



U.S. Coast Guard Ballast Water Management Update



March 2016

U.S. Coast Guard
Office of Operating & Environmental
Standards (CG-OES)
Washington, D.C.



Overview

- Applicability/Requirements
- Compliance Options for Ship owners
- Coast Guard Type Approval & Independent Labs
- Alternate Management Systems (AMS)
- Extensions
- Compliance and Enforcement
- Latest news.....



Applicability/Requirements



Regulation	Requirement
Jurisdiction	U.S. territorial sea – 12 nautical miles
Applicability/Exemptions	Vessels equipped with BW tanks and operate in waters of U.S. Does not apply to: Crude oil tankers in coastwise trade; non-seagoing vessels; sea-going vessels that do not operate outside EEZ and are less than 1,600 Gross Register Tons or 3,000 ITC; and, vessels that operate exclusively in 1 COTP Zone.
Implementation Schedule Dates are January 1 unless specified (First regularly scheduled drydocking after a vessel's compliance date)	New Vessels (Dec 1, 2013 keel laying): On delivery Existing Vessels (BW capacity in cubic meters): <1,500: 2016 1,500 - 5,000: 2014 >5,000: 2016
Great Lakes	Applies to sea-going vessels over 1,600 GRT that depart the Great Lakes, transit beyond Anticosti Island, return and pass upstream of Snell Lock, aka "Salties."



COMPLIANCE OPTIONS



1. No BW Discharge



2. Coast Guard Approved Ballast Water Management System



3. Discharge to Facility Onshore or to Another Vessel for Purpose of Treatment



4. Use only water from a U.S. Public Water System



Two Temporary Compliance Alternatives



1. Alternate Management System (AMS) – Temporary Designation for up to 5 years



2. Receive an Extension to Vessel's Compliance Date - extension period will vary/ dependent upon TA system availability





UPDATE: Ballast Water Reporting and Recordkeeping Final Rule



- Published: November 24, 2015
- Effective February 22, 2016
 - Simplifies and streamlines the ballast water report form to reduce redundancy in reporting
 - Vessel owners and operators are expected to transition from using old BWMR forms to using new BWMR forms by May 1, 2016
- More information: National Ballast Information Clearinghouse website
<http://invasions.si.edu/nbic/>



Temporary Compliance Alternate Management Systems (AMS)



- Temporary acceptance of a treatment system already type approved in accordance with the BWM Convention.
 - AMS deemed to be “at least as effective as BWE”
- AMS used in lieu of BWE prior to compliance date
 - 5-year grandfather period after vessel compliance date
- Bridging strategy to address fact that foreign type-approved systems installed prior to:
 - publication of the USCG FR
 - availability of USCG approved BWMS
- Availability of AMS does not prohibit a vessel owner from receiving an extension from the Coast Guard.



AMS Acceptance Status



- ❑ 56 AMS Acceptances have been granted.
 - ❑ Some are technical/administrative updates, not “new” systems.
- ❑ 14 Foreign Administrations
- ❑ Coast Guard observations during review of AMS:
 - ❑ **Inconsistencies**
 - ❑ lack of documented QA/QC (approx. 70%);
 - ❑ testing procedures not validated (approx. 50%);
 - ❑ Scaling not per G8 (approx. 80%).
 - ❑ Lack of clear independence from manufacturer during testing in numerous cases



AMS versus CG Approved BWMS



- ✓ AMS and CG approved BWMS are separate programs.
- ✓ AMS acceptance:
 - Is NOT approval.... It's an acceptance as an alternative to BWE.
 - Is NOT a "first step" in req'd procedure for gaining Coast Guard type approval.
 - Does NOT guarantee Coast Guard type approval.
 - Does NOT directly assist in obtaining Coast Guard type approval.
 - Is NOT required for Coast Guard type approval.
- ✓ Basis:
 - AMS acceptance - foreign administration type approval using G8 Guidelines.
 - Coast Guard type approval - test data and information produced in accordance with Coast Guard regulations contained in 46 CFR 162.060.



Type Approval Two Options



1.Existing Data:

Evaluation of some/all data and information from foreign type approval.

- Must include:
 - Data and information;
 - Explanation of how submission meets or exceeds Coast Guard type approval requirements.
- Review by independent laboratory (IL).
 - Additional testing by IL may be required.

2. “Test from scratch”:

All testing and evaluation by an IL

- In accordance with regulations.



Accepted Independent Labs



- NSF International (Ann Arbor, MI)
- Det Norske Veritas-Germanischer Lloyd (DNV-GL; Norway)
- Korean Register of Shipping (ROK)
- Control Union Certifications (Netherlands)
- Lloyd's Register EMEA (UK)

List of accepted ILs and sub-labs on CGMix:

<https://cgmix.uscg.mil/EQlabs/Default.aspx>



Current Status



■ Current Status

- 5 USCG approved Independent Labs
- Coast Guard aware of 16 systems testing at ILs

■ Constraints and challenges

- Standards leading technology for this application
- Requests for equivalent alternative law
46 CFR 162.060-10(b)(1)
- Shipowners and manufacturers need to work collaboratively on solutions



Temporary Compliance Extensions



- Extensions to compliance dates are currently being granted (6,000+ to date)
- Basis for extension: methods ALLOWING COMPLIANCE not available.
- Extension/ VGP alignment.
- Review latest letter on Homeport: Coast Guard Policy Letter – CG-OES No. 13-01, Rev 2.
- Submit separate batches for each compliance year
- Status Updates?
- No paper needed! No BWM Plans needed.



Compliance and Enforcement

- Assess compliance during regular vessel inspections
 - Port State control examinations for foreign flags
 - Domestic vessel inspections
- Follow existing compliance approach
 - Documents (certifications and records)
 - Crew knowledge
 - Equipment condition and operation
 - Sample discharge if warranted (no limitation on “when” sampling conducted)
- Sampling and analysis methods and tools in development



Clarifying Confusion

- Coast Guard is NOT changing any Implementation Dates contained in the Final Rule due to IMO
- Coast Guard does NOT have preference for any type of treatment system technology
- Coast Guard will NOT wait to issue a type approval certificate if an application demonstrates that all criteria for type approval have been met.



Ballast Water Program Update



- **What are we working on now?**
 - Challenges to type approval
 - Multiple alternate components (e.g., filters)
 - Modification of systems during or soon after type approval
 - Scaling
 - Continue extensions
 - Compliance policy
 - Remain engaged with stakeholders
 - EPA, IMO, ship owners, manufacturers



Next Steps



- No change to implementation dates contained in the Final Rule due to status of IMO Convention
- After BWMS are type approved, extension program will be modified as necessary using a practical approach
- Coast Guard will not wait to issue a type approval certificate if an application demonstrates that all criteria for type approval have been met.
- Workshop for Independent Labs
- Practicability review



MPN Decision



- 4 manufacturers requested the Coast Guard Marine Safety Center (MSC) approve a method for assessing the number of viable organisms, to be used as an alternative to the required method that assesses numbers of living organisms.
- The MSC denied the request.
- MSC's decision is currently under appeal.



Further Information

Coast Guard Internet portal: General Information

<http://homeport.uscg.mil/ballastwater>

Approved Labs and BWMS:

Coast Guard Maritime Information Exchange (CGMIX):

<http://cgmix.uscg.mil>

QUESTIONS

Compliance: E-mail to the Office of Commercial

Vessel Compliance: CGCVC@uscg.mil

Extensions: environmental_standards@uscg.mil