



TECHNICAL CIRCULAR No. 119 of 19th April 2013

To:	All Surveyors/Auditors
Applicable to flag:	All Flags
Subject:	US EPA Vessel General Permit
Reference:	US Environmental Protection Agency 2013

United State Environmental Protection Agency US EPA Vessel General Permit

On 28 March, the US Environmental Protection Agency (EPA) issued the 2013 Vessel General Permit (VGP) regulating discharges from commercial vessels, including ballast water, into US waters. The VGP covers commercial vessels greater than 79 feet in length, excluding military and recreational vessels, and will replace the 2008 Vessel General Permit on 19 December 2013. The text of the new VGP, along with additional information pertaining to its requirements is posted on the [EPA website](#). The EPA intends to issue an additional "Small Vessel General Permit" (sVGP) later this year.

On March 28, 2013, the U.S. Environmental Protection Agency (EPA) signed the final 2013 National Pollutant Discharge Elimination System (NPDES) Vessel General Permit (VGP).

Background

On March 30, 2005, the U.S. District Court for the Northern District of California (in *Northwest Environmental Advocates et al. v. EPA*) ruled that the EPA regulation excluding discharges incidental to the normal operation of a vessel from NPDES permitting exceeded the Agency's authority under the Clean Water Act (CWA). On July 23, 2008, the Ninth Circuit upheld the decision. In response to this Court order, EPA developed the Vessel General Permit to regulate discharges from vessels. EPA signed the VGP on December 18, 2008, with an effective date of February 6, 2009. The VGP currently being finalized will replace the 2008 VGP when it expires on December 19, 2013.

Summary of the Final 2013 VGP

The 2013 final VGP will continue to regulate 26 specific discharge categories that were contained in the 2008 VGP, and would provide coverage for fish hold effluent in the event that a permitting moratorium currently in effect expires in December 2014.

Customer Service Center

5201 Blue Lagoon Drive, 9TH. Floor,
Miami, Fl., 33126
Tel: 1 (305) 716 4116,
Fax: 1 (305) 716 4117,
E-Mail:

joel@conarinagroup.com

Technical Head Office

7111 Dekadine Ct.
Spring, Tx., 77379
Tel: 1 (281) 370 9363,
1 (713) 204 6380

E-Mail: tho@conarinagroup.com,

houston@conarinagroup.com

For the first time, the final VGP contains numeric ballast water discharge limits for most vessels. The permit generally aligns with requirements contained within the 2012 U.S. Coast Guard ballast water rulemaking. Additionally, the VGP contains requirements to ensure ballast water treatment systems are functioning correctly. The final permit also provides additional environmental protection for certain vessels. For example, certain high-risk vessels entering the Great

Lakes must conduct additional management measures to reduce the risk of introducing new invasive species to our waters.

The final VGP also contains more stringent effluent limits for oil to sea interfaces and exhaust gas scrubber wash water, which will improve environmental protection of U.S. waters. EPA has also improved the efficiency of several of the VGP's administrative requirements, including allowing electronic recordkeeping, requiring an annual report in lieu of the one-time report and annual noncompliance report, allowing combined annual reports for some vessel operators, allowing a reduced inspection frequency for vessels in a prolonged idle status, and requiring small vessel owners and/or operators to obtain coverage under the VGP by completing and agreeing to the terms of a Permit Authorization and Record of Inspection form.

This action applies to vessels operating in a capacity as a means of transportation that have discharges incidental to their normal operation into waters subject to these permits, except recreational vessels as defined in Clean Water Act section 502(25) and vessels of the Armed Forces as defined in Clean Water Act section 312(a)(14).

REFERENCES:

- **US Environmental Protection Agency 2013**

ATTACHMENTS: No.

Kindest Regards,
Cosmin Bozenovici
Naval Architect – Conarina Technical Head Office

Customer Service Center

5201 Blue Lagoon Drive, 9TH. Floor,
Miami, Fl., 33126
Tel: 1 (305) 716 4116,
Fax: 1 (305) 716 4117,
E-Mail:

joel@conarinagroup.com

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Spring, Tx., 77379
Tel: 1 (281) 370 9363,
1 (713) 204 6380

E-Mail: tho@conarinagroup.com,

houston@conarinagroup.com