

# Ballast Water Management Convention to enter into force on 8th September 2017 – Issuance of BWM certificates and validity of ballast water management plans previously approved according to resolution A.868(20)

*The scope of the Marine Information Notice publication is to provide the Shipping Sector with information relevant to RINA, its organization, initiatives and services as well as to disseminate information of a general nature which in RINA view may be of interest. The information provided does not intend to be exhaustive and is given for reference only.*

### 1. BALLAST WATER MANAGEMENT CONVENTION'S ENTRY INTO FORCE DATE

The International Convention for the Control and Management of Ships' Ballast Water and Sediment, 2004 (the BWM Convention) **will enter into force on 8th September 2017**. This follows the IMO confirming that the conditions for initiating entry into force were met on 8th September 2016.

### 2. BWM CONVENTION'S MAIN REQUIREMENTS

The BWM Convention will apply to ships flying the flag of a Party except:

1. ships not designed or constructed to carry ballast water
2. ships operating exclusively in waters under the jurisdiction of a Party, unless the party determines that the discharge of ballast water from such ships would impair or damage their environment
3. warships, naval auxiliary or other ships owned or operated by a Party
4. ships with permanent ballast water not subject to discharge.

Exemptions from the management of ballast water may be granted to ships on voyages between specified ports or operated exclusively between specified ports or locations when ballast water is not mixed other than between these ports or locations.

These exemptions shall be effective for a period not exceeding five years, subject to intermediate review. Moreover, BWM.2/Circ.32, dated 8 August 2011, specifies that provisions of the Convention are not applicable to the water in the hopper area of hopper dredgers.

By the **8th of September 2017** all ships to which the Convention applies will be required to:

1. carry on board a "**Ballast Water Management Plan**" approved by the Administration, detailing safety procedures and actions to be taken to implement the ballast water management requirements;
2. carry on board a "**Ballast Water Record Book**" for the recording of each operation concerning ballast water management;
3. manage their ballast water on every voyage by:
  - performing **ballast water exchange**, for existing ships in the period between the 8th of September 2017 and the first IOPP renewal survey after this date; or

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- by treating ballast water using an **approved ballast water treatment system**, for existing ships after the first IOPP renewal survey following the 8th of September 2017 and for new ship (keel laid on or after the 8th of September 2017) on delivery;
4. carry on board an “**International Ballast Water Management Certificate**” (for ships of 400 gross tonnage and above excluding floating platforms, FSUs and FPSOs) with a five year validity and subject to annual, intermediate and renewal surveys.

### 3. ISSUANCE OF BWM CERTIFICATES PRIOR TO ENTRY INTO FORCE OF THE BWM CONVENTION

As already highlighted in the **RINA Marine Information Note (MNO) n°55 (November 06, 2012)**, the Marine Environment Protection Committee, at its 63rd session (February-March 2012), noted that the Convention allows no phase-in period for ships constructed prior to the entry into force of the Convention. This would result in all ships of 400 gross tonnage and above to have on board an approved Ballast Water Management Plan and be surveyed and certified immediately on the entry into force of the Convention.

To address this impracticality the Committee, at its 64th session, approved circular BWM.2/Circ.40 allowing Contracting Governments to the BWM Convention to **issue International Ballast Water Management Certificates prior to entry into force of the Convention**.

In this case it is to be annotated in the Certificate that **the validity begins from the entry-into-force date of the Convention**.

In addition to the above the Administration or any Organization recognized by it (ROs) has to issue a statement to the shipowner indicating when the BWM Plan was received. Starting from this date, the ship will be allowed to **trade for three months with an unapproved BWM Plan on board**.

This provision will be useful for BWM Plan submitted to the relevant Administration/RO in the period close to the entry into force date of the Convention.

Notwithstanding the above, **it is recommended to prepare and to submit to RINA the BWM Plan** as soon as possible, in order to avoid any possible problem due to the submission of a great number of plans in the very close period to the entry into force of the Convention.

BWM.2/Circ.40 is enclosed for quick reference.

### 4. BALLAST WATER MANAGEMENT PLANS ALREADY APPROVED ACCORDING TO RESOLUTION A.868(20)

BWM.2/Circ.40 also address the matter of **Ballast Water Management Plans approved in accordance with old resolution A.868(20)** (November 1997).

According to the above circular, whilst the Guidelines adopted by MEPC.127(53) in 2005 and referenced in the BWM Convention have effectively superseded the Guidelines adopted by resolution A.868(20), for practical reasons the **Ballast Water Management Plans approved in accordance with resolution A.868(20) will remain valid until the ship is required to install a ballast water treatment system**.

### 5. BWM CONVENTION'S ENTRY INTO FORCE AND USCG REGULATION ON BALLAST WATER

It is important to highlight that the entry into force of the BWM Convention will have **no impact** on USCG regulation's requirements and implementation dates.

Detailed information on USCG regulation may be found in the following RINA MNOs:

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1. MNO n°48 (April 2012);
2. MNO n°74 (December 2013);
3. MNO n°82 (May 2014);
4. MNO n°102 (November 2015).

### 6. SERVICES PROVIDED BY RINA

RINA is ready to provide shipowners and yards the **technical assistance and support for the preparation of Ballast Water Management Plans** developed according to the provisions of MEPC.127(53).

RINA will act on behalf of the Administrations by which is allowed to operate for the approval of the Ballast Water Management Plans and the issuance of the International Ballast Water Management Certificates or Statements of Compliance, if the Flag State of the ship has not yet ratified the Convention).

For further information on this issue please refer to RINA Technical Bulletin no. 6 "**Ballast Water Convention and Ballast Water Treatment Systems - Guidance on procurement, installation, operation and certification**". This publication gives an overview of BWM Convention's requirements and guidance on preparing for its implementation, including what is needed to consider when selecting, procuring and installing a ballast water treatment system. In particular the Guidance contains:

1. a background overview of IMO decision to develop the BWM Convention;
2. a summary of the BWM Convention requirements;
3. a picture of the available treatment technologies on the market and a summary of the required BWM Convention's certificates, plans, record books, surveys;
4. a guidance on selection, procurement and installation of ballast water treatment systems, including the background knowledge and context for the assessment of the technologies currently commercially available with reference to their technical characteristics;
5. a description of the special requirements associated with the treatment of ballast water from tanks located adjacent to cargo tanks or other hazardous areas on oil or chemical carriers and the operational management of a ship subject to the BWM Convention;
6. a review of the US Coast Guard (USCG) Regulation on Ballast Water Management and detailed information relevant to ship specific implementation dates, possible compliance methods, available Alternate Management System (AMS) on the market and extension request procedures.

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