

Subject

Additional information regarding USCG ballast water management regulation

ClassNK

Technical Information

No. TEC-1055

Date 12 November 2015

To whom it may concern

The United States Coast Guard (USCG) has issued the rule with regard to obligation of installation of ballast water management system for the vessels engaged in U.S. waters. The rule is entitled as "Standards for Living Organisms in Ship's Ballast Water Discharged in U.S. Waters", Vol.77, Federal Register Reg.17254, on 23 March 2012 (Please refer to our Technical information TEC No.0903).

New vessels (those constructed on or after December 1, 2013) must install ballast water management system on delivery, and for the existing vessels (other than "the new vessels") it shall be installed by the "first scheduled drydocking" after 1 January 2014 or 1 January 2016 as applicable.

In relation to the above, on 25 September 2013, USCG published the Policy letter regarding the provision to grant an extension to the implementation schedule for ballast water management discharge standards for vessels using USCG approved ballast water management systems as provided in 33CFR151.1513 and 151.2036. (Please refer to our Technical information TEC No.0971). Later this was superseded by a new policy letter dated on 10 September 2015 (TEC-1049).

On 22 October 2015, USCG published the attached Marine Safety Information Bulletin regarding definition of "scheduled drydocking" and notable information are as follows:

1. In all cases, a vessel's "first scheduled drydocking" date for the purposes of compliance with the BWM implementation schedule is the date the vessel enters a drydock. For example, if a vessel enters drydock on or before December 31, 2015 and does not leave drydock until after January 1, 2016, the drydock is not considered the "first scheduled drydocking after January 1, 2016" for purposes of compliance
2. A drydocking which is necessary for emergency repairs after the implementation date is not considered the first scheduled drydocking. However, if this drydocking satisfies the Administration for endorsing the Certificate of Inspection, passenger ship safety certificate, cargo ship safety certificate, or cargo ship safety construction certificate as the required survey of the bottom of the ship, this drydocking date is considered the first scheduled drydocking;
3. A scheduled drydocking to satisfy a statutory bottom survey requirement or to accomplish planned work (such as a drydocking to install exhaust gas cleaning equipment or to install a new bottom coating system) after the implementation date is considered the "first scheduled drydocking"

(To be continued)

NOTES:

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4. An underwater inspection in lieu of drydocking is not considered the "first scheduled drydocking";
5. A vessel that discharges ballast water in waters of the U.S. after its original compliance date must comply with the requirements under 33 CFR 151.1512 or 151.2035 for approved BWM methods. However, the master, owner, operator, agent, or person in charge of a vessel may apply to the Coast Guard for an extended compliance date if they can document that, despite all efforts, compliance with the requirement under 33 CFR 151.1510 or 151.2025 is not possible.
6. USCG is revising the terms of extended compliance dates, and will issue a revised CG-OES Policy Letter 13-01. A vessel's extended compliance date will now be the "next scheduled drydocking" after the vessel's original compliance date. Existing extension letters will not be re-issued, but this change in terms will be made when a vessel applies for a supplemental extension. Information on applying for an extended compliance date is available at <http://homeport.uscg.mil/ballastwater> in the "Regulations and Policy Documents" sub-folder.

Ship owners are advised to take the above points into consideration while planning the drydocking and ballast water system retrofits. ClassNK will continue to assist the ship owners by trying to obtain and share information from USCG as much as possible.

Electronic data (attachment) can be downloaded from following USCG's HP:
USCG top page(<http://www.uscg.mil/>) --> Library ---> Marine Safety Information Bulletins

For any questions about the above, please contact:

NIPPON KAIJI KYOKAI (ClassNK)
Machinery Department, Administration Center Annex, Head Office
Address: 3-3 Kioi-cho, Chiyoda-ku, Tokyo 102-0094, Japan
Tel.: +81-3-5226-2022 / 2023
Fax: +81-3-5226-2024
E-mail: mcd@classnk.or.jp

Attachment:

1. Maritime Safety Information Bulletin



Marine Safety Information Bulletin

Commandant
U.S. Coast Guard
Inspections and Compliance Directorate
2703 Martin Luther King Jr Ave, SE, STOP 7501
Washington, DC 20593-7501

MSIB Number: 13-15
Date: October 22, 2015
E-Mail: CGCVC@uscg.mil

Ballast Water Management (BWM) Program Update

This bulletin provides an update on aspects of the Coast Guard's Ballast Water Management (BWM) program. It includes guidance to comply with Title 33, Code of Federal Regulations (CFR) Part 151, Subparts C and D. It also announces a change to the terms of extended compliance dates the Coast Guard will issue to vessels.

Drydocking Dates

The "original compliance date" for a vessel is determined by the Implementation Schedule in either Table 151.1512(b) for Subpart C or 151.2035(b) for Subpart D. New vessels (those constructed on or after December 1, 2013) must use an approved BWM method by their delivery date. Existing vessels (those constructed before December 1, 2013) must use an approved BWM method by their original compliance date. An existing vessel's original compliance date depends upon the vessel's ballast water capacity and is set as the first scheduled drydocking date after a date specified in either Table 151.1512(b) or 151.2035(b), as applicable.

The BWM regulations do not define "first scheduled drydocking". The following guidance is applicable to the first scheduled drydocking and other drydocking dates for existing vessels:

- In all cases, a vessel's "first scheduled drydocking" date for the purposes of compliance with the BWM implementation schedule is the date the vessel enters a drydock. For example, if a vessel enters drydock on or before December 31, 2015 and does not leave drydock until after January 1, 2016, the drydock is not considered the "first scheduled drydocking after January 1, 2016" for purposes of compliance;
- A drydocking begun after the date specified in either Table 151.1512(b) or 151.2035(b), as applicable, which is necessary for emergency repairs is not considered the first scheduled drydocking. However, if this drydocking satisfies the Administration for endorsing the Certificate of Inspection, passenger ship safety certificate, cargo ship safety certificate, or cargo ship safety construction certificate as the required survey of the bottom of the ship, this drydocking date is considered the first scheduled drydocking;
- A scheduled drydocking begun after the date specified in either Table 151.1512(b) or 151.2035(b), as applicable, to satisfy a statutory bottom survey requirement or to accomplish planned work (such as a drydocking to install exhaust gas cleaning equipment or to install a new bottom coating system), as opposed to emergency work, is considered the "first scheduled drydocking".

An underwater inspection in lieu of drydocking (UWILD) is not considered the “first scheduled drydocking”; instead:

- For vessels that undergo one UWILD and one drydocking for statutory purposes every five years, the first scheduled drydocking is the first drydocking conducted for statutory purposes after the date specified in either Table 151.1512(b) or 151.2035(b), as applicable;
- For vessels that do not routinely undergo drydockings, their original compliance date is 1 January 2014 or 1 January 2016, depending on the vessel’s ballast water capacity.

The Coast Guard recommends vessel owners maintain, in contracts, records, or logbooks, documentation of the date the vessel entered/left the drydock and the reason why the vessel was drydocked, and be prepared to present the information to Coast Guard compliance personnel if there are any questions concerning the vessel's compliance.

Extended Compliance Date

A vessel that discharges ballast water in waters of the U.S. after its original compliance date must comply with the requirements under 33 CFR 151.1512 or 151.2035 for approved BWM methods. However, the master, owner, operator, agent, or person in charge of a vessel may apply to the Coast Guard for an extended compliance date if they can document that, despite all efforts, compliance with the requirement under 33 CFR 151.1510 or 151.2025 is not possible.

The Coast Guard is revising the terms of extended compliance dates, and will issue a revised CG-OES Policy Letter 13-01. A vessel’s extended compliance date will now be the “next scheduled drydocking” after the vessel’s original compliance date. Existing extension letters will not be re-issued, but this change in terms will be made when a vessel applies for a supplemental extension. Information on applying for an extended compliance date is available at <http://homeport.uscg.mil/ballastwater> in the “Regulations and Policy Documents” sub-folder.

Questions regarding interpretation of “first scheduled drydocking” should be sent to CGCVC@uscg.mil.

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