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भारत सरकार / GOVERNMENT OF INDIA

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## **ENGINEERING CIRCULAR NO. 02 OF 2016**

No. ENG/Misc-29 (73)/09. Pt

Dated: 06.12.2016

**Subject: Issuance of Statement of Compliance (SoC) to Indian Flag vessels by Recognised Organisation on verification of compliance with the International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004.**

1. NOTING that the International Maritime Organization (IMO) developed and adopted "The International Convention for the Control and Management of Ships Ballast Water and Sediments, 2004" (BWM Convention) with the aim of protecting the marine environment from the transfer of harmful aquatic organisms in ballast water carried by ships.
2. NOTING ALSO that after Finland ratified the Convention on 8 September 2016, BWM Convention has met the criteria for entry into force of the Convention and will now enter into force on 8 September 2017.
3. REALIZING that even though the Indian Government has not yet ratified the BWM Convention but all its vessels over 400 GT and above engaged on international voyages have to comply with the BWM Convention and be subjected to survey and certification towards issuance of Statement of Compliance in lieu of the International Ballast Water Management Certificate with

an aim to demonstrate compliance with BWM Convention when visiting a State which has ratified the Convention.

4. IN PURSUANCE TO THE FOREGOING, all Recognized Organizations (RO) are advised to be governed by the BWM Convention requirements. They are hereby authorised to approve the BWM plans & to carry out Survey and issue the Statement of Compliance (SoC) for BWM Convention to all such Indian Vessels upon satisfactory verification of the BWM requirements and compliance with the applicable requirements as specified in the following paragraphs no. 5 to 14.
5. Vessels to which the BWM Convention applies will be required to carry the following documents from 8<sup>th</sup> September 2017:
  - (a) Approved ballast water management plan (Regulation B-1).
  - (b) Ballast water record book (Regulation B-2).
  - (c) An International Ballast Water Management Certificate / Statement of Compliance to Ballast Water Management Convention, as applicable (issued after survey under Regulation E-1).
6. Further, vessels, to which the Convention applies, are required to be fitted with a Ballast Water Management System (BWMS) which has been approved in accordance with IMO guidelines for meeting the discharge performance standards (D-2) as specified in the BWM Convention. The implementation schedule for fitment of BWMS (D-2), according to IMO Resolution A.1088 (28) is as follows:

<i>Keel laid</i>	<i>Implementation deadline for BWMS in order to meet Reg. D-2</i>
Before 8 September 2017	By the first renewal survey associated with the IOPP Certificate after 8 September 2017.
On or after 8 September 2017	By the completion date of the construction



7. New build vessels constructed before entry into force but delivered after entry into force shall comply with ballast water management that at least meets the standard described in regulation D-2 from the date of the IOPP renewal survey.

*Note:* Constructed is defined in Regulation A-1 as follows:

Constructed in respect of a vessel means stage of construction where:

- a) The keel is laid; or
  - b) Construction identifiable with the specific vessel begins;
  - c) Assembly of the vessel has commenced comprising at least 50 tonnes or 1 percent of the estimated mass of all structural material, whichever is less; or
  - d) The vessel undergoes a major conversion.
8. Noting that there are uncertainties with respect to ability of Ballast Water Management System (BWMS) approved as per the current G8 Guideline *[guidelines adopted on October 10, 2008 through resolution MEPC 174 (58)]* being able to comply with the requirements of Regulation D-2 when installed on board ships, MEPC has revised this G8 Guidelines to make it more transparent, robust and fit for the purpose through resolution MEPC.279 (70). Resolution MEPC.279(70) recommends that BWM systems "installed"\* on board ships be approved as per following time frame:
- (a) Administrations apply the revised Guidelines (G8) when approving BWMS as soon as possible but no later than 28 October 2018;
  - (b) All BWMS installed on board ships prior to 28 October 2020 should be approved taking into account either resolution MEPC 174(58) or preferably revised guidelines (G8);
  - (c) BWMS installed on ships on or after October 28, 2020 should be approved taking into account the revised G8.

(\* "installed" means the contractual date of delivery of the BWT system to the ship or, in the absence of such a date, the actual date of delivery of the BWT system to the ship.).

9. In order to ensure that the BWMS approved as per MEPC.279 (70) are fitted on Indian vessels, and also considering that the BWMS approved as per MEPC.279



(70) are not available presently, the Indian Administration has no objection for allowing IOPP renewal survey to be completed prior to entry into force date of BWM Convention. Noting that there is no legal requirement for the IOPP Certificate survey cycle to be aligned with the harmonized system of survey and certification (HSSC) cycle, the Directorate has no objection for decoupling the IOPP Certificate from the HSSC.

10. THEREFORE the owners / managers of vessel (s) of 400 GT and above which are registered in India and engaged on International voyages are advised to approach the Recognized Organizations for subjecting their vessels to:

(a) survey and certification towards demonstrating the compliance of BWM Convention requirements which should be undertaken prior to 8 September 2017;

(b) IOPP Renewal Survey, if planning to advance the IOPP renewal survey for cases where the vessel's renewal surveys are falling due after 8 September 2017 with an aim to postpone the fitment of BWTS as mentioned above.

11. *Required measures until the expiry of the IOPP certificate:* In the transitional period from 8th September 2017 until the next IOPP Certificate renewal, all vessels of 400 GT and above are required to fulfil at least the D1 ballast water exchange standard and same to be confirmed in the Statement of Compliance issued under BWM Convention. For the exchange of ballast water in deep seas during voyages between ports the following is necessary:

(a) Approved Ballast Water Management Plan for the exchange of ballast water

(b) Documentation of the ballast water exchange in the Ballast Water Record Book

(c) Initial survey for ballast water exchange on board.



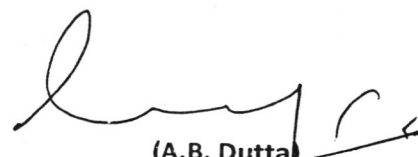
12. *Required measures after the renewal of the IOPP certificate:* After the next IOPP renewal survey, the vessel has to be in compliance with the ballast water discharge standard D2. The ballast water on board has to be treated usually by an approved ballast water management plant. Existing vessels, which do not yet have such an installation, will have to be fitted with the installation (retrofit). In addition the following is necessary:

- (a) Approved BWM Plan modified for the treatment on board
- (b) Approved technical documentation for a BWMS installation
- (c) BWMS Operation Manual
- (d) Documentation of the ballast water treatment in the Ballast Water Record Book
- (e) Initial survey for ballast water treatment on board

13. *Ballast Water Management Plan (BWMP):* As per BWM.2/Circ.40 BWMP may be approved in compliance with either Resolution A.868(20) or MEPC.127(53) and BWMP approved in accordance with Resolution A.868(20) should remain valid until the plan requires revision due to the installation of a ballast water management system.

14. All Recognized Organizations are hereby advised to be guided by the foregoing and they are authorised to approve plans, undertake Survey and issue Statement of Compliance to the BWM Convention to Indian flag vessels on satisfactory verification of the requirements.

This is issued with the approval of the competent authority.

  
(A.B. Dutta)  
Engineer & Ship Surveyor cum Dy. DG (Tech)

To,

1. The Principal Officer/ Mercantile Marine Department, Mumbai/Kolkata/ Chennai/ Kandla/Kochi.
2. The Surveyor-in-charge, Mercantile Marine Department, Goa/Jamnagar/Port Blair /Visakhapatnam /Tuticorin /Delhi /Haldia/ Paradip /Mangalore.
3. All Recognised Organizations.
4. Indian National Ship-owners' Association.(INSA), Mumbai.
5. ICC Shipping Association, Mumbai
6. CS/NA/CSS/Jt.D-G.
7. Sr.PS DG(S)
8. Hindi cell with a request to provide Hindi version for dissemination.
9. Guard file.
10. Computer Cell, DGS with a request to up load in the DGS website.

