

U.S. Environmental Protection Agency
2011 Proposed Issuance of
National Pollutant Discharge Elimination System
(NPDES) Vessel General Permit (VGP) for
Discharges Incidental to the Normal Operation of
Vessels
Draft Fact Sheet

Agency: Environmental Protection Agency (EPA)
Action: Notice of NPDES General Permit

unlike with larger cruise ships, many medium cruise ships may not be able to immediately achieve these treatment standards without installation of equipment that could require a major overhaul of the vessel. This type of vessel repair or conversion could be extensive, require dry-docking, and in some cases, re-design of major structural components of the vessel. For these reasons, EPA determines that it is not economically practicable or achievable to require all existing medium cruise ships which are unable to travel outside 3 nm to meet the requirements of Part 5.2.1.1.1 at this time. However, EPA notes that it may yet become economically achievable to include this requirement for all medium cruise ships in future iterations of this permit and owner/operators are so advised should they upgrade existing graywater vessel treatment capacity. For additional information on economic achievability and BAT, please see the economic analysis for this permit.

7.3 LARGE FERRIES (PART 5.3)

Ferries are vessels for hire that are designed to carry passengers and/or vehicles between two ports, usually in inland, coastal, or nearshore waters. They usually travel the same route several times a day and do not provide overnight accommodations to their passengers. They have discharges unique to their industry because of the potentially high volume of both pedestrian and vehicular traffic that they carry, usually on inland or coastal waters. These waters usually carry a relatively high volume of vessel traffic and also can contain highly valuable and ecologically sensitive mating and nesting grounds for birds, fish, and mammals. The permit provisions apply to large ferries. For purposes of the permit, large ferries are those ferries authorized to carry a) more than 100 tons of cars, trucks, trains, or other land-based transportation or b) 250 or more people.

EPA could not find a preexisting definition of large ferry. Hence, the Agency reviewed the number of ferries captured at different weight thresholds using data including all steel hulled, self-propelled vessels classified by the WTLUS/VESDOC as Passenger Vessels, Combination Passenger/Cargo ships, and by Ferries Data DOC as Passenger Vessels, Combination Passenger/Cargo ships, and Ferries. EPA considered the relative increase in the discharge of pollutants, particularly those pollutants generated from land-based transportation on board vessels, as ferry size increased when establishing this threshold. For this permit, EPA has stated that a “Large Ferry” means a “ferry” that: a) has a capacity greater than or equal to 100 tons of cargo, e.g., for cars, trucks, trains, or other land-based transportation or b) is authorized by the Coast Guard to carry 250 or more people.

In order to minimize the harmful effects of discharges from large ferries, this permit imposes specific requirements with respect to the potential spills, drips, and leaks associated with carrying of vehicles. These requirements include treatment of runoff from below deck (e.g. areas not exposed to the elements) parking and storage areas with an oily water separator or other similar device, and require that this discharge not be released into waters listed in Part 12.1. In addition, pursuant to CWA sections 402(a)(2), and 40 CFR 122.43(a), and other implementing regulations, the permit sets out requirements for all large ferries with respect to educating the crew and passengers about environmental procedures. It is the crew that will implement the environmental requirements found in the permit, and because of that, they must be taught what to do, how to do it, and why they are doing it. Large ferry owner/operators also are required to educate passengers on their potential environmental impacts and how those can be mitigated.

This education must address eliminating the discharge of trash into any waste stream, minimizing the production of trash from parking areas and storage areas, eliminating the addition of unused soaps, detergents and pharmaceuticals to the graywater or blackwater systems, and minimizing the production of graywater. There are many ways that a ferry operator can accomplish passenger education, including posted signage, distribution of informational materials, incorporating environmental material in orientation presentations, and broadcasting environmental information over loudspeakers or the public address system.

Some of these education requirements included in the permit are based in part on industry literature created by the industry trade group CLIA. EPA anticipates that educating crew and passengers on cruise ships is similar to educating the crew and passengers of large ferries. The educational requirements in the permit are already being employed by many cruise ship owner/operators in the industry.

For those large ferries which are authorized by the Coast Guard to carry 250 or more people, the permit also requires use of shoreside graywater reception facilities if they are reasonably available. If not available, such large ferries are required to hold their graywater while in port if the vessel has the holding capacity and to discharge the effluent while the vessel is underway under the operational conditions set out in section 5.3.1.2 of the permit.

The technologies upon which the permit's graywater requirements are based are technologically available and economically practicable and achievable. These requirements are intended to reduce the volume of graywater discharged while large ferries are pierside so as to reduce the discharge of chemicals, nutrients, and pathogens into marinas and ports, which can be located in ecologically sensitive estuaries, and where large numbers of vessels may be discharging in close proximity. The cumulative impact of numerous graywater discharges in port may be significant. In addition, these requirements will help reduce potential impacts if graywater needs to be discharged while underway by setting out operational limits on such discharges, as further explained in the Fact Sheet discussions for graywater from cruise ships.

Unlike the 2008 VGP, this permit does not authorize the discharge of coal ash slurry from coal fired propulsion systems from ferries. The previous VGP suspended the authorization for these discharges in December 2012. Either coal ash discharges must cease into waters subject to this permit or they must be authorized under an individual NPDES permit.

7.4 BARGES (INCLUDING HOPPER BARGES, CHEMICAL BARGES, FUEL BARGES, CRANE BARGES, DRY BULK CARGO BARGES) (PART 5.4)

Barges are large flat-bottomed boats typically used to move cargo in inland waterways. Barges are usually not powered vessels, but are instead pushed or pulled by tugboats. Due to the way they carry cargo, the permit imposes additional measures in order to prevent and minimize the discharge of pollutants from barges. Specifically, the permit requires additional measures to prevent the contamination of condensation with oily or toxic materials. Based on information provided in comments received in response to the June 21, 2007 Federal Register notice, it is a technologically available and economically achievable and practicable practice for barge owner/operators to prevent the contamination of condensation. This permit also prohibits any