

	<b>Information Notice 2016-003 (rev3)</b>
	DEPARTMENT OF MARINE SERVICES AND MERCHANT SHIPPING (ADOMS)
	<b>Ballast Water Management</b>

### 1. Introduction

This Information Notice is to draw attention to all involved parties about the intentions of the Antigua and Barbuda Department of Marine Services and Merchant Shipping (ADOMS) with respect to implementing the requirements of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM) when it comes into force. This latest revision has been made now that the outcomes of IMO MEPC71 are known.

Antigua and Barbuda acceded to this Convention on 19 December, 2008. The Convention has entered into force (EIF) on 8 September 2017. A list of relevant guidelines can be found in the annex to this notice.

### 2. Regulation

The Antigua and Barbuda Merchant Shipping (Amendment) Act of 2014 is the relevant primary legislation which facilitates bringing the BWM Convention into force; this will be supported by any necessary secondary legislation in due course.

### 3. Implementation Date

With the Ballast Water Management (BWM) Convention entering into force there are two milestones to be aware of:

- D-1 An approved ballast water management plan (BWMP) and a BWM Certificate, or Statement/Certificate of Compliance, must have been on board the vessel before 8 September 2017.
- D-2 The deadline for installation of the ballast water treatment system, is related to the IOPP renewal survey as further set out below.

Compliance with the D-2 standard translates to the date individual ships must have a ballast water treatment system installed. The agreement ensures full global implementation by 8 September 2024 and contains the following key elements:

1. Ships constructed (keel-laid) on or after 8 September 2017, need to comply with the D-2 standard upon delivery.
2. For existing ships, D-2 compliance depends on their IOPP renewal survey date.
3. If the completion date of the vessel's last IOPP renewal survey was between 8 September 2014 and 7 September 2017, then the treatment system installation is required at the next IOPP renewal survey, on or after 8 September 2017.
4. If the completion date of the last IOPP renewal survey was between 8 September 2012 and 7 September 2014 then the treatment system installation is required at the second IOPP renewal survey, on or after 8 September 2017.

The agreement implies that vessels with the last IOPP renewal carried out before 8 September 2014 have nothing to gain by decoupling, but instead actually risk losing up to two years, on the D-2 implementation date by doing so.

Please note from entry into force on 8 September 2017, all vessels for which the convention is applicable, shall conduct ballast water exchange in accordance with an approved BW management plan, until compliance with the D-2 regulation becomes mandatory.

The US legislation is not affected by this. Vessels trading, or planning to trade, in the US should make sure they are compliant with the US ballast water management requirements.

Notwithstanding changes to the D-2 implementation schedule, the D-1 deadline stays firm at 8 September 2017. By this date, affected ships should have onboard an International BWM Certificate. This means you should have submitted the plan for approval and ordered the initial survey in due time, before 8 September 2017.

It was also agreed that a ship to which the IOPP renewal survey does not apply (generally ships less than 400 GT in size) shall be D-2 compliant, no later than 8 September 2024.

#### **4. Harmonized System of Survey and Certification**

In the past this Maritime Administration had implemented a procedure for the early renewal of IOPP Certification, the de-coupling of IOPP Certification, outside the range of the HSSC. A corresponding reporting system of the ROs having conducted this de-coupling was installed. After 08 September 2017 it is no longer possible to de-couple (de-harmonise) the IOPP Certification.

It should be noted that the Ballast Water Management Certificate will be issued with dates harmonised with the Harmonised System of Survey and Certification in order to facilitate easy resumption of full harmonisation of the ship's certification in due course, with it being a requirement that suitable plans are made to resume full harmonisation of certification at the earliest practical time.

In cases where re-harmonisation of the IOPP certificate is now requested, then please refer to your Classification Society to determine the scenario that applies to your vessel and that depends on the fact whether the decoupling of the IOPP Certificate was conducted within, prior to or after the time frame for the survey during which the certificate was decoupled. The RO will guide you through the possible way to re-instate the original IOPP Certificate. This reinstatement does not require separate authorization by the Administration, where required the ROs are invited to seek guidance from ADOMS.

#### **5. System approvals**

ADOMS will accept ballast water treatment systems for installation on board Antigua and Barbuda flagged ships which have been approved to the G8 MEPC.174 (58) or G9 MEPC.169 (57) guidelines by one of our Recognized Organizations (ABS, LR, DNVGL, NK, RINA, BV, KRS, CCS, RS, IRS). ADOMS will also accept those systems that have been approved to the G8 or G9 guidelines by another Administrations.

#### **6. Ballast Water Management Plan (BWMP) Approvals**

Owners have been encouraged to submit BWMPs, in accordance with the Convention requirements, for approval as soon as practical. Although the IMO has issued BWM.2/Circ.40 which envisages the possibility of vessels trading with an unapproved BWMP for up to 3 months,

ADOMS had additionally strongly discouraged owners from waiting until the last moment. In any event the BWMP had to be submitted for approval by the RO prior to 8 September 2017.

In cases where the ballast water management plan is on board, but the required initial survey has not been completed before 8 September 2017, the Administration will generally accept the submission of written confirmations by the Master to the RO of the vessel. These should confirm that the BWM plan is on board and that no structural changes occurred since the BWM plan was approved and that ballast operations are recorded. Based on that declaration the BWM Certificate is issued. Where required the initial survey will then be carried out at first survey attendance after 8 September 2017.

BWMPs approved in accordance with resolution A.868 (20) will remain valid until a Ballast Water Management System has been installed which thus requires revision of the BWMP.

## **7. Certification**

With reference to IMO circular BWM.2/Circ.40, in order to facilitate the smooth entry into force of the convention's requirements, International Ballast Water Management Certificates (IBWMC) can be issued prior to the entry into force of the Convention.

Where Statements of Compliance have been issued they will be replaced by IBWMC following the above process, provided no changes have occurred on board.

## **8. Exemptions**

There is very little scope for exemptions from the requirements of the convention and exemptions will be considered on a case by case basis by ADOMS headquarters, and it is anticipated that such exemptions will place strict limitations on the operational area of the ship. In the event of a ship having port exemptions it will still be required to comply with the convention requirements for certification BWMP and record books.

## **9. United States of America**

Up-to-date guidelines for vessels operating in United States of America waters can be found on the Homeport section of the USCG website, link below:

<https://homeport.uscg.mil/mycg/portal/ep/home.do>

The following links also provide further information:

[https://www.uscg.mil/msib/docs/010\\_16\\_7-12-2016.pdf](https://www.uscg.mil/msib/docs/010_16_7-12-2016.pdf)

[https://www.uscg.mil/msib/docs/013\\_15\\_10-22-2015.pdf](https://www.uscg.mil/msib/docs/013_15_10-22-2015.pdf)

[https://www.uscg.mil/hq/cg5/cg522/cg5224/docs/BWM\\_FAQs\\_Vol%20I\\_05April2013.pdf](https://www.uscg.mil/hq/cg5/cg522/cg5224/docs/BWM_FAQs_Vol%20I_05April2013.pdf)

**Annex 1**  
**GUIDELINES AND GUIDANCE DOCUMENTS RELATED TO THE IMPLEMENTATION**  
**OF THE INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT**  
**OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004**

**Table 1: List of Guidelines for the uniform implementation of the BWM Convention**

<b>Resolution</b>	<b>Title</b>
MEPC.152(55)	Guidelines for sediment reception facilities (G1)
MEPC.173(58)	Guidelines for ballast water sampling (G2)
MEPC.123(53)	Guidelines for ballast water management equivalent compliance (G3)
MEPC.127(53)	Guidelines for ballast water management and development of ballast water management plans (G4)
MEPC.153(55)	Guidelines for ballast water reception facilities (G5)
MEPC.124(53)	Guidelines for ballast water exchange (G6)
MEPC.162(56)	Guidelines for risk assessment under regulation A-4 of the BWM convention (G7)
MEPC.174(58)	Guidelines for approval of ballast water management systems (G8)
MEPC.169(57)	Procedure for approval of ballast water management systems that make use of active substances (G9)
MEPC.140(54)	Guidelines for approval and oversight of prototype ballast water treatment technology programmes (G10)
MEPC.149(55)	Guidelines for ballast water exchange design and construction standards (G11)
MEPC.209(63)	2012 Guidelines on design and construction to facilitate sediment control on ships (G12)
MEPC.161(56)	Guidelines for additional measures regarding ballast water management including emergency situations (G13)
MEPC.151(55)	Guidelines on designation of areas for ballast water exchange (G14)

**Table 2: List of other resolutions and guidelines related to the implementation of the BWM Convention**

<b>Resolution</b>	<b>Title</b>
MEPC.252(67)	Guidelines for port State control under the BWM Convention
MEPC.253(67)	Measures to be taken to facilitate entry into force of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004
MEPC.228(65)	Information reporting on type approved ballast water management systems
MEPC.206(62)	Procedure for approving other methods of ballast water management in accordance with regulation B-3.7 of the BWM Convention
MEPC.188(60)	Installation of ballast water management systems on new ships in accordance with the application dates contained in the ballast water management convention (BWM Convention)
MEPC.175(58)	Information reporting on type approved ballast water management systems
MEPC.163(56)	Guidelines for ballast water exchange in the Antarctic treaty area
A.1088(28)	Application of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004

**Table 3: List of BWM Circulars related to the implementation of the BWM Convention**

<b>Circular</b>	<b>Title</b>
BWM.2/Circ.52	Guidance on entry or re-entry of ships into exclusive operation within waters under the jurisdiction of a single Party
BWM.2/Circ.46	Application of the BWM Convention to Mobile Offshore Units
BWM.2/Circ.45	Clarification of "major conversion" as defined in regulation A-1.5 of the BWM Convention
BWM.2/Circ.44	Options for ballast water management for Offshore Support Vessels in accordance with the BWM Convention
BWM.2/Circ.43	Amendments to the Guidance for Administrations on the type approval process for ballast water management systems in accordance with Guidelines (G8) (BWM.2/Circ.28)
BWM.2/Circ.42/ Rev.1	Guidance on ballast water sampling and analysis for trial use in accordance with the BWM Convention and Guidelines (G2)
BWM.2/Circ.40	Issuance of Ballast Water Management Certificates prior to entry into force of the BWM Convention and Ballast Water Management Plans approved according to resolution A.868(20)
BWM.2/Circ.37	Information that should be made available in proposals for approval of ballast water management systems in accordance with the Procedure for approval of ballast water management systems that make use of Active Substances (G9)
BWM.2/Circ.33	Guidance on scaling of ballast water management systems
BWM.2/Circ.32	Applicability of the Ballast Water Management Convention to hopper dredgers
BWM.2/Circ.29/ Rev.1	Clarification regarding the application dates contained in regulation B-3 of the BWM Convention
BWM.2/Circ.27	Framework for determining when a Basic Approval granted to one ballast water management system may be applied to another system that uses the same Active Substance or Preparation
BWM.2/Circ.21	Engineering Questionnaire on Ballast Water Management Systems
BWM.2/Circ.20	Guidance to ensure safe handling and storage of chemicals and preparations used to treat ballast water and the development of safety procedures for risks to the ship and crew resulting from the treatment process
BWM.2/Circ.17	Guidance document on arrangements for responding to emergency situations involving ballast water operations
BWM.2/Circ.13/ Rev.3	Methodology for information gathering and conduct of work of the GESAMP-BWWG
BWM.2/Circ.13/ Rev.2	Methodology for information gathering and conduct of work of the GESAMP-BWWG
BWM.2/Circ.13/ Rev.1	Methodology for information gathering and conduct of work of the GESAMP-BWWG
BWM.2/Circ.8	Harmonized implementation of the Guidelines for approval of Ballast Water Management Systems (G8)
BWM.2/Circ.7	Interim Survey Guidelines for the purpose of the International Convention for the Control and Management of Ships' Ballast Water and Sediments under the Harmonized System of Survey and Certification (resolution A.948(23))