

**For Immediate Release**  
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### **Vessel Operators Urge Congress to Create Uniform National Vessel Discharge Regime**

ARLINGTON, VA – A senior executive at one of the nation’s largest domestic maritime transportation companies yesterday urged Congress to establish a uniform national framework for the regulation of ballast water and other vessel discharges and end the current patchwork of duplicative and conflicting federal and state regulations. Testifying on behalf of Kirby Corporation and the American Waterways Operators, the national trade association for the tugboat, towboat and barge industry, James F. Farley, President of [Kirby Offshore Marine, LLC](#), told the Senate Commerce Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard that the current regulatory framework for vessel discharges is “counterproductive to enhanced environmental protection, confusing and costly for vessel owners, and inefficient for state and federal agencies.”

Mr. Farley discussed the challenging compliance burden vessel operators and mariners face, with two federal agencies, the U.S. Coast Guard and the Environmental Protection Agency, and 25 states all regulating the same vessel discharges in overlapping and sometimes inconsistent ways.

He illustrated the problem by describing the shifting and overlapping regulatory requirements for a Kirby tug-barge unit moving oil from Washington State to Los Angeles. “The crewmembers must comply with Coast Guard ballast water and hull fouling regulations, the EPA Vessel General Permit, 25 state-specific VGP conditions added by Washington and California, and state requirements for ballast water management and reporting imposed by Washington, Oregon, and California,” Mr. Farley stated. “That’s five distinct federal and state regulatory regimes the crew must keep track of over the course of a single voyage.”

Mr. Farley described how the current regulatory patchwork hurts the marine environment as well as the maritime transportation industry. “Companies, including my own, have delayed investment in costly discharge treatment technologies because they lack assurance that such systems will be acceptable wherever a vessel calls,” he said.

Mr. Farley emphasized that the industry welcomes high regulatory standards, stating that “our industry has established a strong and continuously improving environmental record and we recognize that making responsible environmental practice a top priority is both good policy and good business. The problem is not that vessel discharges are regulated; it is how they are regulated.”

Noting that a consensus has emerged among the scientific community, as well as among federal and state regulators, regarding the capability of ballast water treatment technology, Mr. Farley urged the Subcommittee to end the current climate of uncertainty by acting in a bipartisan manner to enact a single set of uniform national standards, with a requirement for the standards to become increasingly stringent as treatment technology improves over time. “The only way to fix this broken system is for Congress to act,” Mr. Farley said.

Following the hearing, Subcommittee Chairman Marco Rubio (R-FL), joined by Commerce Committee Chairman John Thune (R-SD) and Ranking Member Bill Nelson (D-FL), introduced S. 373, the Vessel Incidental Discharge Act, and pledged to bring the bill to the Commerce Committee for markup in the near future.

*The American Waterways Operators* is the national trade association representing the tugboat, towboat and barge industry which operates on the rivers, coasts, Great Lakes and harbors of the United States. Barge transportation serves the nation as the safest, most environmentally friendly and most economical mode of freight transportation. For more information about AWO, please visit [www.americanwaterways.com](http://www.americanwaterways.com).