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Ballast water

Brief description

2004 Ballast Water Management (BWM) Convention is expected to soon enter into force.
Very few of the type-approved ballast water management systems have been fitted, and there is a concern insurers will have to pay for failed new and relatively complex technologies without a proven track record. As an example, the majority of the current type-approved ballast water treatment technologies make use of Active Substances. These substances may, depending on the substance, concentration, variation of operating conditions and exposure duration, have an adverse effect on ballast tank coatings, ballast piping system, and anodes within the tank.
Concerns have also been raised concerning the *Guidelines for approval of ballast water management systems (G8)*, which are not sufficient to ensure that a given system will work in compliance with the discharge standard once installed on board and operated in the actual maritime environment (ref. MEPC 64/2/18). MEPC 65 approved in May 2013 BMW related guidance, including Guidance concerning ballast water sampling and analysis for trial use and a BMW Circular on clarification of “major conversion”.
Many Flag State Administrations have expressed serious concerns as to the costs and/or benefits of these newly-available unproven technologies, which are relatively untested and subject to scientific doubts. The difficulties of drafting and implementing a global marine environment convention in advance of readily available scientific evidence and considered support is much commented on in MEPC.
Due to the many industry concerns, MEPC 66 requested the Secretariat to explore the possibility of conducting a study on the implementation of the ballast water performance standard described in regulation D-2 of the BWM Convention. Draft plan and terms of reference will be considered by MEPC 67 in October 2014.
ICS, co-sponsored by IUMI and several other industry associations, presented their main concerns in a paper to MEPC 67 in July 2014: the lack of robustness of the current guidelines for approval of ballast water management systems (G8), the criteria to be used for sampling and analysis of ballast water during Port State control inspections and the subsequent actions that may be taken should any minor deviation be indicated. The document proposes a draft MEPC resolution which, if adopted, will deliver the necessary assurances to allow stakeholders to move forward with confidence in the Convention.
MEPC 67 resolved to start immediate work on a revision of the G8 type-approval guidelines through a correspondence group reporting to MEPC 68 in May 2015. The committee also agreed that owners that has invested in first generation treatment system should not be penalized if the equipment is operated and maintained correctly. Furthermore, new Port state control guidelines were adopted to reflect a fair and pragmatic approach to inspection.
U.S. ballast water discharge standards The U.S. Coast Guard Ballast Water Discharge Rule creates compliance requirements for Vessels sailing in U.S. Waters by requiring the use of an approved ballast water management method. Under certain circumstances, the Coast Guard will grant vessel operators an extension to comply with the requirements.
The U.S. Environmental Protection Agency (EPA) also regulates ballast water discharges under the Vessel General Permit (2013 VGP) program, which regulates all discharges from commercial vessels greater than 79 feet in length and with respect to

ballast water discharges all commercial vessels. The Ballast water standards under the Coast Guard and EPA standards are similar but not identical, and there are also multiple U.S. state law requirements. The EPA ballast water treatment standards will be reassessed prior to 2018, which may result in even stricter standards. There is currently legislation pending in the U.S. Senate to establish a single federal framework for the regulation of ballast water and other vessel discharges.
The U.S. ballast water discharge standards are consistent with those contained in the International Maritime Organization's 2004 Ballast Water Convention.

Relevant authority / organisations and documents

– IMO – Marine Environment Protection Committee:
- The International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM Convention).
- MEPC 64/2/18: Challenges to effective implementation of the BWM Convention, submitted by Liberia, the Marshall Islands, Panama, BIMCO, INTERTANKO, CLIA, INTERCARGO, InterManager, IPTA, NACE and WSC, 27 July 2012.
- MEPC67/2/6: Measures to be taken to facilitate entry into force of the International Convention for the Control and management of Ships' Ballast Water and Sediments, submitted by ICS, IUMI, BIMCO, INTERTANKO, CLIA, INTERCARGO, InterManager, IPTA, IMCA, INTERFERRY, ITF, the Nautical Institute and WSC, 11 July 2014.
- MEPC67/2/5: Proposed plan for a study on the implementation of the ballast water performance standard described in regulation D-2 of the BWM Convention, submitted by the Secretariat, 11 July 2014.
- MEPC67/2/11: Compromise measures towards a fair, practical and protective BMW Convention implementation, submitted by Canada, 8 August 2014.
- MEPC67/WP.11: Report of the Ballast Water Review Group, 16 October 2014.
- MEPC68/2/16: Measures to be taken to facilitate entry into force of the BWM Convention, submitted by ICS, BIMCO, IUMI, CLIA, INTERCARGO, InterManager, IMCA, INTERFERRY, ITF, Nautical institute, 12 March 2015.

– U.S. Environmental Protection Agency: 2013 Vessel General Permit.
– United States Senate: Senate Bill S. 1611
– **U.S. Coast Guard:** 33 CFR part 151, 46 CFR part 162
– **GloBal TestNet:** Formal group of organizations involved in testing for the certification of BWS. Aims to facilitate increased standardization and harmonization of test procedures and information exchange.

About IUMI The International Union of Marine Insurance e.V. (IUMI) is a non-profit association established for the purpose of protecting, safeguarding and advancing insurers' interests in marine and all types of transport insurance. It also provides an essential forum to discuss and exchange ideas, information and statistics of common interest for marine underwriters and in exchange with other marine professionals. IUMI currently represents 46 national and marine market insurance and reinsurance associations.

The roles of IUMI are to
– act as a focal point and representative voice on behalf of the marine and transport insurance industries in dialogue with all interested parties,
– share information and research that are non-commercially sensitive with regard to marine and transport insurance,
– bring together marine insurance practitioners to facilitate the exchange of technical information and best practice, and
– provide information on positions taken by IUMI.

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