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June 8, 2018

Mr. Jeffrey G. Lantz  
Director of Commercial Regulations and Standards  
U.S Coast Guard  
2703 Martin Luther King Jr. Avenue, S.E.  
Washington, DC 20593

RE: Ballast Water Management –  
Annual Reporting Requirement  
(Docket No. USCG-2018-  
0245)

Dear Mr. Lantz:

The American Waterways Operators is the national trade association for the tugboat, towboat and barge industry. AWO's over 320 member companies own and operate barges and towing vessels on the U.S. inland and intracoastal waterways, the Atlantic, Pacific and Gulf coasts, and the Great Lakes. Our industry's 5,500 towing vessels and 31,000 barges comprise the largest segment of the U.S.-flag domestic fleet. The tugboat, towboat and barge industry provides family-wage jobs and ladders of career opportunity for more than 50,000 Americans, including 38,000 positions as mariners on board our vessels, and supports more than 300,000 jobs in related industries nationwide. Each year, our vessels safely, securely and efficiently move more than 760 million tons of cargo critical to the U.S. economy, including petroleum products, chemicals, coal, grain, steel, aggregates, and containers. Tugboats also provide essential services in our nation's ports and harbors, including shipdocking, tanker escort and bunkering.

AWO is committed to being a leader in marine safety, security and environmental stewardship, and to working in partnership with the Coast Guard to advance these shared objectives. We continually seek to manifest this commitment through our constructive engagement in the rulemaking and policymaking process to assist the Coast Guard in producing practical, effective regulations and policy guidance whose benefits exceed their costs. It is in this spirit that we strongly support the proposed rule to eliminate the requirement for vessels with ballast tanks operating exclusively within a single Captain of the Port (COTP) Zone to submit the Annual Ballast Water Summary Report for calendar year 2018, and express our appreciation to the Coast Guard for its receptiveness to our previously stated concerns about this requirement.

The Coast Guard's 2015 amendments to its ballast water reporting regulations required vessel operators to submit to the National Ballast Information Clearinghouse (NBIC) an annual Ballast Water Summary Report for each vessel with ballast tanks operating exclusively within

a single COTP Zone for a period of three years. These regulations required impacted vessel operators to engage in the costly and challenging process of developing guidance and training for crewmembers and shoreside employees and establishing new recordkeeping and reporting processes in order to compile and submit the prescribed information. The Coast Guard's proposed rule will reduce the regulatory burden on these operators by eliminating the reporting requirement for 2018, and will reduce the utilization of governmental and taxpayer resources to collect, process and analyze the 2018 data, without any diminution of environmental protection or the Coast Guard's comprehension of industry ballast water management practices.

As stated in previous comment letters,<sup>1</sup> AWO believes that vessels with such a limited geographical area of operation pose a very low risk of contributing to the introduction of aquatic invasive species, and therefore, the value of the information required to be reported under 33 CFR §151.2060(e) does not justify the financial and administrative burdens that the reporting requirements impose on the operators of these vessels. This is especially true because, as the Coast Guard acknowledges in the preamble to the proposed rule, the data collected do not provide the agency with a complete or accurate understanding of these vessels' ballast water management practices. As noted in our July 2017 comments, a vessel operator cannot indicate in the annual report that the vessel uses water from a U.S. public water system as ballast. By the Coast Guard's own admission, the reports on which impacted vessel operators have spent time and money over the past two years have not expanded or enhanced the agency's understanding of ballast water management practices, and it is still unclear to AWO what the Coast Guard and the NBIC intend to do with the collected data from calendar years 2016 and 2017. Consequently, it is appropriate – and entirely consistent with the objectives of the Administration's regulatory reform initiative – to eliminate the reporting requirement and lift this undue burden on the regulated community.

Thank you again for the opportunity to comment on the proposed rule to eliminate the Ballast Water Summary Report requirement for 2018. We would be pleased to provide further information or answer any questions as the Coast Guard finalizes this rulemaking.

Sincerely,



Jennifer A. Carpenter  
Executive Vice President & COO

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<sup>1</sup> The American Waterways Operators to Docket No. USCG-2012-0924 (August 5, 2013); The American Waterways Operators to Docket No. USCG-2017-0480 (July 25, 2017).