

Subject: “U. S Coast Guard releases new guidance on BWM Extension Requests” - Important Port State Control issue!

In connection to our ‘Don’t Cure – Prevent Policy’, we would like to inform our Clients that the U. S Coast Guard, on **14th of September 2015** published revised guidelines [Policy Letter No. 13-01, Revision 1] with regards to the extension requests on the implementation schedule of Ballast Water Management onboard.

It should be noted that U.S Coast Guard grant these extensions due to the non - availability of U.S Coast Guard type - approved ballast water management system (BWMS). The extension of compliance with the implementation schedule (see below Table 6 of VGP 2013 Part 2.2.3.5.2) shall be approved by the U.S Coast Guard, only in cases where the Owner/ Operator of the vessel is in position to document, that despite all efforts, compliance with the BWM requirements is not feasible.

For example, circumstances that may merit an extension request include lack of availability of or ability to use exclusively, water from a U.S. public water system (PWS).

Table 6: Ballast Water Treatment to BAT¹ Schedule

	Vessel’s Ballast Water Capacity	Date Constructed	Vessel’s Compliance Date
New vessels		After December 1, 2013	On delivery
Existing vessels	Less than 1500 m ³	Before December 1, 2013	First scheduled dry-docking after January 1, 2016
	1500 - 5000 m ³	Before December 1, 2013	First scheduled dry-docking after January 1, 2014
	Greater than 5000 m ³	Before December 1, 2013	First scheduled dry-docking after January 1, 2016

[Source: VGP 2013, Part 2.2.3.5.2]

The U.S Final Rule (published on March 23rd, 2012) recommends several options to meet the discharge standard:

- Install a Coast Guard - approved Ballast Water Management System [When the Coast Guard type - approves a Ballast Water Management Systems (BWMS), it will post information on the public Coast Guard Maritime Information Exchange (CGMIX)]
- Use water from a Public Water Supply,
- Use an Alternate Management System, AMS (a foreign approved BW management system reviewed and accepted by the Coast Guard),
- Retain ballast water on board while in waters of the U.S., or
- Discharge ballast water to an onshore reception facility.

Vessels that intend to retain ballast water on board when operating in U.S waters or intend to discharge ballast water to an onshore facility for treatment purposes, **do not need to request for an extension.** The above mentioned approved BWM methods should be included in the vessel’s *Ballast Water Management Plan (BWM)*.

¹ BAT: Best Available Technology

How to submit a valid request for extension?

The revised U.S Coast Guard policy on extension requests is published along with an *Excel based Application for Extended Compliance Dates and Guidelines for submitting Applications*.



Upon submission of the application for extension, the U.S Coast Guard forwards to each applicant an acknowledgement receipt, but due to the volume of requests, receipts may be delayed.

U.S Coast Guard states that extension requests should be submitted:

- ✓ *in English*
- ✓ *electronically, as an email and*
- ✓ *along with the completed Application for Extended Compliance Dates including all required information attached*

The new policy allows a Company to also submit **batch extension requests** provided that the vessels have compliance dates in the same calendar year and have the same reason for requesting an extension.

When to submit the request?

Extension requests it is suggested to be submitted within **12 to 24 months prior of the vessel’s original compliance date**. The U.S Coast Guard clarified that **supplemental extension applications are due no less than 90 days prior to the termination date**, in the prior extension granted by the U.S Coast Guard. Supplemental extension requests are to follow the new policy and use the new Excel-based form as well.

In certain circumstances, a party may be unable to meet the 12 month requirement (e.g. vessel’s transfer to new owners). In such cases, the extension request should be submitted as early as possible, together with the supporting documentation, justifying the party’s reason for not meeting the regulatory deadline.

‘Prevention at Sea’ is in position to undertake the submission of extension requests to U.S Coast Guard on behalf of the Ship Managers.

We remain at your disposal for more details,

Prevention at Sea