Do not wait too long before installing BWM systems

Shipowners waiting until 2022 to retrofit ballast water management systems may face difficulties, warns major classification society.

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In a press release dated 28 September 2018, ClassNK advises existing ships to install ballast water management (BWM) systems early on. An analysis of the retrofitting status of its registered ships confirms that, as of the end of August 2018:

- a total of 7,315 ships in ClassNK's register are obliged to install ballast water treatment systems in accordance with the BWM Convention;
- only 1,915 ships have completed the installation so far; and
- of the 5,400 ships that still require attention in order to become compliant, more than half have their installation deadlines in 2022.

The trend to wait until the latest dates possible to install ballast water treatment systems is probably not unique to shipowners with ships registered with ClassNK. There have been reports of operating difficulties with early designs of treatment systems, the number of systems with type approval for the stricter US Coast Guard regulations have been limited, and when taking into account the costs associated with retrofitting a system, it is not surprising that shipowners want to increase their chances of success by delaying the decision until the last possible minute.

The reality is, however, that ship upgrades and retrofits require adequate planning to ensure efficient, cost effective and successful completion and with orderbooks filling up for installation dates between 2019 and 2022, "*it is already the last possible minute*", says the Ballastwater Equipment Manufacturer's Association (BEMA). In an open letter to the industry published on 21 September 2018, BEMA reminds the industry that compliance dates are rapidly approaching. The Association emphasises that installing and optimising a ballast water treatment system is a lengthy process and that shipowners who wait too long may either find themselves non-compliant or forced to install a non-optimal solution for their vessel type and operational profile.

An additional benefit of starting the process early is the opportunity to fully learn how the system works once in operation, how the company actually performs, and what your crew needs to know - before compliance is mandatory.

Ballast water regulations – a recap

IMO's BWM Convention entered into force on 8 September 2017 and only two months earlier, the MEPC71 reached agreement on the implementation dates for the so-called D-2 discharge standard - the date by which individual ships must have a ballast water treatment system installed. While the agreement delays the installation deadline for some vessels, it also ensures full global implementation by 8 September 2024. See our simplified implementation timeline below.

The US ballast water regulations (33 CFR Part 151) entered into force in June 2012 and are different from the requirements set out in the BWM Convention, see also our alert "US Coast Guard tightens ballast water compliance" of 18 December 2017.

Time for action

Members and clients that have not made their decision on the installation of ballast water treatment systems are advised to start the preparatory work as soon as possible. Even if the installation deadline may not be for several years, in order to save time and money there are multiple decisions that should be addressed now, e.g. to make sure the installation coincides with a scheduled dry docking. Other advice for the preparatory work is:

- Ensure that the obligations under the BWM Convention, and other national and local regulations, are fully understood and develop a thorough strategy for complying with the applicable standards. Particular attention should be paid to the position in the US.

- Carry out a feasibility study for each vessel to evaluate the suitability of available ballast water treatment system solutions. Issues to consider are: vessel type and operating profile, ballast capacity and rates, space requirements (e.g. footprint/volume of treatment system as well as provisions for safe storage of substances), integration with existing systems (e.g. power requirements and electrical equipment protection), health and safety (e.g. chemical hazards) and additional crew workload (e.g. operation and maintenance requirements).

- Consider the "time factor". Availability and delivery times for approved treatment systems will vary depending on demand, as will shipyard capacity. The time it takes to consult the vessel's classification society and/or flag state should also be taken into account. Many shipowners have opted to conduct the IOPP survey ahead of time to postpone the installation of a ballast water treatment system and accordingly, there may be future time periods, such as the year 2022, that will be particularly busy for suppliers, yards and classification societies.

- Once a ballast water treatment system solution has been selected, officers and crew must be properly trained and be competent to carry out their assigned ballast water management duties and functions. Procedures for training and familiarisation with the BWM Convention should be incorporated in the company's safety management system (SMS) and should include, but not be limited to, the following:

    - introduction to ballast water management and all relevant rules and regulations;

    - familiarisation with the vessel's ballast water management plan and assigned duties;

    - operation and maintenance of the vessel's ballast water management treatment system;

    - emergency procedures; and

    - making entries and recordkeeping in the vessel's ballast water record book.

Gard has issued two Member Circulars on BWM, type: asset-hyperlink id: 2def3017d1384ac6bd79ffc323d916fc in July 2017 and type: asset-hyperlink id: a8ba4c71cefc4cb98f3f0787d9f588f5 in January 2017 respectively, advising Members that liabilities, including fines for inadvertently introducing untreated ballast into the environment, arising from the escape or discharge overboard of untreated ballast through a "faulty" approved system, or other environmental liabilities related to ballast, are capable of cover, subject always to the Rules and any terms and conditions of cover. Cover for other fines relating to a breach of the BWM requirements are only available on a discretionary basis.