

## **SUPPORT S. 373** **Vessel Incidental Discharge Act (VIDA)**

### **OBJECTIVE**

For House and Senate conferees to the FY'17 defense authorizations legislation to retain the House-passed provisions that would eliminate the conflicting vessel incidental discharge regulations that impede the operation of commercial vessels.

### **BACKGROUND**

The Vessel Incidental Discharge Act (VIDA) is bipartisan legislation that provides much-needed regulatory certainty for vessel owners and mariners. Introduced at the beginning of the 114<sup>th</sup> Congress, S. 373 has been approved three times by the Senate Committee on Commerce, Science and Transportation over the course of 2015 and 2016. The legislation would eliminate an overlapping patchwork of federal and state regulations that has made compliance confusing and costly for vessel owners and mariners and which has impeded new investments in environmentally protective ballast water treatment technologies.

H.R. 4909, the House-passed version of the National Defense Authorization Act of 2016, includes a ballast water provision similar to S. 373.

- S. 373 would bring uniformity and certainty to our nations boat owners, fisherman, and other commercial vessel operators. Nationally uniform, environmentally sound, and technologically achievable standards are needed to simplify the highly complicated and overly burdensome patchwork of state and Federal regulations that are in place today.
- Deck runoff due to sea spray or precipitation, fish hold water, pollutants associated with the operation of vessel propulsion systems, and fluids from refrigeration or air conditioning systems are all examples of discharges incidental to the operation of a vessel. Vessel discharge DOES NOT include trash or sewage which are regulated under separate provisions of the law.
- Various actions taken by Congress, the Environmental Protection Agency, and the U.S. Coast Guard have created an unworkable set of regulations that govern incidental vessel discharge and ballast water. Federal and state regulations are inconsistent, and in some cases scientifically and technologically impossible to meet.

## **WHAT DOES VIDA ACOMPLISH:**

The vessel incidental discharge legislation will:

- create a uniform, enforceable, and scientifically-based national standard on ballast water discharges;
- establish standards for other types of incidental vessel discharge;
- provide a **permanent** exemption on incidental vessel discharge for commercial vessels under 79 feet in length, currently only exempt through December 2017; and
- require the U.S. Coast Guard to establish standards for other types of incidental vessel discharge, and to issue more stringent, but achievable, standards by 2022.

There is currently an effort underway to persuade conferees to the defense authorizations legislation to accept provisions consistent with Title XXXVI of H.R. 4909. Support for VIDA and for this effort is widespread throughout the maritime industry – U.S. and international vessel owners and operators; fishing vessel, passenger vessel and charterboat operators; labor unions; the Navy League of the United States; marine terminals and port authorities – as well as national business organizations and industries that rely on commercial vessels to transport essential cargoes.

We urge Congress to support and enact the vessel incidental discharge provisions contained in HR 4909.

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