



TECHNICAL CIRCULAR No. 366 of 01<sup>st</sup> October 2016

To:	All Surveyors/Auditors
Applicable to flag:	All Flags
Subject:	<b>U.S. Clarifies Ballast Water Convention Stance</b>
Reference:	<b>BWM Convention</b>

### **U.S. Clarifies Ballast Water Convention**

Ships' Ballast Water and Sediments (Ballast Water Management Convention) has been ratified and will now enter into force in September 2017.

This announcement heightens concerns in the industry about the differences between the Ballast Water Management Convention and the U.S. ballast water regulations. The entry into force of the Convention will not change the U.S. Coast Guard approach to or enforcement of the U.S. ballast water regulations.

Ships operating in U.S. waters must comply with U.S. requirements, including using one of the ballast water management practices described in 33 CFR Part 151.2025 and 2050. Therefore, ships in U.S. waters will not be subject to Port State Control verification of compliance with the Ballast Water Management Convention.

Ships equipped with a Coast Guard approved Alternative Management System (AMS) will remain in compliance with U.S. regulation until five years after the compliance date (for an individual ship) is set. Compliance dates will be determined on a vessel-by-vessel basis after Coast Guard type approved ballast water treatment systems are commercially available. After five years, the AMS must either achieve Coast Guard type-approval, or be replaced with a type-approved system.

The discharge standards required by U.S. regulations are the same as the standards proposed in the IMO Ballast Water Management Convention. However, there are differences found in the testing and verification protocols as well as confusion about the definition of "viable" as meaning living and non-viable as meaning dead.

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U.S. type-approval testing procedures are mandatory and specify testing that is independent from manufacturers. They are also very detailed and require more testing than foreign type-approval procedures.

Currently, there are 19 ballast water treatment system manufacturers with systems approved by other administrations (AMS) that are seeking type-approval from the Coast Guard. Three of these manufacturers report they have recently completed testing with the Coast Guard independent lab.

REFERENCES:

- **BWM Convention**

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