

Oregon Ballast Water Management

Background

The discharge of ballast water, an incidental operation often necessary for vessel stability and safety, can be a pathway for transporting aquatic species into habitats outside their native range. This can result in the introduction and subsequent proliferation of invasive species, a form of biological pollution that poses significant economic and environmental risks.

In response to these threats posed by the shipping transport of aquatic non-indigenous species, the 2001 Oregon Legislature established the Oregon Ballast Water Program (Oregon Revised Statute 783.620-992). The Legislature subsequently modified the program several times since 2003 and DEQ oversees the program under Oregon Administrative Rule 340-143.

Program overview

- DEQ strives for coordination and consistency among international, federal and state ballast water regulations along the West Coast so that regulations satisfactorily protect Oregon natural resources.
- Oregon's ballast water management legislation prohibits discharge of ballast water into state waters, *except under specified conditions* (see next section). These regulations apply to all commercial vessels greater than 300 gross tons that are equipped with ballast water tanks.
- Oregon requires that vessels submit ballast water management reporting forms to DEQ at least 24 hours before entering state waters.
- Ship owners must develop a vessel-specific Ballast Water Management Plan and maintain a shipboard ballast water handling log that may be reviewed as part of compliance verification inspections.
- Violations of the state ballast management regulations or failure to meet the reporting or recordkeeping requirements may be subject to fines up to \$25,000 per day of violation and/or civil penalties.
- An \$88 per-arrival fee assessed on regulated commercial vessels transiting Oregon waters, along with state General Fund support, contribute to a 50/50 cost share partnership in support of invasive species prevention efforts at DEQ.

Ballast management requirements for discharge to Oregon waters

Under Oregon law, a vessel may discharge ballast waters into waters of the state if:

- The vessel conducts an *open ocean exchange* (at least 200 nautical miles from shore and in waters at least 2,000 meters deep); or
- The discharged ballast was solely sourced within '*common waters*' of the state, identified as the West Coast region of North America between 40° N and 50°N; or
- A *coastal exchange* of ballast water takes place (at least 50 nautical miles from shore and in waters at least 200 meters deep) for coastwise voyages with ballast water solely sourced from the Pacific Coast region south of 40° N or north of 50°N; or
- The discharged ballast underwent *treatment* in a manner authorized by Oregon Administrative Rule 340-143-0050; or
- Conditions are such that conducting an exchange would be unsafe or infeasible due to adverse weather, vessel design limitations or equipment failure. In these instances, the vessel must clearly declare a *safety exemption* on its ballast water reporting form and may be subject to operational delays and/or alternative management requirements following DEQ review.
- Vessels relying on shipboard treatment systems approved by U.S. Coast Guard *must conduct an oceanic ballast water exchange – prior to treatment - if ballast water salinity is less than or equal to 18 parts per thousand* (or when the vessel operator is unable to verify ballast salinity). Under these circumstances, vessels must conduct an exchange (or flush of empty tanks) resulting in ballast salinity of equal to or greater than 30 parts per thousand.

Ballast water management reporting

In addition to federal requirements for submitting forms to the National Ballast Information Clearinghouse, vessels must also submit a copy of OMB Form Control No. 1625-0069 to DEQ at least 24 hours before arriving in state waters. Reports may be submitted as email attachments (.pdf or .xml formats only) to ballast.water@deq.state.or.us. In the event a vessel's actual ballast practices differ from those projected on the report, an amended report must be submitted to DEQ before the vessel's departure.

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Alternative formats

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us

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