

Circular no: APSEZL/34/2019

To,
Shipping Agents,
APSEZ Mundra

Date: 09th November 2019

Trade notice: Compliance with Ballast Water Convention

Ballast Water Convention has entered into force with effect from 08TH of September 2017. Director General of Shipping, Government of India has issued guidelines for compliance on Ballast Water Convention. Following circulars issued by Director General of Shipping, Government of India has to be complied by all ships calling Indian ports.

- a) 2 of 2016 Dated 03.12.16
- b) 2A of 2016 Dated 08.08.17
- c) DGS general guidelines on Ballast water management.

In accordance with the guidelines, all vessels calling Mundra port need to submit following documents.

- a) For ships over 400GRT, Ballast Water Management Certificate or Statement of Compliance
- b) Duly filled Ballast Water Reporting form prior vessels departure

Ships within the Mundra port limit may be subjected to inspection by the Port State Control on compliance of the Ballast Water Management Plan.

For Adani Ports and SEZ Ltd.



Capt. Anubhav Jain
HOD - Marine Services
Cc: CEO desk

Enclosed :

- 1. Circular No. 2 of 2016 Dated 03.12.16
- 2. Circular No.02A of 2016
- 3. DGS general guidelines on Ballast water management



सत्यमेव जयते

भारत सरकार / GOVERNMENT OF INDIA

पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING

नौवहन महानिदेशालय / DIRECTORATE GENERAL OF SHIPPING

“बिटा बिल्डिंग”, 9 वी मंजिल / “BETA BUILDING”, 9th FLOOR

आय-थिंक टेक्नो कैंपस / I-THINK TECO CAMPUS

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File No:- ENG/Misc-29(73)/09.Pt.

Date: - 8.08.2017

Engineering Circular No.02A of 2016 - Addendum to Engineering Circular No. 02 of 2016 dated 6.12.2016 [F.No.ENG/MISC-29(73)09.Pt]

Subject: **Compliance to Regulation D2 of Ballast Water Convention**

1. Marine Environment Protection Committee of IMO in its 71 session (MEPC 71) held at the headquarters of the IMO in London from 3 to 7 July 2017 reached a compromise to provide a phase-in schedule for compliance to Regulation D2 of the Convention.
2. In accordance, with Regulation B-3 of the Convention, D-2 standards are applicable to all ships with a ballast water capacity of 1500 Cubic meters or more. MEPC 71 amended date of compliance to D-2 standards as detailed in Regulation B-3 of the BWM Convention. For existing ships, the date of implementation of D-2 standard is now based upon the date of build, ballast water capacity and date of IOPP renewal survey. The ships are divided into following categories based on date of build and ballast water capacity:
 - a) Ships constructed before 2009 with ballast water capacity of between 1,500 and 5,000 cubic meters, inclusive.

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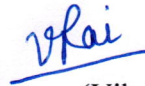
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- b) Ships constructed before 2009 with a ballast water capacity less than 1,500 or greater than 5,000 cubic meters.
 - c) Ships constructed in or after 2009 and before 8 September 2017, with a ballast water capacity of less than 5,000 cubic meters.
 - d) Ships constructed in or after 2009, but before 2012, with a ballast water capacity of 5,000 cubic meters or more.
 - e) Ships constructed in or after 2012 and before 8 September 2017, with a ballast water capacity of 5,000 cubic meters or more.
 - f) Ships constructed before 8 September 2017 to which the renewal survey defined below is not applicable (that is, ships less than 400gt),
3. For all the categories mentioned above, except 2(f), Ballast Water Management should meet the standards specified in Regulation D-2 of the Convention on/after the renewal survey. This renewal is defined as:
- a) the first IOPP renewal survey following the date of entry into force of the Convention (8 September 2017) **if**:
 - this survey is completed on/after 8 September 2019; **or**
 - this survey is completed on/after 8 September 2014 but prior to 8 September 2017.
 - b) the second IOPP renewal survey following the date of entry into force of the Convention (8 September 2017) **if**:
 - the first renewal survey following the date of entry into force of the convention is completed prior to 8 September 2019 **and**
 - there is no IOPP renewal survey completed on/after 8 September 2014 but prior to 8 September 2019.
4. Ships falling in the category 2f) mentioned above, shall meet the regulation D-2 standards Ballast Water Management by 8 September 2024.

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5. All the ships falling in Category 2c), 2e) or 2f) mentioned above will be required to comply with regulation D-1 of the Convention (on/after date of entry into force of the Convention, that is 8 September 2017), until such time as it is required to comply with regulation D-2.
6. Procedures for compliance to regulation D-1 and issuance of Statement of Compliance is detailed in Engineering Circular No. 02 of 2016.
7. All those ship owners who have decoupled their IOPP renewal surveys from Harmonized System of Survey and Certification (HSSC) regime, after the issuance of Engineering Circular No. 02 of 2016 dated 06.12.2016, may re-couple the IOPP renewal survey with HSSC regime and thus reinstate the IOPP Certificate to its original status. Consequently, the IOPP renewal surveys which were conducted on/after 06.12.2016 for de-coupling may be treated as additional/annual/intermediate survey by the Recognized Organization, as appropriate.



(Vikrant Rai)
Engineer & Ship Surveyor-
cum-DDG {Tech}

To;

1. The Principal Officer, Mercantile Marine Department, Mumbai/Chennai/Kolkata/Kochi/Kandla
2. The Surveyor-In-Charge, Mercantile Marine Department, Noida/Visakhapatnam/Goa/Jamnagar/Port Blair/Paradip/Haldia/Tuticorin/Mangalore.
3. All Recognised Organisations
4. INSA / FOSMA / MASSA / ICSSA / MUI / IMEI
5. CS/NA/CSS/Addl. D.G./DDG(TRG)
6. AD (OL), Hindi Cell, with a request to translate this circular in Hindi & upload on DGS website
7. Engineering Branch/Nautical Branch/Naval Architecture Branch/Training Branch
8. The Computer Cell, DGS, GOI with a request to upload this circular on the official website
9. E-governance Cell, DGS, GOI
10. Sr. PS to DG(S) for information.
11. Sr. PS to CS/NA for information



सत्यमेव जयते

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ENGINEERING CIRCULAR NO. 02 OF 2016

No. ENG/Misc-29 (73)/09. Pt

Dated: 06.12.2016

Subject: Issuance of Statement of Compliance (SoC) to Indian Flag vessels by Recognised Organisation on verification of compliance with the International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004.

1. NOTING that the International Maritime Organization (IMO) developed and adopted "The International Convention for the Control and Management of Ships Ballast Water and Sediments, 2004" (BWM Convention) with the aim of protecting the marine environment from the transfer of harmful aquatic organisms in ballast water carried by ships.
2. NOTING ALSO that after Finland ratified the Convention on 8 September 2016, BWM Convention has met the criteria for entry into force of the Convention and will now enter into force on 8 September 2017.
3. REALIZING that even though the Indian Government has not yet ratified the BWM Convention but all its vessels over 400 GT and above engaged on international voyages have to comply with the BWM Convention and be subjected to survey and certification towards issuance of Statement of Compliance in lieu of the International Ballast Water Management Certificate with

an aim to demonstrate compliance with BWM Convention when visiting a State which has ratified the Convention.

4. IN PURSUANCE TO THE FOREGOING, all Recognized Organizations (RO) are advised to be governed by the BWM Convention requirements. They are hereby authorised to approve the BWM plans & to carry out Survey and issue the Statement of Compliance (SoC) for BWM Convention to all such Indian Vessels upon satisfactory verification of the BWM requirements and compliance with the applicable requirements as specified in the following paragraphs no. 5 to 14.
5. Vessels to which the BWM Convention applies will be required to carry the following documents from 8th September 2017:
 - (a) Approved ballast water management plan (Regulation B-1).
 - (b) Ballast water record book (Regulation B-2).
 - (c) An International Ballast Water Management Certificate / Statement of Compliance to Ballast Water Management Convention, as applicable (issued after survey under Regulation E-1).
6. Further, vessels, to which the Convention applies, are required to be fitted with a Ballast Water Management System (BWMS) which has been approved in accordance with IMO guidelines for meeting the discharge performance standards (D-2) as specified in the BWM Convention. The implementation schedule for fitment of BWMS (D-2), according to IMO Resolution A.1088 (28) is as follows:

<i>Keel laid</i>	<i>Implementation deadline for BWMS in order to meet Reg. D-2</i>
Before 8 September 2017	By the first renewal survey associated with the IOPP Certificate after 8 September 2017.
On or after 8 September 2017	By the completion date of the construction



7. New build vessels constructed before entry into force but delivered after entry into force shall comply with ballast water management that at least meets the standard described in regulation D-2 from the date of the IOPP renewal survey.

Note: Constructed is defined in Regulation A-1 as follows:

Constructed in respect of a vessel means stage of construction where:

- a) The keel is laid; or
 - b) Construction identifiable with the specific vessel begins;
 - c) Assembly of the vessel has commenced comprising at least 50 tonnes or 1 percent of the estimated mass of all structural material, whichever is less; or
 - d) The vessel undergoes a major conversion.
8. Noting that there are uncertainties with respect to ability of Ballast Water Management System (BWMS) approved as per the current G8 Guideline *[guidelines adopted on October 10, 2008 through resolution MEPC 174 (58)]* being able to comply with the requirements of Regulation D-2 when installed on board ships, MEPC has revised this G8 Guidelines to make it more transparent, robust and fit for the purpose through resolution MEPC.279 (70). Resolution MEPC.279(70) recommends that BWM systems "installed"* on board ships be approved as per following time frame:
- (a) Administrations apply the revised Guidelines (G8) when approving BWMS as soon as possible but no later than 28 October 2018;
 - (b) All BWMS installed on board ships prior to 28 October 2020 should be approved taking into account either resolution MEPC 174(58) or preferably revised guidelines (G8);
 - (c) BWMS installed on ships on or after October 28, 2020 should be approved taking into account the revised G8.

(* "installed" means the contractual date of delivery of the BWT system to the ship or, in the absence of such a date, the actual date of delivery of the BWT system to the ship.).

9. In order to ensure that the BWMS approved as per MEPC.279 (70) are fitted on Indian vessels, and also considering that the BWMS approved as per MEPC.279



(70) are not available presently, the Indian Administration has no objection for allowing IOPP renewal survey to be completed prior to entry into force date of BWM Convention. Noting that there is no legal requirement for the IOPP Certificate survey cycle to be aligned with the harmonized system of survey and certification (HSSC) cycle, the Directorate has no objection for decoupling the IOPP Certificate from the HSSC.

10. THEREFORE the owners / managers of vessel (s) of 400 GT and above which are registered in India and engaged on International voyages are advised to approach the Recognized Organizations for subjecting their vessels to:

(a) survey and certification towards demonstrating the compliance of BWM Convention requirements which should be undertaken prior to 8 September 2017;

(b) IOPP Renewal Survey, if planning to advance the IOPP renewal survey for cases where the vessel's renewal surveys are falling due after 8 September 2017 with an aim to postpone the fitment of BWTS as mentioned above.

11. *Required measures until the expiry of the IOPP certificate:* In the transitional period from 8th September 2017 until the next IOPP Certificate renewal, all vessels of 400 GT and above are required to fulfil at least the D1 ballast water exchange standard and same to be confirmed in the Statement of Compliance issued under BWM Convention. For the exchange of ballast water in deep seas during voyages between ports the following is necessary:

(a) Approved Ballast Water Management Plan for the exchange of ballast water

(b) Documentation of the ballast water exchange in the Ballast Water Record Book

(c) Initial survey for ballast water exchange on board.



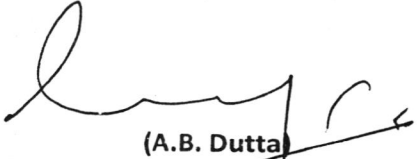
12. *Required measures after the renewal of the IOPP certificate:* After the next IOPP renewal survey, the vessel has to be in compliance with the ballast water discharge standard D2. The ballast water on board has to be treated usually by an approved ballast water management plant. Existing vessels, which do not yet have such an installation, will have to be fitted with the installation (retrofit). In addition the following is necessary:

- (a) Approved BWM Plan modified for the treatment on board
- (b) Approved technical documentation for a BWMS installation
- (c) BWMS Operation Manual
- (d) Documentation of the ballast water treatment in the Ballast Water Record Book
- (e) Initial survey for ballast water treatment on board

13. *Ballast Water Management Plan (BWMP):* As per BWM.2/Circ.40 BWMP may be approved in compliance with either Resolution A.868(20) or MEPC.127(53) and BWMP approved in accordance with Resolution A.868(20) should remain valid until the plan requires revision due to the installation of a ballast water management system.

14. All Recognized Organizations are hereby advised to be guided by the foregoing and they are authorised to approve plans, undertake Survey and issue Statement of Compliance to the BWM Convention to Indian flag vessels on satisfactory verification of the requirements.

This is issued with the approval of the competent authority.


(A.B. Dutta)
Engineer & Ship Surveyor cum Dy. DG (Tech)

To,

1. The Principal Officer/ Mercantile Marine Department, Mumbai/Kolkata/ Chennai/ Kandla/Kochi.
2. The Surveyor-in-charge, Mercantile Marine Department, Goa/Jamnagar/Port Blair /Visakhapatnam /Tuticorin /Delhi /Haldia/ Paradip /Mangalore.
3. All Recognised Organizations.
4. Indian National Ship-owners' Association.(INSA), Mumbai.
5. ICC Shipping Association, Mumbai
6. CS/NA/CSS/Jt.D-G.
7. Sr.PS DG(S)
8. Hindi cell with a request to provide Hindi version for dissemination.
9. Guard file.
10. Computer Cell, DGS with a request to up load in the DGS website.





GOVERNMENT OF INDIA

MINISTRY OF SHIPPING

DIRECTORATE GENERAL OF SHIPPING

Ballast Water Management Convention to enter into force in 2017

Accession by Finland on 8 September 2016, has triggered the entry into force of The International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention) will enter into force on 8 September 2017.

The accession brings the combined tonnage of contracting States to the treaty to 35.1441%, with 52 contracting Parties. The convention stipulates that it will enter into force 12 months after ratification by a minimum of 30 States, representing 35% of world merchant shipping tonnage.

This convention deals with halting the spread of invasive aquatic species, which can cause havoc for local ecosystems, affect biodiversity and lead to substantial economic loss. Under the Convention's terms, ships will be required to manage their ballast water to remove, render harmless, or avoid the uptake or discharge of aquatic organisms and pathogens within ballast water and sediments

The BWM Convention was adopted in 2004 by the International Maritime Organization (IMO), the United Nations specialized agency with responsibility for developing global standards for ship safety and security and for the protection of the marine environment and the atmosphere from any harmful impacts of shipping.

The BWM Convention will apply to all ships including submersibles, floating craft, floating platforms, FSUs and FPSOs. It will not apply to:

- Ships not designed to carry ballast water
- Warships, naval auxiliary ships or other ships owned or operated by a state
- Ships only on non-commercial service, or
- Ships with permanent ballast water in sealed tanks

From 8 September 2017, all ships of 400gt and above will be required to have on board:

- An approved Ballast Water Management Plan
- A Ballast Water Record Book.
- All ships fitted with Ballast water treatment systems must have a type approval certificate in compliance with the IMO Guidelines for the approval of ballast water management systems (Resolution MEPC. 174(58))
- An International Ballast Water Management Certificate or statement of compliance.

For vessels with a keel laying date prior entry into force of the BWM Convention, the implementation schedule for compliance with the D-2(Ballast Water Treatment) standard has been aligned with the first International Oil Pollution Prevention (IOPP) renewal survey. Vessels with a keel laying date after entry into force are to be in compliance with the D-2 standard at delivery.

<u>Ballast Water Capacity (m3)</u>	<u>Keel Laying Date</u>	<u>Year and Applicable Standard</u>	
		$\geq 8-09-2017 < 1^{\text{st}}$ Rnwl IOPP Survey after 8-9-17	$\geq 1^{\text{st}}$ IOPP Renewal Survey after 8-09-2017
< 1,500 or > 5,000 1,500 \leq or \leq 5,000	< 2009	Ballast Water Exchange or Treatment Standards	Ballast Water Treatment Standards only.
	<2009	Ballast Water Exchange or Treatment Standards	Ballast Water Treatment Standards only
< 5,000	$\geq 8-09-2017$	Ballast Water Treatment Standards at delivery	Ballast Water Treatment Standards at delivery
	2009 \leq Keel Laying Date < 8-09-2017	Ballast Water Exchange or Treatment Standards	Ballast Water Treatment Standards
$\geq 5,000$	2009 \leq Keel laying < 2012	Ballast Water Exchange or Treatment Standards	Ballast Water Treatment Standards only
	2012 \leq Keel laying < EIF(8/9/2017)	Ballast Water Exchange or Treatment Standards	Ballast Water Treatment Standards
	\geq EIF(8.09.2017)	Ballast Water Treatment Standards at delivery	Ballast Water Treatment Standards at delivery

For issuance of International Ballast Water Management Certificate or statement of compliance, all ships over 400 gt will be subjected to surveys and certification. On completion of an initial survey, an International Ballast Water Certificate will be issued to a ship whose flag has ratified the BWM Convention; for other ships, a Ballast Water Management Certificate/Statement of Compliance will be issued. Both the Certificates and the Statement will be valid for five years subject to annual, intermediate and renewal surveys. India is still not a signatory to the Convention.



Vikrant Rai

Engineer & Ship Surveyor Cum DDG(Tech)