

Oregon Ballast Water Program

*PACIFIC BALLAST WATER GROUP MEETING
APRIL 2019
VALLEJO, CA*



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Oregon Ballast Water Program



- Regulations established in 2001
 - Significant amendments in 2005, 2009 & 2011
- Program funding:
 - Initial funding level of 1.0 FTE (2007) was increased to 1.5 FTE following implementation of new fee in 2012.
 - Supported by 50/50 cost share between fee revenue and GF allocation.
- Program activities include;
 - Monitoring of vessel arrivals and pre-arrival reporting compliance
 - Outreach & technical support
 - Vessel inspections & compliance verification sampling
 - Enforcement actions
 - Policy development & stakeholder engagement
- Program development guided by the Oregon Task Force on Shipping Transport of AIS

Oregon Ballast Water Program

Statutory Requirements (ORS 783.620 -640; 783.990-992)

- Regulated Vessels:
 - > 300 gross tons equipped with ballast tanks.
- Reporting of Ballast Management:
 - at least 24 hours prior to entering waters of the state.
- Management requirements for discharged ballast:
 - Mid-Ocean Exchange (tanks sourced from ports outside EEZ), or
 - Coastal Ocean Exchange (tanks sourced from PCR ports), or
 - USCG approved treatment.
- Exemptions
 - Common Waters (40°N – 50°N of NE Pacific coastal zone)
 - Vessel or Crew Safety
- Penalty Issuance Authority
 - Civil and Criminal: up to \$25,000 penalty per violation



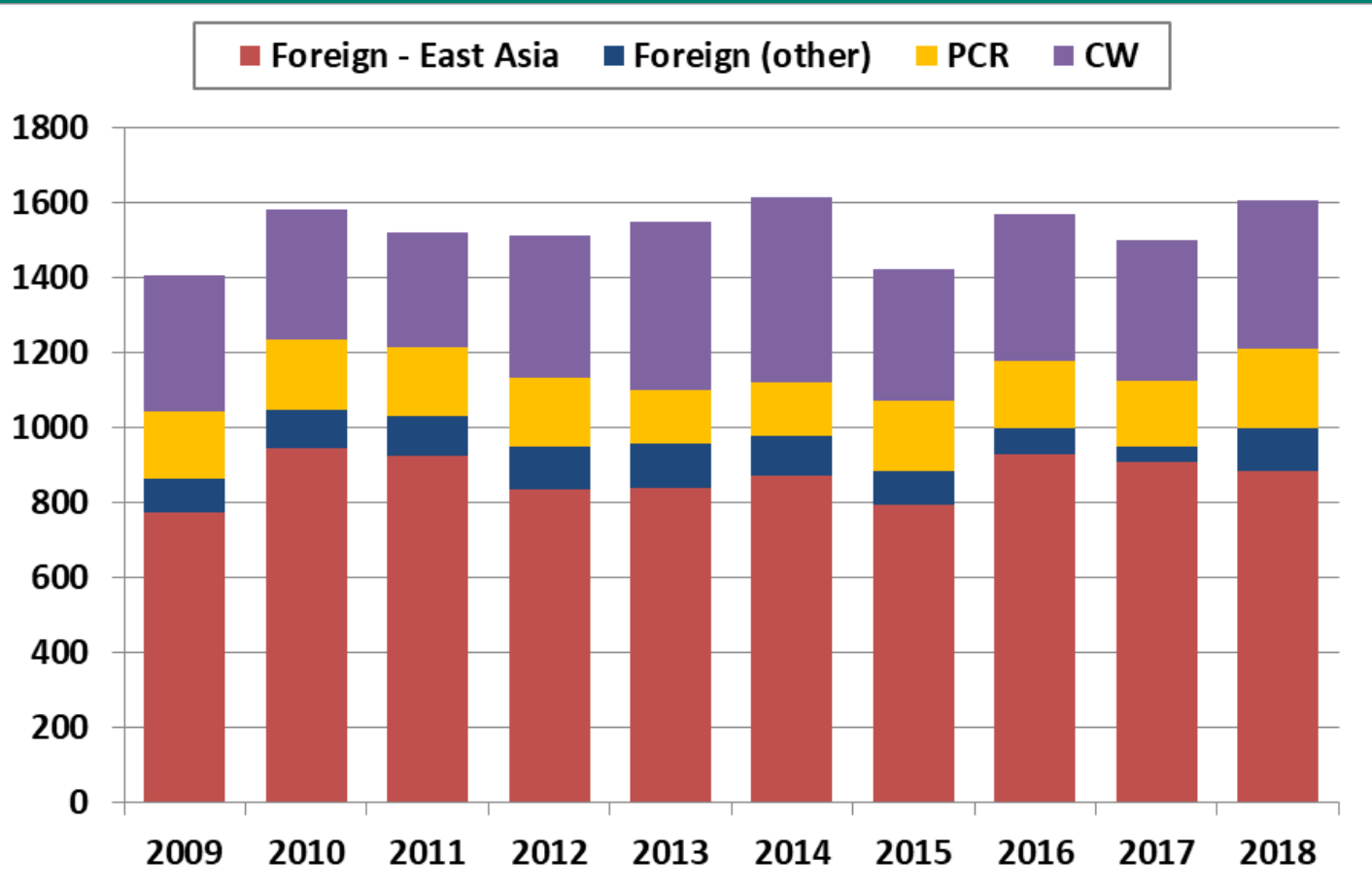
Vessel Arrival Trends

(Qualifying Voyages per year: 2009-2018)

2018:

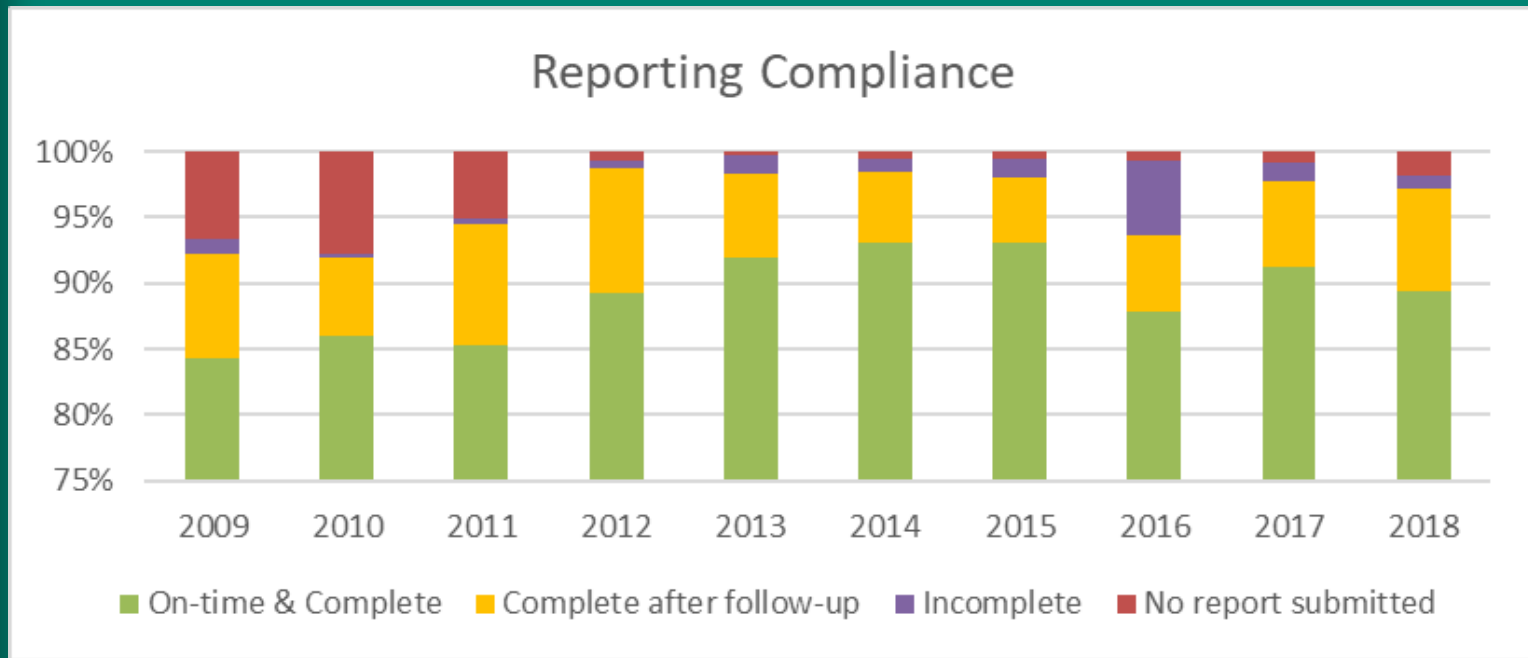
62% arrivals
from foreign
ports;
13% from
Pacific
Coastal Zone;
25% from
common
waters zone

97% Col. R.
3% Coos Bay



BW Reporting Compliance: 2009-2018

*Reports filed
for 98% of
arrivals in
2018*

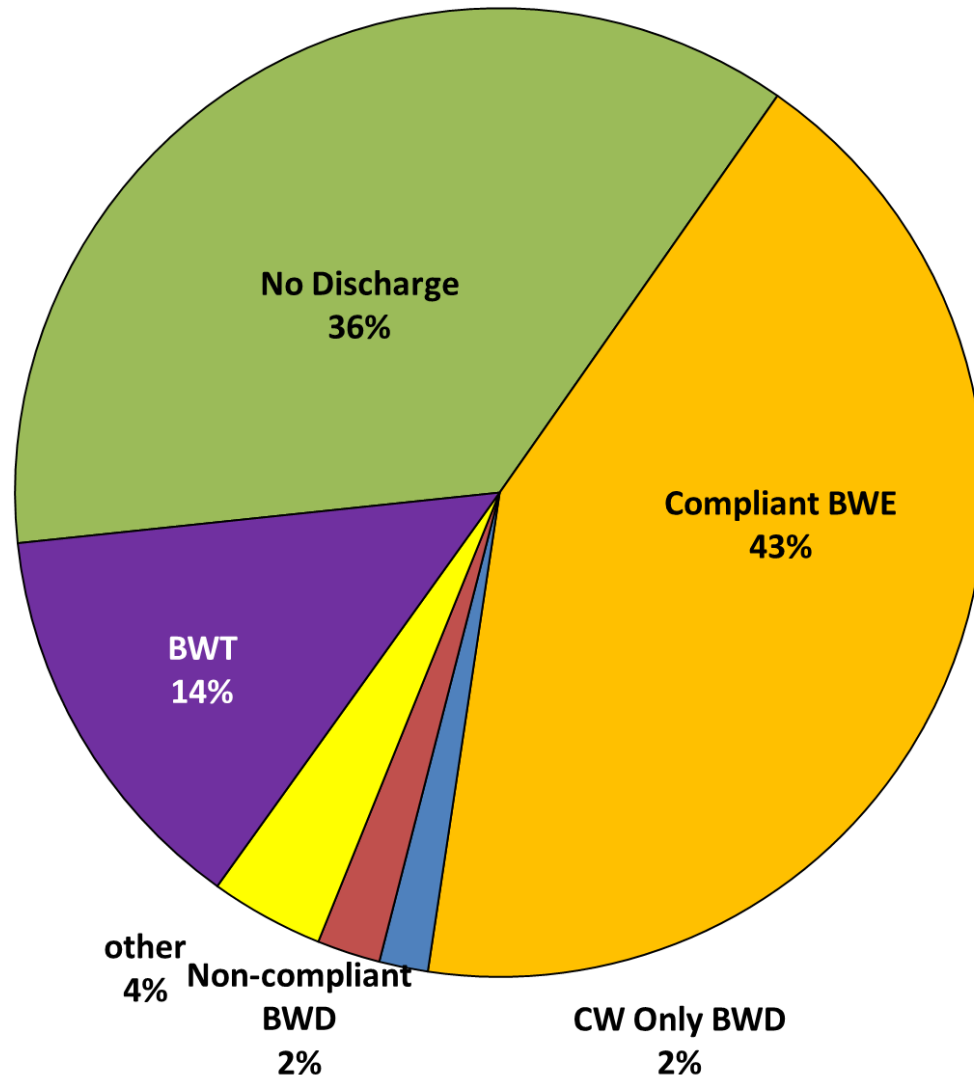


BWM Behavior (per arrival)

(2018: $n = 1660$)

65% of Oregon arrivals discharge ballast in state waters

Between 2017 and 2018, arrivals using treatment increased by 7%.

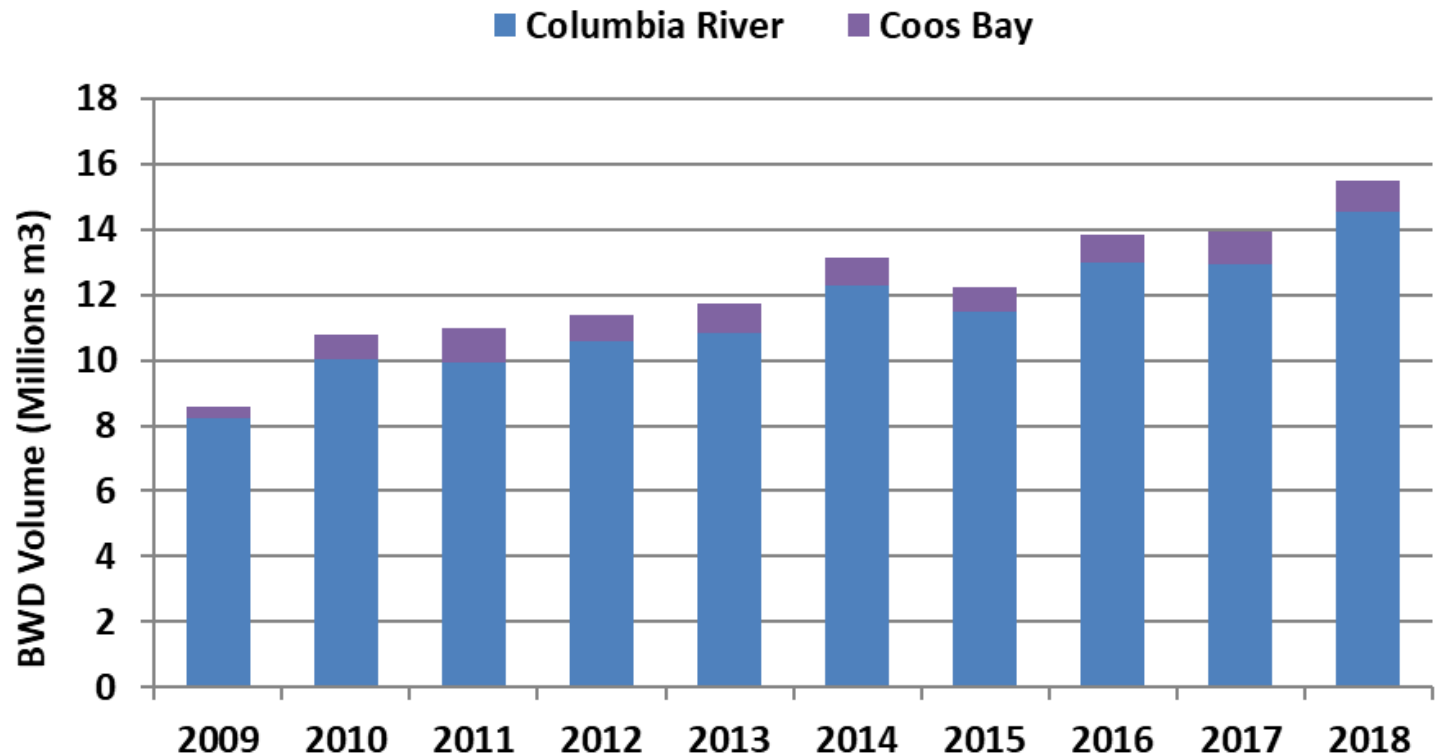


Ballast Water Discharge Trends

(Total Volume: 2009-2018)

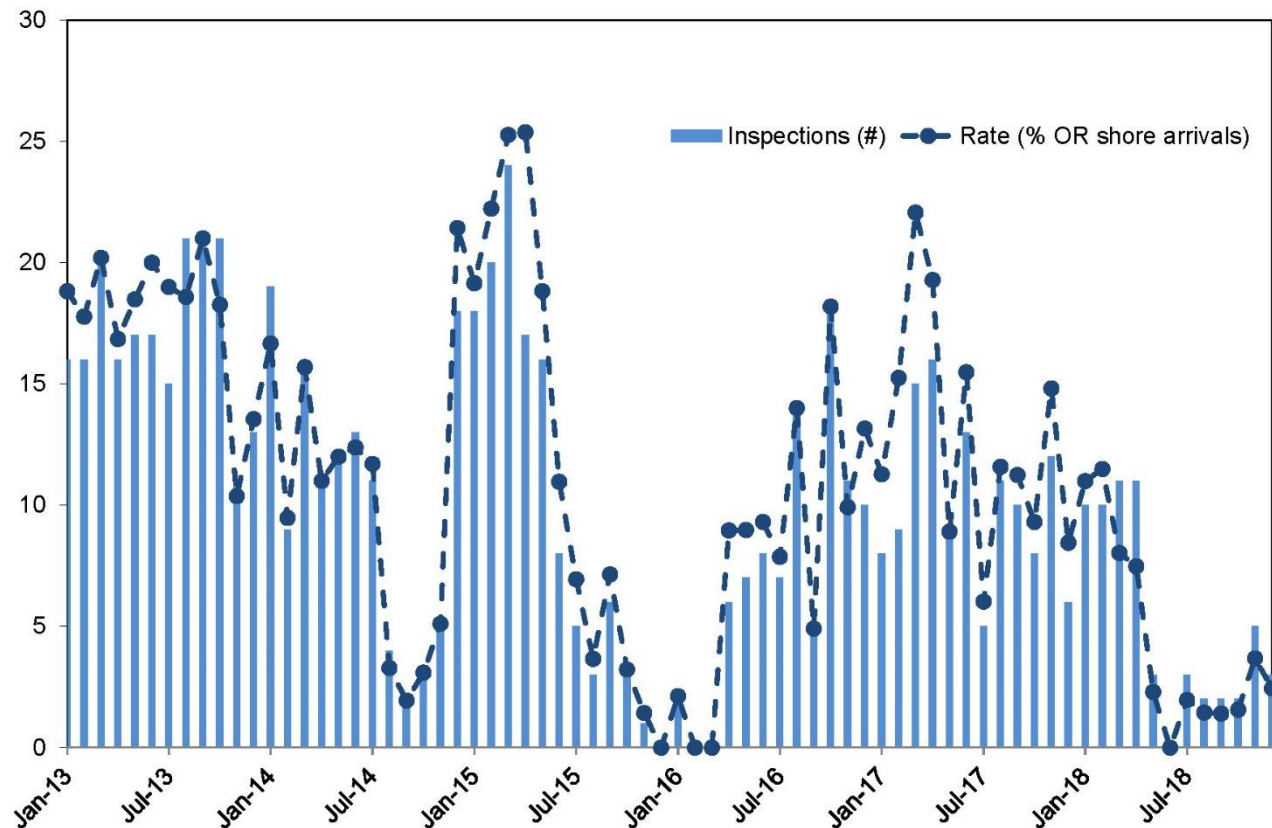
**14.6 Million m³
discharged to
Oregon waters
in 2013**

*About 39% of
CR discharge
occurs at OR
side facilities
over the last 5
years*



Inspection Activities: 2013-2018

*Average
Monthly
Boarding Rate:*
2013: 18%
2014: 10%
2015: 12%
2016: 8%
2017: 13%
2018: 4%



Vessel Inspections & Compliance Verification

Vessel Boarding

1. Outreach & Technical Service



2. Audit of Shipboard Records



3. Compliance Verification via Sampling of Ballast water salinity



4. Assist with Corrective Action

2018:

72 Inspections

Fully Compliant - 71%

Reporting Problems - 15%

Recordkeeping Problems - 12%

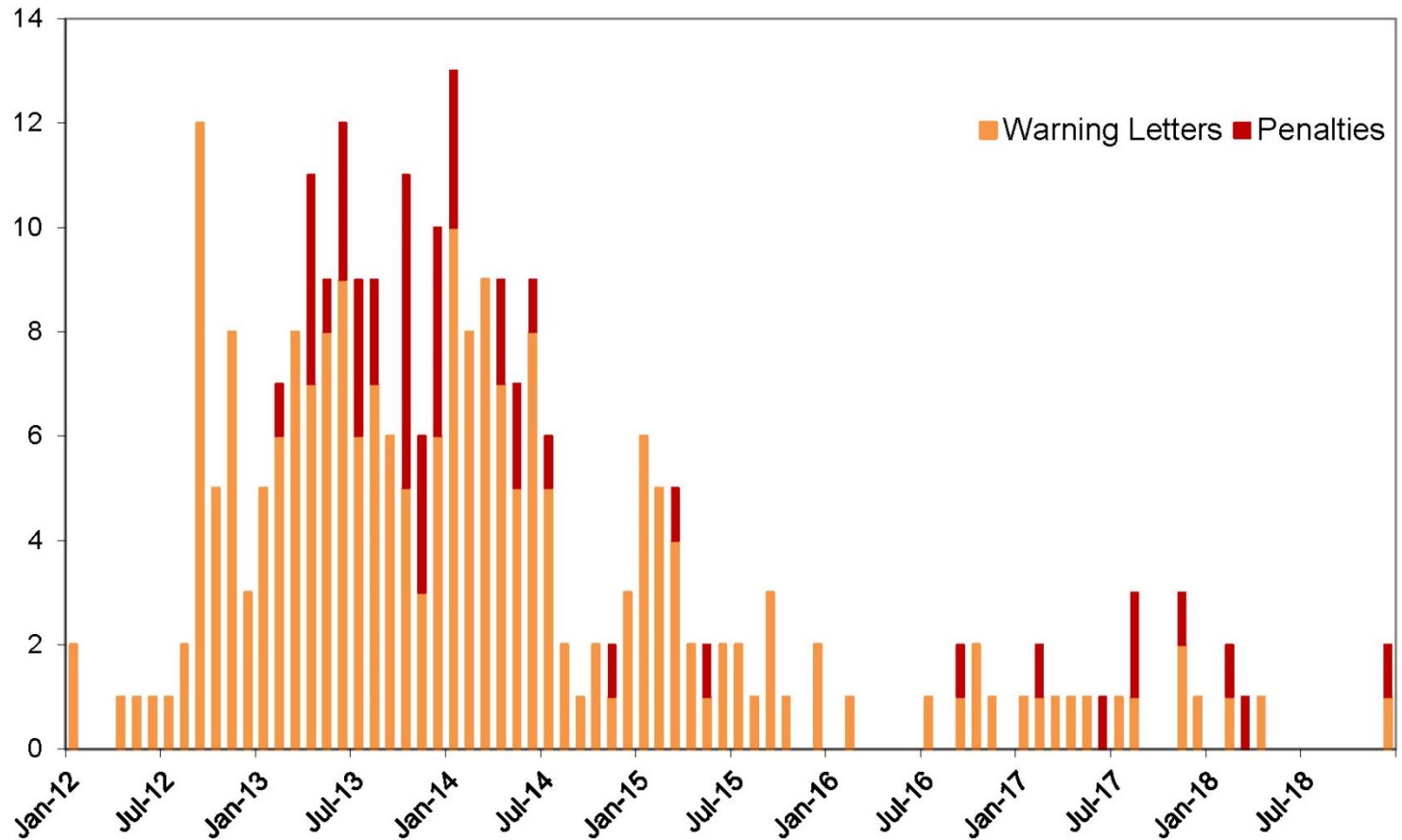
0 inspections revealed noncompliant BW discharges



Enforcement Actions

(number per month, 2012-2018)

*Enforcement
Guidance
Policies
initiated
beginning
January 2013*



Enforcement Actions - 2018

<u>Enforcement Action</u>	<u># issued (2018)</u>	<u>Penalty Amount (total)</u>
<i>Warning Letters</i>	3	N/A
<i>Expedited Enforcement Offers (Field Ticket)</i>	3	\$12,000
<i>Formal Enforcement Action</i>	0	0

- Enforcement actions reflect 2018 staffing levels.
- With 1.5 FTE in 2019, we expect to issue more enforcement actions

Penalty Administrative Rule Changes

(effective January 2014)

- Violation classifications (340-012-0083)
- Base Penalty Determination (340-12-0140)
- Enforcement Guidance Policies last updated 2014

BWM Violations	Prior FEA*	New FEA*	Prior EEO	New EEO
<u>Class I</u> - Non-compliant discharge; - Failing to report; - Failure to follow BWMP or maintain BW handling log.	\$625 - \$2,500	\$ 3,000 - \$12,000	\$500	\$2,400
<u>Class II</u> - Late reporting; - Failure to maintain BW handling log.	\$300 - \$1,200	\$1,500 - \$6,000	\$250	\$1,200

Oregon Ballast Water Management Program

*Questions or
Comments?*



Photo credit: B. Bjorndal

[Program Webpage](#)

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