



SUPPORT S.373/H.R.980 THE VESSEL INCIDENTAL DISCHARGE ACT

Freight transportation underpins America's economy. So why are we allowing regulations to make it more difficult for vessels to deliver the vital commodities on which our economy depends?

Today, two federal agencies, the U.S. Coast Guard and the Environmental Protection Agency, regulate ballast water and other vessel discharges under differing statutory authorities. And, because neither federal statute preempts state action, more than two dozen states have established state-specific requirements for those same discharges – over 150 in all. This dysfunctional regulatory scheme is bad for the economy, the environment, and the American taxpayer.

Congressional action is needed to solve a problem that harms maritime competitiveness, hinders interstate commerce, and subjects vessel owners and mariners to duplicative and conflicting regulation.

- The myriad federal and state regulations with which a commercial vessel is forced to comply as it transits through different jurisdictions hinder interstate commerce.
- The added cost of superfluous regulations harms competitiveness in an industry that works vigorously to provide affordable, efficient and reliable transportation solutions for shippers.
- One of the riskiest decisions a vessel owner faces when constructing or overhauling a vessel is investing in onboard treatment systems without the certainty that these costly systems will be acceptable in every jurisdiction in which the vessel operates.

A 2015 decision by the U.S. Court of Appeals for the Second Circuit heightens the need for Congressional action. The Court ordered EPA to reassess its ballast water treatment standard, increasing the likelihood that new regulations will further exacerbate the misalignment of federal standards and worsen an already untenable situation.

The Vessel Incidental Discharge Act (S. 373/H.R. 980) is a solid, bipartisan compromise that would replace an unworkable regulatory patchwork with one set of scientifically based, environmentally protective and technologically achievable rules. The legislation is supported by all segments of the maritime industry—U.S. and international vessel owners and operators; fishing vessel, passenger vessel and charterboat operators; labor unions; marine terminals and port authorities—as well as national business organizations and industries that rely on commercial vessels to transport essential cargoes in domestic and international commerce.

S. 373/H.R. 980 is an opportunity for Congress to fix a broken regulatory system that hinders maritime commerce, stifles business investment, and wastes taxpayer money on duplicative and overlapping regulations. **Please support passage of the Vessel Incidental Discharge Act this year!**