



# Compliance Systems, Inc.

Maritime Regulatory Consultants

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NTC 10-2017

## **CSI Notice to Clients 10-2017**

### **SUBJECT: USE OF BALLAST WATER TREATMENT SYSTEMS (BWTS) IN U.S. WATERS**

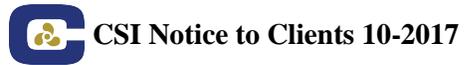
Recently, one of our client vessels arrived in a U.S. port with a ballast water treatment system (BWTS) accepted under the U.S. Coast Guard's (USCG) Alternate Compliance System (AMS). The crew, unfamiliar with the U.S. requirements, believed they did not need to utilize the system, since they conducted a mid-ocean exchange. Although the use of the BWTS is not currently mandatory under IMO, it is mandatory under USCG regulations for vessels trading to the United States.

The U.S. ballast water regulations, currently in effect, require vessels built on or after December 1, 2013 to have a BWTS installed. For vessels built before this date the compliance date is the first scheduled dry-docking after January 1, 2016, unless an extension by the USCG has been granted. An extension may be granted only in cases in which the vessel, owner, or operator can document that, despite all efforts, compliance with the requirement under 33 CFR 151.1510 is not possible. Any extension request must be made no later than 12 months before the scheduled implementation date. Extensions will be for no longer than the minimum time needed, as determined by the USCG.

Vessels with installed BWTS are required to use the system if they intend to discharge ballast water in U.S. ports. The BWTS must be used when taking on ballast water, regardless of location, and when discharging ballast water in U.S. Territorial Waters. Open water exchange for vessel required to have a BWTS onboard is no longer an acceptable alternative. The BWTS must also be used when trading between U.S. ports.

In the event that an installed BWTS stops operating properly during a voyage, the vessel must notify the USCG Captain of The Port (COTP) at the port of destination of the failure. This notification should be made via the local agent. Noting BWTS failure on the Electronic Notice of Arrival **does not** constitute notification to the USCG COTP. Once notified, the USCG will normally permit the vessel to proceed to its U.S. destination and discharge ballast water using other ballast water management methods, such as open water exchange, provided that the vessel discharges only that amount of ballast water operationally necessary to ensure the safety and stability of the vessel for cargo operations.

If vessels in U.S. ports are found to be non-compliant with these regulations, the USCG may prohibit discharge of ballast water and require the vessel to proceed offshore to discharge its ballast water and utilize the BWTS to take on necessary ballast water.



The U.S. ballast water regulations are located in 33 CFR 151 Subpart C & D. If you would like a copy of the regulation, please contact us at:

[csi@compliancesystemsinc.com](mailto:csi@compliancesystemsinc.com) .

For additional information and services, please see our website:

<http://compliancesystemsinc.com/>