

Status and update on the BWM Convention following MEPC 70

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Marshall Islands Quality Council | Ballast Water Management Panel | 15 November 2016



Discussions on a number of issues are ongoing at the Marine Environment Protection Committee (MEPC) and the Sub-Committee on Pollution Prevention and Response (PPR)

- Review of Guidelines for approval of BWMS (G8)
- Amendment of regulation B-3 of the Convention
- Exceptions and exemptions (reg. A-3 and A-4)
- Roadmap for implementing the Convention
- Approval of BWMS making use of Active Substances
- Manual titled “BWM – How to do it”
- Guidance on sampling and analysis of ballast water
- Unified interpretations, Other Methods, etc.

Recent and forthcoming meetings

- **Intersessional Working Group on the Review of Guidelines (G8)** (17 to 21 October 2016)
- **MEPC 70** (24 to 28 October 2016)
- **PPR 4** (16 to 20 January 2017)
- **MEPC 71** (3 to 7 July 2017)



Revised Guidelines for approval of ballast water management systems (G8)

- Review finalized at the intersessional meeting, based on the outcome of the Correspondence Group, for adoption by MEPC 70
- Intersessional meeting also developed the application schedule of the revised Guidelines (G8)

Revised Guidelines (G8) adopted by MEPC 70

- Administrations are encouraged to apply the revised Guidelines (G8) as soon as possible when approving BWMS, but no later than 28/10/2018
- BWMS installed on board ships on or after 28/10/2020 should be approved in accordance with the revised Guidelines (G8)
- Guidelines (G8) to be made mandatory - MEPC 71 to consider draft “*Code for approval of BWMS*”
- Amendment of regulation D-3 also necessary

Revised Guidelines for approval of ballast water management systems (G8)

Summary of changes

- Definitions
- Technical specifications
- Control and monitoring
- Type approval process
- Approval and certification process
 - Limiting operating conditions and system design limitations – on TA Certificate
 - Consultation of failures among Administrations
 - BWMS already approved under current (G8) only required to submit additional test reports and documentation to gain TA under revised (G8)
- Installation requirements
- Installation survey and commissioning following type approval



Revised Guidelines for approval of ballast water management systems (G8)

Summary of changes to annex

- Specifications for pre-test evaluation of system documentation
- Readiness evaluation -New Section-
- System design evaluation -New Section-
- Quality Assurance and Quality Control
- Shipboard tests
 - Independent of manufacturer - system operated and maintained by crew
 - Success criteria - source water requirements
- BWMS scaling
- Sample analysis for determining efficacy
 - Assurance that organisms have been killed or rendered harmless
 - Assessment of viability

Revised Guidelines for approval of ballast water management systems (G8)

Summary of changes to annex

- Land-based testing
 - Independent of manufacturer
 - Three salinities tested
 - Allowed augmentation described
 - Use of Standard Test Organisms
 - Monitoring and sampling
 - Temperature ranges
 - Evaluation of regrowth
 - Reporting of test results
 - Specifications for environmental testing
- Self monitoring -New Section-
- System design limitations -New Section-
- Type Approval Certificate and Report -New Section-



Roadmap for the implementation of the BWM Convention

Non-penalization of early movers:

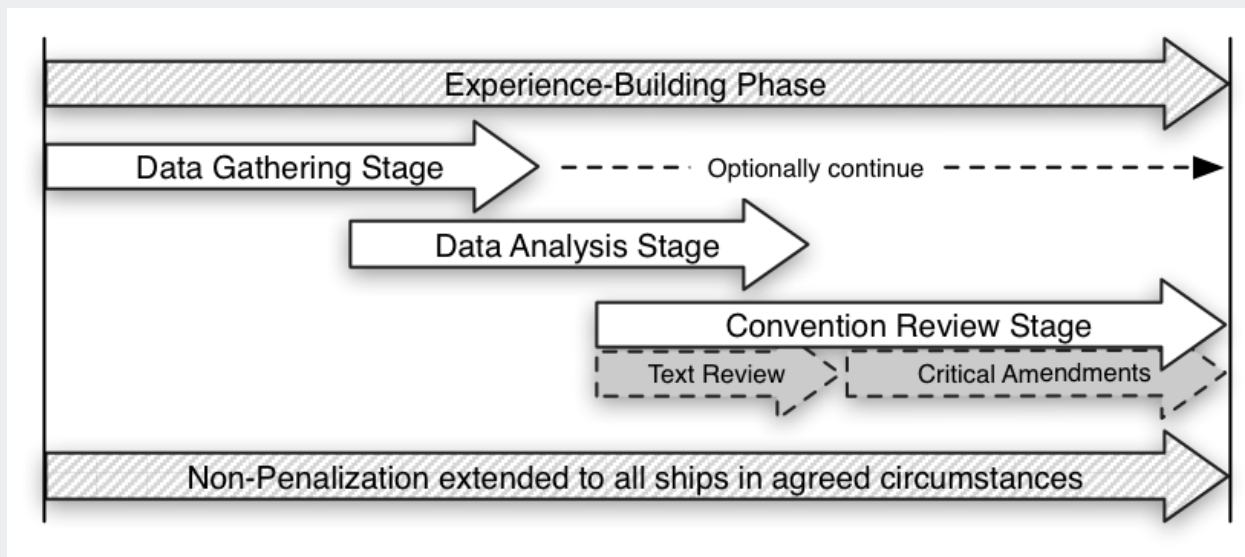
- No need to replace BWMS type approved in accordance with current Guidelines (G8)
- BWMS which are operated and maintained correctly do not need to be replaced due to occasional lack of efficacy
- No sanctions, warnings, detentions, etc., solely due to occasional exceedance of D-2 standard if BWMS installed and operated correctly



Roadmap for the implementation of the BWM Convention

Way forward:

- **Guidance on contingency measures** to be developed
- Trial period to be expanded into an **experience building phase** during which data is to be collected on the practical implementation of the Convention → review of BWM Convention and related guidelines
- Correspondence Group established by MEPC 70



Amendment of regulation B-3

Implementation schedule

- A 28 (December 2013) adopted resolution A.1088(28) – reference to first IOPP renewal survey after entry into force
- MEPC 69 (April 2016) approved **amendments to regulation B-3** of the Convention to reflect resolution A.1088(28)
 - Amendments cannot be adopted before the Convention is in force
- Two proposals for additional amendment of regulation B-3 were considered by MEPC 70
 - The decision of MEPC 69 still stands
 - The matter will be revisited at MEPC 71 in July 2017 (one of the alternative proposals to be considered)

Amendment of regulation B-3

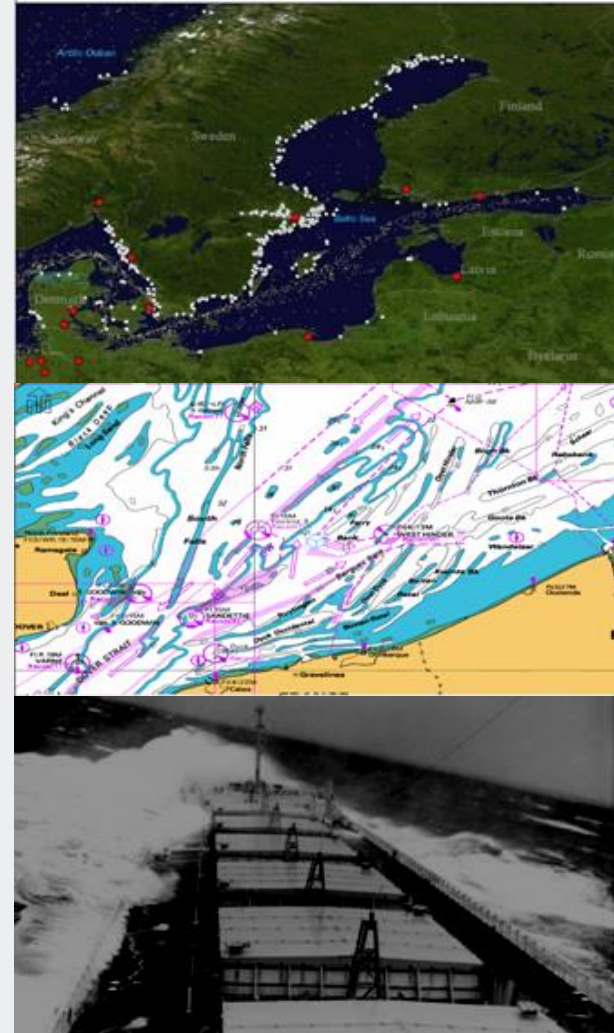
Amendment procedure

- Amendment by **Parties only**, in accordance with article 19:
 - **Circulation** by the Secretary-General after entry into force
 - **Consideration** and **adoption** by MEPC minimum six months after circulation (2/3 majority of Parties present and voting)
 - Tacit **acceptance** (i.e. unless 1/3 of Parties object) 0-12 months after adoption (date determined by MEPC)
 - **Entry into force** of amendment 6 months after acceptance
 - Total time: in practice at least 18 to 24 months from entry into force of the Convention
- Resolution on **early implementation** of amendments prior to entry into force?
 - Until any amendment enters into force:
 - Convention in effect **'as is'**
 - Resolution A.1088(28) **can be applied** – but not mandatory!

Further outcome of MEPC 70

Exceptions and exemptions

- MEPC agreed that the “same risk area” concept may be applied when granting exemptions under reg. A-4 and Guidelines (G7)
 - Concept builds on risk assessments and consultations between States in accordance with the provisions or regulation A-4
 - No further guidance needed, but minor amendments to Guidelines (G7) to be developed at MEPC 71
- Exemptions to ships operating exclusively in one area, when doing a maintenance journey outside that area: guidance not needed
- Exceptional discharge of ballast water from cargo tanks: guidance not needed



Further outcome of MEPC 70

Other topics

- Addition of freshwater data to a BWMS with prior Final Approval: procedure to be considered by GESAMP-BWWG
- Amendment of Guidelines for ballast water exchange (G6) agreed
- Unified Interpretation related to ballast water exchange (regulation D-1): to be further considered at PPR 4
- Sampling, analysis and continuous monitoring of ballast water: to be further considered at PPR 4
- Agreed that port-based treatment concept is within scope of the Convention and does not require MEPC approval as ‘Other Method’
- Basic and Final Approval of BWMS making use of Active Substances
 - 56 systems have been granted IMO Basic Approval
 - 41 systems have been granted IMO Final Approval
 - Over 60 systems have been granted Type Approval by their Administration

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