

Oregon Ballast Water Management



State of Oregon
Department of
Environmental
Quality

Land Quality Division
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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 in Oregon waters, a form of biological pollution that poses significant risks to native ecosystems and human economies.

Because of potential economic and ecological threats from 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.

Program overview

- Oregon's ballast water management legislation prohibits discharge of ballast water into state waters, *except under specified conditions* (see below). 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.
- 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.
- Violations of the state ballast management regulations or failure to meet the reporting requirements may be subject to fines up to \$25,000 per day of violation and/or civil penalties.
- Beginning January 2012, a \$70 per arrival fee is assessed on regulated commercial vessels passing through Oregon waters. Revenue generated from the fees, along with state General Fund support, contribute to a 50/50 cost share partnership in support of invasive species prevention efforts at DEQ regarding commercial shipping activities.

Specific conditions permitting ballast water discharge

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 tanks that originated from the Pacific Coastal Region south of 40° N or north of 50°N; or
- The discharged ballast was treated 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.

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, .xpdf, .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 before the vessel's departure.

For more information

Contact Rian Hooff at 503-229-6865 or 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.

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.