



NEW YORK STATE SENATOR

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New York State pursues uniform, national ballast water requirements

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In comments filed today with the Environmental Protection Agency, DEC Commissioner Joseph Martens indicated that New York will pursue a uniform, national ballast water standard that will leave in place the EPA's current standards in New York for the remainder of EPA's current Vessel General Permit through December 2013. A letter granting extensions to the compliance deadlines for Condition 2, 3, 4 and 5 of the New York 401 Water Quality Certification to the 2008 Vessel General Permit can be found here:

http://www.dec.ny.gov/docs/water_pdf/vesselgpletter.pdf . Condition 1 of the certification that requires ballast water exchange and flushing remains in effect.

"New York remains concerned about the introduction and spread of invasive species in the state's waterways and we hope that a strong national solution can be achieved," DEC Commissioner Joe Martens said. "At the same time, shipping and maritime activity is critical to New York state and international commerce. A technically feasible national standard which recognizes the critical economic role played by our waterways is the only viable way to address the spread of destructive aquatic invaders through ballast water."

EPA's recent proposal for the next four-year term, December 2013 through December 2017, for its Vessel General Permit includes adopting a protocol that was set forth by the

International Maritime Organization (IMO) in 2004. DEC submitted comments on EPA's proposed standards for 2013-2017. To view DEC's comments, visit:
http://www.dec.ny.gov/docs/water_pdf/ballastltro22112.pdf

Martens continued, "The EPA proposal can be strengthened to better protect against the harms associated with aquatic invasive species and take advantage of numerous recent, cost-effective advances in treatment technology. A strong, uniform national standard is the preferred approach to ensuring that vessels install and use achievable and cost-effective technology to treat ballast water discharges."

DEC intends to continue to work with other states, such as California, Michigan and other Great Lakes states, and stakeholders to advocate that EPA and the Coast Guard adopt a more protective national approach to this widespread problem.

In DEC's comments to EPA, Commissioner Martens proposed adopting a national standard with the following key elements:

a 100 times IMO discharge standard implemented by June 1, 2016;

a voluntary discharge standard of 10 times IMO by June 1, 2014;

grandfather until 2024 vessels deploying 10 times IMO systems prior to June 1, 2014;

continue to require ballast water ocean exchange and flushing; and

require the use of any reasonable and effective management practices to limit aquatic invasive introductions prior to 2016.

Invasive species have dramatically damaged and impaired the nation's waters. A recent scientific report by researchers from the Cary Institute estimated that zebra mussels, a ship-borne invasive species first discovered near Detroit 20 years ago, now comprise half the consumer biomass, by weight, of the Hudson River. More than 180 such invaders – species that infest, overwhelm and destroy native habitat – already plague the Great Lakes. The majority of these invasive species were traced to ballast water discharges.