

WASHINGTON ANNUAL CRUISE MEMORANDUM OF UNDERSTANDING & CRUISE SHIP UPDATE MEETING

Date/Time: January 13, 2011; 1:00 pm to 3:00 pm

Groups: Port of Seattle, WA Department of Ecology, Cruise Line Representatives, interested parties

Location: Port of Seattle, Pier 69

Attendees:

Bruce Carter, self
Shayne Cothorn, Department of Natural Resources
Rosie Courtney, Port of Seattle
Jean Cox, Cruise Terminals of America (CTA)
Puth Eang, CTA
Rob Edwardson, Alaska Department of Environmental Conservation (ADEC)
Fred Felleman, Friends of the Earth
Randall Fiebrandt, Norwegian Cruise Line
Marie Fritz, Port of Seattle
John Hansen, North West & Canada Cruise Association (NWCCA)
Amy Jankowiak, Department of Ecology
Stephanie Jones Stebbins, Port of Seattle
Lincoln Loehr, Stoel Rives/NWCCA
Andrew Lorenzana, Princess Cruises (C/C)
Mike McLaughlin, Port of Seattle
Andy Nelson, Royal Caribbean International / Celebrity Cruises
Shannon Serrano, Surfriders (C/C)
Donna Spalding, NWCCA
Mark Toy, Department of Health
Heather Trim, People for Puget Sound
Jonathon Turvey, Holland America Line
Ellen Watson, Port of Seattle
Ed White, ADEC (C/C)

C/C = via conference call

Agenda

1:00 PM – 1:10 PM	Welcome, Introductions MOU Introduction presentation	(Amy Jankowiak, All)
1:10 PM – 1:30 PM	Compliance with the 2010 season Findings from 2010 season inspections/records review	(Amy Jankowiak, cruise line reps)
1:30 PM – 1:50 PM	Updates EPA Vessel Discharge Permit MOU Funding	(Amy Jankowiak)

	WET Tesing No Discharge Zones	
1:50 PM – 2:00 PM	MOU Amendment on Amendment Process	(Amy Jankowiak)
2:00 PM – 2:10 PM	BREAK	
2:10 PM – 2:20 PM	Looking Ahead What lines/vessels will be coming in 2011?	(Parties of the MOU)
2:20 PM – 3:00 PM	Comments/Discussion from interested parties	(Amy Jankowiak, All)

Welcome, Introductions

Welcome and introductions

Compliance with the 2010 Season, Amy Jankowiak, Department of Ecology

Began by going through PowerPoint slides on Compliance for the 2010 season. (Link to PowerPoint included on Ecology website)

2010 Approvals

- 100% port calls from large cruise ships under the MOU, 2 vessels approved; 223 port calls
- >1 nm and > 6 knots
 - NORWEGIAN PEARL
 - NORWEGIAN STAR
- Continuously
 - NONE

Compliance Evaluation consists of:

- Discharge Approval Process
- Inspections
- Sampling Data
- Annual Reports/Records Review

Typical Inspection includes

- Introductions/overview of plan for the day (prior notification given)
- Control room
 - Run-through of how system works
 - Variety of questions on staffing, training, protocols...
 - Review of records
- Tour of treatment system(s)
- Observations of other waste streams on the ship
- Sampling
- Conclude
- Approximately 2-3 hours in length
- Similar to inspections for on-land plants

2010 Inspections

- Inspections Conducted
 - 8 inspections conducted (mix of homeported vessels and less frequent callers)
- Inspection findings

- Discharge protocols thorough with verification
- Recommendations made –
 - Continue to work towards high functioning wastewater treatment systems
- 4 of 8 inspected operating traditional MSDs (2AWTS's not functioning properly, not discharging)
- Waste Minimization efforts impressive
- Take care with implementing BMPs for ship painting and maintenance while at Port
- Copies of discharge documents requested
 - Requested, some submitted, in process of reviewing

DATE OF INSPECTION	VESSEL
June 18, 2010	RCCL RHAPSODY OF THE SEAS
July 6, 2010	CARNIVAL SPIRIT
July 31, 2010	HAL ROTTERDAM
August 16, 2010	ROYAL PRINCESS
August 29, 2010	NORWEGIAN PEARL
September 12, 2010	SAPPHIRE PRINCESS
September 20, 2010	CELEBRITY MILLENNIUM
September 24, 2010	HAL AMSTERDAM

Ecology noted that of the vessels inspected, four of the vessels use traditional marine sanitation equipment, two use AWTS and the other two are equipped with AWTS, but are using traditional MSD equipment because the AWTS were not operating consistently. Ecology recommends continuing work toward the use of functioning AWTS systems.

Ecology noted that the cruise lines had met earlier and had a detailed discussion of requirements related to outside vessel maintenance such as paint chipping, painting, and related maintenance while at port to prevent discharges to water.

Friends of the Earth expressed concern that not all vessels were inspected. Ecology noted that the number of vessels inspected is a representative sample of the fleet, a standard similar to that used for inspections of land based treatment plants. It was also noted that the inspections completed in 2010 represent both ships with frequent and infrequent calls to Washington.

2010 Sampling

- Sampling data received and evaluated. Summary of data and data will be included in the 2010 annual report
 - pH all within 6.0-9.0, but some lower than WA WQ standard of 7.0
 - BOD max of 17 mg/l, TSS max of 12 mg/l
 - Chlorine all ND
 - Fecal mostly ND, although two higher fecals: 96 and 50 #/100 ml (sampling events were in Alaska waters) – not in violation of MOU
 - Ammonia ranged from 0.52 mg/l to 35 mg/l (avg = 18); lower than previous seasons

- Dissolved Copper range = Non Detect to 22 ug/l (lower than previous seasons)
- Dissolved Nickel range = Non Detect to 16 ug/l (lower than previous seasons)
- Dissolved Zinc range = 23 ug/l to 220 ug/l

It was pointed out that the requirements for ammonia, copper, nickel and zinc monitoring come from the Alaska requirements. Sampling results above are for vessels approved to discharge (results from both Alaska testing and Seattle testing).

- WET testing
 - Purpose is to evaluate whether there are potential toxicity issues from vessel discharges.
 - Required for vessels approved for discharge continuously – once every two years for homeported vessels (20 calls) or 1/40 port calls or turnarounds.
 - Previous Results – toxicity from ammonia and possibly from surfactants and detergents.
 - No vessels required to conduct WET testing in 2010

2010 Compliance Notifications

- Compliance notifications
 - No reported incidents for 2010 season to date
 - Compliance letters
 - Receiving

2009 Assessment of Cruise Ship Environmental Effects in Washington

- Recommendations
 - Ecology recommends MOU continue to be used as a complement to environmental regulations until state specific regulations for cruise ship waste management in Washington are put in place
 - Ecology continue to inspect ships that discharge, including closely looking at wastewater management and other waste streams [Continuing inspections]
Ecology continues to inspect the vessels
 - Parties of MOU continue to work together on evaluating discharges from cruise ships into MOU waters. The parties to the MOU will also meet to discuss and make recommendations on how best to proceed in regard to evaluating future proposed amendments to the MOU and how to best take public input on proposed amendments. The parties to the MOU will continue to meet in regard to future MOU funding mechanisms to support Ecology staff on maintaining and implementing the MOU. [Amendment to the MOU agreed upon by MOU parties to incorporate a new process]
 - Cruise lines to conduct a thorough review of records on an on-going basis and at end of season to evaluate compliance and inspection recommendations to be implemented.

Upon a question about coverage of air quality issues under the MOU, Ecology confirmed that air emissions are not an element of the MOU, that this falls under the jurisdiction of the Clean Air Agencies and further that Ecology does not inspect the incineration logs as a regular protocol. The member lines confirmed that if DOE wished to, they could review the incineration logs when on board the ships. Friends of the Earth questioned the cruise lines about where they are located when they are incinerating and some member lines stated that they do not incinerate while in MOU waters.

There was some discussion comparing the standards in neighboring jurisdictions (Canada, Oregon, Alaska, and California). NWCCA and Norwegian Cruise Line representatives commented on the Marpol Annex VI standards and regulations adopted by Canada, noting that blackwater regulations are similar to Alaska and Canada is currently developing standards for graywater. Also that the NWCCA member lines follow practices as outlined in the CLIA standards.

Updates

EPA Vessel General permit, Amy Jankowiak, Department of Ecology, cruise line reps

Ecology provided an update on the VGP including that EPA is in the beginning process of drafting the next version of the VGP. Ecology will be monitoring the current process carefully and offering comments that will provide for the 401 certification to include requirements to meet State water quality standards. EPA has communicated that they plan to give the State's appropriate time to provide for a 401 Certification evaluation.

MOU Funding, Amy Jankowiak, Department of Ecology, and Marie Fritz, Port of Seattle

It was discussed that funding for the MOU is covered for the 2011 year through reserve funds from previous seasons, however, the Port of Seattle requests to change how the funding from the cruise lines is sent to Ecology. The parties have had some discussions on the scenarios for funding in the future and are to evaluate how to collect actual costs in the future.

Whole Effluent Toxicity Testing, Amy Jankowiak, Department of Ecology, cruise line reps

As there was already a discussion on WET testing during the Compliance timeslot, no further discussion on WET testing was necessary.

No Discharge Zones, Amy Jankowiak, Department of Ecology and Mark Toy, Department of Health

Ecology provided information that Ecology and Department of Health will be working on a study as a first step to consider all or part of Puget Sound for a no-discharge zone designation. EPA is providing a grant to Ecology through Department of Health sometime in February. Department of Health noted that there are several departments involved in this and will be working on an agreement to complete the work. Ecology noted that this is being done as part of the Puget Sound Partnership's Action Agenda to prevent pathogen and nutrient loading into the waters. There was some discussion of the timeline (about two years to complete the initial study of what is available to support the designation – ship numbers, existing pump out facilities, whether or not they work, identification of high priority areas, etc.). The grant period is six years.

It was noted by cruise line members that this effort may not be practical for ocean going vessels and might be restricted to high priority areas frequented by recreational and smaller vessels only.

Ecology noted that they will work to keep all stakeholders informed and involved throughout the process.

MOU Amendment on Amendment Process

Ecology provided an update on the process that the parties of the MOU have been going through to revamp the amendment process for the MOU. The parties had met several times in person or by phone, drafted language and that the parties have agreed on language to amend the MOU. The amendment was presented. The amendment includes language that the MOU will be reviewed with public comment once every three years; starting with a request for proposed amendments on Ecology's and the Port's websites, followed by a review period. Amendments that meet criteria laid out in the MOU will be posted for a 30-day public comment period, followed by a review by signatories and decision by the MOU parties on adoption by unanimous approval. The only exception of the process is an amendment proposed by one of the signatories and supported unanimously by the other two signatories.

The amendment process agreed to was also supported by the Port of Seattle Commissioners. In response to questions, it was noted that members of the public may offer comment even though the process has been agreed to by the signatories. There were comments from People for Puget Sound and Friends of the Earth on the timing of the annual report and data review as it relates to the timing of the amendment process. Access to various sources of testing were discussed. In addition to the results collected by Ecology which will be provided with the annual report, results are also available from the Alaska DEC website. It was noted that moving the timeline for the amendment process back to allow for more review time of data, would inhibit completing amendments prior to the next cruise season.

The criteria for amendments were discussed, and the Port of Seattle noted that the position of the Port of Seattle going forward is that the Commissioners will vote on any proposed amendments.

Friends of the Earth reiterated concerns that the collection and publication of data by Ecology under the current process does not allow public review prior to the time specified for submission of proposed amendments. Further, they indicated concern that an amendment requires support of one of the signatories. Ecology offered that Ecology would not turn away any amendment demonstrating environmental gain for those areas under the jurisdiction of the MOU.

[This amendment has since been signed and the MOU, 5th Amendment is available on Ecology's website.]

Looking Ahead

John Hansen with NWCCA commented on his impending retirement from NWCCA and thanked Ecology and the Port of Seattle for their partnership, effort and work in the development of the MOU and the important role it has played since its inception in 2004.

Discussed schedule for 2011 season. Mostly the same vessels as last season. The schedule will be available shortly on the Port of Seattle's website.

Comment/Open Discussion, All

There being no further comments or questions, the meeting was adjourned at 3:00 pm.
