

A Vessel Owner Dilemma During This Uncertain Time

Ballast Water Regulations are causing a great deal of vessel owner confusion



By Steve Candito

IMO Ballast Water (BW) regulations have been pending for 12 years. In the U.S., it's been over four years since the U.S. Coast Guard (USCG) regulations were passed, but even the USCG regulations are not fully implemented. These delays confirm BW Treatment and BW regulatory compliance is complex. Upon full implementation of the BW regulations, compliance will be achieved by using a treatment system or approved alternative and increased record keeping – some of which is appropriate today.

Background

Over this 12 years 60 different Ballast Water Treatment Systems (BWTS) have entered the market, which has led to high pressure sales and significant confusion. Unfortunately, BWT is expensive, complex and does very little, if anything to improve vessel operations. For many, the issue has become tiresome.

Implementation Dates Likely in 2016

It is likely the IMO Convention will be ratified during or before MEPC 70 in October 2016. Ratification appears likely because 30 countries with 35 percent of the world's Gross Registered Tonnage (GRT) are required for passage and 49 countries comprising 34.8 percent GRT have already ratified the Convention. It also appears a BWTS will be approved by the USCG in Q2 or Q3 2016. Implementation of the IMO and USCG regulations places every vessel on a timetable for compliance. The fact USCG approval of a BWTS will come four years after US regulations were published and 12 years after IMO regulations were finalized, is a clear indication that choosing and installing a reliable BWTS will be a complex and difficult endeavor.

What is Required Now?

For most vessels, nothing. However, doing nothing is likely a costly option, in dollars and operational flexibility. Once ratified every vessel is on a timetable for com-

pliance. Delayed IMO ratification has effectively compressed the compliance schedule for 35,000+ vessels. A compliance schedule planned for 12+ years is now 6+ years. The USCG extension program is complex and will be even more of a challenge once a certified BWTS is available. Although the USCG offered guidance in its Marine Safety Information Bulletin (MSIB) No. 13-15, issued October 20, 2015, the process is not clear. The MSIB 13-15 notes extensions will be granted to the vessel's next scheduled drydocking, after the vessel's required implementation date. Further, the vessel's first scheduled drydocking date will be determined based on when the vessel enters the drydock. Existing extensions with a January 1 date will not be re-issued. The change will be made when a vessel applies for a supplemental extension. Supplemental extensions are required (i.e. there will be no blanket extension). The process is further complicated by the fact that the EPA does not know if its "low enforcement priority" will remain an unchallenged practice.

Solution

Many owners have completed some BWT planning, some have already installed BWTS – some have installed systems and already removed them because they failed, other BWTS will follow – a high price to pay for an owner being proactive. With every vessel on a known compliance timetable, a complex BWTS has to be selected and installed timely and cost effectively. The system will be chosen from a limited set of credible BWTS manufacturers and engineering/ installation resources. The regulatory landscape is established. The tools for compliance are available. Planning for effective economic operationally compatible compliance should be started now to:

1. **Determine which type of BWTS is best for your vessels**
2. **Ensure there is sufficient space to install the selected BWTS**

3. **Establish engineering and installation resources**
4. **Request an extension from the USCG**
5. **Request the issuance of a new MARPOL Annex 1 IOPP Certificate, and**
6. **When available, purchase a USCG approved BWTS that meets the parameters identified for your vessels.**

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