

Subject

USCG "Standards for Living Organisms in Ship's Ballast Water Discharged in U.S. Waters"(Obligation of installation of ballast water management system for the vessels engaged in U.S. Waters) and New York State Ballast Water Standards

# ClassNK

## Technical Information

No. TEC-0903  
Date 8 May 2012

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 (Hereinafter referred to as "BWDS"). BWDS will become effective on 21 June 2012 after 90 days of issuance of this rule.

BWDS is contained in revised 33 CFR Part 151 Subpart C and D (Regulations for ballast water control and management requirements) and 46 CFR Part 162 Subpart 162.060 (Regulations for ballast water management system). Rule requirements of ballast water performance standard are the same as Regulation D-2 of "International Convention for The Control and Management of Ships' Ballast Water and Sediments" (Hereinafter referred to as "the Convention").

BWDS is applied to all merchant vessels equipped with ballast tanks that, after operating on the waters beyond the Exclusive Economic Zone during any part of its voyage, enter U.S. waters.

With regard to the implementation schedule, please refer to the following table.

	Vessel's ballast water capacity $V [m^3]$	Date constructed* (= Keel lay)	Vessel's compliance date
New vessels	All	On or after 1 December 2013	On delivery
Existing vessels	$V < 1500$	Before 1 December 2013	First scheduled drydocking after 1 January 2016
	$1500 \leq V \leq 5000$		First scheduled drydocking after 1 January 2014
	$5000 < V$		First scheduled drydocking after 1 January 2016

(To be continued)

NOTES:

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\*Date constructed means (1) a stage of construction when the keel of a vessel is laid or (2) construction identifiable with the specific vessel begins; assembly of the vessel has commenced and comprises at least 50 tons or 1 percent of the estimated mass of all structural material, whichever is less.

Vessels subject to BWDS are required to install ballast water management system which is approved by USCG in accordance with 46 CFR Part 162 in addition to the approval of IMO in accordance with the Convention.

However approval of USCG will be supposed to take long term, therefore ballast water management system, which is approved by IMO but not approved by USCG, is temporarily acceptable for USCG. This temporarily acceptance is called "Alternate Management Systems" (Hereinafter referred to as "AMS").

AMS is applicable to the ballast water management system which is installed on the vessel prior to the date that the vessel is required to comply with BWDS. This use of AMS will be allowed for no longer than 5 years after the date that the vessel would otherwise be required to comply with the BWDS.

Application of AMS to USCG may be carried out by manufacturer of the ballast water management system and USCG will make a determination that their BWMS is applicable for AMS.

For any vessel using AMS, "Vessel General Permit" (Hereinafter referred to as "VGP") under the National Pollutant Discharge Elimination System with discharges of pollutants incidental to their normal operation issued by the U.S. Environmental Protection Agency (Hereinafter referred to as "EPA") shall be applied.

So ballast water management system installed on the vessel shall be also complied with VGP.

Furthermore present VGP will be expired on 19 December 2013 and new VGP is now under preparation. Draft of new VGP in relation to ballast water performance standard will be the same as present VGP, which is also the same as Regulation D-2 of the Convention.

But there is a possibility that additional requirements may be proposed / made for ballast water performance standard in the future.

Considering from above mentioned, owners and management companies for the vessels engaged in U.S. waters are preferable to be aware of both BWDS and VGP.

In addition to the above, full content of Vol.77, Federal Register Reg.17254 and VGP can be available through the following URL.

Vol.77, Federal Register Reg.17254:

<http://www.gpo.gov/fdsys/pkg/FR-2012-03-23/pdf/2012-6579.pdf>

VGP:

[http://www.epa.gov/npdes/pubs/vessel\\_vgp\\_permit.pdf](http://www.epa.gov/npdes/pubs/vessel_vgp_permit.pdf)

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And this is to notify that regarding the guidance for New York State Ballast Water Standards which had been informed by ClassNK Technical Information No. TEC-0814, New York State Department of Environmental Conservation agreed to delay implementation to 19 December 2013. The contents including details of New York State Ballast Water Standards can be available through the following URL (please confirm "letter granting extension" in the Website).

<http://www.dec.ny.gov/permits/72399.html>

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](mailto:mcd@classnk.or.jp)