

# **MEMBER ALERT**



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**MARCH 13, 2017**

## **USCG BALLAST WATER MANAGEMENT PROGRAM COMPLIANCE UPDATE**

Reference is made to [Circular No. 01/17](#) of January 16, 2017 entitled *International Convention for the Control and Management of Ships' Ballast water and sediments, 2004 and US Ballast Water (BWM) Regulations*.

Members should note that on March 6, 2016, the US Coast Guard Marine Safety Center released [Marine Safety Information Bulletin 03-17](#) *Ballast Water Management (BWM) Extension Program Update*, in response to an increase in extension requests and questions regarding previous guidance. The bulletin provides clarification of the procedures for requesting extensions in compliance with Ballast Water Management regulations contained in 33 CFR part 151.

Members are reminded that U.S. Coast Guard type-approved Systems are now available. A list of approved systems can be found by going to US Coast Guard Maritime Information Exchange, CGMIX, [Equipment Search](#) and selecting Ballast Water Management Systems-162.060 in the drop down menu.

Members are asked to note the above, but if further assistance is required, your Managers will be pleased to provide it.



# Marine Safety Information Bulletin

Commandant  
U.S. Coast Guard  
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OES-MSIB Number: 003/17  
Date: March 6, 2017  
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## Ballast Water Management (BWM) Extension Program Update

Vessel owners/operators are required to comply with the U.S. ballast water regulations provided in Title 33 Code of Federal Regulations (CFR) Part 151, Sections 151.1510 or 151.2025. Upon a vessel's compliance date, these regulations require use of one of the approved ballast water management methods listed in the regulations. One of the approved methods is installation and operation of a U.S. type-approved ballast water management system (BWMS). Information about Coast Guard type-approved BWMS is available at the Coast Guard "Maritime Commons" [blog](#), Maritime Information Exchange ([CGMIX](#)), and Homeport internet [portal](#).

33 CFR 151.2036 allows the Coast Guard to grant an extension of a vessel's compliance date to an owner/operator who has documented that, despite all efforts, compliance with one of the approved ballast water management methods is not possible. This bulletin provides new guidance with regard to compliance date extension requests.

If a type-approved system is not available for a vessel, and compliance with the other approved ballast water management methods is not possible, the vessel owner/operator may apply for an extension of the vessel's compliance date. Whether a type-approved system is "available" will be based on evidence submitted by the vessel owner/operator with the application for extension.

The length of compliance date extensions, when granted, will be based on the availability of Coast Guard type-approved systems and detailed installation plans. Vessel owners and operators should anticipate that this will not typically align with scheduled dry docking.

**Vessels having a compliance date before and including December 31, 2018:** These requests will be evaluated as follows:

- 1) Extension requests that do not provide a justification as to why compliance with one of the BWM methods in 33 CFR 151.1510 or 151.2025 is not possible by the current compliance date will be denied.
- 2) Vessel owners and operators who have identified that a Coast Guard type-approved BWMS is available for a vessel but do not have enough time to install it prior to the vessel's compliance date must provide a strategy, including a detailed installation plan, for how the vessel would be brought into compliance by installing a Coast Guard type-approved BWMS before the end of the extension. Extensions granted on this basis should be expected not to exceed 18 months.
- 3) Vessel owners and operators who have identified that a Coast Guard type-approved BWMS is not available for a vessel must provide a strategy, including a timeline, for how the vessel would be brought into compliance before the end of the extension. Extensions granted on this basis should be expected not to exceed 30 months.

**Vessels having a compliance date between January 1, 2019 and December 31, 2020:** The Coast Guard will begin considering these requests 18 months prior to the vessel's compliance date. These requests could be impacted by changes in the market or availability of type-approved systems. Owners and operators are encouraged to submit additional information in support of their extension request.

**Vessels having a compliance date of January 1, 2021 or later:** We do not anticipate granting extensions. Vessel owners and operators should plan to be in compliance on their current compliance date.

**Alternative Management System (AMS):** Vessels having an AMS installed do not qualify for an extension because the vessel is in compliance with the regulations; the AMS can be used for a period of five years after the vessel's compliance date. Once Coast Guard type-approved BWMS are available for a vessel, the vessel will no longer be able to install AMS in lieu of type-approved systems. Therefore, if a vessel is not past its compliance date and installing an AMS is being considered as a compliance method, the vessel owner or operator should evaluate whether a Coast Guard type-approved BWMS is available for the vessel. If it is determined that such a system is not available, an AMS can be installed before the vessel's compliance date and used for up to five years after the vessel's compliance date.

**Existing compliance date extensions** are valid until the date specified in the letter and may be transferred to a new owner/operator for the remainder of its term. Upon the letter's expiration, a vessel must implement one of the approved ballast water management methods specified in 33 CFR 151.1510 or 151.2025.

**Extension requests:** Vessel owners and operators are reminded to submit a request for an extension 12-16 months before the vessel's compliance date. Requests that are submitted less than 12 months prior to the vessel's compliance date are in jeopardy of being denied. The Coast Guard requires this time to review the application, request additional information from the applicant, and make a determination whether to grant or deny the request. If the extension request is denied, this allows the vessel owner or operator enough time to prepare for and install a BWMS, or assess compliance options using another approved ballast water management method prior to the vessel's compliance date.

**Additional extensions:** If the Coast Guard grants an extension for a vessel, the vessel owner/operator should plan operations to ensure the vessel will be in compliance at the vessel's extended compliance date. Issuance of supplemental extensions should not be anticipated.

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