

## Coast Guard Announces New Ballast Water Regime



MARCH 19, 2012

Two and one-half years after publication of its notice of proposed rulemaking in August 2009, this week the Coast Guard is publishing its [final rule](#) establishing a new ballast water regime. The final rule is scheduled for publication in the federal register on Friday March 23, 2012. The Coast Guard rule is fundamentally consistent with the recent proposed update of the Vessel General Permit by the Environmental Protection Agency. Both agencies have concluded that a new standard for the allowable concentrations of living organisms is technologically achievable and practical. This is the standard based on that established by the International Maritime Organization in 2004. Importantly, the Coast Guard has postponed the compliance date to December 1, 2013 to conform to the EPA's new VGP requirement and to afford vessel owners additional time to comply. For now, the Coast Guard deferred its proposal for a phase-two standard pending further study. The agency also revised its original proposal of the scope of application to vessels and primarily targeted larger vessels with ballast tanks operating outside the Exclusive Economic Zone of the United States, i.e. larger seagoing vessels.

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