



# Marine Safety Information Bulletin

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## Acceptable U.S. Ballast Water Management Methods vs. BWM Convention Methods

*Non-recreational vessels, U.S. and foreign, that are equipped with ballast tanks are required to comply with the U.S. ballast water regulations provided in Title 33 Code of Federal Regulations (CFR) Part 151 Subparts C & D when operating in the waters of the United States, except as expressly provided in 33 CFR 151.2015 & 151.2020.*

The purpose of this bulletin is to remind masters, owners/operators, agents and persons-in-charge of vessels that the United States is **not** signatory to the International Convention for the Control and Management of Ship's Ballast Water and Sediment (BWM Convention) and that vessels discharging ballast water (BW) into the waters of the U.S. **must** comply with the requirements of 33 CFR 151 Subparts C and D.

Recently, the National Ballast Information Clearinghouse has received a number of reports indicating that untreated ballast water exchanges had been undertaken by vessels beyond their compliance date and without a valid Coast Guard extension. An investigation into these circumstances has found that "Statement(s) of Compliance for Ballast Water Management" endorsed for "sequential exchange method" [Regulation D-1 of the BWM Convention] have been misinterpreted as applying to the U.S. BW regulations. These Statements of Compliance are issued under the provisions of the BWM Convention, which the United States is **not** signatory to. Under the U.S. BW regulations, meeting the BWM Convention requirements for sequential exchange is **not** an acceptable BWM method for vessels beyond the compliance date specified in 33 CFR 151.1512 & 151.2035 without a valid Coast Guard extension. Accordingly, vessels beyond their compliance date are reminded to employ one of the following BWM methods when operating in the waters of the United States:<sup>1</sup>

- Use a Coast Guard-approved ballast water management system (BWMS);
- Use only water from a U.S. public water system (PWS);
- Use an alternate management system (AMS) [NOTE: Only valid for 5-years from compliance date];
- Do not discharge BW into waters of the United States (includes the territorial sea as extended to 12 nautical miles from the baseline); or
- Discharge to a facility onshore or to another vessel for purposes of treatment.

Masters, owners/operators, agents and persons-in-charge are further reminded to maintain an up-to-date vessel specific BWM plan as detailed in 33 CFR 151.2050(g) and to provide training on the application of ballast water and sediment management and treatment procedures as required by 33 CFR 151.2050(h). These plans should include options for the Master to consider if the BWMS stops operating or becomes unexpectedly unavailable during a voyage, and the need to contact the cognizant COTP or District Commander as soon as possible to discuss options not addressed above.

Violations of the U.S. ballast water regulations may result in costly delays, environmental deficiencies, civil enforcement action, and ineligibility for the QUALSHIP 21/E-Zero designation. For vessels subject to the International Safety Management (ISM) Code, companies are reminded of their obligation to ensure compliance with mandatory rules and regulations under Part A/1.2.3.1 and A/6.4 as well as 33 CFR 96.240(b).

For regulatory details, the CFRs can be conveniently accessed online at <https://www.ecfr.gov/>. Please submit specific questions regarding this MSIB to the email address listed at the top of bulletin.

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<sup>1</sup> The Coast Guard may allow the discharge of untreated ballast in extraordinary circumstances as provided in 33 CFR 151.1515 and 151.2040.