



# Technical Circular

No.: 089/2017

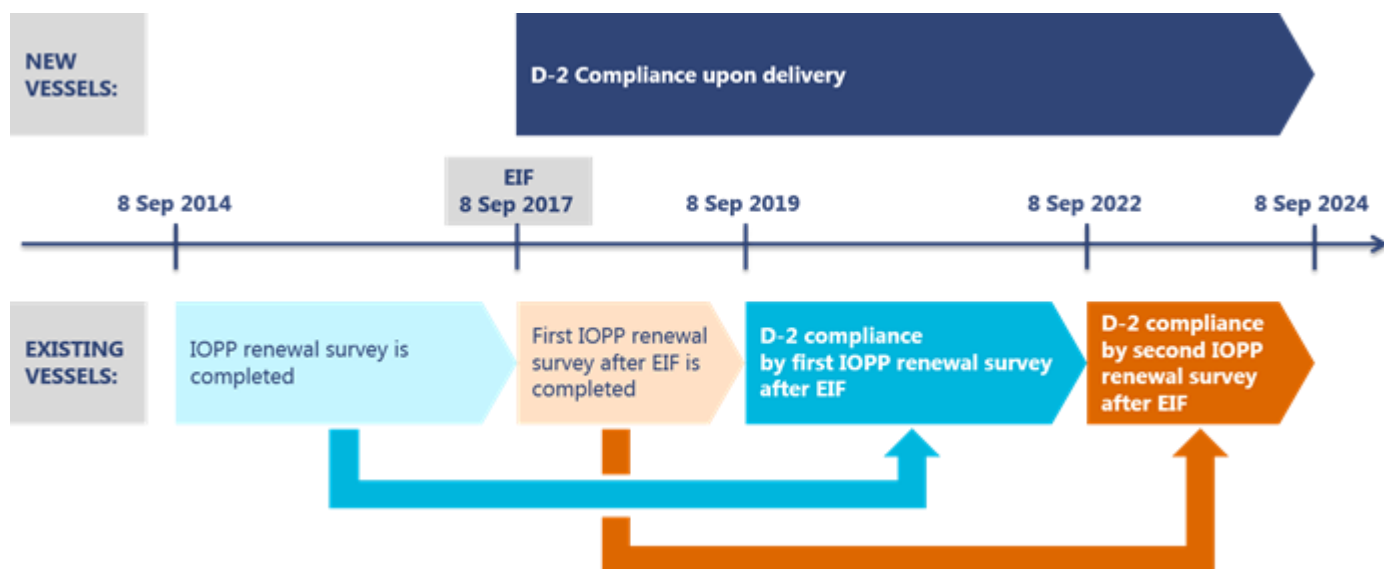
Date: 14<sup>th</sup> July 2017

**To Whomsoever it may concern**

**Subject: Draft MEPC Resolution on implementation date of the Ballast Water Management System.**

- BWM Convention introduces two standards for the handling of discharged ballast water:
  - i. D-1 standard covering ballast water exchange requires ships to conduct the exchange at least 95% of their ballast water by volume such that at least 95% of water by volume is exchanged far away from the coast where it will be released.
  - ii. D-2 standard covering ballast water treatment which requires ballast water management to restrict to a specified maximum the amount of viable organisms allowed to be discharged and to limit the discharge of specified indicator microbes harmful to human health.
- The Convention requires ships to manage their Ballast water to meet the compliance with either the D-1 or the D-2 standard on or after 8 September 2017. There will be a transitional period from this date when only compliance with the D-1 standard is required, until compliance with the D-2 standard becomes mandatory.
- On 7 July 2017, at its 71<sup>st</sup> session, the IMO Marine Environmental Protection Committee (MEPC) approved draft amendments to regulation B-3 of the Ballast Water Management (BWM) Convention, setting out new deadlines for compliance with the D-2 discharge standard, i.e. the date by which ballast water treatment systems must be installed. The changes supersede the implementation schedule contained within IMO Res.A.1088 (28). The draft amendments to regulation B-3 will be submitted to MEPC72 in spring i.e. April 2018 – after the BWM Convention has entered into force – with a view to their adoption at that meeting.
- The amendments delay the treatment system mandatory installation schedule for two years after entry into force of the Convention, giving vessels 2 to 7 years from entry into force before needing to fit a treatment system, depending on their IOPP renewal survey dates, thus giving vessel owners more time to comply while at the same time allowing new treatment systems, approved under the IMO's revised G8 guidelines on testing and type approval, to become available on the market.

- It is therefore important to keep in mind that, despite the IMO's recent agreement to delay the deadline for some vessels to retrofit a treatment system, the deadline for vessels to comply with the D-1 standard on ballast water exchange of the Ballast Water Management Convention is non-negotiable and must still be complied with by 8 September 2017.
- **New implementation schedule for compliance with the D-2 standard:**  
The amended regulation B-3, as approved by MEPC71, requires
  - 1) **New ships** (ships constructed/keel-laid on or after 8 September 2017) to comply with the D-2 standard and have a ballast water treatment system installed upon delivery so as to conduct the Ballast Water Management that at least meets the D2 Standard from the date the ship is put into service.
  - 2) **Existing ships** (Ships constructed prior to entry into force of the Convention i.e. before 8 September 2017), the MEPC stands by its decision to use the renewal of a vessel's International Oil Pollution Prevention (IOPP) certificate as the mechanism to define the phase-in schedule but applying "on or after 8 September 2019" as the start of the phase-in period. For existing ships this would be the first or second five year renewal IOPP survey after 8 September 2017. As a result, the date by which all ships must have installed a ballast water treatment system has been extended from 2022 to 2024.
- The principles of the new implementation schedule for compliance with the D-2 standard is illustrated in the figure below and the details as under.



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- Accordingly, as per the proposal, ships built before the convention's entry into force (EIF) on 8 September 2017 that require an International Oil Pollution Prevention (IOPP) certificate are to comply with the D-2 discharge standard as under:
  - By the first IOPP renewal survey: this applies when the first renewal survey of the ship takes place on or after 8 September 2019; or
  - By the first IOPP renewal survey after 8 September 2017: this applies when a renewal survey has been completed on or after 8 September 2014 but prior to 8 September 2017.
  - By the second renewal survey: this applies if the first renewal survey after 8 September 2017 takes place before 8 September 2019. In this case, compliance must be by the second renewal survey (provided that the previous renewal survey has not been completed in the period between 8 September 2014 and 8 September 2017).
- An existing ship to which the IOPP renewal survey under MARPOL Annex I does not apply i.e. Oil tankers of less than 150 GT and other ships of less than 400 GT shall meet the D-2 standard from the date decided by the Administration, but not later than 8 September 2024.
- Owners and Managers are advised to carefully examine and consider their vessels' individual IOPP renewal survey dates so as to ensure compliance in due time.
- **Preparation for 8 September 2017:**

Owners and Managers are reminded that from 8 September 2017, vessels of 400 GT to which the BWM convention applies are surveyed as required by Reg. E1 and issued with International Ballast Water Management Certificate. Such vessels must:

- have an approved BWM Plan on-board (regulation B-1);
  - maintain a ballast water record book (regulation B-2);
  - assign a competent officer to manage ballast water and to train officers and crew so that they can carry out their respective duties; and
  - manage ballast water on every voyage, either by performing ballast water exchange (regulations B-4/D-1) or by operating an approved ballast water treatment system (regulations B-3/D-2).
- Vessels registered with a flag administration that is not yet a party to the BWM Convention are required to demonstrate compliance and are advised to undergo surveys and be issued with a 'Statement of compliance' on behalf of the Administration.
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- Floating platforms, FSUs and FPSOs may be exempted from certain requirements of the Convention as it is up to the relevant state authority to establish appropriate measures for these units. If a BWM Certificate is not required by the state authorities, the requirements of the Convention become applicable only during relocation of the unit as per BWM.2/Circ.46 “Application of the BWM Convention to Mobile Offshore Units” for a list of technical alternatives to ensure compliance.
- Owners and Managers whose vessels are trading to ports in the United States (US) are also reminded that the US is not signatory to the BWM Convention, however vessels discharging ballast water into the waters of the US must comply with the requirements of 33 CFR 151 Subparts C and D, and that ballast water exchange in accordance with the Convention’s D-1 standard may not be an acceptable BWM method under the US ballast water regulations. The differences between acceptable BWM methods under US regulations and the BWM Convention are also highlighted in a post on the Coast Guard Maritime Commons blog on 5 July 2017.
- Ship Owners / managers and Masters are advised to be guided by above.

**Enclosure:**

1. MEPC71/WP.11/Rev.1 dated 5 July 2017

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