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POSIDONIA

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**UPDATE ON
BALLAST WATER
MANAGEMENT**

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IMO Ballast Water Management Convention

- Adopted in 2004
- Entry into force requires ratification by 30 countries, 35% world's grt
- **Currently, 50 countries, 34.81% grt**
- Argentina, **Finland**, India, Italy, Panama and **Peru** in the process of ratification



Main Concerns with IMO BWM Convention

- 1. Guidelines for approval of ballast water management systems (G8) – not robust enough to provide reliable equipment**
- 2. Availability of Ballast Water Management Systems (BWMS) to meet convention implementation schedule – unrealistic**
- 3. Procedures for port State control – more onerous than type approval**



Port State Control – MEPC 65 (May 2013)

- Trial Period (initially for 3 years) following entry into force
- To trial sampling and testing procedures
- During this period, port states will *‘refrain from detaining a ship or initiating criminal sanctions in the event a BWMS does not meet the discharge standard’*
(USA reserves its position)

MEPC 67 (Oct 2014) adopts Guidelines for PSC with four stage approach



IMO Guidelines for PSC

Stage 1 – Initial inspection. Focus on documentation and crew training to operate BWMS

If there are “**clear grounds**”

Stage 2 – More detailed inspection. Check to ensure that BWMS operates properly

Stage 3 – Indicative sampling. Without unduly delaying ship, an indicative analysis of ballast water can be taken

Stage 4 – Detailed analysis. If indicative sampling exceeds D2 standard by a certain threshold, a detailed analysis of ballast water can be taken



Implementation schedule (availability of BWMS)

IMO Assembly Resolution (A.1088(28)) adopted, Dec 4, 2013 recommends governments:

- implement the Convention **based on the entry into force date** of the Convention
- considers **ALL** vessels constructed (keel laid) before entry into force as existing vessels
- existing vessels to install a BWMS at the **first renewal survey** (IOPP Certificate under Annex I of MARPOL) after entry into force of the Convention

(Text being developed to implement the Resolution provisions into the BWM Convention upon its Entry into Force)



BWMS Type Approvals

- 65 BWMS have IMO Type Approval under G8 guidelines
- Comprehensive review of G8 guidelines underway. Expect completion in October at MEPC 70
- **“Roadmap” for non-penalization of early-movers** – owners who’ve installed BWMS approved to current G8 guidelines **should not be penalized**. Expected to be completed in October at MEPC 70
- When does application of the “new” G8 start?
 - When adopted
 - Specified period after adoption
 - When there are BWMS approved to the revised G8



Final Regulations issued March 23, 2012

- BWM discharge standard (same as IMO), **review in 4 yrs**
- Schedule for installation of BWMS similar to IMO, **BUT NO** intent to align schedule with Resolution A.1088
- BWMS **not required** if no discharge of ballast water into US waters (12 miles)
- Acceptance of “Alternative” (AMS) BWMS for 5 years
- All ships must eventually install **CG approved BWMS**
- Ships may request an **extension to compliance date** for installation of a USCG approved BWMS



US Coast Guard – Extension requests

- January 1, 2016 extension date given to ships whose drydockings was scheduled for 2014
- January 1, 2017 extension date given to ships whose drydockings was scheduled for 2015
- January 1, 2018 extension date being given to ships whose drydockings are scheduled in 2016
- October 22 – CG issues Marine Safety Information Bulletin, No 13-15



US Coast Guard – Extension requests

MSIB No. 13-15, issued October 20

- Extensions will be **granted to the vessel's next scheduled drydocking** after the vessel's required implementation date
- Vessel's first scheduled drydocking date will be determined based upon when the vessel enters the drydock
- Existing extension letters with a January 1 dated will not be re-issued. Change will be made when a vessel applies for a supplemental extension
- **Supplemental extensions** will be required to be submitted



US Coast Guard – APPROVED BWM Systems

- **35 BWMS manufacturers** have submitted “Letter of Intent” (LOI) to pursue USCG approval (**56 AMS accepted by USCG**)
- USCG “aware of” at least 20 systems undergoing testing
- Only after the testing is completed by USCG accepted Independent Laboratory (IL) and the results have been evaluated, will a BWMS manufacturer then submit an application to the USCG for approval of their BWMS
- USCG has advised that some manufacturers have completed testing and will be submitting their application for approval “soon”



US Coast Guard – APPROVED BWM Systems

- USCG has received **four applications** for BWMS type approval – Trojan Marinex, Alfa Laval – PureBallast, DESMI – RayClean and Hyde Marine Guardian (all four make use of **UV treatment**)
- They requested approval of a method for assessing the number of viable organisms, to be used as an **alternative** to the required method that assesses numbers of living organism, as required in USCG BWMS regulations
- USCG **denied** the request
- Decision is currently under **appeal**



US Coast Guard – APPROVED BWM Systems

- CG indicates that they expect to have a USCG approved BWMS “**sometime in the second half of 2016**”
- After BWMS are USCG approved, extension program will be modified as necessary using a “practical approach”
- CG has indicated that they will not wait to issue a type approval certificate if an application demonstrates that all criteria for type approval have been met
- **Best guess** – Each ship will be evaluated on a case by case basis, based upon suitability of available USCG approved BWMS for that particular ship and **hopefully** combined with ship’s next scheduled drydocking



USCG has completed “practicability review” to determine whether technology to comply with a performance standard more stringent than that required by the Coast Guard’s current regulations on ballast water discharges can be practicably implemented

“Practicability review” concludes:

- that, at this time, technology to achieve a significant improvement in ballast water treatment efficacy onboard vessels cannot be practicably implemented
- there are no data demonstrating that ballast water management systems can meet a discharge standard more stringent than the existing performance standards.



Shipowner dilemma!!

- IMO BWM Convention may enter into force soon
- US is not party to IMO BWM Convention
- USCG requires installation of USCG approved BWMS
- Currently no BWMS is USCG approved

Ship operator must decide to either:

- **install AMS** and hope it gets USCG approval; OR
- **request an extension** and hope there is a CG approved BWMS available for installation on their ship prior to the required installation date under the IMO BWM Convention.



What should the shipowner do??

Hopefully, today's two panels with –

- Classification societies; and
- Ballast water management system manufacturers

Will provide us with the answer!!



**THANK
YOU!**