

	<p style="text-align: center;"><b>INTERNATIONAL SHIP CLASSIFICATION</b>  10 Anson Road, #25-01 International Plaza Singapore 079903  Tel: +65 6225 2565 Fax: +65 6225 2265  Email: <a href="mailto:info@isclass.com">info@isclass.com</a> Website: <a href="http://www.isclass.com">www.isclass.com</a></p>	 <p style="text-align: center;">CERT. NO.: FS 504144  BS EN ISO 9001 : 2000</p>
---	---	--

To : All Offices

From : General Manager  
ISClass

Date : 08 April 2008

Ref : CIR08/0002

**Subject: Development of guidelines on Port State Control under the Ballast Water Management Convention 2004.**

**Dear All**

1 ) The **International Convention for the Control and Management of Ships' Ballast Water and Sediments** had been adopted at an International Conference held from 9 to 13 February 2004 at IMO. The Convention required all ships to implement a Ballast Water Management Plan, Ballast record book and will be required to carry out ballast water management procedures to a given standard.

2 ) As instructed by BMW 2004 convention, ships are required to be surveyed and certified (Article 7) and may be inspected by port State control officers (Article 9) who can verify that the ship has a valid certificate; inspect the Ballast Water Record Book; and/or sample the ballast water. If there are concerns, then a detailed inspection may be carried out by PSCO.

3 ) The Paris MoU had approved the Guidelines for Port State Control inspections for compliance with the BWM Convention on 11 May 2007 at their 40<sup>th</sup> session committee meeting and submitted the text of these guidelines (as set out in the annex to this circular)

The guidelines provided basic requirements for vessels including submersibles, floating crafts, floating platforms, FSU and FPSOs designed or constructed to carry ballast water.

4 ) The guidelines appended to this circular are guidance for Administration, Ship owners, Ship managers, Master and his crew for achievement of efficient and effective Ballast Water Management onboard and to avoid a ship being unduly detained or delayed by PSC inspection.

**Appendix:** "Guidelines for PSC inspection for compliance with BWM convention 2004 "

## ANNEX

### **GUIDELINES FOR PORT STATE CONTROL INSPECTIONS FOR COMPLIANCE WITH THE INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004**

#### **I PURPOSE**

This document is intended to provide basic guidance for the conduct of a Port State Control Inspection, to verify compliance with the requirements of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004.

#### **II APPLICATION**

This Convention applies to all vessels including submersibles, floating craft, floating platforms, FSUs and FPSOs designed or constructed to carry ballast water entitled to fly the flag of a Party that is signatory to the Convention and ships not entitled to fly the flag of a Party but which operate under the authority of a Party.

With respect to ships of non-Parties to this Convention, Parties shall apply the requirements of this Convention as may be necessary to ensure that no more favourable treatment is given to such ships.

#### **III INSPECTION OF SHIPS REQUIRED TO CARRY THE INTERNATIONAL BALLAST WATER MANAGEMENT (IBWM) CERTIFICATE**

##### **1 Initial inspection**

An initial inspection will, to a minimum and to the extent applicable, examine the following:

- check that a valid IBWM Certificate is on board, Article 9(a);
- check that the ballast water management procedure is carried out as outlined in the Ballast Water Management Plan (BWMP) and the “Plan” is approved by the Administration, Section B, regulation B-1; and
- check that the details of any ballast water operations carried out are recorded in the Ballast Water Record Book (BWRB) together with any exemptions granted, Article 9(b) and Appendix II.

The Ballast Water Record Book must be an approved format<sup>1</sup> and shall be kept on board the ship for a minimum of two years after the last entry. The officer in charge of the operation shall sign each entry in the record book and the master shall sign each completed page.

If the IBWM Certificate is valid, BWMP-approved, entries in BWRB are appropriate and the PSCO's general impressions and visual observations on board confirm a good standard of maintenance with regard to the Convention, the PSCO should generally confine the inspection to the above.

---

<sup>1</sup> The Convention (Regulation B.2-1) stipulates that BWRB may be an electronic record system.



## 2 More detailed inspection

After the establishment of clear grounds that the ship is not complying with the Convention, a more detailed inspection shall be carried out, Article 9(2).

Clear grounds found during the initial inspection, which may warrant a more detailed inspection, could be but are not limited to, any of the following:

- ship has been identified as a potential risk to the environment of the state;
- IBWM Certificate is missing, not valid, or it has expired, Article 9.1(a);
- the absence of a BWMP, section B, regulation B-1;
- the absence of a BWRB, Article 9.1(b);
- entries in the BWRB, do not reflect the actual ballast water situation on board;
- evidence or observation that the ship's personnel are not familiar with their duties or essential shipboard operations in the implementation of ballast water management, Article 9.2(b);
- the condition of the ship or its equipment does not correspond substantially with the particulars of the certificate, Article 9.2(a);
- ballast water exchange is not conducted in accordance with regulation B-4 of the Convention; and
- information from third parties such as a report or complaint concerning violation of the Convention, Article 10(4).

If clear grounds have been established and/or the ship has not adhered to the Ballast Water Management Plan for the management and treatment of ballast water, the PSCO shall take samples to verify compliance with regulation D-1 or D-2 of the Convention. Sampling for compliance under regulation D-2 shall be carried out in accordance with Article 9.1(c) of the Convention. The quantity of sampling water to be taken and the location chosen shall be in accordance with the IMO Guidelines for Ballast Water Sampling (G2).

If the sampling indicates that the ship poses a threat to the environment, human health, property or resources, the PSCO shall implement one or more of the following (Article 10(3)):

- retention of all ballast water on board;
- permit vessel to proceed to exchange ballast water in a location acceptable to the Administration;
- discharge ballast water to shore reception facility; or
- treatment of the ballast water or a portion of it on board the ship to be carried out in accordance with a method approved by the Port Administration.



Every effort will be made to avoid any unduly delays to the ship if more time is required to analyse the ballast water samples, Article 12.

If it is necessary to take on and discharge ballast water in the same port to facilitate safe cargo operations, the master shall ensure that the ballast tanks do not contain residue of unmanaged ballast water or sediment that has been taken up in another port.

For safety reasons or force majeure, when a ship has deviated from an approved method of exchange of ballast water, the PSCO shall allow, provided the Master shows evidence that the non-compliance was in order, not to impair the safety of the ship.

While conducting a more detailed inspection, the PSCO should further verify that:

- there is a ballast water management procedure;
- the Ballast Water Management Plan provides adequate information regarding:
  - details of specific operational or safety restrictions which affect the ship and/or the crew including procedures for safe tank entry;
  - details of specific safety aspects of ballast water management system;
  - details of method(s) used on board for the management of ballast and for sediment control including step-by-step operational procedures;
  - procedures for the disposal of sediments at sea and to shore;
  - list and/or diagram indicating the locations of sampling and access points in pipelines and ballast water tanks;
  - outline of the duties of the designated officer; and
  - details of the record-keeping requirements of the Convention; and
- the Plan is to be written in the working language of the crew, if the text is not in English, French or Spanish, the plan is to include a translation into one of these languages (section B, regulation B-1 (7)).

### **3 Detainable deficiencies**

In exercising his/her functions, the PSCO should use professional judgment to determine whether to detain the ship until any noted deficiencies are corrected or to permit a vessel to sail with deficiencies, which do not pose an unreasonable threat of harm to the marine environment.

In order to assist the PSCO in the use of these guidelines, the following deficiencies should be considered to be of such nature that may warrant the detention of a ship:

- absence of a IBWM Certificate;
- absence of a BWMP;

- absence of a BWRB;
- indication that the vessel or its equipment does not correspond substantially with the particulars of the IBWM Certificate;
- the designated personnel are not familiar with essential shipboard procedures relating to ballast water management; or
- no ballast water management procedures have been implemented on board.

#### **4 Exemptions**

The PSCOs should verify when a Party or Parties under their jurisdiction could grant an exemption to a ship from regulation B-3 or C-1 under the Convention. Any exemptions granted are to be recorded in the Ballast Water Record Book.

\* \* \*

ANNEX

FLOW CHART TO MEET THE REQUIREMENTS OF THE BWM CONVENTION, 2004

