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MARINE CIRCULAR

MC-4/2024/1

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FOR: Ship Owners, Ship Managers, Ship Operators, Ship Masters, Ship Officers, Recognized Organizations

SUBJECT: AMENDMENTS AND RELATED GUIDANCE TO BALLAST WATER MANAGEMENT CONVENTION

DEFINITIONS:

The following abbreviations stand for:

- "BWMC" - International Convention for the Control and Management of Ships Ballast Water and Sediments, 2004
- "BWRB" - Ballast Water Record Book
- "BWRF" - Ballast Water Reporting Form
- "BWMP" - Ballast Water Management Plan
- "BWMS" - Ballast Water Management System
- "IBWMC" - International Ballast Water Management Certificate
- "CWQ" - Challenging Water Quality
- "TS" - Treated sewage
- "GW" - Grey Water
- "EIF" - Entry Into Force
- "IMO" - International Maritime Organization
- "MEPC" - Marine Environment and Protection Committee (IMO)
- "[RO](#)" - Recognized Organization as defined by IMO Resolution A.789 (19).
- "FPSO" - Floating Production Storage Offloading Unit
- "FSU" - Floating Storage Unit

The following terms shall mean:

- "Administration" means the Tuvalu Ship Registry;
- "Ballast Water" means water with its suspended matter taken on board a ship to control trim, list, draught, stability or stresses of a ship;
- "Ballast Water Management" means mechanical, physical, chemical, and biological processes, either singularly or in combination, to remove, render harmless, or avoid the uptake or discharge of Harmful Aquatic Organisms and Pathogens within Ballast Water and Sediments;
- "Harmful Aquatic Organisms and Pathogens" means aquatic organisms or pathogens which, if introduced into the sea including estuaries, or into fresh water courses, may create hazards to the environment, human health, property or resources, impair biological diversity or interfere with other legitimate uses of such areas.
- "Sediments" means matters settled out of ballast water within a ship
- "CWQ" refers to ambient uptake water having quality parameters (including but not limited to high total suspended solids or turbidity,) that cause a properly installed, maintained and operated type-approved BWMS to be temporarily inoperable due to an operational limitation or an inability to meet operational demand. However, temperature and salinity are not parameters that define CWQ.
- "TS" means effluent or treated wastewater that is produced by a sewage treatment plant in accordance with regulations 9.1.1 and 9.2.1 of MARPOL Annexd IV.
- "GW" means drainage from dishwater, galley sink, shower, laundry, bath and washbasin drains and does not include drainage from toilets, urinals, hospitals, and animal spaces as defined in regulation 1.3 of MARPOL Annex IV, nor drainage from cargo spaces (paragraph 2.7 of resolution MEPC.227(64), as may be amended.
- "Ship" means a vessel of any type whatsoever operating in the aquatic environment and includes submersibles, floating craft, floating platforms, FSUs and FPSOs.

PURPOSE:

This circular is to provide update on the upcoming amendments to the BWMC, entering into force in Year 2025, and the related guidances.

REFERENCES:

- (a) BWMC as amended, International Convention for the Control and Management of Ships Ballast Water and Sediments, 2004.
- (b) IMO Resolution MEPC.369 (80), Amendments to the form of BWRB
- (c) IMO Resolution MEPC.370(80), Amendments to the Guidelines for Ballast Water Management and Development of BWMP (G4).
- (d) IMO Resolution MEPC. 371(80), Amendments to the 2017 Guidelines for Ballast Water Exchange (G6).
- (e) IMO Resolution MEPC. 372(80), Guidelines for the use of electronic record books under the BWMC.
- (f) IMO Resolution MEPC.387 (81), Interim guidance on the application of the BWMC to ships operating in CWQ conditions.
- (g) BWM.2/Circ.62, Guidance on contingency measures under the BWMC
- (h) BWM.2/Circ.80/Rev.1, 2024 Guidance on ballast water record-keeping and reporting
- (i) Tuvalu Marine Circular MC-13/2011/1 - Electronic Logbook and Record Book Systems.

BACKGROUND:

Several resolutions and circulars related to the amendments to the BWMC were issued by the IMO MEPC at MEPC 80(held between 3 - 7 July 2023), MEPC 81(held between 18 – 22 March 2024) and MEPC 82 (held between 30 September – 04th October 2024).

All concerned are encouraged to start preparation for compliance as soon as possible.

APPLICATION:

1. This circular applies to all Tuvalu-flagged ships operating in the aquatic environment (includes submersibles, floating craft, floating platforms, FSUs and FPSOs) that uses ballast water onboard.

CONTENTS:

2. Amendments to the form of BWRB

- 2.1 IMO Resolution MEPC.369 (80) - From the EIF of the amendments on 1st February 2025, entries in the amended BWRB shall be in accordance to the guidelines in BWM.2/Circ.80/Rev.1, and this will be confirmed at the first periodical survey for the IBWMC from EIF.
- 2.2 The BWRB shall be maintained on board the vessel for a minimum period of two years after the last entry has been made and remain thereafter in the Company's control for a minimum period of three years.

3. Completing the BWRF

- 3.1 BWM.2/Circ.80/Rev.1 made reference to the instructions for completing the BWRF, with samples in Appendix 2. A BWRF may be submitted prior to entry into a port State that requires specific information regarding the management of ballast water on ships bound for its ports, offshore terminals or anchorage areas.
- 3.2 The BWRF allows for the collection and transmission of relevant information that will assist the port State and the ship in efficiently and effectively communicating the situation on board, as well as the ship's intentions.

4. Voluntary tank-by-tank log

- 4.1 Ships that regularly submit BWRFs to port States may find it practical and efficient to maintain records of ballast water operations on a tank-by-tank basis (Appendix 3 of BWM.2/Circ.80/Rev.1).
- 4.2 It is not mandatory but is considered as a best practice to assist in completing any BWRF that may be required by a port State, demonstrating that entries in the BWRB reflect the actual ballast water situation on board during any inspection, and implementing the BWMP more efficiently through more specific knowledge of current tank contents.

5. Requirements & Guidelines on the use of e-BWRB

- 5.1 Tuvalu's ROs shall approve e-BWRB systems used on Tuvalu-flagged vessels, in accordance to IMO Resolution MEPC.372(80), from 1st October 2025 when the amendments to the BWMC adopted in IMO Resolution MEPC.383(81) enter into force..
- 5.2 Please refer to Tuvalu Marine Circular MC-13/2011/1 - Electronic Logbook and Record Book Systems.

6. Amendments to the BWMP

- 6.1 IMO Resolution MEPC.370(80), Amendments to the Guidelines for Ballast Water Management and Development of BWMP (G4) has been adopted and the guidelines of BWM2/Circ.80/Rev.1 should be referenced in the record keeping requirements section of the BWMP.
- 6.2 Vessels should also include procedures for managing CWQ conditions (see Section 7.1) in their approved BWMP. The procedures should be ship-specific and consider the operational limitations of the BWMS installed and operational patterns of the vessel.
- 6.3 In addition, the BWMP should include a ship-specific change-over procedure from ballast water storage to TS/GW storage, and back to ballast water storage, including pump and piping associated with the dual-purpose Ballast Water tanks, with specific details on how flushing is conducted. The Ballast Water tanks to be used for temporary storage of TS/GW should be identified in the BWMP.
- 6.4 At the first periodical survey for the IBWMC on or after 1 February 2025, the attending surveyor will confirm that the BWMP used on board has been appropriately amended, in accordance with the instructions of the RO authorized by this Administration.

7. Interim guidance for ships operating in CWQ conditions

- 7.1. The interim guidance adopted on 22 March 2024 in IMO Resolution MEPC.387(81) addresses CWQ conditions which cause the BWMS to be temporarily inoperable (e.g., filter clogging), or operate outside its system design limitations. However, it does not address situations where a BWMS is inoperable due to technical failures of the BWMS, or when the temperature and/or salinity of the ambient uptake water are outside of the design limitations of the BWMS. Such situations should continue to be addressed on a case-by-case basis in accordance with the contingency measures under BWM.2/Circ.62.

Deputy Registrar
Tuvalu Ship Registry