



NAURU

MARITIME ADMINISTRATION

BALLAST WATER MANAGEMENT CONVENTION (NMA_C27.2018.Rev.0)

PURPOSE:

To provide relevant information and guidance for the Ballast Water Management Convention which has entered into force on 8 September 2017.

REFERENCE:

- a) BWMC, International Convention for the Control and Management of Ships Ballast Water and Sediments, 2004.
- b) BWM.2/Circ.34/Rev.6 dated 27 July 2017, List of ballast water management systems that make use of Active Substances which received Basic and Final Approval.
- c) BWM.2/Circ.46 dated 31 May 2013, Application of the BWM Convention to Mobile Offshore Units
- d) IMO Resolution MEPC.174(58), Guidelines for approval of BWM system (G8.)
- e) BWM.2/Circ.40 dated 8 October 2012, 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).
- f) IMO Resolution A.1088(28), Application of the International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004.

DEFINITIONS:

The following abbreviations stand for:

- a) "BWM" – Ballast Water Management
- b) "FPSO" – Floating Production Storage Offloading Unit
- c) "FSU" – Floating Storage Unit
- d) "IBWMC" – International Ballast Water Management Certificate
- e) "IMO" – International Maritime Organization
- f) "IOPPC" – International Oil Pollution Prevention Certificate
- g) "ITC 69" – International Convention on the Tonnage Measurement of Ships, 1969
- h) "MARPOL" – International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978
- i) "MEPC" – Marine Environment Protection Committee
- j) "MOU" – Mobile Offshore Unit
- k) "RO" – Recognized Organization as defined by IMO Resolution A.789(19).
- l) "SOLAS" – International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended

The term "Administration" shall mean the Nauru Maritime Administration.

APPLICATION:

- 1) This circular applies to all Nauru registered vessels operating in the aquatic environment, and includes submersibles, floating craft, floating platforms, FSUs and FPSOs, but does not apply to:

- a) ships not designed or constructed to carry ballast water;
- b) ships of a Party which only operate in waters under the jurisdiction of that Party, unless the Party determines that the discharge of Ballast Water from such ships would impair or damage their environment, human health, property or resources, or those of adjacent or other States;
- c) ships of a Party which only operate in waters under the jurisdiction of another Party, subject to the authorization of the latter Party for such exclusion. No Party shall grant such authorization if doing so would impair or damage their environment, human health, property or resources, or those of adjacent or other States. Any Party not granting such authorization shall notify the Administration of the ship concerned that the BWM Convention applies to such ship;
- d) ships which only operate in waters under the jurisdiction of one Party and on the high seas, except for ships not granted an authorization pursuant to para 1.3 above, unless such Party determines that the discharge of Ballast Water from such ships would impair or damage their environment, human health, property or resources, or those adjacent of other States;
- e) any warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on government non-commercial service. However, each Party shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities of such ships owned or operated by it, that such ships act in a manner consistent, so far as is reasonable and practicable, with the BWM Convention; and
- f) permanent Ballast Water in sealed tanks on ships, that is not subject to discharge.

GENERAL REQUIREMENTS:

- 1) Upon entry into force of the BWM Convention on 8 September 2017, applicable vessels are required to be provided with:
 - a) a ship-specific BWM Plan approved by the Recognized Organization (RO) on behalf of this Administration (Regulation B-1);
 - b) a Ballast Water Record Book on board (Regulation B-2);
 - c) a system to manage the ship's ballast water on every voyage by either performing ballast water exchange in accordance with Regulation D-1, or treating it using an approved ballast water treatment system in accordance with Regulation D-2 (Regulation B-3 and IMO Resolution A.1088(28)); and
 - d) an IBWMC.
- 2) The Convention specifies two standards for the discharge of ballast water. The standard stipulated in Regulation D-1 covers ballast water exchange, while the standard in Regulation D-2 covers performance standard for ballast water treatment using a type-approved BWM system.
- 3) For existing ships constructed before 8 September 2017, either D-1 or D-2 standard can be implemented upon entry into force. Upon entry into force, existing ships will be required to comply with at least Regulation D-1 during the transitional period from entry into force to the International Oil Pollution Prevention Certificate (IOPP) Renewal Survey, but ultimately by the

vessel's first IOPPC Renewal Survey after 8 September 2017, all ships must comply with Regulation D-2.

- 4) New ships constructed on or after 8 September 2017 must comply with Regulation D-2.
- 5) The IMO has, during the 71st session of MEPC, agreed to adopt the amendments to the implementation schedule for Regulation D-2 which takes into account the entry into force date and appropriate time constraints for acquiring, installing and commissioning a BWM system.
- 6) The following implementation schedule for Regulation D-2 has been adopted:
 - a) New ships the keels of which are laid on or after 8 September 2017 shall comply at its delivery.
 - b) Existing ships which completed IOPPC renewal survey between 8 September 2014 and 7 September 2017 shall comply at the First IOPPC renewal survey following the date of entry into force of the IBWMC.
 - c) Existing ships other than those mentioned in Section 2.2 above shall comply at the Second IOPPC renewal survey following the date of entry into force of the IBWMC, or the First IOPPC renewal survey on or after 8 September 2019, whichever occurs first.
 - d) Existing ships which are not required to possess IOPPC (Oil tankers of less than 150 gross tonnage and ships other than oil tanker of less than 400 gross tonnage) shall comply no later than 8 September 2024.
- 7) This Administration recommends that applicable ships contact their ROs in order to comply with BWMC, and some suggested actions for compliance may include the followings:
 - a) identify the due date of IOPPC renewal surveys to allow planning of the implementation schedule of Regulation D-2, survey and certification of the vessel;
 - b) contact BWM system vendors to request information on approved models of BWM systems;
 - c) refer to IMO website for update on status of IMO type approved BWM systems; and
 - d) identify a BWM system that is suitable for the vessel based on its design and operations.

SURVEY AND CERTIFICATION:

- 1) Applicable vessels of 400 GT and above to which BWM Convention applies, excluding floating platforms, FSUs and FPSOs, shall be subjected to the survey and certification as stipulated in Article 7 of BWMC and as specified in regulations under Annex Section E of the BWM Convention.
- 2) Notwithstanding the above, MOUs shall comply with the provisions of the BWM Convention and shall be surveyed and issued with an IBWMC according to Regulations E-1 and E-2 of the BWM Convention, as applicable (Reference: BWM.2 / Circ. 46 dated 31 May 2013).
- 3) The BWM Convention allows no phase-in period for ships constructed prior to 8 September 2017 to comply with its provisions which requires all applicable ships to have on board an approved BWM Plan and be surveyed and certificated immediately on the entry into force of the Convention.

- 4) BWM Plans approved in accordance with Resolution A.868(20), shall remain valid until the plan requires revision due to the installation of a ballast water management system.
- 5) BWM systems shall be approved by the RO on behalf of this Administration in accordance with IMO Guidelines.

EXEMPTIONS (REGULATION A-4):

- 1) The Administration, may, on a case-by-case basis, grant exemptions from the requirements of the BWM Convention for vessels that operate in Nauru waters that:
 - a) are engaged on a voyage or voyages between specified ports or locations
 - b) are operating exclusively between specified ports or locations
 - c) do not mix ballast water or sediments other than between the ports or locations specified in above paragraphs (a) and (b).

TYPE APPROVED BWM SYSTEMS (ACTIVE SUBSTANCES):

As of July 2017, it was reported that a total of 100 BWM systems that make use of Active Substances received Basic and Final Approval for complying with Regulation D-2 standards, please refer to BWM.2/Circ.34/Rev.6 dated 27 July 2017.

For further assistance, please do not hesitate to contact the Administration at: flag@naurumaritime.com.