



April 22, 2021

CSI Client Advisory 05-2021

SUBJECT: Ballast Water Management Recommended Mitigation Practices in the US Caribbean

The U.S. Coast Guard recently released Marine Safety Information Bulletin (MSIB 07-19) to provide information regarding studies on Stony Coral Tissue Loss Disease (SCTLD) off the coast of Florida and in the Caribbean, and best practices vessel owner/operators can take to help mitigate the rapid spread of this disease. At the request of the National Oceanic and Atmospheric Administration (NOAA), the Coast Guard has provided more detailed instruction on how vessels can help directly to reduce the spread of SCTLD.

As many of you are aware, the United States follows its own Ballast Water Management Regulation independent of the typical IMO approved D1/D2 methodology. If vessels are fitted with a Ballast Water Treatment System (BWTS), the System must be used, and the Master must report any issues or discrepancies with the System directly to the nearest Captain of the Port (COTP). As a reminder, for vessels required to have a BWTS, untreated ballast is prohibited to be discharged within 12 miles from the US shoreline.

There are vessels calling the US that still have not reached the limit date requiring installation of a BWTS. Further, some vessels have a Coast Guard approved extension letter extending the BWTS implementation. Under these circumstances, vessels can continue to conduct a mid-ocean ballast water exchange to be in compliance with the US ballast water regulation. As written in US Regulation, these particular vessels are not required to deviate their trackline to conduct a mid-ocean exchange if their planned voyage does not take them beyond 200 miles from shore.

The premise of this MSIB is to establish safe Ballast Water exchange distances to help mitigate the spread of the SCTLD. Simply put, vessels should exchange untreated ballast water beyond 50 miles from shore if possible off the coast of Florida and Caribbean. This includes all ballast that could not be exchanged because the vessel's voyage did not go beyond 200 miles from shore or "dirty" muddy untreated ballast water that was loaded within port limits.

The attached CG MSIB 07-19 provides more extensive guidance for vessels to follow.

Should you have any questions regarding ballast water management, please contact our office. This Client Advisory, along with previously issued CSI Advisories, can be retrieved from our website, www.compliancesystemsinc.com.



Marine Safety Information Bulletin

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Ballast Water Best Management Practices to Reduce the Likelihood of Transporting Pathogens That May Spread Stony Coral Tissue Loss Disease

The Coast Guard and the Environmental Protection Agency (EPA), as participants of the Caribbean Coral Reef Partnership, were recently provided information regarding the rapid spread of Stony Coral Tissue Loss Disease (SCTLD) throughout the Caribbean. SCTLD is a lethal disease that rapidly destroys the soft tissue of many different species of coral. The disease first appeared off the coast of Miami-Dade county, Florida, in September 2014. Nearly half of Florida's 45 species of hard coral are affected by the disease, including many reef-building types. Once afflicted, the disease progresses rapidly, killing corals within weeks or months. It is estimated to have led to the death of millions of corals since 2014. The causative agent of SCTLD has not yet been identified. Recent work indicates that co-infection of a bacteria and a virus is a possibility.

At the request of the National Oceanic and Atmospheric Administration (NOAA), the Coast Guard is considering options to mitigate the potential factors that some indications suggest may be contributing to the spread of SCTLD. One such factor may be the potential transfer of pathogens in ballast water. The Coast Guard wants to ensure that the maritime industry has the information it needs to mitigate this potential contributing factor.

Accordingly, vessel representatives are reminded of the following **mandatory management practices associated with the discharge of ballast water (BW) from vessels required to conduct a Ballast Water Exchange (BWE) under U.S. Regulations:**

- **A BWE conducted for the purpose of complying with U.S. BW management requirements must be done outside of 200 nautical miles (nm) from any shore in accordance with 33 CFR 151.2025.**

This is simply a reminder of an existing requirement. Coast Guard and EPA requirements specify that certain ships conduct regulatory BWE beyond 200 nm of any shore prior to discharge of BW in U.S. waters. Additionally, ships that must also comply with the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention) are directed to conduct BWE at least 50 nm from shore and in waters at least 200 meters (m) in depth. Based on information the Coast Guard has received, it appears some ships may be conducting regulatory BWE at closer distances, including within 12 nm of shore.

- **Operators required to manage their vessel's ballast water in accordance with 33 CFR 151.2025 by using methods other than BWE shall not discharge unmanaged BW within 12 nm of shore.**

This also is a reminder of an existing requirement. Under Coast Guard regulations, once a vessel has passed its compliance date under 33 CFR 151.2035, or an extended compliance date under 33 CFR 151.2036, discharge of unmanaged BW is not permitted within U.S. waters (12 nm of shore).

Additionally, vessel representatives are strongly encouraged to adopt the following **list of voluntary best management practices (listed in order of priority)**:

- **If a vessel has not reached its BW discharge standard compliance date, but has a type approved Ballast Water Management System (BWMS) or an accepted Alternate Management System, use the system and verify it is functioning properly.**

An approved and appropriately operated ballast water treatment system is likely to be more effective in preventing the transport of pathogenic organisms than a BWE conducted within 200 nm of adjacent shoreline.

- **If the vessel does not have a BWMS and the planned voyage does not go 200 nm from shore; voluntarily divert to 200 nm and conduct a BWE, or for vessels that don't voyage out to 200 nm, voluntarily conduct a BWE at least 50 nm from shore and in waters of at least 200 m (109 fathoms) depth in alignment with the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Area (Cartagena Convention).**

To reduce the possibility of introducing coral disease pathogen(s), vessels that can use BWE to meet BWM requirements are encouraged to conduct BWE as far from shore as possible to reduce the probability of transporting SCTLD. This recommendation is consistent with the "Guidelines for ballast water exchange and sediment management in the Wider Caribbean Region Area" (MEPC 73/INF.3).

- **If discharging unmanaged (unexchanged or untreated) BW outside U.S. waters (beyond 12 nm of shore), prior to entry into port, discharge beyond 50 nm of any shore and in water depths of 200 m or greater.**

If vessels decide to discharge unmanaged, or insufficiently managed, BW outside of 12 nm and, consequently, beyond the jurisdiction of the Coast Guard BWM regulations, the discharge should be conducted as far from coral reefs as possible, regardless of whether the reef is inside or outside of 12 nm from shore. Note that vessels should ensure that the discharge of unmanaged BW outside of 12 nm of the United States is safe and acceptable to the flag State under the BWM Convention.

- **When safe and practicable, minimize BW uptake and do not conduct partial BWE within 50 nm.**

Partial exchanges, such as "mud-management" exchanges, are typically conducted as soon as a vessel reaches relatively clear offshore water to flush empty tanks or minimize settlement of suspended sediment in recently loaded tanks. This partial exchange should not be conducted within 50 nm of shore.

Questions regarding ballast water requirements and Stony Coral Tissue Loss Disease should be forwarded to the Coast Guard Office of Operating and Environmental Standards, (CG-OES), at 202-372-1430, or by email at environmental_standards@uscg.mil

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