



THE REPUBLIC OF LIBERIA

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Office of
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Marine Operations Note: 02/2009

Subj: New Discharge Requirements for Commercial Vessels Operating in U.S. Waters

Ref: (1) Clean Water Act section 402, 33 U.S.C. § 1342
(2) EPA's Vessel General Permit regulations, available online

Dear Owner/Operator:

On 18 December 2008, the United States Environmental Protection Agency (USEPA) issued a pre-publication of its final Vessel General Permit (VGP) discharge requirements for commercial vessels operating in U.S. waters beginning December 19, 2008. However, the U.S. District Court for the Northern District of California has signed an order providing that "the exemption for discharges incidental to the normal operation of a vessel is vacated as of February 6, 2009." Therefore, owners and operators need not comply with the terms of VGP until February 6, 2009. However, we encourage you to review the new discharge requirements, which includes all the new requirements and limitations on discharges, as well as the procedures for submitting a "Notice of Intent" (NOI). Details of the new requirements are available online at USEPA's VGP website: http://cfpub.epa.gov/npdes/home.cfm?program_id=350

The 2008 VGP requirements apply to discharges incidental to the normal operation of vessels operating as a means of transportation within the United States three nautical mile territorial sea. The VGP includes general effluent limits applicable to all discharges; general effluent limits applicable to 26 specific discharge streams; narrative water-quality based effluent limits; inspection, monitoring, recordkeeping, and reporting requirements; and additional requirements applicable to certain vessel types.

Owners/operators of vessels of 300 gross tons or more or vessels that have the ability to hold or discharge more than 8 cubic meters of ballast must submit an NOI to the USEPA, in order to receive permit coverage and be allowed to discharge under this new requirement. According to the VGP, NOI's should be submitted to the EPA beginning June 19, 2009. Prior to submission of a NOI, owners/operators of vessels are automatically authorized to discharge under the VGP. Automatic authorization does not extend beyond September 19, 2009. During the automatic authorization period (before an NOI is submitted), vessels in U.S. waters must comply with all requirements of the VGP, which include monitoring and record keeping requirements, in addition to discharge requirements.

The discharge streams eligible for coverage under the VGP are:

- deck washdown and runoff and above water line hull cleaning;
- bilge water; ballast water;
- anti-fouling leachate from antifouling hull coatings;
- aqueous film forming foam (AFFF);
- boiler/economizer blowdown;
- cathodic protection;
- chain locker effluent;
- controllable pitch propeller hydraulic fluid and thruster hydraulic fluid and other oil sea interfaces including lubrication discharges from paddle wheel propulsion, stern tubes, thruster bearings, stabilizers, rudder bearings, azimuth thrusters, and propulsion pod lubrication;
- distillation and reverse osmosis brine;
- elevator pit effluent;
- firemain systems;
- freshwater layup;
- gas turbine wash water;
- graywater;
- motor gasoline and compensating discharge;
- non-oily machinery wastewater;
- refrigeration and air condensate discharge;
- seawater cooling overboard discharge;
- seawater piping biofouling prevention;
- small boat engine wet exhaust;
- sonar dome discharge, underwater ship husbandry;
- welldeck discharges;
- graywater mixed with sewage from vessels; and
- exhaust gas scrubber wash water discharge.

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