

Substitute for Senate Concurrent Resolution No. 11

A concurrent resolution to memorialize the Congress of the United States and the Environmental Protection Agency to repeal a certain regulation that provides for an exemption for ballast water discharges from permit requirements under the federal Clean Water Act.

Whereas, One of the most frustrating issues facing the Great Lakes is the threat from nonindigenous species. Invaders like the zebra mussel, the round goby, and the ruffe damage the ecology of the Great Lakes and connecting waterways in many ways. The impact of exotic species on municipal water systems, fishing, and aquatic plant life exacts a terrible toll on the nation's most important freshwater resource; and

Whereas, Michigan has exercised consistent leadership in the effort to prevent the arrival of more nonnative species. Our state has put incentives in place in an effort to curb the release of untreated ballast water from the ships that traverse the lakes, which is the primary source of these foreign species. As a state that has suffered significantly because of organisms released into the lakes through the discharge of ballast water, Michigan has repeatedly called for stronger steps to prevent this from happening; and

Whereas, The effort to halt the introduction and spread of nonindigenous species through ballast water discharges continues to be frustrated by federal regulations under the Clean Water Act. Although this key federal act requires permits through the National Pollution Discharge Elimination System for discharges, 40 C.F.R. § 122.3(a) provides that discharges from vessels that are incidental to normal operations are exempt from the permit requirement. Although efforts to repeal this exemption recently failed, removing the exemption remains a vitally important step to take to safeguard the Great Lakes; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States and the Environmental Protection Agency to repeal 40 C.F.R. § 122.3(a), which provides for an exemption for ballast water discharges from permit requirements under the federal Clean Water Act; and be it further

Resolved, That copies of this resolution be transmitted to the Environmental Protection Agency, the United States Coast Guard, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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