



July 22, 2008

**Docket Management Facility (USCG-2004-19621)**

**U.S. Department of Transportation**

West Building Ground Floor, Room W12-140

1200 New Jersey Avenue, SE.

Washington, DC 20590-0001

**Re: Dry Cargo Residue Discharges in the Great Lakes; Notice of Proposed Rulemaking (USCG-2004-19621)**

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To Whom It May Concern:

The Shipping Federation of Canada, which represents over 90 percent of ocean-going vessels (international cruise and cargo) trading to and from ports in Atlantic Canada, the St. Lawrence and the Great Lakes, wishes to make the following comments with respect to the review of the Interim Enforcement Policy on discharges of dry cargo residues.

The exercise undertaken with the *Draft Environmental Impact Statement: U.S. Coast Guard Rulemaking for Dry Cargo Residue Discharges in the Great Lakes* has provided a welcome baseline assessment on the environmental impact of such practices. Hopefully, this report, documenting the practices, environmental consequences, mitigation measures, cumulative impacts and alternatives, will be used in the future as a baseline reference with regard to impacts of dry cargo residues discharges in the Great Lakes. We support the U.S. Coast Guard conclusions – namely, that because of the uncertainty in effectiveness and costs of DCR control measures, action should be limited to the continuation of the Interim Enforcement Policy with additional recordkeeping, which will provide the USCG with information on dry cargo residues control measures to inform possible future rulemaking.

In our comments submitted in 2006, and in the current document, the Federation expressed support for the adoption of the “Interim Enforcement Policy” as the basis for permanent regulations. As such, we will limit our comments on three aspects of the proposed rulemaking.

## **1. Definition of Cargo Sweeping**

We would suggest replacing the expression “*cargo sweeping*” with “*cargo disposal*”. Since disposal of cargo residues may either be in the form of sweepings or washings, the use of the expression “*cargo sweeping*” may incur some confusion for a foreign ship master as to what is actually allowed under the policy. Thereby, the use of “*cargo disposal*” would remove the confusion related to the disposal method.

## **2. Section IV.A: Use of Voluntary Control Measures**

In section IV.A *Control Measures*, it is mentioned that the proposed rule would encourage U.S. and foreign carriers conducting dry bulk cargo operations on the Great Lakes to implement voluntary control measures. Such best practices are included in Green Marine’s [Environmental Program of the St. Lawrence and Great Lakes Marine Industry](#), which defines actions to go beyond regulatory requirements for a number of environmental issues related to the marine industry. Since dry cargo residue discharges are part of this program for a continuous improvement of the industry’s environmental performance, we would recommend, should the U.S. Coast Guard decide to credit carriers for their pro-activeness, to recognize the program requirements in the voluntary measures eligible for credits.

## **3. Section IV.B: Record-Keeping Procedures**

The proposed record-keeping procedures in section IV.B, adds additional reporting requirements in terms of the logging of loading / unloading operations. While we understand that this information is necessary to inform future U.S. Coast Guard decisions with regard to dry cargo residues practices, we would stress that these requirements be harmonized as much as possible with international practices under MARPOL Annex V. Ocean going vessels are required to record the manner in which they dispose of cargo residues, by recording this information in the vessel’s Garbage Record Book as per MARPOL, Annex V: i.e., date, time, estimated amount discharged as well as the position of the ship at the beginning and end of discharge. While we understand that it is but a minority of the ships conducting discharge of cargo residues in the Great Lakes that are foreign-flagged, we cannot stress enough that the requirements must be manageable from an operations standpoint for the implementation of successful changes to the policy.

Towards that end, we would like to suggest a modification in the records submission procedures mentioned in section IV.B. The proposal is for carriers to keep the records onboard for at least two years, and submit copies of the records to the U.S. Coast Guard on a quarterly basis. We would recommend the submission of the records to either request the records to be emailed when leaving

the Great Lakes, or submit the form to the U.S Coast Guard at Massena. This would ensure that the U.S. Coast Guard receives the data necessary for the analysis of costs and benefits related to particular control measures from ships that do not transit the Great Lakes on a regular basis. To implement quarterly submissions would rapidly become unmanageable for a ship transiting in the U.S. waters of the Great Lakes on an irregular basis.

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Before closing, we would also take this opportunity to reiterate our commitment to the development and promotion of an environmentally responsible and sustainable marine transportation system, and our willingness to collaborate with the U.S. Coast Guard in its efforts to update the dry cargo residues Interim Enforcement Policy. Towards that end, we would be pleased to provide any additional clarification or information you may require.

Respectfully submitted,

Caroline Gravel  
Director, Environmental Affairs  
Shipping Federation of Canada

*The Shipping Federation of Canada (The Federation), incorporated by an Act of Parliament in 1903, acts as the pre-eminent voice of shipowners, operators and agents involved in Canada's world trade. Its overall objective is to work towards a safe, competitive and environmentally sustainable marine transportation system. The Federation's membership consists of the Canadian companies that own, operate or act as agents for 95 percent of ocean vessels trading to and from ports in Atlantic Canada, Newfoundland & Labrador, the St. Lawrence River and the Great Lakes – vessels which are responsible for transporting virtually all of the trade moving between eastern Canada and ports overseas. The Federation's members also represent virtually all the international cruise vessels calling at eastern Canadian ports.*