

Oregon Ballast Water Management

Background

The discharge of ballast water, an incidental operation often necessary for vessel stability and safety, is widely recognized as a pathway for transporting aquatic species into habitats outside their native range. This can result in the introduction and subsequent proliferation of invasive species in Oregon waters, a form of biological pollution that poses significant risks to native ecosystems and human economies.

In recognition of the potential economic and ecological threats from aquatic non-indigenous species, the 2001 Oregon Legislature established the Oregon Ballast Water Program (ORS 783.620-992). The Legislature subsequently modified the program in 2003 (House Bill 3620), 2005 (HB 2170), 2007 (SB 643) and 2009 (HB 2625 and 2714).

Program overview

- Oregon's ballast water management legislation prohibits discharge of ballast water into state waters, *except under specified conditions* (see next column). These regulations apply to all commercial vessels greater than 300 gross tons that are equipped with ballast water tanks.
- The program 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.
- The state requires that vessels submit ballast water management reporting forms to DEQ at least 24 hours prior to entry into state waters. (Note: Reporting forms submitted solely to the National Ballast Information Clearinghouse do not satisfy Oregon's reporting requirements.)
- Violations of the state ballast management regulations or failure to meet the reporting requirements may be subject to fines and/or civil penalties. As of January 2010, maximum fines per day of violation are \$25,000.
- In 2007, the Legislature created the Shipping Transport of Aquatic Invasive Species Task Force, which will study program effectiveness and make recommendations for future amendments to ballast management regulations.

Specific conditions permitting ballast water discharge

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

- The vessel has conducted an open ocean exchange (at least 200 nautical miles (nm) from shore and in waters at least 2,000 meters deep); or
- A coastal exchange of ballast water has been performed (at least 50 nm from shore and in waters at least 200 meters deep) for vessels on coastal voyages traveling to Oregon from a North American coastal port south of 40° N or north of 50°N; 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
- The discharged ballast was treated using a U.S. Coast Guard certified ballast management system and meets state water quality standards; 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 declare a safety exemption on its ballast water reporting form.

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 (.doc, .pdf, .xfdf, .xls, .tiff, or .jpg formats only) to ballast.water@deq.state.or.us or marine.room@pdxmex.com or via fax (503-229-6954). In the event a vessel's actual ballast practices differ from those projected on the report, an amended report must be submitted to DEQ prior to the vessel's departure.

For more information

Contact Rian Hooff, DEQ Ballast Water Program Manager, Portland, by phone at (503) 229-6865 or toll-free in Oregon at 1-800-452-4011, x6865; by e-mail at hooff.rian@deq.state.or.us; or visit the program's Web page at: www.deq.state.or.us/lq/cu/emergency/ballast.htm.



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Alternative formats of this document can be made available. Contact DEQ's Office of Communications and Outreach, Portland, at (503) 229-5696 or toll-free in Oregon at 1-800-452-4011, ext. 5696.

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