

## Highlights and Tips for Application - Extended Compliance Dates under USCG Ballast Water Management regulations (revised 23 Dec 2016)

The revised Extension Policy Letter explains how to apply for an extended compliance date. Changes from the original (25 Sept 2013) and Revision 1 (10 Sept 2015) versions include:

1. Vessels that choose to install a foreign type-approved Ballast Water Management System (BWMS) which the Coast Guard has accepted as an Alternate Management System (AMS) may also apply for an extension.
2. Removes original Policy Letter's 5-year limit on a vessel's cumulative extension. This change does not affect the 5-year limit under 33 CFR 151.1510 or 151.2025 that a vessel may use an AMS after its original compliance date.
3. Removes original Policy Letter's text regarding length of an approved extension (see "maximum duration of an extension" on page 2). The Coast Guard does not issue open-ended or 5-year extensions.
4. Aligns policy with corrected citation in 33 CFR 151.2036 to reference approved BWM methods in 151.2025, rather than the ballast water discharge standard in 151.2030 (see technical amendments published 27 July 2015 (80 FR 44274)).
5. Simplifies application process and document requirements, ~~such as highlighting option for "batch" applications~~ (*batch option no longer available, see MSIB 14-16 below*).
6. Removes the requirement to provide a copy of a vessel's Ballast Water Management (BWM) Plan. A statement that a vessel has a BWM Plan that the vessel will follow for discharges that take place in waters of the U.S. is sufficient.
7. Adds statement that ballast water exchange provisions include options for vessels under 33 CFR 151.2040 due to a voyage's route, or the master's safety or stability concerns.
8. Paper applications by mail are no longer acceptable. Extension requests must be submitted electronically as an e-mail, with an Excel spreadsheet with required information attached, to: [environmental\\_standards@uscg.mil](mailto:environmental_standards@uscg.mil)
9. Application must now include Excel spreadsheet file titled "Extension Application" with company and vessel information.
10. Supplemental extension process has new sub-section to clarify application requirements.
11. A vessel's approved extension letter may be transferred to a new owner for the remainder of its extended compliance date.
12. Adds new section 5 which provides detailed definitions of "original compliance date" and "first scheduled drydocking" to clarify the dates vessels should use when they apply for an extended compliance date.
13. Adds new paragraph in section 6(a) which revises the terms of extension to the "next scheduled drydocking" after a vessel's original compliance date. For vessels that have received extension letters prior to the publication date of this Policy Letter, Revision 2 (dtd 16 Nov 2015), the Coast Guard will apply the new terms if/when a supplemental extension is applied for.

MSIB 14-16 was issued on 02 December 2016 following Marine Safety Center's announcement of the first U.S. type-approved system. The following are noted policy changes and highlights to the extension program as a result of the announcement:

1. "Batch" applications may no longer be accepted. Each application must be vessel-specific to ensure accurate processing of applications.
2. AMS 5-year periods commenced following the type-approval announcement. The 5-year period is based on the vessel's original or extended compliance date, whichever is the later date.
3. Extensions may be granted for a specific time period, instead of "until the next scheduled drydocking".
4. Additional documentation may be needed in order to process applications. In addition, applicants may receive an email from staff asking for clarifications to the application.
5. Priority will be determined based solely on the order an application is received. Priority is no longer given to vessels which "urgently" need extensions. Applicants are reminded to submit their application prior to 12 months of the compliance date, as per regulation. This allows staff the time needed to thoroughly review the information contained in each application, and ask clarifying questions of the applicant, if necessary.

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6. Updates to applications already entered into the processing queue will result in the application being moved to the end of the queue.
7. To ensure adequate time for review, supplemental applications must also be submitted prior to 12 months of the extended compliance date already issued, per current regulation. This negates the 90 day recommendation permitted by CG-OES Policy Letter No. 13-1, Revision 2 specific to supplemental extension requests.

### TIPS FOR APPLICANTS:

1. Acknowledgement of Receipt: The Coast Guard computer network does not allow automatic emails to acknowledge receipt or establishment of an on-line application website. The anticipated volume of requests precludes manual acknowledgement of receipt.
2. Batch applications no longer permitted: Owner/Operators may no longer submit a batch application for vessels which have the same reasons why compliance is not possible. Each application must be submitted separately, with vessel-specific justification for why the extension is requested. Each application must also be submitted in its own email to facilitate correspondence between processor and applicant.
3. Submit application within 12-16 months of a vessel's compliance date. Applications received with less than 12 months notice will receive no priority status. Applications received with more than 16 months notice will be entered as "received". They will be reviewed at a later date, with notice given to the applicant.
4. Length of extension: This may be a specific date or an extension until "the next scheduled drydocking date". The "extended compliance date" should not be confused with a vessel's "original compliance date" as determined by the Implementation Schedule in 33 CFR 151.1512 or 151.2035. The "drydocking date" is determined by the actual date that the vessel ENTERS, or will enter, drydock. It is NOT the date found within the survey ranges on the vessel's certificates.
5. Firm your drydock date with the drydock prior to submitting your request for extension. The extension letter provides a degree of flexibility by requiring compliance to the month AFTER the requestor indicates as the next scheduled drydocking. If the vessel enters drydock after the extended compliance date, an additional application for a supplemental extension will need to be submitted.
6. Use the current version of the application spreadsheet. The current version contains non-shaded fields coded as "required", be sure to complete all required fields. Additional email fields are not required to be filled in, as they are optional. If additional space is needed, please attach documentation as a separate letter file and send in ONE email together with the application. This should be scanned in a format that provides optical character recognition (OCR), or in application that allows copying text (e.g., MS Word).
7. ~~The Coast Guard computer network no longer displays email messages in HTML format, so please attach application spreadsheet and other documents as needed.~~
8. Owner change or Vessel name change. The extension letter is issued to a vessel using its IMO or official number, which do not change. Therefore, any extension letter is transferrable to a new owner/operator without the owner having to apply for one. Vessels which change names do not need to be issued new extension letters because they have the same IMO/O.N.
9. Cancellation: A vessel owner or operator may request to cancel an application or approved extension letter. The Coast Guard will update its application database and indicate the status as "rescinded."
10. All questions regarding extensions should be directed to environmental\_standards@uscg.mil rather than CG-OES or other individuals who may correspond with applicants.