From: Kelley, Jeremy
To: Kelley, Jeremy; Gregory, Chris; Scheuermann, Roger;
Subject: NPDES Compliance Guide for Vessels
Date: Wednesday, February 11, 2009 11:28:41 AM

TEST Email. I know the link to the doc isn;t working, I need to host it. But this is what it will look like.

CIRCULAR 023-08; FEBRUARY 11, 2009

EPA NPDES Compliance Guide for the Vessel General Permit (VGP)

BACKGROUND

The U.S. Environmental Protection Agency announced its intention to issue a Vessel General Permit (VGP)for the purpose of regulating discharges incidental to the normal operation vessels. This was the result of a lawsuit brought against the EPA by environmental interests.

On July 23, the U.S. Court of Appeals for the Ninth Circuit upheld the District Court decision which ruled that the U.S. Environmental Protection Agency (EPA) is required to regulate discharges incidental to the normal operation of vessels under the NPDES requirements by 30 September 2008. The Appellate Court left open the possibility for the EPA to petition the lower District Court for an extension of the September 30 deadline.

On August 31, the U.S. District Court extended the date for the application of the National Pollutant Discharge Elimination System (NPDES) program to commercial vessels calling at U.S. ports from September 30 to December 19, 2008. Although industry had requested a longer extension, December 19 was the date which the EPA felt was adequate to allow sufficient time to incorporate all of the public comments and finalize the Vessel General Permit (VGP) requirements.

Therefore, after December 19, 2008, all commercial vessels 79 feet in length or greater, over 300 GT or with a ballast water capacity of more than 8 m3 must comply with the EPA final VGP requirements. In summary, the VGP identifies 28 possible discharges from ships during their normal operations. Many of these discharges, such as ballast water, greywater and sewage are already regulated by other agencies. In order to satisfy with the VGP vessel owners/managers must demonstrate an intent to comply with the VGP. To enroll in the VGP, individual vessels must submit a Notice of Intent.

The VGP also requires each vessel to have a Ballast Water Management Plan (BWMP) on board. This is the first U. S. requirement for the BWMP. The BWMP does not need to be approved by any authority.

ANNOUNCEMENT OF NPDES COMPLIANCE GUIDE BY O'BRIEN'SRM

Until the regulations are finalized, it is recommended that owners/operators that have vessels calling U.S. ports after December 19, 2008, develop a compliance program based upon the requirements found in the EPA proposed VGP to demonstrate their intent to comply with the new regulations.

In preparation of the implementation of the new VGP requirements, OOPS has drafted a Compliance Guide to be kept in your office and on board each vessel. The Compliance Guide will aid in meeting the requirements of the proposed VGP. This Compliance Guide covers each section of the proposed EPA NPDES regulations and includes the following components:

- Vessel Inspection Checklist,
- Corrective Action Assessment Form,
- DryDock Inspection Certification Report,
- Sample Ship Log Entries

Upon finalization of the EPA NPDES regulations on December 19, 2008, the Compliance Guide will be revised and promptly reissued reflecting any changes made to the proposed VGP requirements. In the meantime, a copy should be kept on board in order to demonstrate the intent to comply with the regulations until such time as the revised copy is available.

The Compliance Guide is available for US $250. OOPS can also arrange enrollment by submitting the Notice of Intent (NOI) on your behalf. This will require a letter authorizing OOPS to sign the necessary certification. There is an additional charge of US $100 per vessel for the submission of the NOI.

HOW TO RECEIVE A COPY OF THE COMPLIANCE GUIDE

In order to request a copy of the Compliance Guide please send a completed copy of the EPA NPDES Compliance Guide Request form via email to vesselservices@obriensrm.com. OOPS will be providing the documents electronically.

Download NPDES Compliance Guide Request Form

FOR ADDITIONAL INFORMATION

For general inquiries regarding this subject or others, please do not hesitate to contact us at info@obriensrm.com or call us at (609) 275-6153.

Thank you,

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