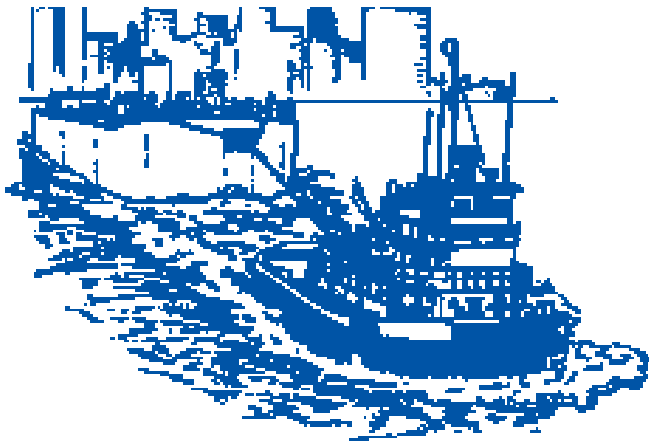


AWO Recommended Practice Guide

EPA Vessel General Permit for Discharges Incidental to the Normal Operation of Vessels



**The American
Waterways
Operators**



November 19, 2013

TABLE OF CONTENTS

INTRODUCTION.....	1
RECOMMENDED PRACTICES FOR DISCHARGES FROM TOWING VESSELS AND BARGES (VGP PARTS 2 AND 5).....	3
1. Material Storage (VGP Part 2.2.1).....	3
2. Toxic and Hazardous Materials (VGP Part 2.1.2).....	3
3. Fuel Spills/Overflows (VGP Part 2.1.3).....	3
4. Discharges of Oil including Oily Mixtures (VGP Part 2.1.4).....	4
5. Deck Washdown and Runoff and Above Water Line Cleaning (VGP Part 2.2.1).....	4
6. Bilgewater (VGP Part 2.2.2).....	5
7. Ballast Water (VGP Part 2.2.3).....	7
8. Anti-Fouling Hull Coatings (VGP Part 2.2.4).....	12
9. Aqueous Film Forming Foam (VGP Part 2.2.5).....	13
10. Cathodic Protection (VGP Part 2.2.7).....	13
11. Chain Locker Effluent (VGP Part 2.2.8).....	14
12. Controllable Pitch Propeller and Thruster Hydraulic Fluid and other Oil-to-Sea Interfaces, including Lubrication Discharges from Paddle Wheel Propulsion, Stern Tubes, Thruster Bearings, Stabilizers, Rudder Bearings, Azimuth Thrusters, Propulsion Pod Lubrications, and Wire Rope and Mechanical Equipment Subject to Immersion (VGP Part 2.2.9).....	14
13. Distillation and Reverse Osmosis Brine (VGP Part 2.2.10).....	15
14. Elevator Pit Effluent (VGP Part 2.2.11).....	15
15. Firemain Systems (VGP Part 2.2.12).....	15
16. Graywater (VGP Part 2.2.15).....	16
17. Non-Oily Machinery Wastewater (VGP Part 2.2.17).....	17
18. Refrigeration and Air Condensate Discharge (VGP Part 2.2.18).....	17
19. Seawater Cooling Overboard Discharge (VGP Part 2.2.19).....	17
20. Seawater Piping Biofouling Prevention (VGP Part 2.2.20).....	18
21. Underwater Ship Husbandry and Hull Fouling Discharges (VGP Part 2.2.23).....	18
22. Graywater Mixed with Sewage from Vessels (VGP Part 2.2.25).....	19
23. Vessel-Specific Requirements for Barges (VGP Part 5.4 and 5.5).....	19
CORRECTIVE ACTIONS (VGP PART 3).....	21
INSPECTIONS, RECORDKEEPING AND REPORTING (VGP PART 4).....	23
Inspections (VGP Part 4.1).....	23
Recordkeeping (VGP Parts 4.2 and 4.3).....	26
Reporting (VGP Part 4.4).....	28
APPENDIX A: AUTHORIZATION UNDER THE PERMIT (VGP PARTS 1.5-1.7).....	30
APPENDIX B: SPECIFIC REQUIREMENTS FOR INDIVIDUAL STATES (VGP PART 6).....	32
Atlantic Region.....	33
Midwest Region.....	37
Ohio Valley Region.....	42
Pacific Region.....	44
Southern Region.....	49

INTRODUCTION

The Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) 2013 Vessel General Permit (VGP) for discharges incidental to the normal operation of vessels is a set of requirements that apply to 27 types of vessel discharges for the purpose of minimizing their impact on surrounding waters.¹ *The 2013 VGP will become effective on December 19, 2013, the date on which the 2008 VGP will expire. Therefore, as of December 19, 2013, all commercial vessels of 79 feet or more in length being operated as a means of transportation must comply with the requirements of the 2013 VGP when operating in U.S. inland and coastal waters (including the Great Lakes) inside the three-mile limit of the U.S. territorial sea. Vessels less than 79 feet in length that discharge ballast water in these waters must comply with the requirements of the permit with respect to ballast water. The 2013 VGP's requirements include Best Management Practices (BMPs) for each of the 27 discharges, as well as requirements for corrective actions, inspections, recordkeeping and reporting.*

Many of the Best Management Practices contained in the VGP are vague and nonspecific. AWO developed this Recommended Practice Guide in order to clarify, and add specificity to, the requirements of the VGP to assist barge and towing vessel owners and operators in complying with the permit. The recommended practices included in the Guide were developed by a cross-section of AWO members from all sectors and all regions of the tugboat, towboat and barge industry. They are designed to assist you in incorporating the requirements of the permit into your operations in a way that ensures paramount attention to the safety of vessel crew members and can be readily incorporated into your AWO Responsible Carrier Program (RCP) or other safety management system, such as the International Safety Management (ISM) Code.

While AWO has taken care to ensure that the Guide accurately reflects the requirements of the VGP applicable to most barge and towing vessel operations, the Guide has not been reviewed or approved by EPA. As a user of the Guide, you retain responsibility for reviewing the VGP and ensuring that you have fully implemented all requirements of the permit applicable to your operations. The 2013 VGP can be found on EPA's website [here](#).

Some of the VGP's requirements for environmental controls, vessel inspections, corrective actions and recordkeeping may overlap with practices you have already implemented as part of your RCP or other safety management system. You may incorporate the VGP's requirements into your existing safety management system instead of establishing new policies and procedures or documentation systems; however, you should make sure that you clearly understand and can identify requirements imposed by the permit so that you can readily demonstrate to EPA (or an authorized agent of EPA) that your vessel is in compliance with the VGP.²

¹ *Words in italics represent text that has been either added or modified since the 2009 AWO Recommended Practice Guide.*

² Records developed to achieve/demonstrate compliance with the VGP are subject to inspection by EPA and, once provided to the agency, may be subject to public review. If the records maintained for VGP compliance purposes are inextricably intertwined with other records, it may be difficult to produce the required records without also disclosing the non-required ones. You should be aware of this as you consider the system you will use to comply with the recordkeeping requirements of the VGP.

The VGP does not explicitly address the issue of who is responsible for ensuring that a vessel that is leased or contracted to another person or company complies with the VGP's requirements. However, EPA regulations at 40 CFR 122.21 provide that when a facility or activity is owned by one person but operated by another person, it is the operator's duty to obtain a permit. At the same time, there are circumstances in which EPA could seek to impose liability on an owner as well. If your barge or towing vessel will not be in your care or custody for a period of time (e.g., if your barge is at a fleeting area or your towing vessel is chartered to another operator), you should ensure that your contract with the second party specifies who will be responsible for the vessel's compliance with applicable requirements of the VGP.

The VGP's requirements overlap with a number of existing laws and regulations. In order to comply with the VGP, you must also comply with those provisions of the following laws and regulations applicable to your vessel:

- 33 CFR parts 151 and 401 (Coast Guard ballast water management, discharge and exchange requirements)
- 33 CFR part 155 subparts B and C (Coast Guard oil pollution prevention requirements)
- 33 CFR part 159 (Coast Guard sewage discharge requirements)
- 40 CFR part 110, 117 and 302 (EPA oil or hazardous substance discharge reporting requirements)
- 40 CFR 122.44(p) (Coast Guard requirements for safe storage and transportation of pollutants)
- 40 CFR part 140 (EPA sewage discharge requirements)
- 7 USC 136 (Federal Insecticide, Fungicide and Rodenticide Act [FIFRA])
- 16 USC 1431-45 (National Marine Sanctuaries Act) and 15 CFR part 922 and 50 CFR part 404 (implementing regulations)
- 33 USC 1321 (Clean Water Act)
- 33 USC 190-1915 (Act to Prevent Pollution from Ships)
- 33 USC 2701-2720 (Oil Pollution Act of 1990)
- 33 USC 3801 (*Clean Hull Act*)

While many of the VGP's definitions are footnoted in the Guide, a full list can be found *in Appendix A of the VGP*. The VGP also contains special requirements that must be observed while operating in federally protected waters. A list of those waters can be found *in Appendix G of the VGP*. Finally, vessels that are 300 or more gross tons (GT) under the International Tonnage Convention measurement system³ or have more than eight cubic meters (2,113 gallons) of ballast water capacity are required to submit a Notice of Intent (NOI) *using EPA's 2013 VGP eNOI system to receive coverage under the permit. Vessels that are less than 300 gross tons with eight or fewer cubic meters of ballast water capacity are required to sign and maintain onboard a copy of the Permit Authorization and Record of Inspection (PARI) form.* An outline of the NOI and associated Notice of Termination and certification requirements can be found in *Appendix A of the Guide*.

³ EPA has advised AWO that vessels that have not been admeasured under the ITC system may use their domestic/regulatory tonnage to determine the applicability of the NOI requirement.

**RECOMMENDED PRACTICES FOR DISCHARGES
FROM TOWING VESSELS AND BARGES
(VGP SECTIONS 2 AND 5)**

The following are recommended practices for each of the discharge types in the 2013 VGP that AWO has identified as commonly applicable to tugboat, towboat and barge operations. Not all of these discharges may be applicable to your vessel. In addition, because vessel design and operations vary, you should consult the VGP to determine whether your vessel produces any of the other discharges covered by the permit.⁴ If it does, you must comply with the requirements of the permit with respect to those discharges.

Important: In addition to the recommended practices below, you must comply with any applicable permit conditions imposed by the states or territories in which your vessel operates. For more information, see *Appendix B of the Recommended Practice Guide*.

1. Material Storage (VGP Part 2.1.1)

- Store cargoes and other onboard materials in order to minimize the likelihood that they will be washed away, blown overboard, or dissolve after contact with precipitation or surface water spray. If possible, store onboard materials in a covered place.
- If water draining from storage areas comes in contact with oily materials, you must use dry clean-up methods or absorbents to clean up the wastewater and either store it for onshore disposal or run it through an oily water separator.

2. Toxic and Hazardous Materials (VGP Part 2.1.2)

- You must store toxic and hazardous materials in sealed containers that are constructed of a suitable material, labeled and secured, unless doing so would interfere with vessel operations or safety.
 - Store containers in protected areas of the vessel.
 - Do not overfill containers.
 - Do not mix incompatible wastes.
 - Minimize the containers' exposure to ocean spray or precipitation.
 - Do not jettison containers.
- If you must discharge toxic or hazardous materials for safety reasons, document the incident as *described* in the recordkeeping section of *the Guide* below.

3. Fuel Spills/Overflows (VGP Part 2.1.3)

- Train the crew responsible for fueling operations in methods to minimize spills.

⁴ These are: boiler/economizer blowdown, freshwater layup, gas turbine wash water, motor gasoline and compensating discharge, boat engine wet exhaust, sonar dome discharge, welldeck discharges and exhaust gas scrubber washwater discharge.

- Conduct all fueling operations using control measures designed to minimize spills and ensure prompt cleanup if they occur.
- To avoid overfilling, do not load fuel tanks beyond 98.5 percent of tank capacity.
- If your vessel has air vents, use containment to prevent fuel or oil from overflowing into surrounding waters.
- When fueling auxiliary vessels such as lifeboats or other small boats that will be deployed from your vessel, take the following precautions:
 - While fueling, examine the surrounding water for the presence of a visible sheen. If a sheen is observed as a result of your fueling, clean it up immediately and comply with applicable reporting requirements under 40 CFR part 110.
 - Know the capacity of the fuel tanks before you begin fueling.
 - Prevent overfilling and do not top off fuel tanks.
 - When possible, fill fuel tanks when the boat is on shore or on the host vessel, not in the water.
 - When possible, fill portable tanks on shore or on the host vessel.
 - Use oil absorbent pads or other appropriate equipment to catch drips from the vent overflow and fuel intake.
 - Regularly inspect the fuel and hydraulic systems for any damage or leaks.

4. Discharges of Oil Including Oily Mixtures (VGP Part 2.1.4)

- If your vessel is subject to MARPOL Annex I (all vessels over 400 gross tons, oceangoing U.S. vessels, international vessels in U.S. waters, and oil tankers over 150 gross tons), you must comply with Coast Guard regulations at 33 CFR part 151.09, including the requirement to maintain a valid International Oil Pollution Prevention Certificate (IOPP).
- Discharges of oil and oily mixtures must not contain harmful quantities of oil (see 40 CFR part 110).

5. Deck Washdown and Runoff and Above Water Line Hull Cleaning (VGP Part 2.2.1)

You must avoid the introduction of on-deck debris, garbage, residue and spills into deck washdown and runoff discharges. Discharges from deck washdowns must be free from floating solids, foam, halogenated phenol compounds and dispersants, or surfactants. You should take the following steps to minimize the discharge of contaminants into the water from deck washdown and runoff:

- Load cargo in a manner to minimize cargo spillage on deck gunnels.
 - If cargo does spill onto the gunnels, it should be swept into the hopper, against the coamings, or placed in a bag or waste container.
- Clear decks of *all existing* debris, garbage, cargo residue and spills before:
 - deck washdowns, and
 - departing from port.

- Towing vessels and tank barges must comply with applicable Coast Guard regulations contained in 33 CFR part 155 subparts B and C regarding discharge containment and associated requirements.
- When required by their class societies, tank barges must be fitted with, and use, perimeter spill rails and scuppers.
- Drip pans used to collect oily water from machinery must be drained to a waste container for proper disposal or periodically wiped and cleaned.
 - *When possible, consider the use of environmentally acceptable lubricants in above-deck equipment.*
- Minimize deck washdowns while in port.
- Maintain the topside surface and other portions of the vessel above the water line so that a minimum of rust and topside preservation materials (such as cleaning products, paint chips and non-skid material fragments) are discharged during washdown.
 - Sweep up rust and other materials into a bag or waste container.
- Do not conduct maintenance painting during windy conditions to avoid paint droplets splattering in the water. Do not over-apply paint.
- When washing down the deck, use cleaners and detergents that are:
 - *minimally* toxic;
 - phosphate free;
 - biodegradable; and
 - minimally caustic or non-caustic.

6. Bilgewater (VGP Part 2.2.2)

You must either:

- Dispose of bilgewater to a reception facility and document the date and amount of bilgewater so discharged; or
- Treat bilgewater with an approved oily water separator and discharge it in accordance with 33 CFR 151.10.

In addition, you must:

- Comply with applicable regulations in 40 CFR parts 110, 116 and 117, and 33 CFR 151.10.
- Not add dispersants, detergents or other substances to bilgewater discharges to remove the appearance of a visible sheen. *These materials may be used in machinery spaces for the purposes of maintaining or cleaning equipment.*
- Not add substances that drain to the bilge that are not produced in the normal operation of your vessel. Additives used as part of the functioning of an oily water separator are acceptable if they do not alter the chemical makeup of the oils being discharged and are not disposed of in waters subject to the VGP.
- Minimize the discharge of bilgewater into waters subject to the VGP.

- If your vessel is over 400 gross tons, not discharge treated bilgewater into federally protected waters (for a complete list, *see VGP Appendix G*) unless the discharge is necessary to maintain the safety and stability of the vessel. Any such discharge must be documented *and reported to EPA* in accordance with the recordkeeping *and Annual Report* requirements *described in the recordkeeping and reporting section of the Guide* below.
- If your vessel is over 400 gross tons and sails outside the territorial sea at least once per month, not discharge treated bilgewater within one nautical mile of shore if technologically feasible. If it is not technologically feasible to avoid such a discharge, you must document *and report* the discharge in accordance with the recordkeeping *and Annual Report* requirements *described in the recordkeeping and reporting section of the Guide* below. Discharges of treated bilgewater into waters subject to the VGP must be conducted when your vessel is underway at a speed of 6 knots or more, unless doing so would threaten the safety and stability of the vessel. *Any discharge made for safety reasons must be documented and reported to EPA in accordance with the recordkeeping and Annual Report requirements described in the recordkeeping and reporting section of the Guide below.*

Bilgewater Monitoring

If your vessel is constructed after December 19, 2013, is greater than 400 gross tons, and may discharge bilgewater into waters subject to the VGP, you must sample and analyze its bilgewater effluent at least once a year for oil and grease content.^{5 6}

You will need to contract with a laboratory to conduct this sampling and analysis. EPA and the states provide evaluation and accreditation of environmental testing laboratories. For a list of certified laboratories, AWO recommends you contact your EPA regional laboratory contact (click [here](#)) or state environmental agency.

Monitoring records must be retained in the vessel's recordkeeping documentation and include:

- *The date, exact place and time of sampling or measurements;*
- *The individual(s) who performed the sampling or measurements;*
- *The individual(s) who performed the analyses and any meter recalibration;*
- *The techniques or methods used for sample analyses; and,*
- *The results of such analyses.*

⁵ *The VGP requires bilgewater samples to be analyzed for oil by either Method ISO 9377-2 (2000) Water Quality – Determination of Hydrocarbon Oil Index – Part 2: Method Using Solvent Extraction and Gas Chromatography or EPA Method 1664. At the time of sample collection, the reading on the oil content meter (OCM) must be recorded such that the oil and grease concentration measured by the laboratory can be compared to the OCM.*

⁶ *Under certain conditions, if your analytical results show oil and grease concentrations of less than 5 ppm for two consecutive years, you need not conduct bilgewater monitoring for the rest of the 2013 VGP permit term. See VGP Part 2.2.2.1.*

Analytical data must be submitted to EPA no later than February 28 of the year after the data are collected.

7. Ballast Water (VGP Part 2.2.3)

If your barge or towing vessel is equipped with ballast tanks, you must comply with applicable Coast Guard regulations for ballast water management, exchange and discharge contained in 33 CFR parts 151 and 401.

You must *also*:

- Train your crew on ballast water and sediment management and treatment procedures applicable to your vessel *and retrain them promptly in the event of a significant change in ballast water management practices or the installation of ballast water treatment technology.*
- *Incorporate into your existing Coast Guard-required ballast water management plan the following requirements:*
 - *A written training plan describing the training to be provided to your crew. Keep a record of the date of training provided to each crew member.*
 - *An outline of how you will meet the mandatory ballast water management practices and the ballast water numeric discharge limits (if applicable) of the VGP described below.*
- Avoid discharging or taking up ballast water into federally protected waters (for a complete list, see VGP Appendix G), areas where sediment is stirred up, areas near sewage outfalls, and in darkness.
- Clean your ballast tanks on a regular basis.
- Not discharge sediment from cleaning of ballast tanks within waters subject to the VGP.
- *When feasible and safe, use your ballast water pumps instead of gravity draining to empty your ballast water tanks.*
- Discharge only the minimal amount of ballast water essential for vessel operations while in waters subject to the VGP.

Ballast Water Numeric Discharge Limitations

The VGP sets numeric limits for discharges of ballast water into waters subject to the VGP, which are equivalent to the Coast Guard ballast water discharge standard.⁷

⁷ *The ballast water discharge limits are:*

1. *For organisms greater than or equal to 50 micrometers in minimum dimension: discharge must include fewer than 10 living organisms per cubic meter of ballast water.*
2. *For organisms less than 50 micrometers and greater than or equal to 10 micrometers: discharge must include fewer than 10 living organisms per milliliter (mL) of ballast water.*
3. *Indicator organisms must not exceed: a) for Toxicogenic Vibrio cholerae (serotypes O1 and O139), a concentration of less than 1 colony forming unit (cfu) per 100 mL; b) for Escherichia coli, a concentration of fewer than 250 cfu per 100 mL; and c) for intestinal enterococci, a concentration of fewer than 100 cfu per 100 mL.*

However, the following vessels are exempt from the numeric discharge limits:

- *Unmanned, unpowered barges.*
- *Self-propelled vessels less than 1,600 GRT.*
- *Self-propelled vessels engaged in short-distance voyages, meaning:*
 - *The vessel operates or takes on and discharges ballast water exclusively in one Coast Guard Captain of the Port Zone, or*
 - *The vessel does not travel more than 10 nm and does not transit a lock.*

If your vessel is not exempt, you may choose to meet the numeric discharge standards by managing your ballast water using one of the following methods:

- *Transfer your ballast water to an onshore reception facility for treatment,⁸ or*
- *Use only water from a U.S. or Canadian public water system as ballast water;⁹ or*
- *Do not discharge any ballast water into waters subject to the VGP; or*
- *Install a ballast water treatment system and use it prior to any discharge of ballast water into waters subject to the VGP according to the system manufacturer's instructions.¹⁰*

⁸ *At the time of this writing, onshore reception facilities for ballast water do not exist. However, the lack of available reception facilities is not an acceptable reason not to meet the numeric ballast water discharge limits, so you must select another ballast water management method.*

⁹ *If you use only water from a public water system as ballast water, you must maintain records of which public water system you receive the water from and retain receipts, invoices or other documentation from the public water system indicating the water came from that system. You must also certify in your recordkeeping documentation that you have cleaned and removed all residual sediments from the tanks and have not subsequently introduced ambient water, or that you have never introduced ambient water to the tank and supply lines. See VGP Part 2.2.3.5.1.3.*

¹⁰ *The VGP requires the utilization of a ballast water treatment system "that has been shown to be effective by testing conducted by an independent third party laboratory, test facility or test organization." This is less stringent than the Coast Guard's requirement at 33 CFR 151.1510 to install and operate a ballast water treatment system that has been approved by the Coast Guard under 46 CFR part 162. However, AWO does not recommend the installation of a ballast water treatment system that is not Coast Guard-approved.*

The VGP also imposes additional monitoring, recordkeeping and reporting requirements on vessels employing ballast water treatment systems that, in some instances, are different from the Coast Guard's requirements in 33 CFR part 151. See VGP Part 2.2.3.5.1.1.

Non-exempt vessels must implement one of the ballast water management methods above according to the following schedule.¹¹

	<i>Vessel's Ballast Water Capacity</i>	<i>Date Constructed</i>	<i>Vessel's Compliance Date</i>
<i>New vessels</i>	<i>All</i>	<i>After December 1, 2013</i>	<i>On delivery</i>
<i>Existing vessels</i>	<i>Less than 1,500 m³ (less than 396,187 gallons)</i>	<i>Before December 1, 2013</i>	<i>First scheduled drydocking after January 1, 2016</i>
	<i>1,500-5,000 m³ (396,187-1,320,625 gallons)</i>	<i>Before December 1, 2013</i>	<i>First scheduled drydocking after January 1, 2014</i>
	<i>Greater than 5,000 m³ (greater than 1,320,625 gallons)</i>	<i>Before December 1, 2013</i>	<i>First scheduled drydocking after January 1, 2016</i>

Additional Requirements for Barges and Towing Vessels Exempt from Ballast Water Numeric Discharge Limits

Requirements for Oceangoing Barges and Towing Vessels

If your oceangoing barge or towing vessel is exempt from the ballast water numeric discharge limits above, it must conduct ballast water exchange for any tanks that will discharge ballast water into waters subject to the VGP if:

- *It carries ballast water that was taken on less than 200 nm from any shore, and*
- *It will subsequently operate beyond the U.S. Exclusive Economic Zone (EEZ) and more than 200 nautical miles from any shore.*

The ballast water exchange must be carried out in waters beyond the U.S. EEZ and more than 200 nm from any shore. The exchange must be initiated as early in the voyage as possible consistent with these conditions.

¹¹ *This schedule is the same as the Coast Guard's implementation schedule at 33 CFR 151.2035. However, under 33 CFR 151.2036 the Coast Guard may grant an extension to the implementation schedule in cases where compliance is not possible, including in cases where no Coast Guard-approved ballast water treatment systems are available. The VGP does not allow for extensions to compliance dates. If you plan to install a Coast Guard-approved ballast water treatment system on your vessel and you submit an extension request to the Coast Guard because no systems are available in compliance with the requirements of 33 CFR 151.2036, you are advised to contact EPA for guidance.*

If your oceangoing vessel *meets the criteria above and* is certified No Ballast on Board (NBOB) in accordance with Coast Guard regulations or has any ballast water tank that is empty or contains unpumpable residual ballast water,¹² you must *either*:

- Seal the empty or unpumpable tanks so that there is no discharge or uptake and subsequent discharge of ballast water in waters subject to the VGP; or
- Conduct saltwater flushing¹³ of such tanks at least 200 nm from any shore prior to the discharge or uptake and subsequent discharge of ballast water in waters subject to the VGP.

Notwithstanding these requirements, *ballast water exchange* and saltwater flushing are not required if:

- It would compromise the safety of the vessel or its crew. The use of this safety exemption must be documented in accordance with 33 CFR Part 151, including the date, location and reason for the claim, *and reported to EPA as part of the vessel's Annual Report*;
- It would require the vessel to deviate from, or delay, its voyage;
- The vessel uses an alternative, Coast Guard-approved method of ballast water management;
- The vessel is participating in the Coast Guard's Shipboard Technology Evaluation Program (STEP);
- The vessel retains all ballast water on board while in waters subject to the VGP; or
- The vessel is not engaged in an international voyage and does not travel through more than one COTP Zone.

Requirements for Barges and Towing Vessels Engaged in Pacific Nearshore Voyages

If your barge or towing vessel *is engaged in Pacific nearshore voyages*¹⁴ *and is exempt from the ballast water numeric discharge limits above*, it must *conduct*

¹² Unpumpable residual ballast water means water left in a ballast water tank that is out of reach of the pumping system as originally designed.

¹³ The VGP defines saltwater flushing as the addition of water to empty ballast water tanks; the mixing of the flush water with residual water and sediment through the motion of the vessel; and the discharge of the mixed water, such that the resultant residual water remaining in the tank has either a minimum salinity of 30 parts per thousand (ppt) or a value equal to the ambient salinity at the location of the flushing. In order to conduct saltwater flushing, the vessel should take on as much water into each tank as is safe (for the vessel and crew).

¹⁴ *The VGP defines vessels engaged in Pacific nearshore voyages as vessels engaged in the Pacific coastwise trade that travel between more than one COTP Zone.*

ballast water exchange for any tanks that will discharge ballast water into waters subject to the VGP if:

- *It carries ballast water that was taken on less than 50 nm from any shore, and*
- *It travels through more than one COTP Zone or crosses international boundaries.*

The ballast water exchange must occur in waters more than 50 nm from any shore and in waters more than 200 meters deep.¹⁵

If your vessel engaged in Pacific nearshore voyages is certified NBOB or has any ballast water tank that is empty or contains unpumpable residual ballast water, you must either:

- *Seal the empty or unpumpable tank so that there is no discharge or uptake and subsequent discharge of ballast water in waters subject to the VGP, or*
- *Conduct saltwater flushing of such tanks at least 50 nm from any shore and in waters at least 200 meters deep prior to the discharge or uptake and subsequent discharge of ballast water in waters subject to the VGP.¹⁶*

Notwithstanding these requirements, ballast water exchange and saltwater flushing are not required if:

- It would compromise the safety of the vessel or its crew. Mid-ocean ballast water exchange is not safe for unmanned barges. The use of this safety exemption must be documented in accordance with 33 CFR Part 151, including the date, location, and reason for the claim, *and reported to EPA as part of the vessel's Annual Report*;
- It would require the vessel to deviate from, or delay, its voyage;
- The vessel uses an alternative, Coast Guard-approved method of ballast water management;
- The vessel is participating in the Coast Guard's Shipboard Technology Evaluation Program (STEP);
- The vessel retains all ballast water on board while in waters subject to the VGP; or,
- *The vessel is not engaged in an international voyage and does not travel through more than one COTP Zone.*

¹⁵ You must conduct ballast water exchange in waters at least 200 nm from any shore if your vessel spends sufficient time in waters beyond 200 nm to allow such exchange to be conducted.

¹⁶ You must conduct saltwater flushing in waters at least 200 nm from any shore if your vessel spends sufficient time in waters beyond 200 nm to allow such flushing to be conducted.

Additional Requirements for Vessels Entering the Great Lakes

If your vessel has ballast water capacity and enters the Great Lakes, you must comply with 33 CFR part 151 subpart C. If your vessel enters the Great Lakes via the St. Lawrence Seaway System after operating outside the EEZ and more than 200 nm from any shore, you must also comply with 33 CFR 401.30. If your vessel is unable to conduct ballast water exchange before entering the EEZ prior to entering the Great Lakes, you must employ another method of ballast water management listed in 33 CFR 151.1510 or comply with 33 CFR 151.1515.

Additionally, if your vessel is equipped with a ballast water treatment system, you must conduct ballast water exchange or saltwater flushing in addition to treating ballast water if:

- *The vessel operates outside the EEZ and more than 200 nm from any shore and then enters the Great Lakes via the St. Lawrence Seaway System, and*
- *The vessel has taken on ballast water that has a salinity of less than 18 ppt from a coastal, estuarine or freshwater ecosystem in the previous 30 days.*

8. Anti-Fouling Hull Coatings (VGP Part 2.2.4)

If your towing vessel or barge uses anti-fouling hull coatings, you must:

- *Ensure that anti-fouling coatings comply with the requirements of 33 USC 3801.*
- *Ensure that anti-fouling hull coatings are applied, maintained and removed in a manner consistent with applicable requirements on the coatings' FIFRA label. Coatings not produced for sale and distribution in the United States must not contain any biocides or toxic materials banned for use in the United States.*
- *Use coatings appropriate to the vessel's operations that are non-biocidal or have the lowest possible biocide release rates or rapidly biodegradable components.*
- *Use alternatives to copper-based anti-foulant paints, if possible, on vessels that spend more than 30 days per year in copper-impaired waters ([click here](#) for a complete list).*
 - *If you use copper-based anti-foulant paints on a vessel that spends more than 30 days per year in copper-impaired waters, you must document how you reached the decision not to use an alternative coating in accordance with the requirements described in the recordkeeping section of the Guide below.*
- *Not use anti-foulant paint containing tributyltin (TBT) (whether or not used as a biocide) or any other organotin compound used as a biocide.*
 - *If the vessel has previously been covered with a hull coating containing TBT or any other organotin compound, it must be overcoated or stripped so that there is no discharge of TBT or any other organotin compound into the water.*

- Avoid over-application of coating and minimize leachate of anti-fouling coatings in the water by reapplying coatings during regularly scheduled drydockings (every 2.5 to 5 years), with patching as necessary in the interim.

9. Aqueous Film Forming Foam (AFFF) (VGP Part 2.2.5)

- Barges and towing vessels *may* only discharge AFFF for emergency purposes to ensure the safety or security of the vessel or its crew.
- If you discharge AFFF in federally protected waters (for a complete list, *see VGP Appendix G*), you must document the date and explanation for the discharge in vessel's log or other *recordkeeping* documentation *consistent with the requirements described in the recordkeeping section of the Guide below*.
- For vessels that do not leave the U.S. territorial sea more than once per month, you may discharge AFFF for maintenance and training purposes if:
 - Discharges are conducted outside of port, as far from shore as practicable, and at least 1 nm from federally protected waters; and,
 - You collect, store and dispose of AFFF onshore, unless you use a non-fluorinated or alternative foaming agent. *Even if it is not technologically feasible to collect and store AFFF, you are not permitted to discharge AFFF in port.*

10. Cathodic Protection (VGP Part 2.2.7)

There are two types of cathodic protection: sacrificial electrodes and Impressed Current Cathodic Protection (ICCP).

For vessels using sacrificial electrodes, you must:

- Use *sacrificial* electrodes made from the least toxic metal that is technologically feasible and economically practicable given the vessel's operating environment. (While magnesium is less toxic than aluminum, which is less toxic than zinc, magnesium and aluminum electrodes are not technologically feasible for use on vessels operating in freshwater.) *After your vessel's first scheduled drydocking after December 19, 2013, you must:*
 - *If your vessel spends the majority of its time in freshwater, and uses aluminum or zinc electrodes, document in your recordkeeping documentation why the use of magnesium is not appropriate.*
 - *If your vessel spends the majority of its time in saltwater, and uses zinc electrodes, document in your recordkeeping documentation why aluminum was not selected.*
- Inspect sacrificial electrodes to identify large, corroded portions of these anodes and clean or replace these anodes during normally scheduled drydocking or maintenance events.
- Not use more sacrificial anodes than originally designed to be mounted on the vessel, or determined to be operationally necessary to protect the vessel hull and other exposed areas, such as the sea chest and rudder.

- *When feasible, flush-fit sacrificial anodes to the hull or fill the space between the anode and hull backing to prevent the accumulation of hull fouling organisms.*

For vessels using ICCP, you must:

- Maintain dielectric shields to prevent flaking.
- Inspect and, if necessary, repair dielectric shields during the vessel's regularly scheduled drydocking.

11. Chain Locker Effluent (VGP Part 2.2.8)

If your barge or towing vessel is equipped with a chain locker, you must:

- Carefully and thoroughly wash down the anchor chain as it is being hauled out of the water to remove sediment and marine organisms.
- Clean the chain locker thoroughly during drydockings to remove sediments and possible pollutants.
- Ensure that if liquid accumulating in the chain locker drains to the bilge, then bilgewater is discharged in accordance with the recommended practices for bilgewater above.
- If your vessel leaves waters subject to the VGP at least once per month, you may not rinse or pump out the chain locker in waters subject to the permit, unless not emptying them would compromise safety. Such a safety claim must be documented as *described* in the recordkeeping section *of the Guide* below.

12. Controllable Pitch Propeller and Thruster Hydraulic Fluid and other Oil-to-Sea Interfaces, including Lubrication Discharges from Paddle Wheel Propulsion, Stern Tubes, Thruster Bearings, Stabilizers, Rudder Bearings, Azimuth Thrusters, Propulsion Pod Lubrication, and Wire Rope and Mechanical Equipment Subject to Immersion (VGP Part 2.2.9)

- Maintain protective seals on rudder bearings, stern tubes and controllable pitch propellers in good operating order to prevent the leaking of hydraulic oil or other oils.
- Promptly repair any leaks.
- Inspect rudder-bearing seals and stern tubes during each regularly scheduled drydocking.
- Conduct maintenance activities on stern tube seals and controllable pitch propellers while the vessel is on drydock, if possible.
 - If maintenance or emergency repair must occur when the vessel is in the water, use an oil boom to contain any hydraulic oil leakage and have clean-up equipment, such as oil absorbent pads, on hand to clean up any spillage.
- Apply only the amount of lubrication necessary for proper maintenance of the tow wire or mechanical coupling device.

- Apply lubrication only as often as necessary for proper maintenance of the tow wire or mechanical coupling device.
- Apply lubrication in a manner that minimizes drips and spills and promptly clean up any drips or spills that occur.
- After applying lubrication to wire rope and mechanical equipment subject to immersion, wipe down the equipment thoroughly to remove excess lubricant *unless doing so is unsafe*.
- Replace absorbent pads, booms and other containment or clean-up equipment as necessary.
- If discharge of tow wire or intercon lubrication does produce a sheen, report it promptly in accordance with 40 CFR parts 117 and 302.

In addition to the recommended practices above, you must use an environmentally acceptable lubricant (EAL) that is biodegradable, minimally toxic, and not bioaccumulative in all oil-to-sea interfaces, unless doing so is technically infeasible. The use of an EAL is technically infeasible if:

- *No EAL products are approved for use in a given application that meet manufacturer specifications for that equipment; or*
- *Products which come pre-lubricated (e.g., wire ropes) have no available alternatives manufactured with EALs; or*
- *EAL products meeting manufacturer specifications are not available within any port in which the vessel calls; or*
- *Change-over and use of an EAL must wait until the vessel's next drydocking.*

If your vessel is unable to use an EAL, you must document why you are unable to do so consistent with the requirements described in the recordkeeping section of the Guide below, and report the use of a non-EAL to EPA in your vessel's Annual Report.

13. Distillation and Reverse Osmosis Brine (VGP Part 2.2.10)

If applicable to your vessel, you must use a dedicated line to discharge distillation and reverse osmosis brine reject water to ensure that it does not come into contact with machinery or industrial equipment, toxic or hazardous materials, or wastes.

14. Elevator Pit Effluent (VGP Part 2.2.11)

If your barge or towing vessel is equipped with an elevator, you must ensure that elevator pit effluent drains into the bilge and is handled in accordance with the recommended practices for bilgewater above.

15. Firemain Systems (VGP Part 2.2.12)

Discharging the firemain system is necessary in order to ensure the ability of the vessel and its crew to respond effectively in an emergency. You should discharge the firemain system,

using intake from the surrounding water or potable water supplies, only to the extent necessary to accomplish the following purposes:

- During drills and training to ensure that the crew is prepared to use the system during an emergency.
- During testing and maintenance of the equipment to ensure that it is ready for use in an emergency.
- As required by the Coast Guard in order to demonstrate that the equipment is ready for use in an emergency.
- When pulling the anchor chain from the water to wash it down in accordance with the recommended practices for chain locker effluent above.
- To wash down the deck in accordance with the recommended practices for deck washdown and runoff above. The firemain system should not be used to wash down the deck in federally protected waters (for a complete list, *see VGP Appendix G*).

When feasible, *the discharge of the firemain system for training and maintenance activities* should be conducted outside of port and/or outside of waters subject to the VGP.

16. Graywater (VGP Part 2.2.15)

Most towing vessels and barges do not have holding tanks for the storage of graywater.¹⁷ You must minimize the production of graywater and the introduction of contaminants into graywater that will be discharged into the water. You should:

- Use shoreside washroom, kitchen and laundry facilities when practicable when a vessel is at the dock;
- *Delay laundry and scullery activities and restrict the length of showers when a vessel is at the dock;*
- *Consider the use of high efficiency faucets and showerheads;*
- Use sinks, showers, washing machines, etc. in accordance with manufacturers' recommendations;
- Repair leaky fixtures promptly;
- Educate crewmembers on steps to be taken to reduce the production and contamination of graywater and post signs on the vessel to remind the crew of these actions; and
- Consider additional measures to reduce graywater production and discharge in nutrient-impaired waters, such as the Chesapeake Bay and Puget Sound ([click here](#) for a complete list).

¹⁷ If your vessel does have the capacity to store graywater, you must comply with additional BMPs and should consult VGP Part 2.2.15 for guidance on these requirements.

In addition to the recommended practices above, you must:

- Remove as much food and oil as possible before rinsing dishes and prevent cooking oil from going down the sink; and
- Use soaps and detergents that are phosphate-free and *minimally* toxic.

17. Non-Oily Machinery Wastewater (VGP Part 2.2.17)

Non-oily machinery wastewater, *technical water or potable water* discharged into waters subject to the VGP must be free from oil and any toxic or bioaccumulative additives. You should:

- Lock out/tag out block valves where there is the potential for contamination of clean water.
- Handle any waste streams that drain to the bilge in accordance with the recommended practices for bilgewater above.
- *Ensure that any discharge of packing gland or stuffing box effluent does not produce a visible sheen.*

18. Refrigeration and Air Condensate Discharge (VGP Part 2.2.18)

You must not allow refrigeration and air condensate discharge to come into contact with oily or toxic materials if it will be discharged directly overboard. You should:

- Maintain the deck free of oil and toxic materials in accordance with the recommended practices for deck washdown and runoff above to avoid contamination of refrigeration and air condensate discharge into the water.
- Handle any waste streams that drain to the bilge in accordance with the recommended practices for bilgewater above.

19. Seawater Cooling Overboard Discharge (VGP Part 2.2.19)

Seawater cooling overboard discharge includes non-contact engine cooling water, hydraulic system cooling water and refrigeration cooling water. You should:

- When possible, discharge seawater cooling overboard when the vessel is underway *to minimize* thermal impacts.
- Use shore power *where* available and when practicable given the nature of the vessel's voyage.
- Maintain all piping and seawater cooling systems in accordance with the recommended practices for seawater piping biofouling prevention below.

20. Seawater Piping Biofouling Prevention (VGP Part 2.2.20)

If applicable to your vessel, you must:

- Use seawater piping biofouling chemicals in accordance with their FIFRA label.
- Not discharge pesticides or chemicals banned for use in the United States into the water.
- Use the minimum amount of biofouling chemicals needed to keep fouling under control.
- Remove fouling organisms from seawater piping on a regular basis and dispose of removed substances in accordance with local, state and federal regulations.
- *Not remove or discharge* fouling organisms *in* waters subject to the VGP to reduce the risk of invasive species introduction in ports.

21. Underwater Ship Husbandry and Hull Fouling Discharges (VGP Part 2.2.23)

You must minimize the transport of attached living organisms between COTP zones and from waters outside of the U.S. EEZ into U.S. waters. You should:

- *Select an appropriate anti-foulant management system and maintain that system in accordance with the recommended practices for anti-fouling hull coatings above.*
- *Conduct hull cleaning activities and clean niche areas when the vessel is on drydock.*
 - *If water pressure-based systems are used to clean the hull and remove anti-foulant paint, the drydock facility must treat the wash water prior to discharging it in waters subject to the VGP.*
 - *If mechanical means (scraping, etc.) are used to clean the hull and remove anti-foulant paint, materials removed from the hull must be collected and disposed of onshore and must not be allowed to contaminate waters subject to the VGP.*
- *If you conduct in-water hull cleaning, use appropriate methods to minimize the discharge of fouling organisms and anti-fouling coatings into surrounding waters, including limiting the use of hard brushes and, when available and feasible, using vacuum or other control technologies.*
- *If you use copper-based anti-foulant paints, not conduct in-water hull cleaning in copper-impaired waters within 365 days after paint application (click [here](#) for a complete list).*
 - *If you conduct in-water hull cleaning within 365 days after the application of copper-based anti-foulant paint in copper-impaired waters, you must document why this early cleaning was necessary in accordance with the requirements described in the recordkeeping section of the Guide below.*

22. Graywater Mixed with Sewage from Vessels (VGP Part 2.2.25)

Graywater mixed with sewage must be handled in accordance with:

- The recommended practices for the discharge of graywater above; and
- Existing regulations for the discharge of sewage in 40 CFR part 140 and 33 CFR part 159.

23. Vessel-Specific Requirements for Barges (VGP Parts 5.4 and 5.5)

If you operate barges (including hopper, deck and tank barges), you must:

- Minimize the contact of below-deck condensation with oily or toxic materials and any materials containing hydrocarbon.
- Visually inspect void spaces or wing tanks to ensure that no oil is present before pumping out the void or tank.
- When pumping out a void or tank, extract all free water and monitor pumping to minimize the collection and discharge of solids.
- Clean cargo residue from cargo compartments before washing the cargo compartments and discharging wash water overboard.
- After every instance of pumping water from areas below deck, or immediately after washing down the deck, conduct a visual inspection, focusing on the area surrounding the vessel where the discharges occurred, to ensure that no visible sheen has been produced in the water.¹⁸ If a sheen is observed, take corrective action and document the occurrence in accordance with the requirements *described in the corrective action and recordkeeping sections of the Guide* below.

In addition, if you operate tank barges, you must:

- Equip tank barges with spill rails if required by the barge's class society.
- Ensure that scuppers are plugged before commencing cargo operations *and during the fueling of ancillary equipment (e.g., generators and compressors) located on the deck of the barge*. Keep scuppers plugged until any discharge or residue resulting from cargo operations *or ancillary equipment fueling operations* is cleaned up.
- *Clean any oil spilled during cargo operations or ancillary equipment fueling operations with oil absorbent pads or other appropriate equipment.*
- *After every instance of loading or unloading cargo, you must conduct a visual inspection, focusing on the area surrounding the vessel where discharges from cargo operations may have occurred, to ensure that no visible sheen has been produced in the water. If a sheen is observed, take corrective action and document the occurrence in accordance with the requirements described in the corrective action and recordkeeping sections of the Guide below.*

¹⁸ The VGP defines visible sheen as “a ‘silvery’ or ‘metallic’ sheen, gloss or increased reflectivity; visual color; iridescence; or oil slick on the surface.”

- *Appropriately train crew members regarding environmental procedures and ensure they are able to demonstrate proficiency in implementing those procedures. Develop appropriate disciplinary procedures for crew actions that lead to violations of procedures or of VGP requirements.*

CORRECTIVE ACTIONS (VGP PART 3)

A corrective action is an action you take to eliminate a problem causing a violation of the requirements of the VGP and to ensure that the problem will not be repeated in the future. The requirements below may be incorporated into your existing Responsible Carrier Program corrective action process and may be documented on paper or electronically.¹⁹

- You must take corrective action if any of the following problems are identified:
 - You violate any requirement of the VGP;
 - An inspection or evaluation conducted by EPA (or an official agent acting on EPA's behalf) determines that modifications to your control measures are necessary to meet the requirements of the permit;
 - You become aware, or EPA determines, that your control measures for a discharge are not stringent enough to meet applicable water quality standards; or,
 - You become aware that your pollution control measures or BMPs are not being properly operated and maintained, or are not having the intended effect in minimizing pollutant discharges.

- You must conduct a corrective action assessment as soon as you or a member of your vessel's crew becomes aware of a violation of the VGP. Your corrective action assessment must include the following:
 - A description of the problem(s) discovered, including the date, time and locations on the vessel where it occurred;
 - The types of impacts observed;
 - The names, titles and signatures of the persons who identified the problem(s) and who recorded the problem(s);
 - An explanation of the cause of the problem(s), if known. If the cause is unknown, you must describe the steps that will be taken to determine the cause;
 - A description of the corrective actions to be taken to eliminate the problem(s);
 - A schedule of activities for completing the corrective actions within the timeframes required below; and,
 - An indication whether the corrective action requires drydocking the vessel and, if so, the next planned drydocking date.

- Once the corrective action is implemented, you must record the following information and retain the findings of your corrective assessment so that they can be provided to EPA upon request:
 - A description of the corrective action implemented;
 - Date(s) and time(s) of the corrective action taken; and,
 - The name, title and signature of the person recording this information.

¹⁹ As noted in the introduction, records developed to achieve/demonstrate compliance with the VGP are subject to inspection by EPA and, once provided to the agency, may be subject to public review. If the records maintained for VGP compliance purposes are inextricably intertwined with other records, it may be difficult to produce the required records without also disclosing non-required ones. You should be aware of this as you consider the system you will use to comply with the recordkeeping requirements of the VGP.

- If you can immediately correct a problem and return your vessel to compliance with the permit, you must do so. Problems that must be corrected immediately include, but are not limited to: housekeeping, reporting, recordkeeping, inspections and some operation and maintenance requirements.
- If correcting a problem causing a violation of the permit requires additional time, the following deadlines apply:

Corrective Actions that:	Must be Completed:
<ul style="list-style-type: none"> • Can be accomplished with relatively simple adjustments to your control measures; • Can be accomplished with existing personnel and resources; and, • Do <u>not</u> require the vessel to be on drydock 	<p>As soon as possible, but no later than two weeks after the discovery of the problem.</p>
<ul style="list-style-type: none"> • Require new parts or the installation of new equipment, and • Do <u>not</u> require the vessel to be on drydock 	<p>No later than three months after the discovery of the problem, unless this is impracticable, in which case you must:</p> <ul style="list-style-type: none"> • Complete repairs as soon as possible after three months, and • Document the reason why more time is needed as part of your corrective action assessment.
<ul style="list-style-type: none"> • Require large or comprehensive alterations or repairs to the vessel, and • Require the vessel to be on drydock 	<p>Prior to re-launching the vessel after its next scheduled drydocking.</p>

Note: The initial occurrence of a problem identified in this section constitutes a violation of the VGP. Failure to conduct the corrective action assessment and carry out corrective actions in compliance with this section constitutes an additional permit violation. Conducting the corrective action assessment and correcting the problem does not absolve you of liability for the original violation. However, EPA will consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations. EPA also reserves the right to impose additional corrective action requirements or more stringent deadlines for corrective action than those identified here.

INSPECTIONS, RECORDKEEPING AND REPORTING (VGP PART 4)

You should be aware that the sanctions for failing to conduct the inspections, maintain the records or make the reports required below can be as severe as those for a discharge that violates the requirements of the VGP.

Inspections (VGP Part 4.1)

You must conduct regular inspections of your barge or towing vessel to make sure that it complies with the requirements of the VGP. The requirements below may be incorporated into your existing Responsible Carrier Program vessel inspection process and may be documented on paper or electronically. As required under the Responsible Carrier Program, your procedures should specify who is responsible for conducting these inspections. You do not need to create a new system of documentation for these inspections, but you must be prepared to show evidence of compliance with these requirements to EPA upon request.

Routine Visual Inspections (VGP Part 4.1.1)

- During each watch, you must visually monitor the water around and behind the vessel for visible sheens, dust, chemicals, abnormal discoloration or foaming and other indicators of pollutants originating from the vessel.
- At least once per week or once per voyage, whichever is more frequent, you must conduct a visual inspection of your towing vessel and any barges in tow. Harbor tugs that make more than one “voyage” in the course of a single day should conduct these inspections daily, *unless you choose to conduct daily limited visual inspections as described below*. Loaded barges in fleets should be inspected when dropped off and picked up from the fleet, but not less often than weekly, *unless they are fleeted for 13 days or more, in which case you may conduct an Extended Unmanned Period (EUP) inspection as described below*. (Empty barges in fleets are not being used for transportation and are not subject to the inspection requirements.)

During these inspections, you must ensure that:

- Cargo compartments, machinery spaces, welldecks and other deck areas, and other accessible areas of the vessel covered by the VGP – including all accessible areas where chemicals, oils, dry cargo or other materials are stored, mixed and used – are clear of garbage, oil, and any visible pollutant or constituent of concern that could be discharged into the water;
- Pollution prevention mechanisms are in proper working order *and pollution prevention procedures are in place*; and
- The BMPs for vessel discharges applicable to your vessel are being met.

In situations where multiple voyages occur within a one-week or one-day period, you may choose to conduct a limited visual inspection addressing only those areas that may have been affected by activities related to the docking and cargo operations

conducted during each voyage, instead of conducting a full visual inspection per voyage or per day. If you choose to conduct limited visual inspections per voyage or per day, you must conduct a full visual inspection of your vessel at least once per week.

- You must document the findings of each *full* visual inspection. You may use your existing documentation system, whether paper or electronic, for this purpose, provided that it includes the following information:
 - The date and time of the inspection;
 - Vessel locations inspected;
 - Personnel conducting the inspection;
 - Location of any visual sampling and observations;
 - Any potential problems and sources of contamination found; and
 - The signature of the master or the person conducting the inspection.

For limited visual inspections, you must initial that the inspections were conducted as an addendum to the documentation of the weekly full visual inspection, unless any potential problems and sources of contamination are found.

- If you detect a problem during a *full or limited* vessel inspection, you must initiate corrective actions as *described in the corrective actions section of the Guide* above.

Extended Unmanned Period (EUP)²⁰ Inspections (VGP Part 4.1.1.2)

During an EUP, you may choose to conduct an EUP inspection, instead of routine visual inspections as described above, if:

- *You are in compliance with all other inspection and reporting requirements of VGP Part 4, and*
- *You have not received any VGP-related notices of violation or faced any VGP-related enforcement action from EPA within the previous 24 months.*

If you meet these criteria and choose to conduct an EUP inspection, you must:

- *Conduct a pre-lay-up inspection immediately before the vessel is placed in an EUP, consisting of:*
 - *A full visual inspection as described above;*
 - *Ensuring that all oils and oily machinery are properly secured, covered and protected, all spills are cleaned up, and all leaks are stopped or contained; and,*
 - *Documenting the following: whether automatic bilgewater pump(s) will be engaged on the vessel during the EUP; the amount of fuel on board; the amount of ballast water on board; and the date the EUP will begin.*

²⁰ *The VGP defines a vessel in an EUP as a vessel that is temporarily (e.g., for storage or repair) unmanned, fletted, jacked-up, or otherwise has its navigation systems and main propulsion shut down for 13 days or greater.*

- *Examine the outside of the vessel and surrounding waters at least once every two weeks while the vessel is in the EUP for any evidence of leaks, loss of cargo, visible sheen or any other spills.*
- *Conduct a post-lay-up inspection immediately before the vessel reenters service, consisting of:*
 - *A full visual inspection as described above, and*
 - *Documenting the following: the date the EUP will end; whether fluids (e.g., fuel and ballast water) are at their pre-EUP levels; and whether any spills or leaks of oily materials are observed.*

If you detect any deficiencies during your EUP examinations, take corrective action and document the occurrence as described in the corrective action and recordkeeping sections of the Guide. Any deficiencies must be corrected before the vessel reenters service.

Comprehensive Annual Vessel Inspections (VGP Part 4.1.3)

You must ensure that a comprehensive inspection of all areas of the vessel affected by the requirements of the VGP is conducted by qualified personnel at least once every 12 months.²¹ This inspection may be conducted as part of the annual internal audit required by the Responsible Carrier Program. It does not require drydocking the vessel.²² During the annual inspection, you must:

- Examine those areas of the vessel *that can be inspected safely and are most likely to result in a discharge that violates the BMPs, including:*
 - *Hull and niche areas (to detect attached living organisms, flaking anti-foulant paint, etc.);*
 - *Ballast water tanks, if applicable;*
 - *Bilges, pumps and oily water separator sensors, if applicable;*
 - *Protective seals (to detect lubrication and hydraulic oil leaks);*
 - *Oil and chemical storage areas, cargo areas and waste storage areas; and*
 - *Visible pollution control measures (to ensure that they are functioning properly).*
- *Inspect routine maintenance records to ensure that required maintenance is being performed.*
- *Inspect training, inspection and monitoring documentation, as applicable, to verify that the recordkeeping requirements of the VGP are being met.*

²¹ The VGP defines qualified personnel as: “The master or operator of the vessel or appropriately trained marine or environmental engineers or technicians or an appropriately trained representative of a vessel’s class society acting on behalf of the owner/operator.”

²² Any of these portions of the vessel *that are only accessible or that can only be safely* inspected when the vessel is on drydock should be documented as such and inspected during regularly scheduled drydocking examinations. The results of such inspections should be included in the drydocking examination report.

In addition, you must:

- Document the findings of the annual vessel inspection. This may be done on paper or electronically as part of your Responsible Carrier Program internal audit documentation process.
- Initiate corrective actions if deficiencies are revealed as *described in the corrective actions section of the Guide* above if a problem is detected.

Drydock Inspection Reports (VGP Part 4.1.4)

The VGP does not require you to drydock your vessel when not already required by the Coast Guard, your classification society or the AWO Responsible Carrier Program. However, when the Coast Guard, your classification society or the AWO Responsible Carrier Program requires you to drydock your vessel, you must make the resulting drydock reports (whether prepared by the Coast Guard, your class society, yourself or an entity acting on your behalf) available to EPA on request. These reports must attest that:

- The chain locker has been cleaned *and/or flushed* for sediment and living organisms *in accordance with the recommended practices for chain lock effluent above*;
- The hull, propeller, rudder, thruster gratings, sea chest and other surface areas *and niche areas* of the vessel have been inspected for attached living organisms and any such organisms have been removed or neutralized;
- Any anti-foulant hull coatings have been applied, maintained and removed consistent with the FIFRA label (if applicable), and any exposed existing or any new coating does not contain biocides or toxins that are banned for use in the United States;
- All cathodic protection, anodes or dialectic coatings have been cleaned and/or replaced to reduce flaking; and
- All pollution control equipment is properly functioning.

If the drydock report prepared by the Coast Guard or your class society does not include these items, you must attach your own report attesting to them.

Recordkeeping (VGP Parts 4.2 and 4.3)

You must keep written or electronic records that include the information required below. You may include these items as part of your AWO Responsible Carrier Program-required documentation system and need not establish a separate documentation system for these items; however, you should consider tagging these items as EPA-required so that they can be easily identified and made available to EPA (or an authorized EPA representative) upon request. You must keep these records for at least three years *from the date that the permit expires or your vessel's coverage under the permit is terminated*. Records must be kept on board the vessel or be electronically accessible from the vessel. In the case of a barge, records may be kept on board or accessed electronically from the accompanying towing vessel.

Records must include, *as applicable*:

- Owner/vessel information, including:
 - Vessel name
 - *Owner and* vessel's official number or IMO number
 - Vessel type
 - Owner or operator company name
 - Name of company official completing the certification required below
 - Address of owner or operator
 - Gross tonnage
 - Call sign
 - Flag or port of registry
- Voyage log, including dates and ports of arrival, vessel agent(s), last port and country of call, and next port and country of call.
- Documentation of any violations of the effluent limits (BMPs), including:
 - A description of the violation;
 - Date the violation occurred;
 - Name(s), title(s) and signature(s) of the person who identified the violation and the person who recorded the violation; and
 - *An attached* copy of the Corrective Action Assessment or *an indication* where this assessment can be found, if applicable. If a Corrective Action Assessment was previously conducted and no revisions are needed for this violation, include a reference to the previous Corrective Action Assessment.
- Record of *findings and* deficiencies found during routine visual inspections *and extended unmanned period inspections* conducted as required above, including any corrective actions required. Include date, inspector's name, findings and corrective actions taken. If no deficiencies are found, record that the inspection was completed, along with the inspector's name and date.
- *Analytical results of all monitoring requirements applicable to your vessel.*
- Findings from comprehensive annual vessel inspections conducted as required above, including any corrective actions required. Include date, inspector's name, findings and corrective actions taken.
- Maintenance and discharge information, including:
 - Deck maintenance: Dates, materials used, application process, etc. for any *non-routine* maintenance of the deck surface;
 - Bilgewater: Dates, location and estimated volume of discharges, whether treated with an oily water separator and discharged into the water or disposed of to an onshore reception facility. For vessels without an oily water separator, note any visible sheen observed; for vessels with an oily water separator, note oil concentration.
 - Anti-foulant paint application: Dates, materials used and application process for any anti-foulant paint applied to the vessel.
 - AFFF: Dates, estimated volumes and constituents of any discharges of AFFF.
 - Chain locker inspections: Dates of inspections and any rinsing conducted within waters subject to the VGP.

- Controllable pitch propeller, stern tube and other oil-to-sea interfaces: Dates and locations of any controllable pitch propeller maintenance in waters subject to the VGP. *Technical data sheets for all EALs used in oil-to-sea interfaces on board the vessel, or, if it is technically infeasible to use EALs, documentation as to the reason.*
- Any emergencies requiring discharges otherwise prohibited in federally protected waters (*for a complete list, see VGP Appendix G*).
- *Graywater*: Estimated volume and location of graywater discharged in waters subject to the VGP. (EPA cites studies estimating average graywater production of 30-85 gallons per person per day. If your vessel discharges graywater as it is produced, note the location of discharges as “various locations between [origin] and [destination].”)
- All other documentation required under the VGP applicable to your vessel.
- Record of training completed as required by the VGP.

Records for unmanned, unpowered barges do not need to include voyage logs, analytical monitoring results, maintenance and discharge information or training records as long as you are able to provide a history of areas where the barge has operated and applicable general maintenance records to EPA upon request.

If your barge or towing vessel is equipped with ballast tanks and bound for a port or place in the United States, you must comply with the Coast Guard recordkeeping requirements at 33 CFR 151.2070.

If your barge or towing vessel conducts saltwater flushing as required for certain vessels on Pacific nearshore voyages (outlined in the *recommended practices for ballast water* above), you must document this on the Coast Guard ballast water reporting form.

Reporting (VGP Part 4.4)

- *You must submit an Annual Report for each vessel for each year that it has active permit coverage, including vessels that are not required to submit NOIs (for a copy of the report, see VGP Appendix H). Annual Reports must be completed each calendar year and submitted by February 28 of the following year.²³ Annual reports must be submitted electronically and include:*
 - *All analytical monitoring results applicable to your vessel, and*
 - *All instances of noncompliance.*

Operators of self-propelled vessels less than 300 gross tons and unmanned, unpowered barges may electronically submit a Combined Annual Report for multiple vessels, instead of individual Annual Reports, if:

- *The answers for each vessel for which the report is to be submitted are the same;*
- *None of the vessels were required to conduct analytical monitoring;*

²³ *The VGP does not require an Annual Report for 2013. Instead, if your vessel's coverage under the 2013 VGP begins on December 19, 2013, any relevant information from December 19, 2013 – December 31, 2013 must be included in the Annual Report for 2014.*

- *None of the vessels had any instances of noncompliance or any instances of deficiencies identified by EPA during the previous 12 months; and,*
- *Each vessel has an NOI permit number or, if not required to submit an NOI, a commonly used unique identifier (e.g., a registration number).*
- In addition to reporting discharges of oil or a reportable quantity of a hazardous substance to the National Response Center in accordance with existing regulations, you must also record the following information within 14 days of knowledge of the release:
 - Date and description of the release;
 - Circumstances leading to the release;
 - Responses to be employed for such releases; and
 - Measures to prevent reoccurrence of such releases.

This requirement can be satisfied by filling out and maintaining a copy of Coast Guard Form CG-2692.

You must report orally to the appropriate EPA regional office within 24 hours any noncompliance with the VGP that may endanger health or the environment, and submit a written follow-up report within five days. This requirement can be satisfied by sending a copy of Coast Guard Form CG-2692 to the appropriate EPA regional office. (If you comply with the recommended practices listed in this guide and report oil and hazardous substance spills to the National Response Center in accordance with existing regulations, the need for such reporting should be rare.)

- You must include the following certification²⁴ with any report you submit to EPA:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

²⁴ This certification, the text of which is included in the VGP, is very broad and the penalties for submission of a certification that is not 100 percent accurate are severe. Members may wish to consult legal counsel for advice on whether it is appropriate to use alternative language in making the required certification.

APPENDIX A:
AUTHORIZATION UNDER THE PERMIT
(VGP PARTS 1.5-1.7)

How to Obtain Coverage (VGP Part 1.5.1)

Notice of Intent (NOI)

- If your vessel is 300 GT (*international tonnage*)²⁵ or more, or has more than 8 cubic meters of ballast water capacity,²⁶ you must submit an NOI to EPA at least seven days before discharging into waters subject to this permit using EPA's Electronic NOI (eNOI) system.²⁷ For a copy of the NOI, see VGP Appendix E.
- The eNOI system can be accessed at www.epa.gov/npdes/vessels/enoi. EPA will post all NOIs processed at the same address.

Permit Authorization and Record of Inspection (PARI) Form

- If your vessel is less than 300 GT or has 8 cubic meters or less of ballast water capacity, you do not need to submit an NOI to EPA. Instead, you must complete the PARI Form and keep a copy of the PARI Form on board your vessel or available electronically from your vessel at all times (for a copy of the PARI Form, see VGP Appendix K).

How to Terminate Coverage (VGP Part 1.6)

Notice of Termination (NOT)

- If you want to terminate coverage under the VGP and you were required to submit an NOI, you must submit a Notice of Termination (NOT) using EPA's eNOI system within 30 days after one or more of the following conditions have been met:
 - A new owner or operator has taken over responsibility for the vessel; or
 - You have permanently ceased operating the vessel in waters subject to the permit; or,
 - You have obtained coverage under an individual or alternative general permit for all discharges covered by an NPDES permit.

For a copy of the NOT, see VGP Appendix F.

²⁵ EPA has advised AWO that vessels that have not been admeasured under the ITC system may use their domestic or regulatory tonnage to determine the applicability of the NOI requirement.

²⁶ Eight cubic meters of ballast water capacity equals 2,113 gallons.

²⁷ If you are authorized to discharge under the 2008 VGP and were required to submit an NOI, you must submit an NOI by December 12, 2013, to continue uninterrupted coverage under the 2013 VGP.

- *If you want to terminate coverage under the VGP and you were not required to submit an NOI, and instead completed and retained a PARI Form, termination of coverage is automatic if one or more of the conditions above are met.*

Certification

The NOI, NOT, *PARI Form* and any reports submitted to EPA must include the signature of the person preparing the document, the date and the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

*APPENDIX B
SPECIFIC REQUIREMENTS FOR INDIVIDUAL STATES
(VGP PART 6)*

Under section 401 of the Clean Water Act, EPA cannot issue an NPDES permit until the state in which the discharges originate certifies that the discharges, as permitted, will comply with all applicable state laws and regulations. States may choose to certify NPDES permits unconditionally or with state-specific certification conditions that impose additional or more stringent requirements on permittees. These state-specific certification conditions become federally enforceable requirements of the EPA-issued permit.

Because the VGP is a nationwide general permit, all 50 states must certify the permit. Twenty-five states chose to certify the 2013 VGP with conditions. Of these, 24 are states in which towing vessels and barges operate.

You will be in compliance with most of these states' certification conditions if you implement the BMPs required by the VGP, as outlined in the Recommended Practice Guide, for those discharge types applicable to your vessel. Summarized below are those state certification conditions identified by AWO that exceed the VGP requirements established by EPA and that are likely to be applicable to barge and towing vessel operators. However, you should review VGP Part 6 to ensure that you understand the totality of requirements applicable in the waters of the state or states in which your vessel operates.

This appendix is organized by geographic region, corresponding to the AWO regions. Each state's certification conditions are categorized according to the following requirement types:

- *Discharge prohibitions*
- *Additional ballast water management requirements*
- *Other additional discharge management requirements*
- *Additional reporting requirements*
- *Additional monitoring requirements*
- *State enforcement requirements*
- *Additional requirements for special waters*

In addition, each geographic region is accompanied by an at-a-glance guide to its states' certification conditions, which is organized by requirement type and indicates via color codes whether the requirements are likely to affect tugboat, towboat and barge operations, may affect operations, or are unlikely to affect operations.

ATLANTIC REGION¹
(East Coast)

Connecticut

Discharge Prohibitions

- *The discharge of treated or untreated bilgewater is prohibited in Connecticut waters unless it is necessary to ensure the safety and stability of the vessel and its crew.*
- *The discharge of treated or untreated graywater is prohibited in Connecticut waters.*
- *The discharge of wash water and materials removed from the hull during hull cleaning activities is prohibited in Connecticut waters.*

Additional Ballast Water Management Requirements

- *Your vessel must maintain the ability to measure salinity levels in each of its ballast water tanks. If your vessel is required to perform ballast water exchange or flushing by VGP Part 2.2.3.6, the resulting exchanged water remaining in the tank must have a salinity between 20 and 25 ppt prior to the discharge of ballast water into Connecticut waters.*

Additional Reporting Requirements

- *If your vessel operates, or intends to operate, in Connecticut, you must submit a copy of its NOI or PARI form to the Connecticut Department of Energy and Environmental Protection (DEEP). You must also submit copies of all Annual Reports and discharge monitoring reports, if applicable.*
- *In addition to reporting discharges of oil or a reportable quantity of a hazardous substance to the National Response Center in accordance with existing regulations, you must immediately report such discharges to the Connecticut DEEP by telephone at (860) 424-3338 or (866) 337-7745.*

Maine

Discharge Prohibitions

- *You may not conduct in-water hull cleaning in Maine waters unless it is necessary as part of emergency hull repairs for the safety and security the vessel or its crew.*

¹ *In addition to the states listed, Georgia and North Carolina have certified the 2013 VGP with conditions. However, these states' certification conditions have no practical impacts on barge and towing vessel operators.*

Additional Ballast Water Management Requirements

- *If your oceangoing barge or towing vessel is on a voyage originating from outside the U.S. EEZ and enters Maine waters carrying ballast water, you must conduct ballast water exchange as required by VGP Part 2.2.3.6.1, in water at least 2,000 meters in depth, unless your vessel carries ballast water from a public water supply or carries permanent ballast water in sealed, unpumpable tanks. The resulting exchanged water remaining in the tank must have a salinity of at least 30 ppt. This requirement applies even if your vessel is equipped with a ballast water treatment system.*

If you are unable to conduct ballast water exchange because it would compromise the safety of the vessel or its crew, you must take reasonable measures to minimize the discharge of ballast water into Maine waters.

- *Your vessel must maintain the ability to measure salinity levels in each of its ballast tanks.*

Additional Requirements for Protected Waters

- *Your vessel is not permitted to operate in Maine waters designated as Class SA waters. The classification of Maine estuarine and marine waters can be found in 38 MRSA §469, which is posted on the Maine legislature's website at <http://www.mainelegislature.org/legis/statutes/38/title38sec469.html>.*

New Hampshire

Other Additional Discharge Management Requirements

- *If your vessel is equipped with holding tanks for graywater, you must:*
 - *Discharge graywater either at an onshore pumpout facility or beyond three nm of the New Hampshire shoreline.*
 - *Not discharge graywater into impaired waters. A list of impaired waters is posted on the New Hampshire Department of Environmental Services' website at <http://des.nh.gov/organization/divisions/water/wmb/swqa/index.htm>.*
- *If your vessel is not equipped with holding tanks for graywater, you must install graywater holding tanks by your vessel's second scheduled drydocking after December 19, 2013, if doing so is technically feasible and would not jeopardize the safety and stability of the vessel.*

New York

Discharge Prohibitions

- *The discharge of bilgewater is prohibited in New York waters unless it is necessary to ensure the safety and stability of the vessel and its crew.*

Additional Ballast Water Management Requirements

- *If your oceangoing barge or towing vessel is on a voyage originating from outside the U.S. EEZ and enters New York waters carrying ballast water, you must conduct ballast water exchange as required by VGP Part 2.2.3.6.1, in water at least 2,000 meters in depth, unless your vessel carries ballast water from a public water supply or carries permanent ballast water in sealed, unpumpable tanks. The resulting exchanged water remaining in the tank must have a salinity of at least 30 ppt. This requirement applies even if your vessel is equipped with a ballast water treatment system.*

If you are unable to conduct ballast water exchange because it would compromise the safety of the vessel or its crew, you must take reasonable measures to minimize the discharge of ballast water into New York waters and inform the New York Department of Environmental Conservation (DEC) in writing of the measures taken.

- *Your vessel must maintain the ability to measure salinity levels in each of its ballast tanks.*

Rhode Island

Discharge Prohibitions

- *If your oceangoing barge or towing vessel is on a voyage originating from outside the U.S. EEZ, you are prohibited from discharging treated or untreated bilgewater into Rhode Island waters.*

Additional Ballast Water Management Requirements

- *If your oceangoing barge or towing vessel is on a voyage originating from outside the U.S. EEZ and enters Rhode Island waters carrying ballast water, you must conduct ballast water exchange as required by VGP Part 2.2.3.6.1, in water at least 2,000 meters in depth, unless your vessel carries ballast water from a public water supply or carries permanent ballast water in sealed, unpumpable tanks. This requirement applies even if your vessel is equipped with a ballast water treatment system.*

If you are unable to conduct ballast water exchange because it would compromise the safety of the vessel or its crew, you must take reasonable measures to minimize the discharge of ballast water into Rhode Island waters and inform the Rhode Island Department of Environmental Management (DEM) in writing of the measures taken.

Additional Requirements for Protected Waters

- *All requirements of the VGP applied to federally protected waters listed in VGP Appendix G also apply to impaired waters. A list of impaired waters is posted on the Rhode Island DEM's website at <http://www.dem.ri.gov/pubs/305blindex.htm>.*

Specific Requirements for Atlantic Region States at a Glance

State	Discharge Prohibitions and Management Requirements				Reporting Requirements	Monitoring Requirements	State Enforcement Requirements	Requirements for Special Waters
	Bilgewater	Ballast Water	Graywater	Other				
Maine		✓		✓				✓
New Hampshire			✓					
Rhode Island	✓	✓						✓
Connecticut	✓	✓	✓	✓	✓			
New York	✓	✓						

Key

Red: Likely to affect operations

Yellow: May affect operations

Green: Unlikely to affect operations

MIDWEST REGION²
(Upper Mississippi River, Illinois River, Missouri River and Great Lakes)

Indiana

State Enforcement Requirements

- *You must allow the Indiana Department of Environmental Management (DEM) to inspect vessels, records and equipment and to monitor discharges on request.*

Iowa

Additional Reporting Requirements

- *In addition to reporting discharges of oil or a reportable quantity of a hazardous substance to the National Response Center in accordance with existing regulations, you must immediately report such discharges to the Iowa Department of Natural Resources Emergency Response Unit by telephone at (515) 281-8694.*

Michigan

Additional Ballast Water Management Requirements

- *If you operate an oceangoing barge or towing vessel that discharges ballast water into Michigan waters, you must obtain coverage under Michigan's Ballast Water Control General Permit.*
- *Your vessel must maintain the ability to measure salinity levels in each of its ballast water tanks.*

Additional Monitoring Requirements

- *In the event that the Michigan Department of Environmental Quality (DEQ) establishes ballast water sampling and analysis protocols,³ if your oceangoing barge or towing vessel is on a voyage originating from outside the U.S. EEZ and discharges ballast water into Michigan waters, you must sample and analyze your ballast water discharges at least once per year for living organisms, consistent with Michigan DEQ protocols, and submit the analytical results to the Michigan DEQ.*

² In addition to the states listed, Illinois, Kansas and Nebraska have certified the 2013 VGP with conditions. However, these states' certification conditions have no practical impacts on barge and towing vessel operators.

³ As of this writing, Michigan DEQ has not established ballast water sampling and analysis protocols.

Minnesota

Additional Ballast Water Management Requirements

- *If you operate a barge or towing vessel 164 feet in length or greater, with a ballast water capacity of 2,114 gallons or greater, that operates in the Minnesota waters of Lake Superior, you must obtain coverage under Minnesota's Ballast Water Discharge General Permit unless:*
 - *Your vessel carries ballast water in permanently sealed ballast water tanks, or*
 - *Your vessel operates exclusively in the Duluth COTP Zone.*

State Enforcement Requirements

- *The Minnesota Pollution Control Agency may prohibit a discharge, require a discharge to occur in a particular area, or require emergency treatment of any "high risk" ballast water proposed to be discharged in Minnesota waters.*

Missouri

State Enforcement Requirements

- *You must allow the Missouri Department of Natural Resources to inspect vessel discharge activities on request.*

Ohio

Additional Ballast Water Management Requirements

- *If your vessel has conducted ballast water exchange as required by VGP Part 2.2.3.6, you are prohibited from discharging the exchanged ballast water within the breakwalls of Ohio's Lake Erie ports.*

Wisconsin

Additional Ballast Water Management Requirements

- *If you operate a barge or towing vessel 164 feet in length or greater, with a ballast water capacity of 2,114 gallons or greater, that operates in Wisconsin waters, you must obtain coverage under Wisconsin's Ballast Water Discharge General Permit unless:*
 - *Your vessel carries ballast water in permanently sealed ballast water tanks, or*
 - *Your vessel operates exclusively in a single COTP Zone.*

- *If ballast water treatment systems are approved, commercially available and compatible with your vessel, you must make reasonable efforts to install a treatment system at the earliest practicable date. Treatment systems used in Wisconsin waters must be specifically tested for use in freshwater.*
- *If your vessel has conducted ballast water exchange as required by VGP Part 2.2.3.6, you are prohibited from discharging the exchanged ballast water into Wisconsin waters unless you can demonstrate that the discharge will comply with Wisconsin's chloride limits.*

Additional Reporting Requirements

- *All instances of noncompliance with Wisconsin's certification of the VGP must be immediately reported to the Wisconsin Department of Natural Resources (DNR).*

State Enforcement Requirements

- *You must allow the Wisconsin DNR to inspect vessels and records and to monitor discharges on request.*

Specific Requirements for Midwest Region States at a Glance

Upper Mississippi, Illinois and Missouri Rivers

State	Discharge Prohibitions and Management Requirements				Reporting Requirements	Monitoring Requirements	State Enforcement Requirements	Requirements for Special Waters
	Bilgewater	Ballast Water	Graywater	Other				
Minnesota		✓						
Wisconsin		✓			✓		✓	
Iowa					✓			
Missouri							✓	

Key

Red: Likely to affect operations

Yellow: May affect operations

Green: Unlikely to affect operations

Great Lakes

State	Discharge Prohibitions and Management Requirements				Reporting Requirements	Monitoring Requirements	State Enforcement Requirements	Requirements for Special Waters
	Bilgewater	Ballast Water	Graywater	Other				
Minnesota		✓						
Wisconsin		✓			✓		✓	
Indiana							✓	
Michigan		✓				✓		
Ohio		✓						

Key

Red: Likely to affect operations

Yellow: May affect operations

Green: Unlikely to affect operations

OHIO VALLEY REGION⁴
(Ohio River System)

Indiana

State Enforcement Requirements

- *You must allow the Indiana Department of Environmental Management (DEM) to inspect vessels, records and equipment and to monitor discharges on request.*

⁴ *In addition to the states listed, Illinois and Ohio have certified the 2013 VGP with conditions. However, these states' certification conditions have no practical impacts on barge and towing vessel operators operating on the Ohio River.*

Specific Requirements for Ohio Valley Region States at a Glance

State	Discharge Prohibitions and Management Requirements				Reporting Requirements	Monitoring Requirements	State Enforcement Requirements	Requirements for Special Waters
	Bilgewater	Ballast Water	Graywater	Other				
Indiana							✓	

Key

Red: Likely to affect operations

Yellow: May affect operations

Green: Unlikely to affect operations

PACIFIC REGION

(West Coast, Alaska, Hawaii and Columbia-Snake and Willamette rivers)

Alaska

Additional Reporting Requirements

- *If you report an instance on noncompliance with the VGP's effluent limits (BMPs) that occurred in Alaska waters in your vessel's Annual Report, you must submit an electronic copy of the Annual Report to the Alaska Department of Environmental Conservation (DEC).*

Additional Requirements for Special Waters

- *You must be aware of whether the Alaskan water bodies your vessel operates in are impaired and have, or do not have, Total Maximum Daily Loads (TMDLs). However, AWO notes that if you are implementing BMPs as required by the VGP, this awareness should not affect your vessel's operations or discharges.*

You can find a list of impaired water bodies in Category 5 of Alaska's Integrated Water Quality Monitoring and Assessment Report, which is posted to the Alaska DEC's website at

<http://dec.alaska.gov/water/wqsar/waterbody/integratedreport.htm>. You can find a list of approved TMDLs on the Alaska DEC's website at <http://dec.alaska.gov/water/tmdl/approvedtmdls.htm>.

California

Discharge Prohibitions

- *Bilgewater discharges in California waters are prohibited.*

Other Additional Discharge Management Requirements

- *You must obtain permission from the California State Lands Commission before conducting in-water hull cleaning in California waters.*

Additional Reporting Requirements

- *If the requirements of California's VGP certification are violated in order to ensure the safety of the vessel or its crew, you must report to the California State Water Board (SWB) the following information within 24 hours after the emergency conditions cease:*
 - *Emergency conditions requiring the violation;*
 - *Specific conditions violated;*
 - *Duration of the violation;*

- *Nature of the discharges during that emergency period; and*
- *Location of emergency discharge.*

- *If your oceangoing barge or towing vessel is equipped with holding tanks for either sewage or graywater, you must notify the California Emergency Management Agency by telephone at (800) 852-7550 immediately, but no longer than 30 minutes, after the discovery of a release of either sewage or graywater into California waters.*

Additional Monitoring Requirements

- *If you operate in California waters during the 2013 VGP permit term, you must participate in a representative discharge monitoring study.*

State Enforcement Requirements

- *If the California SWB suspects you have violated California's VGP certification, you must submit technical or monitoring reports to the California SWB on request.*

Hawaii

Additional Reporting Requirements

- *You must register and submit an application through the e-Permitting Portal on the Hawaii Department of Health's (DOH) website at <https://eha-cloud.doh.hawaii.gov/epermit/view/default.aspx>.*
- *You must report all instances of noncompliance with Hawaii's VGP certification to the Hawaii DOH as soon as you become aware of their occurrence. Noncompliance reports must be submitted through the e-Permitting Portal.*

State Enforcement Requirements

- *You must submit records of inspection, reports, and monitoring data to the Hawaii DOH on request.*
- *You must allow the Hawaii DOH to routinely inspect vessels, take photographs, and monitor discharges.*

Idaho

Additional Reporting Requirements

- *Before commencing vessel operations or increasing the number of vessels that operate in Idaho, you must contact the Idaho Department of Environmental Quality (DEQ) by telephone at 208-799-4370 or by email at john.cardwell@deq.idaho.gov.*
- *In addition to reporting discharges of oil or a reportable quantity of a hazardous substance to the National Response Center in accordance with existing regulations, you must report such discharges to the Idaho DEQ by telephone at (208) 799-4370 immediately in the case of hazardous substance discharges or within 24 hours in the case of oil discharges.*

Additional Requirements for Special Waters

- *You must be aware of whether the Idaho water bodies your vessel operates in are impaired. You can find a list of impaired water bodies on the Idaho DEQ's website at <http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report.aspx>.*

Washington

Discharge Prohibitions

- *The discharge of wash water from cargo compartments containing metal ores, prilled coal tar (pencil pitch), coal and petroleum coke in Washington waters is prohibited.*
- *The discharge of tank cleaning and wash water from tank barges in Washington waters is prohibited.*

Other Additional Discharge Management Requirements

- *Before deck washdowns, you must thoroughly clean bulk and break bulk cargo compartments. Compartment cleanliness must be documented photographically before washdown unless flammable or explosive vapor concentrations make photography unsafe.*
- *You must obtain permission from the Washington Department of Fish and Wildlife (DFW) before conducting in-water hull, niche area and running gear cleaning in Washington waters. Contact information and instructions can be found on the Washington DOE's website at <http://www.ecy.wa.gov/programs/wg/permitsNGP/index.html>.*

Additional Reporting Requirements

- *You must report any violations of the VGP's effluent limits (BMPs) for graywater, any discharge of untreated sewage, and any malfunction of a marine sanitation device to the Washington Department of Health (DOH) by telephone at (360) 236-3330 or (360) 789-8962 as soon as possible but no more than 24 hours after you become aware of their occurrence. Your report must include the following information:*
 - *Discharge location (latitude and longitude);*
 - *Discharge volume;*
 - *Discharge type;*
 - *Date and time; and,*
 - *Duration of discharge.*

State Enforcement Requirements

- *You must allow the Washington DOE to inspect vessels and records, interview crew members, and monitor discharges on request at reasonable times and locations.*
- *You must allow the Washington DFW to assess and enforce compliance with state ballast water requirements at any time.*

Specific Requirements for Pacific Region States at a Glance

State	Discharge Prohibitions and Management Requirements				Reporting Requirements	Monitoring Requirements	State Enforcement Requirements	Requirements for Special Waters
	Bilgewater	Ballast Water	Graywater	Other				
Alaska					✓			✓
Washington				✓	✓		✓	
Idaho					✓			✓
California	✓			✓	✓	✓	✓	
Hawaii					✓		✓	

Key

Red: Likely to affect operations

Yellow: May affect operations

Green: Unlikely to affect operations

*SOUTHERN REGION
(Lower Mississippi River and Gulf Coast)*

Arkansas

Additional Reporting Requirements

- *If your vessel violates any of the VGP's effluent limits (BMPs) in Arkansas waters, you must document the violation and notify the Arkansas Department of Environmental Quality (DEQ) by telephone at (501) 682-0640 within 24 hours and in writing within three days of the violation. The notification must include the following information:*
 - *Description of the violation;*
 - *Date of the violation;*
 - *Estimated volume of discharge involved in the violation;*
 - *Location at time of the violation;*
 - *Description of any corrective actions taken or planned; and,*
 - *Identification of any hazardous substances, if known to be present.*

Additional Requirements for Protected Waters

- *Your vessel is not permitted to operate in Arkansas water bodies designated as Ecologically Sensitive Waters (ESWs) or as Natural and Scenic Waterways (NSWs). A list of ESWs and NSWs can be found in Appendix A to Arkansas Pollution Control and Ecology Commission Regulation No. 2, which is posted to the Arkansas DEQ's website at http://www.adeg.state.ar.us/regs/files/reg02_final_110926.pdf.*

Specific Requirements for Southern Region States at a Glance

State	Discharge Prohibitions and Management Requirements				Reporting Requirements	Monitoring Requirements	State Enforcement Requirements	Requirements for Special Waters
	Bilgewater	Ballast Water	Graywater	Other				
Arkansas					✓			✓

Key

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Yellow: May affect operations

Green: Unlikely to affect operations

THE AMERICAN WATERWAYS OPERATORS



The National Association of the Tugboat, Towboat and Barge Industry

801 North Quincy Street, Suite 200

Arlington, VA 22203

(703) 841-9300

www.americanwaterways.com

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