The IMO International Ballast Water Convention has been ratified and will enter into force on 8 September 2017. The convention requires mobile offshore units to carry an International Ballast Water Management Certificate by this date at the latest. This Technical and Regulatory News aims to clarify the convention’s implications for offshore units.

The IMO International Ballast Water Convention includes a transitional period where ballast water can be exchanged in deep seas during voyage (refer to Regulation D-1 of the convention) until completion of the first IOPP renewal survey after 8 September 2017. Eventually, ballast water must be managed in a way that any ballast water discharged in other waters than where it was loaded is made harmless related to invasive species. For trading ships, this is usually obtained by treatment of the ballast water (refer to Reg. D-2 of the convention). The IMO implementation schedule for Reg. D-2 is the completion of the first IOPP renewal survey after 8 September 2017.

All offshore units need to meet the requirements of the convention:

- Floating platforms, FSUs and FPSOs may be exempted from certain requirements of the convention. It is up to the relevant shelf authority to establish appropriate measures for these units (refer to Reg. E-1.2).

- If a Ballast Water Management Certificate is not required by the shelf authorities, the requirements of the convention become applicable only in the case of relocating the unit (refer to the listed alternatives below).

- For floating platforms, FSUs and FPSOs, a memo to the owner with similar content may then be issued:

  As this unit is permanently located at XXX, an International Ballast Water Management Certificate is not required. Before relocation, the owner shall agree with the shelf authority with respect to the requirements of the International Ballast Water Convention.

- For mobile offshore units (MOUs), an International Ballast Water Management Certificate or Statement of Compliance will be required.

  Certificate or Statement of Compliance can be issued based on the following:

  a) An approved Ballast Water Management Plan (BWMP) clearly describing how the unit intends to meet the requirements of Reg. D-2 of the convention
  b) A survey to verify that the equipment and systems used to manage ballast water are in accordance with the BWMP
Compliance in the transitional period
During the transitional period from 8 September 2017 to completion of the first IOPP renewal survey, a Certificate or Statement of Compliance can be issued based on the following:

a) An approved BWMP describing how the unit will exchange ballast water in deep waters during transit in order to comply with the requirements of Reg. D-1 in the convention
b) A survey to verify that the unit is equipped for the intended ballast water exchange described in the BWMP

c) Transferring ballast water to another ship, unit, barge or onshore facility for further treatment in those occasions where treatment is needed
d) Exclusion of the use of ballast water for transits

Recommendations
- Clarify whether your offshore unit needs a BWM Certificate.
- Obtain a BWM Certificate (if needed) by 8 September 2017.
- Plan for BW Treatment according to Reg. D-2 by the time the IOPP renewal survey is completed.

References
- Technical and Regulatory News No. 17/2016
- www.dnvgl.com/bwm - Our website provides extensive information on ballast water management
- IMO website on the BWM Convention and Guidelines
- Template for the preparation of Ballast Water Management Plan
- IMO Circular BWM.2/Circ.46 (Application of the BWM Convention to Mobile Offshore Units), available through IMO Guidelines and Guidance Documents

CONTACT

For customers only:
DATE - Direct Access to Technical Experts via My.DNVGL

Others:
Contact your Rig Coordinator, Fleet Responsible or OUIO@dnvgl.com
Appendix

Below is a list of the parts of the convention particularly relevant for offshore units:

**Article 1 Definitions reads:**
12 “Ship” means a vessel of any type whatsoever operating in the aquatic environment and includes submersibles, floating craft, floating platforms, FSUs and FPSOs.

**Article 3 Application reads:**
1 Except as expressly provided otherwise in this Convention, this Convention shall apply to:
   (a) ships entitled to fly the flag of a Party; and
   (b) ships not entitled to fly the flag of a Party but which operate under the authority of a Party.
2 This Convention shall not apply to:
   (a) ships not designed or constructed to carry Ballast Water;
   (b) ships of a Party which only operate in waters under the jurisdiction of that Party, unless the Party determines that the discharge of Ballast Water from such ships would impair or damage their environment, human health, property or resources, or those of adjacent or other States;
   (c) ships of a Party which only operate in waters under the jurisdiction of another Party, subject to the authorization of the latter Party for such exclusion. No Party shall grant such authorization if doing so would impair or damage their environment, human health, property or resources, or those of adjacent or other States. Any Party not granting such authorization shall notify the Administration of the ship concerned that this Convention applies to such ship;
   (d) ships which only operate in waters under the jurisdiction of one Party and on the high seas, except for ships not granted an authorization pursuant to sub-paragraph (c), unless such Party determines that the discharge of Ballast Water from such ships would impair or damage their environment, human health, property or resources, or those of adjacent of other States;
   (e) any warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on government non-commercial service. However, each Party shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities of such ships owned or operated by it, that such ships act in a manner consistent, so far as is reasonable and practicable, with this Convention; and
   (f) permanent Ballast Water in sealed tanks on ships, that is not subject to discharge.

**Regulation E-1 Surveys reads:**
1 Ships of 400 gross tonnage and above to which this Convention applies, excluding floating platforms, FSUs and FPSOs, shall be subject to surveys […]:
2 The Administration shall establish appropriate measures for ships that are not subject to the provisions of paragraph 1 in order to ensure that the applicable provisions of this Convention are complied with.

“Administration” in this context is the Shelf State Administration, see Article 1.1 of the Convention.

**BWM.2/Circ.46’s interpretation of E-1 reads:**
Mobile offshore units should comply with the provisions of the Convention and should be surveyed and issued with an International Ballast Water Management Certificate, according to regulations E-1 and E-2 of the Convention, as applicable.

(BWM.2/Circ.46 is a Circular issued by IMO to interpret the International Ballast Water Convention for offshore units.)