



Minnesota Pollution Control Agency

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To All Interested Parties

MPCA Staff Begins State Ballast Water General Permit (MNG30) Review

Issue: The Great Lakes water transportation industry is vitally important to Minnesota's economy. However, ballast water discharges from oceangoing and Great Lakes-only ("Laker") vessels may contain aquatic invasive species (AIS). AIS compete with native species for food and habitat, alter aquatic ecosystems, and cause significant economic impact. The Minnesota Pollution Control Agency (MPCA) is working with other state, federal, tribal, and international organizations in continuing efforts to address this threat and intends to review the regulatory program put in place to control the introduction and spread of invasive species. The state's general ballast permit, which expires in September 2013, will be a focal point of the regulatory review.

Permit Requirements: The MPCA issued a ballast water discharge general permit on September 24, 2008, covering the ballast water discharges of commercial vessels that transit the Minnesota waters of Lake Superior. The permit covers both oceangoing and Great Lakes-only vessels. Owners and operators of vessels meeting the applicability criteria (at least 50 meters in length with a ballast water capacity of at least eight cubic meters) wishing to transit through the Minnesota waters of Lake Superior or discharge ballast water into those same waters are required to apply for coverage under the general permit. To date, 325 vessels have received Notices of Coverage under the general permit. The general permit currently requires that vessels built prior to January 1, 2012, have installed and operational ballast water treatment systems by January 1, 2016. For vessels constructed after January 1, 2012, ballast water treatment systems must be installed and operational prior to commencement of operation in Minnesota state waters of Lake Superior.

Permit Conditions Status: The United States Coast Guard published Final Rules in early 2012 requiring that ballast water treatment systems gain approval. The process for approving these systems is anticipated to begin in 2015. Because of uncertainty surrounding the efficacy of ballast water treatment systems and the Coast Guard treatment system approval process, shipping owner/operators are reluctant or unable to install treatment devices at this time. Thus, treatment systems may not be able to be implemented under the current general permit timelines.

The MPCA's goal in reviewing reissuance of the general ballast water permit is to review federal ballast water regulations and current industry practices to determine what, if any, additional regulatory controls are needed to protect Minnesota waters.