

The Secretary of Transportation  
Docket Management Facility (USCG-2001-10486)  
US Department of Transportation  
400 Seventh Street SW, Room PL-401  
Washington DC, 20509-0001

November 21, 2003

Dear US Coast Guard:

Please accept these comments in response to the Coast Guard's solicitation dated September 26, 2003 regarding Standards for Living Organisms in Ship's Ballast Water Discharged in U.S. Waters. AquaHabiStat (AHS), a ballast water treatment system vendor, appreciates the opportunity to comment on this important topic.

AHS supports the Coast Guard's 'Alternative 2' with the following refinements:

- Prohibit the discharge of ballast water containing organisms of a size over 50-75 microns.
  - This standard would focus on a maximum size as opposed to a concentration and would therefore facilitate enforcement
  - This size will be effective against larval forms of marine life that become the most economically harmful invasive organisms, from both financial and environmental perspectives, when mature.
  - This size limit agrees with the congressional testimony provided by marine biologists such as Roger Mann from the Virginia Institute of Marine Science
- Keep bacteria and other single cell organisms exempt from this standard for the time being
  - This would occur with the use of the size standard above
  - AHS recognizes that the spread of bacteria is not biologically beneficial, however
    - Ballast water is one of thousands of vectors by which bacteria enter the US
    - Only a fraction of existing bacterial forms have been discovered to date
    - At this time, killing bacteria will require treatment methods involving chemicals, which are environmentally unfriendly, not practical for the shipping environment, and not economically sensible due to the ongoing cost of the consumable itself
- Include limits on ballast water effluent chemical or physical properties, such as pH (not below 7) or the presence of residual chemicals or biocides
- Apply this standard to vessels arriving from international and domestic ports
- If necessary, apply this standard to vessels with large ballast capacities (i.e. over 5 or 10 tons)
- Subject ballast water exchange to the same standard
- Retain the ability to refine this standard based on advancements in research and technology

To avoid confusion and encourage compliance, AHS also strongly encourages the Coast Guard to combine these standards into the rulemaking processes for the Mandatory Ballast Water Management Program (USCG-2003-14273) and the Penalties for Non-Submission of Ballast Water Management Reports (USCG-2002-13147). Again, thank you for the opportunity to participate in these proceedings.

Sincerely,

Parker Davis and Wilson Browning