



Aquatic Nuisance Species Program Update



USCG Issues Best Management Practices for Vessels Declaring No Ballast Onboard (NOBOB)

On August 31, 2005, the U.S. Coast Guard (USCG) issued a notice of policy that outlines best management practices for vessels declaring No Ballast On Board (NOBOB) when entering the Great Lakes. The intent of this policy is to reduce the introductions of aquatic nuisance species (ANS) via ballast water residuals carried on board NOBOB vessels that enter the Great Lakes.

Even though NOBOB vessels declare they are carrying no ballast water, residual water and sediment in ballast tanks are retained on board the vessel. These residuals can potentially contain ANS. NOBOB vessels offload cargo and take on Great Lakes water as ballast as they transit the Great Lakes. Thus, the potential for ANS introductions into the Great Lakes exists when NOBOB vessels take on new cargo and discharge the mixed (residual and Great Lakes) ballast water.

In January 2005, the Coast Guard published a Notice with Request for Comments, soliciting input from the public that would assist in developing management strategies for NOBOB

vessels. In May of 2005, the Coast Guard held a public meeting to continue to receive input on these practices.

Beginning in 2000, we have also looked to scientific research to provide insight into establishing these best management practices. The Coast Guard co-funded the National Oceanic and Atmospheric Administration's Great Lakes Environmental Research Laboratory (NOAA/GLERL) NOBOB Project and the project report published in April 2005, which provided some detail on NOBOB vessel residue water, sediments and ship transits. According to this report, the risk of NIS introductions via NOBOBs is associated with fresh and brackish residual waters. Organisms from fresh and brackish environments are more compatible with the fresh water of the Great Lakes. The Coast Guard inspected a number of vessels in 2005, and found that comparatively few ballast water tanks onboard these vessels contained fresh or brackish residual water.

After reviewing the results from the NOAA/GLERL NOBOB report, Coast Guard

monitoring data, and public comments, the Coast Guard established a policy of best management practices for NOBOB vessels entering the Great Lakes in August 2005. The policy encourages all vessels equipped with ballast water tanks that may enter the Great Lakes to conduct mid-ocean exchanges 200 nautical miles or more from any shore in waters 2000 meters or more in depth. Those vessels that cannot conduct mid-ocean exchanges are encouraged to conduct a saltwater flushing, where mid-ocean salt water is mixed with ballast water tank residuals thus increasing the salinity of the residuals. In all of these practices, the master of the vessel should ensure the safety of their crew and not conduct these practices if to do so would threaten the safety of the vessel or crew.

This policy also encourages vessels to incorporate these best management practices into their ballast water management plans. The requirements for ballast water management plans can be found in the Code of Federal Regulations at 33 CFR 151 Subpart D.

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The Coast Guard will continue to monitor NOBOB vessels during normal pre-arrival processing or when updated ballast water reporting forms are received. NOBOB vessels that are conducting these best management practices should indicate they have done so when they submit their Ballast Water Reporting Form (OMB

Control No. 1625-0069). This form can be found and submitted online at <http://invasions.si.edu/nbic/submit.html>.

The Coast Guard will also take residual ballast water samples from NOBOB vessel tanks to assess of the shipping industry's implementation of these best management practices. The Coast Guard will consider other prevention

measures if this program is not found to be effective.

The Notice of Policy can be found in Federal Register Notice 70 FR 51831 at <http://www.gpoaccess.gov/fr/index.html>. The policy may also be viewed at <http://dms.dot.gov>. In this web site, proceed to simple search, and under docket number, enter 19842.

USCG Discusses Ballast Water at Invasive Species Hearing

On September 9, 2005, Congresswoman Candice Miller of Michigan held a congressional hearing at a Michigan high school regarding the potential introduction of aquatic nonindigenous species (NIS) into the Great Lakes via ballast water. Miller, Chairperson of the House Subcommittee on Regulatory Affairs, was joined by Congressman Lynn Westmoreland of Georgia and Congressman Steven Lynch of Massachusetts on her hearing panel.

The hearing consisted of two panels where several experts from the Federal and State Government, industry, and non-governmental organizations provided testimony. At the first panel, testimony was given by Michigan Attorney General Mike Cox; Robin Nazzaro, Director of Natural Resources and Environment for the Government Accountability Office (GAO); CDR Kathy Moore, Chief of the Environmental Standards Division, U.S. Coast Guard; and Dr. Stephen

Brandt, Director of the National Oceanic and Atmospheric Administration (NOAA) Great Lakes Environmental Research Lab. The second panel included testimony by Dennis Schornack, Chairman of the U.S. Section of the International Joint Commission (IJC); Kathy Metcalf, Director of Maritime Affairs of the Chamber of Shipping of America; James Weakley, President of the Lake Carriers' Association; Jason Dinsmore, Policy Specialist of the Michigan United Conservation Clubs; and Kurt Brauer, Chair of the Natural Resources Committee of the Michigan Council, Trout Unlimited.

The Coast Guard was given the authority to regulate ballast water under the National Aquatic Nuisance Prevention and Control Act of 1990, which was reauthorized by the National Invasive Species Act of 1996. CDR Moore stated that "the Coast Guard remains committed to providing a leadership role on ballast

water management, both domestically and internationally." After recently publishing best management practices for vessels declaring No Ballast Onboard (NOBOB) on transits to the Great Lakes, the Coast Guard continues to work on developing a ballast water discharge standard. CDR Moore said that a ballast water discharge standard "should address all organisms at all life stages, be concentration-based, and set at values that are scientifically sound, environmentally protective and enforceable. Once this standard is set, the shipping industry and emerging ballast water treatment industry can develop new technologies to treat ballast water."

Michigan Attorney General Michael Cox, however, believes the Environmental Protection Agency (EPA) should regulate ballast water discharges under the Clean Water Act (CWA) in addition to the Coast Guard's authority. Other experts, like Dennis

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Schornack, Chairman of the U.S. Section, International Joint Commission believe otherwise. "If we learned one thing in the wake of Hurricane Katrina, it is that solving problems becomes exponentially harder when multiple agencies are in charge or think they are in charge," Schornack stated. If ballast water was to be regulated under the Clean Water Act, it creates the potential for a "patchwork quilt of regulations" as individual states will be allowed to write their own regulations to manage ballast water.

Kathy Metcalf, the Director of Maritime Affairs for the Chamber of Shipping of America also believes that states should not be allowed to pass their own ballast water regulations. "Continuing this patchwork-quilt approach would be catastrophic for the environment and the industry and undermine the progress that we can make on this issue by the establishment of a strong, uniform federal program," Ms. Metcalf stated.

Mr. Schornack agreed, stating, "The quickest, clearest most direct route to protecting the Great Lakes is for Congress to set a standard and to set it now."

Stephen Brandt, the Director of the Great Lakes

Environmental Research Laboratory (GLERL) of NOAA discussed the results of the GLERL Great Lakes NOBOB study conducted from 2001 to 2002. Dr. Brandt believes that "the risk of NOBOB related invasive species introductions can be lowered with diligent application of good management practices, but maximum protection will need new highly effective methods to treat ballast water and residuals to required biological endpoints." Dr. Brandt also said that treating residuals aboard NOBOB vessels will continue to reduce the risk of [NIS] introductions. There is currently no approved or commercially available ballast water treatment technology, but "several treatment technologies hold promise," Dr. Brandt said.

The resounding call from nearly all of the witnesses was for Congress to pass more stringent legislation to protect the Great Lakes from NIS introductions via ballast water, but some believe this will not completely solve the issue at hand. CDR Moore stated that final ballast water discharge regulations would not likely end all NIS introductions into the Great Lakes, because ballast water is not the only vector by which NIS can enter the Great Lakes environment.

Calendar of Events

- ↳ **October 19-21, 2005**
ANS Task Force Meeting
 Hyatt Dulles
 2300 Dulles Corner Blvd.
 Herndon, VA 20171
- ↳ **March 20-24, 2006**
MEPC 54
 IMO Headquarters
 4 Albert Embankment
 London SE1 7SR UK
- ↳ **April 3-7, 2006**
BLG 10
 IMO Headquarters
 4 Albert Embankment
 London SE1 7SR UK
- ↳ **May 14-19, 2006**
International Conference on Aquatic Invasive Species
 Sonesta Beach Resort and Conference Center
 350 Ocean Drive
 Key Biscayne, FL 33149



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