



Maritec Tanker Management Pvt Ltd

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GENERAL CIRCULAR

09/2022

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SUBJECT: Reporting Requirements for In-operational BWTS

A malfunction of the BWMS due to a technical problem or a ballasting operation carried out outside of the system's performance (e.g., UV intensity or TRO is too low) results in the treated ballast water to not be compliant with the D-2 standard. To prevent unnecessary downtime in port, as well detentions and financial penalties by the PSC, the following steps shall be taken:

A vessel that has passed its D-2 compliance implementation date and has an inoperable Ballast Water Treatment System shall prepare a proposal for Contingency measures and may use one of the Alternative methods and a Repair plan. Contingency measures are described in the IMO guidance circular BWM.2/Circ.62, e.g., Ballast water exchange according to D-1 standard might be an option.

The proposed contingency measure is to be submitted by the vessel to the Port State Control in the port of destination, and the port state shall agree to proposed actions.

The flag administration is to be notified about the agreement between vessel and port state and be provided with the repair plan and date of repair directly or via Class. The flag may require to issue conditions and a short-term BWM certificate.

If a ship has both standards "D-1 + D-2" ticked off on the BWM certificate, then the exchange by D-1 is the obvious alternative option. Even in this case, the administration should be notified directly or via Class and may require conditions and a short-term BWM certificate.

Implementation of contingency measures:

In case the ship is unable to manage ballast water discharge in accordance with the approved BWMP to meet D-2 standard, where D-2 compliance is required, the Port State, the flag State and the Ship should work together to agree on the most appropriate solution to allow for the discharge of ballast water found to be non-compliant. the following contingency measures are to be decided on a case-by-case basis

Actions as predetermined in the Ballast Water Management plan of the ship.

Discharge ballast water to another ship or to an appropriate Shipboard or Land-based reception facility, if available.

Managing the ballast water or a portion of it in accordance with a method acceptable to the Port State

Ballast water exchange carried out to an approved plan in accordance with regulation B-4 to meet the standard in regulation D-1. The ship and the port State should consider the potential disruption to the cargo handling operation plan of the ship and the potential impact to relating parties including port operators and cargo owners; or operational actions, such as modifying sailing or ballast water discharge schedules, internal transfer of ballast water or the retention of ballast water on board the ship. The port State and the ship should consider any safety issues and avoid possible undue delays.



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Having considered all of the above options, the ballast water may be discharged in the port or any suitable area, as acceptable to the port State. Port State consideration may include environmental, safety, operational and logistical implications of allowing or disallowing the discharge. The discharge of ballast water is subject to any conditions of the port State.

In any case, the ship is required to do its best to correct malfunction of the Ballast Water Management system as soon as possible and submit its repair plan to the Port State and the Flag State authorities.

The discharge of ballast water is subject to any conditions of the port State. Vessel is not allowed to discharge ballast water without the permission of the Port Authority and the flag state administration.

A statement that any malfunction and use of alternative management method shall be recorded in the BW Record Book.

Type of BWM certificate on vessel: D-2 certificate:

The vessel must contact the port authority and flag state administration immediately to discuss contingency measures (see separate question on contingency measures).

We advise ship owners to follow the IMO guidance circular on contingency measures BWM.2/Circ.62.

Exchange may be offered as a contingency measure but cannot be performed without permission from the port authority and flag state. The vessel must obtain approval of the exchange method before proposing exchange as a contingency measure.

When travelling in US waters

Type of BWM certificate on vessel: D-2 certificate:

The USCG requires that the BWMP contain vessel-specific contingency methods. The BWMP should also include procedures for contacting the Captain of the Port (COTP) and reporting to the National Ballast Information Clearinghouse (NBIC) in the event of a BWTS malfunction.

The vessel must contact US authorities as soon as possible and ask for instructions. US regulations require that the vessel inform the nearest COTP, but it is recommended that the destination COTP also be informed. Contact details of relevant COTP are given in the VRP manual.

The vessel must obtain D-1 certification before proposing exchange as a contingency measure.

Type of BWM certificate on vessel: D-1 and D-2 certificates

A vessel must have applied for an extension in treatment compliance from the USCG in order to operate with exchange only.

The D-1 standard can be offered as a contingency measure. It is the decision of the USCG to accept or reject such a proposal.

Vessel may be subject to heavy fines in case of failure to comply with above requirements.