REPUBLIC OF THE MARSHALL ISLANDS

MARITIME ADMINISTRATOR

Marine Notice

No. 2-014-1

Apr/2025

TO: **ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF MERCHANT SHIPS, AND RECOGNIZED ORGANIZATIONS**

SUBJECT: **Ballast Water Management**

References:

(a) **IMO Publication**, *Ballast Water Management Convention and BWMS Code with Guidelines for Implementation*, 2018 Edition.

(b) **IMO Resolution** MEPC.288(71), *2017 Guidelines for Ballast Water Exchange (G6)*, adopted 7 July 2017, as amended by Resolution MEPC.371(80), adopted 7 July 2023

(c) **IMO Resolution** MEPC.296(72), *Amendments to regulations A-1 and D-3 (Code for approval of ballast water management systems (BWMS Code))*, adopted 13 April 2018

(d) **IMO Resolution** MEPC.299(72), *Amendments to regulations E-1 and E-5 (Endorsements of additional surveys on the International Ballast Water Management Certificate)*, adopted 13 April 2018

(e) **IMO Resolution** MEPC.325(75), *Amendments to the International Convention for the Control and Management of Ship's Ballast Water and Sediments*, adopted 20 November 2020

(f) **IMO Resolution** MEPC.383(81), *Amendments to Regulations A-1 and B-2*, adopted 22 March 2024

(g) **IMO Circular** BWM.2/Circ.42/Rev.2, *2020 Guidance on ballast water sampling and analysis for trial use in accordance with the BWM Convention and Guidelines (G2)*, adopted 9 December 2020

(h) **IMO Circular** BWM.2/Circ.52/Rev.1, *Guidance on entry or re-entry of ships into exclusive operation within waters under the jurisdiction of a single Party*, issued 15 April 2004

(i) **IMO Circular** BWM.2/Circ.62, *Guidance on contingency measures under the BWM Convention*, issued 26 July 2017

(j) **IMO Circular** BWM.2-Circ.66/Rev.5, *Unified Interpretations to the BWM Convention and the BWMS Code*, adopted 13 July 2023

(k) **IMO Circular** BWM.2/Circ.70/Rev.1, *2020 Guidance for the commissioning testing of ballast water management systems*, adopted 9 December 2020

(l) **RMI Maritime Regulations** (MI-108)

(m) **RMI Yacht Code** (MI-103)

(n) **RMI Marine Guideline** 2-14-1, *Ballast Water Management*

(o) **RMI** Technical Circular 25, *Ballast Water Management*

PURPOSE

This Marine Notice (MN) establishes the Republic of the Marshall Islands (RMI) Maritime Administrator's (the "Administrator's") requirements for implementing the *International Convention for the Control and Management of Ships' Ballast Water and Sediments* (BWM Convention).

This MN supersedes Rev. Jan/2024. In addition to editorial and formatting revisions, §8.0 is revised to incorporate amendments to the BWM Convention (IMO Resolution MEPC.383(81)) allowing the Ballast Water Record Book (BWRB) to be used in electronic format.

APPLICABILITY

This MN applies to all RMI-flagged vessels in accordance with Article 3 of the BWM Convention. Vessels to which the BWM Convention does not apply are summarized as those that:

- are not designed or constructed to carry ballast water;
- only operate in RMI waters;
- only operate in waters under the jurisdiction of another Party, subject to the authorization of that Party of such exclusion;[1]
- only operate under the jurisdiction of one Party and on the high seas; or
- carry in sealed tanks permanent ballast water that is not subject to discharge.

BACKGROUND

The BWM Convention entered into force on 8 September 2017. The RMI is a Party to this Convention and acceded to it on 6 November 2009.

RMI Marine Guideline (MG) 2-14-1 has accompanying guidance on ballast water exchange (BWE), ballast water management plans (BWMPs), and ballast water management (BWM) with respect to offshore operations, yachts, and coastal States.

REQUIREMENTS

1.0 Exemptions, Exceptions, and Equivalent Compliance

The circumstances in §§1.1 – 1.3, below, may be considered when applying the BWM Convention provisions, as applicable.

1.1 Exemptions

A Party or Parties in waters under their jurisdiction may grant exemptions to regulation B-3 or C-1 in accordance with regulation A-4. Such exemptions must take into consideration IMO Resolution MEPC.289(71).

[1] See IMO Circular BWM.2/Circ.52/Rev.1.

1.2 Exceptions

See regulation A-3 for exceptions, including those for:

1.2.1 ensuring the safety of the ship in emergencies;

1.2.2 accidental damage to the ship;

1.2.3 the purpose of avoiding or minimizing pollution;

1.2.4 uptake and discharge on the high seas of same ballast water and sediments; or

1.2.5 discharge of ballast water and sediments from a ship at the same location where the ballast water originated, and provided that no mixing with unmanaged ballast water and sediments from other areas has occurred.

1.3 Equivalent Compliance

Pleasure craft[2] used solely for recreation or competition, or craft used primarily for search and rescue, less than 50 meters in length, and with a maximum ballast water capacity of eight cubic meters may satisfy the requirements of regulation A-5 by applying the guidelines of IMO Resolution MEPC.123(53). See the RMI Yacht Code 2021 (MI-103) for the application of the BWM requirements to yachts.

2.0 BWMP – Regulation B-1

2.1 Each ship must have on board and implement a ship-specific BWMP. A designated officer must be on board in charge of the plan to help implement, administer, and execute it (regulation B-1.5).

2.2 A BWMP must be approved by the Administrator directly, or by the vessel's Recognized Organization (RO) on behalf of the Administrator.

2.2.1 It must consider:

.1 IMO Resolution MEPC.127(53), *Guidelines for ballast water management and development of ballast water management plans (G4),* as amended; and

.2 regulation B-5.1, which requires that all ships remove and dispose of sediments from spaces designated to carry ballast water.

[2] **Pleasure craft** means a private yacht as defined in the RMI Maritime Regulations §1.03.13.

2.2.2 It may incorporate the non-mandatory elements of G4, part B, section 4. This can include contingency measures (IMO Circular BWM.2/Circ.62) for managing non-compliant ballast water discharges so that they do not pose unacceptable risks to the environment, human health, property, and resources.

2.3 Ships operating in Antarctic waters must consider the problems of BWE in cold environments and in Antarctic conditions. Thus, consideration must be given to IMO Resolution MEPC.163(56) when a BWMP is developed.

3.0 BWM for Ships - Regulation B-3

Each ship is required to employ one of the following BWM practices in accordance with the BWM Convention implementation schedule.

3.1 BWE to meet the standard set out in regulation D-1. Ship-specific procedures for conducting BWE, must take into consideration IMO Resolution MEPC.288(71). Also see MG 2-14-1.

3.2 Ballast Water Management System (BWMS) to meet the standard set out in regulation D-2;

3.3 Discharge ballast water to a reception facility designed in accordance with the requirements and guidelines developed by the IMO for such facilities; or

3.4 Other methods of BWM that may be accepted as alternatives and that provide the same level of protection to the environment, human health, property, or resources and are approved in principle by the Marine Environment Protection Committee (MEPC).

4.0 BWMS

4.1 The standard in regulation D-2 must be met.

4.2 The BWMS must be approved as meeting the applicable IMO instruments. See RMI Technical Circular 1, *Shipboard Equipment and Service Provider Approvals*. The Administrator accepts BWMS installations on RMI-flagged vessels that have been approved by, or on behalf of, a Party to the BWM Convention.

4.2.1 An Administration's BWMS approval for installation on a ship operating under its authority may be based on testing carried out by another Administration.

4.2.2 In these cases, the D-3 approval (Approval Requirements for BWMSs) may be conveyed by issuing an International Ballast Water Management (IBWM) Certificate.

4.2.3 BWMS type-approved on or after 13 October 2019 must comply with the BWMS Code.

4.2.4 When selecting a ship's BWMS, the operator must consider the specific application for which the system is approved, such as:

.1 specific ballast water capacities;

.2 flow rates;

.3 salinity or temperature regimes; and

.4 other limiting operating conditions or circumstances, as appropriate.

4.2.5 When the BWMS Type Approval Certificate or supporting documents indicate limiting conditions, the crew must be made aware of them.

4.3 A ship fitted with a BWMS must carry a copy of the Type Approval Certificate.

5.0 Commissioning Testing

5.1 The purpose of a commissioning test is to validate the installation of a BWMS by demonstrating that its mechanical, physical, chemical, and biological processes are working properly.

5.2 Beginning 1 June 2022,[3] on completion of the surveys required under BWM Convention regulation E-1.1.1 (initial survey for new ships under construction) and regulation E-1.1.5 (existing ships retrofitting BWMS)[4] must confirm that a commissioning test has been conducted.

5.3 The commissioning test must take into account the relevant guidelines (IMO Circular BWM.2/Circ.70/Rev.1).

5.4 The entity conducting the commissioning test, must be independent of the BWMS manufacturer or supplier and to the satisfaction of the ship's RO issuing the IBWM Certificate. Operators must contact their ROs to ascertain that the entity which they intend to engage for the commissioning testing is acceptable.

6.0 BWMS Failures

6.1 Any BWMS failure must be reported to the vessel's RO without delay. A brief description of the failure along with a proposed BWMS repair plan must also be communicated in a timely manner. The malfunctioning BWMS must be recorded in the BWRB. When the repairs are concluded, the ship's RO must be notified.

---

[3] See IMO Resolution MEPC.325(75).

[4] See BWM.2-Circ.66/Rev.5 for unified interpretations regarding regulation E-1 surveys.

6.2 Where the ship has to manage non-compliant ballast water discharges, the port State control (PSC) authorities must be contacted by the ship or Company to discuss contingency measures, guidance on which can be found in IMO Circular BWM.2/Circ.62.

6.3 The Administrator accepts BWE in lieu of using the BWMS when this method is included as a contingency measure in the ship's approved BWMP. Concurrence from the coastal State must be obtained before this option is used.

7.0 Training and Education

7.1 Vessel crew training and familiarization in ballast water and sediments management by the owner or operator is essential. Officers and crew must be familiar with their duties in managing the ballast water for the ship they serve on, and be instructed in the requirements of:

7.1.1 the BWM Convention;

7.1.2 the implementation of the BWMP;

7.1.3 BWE and sediment management procedures;

7.1.4 the BWRB and reporting functions; and

7.1.5 any system limitations of the BWMS.

7.2 Owners and operators of ships using a BWMS must ensure the crew is provided with training for its operation and maintenance.

8.0 BWRB – Regulation B-2

8.1 The BWM Convention requires each ship to maintain onboard a BWRB to record each ballast water operation, including discharges at sea, to reception facilities (B-3.6), and cases of exemptions (A-4), exceptions, and accidental discharges (A-3).

8.2 The BWRB may be maintained:

8.2.1 in hard copy;

8.2.2 as an electronic record book;[5] or

8.2.3 be integrated into another record book or system.

In all cases, the BWRB must contain at least the information specified in Appendix II of the BWM Convention.[6]

---

[5] See MN 7-041-5 for the requirements for BWM electronic record book approval.

[6] Beginning 1 February 2025, Appendix II – Form of Ballast Record Book, will be replaced by an updated version as provided in IMO Resolution MEPC.369(80) and explained in MG 2-14-1.

8.3 Each operation concerning ballast water (including any bypass event of the ship's BWMS) must be fully recorded without delay in the BWRB. Each entry must be signed by the officer in charge of the operation concerned and each completed page must be signed by the Master. Group electronic entries must be verified by the Master in a timely manner.

8.4 The BWRB must be kept readily available for inspection at all reasonable times and, in the case of an unmanned ship under tow, may be kept on the towing ship.

8.5 The BWRB entries must be maintained on board the ship for a minimum of two years after the last entry has been made and thereafter in the Company's control for an additional minimum period of three years.

8.6 Refer to MG 2-14-1 for guidance on recording information in the BWRB.

9.0 IBWM Certificate

9.1 Vessels successfully completing a survey in accordance with regulation E-1 will be issued an IBWM Certificate per regulation E-2.

9.1.1 Vessels of 400 gross tonnage (GT) and above to which the BWM Convention applies are subject to the surveys specified in BWM Convention regulation E-1. Excluded are:

.1 floating platforms;

.2 floating storage units (FSUs); and

.3 floating production storage and offloading units (FPSOs).

9.1.2 Vessels of less than 400 GT (meaning, pleasure craft and offshore support vessels) must undergo survey and certification in accordance with regulation E-1 paragraph 2 because such vessels are not excluded from the BWM Convention's definition of ships; and

9.1.3 Floating platforms, FSUs, and FPSOs must undergo survey and certification in accordance with regulation E-1 paragraph 2 because these vessels are included within the BWM Convention's definition of ship.

9.2 Given §§9.1.1 – 9.1.3 above, all ships require an IBWM Certificate from the Administrator, except:

9.2.1 Under the BWM Convention, operators of floating platforms, FSUs, and FPSOs must consult the coastal State in which the unit is operating to establish survey and certification requirements. This is because the Administration is the authority that issues the IBWM Certificate and Article 1 defines the 'Administration' as the Government of the coastal State concerned. See MG 2-14-1.

9.2.2 If requested by the Government of the coastal State, the Administrator may survey and issue the IBWM Certificate to the vessel in accordance with regulation E-3.

9.2.3 Vessels utilizing equivalent compliance set out in regulation A-5, *Equivalent Compliance.*

9.3 Some ships, such as Mobile Offshore Units, including Mobile Offshore Drilling Units, may not need ongoing certification because they operate exclusively within waters under the jurisdiction of a single Party. IMO Circular BWM.2/Circ.52/Rev.1 should be applied in re-positioning and dry-docking voyages of these ship types.

9.4 See also RMI Technical Circular 25 for Administrator policies with respect to survey and certification, including decoupling/recoupling the International Oil Pollution Prevention Renewal Survey.

10.0 Special Requirements in Certain Areas

Under regulation C-1, Parties to the BWM Convention may take additional measures consistent with international law necessary to prevent, reduce, or eliminate the transfer of harmful aquatic organisms and pathogens. Ships are required to meet these standards.

11.0 PSC

11.1 RMI vessels may be inspected in any port or offshore terminal of another Party to the BWM Convention in accordance with Article 9 of the BWM Convention, taking into consideration IMO Resolution MEPC.252(67), *Guidelines for Port State control under the BWM Convention*, which establishes a four-stage inspection procedure:

Stage one: initial inspection to focus on documentation and a nominated, trained ship's officer for ballast water management on board the ship;

Stage two: more detailed inspection - an operational check of the BWMS;

Stage three: sampling by indicative analysis to determine if the D-2 standard is being met; and

Stage four: detailed analysis, if necessary, to verify compliance with the D-2 standard.

11.2 A sampling of the ship's ballast water by PSC must be representative of the whole discharge.[7] See IMO Resolution MEPC.173(58) and IMO Circular BWM.2/Circ.42/Rev.2.

11.3 IMO has implemented a Trial Period for Sampling and Analysis of two to three years during which ships will not be penalized for exceeding the D-2 standard provided that:

11.3.1 the BWMS is approved in accordance with regulation D-3;

11.3.2 the BWMS has been installed correctly and maintained in accordance with the manufacturer's instructions;

11.3.3 the approved BWMP has been followed, including the operational instructions and the manufacturer's specifications for the BWMS; and

11.3.4 the self-monitoring system of the BWMS indicates that the treatment process is working properly.

11.4 The designated officer specified in the BWMP is to be familiar with the inspection process, including how to facilitate the inspection and sampling processes, and witnessing such, as appropriate. Additional guidance and general recommendations on methodologies and approaches to sampling and analysis are provided in IMO Circular BWM.2/Circ.42/Rev.2.

11.5 Officers duly authorized by a Party may inspect the BWRB on board any ship to which this regulation applies while the ship is in its port or offshore terminal, and may make a copy of any entry, and require the Master to certify that the copy is a true copy. Refer to §8.0 above for requirements on the BWRB.

12.0 Coastal State Requirements

Coastal States may impose unique requirements for BWM. All RMI-flagged vessels that enter the jurisdiction of these States are required to comply with these requirements, including any additional regional or local mandates. See MG 2-14-1 for additional guidance.

[7] IMO Resolution MEPC.252(67) concluded it is not recommended that ballast water sampling be performed during ballast tank stripping operations.