

	Information Notice 2016-003 (rev2)
	DEPARTMENT OF MARINE SERVICES AND MERCHANT SHIPPING (ADOMS)
	Ballast Water Management

1. Introduction

This Information Notice is to draw attention to all involved Parties about the intentions of the Antigua and Barbuda Department of Marine Services and Merchant Shipping (ADOMS) with respect to implementing the requirements of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM) when it comes into force. This revision has been made now that the outcomes of IMO MEPC70 are known.

Antigua and Barbuda acceded to this convention on 19th December, 2008. The convention will enter into force (EIF) on 8th September 2017. A list of relevant guidelines can be found in the annex to this notice.

2. Regulation

The Antigua and Barbuda Merchant Shipping (Amendment) Act of 2014 is the relevant primary legislation which facilitates bringing the BWM Convention into force; this will be supported by any necessary secondary legislation in due course.

3. Implementation Date

At present it is anticipated that once the Convention comes into force, amendments as per IMO Assembly Resolution A.1088 (28) will be made, which will result in the implementation date for regulation D-2 for existing ships being the first International Oil Pollution Prevention (IOPP) Certificate renewal survey date after that EIF. However this is subject to further discussion at IMO MEPC71 in May 2017.

It is expected that MEPC71 will debate two possible implementation scenarios;

1. Compliance with D-2 at the first IOPP renewal survey after September 8, 2017, as above, or
2. Compliance with D-2 at the first IOPP renewal survey completed after September 8, 2017, unless that survey is completed prior to September 8, 2019, in which case compliance is at the first IOPP renewal survey completed after September 8, 2019.

This may result in some ship owners wanting to bring forward the renewal survey and certification for IOPP. ADOMS' position on this issue is that the harmonisation of all statutory certification should be maintained whenever practical and thus all other statutory surveys and certification should also be completed at the earlier date which may include a docking survey.

It is anticipated that the aforementioned scenario could occur as a result of a vessel's future operational plans. Other scenarios would include situations where a suitable ballast water treatment system for a particular vessel type, arrangement or trade is still under development / approval at the time of the convention coming into force, which means it cannot practically be fitted in time.

4. Harmonized System of Survey and Certification

Should an owner wish to de-couple (de-harmonise) the IOPP Certification then the following process is to be followed;

- a) The Recognised Organisation (RO) shall be contacted;

- b) In the case of vessels with a total ballast water capacity of 10,000 cubic metres or less the RO will then go ahead with advising the company of their specific requirements for progressing the de-coupling;
- c) Within one month of the de-coupling of the IOPP certificate the RO will provide to ADOMS the following information;
 - i) Ship Name
 - ii) IMO Number
 - iii) Ballast Water capacity
 - iv) DOC Company name/IMO Number
 - v) Company's statement of reason for de-coupling
 - vi) Date of expiry of decoupled IOPP certificate
 - vii) Date of expiry of Safety Construction Certificate (harmonization date);
- d) In the case of vessels with a total ballast water capacity of over 10,000 cubic metres consultation of the RO with ADOMS for prior agreement to de-couple is required, With these vessels more details may be required by ADOMS; such as proposed operational areas and possibly such issues as enhanced ballast water exchange programs for an interim measure. This requirement is necessary to enable Antigua and Barbuda to keep an appropriate level of oversight of the environmental impact of its fleet in a timely manner and it is not intended to restrict an owners choice of certification arrangements.

It should be noted that the Ballast Water Management Certificate will be issued with dates harmonised with the Harmonised System of Survey and Certification in order to facilitate easy resumption of full harmonisation of the ships certification in due course, with it being a requirement that suitable plans are made to resume full harmonisation of certification at the earliest practical time.

5. System approvals

ADOMS will accept ballast water treatment systems for installation on board Antigua and Barbuda flagged ships which have been approved to the G8 MEPC.174 (58) or G9 MEPC.169 (57) guidelines by one of our Recognized Organizations (ABS, LR, DNVGL, NK, RINA, BV, KRS, CCS, RS). ADOMS will also accept those systems that have been approved to the G8 or G9 guidelines by another administration.

6. Ballast Water Management Plan (BWMP) Approvals

Owners are encouraged to submit BWMP's, in accordance with the Convention requirements, for approval as soon as is practical. Although the IMO has issued BWM.2/Circ.40 which envisages the possibility of vessels trading with an unapproved BWMP for up to 3 months, ADOMS strongly discourages owners from leaving things so late as to require this course of action and the extra administrative burdens it entails. In any event the BWMP must be submitted for approval by the RO prior to 8 September 2017.

BWMP's approved in accordance with resolution A.868 (20) will remain valid until a Ballast Water Management System has been Installed which thus requires revision of the BWMP.

7. Certification

With reference to IMO circular BWM.2/Circ.40, in order to facilitate the smooth entry into force of the conventions requirements, International Ballast Water Management Certificates (IBWMC) can be issued prior to the entry into force of the Convention and once the conditions for EIF have been met, which will contain the following statement "The validity of this certificate begins from *****" (EIF date).

Where Statements of Compliance have been issued they will be replaced by IBWMC following the above process, provided no changes have occurred on board.

8.Exemptions

There is very little scope for exemptions from the requirements of the convention and exemptions will be considered on a case by case basis by ADOMS headquarters, and it is anticipated that such exemptions will place strict limitations on the operational area of the ship. In the event of a ship having port exemptions it will still be required to comply with the convention requirements for certification BWMP and record books.

9. United States of America

Up-to-date guidelines for vessels operating in United States of America waters can be found on the Homeport section of the USCG website, link below:

<https://homeport.uscg.mil/mycg/portal/ep/home.do>

The following links also provide further information:

https://www.uscg.mil/msib/docs/010_16_7-12-2016.pdf

https://www.uscg.mil/msib/docs/013_15_10-22-2015.pdf

https://www.uscg.mil/hq/cg5/cg522/cg5224/docs/BWM_FAQs_Vol%20I_05April2013.pdf

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Annex 1

GUIDELINES AND GUIDANCE DOCUMENTS RELATED TO THE IMPLEMENTATION OF THE INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004

Table 1: List of Guidelines for the uniform implementation of the BWM Convention

Resolution	Title
MEPC.152(55)	Guidelines for sediment reception facilities (G1)
MEPC.173(58)	Guidelines for ballast water sampling (G2)
MEPC.123(53)	Guidelines for ballast water management equivalent compliance (G3)
MEPC.127(53)	Guidelines for ballast water management and development of ballast water management plans (G4)
MEPC.153(55)	Guidelines for ballast water reception facilities (G5)
MEPC.124(53)	Guidelines for ballast water exchange (G6)
MEPC.162(56)	Guidelines for risk assessment under regulation A-4 of the BWM convention (G7)
MEPC.174(58)	Guidelines for approval of ballast water management systems (G8)
MEPC.169(57)	Procedure for approval of ballast water management systems that make use of active substances (G9)
MEPC.140(54)	Guidelines for approval and oversight of prototype ballast water treatment technology programmes (G10)
MEPC.149(55)	Guidelines for ballast water exchange design and construction standards (G11)
MEPC.209(63)	2012 Guidelines on design and construction to facilitate sediment control on ships (G12)
MEPC.161(56)	Guidelines for additional measures regarding ballast water management including emergency situations (G13)
MEPC.151(55)	Guidelines on designation of areas for ballast water exchange (G14)

Table 2: List of other resolutions and guidelines related to the implementation of the BWM Convention

Resolution	Title
MEPC.252(67)	Guidelines for port State control under the BWM Convention
MEPC.253(67)	Measures to be taken to facilitate entry into force of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004
MEPC.228(65)	Information reporting on type approved ballast water management systems
MEPC.206(62)	Procedure for approving other methods of ballast water management in accordance with regulation B-3.7 of the BWM Convention
MEPC.188(60)	Installation of ballast water management systems on new ships in accordance with the application dates contained in the ballast water management convention (BWM Convention)
MEPC.175(58)	Information reporting on type approved ballast water management systems
MEPC.163(56)	Guidelines for ballast water exchange in the Antarctic treaty area
A.1088(28)	Application of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004

Table 3: List of BWM Circulars related to the implementation of the BWM Convention

Circular	Title
BWM.2/Circ.52	Guidance on entry or re-entry of ships into exclusive operation within waters under the jurisdiction of a single Party
BWM.2/Circ.46	Application of the BWM Convention to Mobile Offshore Units
BWM.2/Circ.45	Clarification of "major conversion" as defined in regulation A-1.5 of the BWM Convention
BWM.2/Circ.44	Options for ballast water management for Offshore Support Vessels in accordance with the BWM Convention
BWM.2/Circ.43	Amendments to the Guidance for Administrations on the type approval process for ballast water management systems in accordance with Guidelines (G8) (BWM.2/Circ.28)
BWM.2/Circ.42/ Rev.1	Guidance on ballast water sampling and analysis for trial use in accordance with the BWM Convention and Guidelines (G2)
BWM.2/Circ.40	Issuance of Ballast Water Management Certificates prior to entry into force of the BWM Convention and Ballast Water Management Plans approved according to resolution A.868(20)
BWM.2/Circ.37	Information that should be made available in proposals for approval of ballast water management systems in accordance with the Procedure for approval of ballast water management systems that make use of Active Substances (G9)
BWM.2/Circ.33	Guidance on scaling of ballast water management systems
BWM.2/Circ.32	Applicability of the Ballast Water Management Convention to hopper dredgers
BWM.2/Circ.29/ Rev.1	Clarification regarding the application dates contained in regulation B-3 of the BWM Convention
BWM.2/Circ.27	Framework for determining when a Basic Approval granted to one ballast water management system may be applied to another system that uses the same Active Substance or Preparation
BWM.2/Circ.21	Engineering Questionnaire on Ballast Water Management Systems
BWM.2/Circ.20	Guidance to ensure safe handling and storage of chemicals and preparations used to treat ballast water and the development of safety procedures for risks to the ship and crew resulting from the treatment process
BWM.2/Circ.17	Guidance document on arrangements for responding to emergency situations involving ballast water operations
BWM.2/Circ.13/ Rev.3	Methodology for information gathering and conduct of work of the GESAMP-BWWG
BWM.2/Circ.13/ Rev.2	Methodology for information gathering and conduct of work of the GESAMP-BWWG
BWM.2/Circ.13/ Rev.1	Methodology for information gathering and conduct of work of the GESAMP-BWWG
BWM.2/Circ.8	Harmonized implementation of the Guidelines for approval of Ballast Water Management Systems (G8)
BWM.2/Circ.7	Interim Survey Guidelines for the purpose of the International Convention for the Control and Management of Ships' Ballast Water and Sediments under the Harmonized System of Survey and Certification (resolution A.948(23))