



# U.S. Coast Guard Ballast Water Discharge Standard Final Rule



U.S. Coast Guard  
Environmental Standards Division  
Washington, D.C.



# Overview

- Applicability/Requirements
- Compliance Options for Shipowners
- Coast Guard Type Approval and Independent Labs
- Alternate Management Systems (AMS)
- Extensions to Implementation Date
- Compliance and Enforcement
- Policy Update
- Rumor Control!



# BW Discharge Standard Applicability/Requirements



Regulation	Requirement
Jurisdiction	U.S. territorial sea – 12 nautical miles
Applicability/Exemptions	Vessels equipped with BW tanks and operate in waters of U.S. Does not apply to: non-seagoing vessels; sea-going vessels that do not operate outside EEZ and are less than 1,600 Gross Register Tons or 3,000 ITC; and, vessels that operate exclusively in 1 COTP Zone.
Implementation Schedule  Dates are January 1 unless specified (First regularly scheduled drydocking after a vessel's compliance date)	New Vessels (Dec 1, 2013 keel laying): On delivery  Existing Vessels (BW capacity in cubic meters): <1,500: 2016 1,500 - 5,000: 2014 >5,000: 2016
Great Lakes	Applies to sea-going vessels over 1,600 GRT that depart the Great Lakes, transit beyond Anticosti Island, return and pass upstream of Snell Lock, aka "Salties."



# BW Discharge Standard Applicability/Requirements



Requirement	BW Final Rule
Additional Non-Indigenous Species Reduction Practices	Avoid uptake or discharge in sensitive areas, areas with infestations, clean tanks, rinse anchors & chains, etc.
BW Management Plan	Includes training and safety procedures, and fouling maintenance & sediment removal procedures.
Extension to Compliance Date	Ship owner can request extension of compliance implementation schedule if compliance is not possible, i.e., CG type approved system not available.
BW Reporting and Recordkeeping	Ballast Water Reporting Form must be submitted to NBIC for vessel subject to this rule, vessels that have ballast water tanks and operate in U.S. waters.



# OPTIONS FOR COMPLYING WITH USCG BWM REQUIREMENT



1. No BW Discharge



2. Coast Guard Approved Ballast Water Management System



3. Discharge to Facility Onshore or to Another Vessel for Purpose of Treatment



4. Use only water from a U.S. Public Water System



2 Temporary Compliance Alternatives



Alternate Management System (AMS) – Temporary Designation for up to 5 years



Receive an Extension to Implementation Date - Extension period will vary/dependent upon TA system availability





# USCG Type Approval of BWMS



- Long-established Coast Guard program for type approval of ships' equipment
  - All testing by independent laboratories (ILs)
  - ILs vetted by USCG
- Incorporation of EPA Environmental Technology Verification (ETV) Program land-based test protocols
  - Consistent with IMO BW Management Convention



# USCG Type Approval



Two paths to follow:

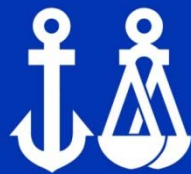
- Evaluation of some/all existing test data and information from type approval testing for a foreign administration.
  - Applicant must submit:
    - Data and information;
    - Explanation of how submission meets or exceeds Coast Guard type approval requirements.
  - Subject to independent laboratory (IL) review.
  - Additional testing / evaluation may be required.
- Evaluation of test data and information produced and submitted by a USCG-accepted IL.



# USCG Accepted Independent Labs



NSF Int'l, Ann Arbor, MI



**DNV**

DNV  
Hovik, Norway



DHI, Horsholm, Denmark





# Independent Lab Details

## NSF International

- Great Ships Initiative (GSI)
- Maritime Environmental Resource Center (MERC)
- Retlif Testing Laboratories
  
- IL application received  
5/24/2012
- IL Acceptance letter issued  
7/3/2012

## DNV GL

- DHI Denmark
- Golden Bear Facility
- Applica Test and Certification
- DELTA Denmark
  
- Initial IL application recd  
10/25/2012
- Initial IL Acceptance letter  
issued 6/11/2013



# Pending BWMS ILs



- 1 IL application under review
- 1 request received to add a subcontracted facility to an existing IL
- 8 test facilities or test organizations expressed interest



# IL Information

## Official Listing

- USCG Official listing of IL's and Approved Equipment
- <http://cgmix.uscg.mil>

## Regulations

- IL Requirements  
46 CFR 162.060-40
- IL Responsibilities  
46 CFR 162.060-42



# Questions?

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# Additional Provisions



## Alternate Management Systems

- Temporary acceptance of a treatment system that has been type approved by a foreign Administration in accordance with the BWM Convention.
  - IMO BW discharge standard deemed to be “at least as effective as BWE”
- Bridging strategy to address fact that foreign type-approved systems:
  - Were installed prior to publication of the FR
  - Continue to be installed prior to availability of USCG approved BWMS
- AMS used in lieu of BWE prior to compliance date
  - 5-year grandfather period after vessel compliance date
- The availability of AMS does not prohibit a vessel owner from receiving an extension from the Coast Guard.



# Comparison: AMS vs Type Approval



- ✓ **AMS and U.S. type approval are separate programs.**
- ✓ **AMS acceptance**
  - Does NOT guarantee U.S. type approval.
  - Does NOT directly assist in obtaining U.S. type approval.
  - Is NOT required for U.S. type approval.
- ✓ **AMS application requires submittal of an “informal” type approval application.**
  - Help identify to the Coast Guard and applicant data gaps and other issues that may prevent or delay U.S. type approval in the future.
  - Does NOT affect AMS acceptance.
  - Does NOT start the type approval process.
- ✓ **Basis:**
  - AMS acceptance - foreign administration type approval.
  - U.S. type approval - test data and information in accordance with *U.S. regulations* contained in 46 CFR 162.060.
    - Testing and evaluation MUST be conducted by an IL

# Ballast Water Discharge Standard Implementation Date Extensions

- ❑ Owner/operator can request an extension to a vessel's implementation schedule for approved Ballast Water Management Methods – refer to [CG-OES Extension Policy Sept 25, 2013](#)
- ❑ If CG type approved Ballast Water Management System (BWMS) or other options are not available or practicable, CG can grant an extension.
  - Interim BW Management Options: BWE, PWS, Reception Facility, Retention
- ❑ Extensions can be granted for no longer than the minimum time needed for the vessel to comply with the ballast water management requirements
- ❑ For those vessels with a BW capacity between 1,500 – 5000 cubic meters, and that have a scheduled drydock in 2014, extensions are being issued with a new compliance date of January 1, 2016. Approximately 90 extensions have been issued as of Feb 25<sup>th</sup>.
- ❑ CG & EPA are comparing information on extension request letters to Notice of Intent (NOI) required by VGP. Drydock dates listed in the request letter and the NOI should be the same. Discrepancies could delay approval of extension.



# Compliance and Enforcement

- Assess compliance during regular vessel inspections
  - Port State control examinations for foreign flags
  - Domestic vessel inspections
- Follow existing compliance approach
  - Documents (certifications and records)
  - Crew knowledge
  - Equipment condition and operation
  - Sample discharge if warranted
- Sampling and analysis methods and tools in development





# Response to Rumors

- Coast Guard is **NOT** changing any Implementation Dates contained in the Final Rule
- Coast Guard is **NOT** removing any systems from AMS Acceptance List
- Coast Guard does **NOT** have preference for any type of treatment system technology
- Coast Guard does **NOT** need ETV shipboard testing protocols to Type Approve Ballast Water Treatment Systems
- Coast Guard will **NOT** wait to issue a type approval certificate if an application demonstrates that all criteria for type approval has been met.



# Policy Update



- Alternate Management System Determination June 2012
- Policy Message for Implementation of BW Discharge Standard June 2012
- Frequently Asked Questions updated as needed
- [Extension Policy Sept 25, 2013](#)

Documents available on Coast Guard Homeport:

<http://homeport.uscg.mil/environmental>



# Questions?



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