STATE OF MINNESOTA

Minnesota Pollution Control Agency

Industrial Division

State Disposal System (SDS) Permit MNG300000
Ballast Water Discharge General Permit

ISSUANCE DATE: October 11, 2013  EXPIRATION DATE: September 30, 2018

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to transit through and discharge ballast water to the state waters of Lake Superior, in accordance with the requirements of this permit.

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with Minnesota and U.S. statutes and rules, including Minn. Stat. chs. 115 and 116, Minn. R. chs. 7001, 7050 and 7052.

This permit is effective on the issuance date identified above, and supersedes the previous permit that was issued for vessels on September 24, 2008. This permit expires at midnight on the expiration date identified above.

Signature

Jeff Udd, P.E.  for The Minnesota Pollution Control Agency
Supervisor, Water Quality Permits Unit
Water Section
Industrial Division

Submit Ballast Water Reporting
Submit via e-mail to the MPCA at:
ballastwater@state.mn.us

Questions on this permit?
For specific permit requirements or permit compliance status contact: John Thomas, 218-302-6616

Submit MPCA Annual Report to:
MPCA Duluth Office
525 Lake Avenue South, Suite 400
Duluth, Minnesota 55802

For permitting and permit application questions contact: Theresa Haugen, 218-316-3920
Chapter 1. General Ballast Water Permit

1. General Ballast Water Discharge

1.1 This General Permit (permit) applies to all vessels transiting the Minnesota State waters of Lake Superior that are required to submit a Notice of Intent to obtain the United States Environmental Protection Agency final 2013 Vessel General Permit (VGP).

Authorization

1.2 This permit authorizes, subject to the terms and conditions of this permit, the discharge of ballast water to Minnesota State waters of Lake Superior.

1.3 A vessel is authorized to discharge under this permit only after the owner/operator has received a written Notice of Coverage (NOC) from the MPCA indicating that coverage has been granted.

1.4 The Permittee shall retain the written NOC, or a duplicate, on board the permitted vessel when transiting Minnesota State waters of Lake Superior.

Ballast Water and Sediment Management Plan

1.5 The Permittee shall comply with the Ballast Water and Sediment Management Plan (Plan) submitted to the MPCA with the permit application as approved by the MPCA. The Plan shall be in English. The Plan shall contain all elements required by Minn. Stat. Sec. 115.1703. If the Permittee changes the actions to be taken to manage ballast water or dispose of sediment or other elements of the Plan, the Permittee shall update the Plan and submit the updated Plan to the MPCA for review and approval as provided in Chapter 1 Section 2.5 of the permit.

Ballast Water Treatment

1.6 Nothing in this permit releases Permittees from the duty to install ballast water treatment as required by the VGP, and to thereafter monitor and maintain such treatment systems as required by the VGP.

1.7 Permittees having permit coverage for Lakers built before January 1, 2009:

a. Shall be required to meet the numeric discharge requirements in the VGP after their first scheduled drydocking after March 30, 2018, unless the Permittee can demonstrate that the U.S. Coast Guard (USCG) has not type approved, under 46CFR Part 162.060, any ballast water treatment system commercially available and compatible for the Permittee's vessel as of that date. For Permittees who demonstrate that there is no USCG approved system that is commercially available and compatible for the Permittee's vessel by the scheduled date, the Permittee shall submit such documentation with the application for permit reissuance per Chapter 1 Section 2.9. Thereafter, the Permittee shall evaluate the availability of ballast water treatment systems on an annual basis and submit an annual report to the MPCA by February 28 of each year. The permit application and subsequent reports shall either state the ballast water treatment technology that will be installed on the vessel and the date that it will be installed or certify that no such ballast water management system has yet been approved that is commercially available and compatible for the Permittee's vessel, and the expected date of approval, if any. The person certifying shall be the same individual who signed the Ballast Water General Permit application form or an individual who meets the criteria in Minn. R. 7001.0060, and shall include the certification required by Minn. R. 7001.0070. In the interim, the Permittee shall comply with all other portions of this permit as applicable; and

b. Shall follow the sampling and analysis requirements contained in the VGP for treated ballast water discharges once a treatment system is installed and operational.

Ballast Water Record Book

1.8 The Permittee shall maintain a ballast water record book that meets all the requirements of Minn. Stat. Sec. 115.1705. If a Permittee uses electronic record keeping methods, those methods shall comply with applicable standards of the state and the National Institute of Standards and Technology governing reliability, integrity, identity authentication, and nonrepudiation of stored electronic data.

Ballast Water Reporting
Chapter 1. General Ballast Water Permit

1. General Ballast Water Discharge

1.9 At least 24 hours prior to arriving at a port in the Minnesota State waters of Lake Superior, the Permittee shall submit to the MPCA, either electronically (ballastwater@state.mn.us), by fax (218-723-4727), or by postal service to the MPCA-Duluth Office, 525 Lake Avenue South, Suite 400, Duluth, MN 55802, the current Ballast Water Reporting Form. If the voyage is less than 24 hours, the Permittee must report before departing the port or place of departure.

2. Total Vessel Requirements

   General Requirements

2.1 General Conditions. The Permittee is subject to the general conditions required by Minn. R. 7001.0150 and Minn. R. 7001.1090, which are incorporated by reference into this permit.

2.2 Severability. The provisions of this permit are severable and, if any provisions of this permit or the application of any provision of this permit to any circumstance are held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

2.3 Confidential Information. Except for data determined to be confidential according to Minn. Stat. Sec. 116.075, subd. 2, all reports required by this permit shall be available for public inspection. Effluent data shall not be considered confidential. To request the Agency maintain data as confidential, the Permittee must follow Minn. R. 7000.1300.

2.4 Submittal of Annual Reports. The Permittee shall submit the annual report, if required in Chapter 1 Section 1.7, to:

   Industrial Water Quality C&E
   MPCA- Duluth Office
   525 Lake Avenue South, Suite 400
   Duluth, MN 55802

2.5 Application for revised NOC. If information submitted to the MPCA to obtain the NOC changes, the Permittee shall submit updated information within 30 days of making the change.

2.6 Chemical Additives. The Permittee shall not discharge any chemical additives through a ballast water treatment system at levels that cause or contribute to an exceedance of state water quality standards in Minn. R. 7050.0150 and Minn. R. 7052.0100.

   The Permittee shall meet the discharge limits in the VGP for discharge water from ballast water treatment systems with the exception of Total Residual Oxidants, measured as Total Residual Chlorine (TRC). TRC shall be based on the Final Acute Value (FAV) found in Minn. R. 7050.0220, Subp. 3a(6) once a treatment system is installed and operational.

2.7 Revocation of Coverage. The MPCA may terminate coverage under this General Permit as provided in Minn. R. 7001.0210 if the MPCA finds that the operations, emissions, activities, or discharges from vessels of a Permittee covered by this General Permit would be more appropriately controlled by an individual permit.

2.8 Termination of Permit. The MPCA reserves the right to modify or revoke this General Permit. If the MPCA modifies this General Permit, the MPCA will require permittees who wish to continue coverage to submit an application acknowledging the modification and requesting continuation of coverage. If the General Permit is revoked, persons who wish to continue to discharge ballast water must apply for an individual permit as provided in Minn. R. 7001 unless a State permit is no longer required.
Chapter 1. General Ballast Water Permit

2. Total Vessel Requirements

2.9 Permit Reissuance. If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for reissuance at least 180 days before permit expiration. If the Permittee does not intend to continue the activities authorized by this permit after the expiration date of this permit, the Permittee shall notify the MPCA in writing at least 180 days before permit expiration.

If the Permittee has submitted a timely application for permit reissuance, the Permittee may continue to conduct the activities authorized by this permit, in compliance with the requirements of this permit, until the MPCA takes final action on the application, unless the MPCA determines any of the following (Minn. R. 7001.0040 and 7001.0160):

a. The Permittee is not in substantial compliance with the requirements of this permit, or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit;

b. The MPCA, as a result of an action or failure to act by the Permittee, has been unable to take final action on the application on or before the expiration date of the permit;

c. The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of deficiencies.

Definitions

2.10 The following terms are defined as set forth in this part:

1. The definitions set forth in Minn. Stat. Sec. 115.1701 are incorporated by reference;

2. Except as otherwise defined in Minn.Stat. Sec. 115.1701, the definitions in the VGP are as defined and are incorporated into this permit; and

3. "VGP" means the current version of the general permit issued by the U.S. Environmental Protection Agency governing discharges from vessels. It can be found at http://cfpub.epa.gov/npdes/vessels/vgpermit.cfm