Lake Carriers' Association

The Greatest Ships on the Great Lakes

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Ohio EPA-DSW
Permits Processing Unit
P.O. Box 1049
Columbus, OH 43126-1049

Dear Sir or Madam:

Subject: Statewide Grant of Section 401 Water Quality Certification (U.S. EPA Vessel General Permit for Discharges Incidental to the Normal Operation of Commercial Vessels and Large Recreational Vessels)

Lake Carriers' Association ("LCA") represents 17 American companies that operate 57 U.S.-flag vessels ("lakers") on the Great Lakes and carry the raw materials that drive the nation's economy. Those include iron ore and fluxstone for steel production, aggregate and cement for construction, coal for power generation, as well as salt, sand and grain. Collectively, our members can move more than 115 million tons of cargo per year. They employ more than 1,600 men and women, all U.S citizens or legally admitted aliens, and provide annual wages and benefits of approximately $125 million. In turn the cargos our members carry generate and sustain more than 103,000 jobs in the United States and have an economic impact of more than $20 billion.

We have strong ties to Ohio. LCA has been headquartered in the "Buckeye State" since 1880. Two of our members are based in Ohio: The Interlake Steamship Company in Middleburg Heights and Grand River Navigation Company in Avon. Between them they operate 17 vessels that represent 30 percent of U.S.-flag carrying capacity on the Lakes and employ more than 540 men and women. Interlake will celebrate its 100th birthday next year.

Great Lakes Shipping is Ohio's Raw Materials Lifeline

Ohio has nine deep-draft ports on Lake Erie and in a strong economy they can ship and receive more than 50 million tons of cargo. (See Attachment A.) With Ohio being the second-largest steel-producing state in the nation, it follows that iron ore is the largest single commodity delivered to its ports, almost 18 million tons in 2007. Other leading commodities received include limestone and cement. Ohio is a major shipper of coal and Cleveland and Harbor Fairport are the hub of the domestic salt trade.

A recent study, The Economic Impacts of the Great Lakes-St. Lawrence Seaway System by Martin Associates determined that Great Lakes shipping supports more than 28,000 jobs in Ohio. Cargos carried in U.S.-flag lakers sustain more than 23,000 of those paychecks.

Concur that IMO Treatment Standards Not "Practical and Possible" at this Time for Lakers

Ohio's draft Section 401 Water Quality Certification states that "Ohio EPA believes that there are reasons to treat existing vessels that operate exclusively within the Great Lakes differently than those that operate outside the Lakes. The effluent flow of ballast water are larger than ocean-going vessels, are discharged more rapidly than the ballast water of oceangoing vessels, and space for treatment equipment is limited on existing Lake vessels. These factors affect the practicability of treatment. Ohio EPA believes that IMO treatment standards are not 'practical and possible' at this time for existing vessels operating exclusively within the Great Lakes, as defined in the VGP.

LCA fully agrees with this conclusion. So do both Federal agencies that have jurisdiction over ballast water discharges – the U.S. Coast Guard and U.S. EPA. In addition, the states of Wisconsin, New York, Indiana, Pennsylvania and Michigan have likewise determined that there presently are no ballast water management systems that can be installed and operate satisfactorily on lakers.

We also believe no systems that can accommodate lakers' flowrates and large volumes of often frigid water will be available during the term of this permit.

This does not mean our vessels will not take steps to limit the potential for their ballast to spread aquatic nuisances species ("ANS") introduced to the Lakes by the ballast onboard oceangoing vessels. Our members will continue to employ several Best Management Practices, just as they did before there was any such requirement. Our first efforts to address ANS date back to 1993. Our members continue to research other voluntary measures that might be implementable on their vessels.

Lakers and the Next Certification of this Permit

Ohio's draft Section 401 certification also states "The Director will evaluate treatment standards equivalent to IMO or more restrictive standards for all vessels covered by the Federal General Permit (including both oceangoing vessels and vessels that operate only in the Great Lakes) when he issues the next certification of this permit. The decision to require IMO or more restrictive treatment standards will be based on treatment system availability and costs, and other considerations required by law."

As stated before, there are no ballast water management systems that can accommodate lakers' operational requirements. Nor do we expect any will be available during the term of VGP2. But technology will continue to advance and the day may come when a system will be available that can handle 16 million gallons of frigid ballast at 80,000 gallons per minute. When and if that day arrives, any decision to require lakers to treat ballast must take into consideration these important factors:

- U.S.-flag lakers never leave the system, so have never and will never introduce an ANS. Most never sail any farther east than Conneaut, Ohio. A few deliver cargo to Erie, Pennsylvania and Buffalo, New York. There is the occasional voyage into Lake Ontario (mostly to load cement in Bath, and as the vessel is loading, it is pumping out ballast, not taking on ballast), but the vast majority of voyages are conducted between Duluth-Superior and Conneaut, Ohio.

- Once an ANS has taken root, it can and will migrate independent of commercial navigation. The ruffe is a case in point. Since its discovery in the port of Duluth/Superior in the late 1980s, it has been migrating along the southern shore of Lake Superior at the rate of about 25 miles per year. Once it reaches the St. Marys River, the rest of the Great Lakes lies before them. Installing ballast water management systems on lakers could at best slow what appears to be an inevitable expansion of the ruffe's range.

- Lakers' ballast is but one of many means of spreading ANS. The U.S. Geological Survey has identified 64 and ballast is but one. (See Attachment B.)

For all these reasons we must question the value of treating lakers should the day come that systems are available.

Conclusion

Lake Carriers' Association has been actively engaged in efforts to find solutions to what is a world-wide problem - ballast water transport and non-indigenous species. We could list several initiatives, but in closing we commend Ohio EPA for taking a reasoned approach to Ohio's Section 401 certification. There are no treatment systems that can be installed on lakers today or likely during the term of the next Vessel General Permit. Our members will continue to employ Best Management Practices to lessen the potential that their ballast operations spread an ANS introduced by an oceangoing vessel. Our members share Ohio EPA's desire to protect Ohio's Lake Erie waters and have always operated their vessels with that goal in mind.

Sincerely,

James H. I. Weakley
President

Cc: LCA Board
Bruce Bowie, Canadian Shipowners Association

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Attachment A

2007 WATERBORNE COMMERCE THROUGH OHIO'S LAKE ERIE PORTS

PORT	PORT TOTAL	CARGO	TONS
TOLEDO	**12,468,000**	Iron Ore	4,981,000
		Coal	3,388,000
		Grain	1,342,000
		Limestone	803,000
		Liquid Bulk	597,000
		Cement	69,000
		Other	1,288,000
KELLYS ISLAND*	**1,047,000**	Limestone	1,047,000
SANDUSKY	**3,870,000**	Coal	3,870,000
MARBLEHEAD	**4,010,000**	Limestone	4,010,000
HURON	**1,126,000**	Limestone	494,000
		Iron Ore	632,000
LORAIN	**2,996,000**	Iron Ore	1,721,000
		Limestone	888,000
		Other	387,000
CLEVELAND	**12,793,000**	Iron Ore	5,403,000
		Limestone	4,557,000
		Cement	805,000
		Salt	1,043,000
		Other	985,000
FAIRPORT HARBOR	**2,077,000**	Limestone	1,672,000
		Other	405,000
ASHTABULA	**5,580,000**	Coal	2,827,000
		Iron Ore	1,965,000
		Limestone	439,000
		Other	349,000
CONNEAUT	**5,009,000**	Iron Ore	2,972,000
		Coal	1,196,000
		Limestone	616,000
		Other	225,000
TOTAL	**50,976,000**		

* Kelly's Island ceased quarrying in 2009.
Source: Waterborne Commerce of the United State-Part III, Great Lakes

MAJOR IMPACTS OF WATERBORNE COMMERCE THROUGH OHIO'S LAKE ERIE PORTS

- Total commerce equals almost 5 tons for each resident of Ohio.
- 17.7 million tons of iron ore will make enough steel to manufacture 14.8 million automobiles. That many vehicles represent 25,000 days of production at a typical auto plant.
- 14.5 million tons of limestone represents the aggregate needed to build 36,000 homes or 170 miles of highway.
- 11.3 million tons of coal represents 29 percent of all shipped on the Great Lakes in 2007.

Attachment B

Vectors for Introduction and Spread of Non-Indigenous Species Identified by U.S. Geological Survey

Accidental	Hitchhiker - Plants	Released – Packing Material
Canal	Hitchhiker - Platforms	Released - Pet
Dispersed	Hitchhiker - Scuba Gear	Shipping
Dispersed - Flood	Hitchhiker - Oysters	**Shipping** - **Ballast Water**
Dispersed - Ocean Current	Hitchhiker - Stocked Fish	Shipping - Hull Fouling
Dispersed - Waterfowl	Hitchhiker With Tunicates	Shipping - Solid Ballast
Escaped Captivity	Hybridized	Stocked
Escaped Captivity - Aquaculture	Ocean Currents	Stocked - Aquaculture
Escaped Captivity - Farm	Planted	Stocked - Aquarium
Escaped Captivity - Fur Farm	Planted - Erosion Control	Stocked - Escaped
Escaped Captivity - Pet	Planted - Food	Stocked - For Biocontrol
Escaped Captivity - Pond	Planted - Forage	Stocked - For Conservation
Escaped Captivity - Research	Planted - Ornamental	Stocked - For Exhibit
Escaped Captivity - Zoo	Planted - Restoration/Mitigation	Stocked - For Food
Gulf Stream Drift	Planted - Wildlife Habitat	Stocked - For Forage
Hitchhiker	Released	Stocked - For Research
Hitchhiker - Fishing, Boating	Released – Aquarium	Stocked - For Sport
Hitchhiker - Aquaculture	Released - Bait	Stocked - Illegally
Hitchhiker - Aquatic Plants	Released - Fish Food	Stocked - Misidentified
Hitchhiker - Imported Logs	Released - Biocontrol	Stream Capture
Hitchhiker - Imported Plants	Released - Food	Unknown
Hitchhiker - Packing Material	Released - Lab Animals	

Source: U. S. Geological Survey database Great Lakes Aquatic Non-Indigenous Species Information System