Aug 28 board meeting)
- State Ballast Permit
 - September 2012 – Begin permit review
 - September 2013 – Reissue or terminate

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New York Regulatory Update

Don Tuxill & Koon Tang, Division of Water

*Dave Adams, Office of Invasive Species
Coordination*

Ray Vaughan, Office of Attorney General

New York State Department of Environmental Conservation

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NYS EPA VGP Conditions

- 2008 Cert. Conditions
 - Coastal Exchange/ Flushing 50 NM/200M
 - 100x IMO January 2012/ August 2013
 - 1000x IMO 2013
 - Graywater No Discharge 3NM 2012
 - Bilge No Discharge 2012
- 2013 Cert. Conditions
 - IMO+ Exchange/ Flushing for vessels originating outside EEZ
 - Confined laker vessels BMPs
 - Narrative WQBEL
 - Future development of a numeric WQBEL
 - Annual enhanced compliance monitoring provided appropriate facilities are available
 - Bilge water discharge prohibition

NYS Final Cert Process

- Draft certification conditions developed
- Public noticed in Environmental Notice Bulletin
- 21 day comment period held
- 11 commenters submitted 30 comments
- Minor edits to several conditions made
- Responsiveness summary developed
- Executive briefings held
- Plan to submit final certification conditions within 6-8 weeks



For more information:

<http://www.dec.ny.gov/permits/72399.html>



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