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TECHNICAL CIRCULAR

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Ballast Water Management Convention

1.0 Introduction

1.1 This Technical Circular is to promulgate the Republic of the Marshall Islands (RMI) Maritime Administrator (the "Administrator") policies on the Ballast Water Management (BWM) Convention specifically with respect to:

- .1 survey and certification of:
 - a. ships less than 400 gross tonnage pursuant to Regulation E-1 paragraph 2;
 - b. floating platforms, Floating Storage Units (FSUs), and Floating Production, Storage and Offloading (FPSO) Units; and
 - c. classed and unclassified pleasure craft of any size.
- .2 the renewal survey of the International Oil Pollution Prevention (IOPP) Certificate;
- .3 issuance of the International Ballast Water Management (IBWM) Certificate prior to entry into force (EIF) of the Convention on 08 September 2017;
- .4 implementation of the draft amended regulation B-3; and
- .5 date of D-2 compliance for Non-IOPP ships.

2.0 Survey and certification

2.1 The Administrator's policy is that, regardless of gross tonnage, if the ship requires an IBWM Certificate then this may be issued after a survey has been satisfactorily completed or in accordance with §5.2 below. For additional guidance, see also IMO Circular [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*.

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2.2 *Vessels less than 400 gross tonnage*

In accordance with BWM Convention Regulation E-1, Regulation 2, the Administrator had determined that all vessels less than 400 gross tonnage shall be surveyed and certified.

- .1 Compliance with the requirements for pleasure craft shall be assessed on a case-by-case basis in consultation with the Administrator, taking into consideration IMO Resolution [MEPC.123\(53\)](#), *Guidelines for Ballast Water Management Equivalent Compliance (G3)*, as appropriate.
- .2 Survey and certification of offshore support vessels shall generally follow section E of the BWM Convention, taking into consideration IMO Circulars [BWM.2/Circ.44](#), *Options for ballast water management for Offshore Support Vessels in accordance with the BWM Convention* and [BWM.2/Circ.52/Rev.1](#), *Guidance on entry or re-entry of ships into exclusive operation within waters under the jurisdiction of a single Party*.
- .3 Vessels that are not pleasure craft or support vessels may also apply the optional methods of compliance laid out in BWM .2/Circ.44 and shall undergo survey and certification generally following section E of the BWM Convention accordingly.

2.3 *Floating platforms, FSUs, and FPSO Units*

- .1 Floating platforms, FSUs, and FPSOs are included within the BWM Convention's definition of a ship. Therefore, like other ships, they will require an IBWM Certificate after successful survey in accordance with Convention Regulations E-1 and E-2, as applicable, unless they are covered by the exclusions, exemptions, exceptions, or equivalencies set out respectively in Article 3 – *Application* (paragraph 2), Regulation A-3 - *Exceptions* (paragraph 4 and 5), Regulation A-4 – *Exemptions* and Regulation A-5 - *Equivalent compliance*.
- .2 Floating platforms, FSUs, and FPSOs may not need ongoing certification because they operate in a single location. BWM.2/Circ.52/Rev.1 should be considered with the re/positioning and dry-docking voyages of these ship types.

2.4 *Classed and Unclassed Pleasure Craft of any Size*

- .1 Classed pleasure craft to which the convention applies must be surveyed and certified by a Classification Society. Unclassed pleasure craft of any size to which the BWM Convention applies must be surveyed and certified by an Appointed Representative (AR).

2.5 Recognized Organization (ROs) are to note that some ships, such as Mobile Offshore Units (MOUs), including Mobile Offshore Drilling Units (MODUs), may not need ongoing certification because they operate in a single location. See IMO Circular BWM.2/Circ.52/Rev.1, *Guidance on entry or re-entry of ships into exclusive operation*

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within waters under the jurisdiction of a single Party, should be applied for these ship types.

3.0 D-2 Compliance for Non-IOPP Ships

3.1 A ship constructed before 08 September 2017 and which is not required to hold an IOPP Certificate, shall conduct Ballast Water Management that at least meets the standard described in regulation D-2 not later than 08 September 2024.

4.0 Decoupling/Recoupling the IOPP Renewal Survey

- .1 The Administrator is viewing this situation as pragmatically as it can to the extent that, under appropriate circumstances, de-harmonizing/re-harmonizing may be allowed. The resultant potential further extension of the due date before 'D-2 compliance' is required, is not viewed as being negative but rather as a positive opportunity that provides time for shipowners to achieve D-2 compliance that is effective and will be long term compliant with the Convention as well as US Coast Guard (USCG) requirements should that be considered important.
- .2 In particular, it is considered that the installation of a BWMS type approved under the new 2016 G8 Guideline (now to become a mandatory Code) and also USCG type approval requirements, will, in the long run, be more beneficial to the environment than the installation of a BWMS type approved under the current G8 Guideline and the A.1088 installation schedule.
- .3 The allowance of decoupling/recoupling is not being mandated. It's an option that the shipowner may decide to take or not. Such a decision should be taken in collaboration with the class society for the ship.

4.1 *Decoupling*

- .1 The Administrator allows for early renewal and decoupling of the IOPP renewal survey from other statutory surveys and certificates covered in IMO Assembly Resolution [A.883\(21\)](#), *Global and Uniform Implementation of the Harmonized System of Survey and Certification (HSSC)*. No special authorization from the Administrator is required to carry out an early IOPP renewal survey, or to issue the new certificate.
- .2 In accordance with the International Convention of the Prevention of Pollution from Ships (MARPOL) I, regulation 10, paragraph 7, the Administrator authorizes ROs to issue certificates that are not dated from the date of expiry of the existing certificate. In all cases, the new certificate shall be valid to a date not exceeding five (5) years from the date of completion of the renewal survey.

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4.2 *Recoupling*

- .1 The IOPP certificate expiry date if decoupled can be recoupled with other certificates. Such recoupling should be accomplished prior to the EIF date (08 September 2017).
- .2 If the IOPP Certificate is to be recoupled in order to take advantage of the dates for compliance with D-2 emanating from MEPC.71, then the following should be carried out:
 - a. The decoupled IOPP certificate is to be withdrawn.
 - b. A new IOPP Certificate is to be issued using the date of last survey and expiry date taken from the previous harmonized IOPP certificate. The issue date shall be the actual date of issue of this new certificate.
 - c. Any Annual or Intermediate (A/I) surveys that had been completed and endorsed on the previous harmonized IOPP certificate are to be endorsed on the new certificate.
 - d. If the Renewal survey carried out for decoupling was carried out within the window of an A/I on the harmonized IOPP certificate and the A/I survey was not otherwise completed, it can now be used to credit and endorse the A/I survey on the new certificate.
 - e. If the Renewal survey carried out for decoupling was carried out within the window of an A/I on the harmonized IOPP certificate and the A/I survey had also been completed, the Renewal survey for de-coupling should be recorded as an occasional survey.
 - f. If the Renewal survey carried out for decoupling was carried out prior to the window of an A/I on the harmonized IOPP certificate and the A/I survey would now be overdue, then an A/I survey is to be completed and the new certificate endorsed accordingly.
- .3 The decoupling survey stated in the above scenarios, when credited as an occasional, is not considered to be the one described in Reg. B-3.10.1.2 of the Convention.
- .4 Scenarios other than the above are to be considered on a case by case basis by the RO and a recommendation made to the Administrator.

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5.0 Issuance of the IBWM Certificate Prior to 08 September 2017

5.1 Noting that the BWM Convention is set to enter into force on 08 September 2017, ROs are instructed, upon satisfactory completion of the required survey, to issue an IBWM Certificate, taking into account the provisions of IMO Circular [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)*.

5.2 Notwithstanding §5.1 above, an IBWM Certificate may be issued without prior attendance of a surveyor, for the following specific case:

- .1 The ship is already in service and is only required to implement the standard in Regulation D-1 (Ballast Water Exchange).
- .2 A declaration from the ship's Master has been received in so far that the preparations to implement the Ballast Water Management Plan (BWMP), Ballast Water Record Book (BWRB) and notifications to coastal States are complete, and that the BWM officer has been designated and the crew have been provided with the necessary training and familiarization.
 - a. The Master of the ship has sufficiently demonstrated to the RO that the BWMP, required by Regulation B-1, is onboard and has been approved by an RO of the Administrator. A photograph of the approved plan being onboard is suitable evidence.
 - b. The Master of the ship has sufficiently demonstrated the BWRB, required by Regulation B-2, is onboard. A photograph of the record book (which may be electronic and/or incorporated into another record book) showing it to be onboard is suitable evidence.
- .3 A declaration from the Company, as defined by the International Safety Management Code, has been received, confirming that no modifications have been made to the ship since the BWMP was approved, or since the last Safety Construction Survey, which may affect ballasting and/or ballast water exchange.

5.3 The validity of an IBWM Certificate shall commence upon the EIF date of the BWM Convention and remain valid for a period not exceeding five (5) years, subject to successful completion of the required periodical surveys.

6.0 Questions

Any questions regarding this Technical Circular are to be directed to: technical@register-iri.com.