

Colin Henein
Transport Canada
Tower C – 330 Sparks Street
Ottawa, Ontario
K1A 0N5
Canada

March 29, 2013

Dear Mr. Henein:

On behalf of the Greater Niagara Chamber of Commerce (GNCC) and the Canadian Chamber of Commerce (CCC), our organizations would like to express our view that the proposed ballast water regulations in Canada should take into account the unique bi-national nature of the Great Lakes – St. Lawrence Waterway (GLSLW). This unique position requires a harmonized, practical and cost-effective regulatory system.

Canada's marine transportation industry plays an important role in facilitating and accelerating trade in the Great Lakes region. The industry faces many environmental, safety and security regulations. The lack of regulations that are specifically tailored to the region and that are unilaterally applied throughout the relevant jurisdictions diminishes the competitiveness of the marine transportation sector and hinders growth in the sectors dependent upon it.

The Great Lakes continue to be an important transportation corridor for Canada. Maritime commerce in the region generates more than \$34.6 billion in transportation-related revenue. Commodities that range from iron ore for the steel industry to limestone for the construction industry are transported through the Great Lakes. Due to the cost effective nature of the waterway, our economy saves an estimated \$3.6 billion per year.

However, the marine transportation industry still faces regulatory challenges due to gaps in alignment between U.S. States and Canadian authorities. The dangers of such misalignment was highlighted by the State of New York when it unilaterally proposed ballast water regulations that were not only technically impossible but also differed significantly from regulations in other jurisdictions along the Seaway. If implemented, these requirements would have significantly impacted the Canadian marine transportation industry in the Great Lakes region. While this issue was eventually resolved through various advocacy initiatives, it underscored the need for greater regulatory coherence for the marine industry and for the region.

Transport Canada is considering new ballast water rules that would apply to all ships operating in Canadian waters including those operating within the internal waters of the GLSLW system. We would like to stress the need for regulatory outcomes that ensure the continued competitiveness of the marine transportation industry and the industries that rely on the GLSLW system. In this regard we believe that the recently issued U.S. Coast Guard (USCG) regulations could provide a useful model. These regulations were issued in March 2012 and provide more flexibility and consideration for the unique operational characteristics of the freshwater GLSLW fleet. The USCG model recognizes that vessels operating exclusively within the GLSLW out to the Canadian Exclusive Economic Zone should remain subject only to current ballast water management practices until such a time that commercially viable new technologies and processes are developed and proper, rigorous research is found to support such requirements. Furthermore, these rules treat all domestic Canadian and American vessels equally across the entire GLSLW.

We urge the Canadian government to develop regulatory standards that are aligned with the USCG approach. Industry needs a solution that is specifically designed to address the unique nature of the marine transportation industry within the GLSLW.

Thank you again for the opportunity to present the views of the business community and fostering an important dialogue as we work towards harmonizing regulations in the GLSLW system. We look forward to continued exchange of ideas on this issue and would be happy to answer any questions that you or your staff may have.

Sincerely,

A handwritten signature in blue ink, appearing to read "Walter Sendzik", on a light yellow background.

Walter Sendzik
CEO
Greater Niagara Chamber of Commerce

A handwritten signature in blue ink, appearing to read "Warren E. Everson", on a white background.

Warren Everson
Senior Vice-President Policy
The Canadian Chamber of Commerce