



CALIFORNIA'S BALLAST WATER MANAGEMENT REQUIREMENTS

Which vessels are subject to California’s ballast water requirements?

A vessel is subject to California’s ballast water requirements if a vessel arrives at a California port, is 300 gross registered tons or more, and is carrying or capable of carrying ballast water.

What is required if a vessel is discharging?

	Refer to Section	Page(s)
All Vessels - Follow Best Management Practices	Best Management Practices	2
Determine if a vessel is subject to California’s Ballast Water Discharge Performance Standards	Performance Standards Applicability Worksheet	3-4

California Ballast Water Management Requirements	Page(s)
Vessels subject to California Ballast Water Discharge Performance Standards	5-7
Vessels not subject to the California Ballast Water Discharge Performance Standards	8-11

Safety

Vessels are not required to manage ballast water if the vessel’s master determines that the practice would threaten the safety of the vessel, its crew, or its passengers. If the vessel master makes this determination, then the master, operator, or person in charge must take all feasible measures to minimize the discharge of ballast water in California waters and do the following:

- Document the reason in the Ballast Water Log.
- Notify the Commission at the earliest practicable time.
- Make the information available to Commission staff upon request.



CALIFORNIA'S BALLAST WATER REQUIREMENTS VESSEL BEST MANAGEMENT PRACTICES

Vessel Best Management Practices

The master, owner, operator, or person in charge of a vessel must do all the following to minimize the release of nonindigenous species into California waters:

- Discharge only the minimal amount of ballast water essential for operations.
- Minimize ballast water discharge and uptake in marine sanctuaries, marine preserves, marine parks, or coral reefs.
- Minimize or avoid uptake of ballast water in:
 - Areas with known infestations of nonindigenous organisms and pathogens
 - Areas near a sewage outfall
 - Areas for which the vessel has been informed of the presence of a toxic algal bloom.
 - Periods of darkness when bottom dwelling organisms may rise up in the water column.
 - Areas where sediments have been disturbed (e.g., near dredging operations)
- Clean ballast tanks regularly in mid-ocean waters, in port, or during drydock.
- Rinse anchors and anchor chains when retrieving



PERFORMANCE STANDARD APPLICABILITY WORKSHEET

Determine if a vessel is subject to California's Ballast Water Discharge Performance Standards

How is a vessel's original compliance date determined?

A vessel's **original compliance date** is the date at which a vessel is scheduled to be subject to the federal performance standards and, therefore, the California performance standards. The original compliance date is based on the federal implementation schedule below.

Which vessels will need to comply with California's ballast water discharge performance standards?

Vessels that are subject to California requirements and have passed their original or extended compliance date; or are not using an alternative management system (AMS, see page 4) installed prior to the original or extended compliance date.

Performance Standards Implementation Schedule

Vessel's ballast water capacity	Date Constructed	Vessel's Compliance Date
All New vessels	On or after December 1, 2013	On delivery
Existing vessels Less than 1500 m ³	Before December 1, 2013	First scheduled drydocking after January 1, 2016.
Existing vessels 1500-5000 m ³	Before December 1, 2013	First scheduled drydocking after January 1, 2014
Existing vessels Greater than 5000 m ³	Before December 1, 2013	First scheduled drydocking after January 1, 2016.

What if my vessel has an extension to the federal performance standards from the U.S. Coast Guard (USCG)?

The Commission is following the USCG rules that allow vessels to extend their original compliance date. For vessels with an extension, the letter from USCG approving the extension must be on board the vessel. The date the extension expires is considered the extended compliance date.



PERFORMANCE STANDARD APPLICABILITY WORKSHEET

Determine if a vessel is subject to California's Ballast Water Discharge Performance Standards

What if an AMS is installed prior to the original or extended compliance date?

Vessels may use a **Ballast Water Treatment System** (BWTS) that is considered an **Alternative Management System** (AMS) by the USCG. An AMS is a BWTS that is approved for use by a foreign country and is allowed by the USCG to be used as an alternative to the federal performance standards. Vessels may use the AMS for 5 years if the BWTS was installed prior to the original or extended compliance date.

	Subject to Performance Standards	Not Subject to Performance Standards
AMS installed prior to the original or extended compliance date AND Less than 5 years since the expiration of the original or extended compliance date		<input checked="" type="checkbox"/>
Active Extension from the USCG		<input checked="" type="checkbox"/>
Compliance Date Passed w/ no AMS or Extension from the USCG	<input checked="" type="checkbox"/>	
Extended Compliance Date passed with AMS not installed or more than 5 years since installation.	<input checked="" type="checkbox"/>	



CALIFORNIA'S BALLAST WATER DISCHARGE PERFORMANCE STANDARD

What are California's ballast water discharge performance standards?

Ballast water discharge performance standards are limits on the number of organisms that may be discharged in ballast water. On **January 1, 2022**, California began implementing the U.S. federal performance standards found in 33 CFR 151.2030.

The master, owner, or operator of vessels that are subject to the performance standards (see pages 3 and 4), and discharge ballast water, must comply with the following requirements:

- Discharge ballast water that is within the organism performance standard's concentration limits (see table below).
- Maintain and provide access to required documents.
- Operate the BWTS within system manufacturer requirements.

Ballast Water Performance Standards

Organism Size Class	U.S. Federal Ballast Water Discharge Performance Standards
Organisms greater than or equal to 50 micrometers in minimum dimension	Fewer than 10 organisms per cubic meter
Organisms less than 50 micrometers and greater than or equal to 10 micrometers	Fewer than 10 organisms per milliliter (mL)
<p>Indicator microorganisms:</p> <ul style="list-style-type: none"> ▪ <i>Escherichia coli</i> ▪ intestinal enterococci ▪ toxicogenic <i>Vibrio cholerae</i> (serotypes O1 and O139) 	<p>Must not exceed:</p> <ul style="list-style-type: none"> ▪ A concentration fewer than 250 colony forming units (cfu) per 100 mL ▪ A concentration fewer than 100 cfu per 100 mL ▪ A concentration less than 1 cfu per 100 mL



CALIFORNIA'S BALLAST WATER DISCHARGE PERFORMANCE STANDARDS

Frequently Asked Questions

Are the federal ballast water discharge performance standards implemented by California the same as the Vessel General Permit or the Vessel Incidental Discharge Act requirements?

California's regulations are not associated with the Vessel General Permit or the Vessel Incidental Discharge Act. The ballast water discharge performance standards implemented by California are within 33 CFR 151.2030, which is implemented by the USCG.

Can Commission staff members collect samples from any vessel discharging ballast water in California waters?

Yes, Commission staff members may collect and analyze ballast water and sediment samples for research or enforcement purposes and must be given access to ballast water tanks and sampling ports when feasible.

Does California require BWTS biological monitoring?

No. Although other jurisdictions may require biological testing or monitoring, California does not. However, if the vessel has performed any biological monitoring, the records must be kept on board and made available during inspection. (Cal. Code Regs., tit. 2, § 2297.)

Are the California performance standards for ballast water discharges the same as the IMO D-2 discharge standards?

Yes, California's standards are numerically the same as the IMO D-2 standards. (See Cal. Code Regs., tit. 2, § 2293.)

What happened to the Interim and Final California Ballast Water Discharge Performance Standards?

Interim and Final Ballast Water Discharge Performance Standards were delayed until 2030 and 2040, respectively. The Commission is required to report to the California Legislature on the availability and efficacy of treatment technology 18 months prior to each implementation date.



CALIFORNIA'S BALLAST WATER DISCHARGE PERFORMANCE STANDARDS

Alternative Methods to meet California's Ballast Water Discharge Performance Standards

Vessels subject to the performance standards can use water from a Public Water System. Please note that if the ballast tanks have had water from a source other than a from Public Water System, the ballast tanks and supply lines need to be cleaned before using this alternative method. In addition, vessels using water from a public system need to maintain a receipt, invoice, or other documentation recording which Public Water System was used.

Monitoring Ballast Water Treatment System Functionality

Vessels using a ballast water treatment system (BWTS) type approved by the USCG to meet the ballast water discharge performance standards must operate the BWTS in accordance with the **System Design Limitations** on the type approval certificate.

- **What are the System Design Limitations for BWTS and where can they be found?**

System Design Limitations are the parameters for operating a BWTS. For example, minimum and maximum flow rates, time between ballast uptake and discharge, water quality limitations, operating environmental conditions, filter pressure, or ultraviolet transmittance). System Design Limitations are found in the USCG Type Approval certificate issued for approved BWTS.

Ballast Water Treatment System Malfunctions

What if a vessel's BWTS is inoperable prior to arrival at a California port?

If the vessel's BWTS is not operating properly and the vessel intends to discharge at a California port, the vessel must notify the Commission "as soon as practicable" to request an alternative management method prior to arrival. Notifications must be sent to cslc.misp@slc.ca.gov.



VESSELS NOT SUBJECT TO CALIFORNIA'S BALLAST WATER DISCHARGE PERFORMANCE STANDARDS

Will vessels that are not subject to the performance standards need to comply with California's ballast water management requirements?

Yes, vessels that are not past their original or extended compliance date or using an AMS will need to comply with California's ballast water management requirements. Details about the management requirements can be found at <https://www.slc.ca.gov/misp/>.

Vessels that are NOT subject to the performance standards

Vessels discharging ballast water will need to comply with ballast water management requirements using one of the following options:

- Retain all ballast water.
- Exchange Ballast Water – for exchange requirements see page 9.
- Use of a BWTS, either an AMS or a USCG Type Approved system.
- Discharge to an approved reception facility (none currently exist).
- Under extraordinary circumstances where a ballast water management option is not practicable, a vessel may perform a ballast water exchange within an area agreed to by the Commission in consultation with the USCG.

NOTE: Although the U.S. federal requirements may differ, California requirements do not require vessels to manage ballast water that is sourced and discharged at the same port within the PCR. The following port regions/port complexes are considered a single "port":

- All areas in the San Francisco Bay area east of the Golden Gate Bridge, including the Ports of Stockton and Sacramento.
- The Ports of Los Angeles and Long Beach and the El Segundo offshore marine oil terminal.



VESSELS NOT SUBJECT TO CALIFORNIA'S BALLAST WATER DISCHARGE PERFORMANCE STANDARDS

Vessels Choosing to Exchange Ballast Water

Vessels must exchange ballast water in a location that depends on their Last Port of Call and the source of the ballast water.

Vessels arriving from OUTSIDE of the Pacific Coast Region (PCR) or carrying ballast water sourced from OUTSIDE of the PCR.

The master, operator, or person in charge of a vessel shall exchange ballast water in ocean waters more than 200 NM from land and at least 2,000 meters deep.

Vessels arriving from WITHIN the Pacific Coast Region (PCR) AND carrying ballast water sourced from WITHIN the PCR.

The master, operator, or person in charge of a vessel shall exchange ballast water in ocean waters more than 50 NM from land and at least 200 meters deep.

Pacific Coast Region Definition:

All coastal waters (within 200 nautical miles [NM] of land including island and rocks) on the Pacific Coast of North America east of 154 degrees W longitude and north of 20 degrees N latitude, inclusive of the Gulf of California. (Public Resources Code section 71200(l)). Maps are included on page 10 and 11.

To exchange ballast water correctly, the vessel operator must use one of the following:

- Flow Through exchange – To flush ballast water by pumping three full ballast water tank volumes of mid-ocean water through the tank, continuously displacing water from the tank, to minimize the number of original coastal organisms remaining in the tank.
- Empty Refill exchange – To pump out each tank's ballast water taken on in ports, or estuarine or territorial waters until it is empty or as close to 100% empty as is safe to do so, then to refill the tank with mid-ocean waters."