



BWM Convention - Approaching the end of the second implementation year: FAQ from the shipping industry

Does the Convention apply to all vessels?



The BWM convention applies to all ships using ballast water in international trade, except:

1. Ships which are not designed or constructed to carry ballast water
2. Ships that only operate in the local waters of a single authority, or in local waters of a single authority combined with single voyages to and from international waters. Exceptional single voyages to and from international waters can be granted by the local authority and the vessel's Flag Administration.
3. War ships, naval auxiliary, or ship owned and operated by a State and used only on Government, non-commercial service.
4. Ships with sealed or permanent ballast water tanks

Ships trading in waters of non-party countries/under non-party flag: requirements?



As a general rule ships flying the flag of a non-party state and trading in waters of a non-party state are not required to comply with the BMW Convention's requirements.

However in case the ship will change Flag or area of trading towards signatory Parties has to demonstrate compliance with the Ballast Water Management requirements with the relevant Statement of Compliance or Certificate.

Implementation scheme for compliance with regulation D-2



Last IOPP renewal survey carried out on						Next scheduled IOPP renewal surveys							
						Period of postponement		Due date for D-2 Compliance					
	Up to 8-9-2013	Up to 8-9-2014	Up to 8-9-2015	Up to 8-9-2016	Up to 8-9-2017	Up to 8-9-2018	Up to 8-9-2019	Up to 8-9-2020	Up to 8-9-2021	Up to 8-9-2022	Up to 8-9-2023	Up to 8-9-2024	
Ship's status 1	IOPP renewal					IOPP ^{1st} renewal						IOPP ^{2nd} renewal	
Ship's status 2		IOPP renewal					IOPP ^{1st} renewal					IOPP ^{2nd} renewal	
Ship's status 3			IOPP renewal					IOPP ^{1st} renewal					
Ship's status 4				IOPP renewal					IOPP ^{1st} renewal				
Ship's status 5					IOPP renewal					IOPP ^{1st} renewal			

Note: in case a ship with ship's status n° 3, 4 or 5 wish to anticipate the renewal survey of IOPP in the "period of postponement" they are not eligible to comply at the 2nd IOPP renewal survey as they already carried out the IOPP renewal in the period 8/7/2014 – 8/7/2017 (dark green area)

Vessels below 400 GT and floating platforms, FSUs, FPSOs and MOU: are they subject to the BWM Convention's requirements?



Vessels below 400 GT and floating platforms, FSUs and FPSOs have normally to comply with the applicable requirements of the BWM Convention, unless they fall into one of the categories described in Article 3 of the Convention.

However, as per regulation E-1 of the Convention, the government of the coastal State (for floating platforms, FSUs and FPSOs) or the flag administration (for vessels below 400GT) shall establish appropriate measures to ensure that the applicable provisions of this Convention are complied with, as these ships are not subject to the survey and certification requirements.

Treatment system malfunctioning: what contingency measures may be implemented?



MEPC 73 (October 2018) approved resolution MEPC.306(73) amending the Guidelines for ballast water management and development of ballast water management plans (G4) to include contingency measures in the ballast water management plans (BWMPs) as a non-mandatory item.

It is up to the discretion of each Member State as to the timing of incorporating the contingency measures in BWMPs.

In case of treatment system malfunctioning the ship must contact the port authority and flag state administration immediately to discuss contingency measures.

Treatment system malfunctioning: D-1 standard as possible contingency measure



For ships having to comply with D-2 standard (treatment), Ballast Water Exchange (D-1) is a possible contingency measure, but must be carried out with D-1 certification. It is therefore recommended to obtain D-1 certification (together with D-2) beforehand.

In addition to the above the ship is also to be provided with an approved BWMP including exchange procedures.

Potable/fresh water generators may be used to comply with the Convention's requirements?



The above was confirmed by MEPC at its 65th session.

Regulation B-3 Item 7 accepts other methods of ballast water management as alternatives. However, such methods have to be approved according to MEPC resolution 206(62), which essentially means the alternatives requires type approval according to G8 guidelines.

Exchange and treatment are to be dealt with both in the BWM Plan?



BWM plan shall be equipment specific, i.e. the plan shall not contain information about treatment system unless ballast water treatment system is installed and in use on board.

As part of the approval process for retrofitting a vessel with a BW treatment system, the owner will be required to submit the BWMP for approval with information regarding the treatment system and its application.

Ships is operating only between specific locations have to comply with the Convention?



Yes they have to comply with the Convention's requirements.

However the Convention is open for exemption for ships operating only between specified ports or locations within the same risk area. Exemption may be given by the parties in waters under their jurisdiction (local authorities). The exempting parties shall communicate the exemption to the IMO. This exemption can be given for a period of maximum five years and is subject to intermediate review (Regulation A-4).

A full overview of the application procedure is given in the Guidelines for Risk Assessment Under Regulation A-4 of the BWM Convention (G7).

Is the use of an electronic BWM record book allowed by the BWM Convention?



The BWM Convention allows the use of electronic record books.

The BWM record book may be even integrated in to another record book or system on board.

For normal record books it is required that each entry is signed by the officer in charge of the operation and each completed page is signed by the master, consequently an electronic record book must be able to make use of an electronic signature.

Exemption for a single voyage between two locations: is it allowed?



A ship operating exclusively under the jurisdiction of one Party to the Convention pursuant to articles 3.2(b) to 3.2(d) may be granted an exemption under reg. A-4 for a single voyage.

The requirements of regulation A-4.1.4 (risk assessment) should be addressed to the satisfaction of the countries of origin and destination of the ship.

BWM Plans according to A.868(20): when are they to be re-approved?



The issue of Ballast Water Management Plans approved in accordance with resolution A.868(20) (November 1997) is addressed by BWM.2/Circ.40.

According to the above circular, the Ballast Water Management Plans approved in accordance with resolution A.868(20) will remain valid until the ship is required to install a ballast water treatment system.

However, it could be needed to incorporate the selected contingency measures as described in slide number 7. It is then suggested to contact the flag state administration.

Ships that are laid up: what does happen?



For vessels laid up for longer periods (cold layup) all statutory certificates are not maintained by periodical surveys.

The normal survey schedule will be reinstated with the original dates after the layup by performing the periodical surveys which will be due at that time.

In relation to the implementation of the BWM convention this could lead to the need for the installation of the BWM treatments system (D-2 Compliance) immediately after the layup.

Italian flagged ships: is the BWTS to be re-approved by the Italian flag as well?



Italian Flag requires BWTS installed onboard Italian flagged ships to be type approved by the Italian Administration, also in the case they already have a type approval certificate issued by another Administration.

The TA can be based on:

- A) tests/verifications carried out and certificates issued by another Flag State
- B) tests/verifications carried out and certificates issued, on behalf of a Member State by a RO

Applications (by the manufacturer) to be sent to the Coast Guard Headquarters (cgcp@pec.mit.gov.it Att. Comd Nicola Orlando) with copy to the Ministry of Environment (DGProtezione.Natura@pec.minambiente.it)

Ship lying as FSU, FSRU: are the BWM Convention's requirements applicable?



Tankers operating as Floating Storage Units (FSU) and Floating and Regasification Units (FSRU) may be exempted from the BWM operational and construction requirements, if they fall under one of the cases described in Article 3.

If an owner would like to change the status of these ships to normal seagoing ships he needs to consider that such a change could lead to the need for the immediately installation of a BWM system.

Fishing vessels with a Refrigerated Sea Water (RSW) tank: Is this water subject to treatment?



If the vessel is using RSW tanks also for stability purposes with only ballast water inside the tanks, it meets the definition of a ballast tank according to the BWM Convention.

Possible interpretation (to be confirmed by the Flag):

1. RSW tanks when used as ballast tanks: only discharge according to the D-1 (exchange) or D-2 (treatment) is allowed;
2. RSW mode (i.e. containing fish): to be considered as cargo tank (no compliance with BWM Convention required);

The total ballast water capacity as defined in Regulation A-1.2 must include the RSW tanks for ships that use them as ballast water tanks in some conditions.

MOUs need to be in compliance with D-1 (exchange) or D-2 (treatment) standards as well?



According to Article 3.2 of the BWM Convention, MOUs are normally exempted from all the BWM Convention's requirements (the Convention does not apply).

Authorization shall be granted by the local authority, vessel flag administration has to be informed.

MOUs are affected by the Convention as soon as they move to a new location (in- transit condition). Exemption for a single voyage may be granted (please refer to slide 9).

Pleasure crafts or crafts used primarily for search and rescue: what are the applicable requirements?

They have to comply with the Convention as other commercial vessels.

However Regulation A-5 of the BWM Convention allows equivalent compliance for pleasure craft used solely for recreation or competition or craft used primarily for search and rescue, less than 50 metres in length overall, and with a maximum Ballast Water capacity of 8 cubic metres.

Equivalent compliance must be determined by the Administration taking into account the G3 Guidelines (“Guidelines for ballast water management equivalent compliance”).

Ballast water carried in the cargo tanks of oil tankers: does it fall under the BWMC requirements?



MEPC 70, having noted that oil

1. could have a deleterious effect on the functioning of BWMS;
2. has a biocidal effect on a number of organism groups

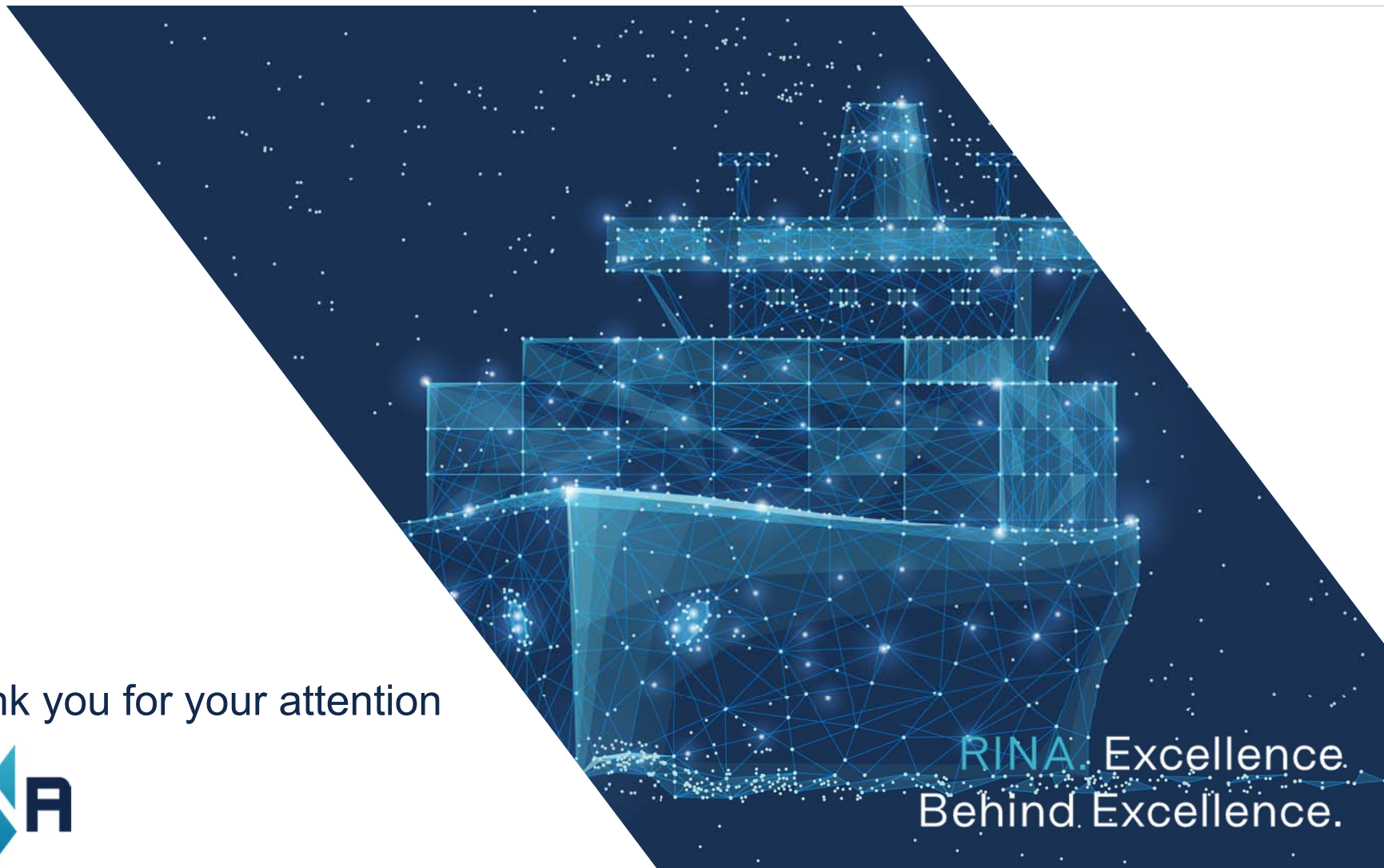
agreed that discharges of ballast water carried in cargo tanks of oil tankers are considered to be better dealt with under MARPOL Annex I (regulations 18.3.2 and 34).

However it was also noted that, in addition to the oil record book, if such discharges take place due to exceptional circumstances, they may also be recorded in the ballast water record book as an exceptional discharge, as specified in paragraph 3.5 of appendix 2 of the BWM Convention.

Thank you for your attention



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USCG Compliance and Temporary Methods



1. No BW Discharge



2. Coast Guard Approved Ballast Water Management System



3. Discharge to Facility Onshore or to Another Vessel for Purpose of Treatment



4. Use only water from a U.S. Public Water System



Two Temporary Compliance Alternatives



1. Alternate Management System (AMS) – Temporary Designation for up to 5 years



2. Receive an Extension to Vessel's Compliance Date - extension period will vary depending upon TA system availability



Installation and Operational Difficulties: Design and project aspects



Design Aspects

1. Sampling Points for TRO sensors
2. Eductor operation after installation of the BWTS
3. Trapped air inside pipes
4. Bus Bar Capacity
5. Epoxy Paint for the new pipes
6. High Velocity in Aft Peak Tank lines during Ballasting/de-ballasting
7. Framo pumps modification
8. Valve arrangement on upper deck fire/Ballast supply line to Top Side Tanks

Installation Aspects

1. Installation to sister vessel without ship specific 3D scanning
2. Incompatibility of design office standards & drawings with yard standards
3. Request for BOM in a very early stage of the design stage
4. Sea Condition during Commissioning after Installation