

Appendix G: Ballast Water Management

Oregon Ballast Water Management 157

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Background

The discharge of ballast water, used to provide vessel stability, may introduce aquatic nuisance species into Oregon resulting in economic and environmental damage.

Highlights

The 2001 Oregon Legislature passed a ballast water management bill (Senate Bill 895), which:

- Prohibits discharge of ballast water into waters of the state, *except under specified conditions* (see below)
- Requires ballast water management reports at least 24 hours prior to entry into the state
- Established a task force to study and recommend to the 2003 Oregon Legislature methods and improvements to ballast water management. Dr. Mark Sytsma, Director of the Center for Lakes and Reservoirs, Portland State University, managed the task force. The 2003 legislature recreated the task force and requires a second report by October 1, 2004.

The bill recognized the international nature of the aquatic nuisance species problem, declared the state's support for international and federal programs, and declared the state's intent that its rules be coordinated with related rules and regulations adopted by Washington and California.

Specific conditions for ballast water discharge

A vessel may discharge ballast waters in the waters of the state:

- If the vessel has conducted an open ocean exchange; or
- If the vessel has conducted a coastal exchange. For vessels traveling to Oregon from a North American coastal port south of 40° N or north of 50°N, an exchange of ballast water at sea is required prior to reaching 40°N or 50°N, respectively. A distance off shore is not specified; or
- If the ballast water on a coastal voyage has been replaced in accordance with regional or federal guidelines that are equally or more protective than the methods provided above (added by the legislature in 2003); or
- If the vessel discharges ballast water that has been treated to remove organisms in a

manner that is approved by the United States Coast Guard (added by the legislature in 2003).

- Without performing an exchange, if the exchange would be unsafe or infeasible due to adverse weather, vessel design limitations or equipment failure.

Ballast water management reports

DEQ implemented reporting through the Merchants Exchange of Portland. Reports may be submitted on International Maritime Organization or United States Coast Guard forms as part of the standard advance notice of arrival.

Ballast water management rules

Rules implementing SB 895 are located at http://arcweb.sos.state.or.us/rules/OARS_300/OAR_340/340_143.html.

Federal and other state programs

Federal rules require ballast water management reports from vessels entering the United States from overseas. Ballast water management prior to discharge is currently voluntary on the West Coast, but the USCG has proposed making it mandatory for vessels entering United States from overseas. Washington and California have programs similar to Oregon's. California will develop a regulation by January 1, 2005 governing ballast water management practices for vessels arriving in California from other West Coast ports.

For more information please contact:

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