

S 1578

Ballast Water Management Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Water Resources Development

Introduced: Jun 7, 2007

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 589.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 589. (Mar 3, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/1578>

Sponsor

Name: Sen. Inouye, Daniel K. [D-HI]

Party: Democratic • State: HI • Chamber: Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Stevens, Ted [R-AK]	R · AK		Jun 7, 2007

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	Mar 3, 2008

Subjects & Policy Tags

Policy Area:

Water Resources Development

Related Bills

Bill	Relationship	Last Action
110 HR 2423	Identical bill	May 23, 2007: Referred to the Subcommittee on Coast Guard and Maritime Transportation.
110 HR 889	Text similarities	Feb 15, 2007: Referred to the Subcommittee on Fisheries, Wildlife, and Oceans.

Ballast Water Management Act of 2007 - (Sec. 3) Amends the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to replace provisions relating to preventing the introduction and spread of aquatic nuisance species in the Great Lakes through the exchange of ballast water with provisions relating to the introduction and spread of such species from ballast water and other ship-borne vectors. (Currently, the provisions focus only on the Great Lakes.)

Requires vessel operators to conduct all ballast water management operations in accordance with an approved ballast water management plan that meets requirements prescribed by regulation. Requires maintenance of a ballast water record book in English on board the vessel.

Prohibits the discharge of ballast water in waters subject to U.S. jurisdiction except after conducting ballast water exchange in accordance with regulations, using a treatment technology meeting certain requirements, or using alternative ballast water treatment technology. Allows exceptions, including for safety or stability. Allows waiver for a substantial business hardship.

Allows discharge of unexchanged ballast water in designated areas or into a reception facility. Prohibits the discharge of ballast water or sediment containing aquatic nuisance species within a marine sanctuary, a national marine monument, or any other waters designated by the Secretary of the department in which the Coast Guard is operating.

Sets forth standards for ballast water treatment and requires a review to determine whether appropriate technologies are available to achieve those standards. Requires, if such technologies are not available or cost-effective for any class of vessels, the use of the best performing, cost-effective technology available that at least meets the ballast water discharge standard of the International Maritime Organization. Requires, if no technology is available that meets either set of standards, delay of the application of the standards in the first sentence of this paragraph.

Requires notice to vessel owners and operators of any area in waters subject to U.S. jurisdiction in which vessels may not uptake ballast water due to known conditions.

Prohibits removing or disposing of sediment from spaces designed to carry ballast water except in accordance with the ballast water management plan required under this Act and the requirements of this paragraph. Makes it unlawful to construct a vessel in the United States unless the vessel is designed and constructed in a way that minimizes sediment uptake and entrapment, facilitates sediment removal, and provides for safe access for sediment removal and sampling. Requires promulgation of sediment reception facility standards.

Requires: (1) the Secretary to examine vessels annually to determine if there is a ballast water management plan and if the ballast water and sediment management equipment is functioning properly; and (2) an annual report to be made available on the National Ballast Information Clearinghouse summarizing the results of ballast water inspection and enforcement activities.

Provides, for violating vessels, for vessel detention, civil and criminal penalties, and revocation of clearance. Addresses international cooperation.

Directs the Secretary to provide support, including grants, for research and development of innovative technologies for the management, treatment, and disposal of ballast water and sediment, for finalizing the validation testing of the verification protocol of the Environmental Technology Verification Program, for ballast water exchange, and for other vessel vectors of aquatic nuisance species such as hull-fouling. Authorizes appropriations.

Requires: (1) an evaluation of vessel discharges other than aquatic nuisance species incidental to the normal operation of a vessel; and (2) submission of a related report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure.

Requires a report to specified congressional committees on vessel-borne vectors of aquatic nuisance species and pathogens other than ballast water and sediment, including vessel hulls, anchors, and equipment. Directs the Secretary to develop a strategy to address other vessel sources of aquatic nuisance species and to reduce the introduction of invasive species into and within the United States from vessels. Requires a related report to such committees.

Requires the Commandant of the Coast Guard to report to such committees regarding the magnitude and potential adverse impacts of ballast water operations from foreign vessels that are transiting waters subject to the jurisdiction of the United States.

Directs the President to prepare and publish a national rapid response plan for killing, removing, or minimizing the spread of aquatic nuisance species in the waters of the United States, including establishment of a national center to provide coordination and direction for operations in carrying out the plan and including a fish and wildlife response plan.

(Sec. 4) Amends the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to authorize appropriations to carry out the Act.

Actions Timeline

- **Mar 3, 2008:** Committee on Commerce, Science, and Transportation. Reported by Senator Inouye with an amendment in the nature of a substitute. With written report No. 110-269.
- **Mar 3, 2008:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 589.
- **Sep 27, 2007:** Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jun 7, 2007:** Introduced in Senate
- **Jun 7, 2007:** Sponsor introductory remarks on measure. (CR S7360)
- **Jun 7, 2007:** Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR S7360-7366)