



Invasive Species and the Vessel Incidental Discharge Act



Mr. Ryan J Thresher
Mr. Joseph Adamson
U.S. Coast Guard

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Pacific Ballast Water Group Meeting



Presentation Topics



- Ballast Water Management (BWM)
- Vessel Incidental Discharge Act (VIDA) implementation



Ballast Water Management



Where we are

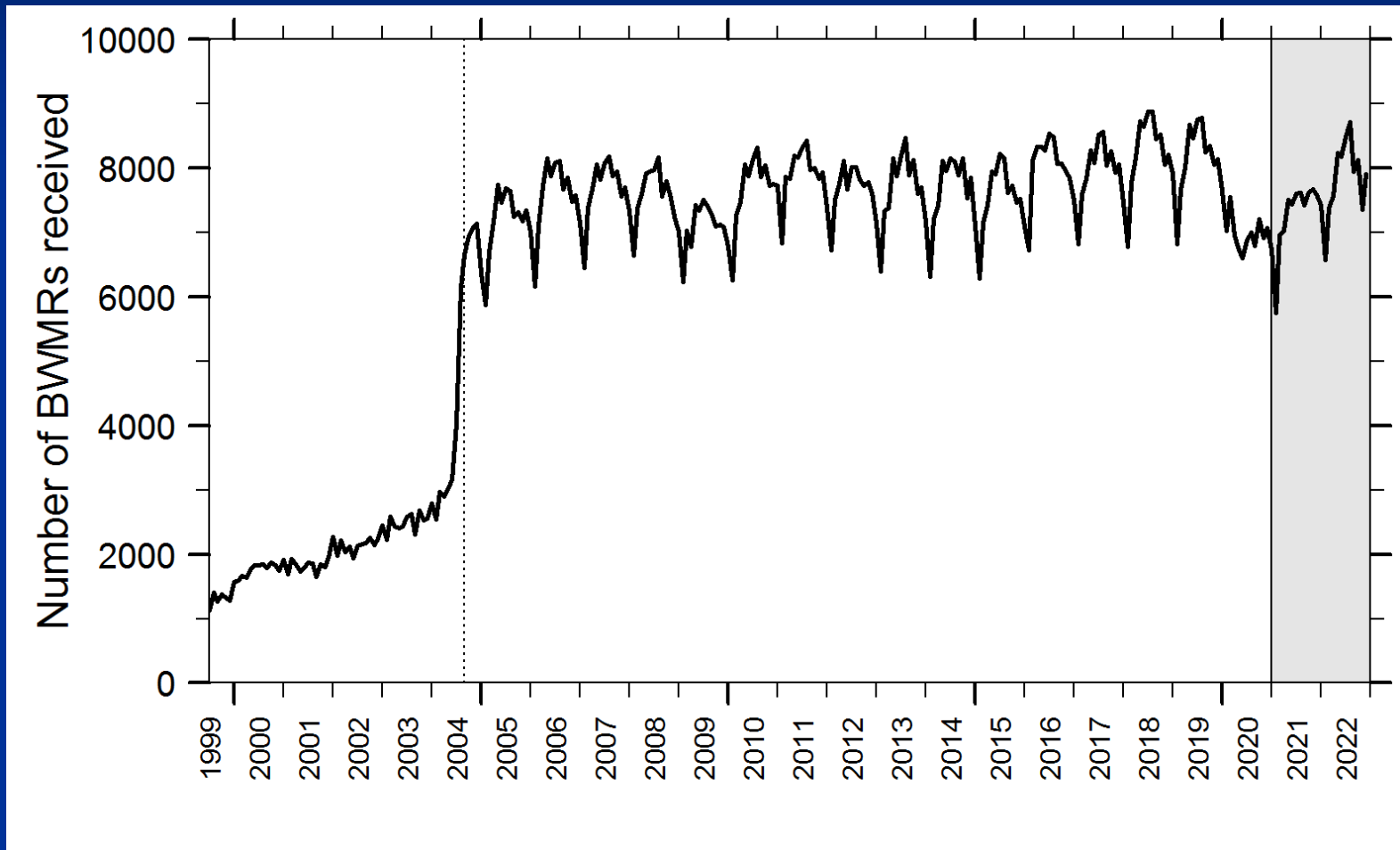


Coast Guard continues to enforce current Ballast Water regulations until it publishes final VIDA implementing regulations.

- Compliance enforcement is similar to other pollution prevention and control requirements and technologies.
- 54 USCG Type Approved systems are available for most vessel needs, including freshwater routes.

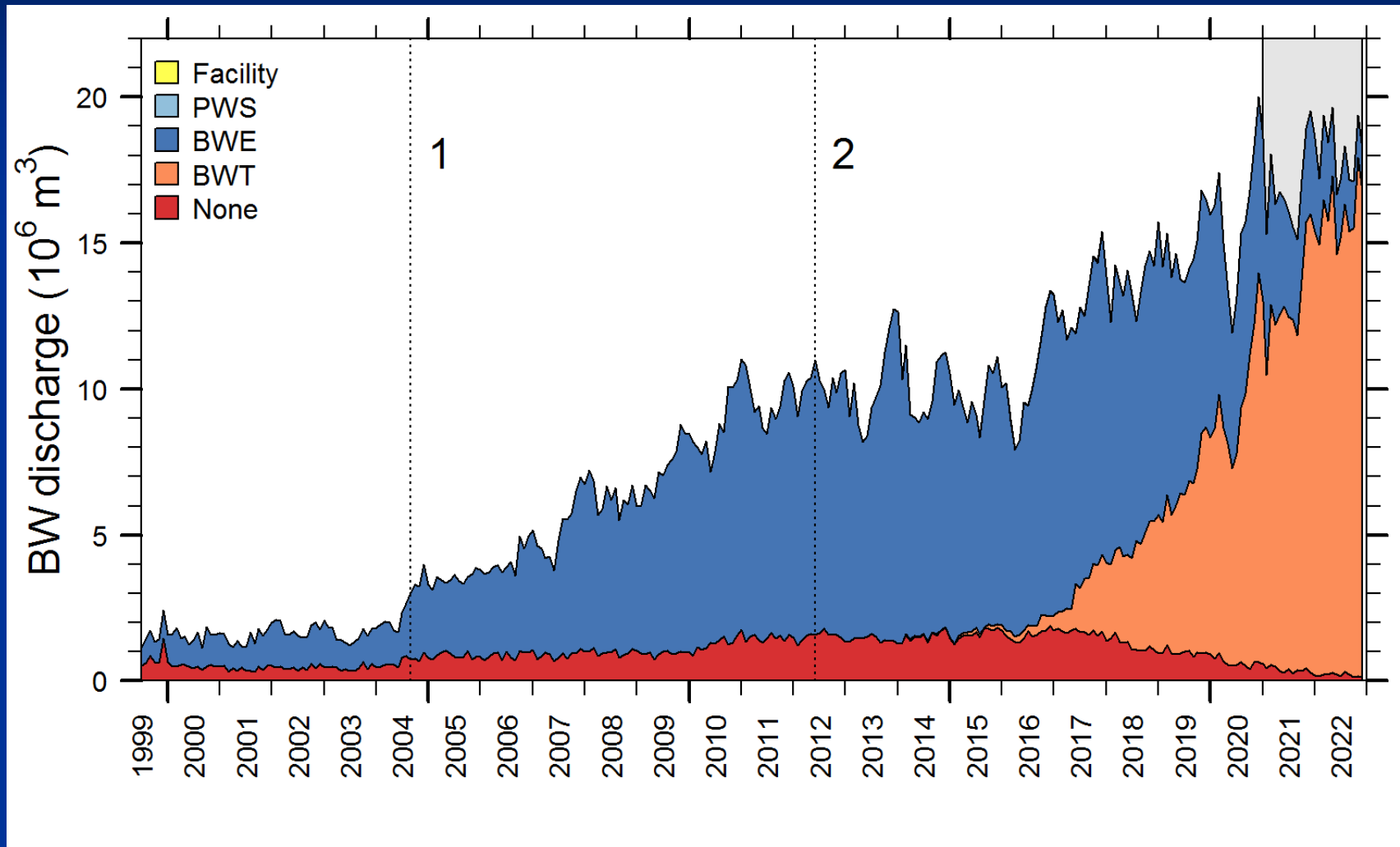


Monthly NBIC BMR





Management Methods



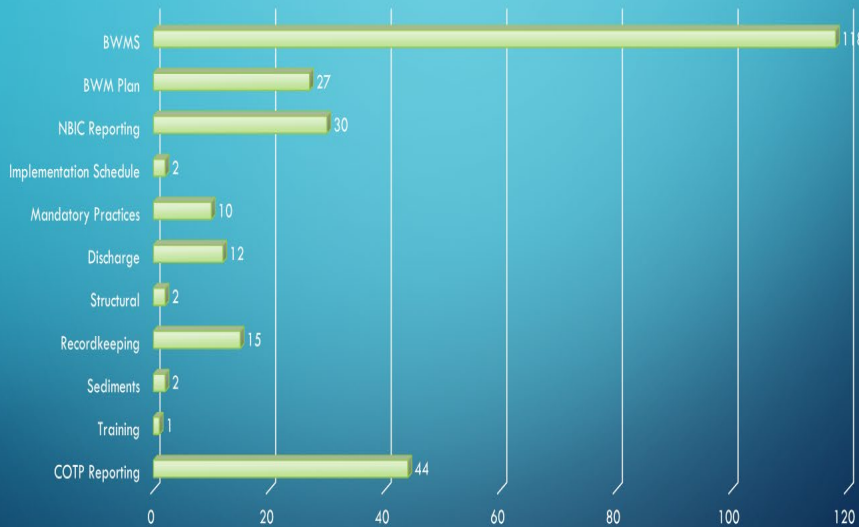


Enforcement

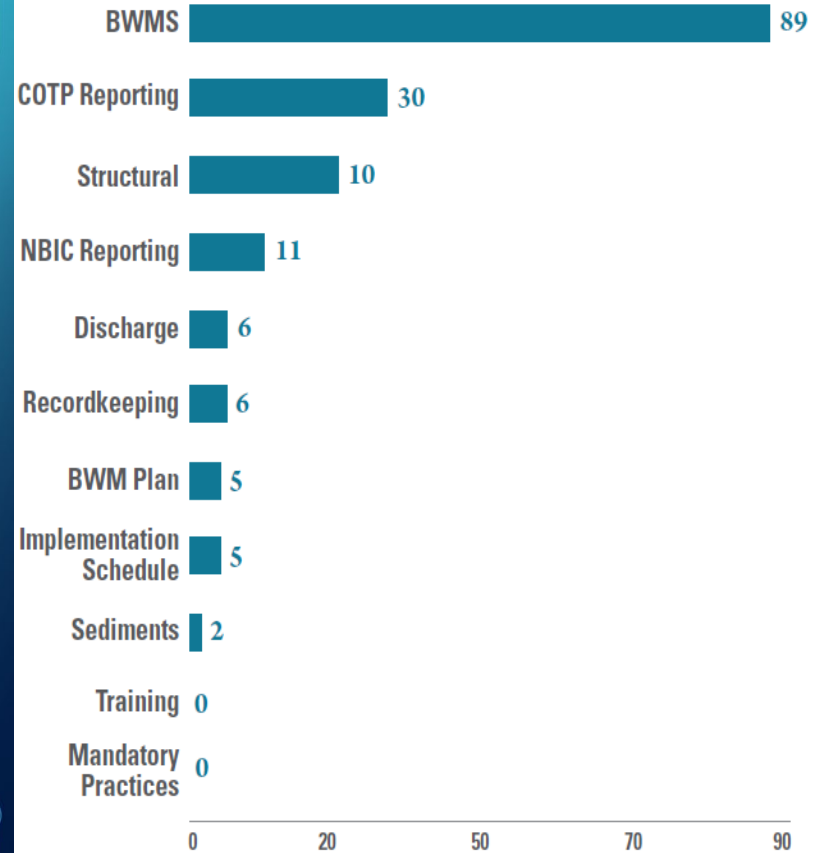


BALLAST WATER COMPLIANCE TRENDS

2022 Ballast Water Deficiencies



Annual Trend in Ballast Water Deficiencies





Extensions

- Coast Guard extension letters have been greatly reduced; only ~ 360 active extensions
 - Both compliance and AMS extensions
- VIDA does not include a statutory mandate to continue to recognize AMS or grant extensions.
- Coast Guard will re-evaluate need for programs when drafting VIDA regulations.



Vessel Incidental Discharge Act



VIDA Implementation



- Vessel Incidental Discharge Act (VIDA) is now five years old (enacted December 4, 2018)
- Congress passed VIDA to help streamline the U.S. patchwork of federal, state, and local requirements for commercial vessels.
- VIDA will require new forms of cooperation among USCG, EPA, Canada, tribes, and state and provincial governments.



Federal Regulations



- VIDA requires EPA, USCG to develop two sets of federal regulations for 23 vessel discharges
 - EPA national standards of performance to replace current VGP (Final Rule now expected in late 2024).
 - USCG implementing, monitoring, and enforcement regulations to replace current BWM regulations.
 - VIDA directs us to publish our Final Rule within two years after EPA's Final Rule.



Enforcement



- EPA, the USCG, and U.S. states will have enforcement authority.
- Much of this remains to be determined, including through the rulemaking process.



VIDA and Other Activities



- Hull Fouling
 - USCG VIDA regulations will address hull fouling
 - International Maritime Organization (IMO) is developing guidelines related to in-water cleaning systems
 - Coast Guard and other agencies serve on U.S. delegation to IMO's Pollution Prevention and Response (PPR) subcommittee of the Marine Environmental Protection Committee (MEPC)
 - Correspondence group later this year
- Annual Reports to Congress
 - Third BWM report for 2021-22 in Administration review
 - Two previous reports online with Smithsonian:
<https://repository.si.edu/handle/10088/21>



Way Ahead

- EPA final rule
 - Public comment periods closed, anticipated Fall 2024 publishing of final rule
 - Triggers USCG 2 year window
 - Expected promulgation end of 2026
- USCG State Engagement Plan
 - Support compliance partners, quarterly meetings
- USCG Industry Outreach
 - Transparency and ease of implementation are continuous considerations during the USCG processes
 - RFI being developed specific to industry interests
 - Federal Register: www.federalregister.gov



Thank you!



Please send questions to:
environmental_standards
@uscg.mil