

# Great Lakes Ballast Water Collaborative

US States Update

March 3, 2014

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## Wisconsin Update

*Susan Sylvester*

*Wisconsin Department of Natural Resources*

*Water Quality Bureau Director*

# WI Overview

- Contested case hearing on Permit Mod.
- General Permit Modified Nov. 2012
- New effective dates:
  - New vessels Dec. 1, 2013
  - Existing vessels  
1<sup>st</sup> dry dock after Jan. 1, 2016

# Settlement with Shippers

- Providing reasonable efforts to install a treatment system at the earliest practicable date
  - if treatment systems are approved, and
  - commercially available, and
  - compatible for a particular vessel before that date
- Permit expires Jan. 31, 2015

# WI Inspections

- To Date 358 permitted vessels
- 189 inspections on 147 different vessels
  - Shipping season
    - 2013 58 inspections
    - 2012 72 inspections
    - 2011 59 inspections

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## Ohio Update

*Paul Novak*

*Ohio Environmental Protection Agency*

# Ohio Update

- **Granted 401 Certification to VGP**  
September 20, 2012
  - Meet IMO per Schedule in VGP
  - Continue Ballast Water Exchange EEZ Vessels
  - Discharge of Salt Water Ballast Prohibited Inside Harbor Breakwall
  - Discharge of Sediment Prohibited
  - Chlorine/Bromine Restrictions
- **No Appeals to 401 Certification**

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## Michigan Update

*Sarah LeSage*

*Michigan Department of Environmental Quality*



# Michigan – State Permit

- Authority: Michigan legislation in 2005 amended the Natural Resources and Environmental Protection Act
- “...prevent the introduction of and minimize the spread of aquatic nuisance species...”
- State general permit for ocean-going vessels conducting port operations effective 2007
- Requires treatment of ballast water discharges using one of four approved treatments methods, certify no discharge, or request use of an alternative treatment (effectiveness demonstration)
- Permit re-issued in February, 2012 with minimal changes

# Michigan 401 Certification

- Submitted to USEPA September 2012
- Refers to State Permit requirements
- Retains ballast water exchange and saltwater flushing
- Narrative reference to Water Quality Standards and controlling discharges of AIS
- Incentive for early installation of BWTS
  - Use by December 31, 2014 would be exempt from any future standard for the life of the system.
- Live Organism Monitoring subsequent to establishment of protocols by the MDEQ
- Reasonable entry
- Nonoceangoing vessels – total residual chlorine discharge limit

# Michigan – Looking Forward

- Need to work together to achieve:
  - Timely installation and proper operation of ballast water treatment systems.
  - Implementation of treatment-based discharge limits (technologically achievable).
  - Development of discharge limits that are protective of water quality while recognizing that the Great Lakes are a unique natural resource.
  - Consistent application of ballast water discharge limits on a regional basis.

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## New York Regulatory Update

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Bureau*

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*Francis Zagorski & Koon Tang, Division of Water  
Dave Adams, Invasive Species Coordination Unit  
New York State Department of Environmental Conservation*

# 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
  - Annual enhanced BWT system compliance monitoring when testing facilities are available
  - Bilge water discharge prohibition

*For more info: [www.dec.ny.gov/permits/72399.html](http://www.dec.ny.gov/permits/72399.html)*

# Port of Albany Intern Project

- Port of Albany partnered with SUNY ESF Environmental Resources Engineering; EPA funding administered by DEC
- Determine feasibility of treating ballast water through port-based water treatment facility at the Port of Albany
- 85% of the cargo weight transported through port was outbound (2010-2012)

# Intern Project Continued

- Estimated 10,000 foot piping network and universal connectors would be required
- Two 15,000 cubic meter fuel tanks would be needed to store ballast water
- Ballast water would be pre-treated through a 20 micron rotating drum microscreen
- Ballast water would likely not be permitted to the WWTP for a number of reasons

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## Minnesota Update

*Jeff Stollenwerk*

*Industrial Water Section Manager  
Minnesota Pollution Control Agency*



# Minnesota Background

- **2007 Goal** – Federal ballast regulation that is protective of Minnesota waters
- **2008 Legislature** - adopted Minn. Stat. § 115.1701-115.1707. BWMP to be approved by MPCA; Ballast activity recordkeeping
- **2008 State District Court** - orders MPCA to begin regulating ballast water discharges via permits

# Minnesota State Permit

- State permit – satisfies state legislative requirements and state court order
- 2008 and 2013 issuances
  - Concurrence with most terms and conditions of VGP 2013
  - Treatment installation required after March 30, 2018 for vessels exempted from treatment requirements under VGP 2013

# MN Certification of VGP 2013

- Conditions
  - Concurrence with most terms and conditions of VGP 2013 and other states
  - Monitoring requirements for vessels exempted from treatment requirements under VGP 2013.
- Challenged in State Court of Appeals
  - “will comply with WQS” standard of law
  - Lack of numeric WQBEL
  - MPCA decision affirmed

# For more information:

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