



Q&A Ballast Water Management Convention (BWMC) 2004

Introduction

Questions and Answers regarding various subjects of the BWMC 2004. This document was written in response to recurring questions raised by the stakeholders, mainly ship owners and classification societies. This Q&A is not meant to be exhaustive or static; it will be updated according to experience gained. Q&A's are listed roughly according to the Convention articles.

Definitions

Q1: What is considered as ballast water, and what not?

A1: Ballast water is water taken on board to control trim, list, draught, stability or stresses of the ship. In this respect water carried in moon pools, wash water from cargo hold cleaning, a sea water sanitary system, the contents of RSW tanks on trawlers, the hopper content on a dredger and similar volumes of water are not considered as ballast water since this water does not comply with the definition of ballast water.

Application

Q2: Are there additional requirements for ships under Netherlands' flag?

A2: There are no additional requirements for ships flying the Netherlands' flag. The equivalency under A-5 of the Convention has not been assessed by this Administration.

Q3: What are the requirements for ships on national voyages?

A3: Ships that on national voyages are not required to comply with the Convention. National voyages are voyages that start and end in the Netherlands and can extend to international waters, provided no foreign port calls are made.

Q4: How can semi-submersible ships, heavy lift vessels and similar vessels comply with the convention?

A4: The large volumes of water needed to carry out lifting operations are taken in and discharged on the same location and thus not subject to the D-2 standard. Ideally, the ballast system is split into a high capacity system for lifting operations and a regular capacity system with a BWTS complying with the D-2 standard. The sediment management for the "uncontrolled" tanks should be detailed in the BWMP and may constitute regular tank inspections to assess the amount of sediment and a schedule for flushing or cleaning.

Q5: What is the harmonised approach with stripping water?

A5: Stripping water mixes with residual ballast water taken in from other areas and this residual ballast water is subject to ballast water management. Depending on the treatment system being used it is possible that neutralization may be required. Compliance sampling should not be conducted during stripping.

Exemptions

Q6: What are the possibilities for exemption for ships on a fixed route?

A6: The procedures according to G7 of the Convention should be followed. Any method or combination of methods may be applied, like the OSPAR/HELCOM protocols or the SRA concept.

Q7: What are the possibilities for exemption of ships on occasional voyages?

A7: Guidance is given in BWM.2-Circ.52, latest edition. Upon agreement of the States involved, D-1 compliance may be sufficient.

Ballast Water Management Plan and Record book

Q8: Will the BWMP already approved need to be re-approved?

A8: Plans already approved by the Classification Society concerned do not need to be re-approved. If the management methods changes because of the installation of a treatment system re-approval is required.

Q9: Is the use of electronic Record Books allowed?

A9: The use of electronic Record Books is allowed and encouraged. The latest guidelines in this respect are to be taken into account, and the integration with other management systems for Record Books is recommended. E-RB's for BWM do not require a separate approval by the Administration.

Q10: What if the BWMP has not been approved before 8 September 2017?

A10: Class will issue a statement that the plan has been received, and will issue a Certificate with a validity of three months. This will allow the vessel to continue trading and provides Class with time to approve the plan.

BWM, systems and installation

Q11: Can vessels use fresh water as ballast water?

A11: Fresh water that is either being generated on board or taken on board from ashore, and used as a ballast water treatment system in principal needs approval according to the Convention (Procedure G9). The BWMP of a vessel using this method shall detail the procedure for the initial cleaning of tanks, and detail the measures to prevent mixing with outboard water. Ballast operations conducted with fresh water shall be recorded in the BW Record Book.

Q12: What are the possibilities for external treatment of ballast water?

A12: External treatment of ballast water is allowed, provided the installation complies with the relevant standards (type approval according to G8/G9). If external treatment is used as an alternative method of compliance, in lieu of fitting a treatment system on board, this needs to be included in the BWMP. Ballast operations conducted with external treatment shall be recorded in the BWRB.

Q13: Upon selection and installation of a BWTS, what is to be taken into account?

A13: The choice of the treatment systems depends on a lot of factors, such as the required capacity, the expected trading pattern of the vessel in relation to the ballast water expected to be taken on board (fresh/salt, high/low turbidity), the expected frequency and duration of operation etc. Most manufacturers recommend cleaning of the ballast water tanks before commissioning. Upon installation of a BWTS, the BWMP is to be revised and submitted for approval, the installation is to be surveyed to confirm compliance with the type approval and a new IBWMC Certificate is to be issued indicating "D-2" as the principal ballast water management method.

Q14: How is BWM regulated at the repair yard?

A14: The discharge of ballast water in dock or at the repair yard is also subject to the Convention. Discharges of water are the responsibility of the shipyard however and subject to local regulations.

BW Exchange

Q15: Unmanned non-propelled barges cannot exchange ballast water. How shall these barges comply with the Convention?

A15: It is acknowledged that unmanned vessels cannot exchange ballast water during the voyage. Typically, the master will apply regulation B-4.4 on the basis of safety issues. Therefore, during the interim period of ballast water exchange, unmanned vessels are not required to exchange ballast water. This is also subject to acceptance of the Port State concerned. When the D-2 standard becomes applicable to these vessels alternative methods of treatment will need to be applied, like external treatment, the use of drinking water or in-tank treatment.

Q16: When conducting BWE, how is regulation B-4.3 of the convention applied?

A16: According to the above regulation, ships shall not be required to deviate from their intended voyage, or delay the voyage to perform ballast water exchange. This is also reflected in the OSPAR/HELCOM document (BWM.2/Circ.56) on BWE where the North Sea exchange area is designated. If any of these conditions cannot be met, only the tanks of which can be exchanged completely need to be exchanged. For the remaining tanks, BWE is not required and should not be carried out. This is of particular importance since partial exchange may revive organisms in the ballast water and have an adverse effect.

When there are no opportunities for BWE during the complete voyage, no additional measures need to be taken.

The reason for not conducting BWE shall be recorded in the BWRB.

Sediment management

Q17: How is sediment management carried out?

A17: The BWMP should contain procedures regarding the handling and disposal of sediments. Additional guidance is given in Section 1.3 of G4.

Type approval

Q18: Do BWTS installed on board, approved according to the old G8 need to be upgraded to the new G8 or the Code for approval of BWMS?

A18: Upgrading of a BWTS is not required, existing systems may continue in service until replaced. Installation of BWTS approved according to the old G8 may continue until 28-10-2020

Q19: Which type approvals are accepted by the Netherlands?

A19: A BWTS must have a National Type Approval certificate until these systems are placed on the MED list. However, taking the EU transfer Regulation 789/2004 into account, type approvals issued by other EU member states are also accepted.

Prototype systems and sea trials

Q20: How can BWM be combined with sea trials / art 2 bis?

A20: A vessels normally only proceeds with sea trials if all the quay trials are finished. Testing and commissioning the BWTS should be part of these trials. Sea trials according to art. 2 bis are not an international voyage however, and in that case the Convention is not applicable.

Survey and certification

Q21: Will the existing statement of compliance issued by the Classification Society be replaced by a certificate?

A21: Since the Convention requires certification, existing statements of Compliance will need to be replaced by a Certificate. Also see Q10 and Q12.

Q22: Is de-coupling IOPP certificate from HSSC allowed?

A22: De-coupling of the IOPP certificate from the HSSC is allowed, with retention of the anniversary date however. During MEPC71, the implementation schedule for the D-2 standard was changed. The following rules now apply:

D-2 Compliance for existing ships (installation of a BW treatment system) is required upon IOPP renewal survey according to the following conditions:

- .1 the first IOPP renewal survey after 8 September 2017 if:
 - .1 this survey is completed on or after 8 September 2019; or
 - .2 this survey is completed on or after 8 September 2014 but prior to 8 September 2017;
- .2 the second IOPP renewal survey after 8 September 2017 if the first renewal survey after 8 September 2017 is completed prior to 8 September 2019, provided that the conditions of paragraph .1.2 are not met."

This translates into the following schedule:

	Last IOPP renewal survey						Ultimate installation date BW treatment system							
	8-9-2012	8-9-2013	8-9-2014	8-9-2015	8-9-2016	8-9-2017	8-9-2018	8-9-2019	8-9-2020	8-9-2021	8-9-2022	8-9-2023	8-9-2024	
Ship 1	IOPP renewal					1 st IOPP renewal						2 nd IOPP renewal		
Ship 2		IOPP renewal					1 st IOPP renewal						2 nd IOPP renewal	
Ship 3			IOPP renewal					1 st IOPP renewal						
Ship 4				IOPP renewal					1 st IOPP renewal					
Ship 5					IOPP renewal					1 st IOPP renewal				
D-2 Compliance														

Vessels that have de-harmonised the IOPP certificate will likely have done so in the period from 8-9-2016 ->8-9-2017. Installation of a system will then be required after the first IOPP renewal. Undoing the de-harmonisation is not allowed because there is no legal basis to do so.

Q23: Is decoupling of IOPP from the HSSC allowed during lay-up?

A23: De-coupling is allowed but the new certificate may not be suspended, this means that a maximum extension of five years is allowed.

Q24: What is the due date of application for vessels below 400GT?

A24: Smaller vessels may have a disadvantage with regards to implementation of the D-2 standard since they hold no IOPP certificate. Therefore the due date for application is 8-9-2024, the maximum date allowed for all ships.

Q25: Do ships without ballast water need a BWMP and/or a certificate?

A25: Ships which are not designed or constructed to carry ballast water are outside of the scope of the Convention and do not need a BWMP or a Certificate.

Q26: Which documents can be issued before the due date and when shall this be replaced by a certificate?

A26: According to BWM.2-Circ.40 certificates can already be issued but should be annotated that they will become valid on 8-9-2017. BWM plans written in accordance with resolution A.868(20) remain valid until the installation of a BWTS.

Q27: What will be checked during the BW survey?

A27: The survey Guidelines are detailed in BWM.2/Circ.7 and will become part of the HSSC upon entry into force of the Convention. Sampling is not a part of the survey system.

Port State Control

Q28: How is enforcement carried out?

A28: Enforcement will be carried out according to MEPC.252(67) and the relevant Paris MOU instruction. It is outlined as a four-stage approach:

- Initial inspection
- More detailed inspection
- Indicative sampling
- Compliance sampling

Typically, the initial inspection consists of document control, human element and a general examination. A more detailed inspection will be carried out when there are clear grounds that the initial inspection was unsatisfactory and may consist of in-depth document control, verifying that key personnel can perform their related duties and test running the treatment system. When there are still doubts, sampling of the ballast water may be carried out.

Q29: What are the options when there is a system malfunction?

A29: A system malfunction will require repairs. Maintenance procedures should take this into account (sufficient spares, availability of service personnel). Contingency measures may include external treatment for example. Non-compliant ballast water may not be discharged, the port State should be consulted.

Q30: How will sampling be conducted?

A30: Sampling will only be carried out at the last stages of a PSC inspection, not as a standard procedure and only when there are clear grounds to do so. The sampling details are set out in the PSC procedures and in G2 of the Convention. However, in the first two years after entry into force, the sampling results may not lead to sanctions against the ship.

Q31: What is a representative sample?

A31: Representative sampling reflects the relative concentrations and composition of the populations (organisms and/or chemicals) in the volume of interest. Samples should be taken in accordance with the annex, part 1 and/or part 2 of the *Guidelines on ballast water sampling (G2)*. – BWM.2/Circ.42

Q32: What are the possibilities for indicative sampling?

A32: Several methods exist, with various devices. The operating principles are based on ATP, PAM and similar methods. Since no acceptance criteria for these methods are defined the results of these methods are incorporated in the name: indicative.

Publication
Human Environment and Transport
ILT/Shipping
PB 16191| 2500 BD Den Haag
T 088 489 00 00
July 2017