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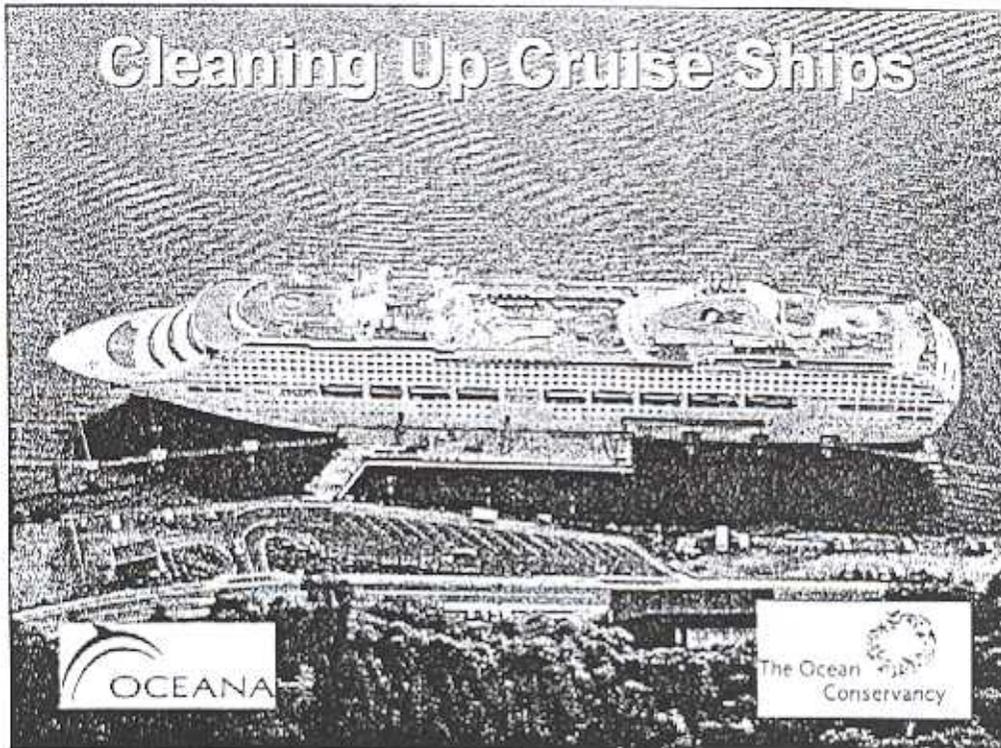


**Testimony of Kris Balliet**  
**Director, Alaska Region Office**  
**The Ocean Conservancy**  
**Before the U.S. Commission on Ocean Policy**

**Cleaning up Cruise Ships**

Anchorage, Alaska  
August 22, 2002

*The Ocean Conservancy strives to be the world's foremost advocate for the oceans. Through science-based advocacy, research, and public education, we inform, inspire and empower people to speak and act for the oceans.*



Thank you for the opportunity to provide testimony to this commission. I am Kris Balliet, Director of the Alaska Region office of The Ocean Conservancy. Last May, The Ocean Conservancy released a comprehensive report on the cruise ship industry entitled "Cruise Control." We have provided copies of that report to your staff. My testimony today will highlight the key findings and recommendations of the Cruise Control report.

## Take Home Message

- **Cruise ship discharges should be reduced and regulated to protect public health, improve water quality and safeguard sensitive marine ecosystems**
  
- **Cruise ships should be required to report and monitor their discharges and inspections should be mandatory.**

The Ocean Conservancy urges the U.S. Commission on Ocean Policy to recommend national legislation to:

1. Reduce and regulate all cruise ship discharges to improve water quality, protect public health and safeguard sensitive marine ecosystems, and
2. Require mandatory reporting, and improved monitoring and inspection.

Later in this testimony I will address other recommendations specific to the EPA, Departments of Justice and State, and the Coast Guard.

### The Concern

- In 1998, 223 cruise ships carried 10 million passengers through some of the world's most sensitive ocean ecosystems
- Industry has grown by an average of 10 percent annually
- 49 new vessels will come into service by 2005



Cruise ship impacts have increased significantly with the industry's dramatic growth. In 1998, 223 cruise ships carried 10 million passengers through some of the world's most sensitive ocean ecosystems. At least half of these trips occurred in North America. In 1999, the cruise ship industry contributed more than \$15 billion to the U.S. economy, generating more than 200,000 jobs. Since then, the industry has grown by an average of 10 percent annually, and is expected to bring more than 49 new vessels into service by 2005.

## The Problem:

- Cruise ships produce waste equivalent to small cities, yet are not subject to comparable wastewater regulations



The impact of these floating cities—in both economic and environmental terms—is huge. Although cruise ships generate a tremendous amount of waste from the thousands of people on board, they are not subject to the same wastewater regulations that govern municipalities of comparable size. Under the Clean Water Act, cities must treat their wastes, limit the amount of pollution they discharge through permits, and monitor and report on discharges from sewage treatment facilities.

Cruise ships are exempt from any sort of water quality permitting requirements. While ships are required to treat sewage wastes if dumped within 3 miles of shore, onboard treatment systems are rarely if ever inspected. A recent Alaskan study found EVERY ship inspected to be in violation of water quality standards.

As documented by a February 2000 GAO report, cruise ship inspections are severely limited in scope and function. Even where inspected, neither the EPA, the Coast Guard, nor the ships themselves are required to sample, monitor or report on the discharge.

## Daily Discharges of a 3,000 Passenger Cruise Ship:

- 30,000 gallons of raw sewage
- 225,000 gallons of graywater
- 37,000 gallons of oily bilge water
- 15 gallons of toxic waste
- 7 tons of solid waste
- Diesel exhaust emissions equivalent to thousands of trucks and automobiles

Consider, for example, one type of cruise ship pollution – gray water. Gray water from on-board laundries, galleys, baths, and showers, contains pollutants such as detergents, oil, sewage, and soap, which can harm sensitive marine environments. A typical cruise ship generates an estimated 1 million gallons of graywater on a one-week voyage. Under the Clean Water Act, cruise ships can dump graywater anywhere in U.S. waters except the Great Lakes (see 33 U.S.C. §1322(a)(6)), 40 CFR §122.3(a)). Multiple cruise line companies have been convicted for illegally mixing hazardous waste and toxic heavy metals with their graywater discharges and dumping in U.S. harbors.

Despite this history, enforcement has been lax.

## Small Cities vs. Cruise Ships

### **Haines, Alaska**

- Population: 1,325
- 307,000 gallons wastewater/day
- NPDES permits for pollutants
- Most pollutants regulated
- Regulated all the time

### **Average Cruise Ship**

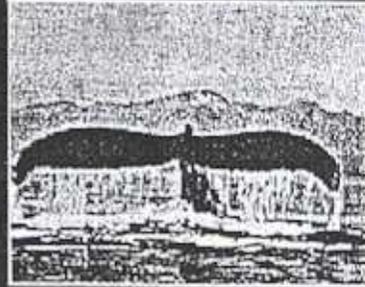
- Population: 3,000
- 346,000 gallons wastewater per day
- No permits required
- Few pollutants regulated
- Only regulated within 3 miles of shore

This slide compares an average cruise ship to a typical Alaska town.

Given the phenomenal growth in the industry and the potential for increasing impacts on the marine environment, we believe that it is time to strengthen regulation and increase enforcement efforts.

## Destroying Wildlife

- **Cruise ships threaten and kill wildlife at high speeds**
- **Many documented occurrences**
  - **37-year old pregnant whale killed in Glacier Bay in 2001**



Cruise ships pose additional problems worth mentioning in Alaska. In addition to pollution discharges, disturbance of wildlife is another problem that needs to be addressed. Fatal collisions with whales by cruise ships (as in Glacier Bay last year) and disruption of pupping harbor seals are two notable concerns.

## The Good News:



Cruise Ship  
Pollution Problems  
are Preventable!

We Alaskans take the protection of our ocean environment very seriously. We also understand the significant role of tourism to our state economy.

Cruise ship pollution problems are preventable, and with appropriate regulation the industry can be a great partner for coastal waters, wildlife and economies. The next two slides describe recent federal and state initiatives to protect Alaskan waters that we think provide a useful basis for considering policy to protect waters across the United States.

## The Alaska Model

### Federal legislation:

- Prohibits discharges of untreated sewage and graywater in certain areas of Alaska
- Authorizes EPA to establish effluent standards for treated sewage and graywater
- Requires Coast Guard to inspect cruise vessels for compliance and authorizes surprise inspections
- Authorizes state established No Discharge Zones

Federal legislation was enacted in 2000 regulating sewage and wastewater discharges from cruise ships in Alaska (The "Murkowski bill," Title 14 of H.R. 4577). The Murkowski bill prohibits the discharge of untreated sewage and graywater in certain areas of Alaska; authorizes the EPA to establish effluent limits for treated sewage and graywater, and requires the Coast Guard to inspect records and equipment, sample and test discharges, and imposes additional criminal and civil penalties. Finally, it authorizes the State of Alaska to establish no discharge zones and adopt additional requirements if needed.

## The Alaskan Model

### State legislation:

- Establishes air and water monitoring and testing programs for cruise ship discharges
- Prohibits untreated graywater in certain areas and sets gray water standards
- Requires vessel registration and monitoring, sampling, and imposes a user fee to help state pay for compliance

To complement the federal initiative, the state of Alaska enacted its own cruise ship law (H.B. 260) the following year. The law established air and water monitoring and testing programs for cruise ship discharges, prohibits untreated graywater in certain areas and sets gray water standards. Finally, the law requires cruise ships to sample and record all discharges, register with the state, and pay an annual compliance fee to help pay for the program.

Both the new federal and state law, however, protect only Alaskan state waters and they do not bring vessel discharges under the NPDES permitting requirements or the technology forcing requirements of the Clean Water Act. It is also unclear how much pressure these new state and federal laws for this one state will have on industry standards worldwide. We need to protect waters nation wide.

## Recommendations

- 1. Based on the state and federal laws passed to protect Alaskan waters, Congress should enact national legislation to:**
  - Reduce and regulate all cruise ship discharges to improve water quality, protect public health and safeguard sensitive marine ecosystems, and**
  - Require mandatory reporting, and improved monitoring and inspection**

The Ocean Conservancy urges the Commission to recommend legislation to reduce and regulate all cruise ship discharges to improve water quality, protect public health and safeguard sensitive marine ecosystems and require mandatory reporting, and improved monitoring and inspection.

## Recommendations

### 2. EPA should...

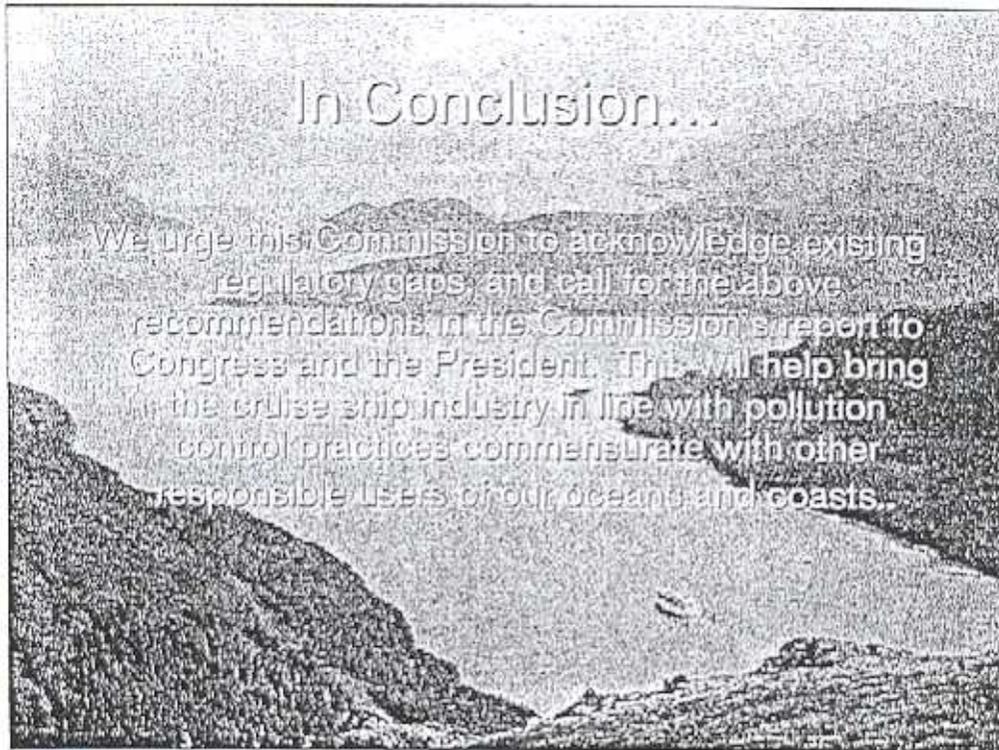
- Develop and implement national effluent standards for cruise ships and remove regulatory exemptions on graywater and ballast water
- Reject substituting voluntary initiatives for regulation
- Strengthen rules to regulate smog emissions under the Clean Air Act
- Regulate foreign flagged ships

## Recommendations

3. The Justice Department should...
  - Seek more aggressive penalties by cruise ship companies to deter future criminal conduct
  - Aggressively pursue enforcement cases against foreign flagged vessels

## Recommendations

4. The Coast Guard should...
  - Increase enforcement, ideally with an increase in federal funding
  - Implement surprise inspections, expand the scope and frequency of inspections and utilize onboard observers
  - Aggressively pursue enforcement cases against foreign flagged vessels



## In Conclusion...

We urge this Commission to acknowledge existing regulatory gaps and call for the above recommendations in the Commission's report to Congress and the President. This will help bring the cruise ship industry in line with pollution control practices commensurate with other responsible users of our oceans and coasts.

The cruise industry should be a model for environmental conduct because it depends upon the continued existence of our nation's pristine natural areas for its economic basis. Yet today the industry has a record of environmental mismanagement, and even criminal conduct. The Ocean Conservancy believes it is time for regulation. We urge this Commission to acknowledge existing regulatory gaps, and call for the above recommendations in the Commission's report to Congress and the President. This will help bring the cruise ship industry in line with pollution control practices commensurate with other responsible users of our oceans and coasts. Thank you.