Memorandum of Understanding

between

State of Washington
Department of Ecology
&
Port of Seattle
&
Signatory Cruise Companies

Related to

Cruise Operations in Washington State

Originally signed April 20, 2004
Amendment No. 8
May, 2024

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding, originally signed on April 20, 2004, is agreed by and between the State of Washington, the Port of Seattle, and the Signatory Cruise Companies, hereinafter referred to as Member Cruise Lines, representing the brands owned and operated by all Signatory Cruise Companies.

Whereas the State of Washington is charged with the responsibility of protecting and conserving Washington's environmental resources in relation to the Cruise Industry's environmental practices in Washington; and

Whereas the United States Coast Guard, herein referred to as USCG, has Federal jurisdiction over environmental matters in navigable waters in the United States; and

Whereas the Port of Seattle is charged with providing the services and facilities to accommodate the transportation of passengers, including cruise ship passengers, while protecting and enhancing the environment of the Port of Seattle; and

Whereas the Member Cruise Lines operate in and about waters subject to this Memorandum of Understanding (MOU); and

Whereas the Member Cruise Lines have adopted a Cruise Industry Environmental Protection Waste Management Policy as promulgated by the Cruise Industry's trade association, the Cruise Lines International Association (CLIA); and

Whereas Member Cruise Line vessels operate in international waters and move passengers to destinations worldwide and, consequently, those cruise vessel waste management practices must take into account environmental laws and regulations in many jurisdictions and international treaties and conventions; and

Whereas several regulatory regimes apply to Member Cruise Lines in the State of Washington waters including certain MARPOL annexes, the 2013 Vessel General Permit, the Puget Sound No Discharge Zone, the Marine Mammal Protection Act, the Invasive Species Act, the State of Washington Ballast Water Management law, Chapter Ch. 77.120 Revised Code of Washington (RCW), the National Marine Sanctuary Program and the International Maritime Organization (IMO) Areas To Be Avoided, among others; and

Whereas, Member Cruise Lines, the State of Washington as represented by the Washington Department of Ecology (Ecology), and the Port of Seattle have met to develop waste management practices in excess of current environmental regulations that aim to preserve a clean and healthy environment and further demonstrate the cruise industry's commitment to be a steward of the environment; and

Whereas the Member Cruise Lines recognize Washington's fragile marine environment and are committed to help protect this environment;

Now therefore, based upon mutual understanding, the parties enter into this Memorandum of Understanding to implement the following environmental goals, policies and practices.

Definition of terms for the purpose of this agreement:

“blackwater” means waste from toilets, urinals, medical sinks and other similar facilities.

“cruise ship” means any vessel that is owned or operated by a Member Cruise Line;

“dangerous waste” means all hazardous waste as defined by RCRA and Chapter 173-303-100 of the Washington Administrative Code.

“disinfection system upset” means disinfection below levels of four log (99.99%) inactivation of norovirus based on expected results assuming a minimum intensity of ultraviolet (UV) lights used for disinfecting effluent or other shipboard administrative controls as may be accepted by the Washington Department of Health.

“exhaust Gas Cleaning System” means equipment installed onboard a vessel to assist in removal of sulfur oxides from ships’ engine and boiler exhaust gases as approved by the ship’s flag State Administration

“graywater” includes drainage from dishwasher, shower, laundry, bath, galley drains and washbasin drains;

“homeported vessel” is a vessel that makes a call or does a turnaround at a port in Washington at least 20 times per year.

“monitoring for disinfection effectiveness” means using measuring equipment to determine the intensity of ultraviolet (UV) lights used for disinfecting effluent, or other shipboard administrative controls as may be accepted by the Washington Department of Health.

“oily bilge water” means water which may be contaminated by oil resulting from things such as leakage or maintenance work in machinery spaces. Any liquid entering the bilge system including bilge wells, bilge piping, tank top or bilge holding tanks is considered oily bilge water. For any combination of oily bilge water with any other waste stream, the most stringent discharge requirements for the mixture components apply.

“residual solids” includes grit or screenings, ash generated during the incineration of sewage and sewage sludge, which is solid, semi-solid, or liquid residue generated during the treatment of domestic sewage. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from sewage sludge.

“solid waste” means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes and recyclable materials [RCW 70.95.030 (22), Solid Waste Management: Reduction and Recycling].

“waters subject to this Memorandum of Understanding (MOU)” include the Puget Sound and the Strait of Juan de Fuca south of the international boundary with Canada; and for off the west coast, the belt of the seas measured from the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters, and extending seaward a distance of three miles as illustrated in Appendix A.

1 Applicability

1.1 The State of Washington agrees that the performance required by Member Cruise Lines under the terms of this Memorandum of Understanding shall be directed only to the brands owned or operated by Signatory Cruise Companies.

1.2 Member Cruise Lines acknowledge that its members operate cruise vessels engaged in cruise itineraries greater than one day duration; and further that its members do not operate one-day attraction ships or casino gambling ships. This agreement only applies to voyages during which the commercial passenger vessel calls at a port in the State of Washington.

1.3 The State of Washington and Port of Seattle recognize the multiple regulatory regimes that the Member Cruise Lines must comply with in the waters subject to this MOU. These include certain MARPOL annexes, the 2013 Vessel General Permit, the Puget Sound No Discharge Zone, the Marine Mammal Protection Act, the Oil Pollution Act of 1990, the Invasive Species Act, the State of Washington Ballast Water Management law, RCW Ch. 77.120, the National Marine Sanctuary Program and the International Maritime Organization's Areas To Be Avoided, among others. Summaries of these regulatory requirements as they apply to cruise ships are provided in Appendix B.

1.4 The State of Washington and Port of Seattle accepts the CLIA Environmental Protection Waste Management Policy ((CLIA Practices) https://cruising.org/en/about-the-industry/policy-priorities/clia-oceangoing-cruise-line-policies/environmental-protection) as the minimum standard for Member Cruise Line policy in the management of solid waste, dangerous waste (State of Washington dangerous waste and all wastes regulated by EPA as federal hazardous waste) and wastewaters in waters subject to this MOU.

1.5 In addition to the CLIA Practices, the Member Cruise Line vessels operating in waters subject to this MOU agree to allow Ecology to inspect a variety of lines each season and Ecology may choose other vessels based on additional criteria such as compliance and frequency of visits. Inspections of vessels are to verify compliance with the MOU pursuant to the Ecology Statement of Work per Appendix E and agree to comply with Sections 2-4.

1.6 This agreement does not prohibit discharges made for the purpose of securing the vessel or saving life at sea, provided that all reasonable precautions have been taken for the purpose of preventing or minimizing the discharge.

2 Wastewater Management

Member Cruise Lines agree to the following wastewater management actions that extend beyond current regulatory requirements and the CLIA Environmental Protection Waste Management policy:

2.1 Member Cruise lines agree to prohibit the discharge of blackwater, untreated graywater, and solid waste within waters subject to this MOU (Appendix A); and to prohibit the discharge of oily bilge water if not in compliance with applicable federal and state laws within waters subject to this MOU.

2.2 Member Cruise Lines agree (other than as set forth in section 2.3 below), to prohibit the discharge of treated graywater in waters subject to this MOU.

2.3 Member Cruise Lines agree that the discharge of treated graywater from ships equipped with advanced wastewater treatment systems (AWTS) which meet the higher standards and the testing regime set out in federal law (Title XIV, Certain Alaska Cruise Ship Operations, Section 1404 (c)) is allowed under the following conditions:

A. For discharges if the ship is at least one nautical mile away from its berth at a port in Washington and is traveling at a speed of at least 6 knots:

1) No later than 60 days prior to the date the cruise ship wishes to commence discharge of AWTS-treated effluent, the cruise line shall submit the following vessel specific information to Ecology:

a. Documentation on the type of treatment system in use on the ship including schematic diagrams of the system.
b. Documentation that the system is certified by the USCG for continuous discharge in Alaska. If the certification has not yet been provided by the USCG at the time the other documentation is submitted to Ecology, it may be submitted less than 60 days prior to commencement of discharge but in no event less than 30 days prior to the commencement of discharge.
c. Provision for continuous turbidity monitoring, of the AWTS effluent and, continuous monitoring for disinfection effectiveness.
d. Documentation of system design that demonstrates the AWTS can be automatically shut down if monitoring of treated effluent indicates high turbidity or a disinfection system upset; or documentation that demonstrates that operational controls exist to ensure system shut down if monitoring of treated effluent indicates high turbidity or a disinfection system upset. An example of an acceptable operational control is a system that has the continuous monitoring device alarmed as to immediately alert engineering staff on watch to shut down overboard discharges from the system in the event of high turbidity levels or disinfection ineffectiveness in the treated effluent.

B. For continuous discharge:

1) No later than 60 days prior to the date a cruise ship wishes to commence discharge of AWTS effluent, the cruise line shall submit the following vessel specific information to Ecology:

a. Documentation on the type of treatment system in use on the ship including schematic diagrams of the system.
b. Documentation that the system is certified by the USCG for continuous discharge in Alaska. If the certification has not yet been provided by the USCG at the time the other documentation is submitted to Ecology, it may be submitted less than 60 days prior to

commencement of discharge but in no event less than 30 days prior to commencement of discharge.

c. Provision for continuous turbidity monitoring of the AWTS effluent and, continuous monitoring for disinfection effectiveness.
d. Documentation of system design that demonstrates the AWTS can be automatically shut down if monitoring of treated effluent indicates high turbidity or, a disinfection system upset; or documentation that demonstrates that operational controls exist to ensure system shut down if monitoring of treated effluent indicates high turbidity or, a disinfection system upset. An example of an acceptable operational control is a system that has the continuous monitoring device alarmed as to immediately alert engineering staff on watch to shut down overboard discharges from the system in the event of high turbidity levels or disinfection ineffectiveness in the treated effluent.
e. Documentation that all treated effluent will receive final polishing for disinfection immediately prior to discharge.
f. Copies of water quality tests results taken from the AWTS effluent during the preceding six months.
g. A vessel specific plan that: identifies how effluent will be stored until the AWTS is repaired and which indicates the storage capacity of holding tanks; and includes a notification protocol for notifying Ecology of system shut down which occurs while within waters subject to this MOU.

If Ecology determines that the documentation provided is insufficient, it shall notify the cruise line. The cruise line shall provide supplemental documentation as requested by Ecology. If Ecology and the cruise line are unable to agree on the supplemental documentation and the cruise line elects to discharge from the AWTS, the cruise line understands that any such discharge will not have been approved by Ecology and further that Ecology may take appropriate action, including, but not limited to publicizing such facts.

Any cruise ship discharging treated graywater from an AWTS in waters subject to this MOU normally operates within the shipping lanes, which means that vessels are more than a half a mile from shellfish beds.

C. The vessels that have submitted documentation under A or B above agree to:

1) Not discharge within 0.5 nautical miles of bivalve shellfish beds that are recreationally harvested or commercially approved to harvest as identified annually by Washington State Department of Health. By March 1 of each

year, Ecology will notify Member Cruise Lines with approved AWTS discharges, of the beds designated as such for the season.

2) Immediately stop all discharges when high turbidity occurs and when a disinfection system upset condition occurs.

3) Immediately notify the Washington State Department of Health in the event of a disinfection system upset at (360) 236-3330 during office hours or (360) 786-4183 after hours (24 hour pager). The agreement to provide this notice is based on the understanding by Member Cruise Lines that the Department of Health will not publicize the information provided unless it reasonably determines that a discharge presents a material public health risk.

4) Sample and analyze the quality of the treated effluent using a Washington state-accredited laboratory at least one time per month while at port in Washington during each cruise season using the sampling requirements established per the USCG, Captain of the Port, and the Southeast Alaska Policy for conventional pollutants continued compliance monitoring regime. Parameters sampled include pH, Biochemical Oxygen Demand (BOD), Fecal Coliform, Total Suspended Solids (TSS), and Residual Chlorine (RC).

5) Meet the limitations on discharge as set in Alaska regulations for BOD, TSS, pH, Fecal Coliform and Residual Chlorine.

6) Split samples with Ecology upon Ecology's request when sampling is conducted in Washington waters.

7) For vessels that have submitted documentation under B above (continuous discharge), conduct Whole Effluent Toxicity (WET) Testing in accordance with Ecology guidance, once every two years for vessels homeported in Washington and once every 40 port calls or turnarounds to a port in Washington for all other vessels.

8) Provide Ecology with copies of test results obtained for and provided to the State of Alaska to enable Ecology to monitor the quality of the effluent from such systems.

9) Notify Ecology at least a week in advance of sampling and to allow Ecology staff access to the ship in order to observe sampling events.

10) Notify Ecology if any material changes are made to the AWTS.

2.4 Member Cruise Lines agree to prohibit the discharge of residual solids from either a type 2 marine sanitation device or an advanced wastewater treatment system in waters subject to this MOU.

3 Dangerous Waste Management

3.1 Washington state, authorized by EPA to administer the state's Dangerous Waste Regulations in lieu of the federal RCRA rules, assigns EPA/State generator ID#'s to land based sites only. Therefore, the receiving Port's EPA/State generator ID#

will be assigned to all necessary Uniform Hazardous Waste Manifests, as the Port and the Member Cruise Lines are both the co-generator responsible for on site management prior to shipment off site. To document the Member Cruise Lines vessel, the vessel ID number and name should be listed in box 14 of WA Dangerous Waste Manifest document. The Port will provide completed Uniform Hazardous Waste Manifests and other generator-required documentation to the Member Cruise Line identified as co-generator. The State of Washington shall have the right to inspect all such records upon written request to the cruise vessel operator. The State of Washington recognizes that in some cases EPA Identification Numbers may not be required under federal law for conditionally exempt small quantity generators.

3.2 Appendix C includes the uniform procedure adopted by the member cruise lines for the application of RCRA to cruise vessels disposing of dangerous wastes in the State of Washington and State of Washington Code and guidance document. The State of Washington requires Chapter 173-303 Washington Administrative Code (WAC) be followed for all Dangerous Waste Management. A reference to Ecology's website for how to document and manage your Dangerous Waste Documents is found in Appendix C. The State of Washington encourages all parties to follow the guidance in Appendix C to select vendors and manage dangerous wastes appropriately in Washington. The Port, with support from the Member Cruise Lines, agrees to provide an annual report regarding the total dangerous waste offloaded in Washington by each cruise vessel.

3.3 The Member Cruise Lines acknowledge that the State of Washington regulates waste more stringently than EPA and is authorized under RCRA to implement the Dangerous Waste Regulations in lieu of RCRA. The Port and Member Cruise Lines agree, within the waters subject to this MOU, to comply with Chapter 173-303 WAC and guidelines for specific waste streams found in Appendix C.

3.4 The State of Washington and Member Cruise Lines agree that all dangerous waste records required under state law for cruise vessels entering a Washington port shall be available to the State of Washington upon written request to the Member Cruise Line.

3.5 The Port of Seattle may have limitations on the ability to offload Dangerous Waste and Member Cruise Lines will verify this ability to offload and schedule in advance with the Port of Seattle or designated representative.

4 General Waste Management

4.1 The State of Washington and Member Cruise Lines understand that the U.S. Coast Guard (USCG) has Federal jurisdiction over environmental matters in navigable waterways in the United States and conducts passenger ship examinations that include review of environmental systems, Safety Management System (SMS) documentation and such MARPOL-mandated documents as the Oil Record Book and the Garbage Record Book. Additionally, Member Cruise Line vessels will integrate such industry standards into SMS documentation that ensure compliance through statutorily required internal and third-party audits.

4.2 The USCG has developed guidelines relating to the inspection of waste management practices and procedures, which have been adopted by the cruise industry. The State of Washington accepts the USCG Navigation and Vessel Inspection Circular and Environmental Systems Checklist (https://www.dco.uscg.mil/Portals/9/DCO%20Documents/5p/5ps/NVIC/2004/NVIC_04-04.pdf). To reduce administrative burden on the cruise ship industry, the State of Washington agrees to first request from the USCG any records for cruise vessels entering waters subject to this MOU to the extent that those records are covered by the Memorandum of Agreement, dated May 25th, 2001, between the State of Washington Department of Ecology and the USCG. Other USCG records will be provided to the State directly by the Member Cruise Lines upon written request.

4.3 The State of Washington recognizes that waste management practices are undergoing constant assessment and evaluation by cruise industry members. It is understood by the State of Washington and Member Cruise Lines that the management of waste streams will be an on-going process, which has as its stated objectives both waste minimization and pollution prevention. Consequently, all parties agree to continue to work with each other in good faith to achieve the stated objectives.

4.4 Member Cruise Lines agree to require use of solid separation (if equipped) during discharge of Exhaust Gas Cleaning System effluent in MOU waters. Residues generated by the exhaust gas cleaning unit should be delivered ashore to adequate reception facilities in accordance with IMO guidelines and WA State Regulations. Such residues should not be discharged into the waters of the MOU.

5 Compliance, Reporting and Communication

5.1 All parties acknowledge that ongoing discussions of environmental goals are recognized as a necessary component to the successful implementation of management practices for waste minimization and reduction.

5.2 Member Cruise Lines agree to immediately self-report non-compliance with any provision of this MOU to the Department of Ecology at the following 24-hour number: 206-594-0000.

5.3 By December 1st of each year, Member Cruise Lines shall submit a report (either collectively or individually) to the Department of Ecology detailing the compliance with this MOU for each vessel operated by Member Cruise Lines that called to a port in Washington for the previous cruise season. The reports should follow the format included in Appendix D.

5.4 All parties acknowledge that this MOU is not inclusive of all issues, rules or programs that may arise in the future. The State of Washington reserves the right to enter into additional MOUs to address or refine such issues, to take enforcement action in response to violations of state law, or to pursue appropriate legislation.

5.5 The signatories to this MOU agree to at least two meetings per year to review the

effectiveness of the MOU. One meeting will be in the first calendar quarter of the year, and the other will be in the fourth calendar quarter of the calendar year. In addition, one annual public meeting will occur at the beginning of the cruise season.

6 MOU Amendments

Proposed amendments to this MOU will be considered on an ongoing basis. Proposed amendments may be submitted to Ecology, and amendment proposals that meet MOU criteria will be published on the Ecology website. The proposed amendments will be reviewed by the MOU parties and a final determination on amendments submitted in the previous year will be presented at the annual public MOU meeting, which signatories will hold at the beginning of each cruise season in Seattle.

For an amendment to be adopted, it must receive unanimous approval from the MOU signatories.

Proposed Amendment Requirements

- Proposed amendments must address cruise ship activity within MOU waters and not duplicate existing cruise ship requirements covered by regulation or the MOU.
- Proposed amendments must use MOU amendment proposal template found in Appendix F and include:
    - A summary of the amendment proposed.
    - Justification for the applicability of the amendment and how the amendment is applicable to or compatible with the MOU and or existing regulation.
    - The basis for the amendment (e.g., what environmental concern it addresses).
    - The anticipated benefits of the amendment.
    - The potential impacts of the amendment, including how it will be implemented.
    - Relevant or supporting data that helps justify the importance, relevance, or value of the amendment to the MOU and its purpose.

7 Term

7.1 The term of this MOU is 3 years to allow for 3-year review intervals. If the signatories are in a 3-year review interval, the MOU will automatically continue.

7.2 All signatories reserve the right to cancel this MOU upon 90 days written notice.

8 Funding of Ecology MOU Implementation

The Port of Seattle and Ecology have entered into an interagency agreement for the purpose of providing for the costs incurred by Ecology to provide oversight and implementation of the MOU as per executed interagency agreement(s) designed to address the Statement of Work in Appendix E*,* the most recent version of which is provided in Appendix E. The interagency agreement may be amended or extended separately from this MOU and is available on Ecology's Cruise website: https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Cruise-ship-memorandum-of-agreement-MOU. The Port of Seattle is acting solely as a pass-through contracting entity to facilitate the collection of funds from the member lines to provide payment to Ecology on behalf of the member lines.

9 Signatory Authority

The parties to this MOU, through their duly authorized representatives, have executed this MOU on the dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this MOU, as set forth herein. This amendment shall be effective upon the date and signature of the final signing party, the Department of Ecology.

DocuSigned by:
Vincent McGowan
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5/9/2024

Vincent McGowan, P.E.
Water Quality Program Manager
Washington State Department of Ecology

Date

DocuSigned by:
Stephen P. Metruck
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6/6/2024

Stephen P. Metruck
Executive Director Port of Seattle

Date

Signatory Cruise Companies:

DocuSigned by:
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Date

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Vice President Public Health and Environment
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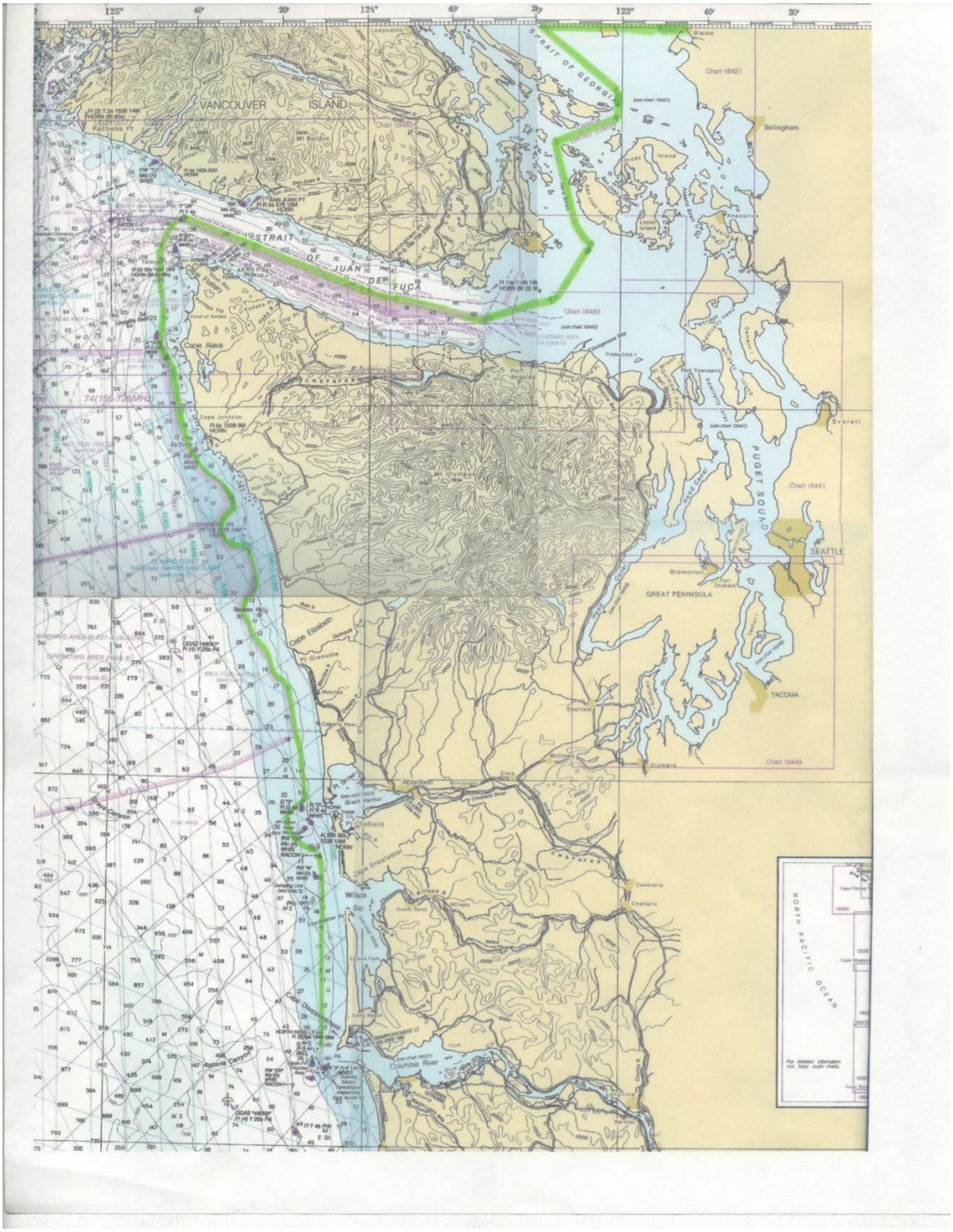
5/6/2024
Date

Eidan Segev
Senior Vice President, Maritime Safety, Security & Environment
Royal Caribbean Cruise Lines

LIST OF APPENDICES

Appendix A: Navigational Chart of Waters Subject to this MOU



Appendix B: Regulatory Requirements Applicable to Cruise Ships While Operating in Waters Subject to this MOU

Puget Sound No Discharge Zone

Discharge of sewage is prohibited (whether untreated or treated)

See: Wash. Admin. Code § 173-228, https://apps.leg.wa.gov/WAC/default.aspx?cite=173-228

MARPOL Annex I Prevention of Pollution by Oil

Regulation 15: Any discharge into the sea of oil or oily mixtures from ships of 400 gross tonnage and above shall be prohibited except when all the following conditions are satisfied: ship is proceeding en route; oily mixture is processed through oil filtering equipment; and oil content of effluent without dilution does not exceed 15 ppm.

Note: The U.S.E.P.A. Vessel General Permit (VGP) is more stringent.

MARPOL Annex IV Prevention of Pollution by Sewage

Regulation 11:

- Sewage treated by an approved sewage treatment plant which has been certified by the Administration to meet the operational requirements in MARPOL Annex IV regulation 9.1.1 may be discharged so long as the effluent does not produce visible floating solids nor cause discoloration of the surrounding water.
- Treated (comminuted and disinfected) sewage using a system approved by the Administration in accordance with MARPOL Annex IV Regulation 9.1.2 – 3 nautical miles from the nearest land, at a speed no less than 4 knots
- Untreated sewage > 12 nautical miles from nearest land, at an approved rate of discharge per addendum to the ISPPC, at a speed no less than 4 knots.

Note: The Puget Sound No Discharge Zone and CLIA Policy requirements are more stringent.

MARPOL Annex V Prevention of Pollution by Garbage

Regulation 3: Discharge of all garbage is prohibited, except as otherwise provided in regulations 4, 5, 6 and 7 (e.g., food waste and deck and external surfaces wash water).

Regulation 4 Discharge of Food Waste outside special area:

- 3 NM from the nearest land for food wastes which have passed through a comminuter or a grinder and can pass through a screen with openings no greater than 25 mm
- 12 NM from the nearest land for non-comminuted food waste (>25mm)

Deck and external surfaces wash water may be discharged into sea, but these substances must not be harmful to the marine environment.

MARPOL Annex VI Prevention of Pollution by Air Emissions

Regulation 4: The Administration of a Party may allow any fitting, material, appliance or apparatus to be fitted in a ship or other procedures, alternative fuel oils, or compliance methods used as an alternative to that required by this Annex if such fitting, material, appliance or apparatus or other procedures, alternative fuel oils, or compliance methods are at least as effective in terms of emissions reductions as that required by this Annex.

- Refer to relevant Guidelines for exhaust gas cleaning systems (resolution MEPC.259(68 or MEPC.340(77)) – see https://wwwcdn.imo.org/localresources/en/KnowledgeCentre/IndexofIMOResolutions/MEPCDocuments/MEPC.259(68).pdf; see also https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/Air%20pollution/MEPC.340%2877%29.pdf

Regulation 12(2): Deliberate emissions of Ozone depleting substances are prohibited

Regulation 13: Nitrogen Oxides (NOx) – Tier III standards apply to marine diesel engines installed on ships constructed on or after 01 January 2016 when operating in designated Emission Control Areas. Outside designated Emission Control Areas, Tier II limits apply. Tier I applies to marine diesel engines installed on ships constructed on or after 01 January 2000 but prior to 01 January 2011. Tier II applies to marine diesel engines installed on ships constructed on or after 01 January 2011. NOx tier standards only apply to diesel engines installed on ships constructed before 01 January 2000 if the diesel engine undergoes a major conversion, or in the event an Approved Method for that engine has been certified by an Administration of a Party and notification of such certification has been submitted to the Organization by the certifying Administration.

Regulation 14(4): Sulphur content of fuel oil used onboard cannot exceed 0.10% m/m in Emission Control Areas

Regulation 16: Shipboard incineration allowed in a shipboard incinerator, subject to the restrictions in Regulation 16(2) and 16(3) (prohibiting or restricting the incineration of certain substances). Shipboard incineration of sewage sludge and sludge oil generated during normal operation of a ship may also take place in the main or auxiliary power plant or boilers, but in those cases, shall not take place inside ports, harbors and estuaries.

U.S. E.P.A. Vessel General Permit (VGP)

The following waste streams are covered under VGP (<3NM from baseline) and in port:

- Deck runoff and above water line hull cleaning – must be conducted with non-toxic and phosphate free cleaners and detergents. The cleaners and detergents should not be caustic or only minimally caustic and should be biodegradable. (see VGP Section 2.2.1)

- Bilge Water – vessels that regularly sail >3NM shall not discharge processed bilge water <1NM. All vessels must minimize the discharge of bilge water. For any discharges that do occur, administration-approved equipment is required and the ship must be proceeding underway (>6Kts). (see VGP Section 2.2.2)
- Antifouling hull coatings/hull coating leachate – All anti-fouling coatings subject to this permit must meet the requirements of the Clean Hull Act of 2010 (33 U.S.C. §§ 3801 et seq.). The discharge of Tributyltin (TBT) from any source (whether used as a biocide or not) or any other organotin compound used as a biocide is prohibited by this permit. Vessels may not use an antifoulant coating containing TBT or any other organotin compound used as a biocide. If the vessel has previously been covered with a hull coating containing TBT (whether or not used as a biocide) or any other organotin compound used as a biocide, vessels must be effectively overcoated so that no TBT or other organotin leaches from the vessel hull or the TBT or other organotin coating must have been removed from the vessel's hull. (see VGP Section 2.2.4)
- Aqueous Film Forming Foam (AFFF) - not permitted unless in an emergency (see VGP Section 2.2.5)
- Ballast Water –All discharges of ballast water must also comply with applicable U.S. Coast Guard regulations found in 33 CFR Part 151 (described below). Vessel owner/operators utilizing a ballast water treatment system (BWTS) must use a system which has been shown to be effective by testing conducted by an independent third party laboratory, test facility or test organization. A system that has been type approved by the U.S. Coast Guard under 46 CFR Part 162.060 or received "Alternative Management System" designation by the U.S. Coast Guard under 33 CFR 151.2026 will be deemed to meet this "shown to be effective" provision. Once the effluent limits in Part 2.2.3.5 become applicable to a vessel (see part 2.2.3.5.2 for applicability timeframes for specified categories of vessels), owners/operators of vessels utilizing a BWTS to meet the requirements of Part 2.2.3.5 of this permit must meet those limits as an instantaneous maximum. BWTS monitoring requirements must be followed.
- Interim requirements for Pacific Nearshore Voyages: Vessels engaged in voyages that take them further than 200 nm from any shore and who will remain outside 200 nm for a sufficient period to conduct exchange, are not allowed to exchange ballast water between 50 and 200 nm from shore (unless the master determines that exchange farther than 200 nm from shore would interfere with essential vessel operations or safety of the vessel but the master determines that the vessel is able to safely exchange more than 50 nm from shore) and instead, must conduct exchange more than 200 nm from shore. Vessels engaged in Pacific Nearshore Voyages who are not outside 200 nm for a sufficient period to conduct exchange may conduct exchange outside 50 nm (even if they voyage beyond 200 nm) to meet the requirements of this part. (see VGP Section 2.2.3, including subparts)
- Boiler/Economizer blowdown – permitted only when necessary for safety purposes or the ship remains within waters subject to VGP for longer period

than the necessary duration between blowdown cycles. (see VGP Section 2.2.6)

- Cathodic Protection – must be maintained to protect the corrosion of the ship's hull. The discharge of zinc, magnesium, and aluminum are expected. Ships must minimize the flaking of large, corroded portions of these anodes. Ship operator must clean/replace these anodes during drydocks to minimize their release in water. (see VGP Section 2.2.7)
- Chain Locker Effluent – the chain must be carefully and thoroughly washed down as it is hauled back on to remove sediment and marine organisms. Chain lockers must not be rinsed or pumped out in VGP waters unless required for safety reasons. (see VGP Section 2.2.8)
- Controllable Pitch Propeller and Thruster Hydraulic Fluid and other Oil Sea Interfaces including Lubrication discharges from Stern Tubes, Thruster Bearings, Stabilizers, Rudder Bearings – oil that may be harmful as defined in 40 CFR Part 110 from any oil-to-sea interface not permitted. (see VGP Section 2.2.9)
- Distillation and Reverse Osmosis Brine – Brine from the distillation system and reverse osmosis reject water shall not contain or come in contact with machinery or industrial equipment (other than that necessary for the production of potable water), toxic or hazardous materials, or wastes. (see VGP Section 2.2.10)
- Elevator Pit Effluent – not permitted unless an emergency (see VGP Section 2.2.11)
- Firemain Systems – discharges are authorized for emergency purposes when needed to ensure the safety and security of the ship and its crew, other emergency situations, and for testing and inspection purposes as may be required to assure its operability in an emergency. Firemain systems may be discharged in port for certification, maintenance, and training requirements if the intake comes directly from the surrounding waters or potable water supplies and there are no additions to the discharge. Firemain discharges may be discharged for deck washdown or other secondary uses if the intake comes directly from the surrounding waters or potable water supplies and the discharge meets all relevant effluent limitation associated with that activity; this also includes washing down the anchor chain to comply with anchor wash down. When feasible, maintenance and training should be conducted outside port and/or outside waters subject to this permit. (see VGP Section 2.2.12)
- Grey Water – The discharge of untreated graywater by large cruise ships is not authorized in waters subject to this permit. Prior to entering waters of the United States, vessel operators must demonstrate that they have an effective treatment system that complies with the standards in Part 5.1.1.1.2 if they will discharge graywater within 3 nm of shore. (see VGP Section 5.1.2.1 and 5.1.2.2)
- Gas turbine wash water – not permitted (see VGP Section 2.2.14)
- Non-oily machinery waste water – Non-oily machinery water must be kept separate from water that has oil content. Such sources of non-oily machinery waste water, include: distilling plants start up discharge, potable water tank

overflows, chilled water condensate drains, engine cooler condensate, etc. These non-oily wastewaters must be prevented from mixing with oily waste waters prior to discharge. (see VGP Section 2.2.17)

- Refrigeration and air condensate discharge – must not come into contact with oily or toxic materials if it is discharged directly overboard. (see VGP Section 2.2.18)
- Seawater Cooling Overboard Discharge (including non-contact engine cooling water; hydraulic system cooling water, refrigeration cooling water) – Seawater cooling water discharge overboard should be minimized in port. Ships equipped with shore power capability should connect to shore power connection if available and approved by Superintendent. When possible, seawater cooling water should be discharged when the vessel is underway so that any thermal impacts are mitigated (see VGP Section 2.2.19)
- Seawater Piping Biofouling Prevention – Discharges containing active agents must contain as little chlorine as possible. Vessel owner/operators must remove fouling organisms from seawater piping on a regular basis and dispose of removed substances in accordance with local, state, and federal regulations. Removed fouling organisms shall not be discharged into waters subject to this permit and EPA recommends that if discharged into any waters, should be discharged more than 50 nm from shore. Vessel owner/operators should remove any organisms while at sea where technically feasible to reduce the risk of invasive species introduction in ports. (see VGP Section 2.2.20)
- Boat Engine Wet Exhaust – Vessel engines generating wet exhaust must be maintained in good operating order, well-tuned, and function according to manufacturer specifications to decrease pollutant contributions to wet exhaust. (see VGP Section 2.2.21)
- Underwater Ship Husbandry Discharges – Vessel owners/operators who remove fouling organisms from hulls while the vessel is waterborne must employ methods that minimize the discharge of fouling organisms and antifouling hull coatings. Vessel owners/operators must minimize the release of copper-based antifoulant paints during vessel cleaning operations. Vessels that use copper-based anti-fouling paint must not clean the hull in copper-impaired waters within the first 365 days after paint application unless there is a significant visible indication of hull fouling. (see VGP Section 2.2.23)
- Grey water mixed with sewage – The commingled discharge of graywater mixed with sewage from vessels must comply with the effluent limits for graywater discharge in Part 2.2.15 and requirements in Section 312 of the Clean Water Act. (see VGP Section 2.2.25)
- Welldeck discharges – Permitted; however welldeck discharges that contain graywater from smaller vessels (tenders) should not be discharged except in cases of emergency. Welldeck discharges from washdown of gas turbine engines may not be discharged. Welldeck discharges from equipment washdowns must be free from garbage and must not contain oil in quantities that may cause a sheen. (see VGP Section 2.2.25)

- Exhaust Gas Cleaning System (Exhaust Gas Cleaning System Washwater Discharge) – permitted so long as it complies with VGP numeric effluent limits and meets monitoring requirements in the permit (see VGP Section 2.2.26)
- Pool and Spa Water – Discharges from pools and spas are authorized into non-Appendix G waters subject to this permit, provided pool and spa water to be discharged is dechlorinated and/or debrominated, and discharge occurs while the vessel is underway. (see VGP Section 5.1.1.2)
- Washington Certifications to VGP (see VGP Section 6.24):
  - Except for discharges of firefighting foam conducted in accordance with VGP Part 2.2.5, discharges to state waters are prohibited which would cause a sheen, film, sludge, foam, turbidity, color, or odor.
  - No vessel meeting the VGP definition of a large or medium cruise ship may discharge graywater within 0.5 miles of a shellfish bed that is recreationally harvested or approved for commercial harvest.
  - The release of nonnative aquatic animal species from in-water cleaning of vessel hulls, niche areas, and running gear without approval from the Washington Department of Fish and Wildlife (WDFW) is forbidden by RCW 77.15.253. Allowing biofouling to accumulate and mature without hull cleaning can also be interpreted as an illegal release.
  - Vessel operators must meet all applicable ballast water requirements in place as of July 2, 2012 in Chapter 77.120 RCW and Chapter 220-150 WAC.
  - Any discharge from emergency treatment of ballast water must meet the requirements in Part 2.2.3.5.1.1.5.1 of the VGP.

See: U.S. EPA Vessel General Permit (2013), https://www.regulations.gov/document/EPA-HQ-OW-2011-0141-0949

Note: The U.S. EPA Vessel General Permit will be replaced by the Vessel Incidental Discharge Act in the future.

Oil Pollution Act of 1990 (33 U.S.C. 2701-2761)

Ships must submit emergency vessel response plans to the Federal government detailing how they will respond to oil spills.

Owners of vessels over 300 gross tons are required to apply to the Coast Guard for a "Certificate of Financial Responsibility" (COFR) providing their ability to financially cover cleanup and damages in the event an oil spill.

See: https://uscode.house.gov/view.xhtml?path=/prelim@title33/chapter40&edition=prelim

33 CFR Part 151 Subpart D Ballast Water Management for Control of Nonindigenous Species in Waters of the United States

Discharge of treated ballast water within US territorial water is only allowed if treated by a BWTS approved by the United States Coast Guard (USCG) or if treated by a USCG-authorized Alternate Management System (AMS).

If a ship has received an extension to install a BWTS by the USCG, the ship can conduct ballast operation within US territorial waters (<12NM) by performing complete ballast water exchange (BWE) in an area >200NM from any shore prior to discharging ballast water. If the planned voyage does not go >200NM from shore, voluntarily divert to 200NM and conduct a BWE, or for vessels that don't voyage out to 200NM, voluntarily conduct BWE at least 50NM from shore and in waters >200m deep.

Ships that do not have a USCG-approved BWTS or an authorized AMS and have not received an extension from the USCG are not allowed to discharge ballast water within US territorial waters (<12NM).

See: 33 C.F.R. § 151.2025, https://www.ecfr.gov/current/title-33/chapter-I/subchapter-O/part-151/subpart-D

Ships calling in the United States must comply with the NBIC ballast water reporting requirement.

See: 33 C.F.R. § 151.2060, https://www.ecfr.gov/current/title-33/chapter-I/subchapter-O/part-151/subpart-D

Ships must also submit a PDF of the NBIC ballast water reporting form to ballastwater@dfw.wa.gov at least 24 hours prior to arriving in state waters, moving between Oregon and Washington ports on the Columbia River, or transiting between Washington state ports. (see Chapter 220-150 WAC)

See: Wash. Admin. Code § 220-650-030, https://app.leg.wa.gov/wac/default.aspx?cite=220-650-030

Seattle Port (Port of Seattle Terminals Tariff No. 5)

Item 4001 Cruise Ships – Protecting Water Quality: “Passenger cruise ships will not discharge graywater, blackwater, or exhaust gas cleaning system wash water, whether treated or not while at berth in Port Terminals.”

See: https://www.portseattle.org/page/tariffs-terminal-tariff-no-5 (effective 04/01/2023)

NOAA Olympic Coast National Marine Sanctuary

The following discharges are prohibited in Olympic Coast NMS per 15 CFR Part 922 and U.S. 2013 Vessel General Permit for Discharges Incidental to Normal Operation of Vessels (VGP):

- Bilge water (see VGP Section 2.2.2)
- Sewage (and sewage sludge) (see 15 C.F.R. § 922.152(3))
- Grey Water (see VGP Section 2.2.15 and 15 C.F.R. § 922.152(3))
- Food waste (see 15 C.F.R. § 922.152(3))
- Pool and Spa Water (see VGP Section 5.1.1.2)
- Exhaust Gas Cleaning System Washwater (see 15 C.F.R. § 922.152(3))
- Brine (see 15 C.F.R. § 922.152(3))
- Boiler/Economizer blowdown (see VGP Section 2.2.6)
- Deck washing effluent (see VGP Section 5.3.1.1)

- Superchlorinated water (see VGP Section 5.1.1.2)
- Unexchanged or untreated ballast water or sediment (see VGP Section 2.2.3.6.5)
- Discharges from firemain systems (see VGP Section 2.2.12)
- Motor gasoline and compensating discharges (see VGP Section 2.2.16)

Additionally, ballast water uptake and discharge should be avoided. (see VGP Section 2.2.3.3) Aqueous Fire Fighting Foam discharges also may not occur in or within one nautical mile (see VGP Section 2.2.5).

See: 15 C.F.R. § 922.152, https://www.ecfr.gov/current/title-15/subtitle-B/chapter-IX/subchapter-B/part-922/subpart-O; U.S. EPA Vessel General Permit (2013), https://www.regulations.gov/document/EPA-HQ-OW-2011-0141-0949

IMO Areas to be Avoided

See: https://olympiccoast.noaa.gov/protect/incidentresponse/atba.html

CLIA Waste Management Policy and Commitments

Bilge or Oily Residues: CLIA Members agree to meet or exceed the international requirements for removing oil from bilge and wastewater prior to discharge.

Greywater: CLIA Members agree that for ships not using onshore reception facilities and travelling regularly on itineraries beyond the territorial waters of coastal States, graywater may only be discharged while the ship is underway and proceeding at a speed of not less than 6 knots and at a distance not less than 4 nautical miles from the nearest land or such other distance as agreed to with authorities having local jurisdiction or provided for by local law except in an emergency or where geographically limited

Sewage: CLIA members agree to process sewage through a sewage treatment system that is certified in accordance with international regulations, prior to discharge during normal operations. For ships not using onshore reception facilities and travelling regularly on itineraries beyond the territorial water of coastal states, discharge is to take place only when the ship is more than 4 nautical miles from the nearest land and traveling at a speed of not less than 6 knots. Advanced wastewater treatment systems result in effluent discharges that are often equivalent to the best shoreside treatment plants and may therefore not be subjected to the strict discharge limitations noted above.

See: https://cruising.org/en/about-the-industry/policy-priorities/clia-oceangoing-cruise-line-policies/environmental-protection

Appendix C: Washington Dangerous Waste Management Best Management Practices and WA State WAC/publication

This Appendix is to be used as guidance for dangerous waste landed ashore in Washington. The following is a list of Resource Conservation Recovery Act (RCRA) and Washington state dangerous waste that may be found on cruise ships, and appropriate guidance for offloading from the ship.

Terms

Dangerous Waste – Includes all hazardous waste as defined by RCRA and Chapter 173-303-100 of the Washington Administrative Code (WAC), where Washington state criteria and requirements for dangerous waste are detailed.

List of Waste Streams and Related Guidance

Antifreeze – Conditionally excluded as a hazardous waste if recycled. (WAC 173-303-522)

Aqueous Degreasing – If the resulting waste is dangerous it can be treated to remove the hazard and the resulting effluent can be sent to the AWTS or Oily Water Separator. If no treatment is performed it can be landed ashore for proper disposal.

Batteries & Mercury Containing Thermostats – These are universal waste if sent for recycling. (Ecology Publication Number 98-407, Universal Waste Rule for Batteries and Mercury Containing Thermostats)

Spent Lead Acid Batteries – Spent lead-acid batteries are conditionally excluded if recycled. (WAC 173-303-520)

Cathode Ray Tubes (CRTs) – Excluded if recycled, otherwise are to be managed as a dangerous waste. (Ecology Publication Number 02-04-017, Interim Enforcement Policy Conditional Exclusion for Cathode Ray Tubes* and Related Electronic Wastes)

Dry Cleaner – Perchloroethylene (PERC), Isoparaffinic Hydrocarbons, and other chlorinated dry cleaning fluids, contaminated sludge and filter materials are dangerous waste and must be landed ashore in accordance with Dangerous Waste WAC 173-303 requirements.

Florescent Tubes – Handling procedures for universal waste lamps do not allow for the deliberate crushing of lamps and bulbs. When the handler decides to crush, the universal waste rules no longer apply, and the crushed bulbs and filter material from bulb crushing should be managed as Dangerous Waste. For intact bulbs and lamps - (WAC 173-303-573 and Ecology Focus Sheet, Publication # 00-04-020, Guide to Universal Waste). https://apps.ecology.wa.gov/publications/documents/2104017.pdf

HVAC – CFC’s or HCFC’s are excluded as a dangerous waste if recycled. (WAC 173-303-506)

Filters from HVAC units that use Halogenated Organic Compounds (HOC’s) as fire retardants may designate under state criteria as dangerous waste and then must be managed as such.

Mercury Switches – May be managed as a Universal Waste as Mercury-containing equipment.

Painting – Discarded Paints & Cleanup Solvents. All spent paints and solvents must be properly designated and if dangerous waste, managed as such.

PCBs – Regulated as a state dangerous waste if they come from transformers, capacitors and bushings if PCBs are above 2 ppm. If PCBs are above 50 ppm they must also be managed as a TSCA waste. (WAC 173-303-9940)

Pharmaceuticals – Drugs that designate as dangerous waste, but that are not controlled substances, must be sent ashore as dangerous waste, and not to the blackwater systems. Contact the US Drug Enforcement Agency (DEA) about suitable destruction methods for any controlled substances, and then manage the residue from destruction as a dangerous waste (disposal to water, regular garbage or incineration in an unpermitted facility would be illegal). If the drug is not a dangerous waste, Washington state recommends regardless whether it is a controlled substance or not, it be) sent ashore for incineration at a facility permitted to incinerate municipal solid waste Non RCRA drugs are also prohibited from being discharged to water.

Photo Waste – Silver can be removed from fixer and the resulting effluent would be allowed to go to an advanced wastewater treatment system (AWTS), but not to graywater or to a Type 2 MSD. If the fluids can not go to the AWTS, they must be landed ashore in accordance with Dangerous Waste regulations. (Ecology Publication 94-138R, A Guide For Photo Processors)

Printer Wastes – Inks, solvents and rags, used for cleaning, will need to be properly designated, and if dangerous waste, managed as such.

Spray Cans – Cans that are not empty must be properly designated, and if dangerous waste, managed as such. Puncture unit waste and filters must be managed according to the dangerous waste regulations.

Solvent Degreasing – Solvents, when used, must be properly designated, and if dangerous waste, managed as such.

References

Chapter 173-303 WAC: https://apps.leg.wa.gov/WAC/default.aspx?cite=173-303

Ecology’s How to Manage Your Waste publication: https://ecology.wa.gov/Waste-Toxics/Business-waste/Manage-your-waste

Appendix D: Boilerplate Annual Compliance Letter

Maritime Compliance Specialist, Water Quality Program
Washington State Department of Ecology Northwest Regional Office
PO Box 330316
Shoreline, WA 98133-9716

Re: Washington Cruise MOU Compliance Report: XXXX (enter year) Cruise Season

Dear Maritime Compliance Specialist:

The Memorandum of Understanding for Cruise Operations in Washington state (signed XXX (enter signature date)), requires an annual submittal detailing the compliance with the MOU for each vessel within the Member Cruise Lines that calls to a port in Washington for the previous cruise season. Please accept this letter on behalf of XXX (name your cruise line) for the XXXX (enter year) cruise season.

The following ships operated in Washington waters during XXXX (enter year):

- Name the ship or ships; list the port of call and the dates.

XXX's operations in Washington state addressed the following key provisions of the MOU as follows:

Section 2. Wastewater Management. XXX managed its wastewater in compliance with this section as follows:

[Choose one or more options as appropriate]

- In compliance with Section 2.1 and 2.2, XXX held all treated and untreated gray and black water while in Washington waters and did not discharge solid waste, oily bilge water if not in compliance with applicable federal and state laws while in Washington waters. List the ships that held their effluent and describe the type of treatment system each ship in this category has. Based on a thorough review of ships' logs and records we certify that our ship(s) complied with these provisions of the MOU. XXX will make these records available to Ecology upon request.

- In compliance with Section 2.3 (A), XXX submitted the information required to allow discharge of treated gray water one mile from berth to Ecology on XX date for the following ship(s):

  --. Describe the type of treatment system each ship in this category has. Approval of the information was received from Ecology on XX date.

- In compliance with Section 2.3 (B), XXX submitted information supporting its request to discharge treated graywater continuously to Ecology on XX date for the following ship(s) --

  ---. Describe the type of treatment system each ship in this category has. Approval to discharge while at berth was received from Ecology on XX date.

Section 2.3 (C)(1-3) Shellfish and “upset” conditions. Based on a review of XXX ship’s logs and records, XXX certifies that we complied with the prohibition on discharging within 0.5 nautical miles of bivalve shellfish beds that are recreationally harvested or commercially approved to harvest as identified annually by the Department of Ecology and that any “upset” conditions were stopped and immediately reported to the Washington State Department of Health.

Section 2.3 (C)(4-10) Other discharge approval requirements. Based on a review of XXX ship’s logs and records and other knowledge, XXX certifies that the requirements in this section were met.

Section 2.4 Discharge of Residual Solids. Based on a review of XXX ships’ logs and records, XXX certifies that we complied with the prohibition on discharging residual solids coming from any type of treatment system within 12 nautical miles from shore and within the Olympic Coast National Marine Sanctuary. XXX will make these records available to Ecology upon request.

Section 3.1 through 3.4 Dangerous Waste Management. Based on a review of XXX ship’s logs and records, XXX certifies that Dangerous Wastes were managed in accordance with these sections of the MOU. XXX will make these records available to Ecology upon request. Add a description of how dangerous waste is managed while in Washington.

Section 4.4 Discharge of Exhaust Gas Cleaning System effluent. Based on a review of XXX ship’s logs and records, XXX certifies that we complied with the requirement for open loop scrubbers to use solid separation (if equipped) and residues generated by the exhaust gas cleaning unit were delivered ashore to adequate reception facilities, in accordance with IMO guidelines and WA State Regulations and were not discharged into the waters of the MOU.

Section 5. Immediate self-reporting to Ecology of any incidences of non-compliance with any provisions of the MOU. Describe any incidences of non-compliance and when they were reported to Ecology and any corrective actions taken.

I hereby certify that the above information is true and can be verified through documentation. If you have any questions or concerns, please call me at XXX-XXX-XXXX.

Sincerely,

Name Position/Title

Company

Appendix E: Statement of Work

Department of Ecology/Port of Seattle

Cruise Ship Memorandum of Understanding Scope of Work

The Department of Ecology (Ecology), the Port of Seattle, and the member lines are signatory to the *Memorandum of Understanding, Cruise Operations in Washington State* (MOU). The MOU was originally signed April 20, 2004 and later amended. The member cruise lines agree to comply with practices while operating in waters subject to the MOU. Ecology is charged with protecting and conserving Washington's environmental resources in relation to the cruise industry's environmental practices in Washington. The member cruise lines have agreed to fund Ecology's costs to implement the MOU and to accomplish the tasks listed herein. The total reimbursement to Ecology for each calendar year will be a maximum of ten thousand dollars ($10,000 U.S.).

Ecology shall furnish the necessary personnel, equipment, material and/or service(s) and otherwise do all things necessary for or incidental to the performance of the work to implement the MOU. This work includes:

Task 01

Compliance Work:

Work with stakeholders on drafting necessary amendments to the cruise MOU. Provide technical assistance for cruise lines and vessel staff. Field questions from the public, press, environmental groups, and cruise lines. Monitor compliance with the MOU. Work with other programs within Ecology on hazardous waste, biosolids, solid waste, spill prevention, and other MOU elements. Work with Ecology policy and fiscal staff on cruise ship related issues. Research issues related to vessel discharges. Work with Department of Health Shellfish Program on shellfish and virus-related studies and issues. Manage and update Ecology's cruise ship webpage.

Task 02

Inspections:

Conduct annual inspections of cruise vessels to verify the operation of the treatment systems and to evaluate compliance with the MOU. Write inspection reports and provide recommendations for improvement. Take samples from vessels and evaluate results as necessary.

Task 03

Wastewater Discharge Approvals:

Verify documentation submitted for approval of discharges. Evaluate documentation and treatment systems for requirements of MOU to discharge. Based on the information submitted and an engineering review, provide approval for discharges as appropriate.

Task 04

Annual Reports and Annual Meeting:

Draft an annual assessment of cruise ship environmental effects report as necessary. Evaluate monthly sampling data results and summarize annually as necessary. Lead an annual meeting to review the effectiveness of the MOU.

Task 05

Project Management:

Oversee the cruise ship MOU program and assist as needed. Provide administrative oversight for compliance with the MOU. Represent senior program management in duties related to protection of water quality from cruise ship discharges including negotiations.

Task 06

Additional tasks may become part of this agreement by mutual concurrence of Ecology and the Port of Seattle, or upon extension of the agreement.

Appendix F: Cruise MOU Amendment Proposal Template

Amendment Title:

Proposer(s):

Date:

Amendment Proposal Summary: *Provide the specific changes to the MOU that are proposed.*

Justification: *Explain how the amendment changes or enhances the existing terms of the Cruise MOU and explain how the proposal does not duplicate or contradict existing regulation governing cruise ships operating in MOU waters.*

Basis For Amendment: *Explain the amendment's relevance to the Cruise MOU scope and/or the environmental topic or protection it seeks to address and desired or expected outcome.*

Anticipated benefits: *Explain how the amendment will benefit or enhance the purpose or efficacy of the Cruise MOU.*

Potential impacts: *Explain the anticipated ramifications of the amendment, including details on how the proposal could be implemented, by whom, and when and any new resources required.*

Supporting data: *Provide any supporting information or data that helps justify the importance, relevance, or value of the amendment to the Cruise MOU and its purpose.*

Appendix G: Summary of Amendments

AMENDMENT NO. 1, signed July 2005

1. Changing references to the Seattle being the only port berthed to all ports in Washington.
    - While the ships typically call only to Seattle, there is potential for port calls to other ports.
2. Adding a requirement for all vessels within the NWCCA to submit an annual report of compliance with MOU.
    - This requirement is being added due to the need to know if ships complied with the MOU whether or not they go through the process of authorization to discharge. For ships that choose to hold their discharge while in Washington waters, it is important to know if they complied.
3. Adding regulation language referenced in Appendix v to show all effluent limits required for discharge.
    - Ships that discharge must meet the higher standards as set in Alaska which is referenced in the MOU and in appendix v.

AMENDMENT NO. 2, signed April 2006

1. Adding a requirement to prohibit the discharge of oily bilge water and a definition was also added. The purpose of this addition is to include specific prohibition language on all major sources of potential pollutants from the vessels.
2. Adding a definition for residual solids. Residual Solids has gone undefined although we have had the requirement to prohibit the discharges. This has been added to clarify exactly what types of residual solids are being managed per this MOU.
3. Adding specific language about what limits must be met for monitoring results. The purpose of this addition is to make it clear to the cruise lines and to the public what limits need to be met.
4. Changing the requirement on WET testing from once per 2 years to once per 40 port calls or turnarounds for vessels that are not homeported due to the fact that vessels come and go from this route from year to year.
5. Other minor changes for organization of the document.

AMENDMENT NO. 3, signed May 2007

1. Changing all references and the appendix from the International Council of Cruise Lines (ICCL) to the Cruise Line International Association (CLIA) as the association changed.
2. Adding language about the interagency agreement for cost recovery and referencing the appendix.
3. Changing where residual solids (sludge) can be discharged to disallow any residual solids discharges in the entire Olympic Coast National Marine Sanctuary.
4. Clarifying the language to allow for inspections of all vessels, whether approved for discharge or not for compliance with the MOU. The language currently only allows for inspections of vessels discharging.

5. Clarifying the language to say that all vessels approved for discharge, not just those actually discharging agree to the sampling requirements set out in the MOU. The current language has been confusing for some vessels approved for discharge, but mostly holding discharges anyways.

AMENDMENT NO. 4, signed May 2008

1. Incorporating recommendations from the Washington State Department of Health virus report:
    a) Not allow discharges within a half mile of shellfish beds. Include an appendix identifying the areas where bivalve shellfish beds that are recreationally harvested or commercially approved within half a mile of the shipping lanes and update annually. And include an appendix with background information on the virus related elements.
    b) Define a “disinfection system upset” condition as a disinfection below levels of four log (99.99%) inactivation of norovirus.
    c) Require immediate shutdown capability from an upset condition of disinfection below levels of four log (99.99%) inactivation of norovirus for all vessels that have submitted documentation to discharge.
    d) Require immediate notification to the Department of Health for an upset condition.
2. Require whole effluent toxicity testing for only those vessels that have submitted documentation for continuous discharge.
3. Other minor changes for organization of the document.

AMENDMENT NO. 5, signed March 2011

1. Including a process for amending the MOU including a public review process. Proposed amendments will be accepted for the 2012 cruise season and then every three years thereafter.
2. Updating the name of the cruise association. In 2010, the NorthWest CruiseShip Association changed its name to the North West & Canada Cruise Association (NWCCA).
3. Including an additional shellfish area to the Appendix.

AMENDMENT NO. 6, signed March 2016

1. Updating the name of the cruise association. The North West & Canada Cruise Ship Association changed its name to Cruise Lines International Association – North West & Canada (CLIA-NWC).
2. Amending Section 11 and the appendix on funding to include new language for a restructured funding mechanism and terms.
3. Updating Appendix “List of CLIA-NWC Member Lines” to include Compagnie du Ponant.
4. Updating Appendix, “Cruise Industries Policies - Environmental Protection”.
5. Other minor changes for organization of the document.

AMENDMENT NO. 7, signed June 2023

1. Addition of section 2.1.5 to address Exhaust Gas Cleaning System Discharges and addition in definitions section for Exhaust Gas Cleaning System.

2. Updating Wastewater Management section to not contradict the Puget Sound No Discharge Zone regulations.
3. Updating Hazardous Waste Management section to be consistent with current WA state Dangerous Waste regulations.
4. Updating Appendix to remove EPA memo and update WA State Dangerous Waste Identification Form.
5. Other minor changes for organization and clarification of the document.
6. Updating the name for the cruise association. Cruise Lines International Association – North West & Canada changed its name to Cruise Lines International Association.
7. Updated agreement now between Signatory Cruise Companies and removal of Cruise Lines International.

AMENDMENT NO.8, signed May, 2024

1. Rewritten to acknowledge the current regulatory requirements applicable to cruise ships in waters subject to this MOU and to focus on requirements that are more stringent than current environmental regulations.
2. Minor clarifications to the dangerous waste management logistics
3. Reorganization and numbering changes throughout the document
4. Addition of term language
5. Addition of a second MOU signatory meeting per year to assess the effectiveness of the MOU
6. Changes to the public amendment process
7. Addition of amendment proposal template