



Date: 15th of September 2020

Circular no.: 0045C/TG/09/20

SUBJECT: US MARAD ADVISORY CONCERNING WATERS OFF LIBYA - US COAST GUARD
NEW BALLAST WATER MANAGEMENT REPORT FORM

To: Deputy Registrars, Ship-owners, Ship-operators & Ship-managers, Masters and Officers of merchant ships, Flag State Surveyors, and Recognized Organizations

Scope: Following recent decisions by the competent US maritime administrative bodies, notably US MARAD and US CG and due to their immediate relevance for commercial vessels, this administration considers their distribution to all interested parties of vessels flying the Togolese flag and calling at these ports or operating in these sea areas very important and useful.

References:

- a) UNITED STATES MARITIME ADMINISTRATION (MARAD) – ADVISORY CONCERNING WATERS OFF LIBYA
(<https://www.maritime.dot.gov/msci/2020-014-southern-mediterranean-sea-vicinity-coastal-libya-violence-due-regional-conflict>)
- b) US COAST GUARD (US C.G.) -NEW UNITED STATES COAST GUARD (USCG) BALLAST WATER MANAGEMENT REPORT FORM
(https://www.ecfr.gov/cgi-bin/text-idx?SID=b652687de1af3ef09fd646a4a5bd9abe&mc=true&node=se33.2.151_12015&rqn=div8).
https://nbic.si.edu/new_nbic_ballast_water_management_reporting_form/.

1.UNITED STATES MARITIME ADMINISTRATION (MARAD) – ADVISORY CONCERNING WATERS OFF LIBYA:

The US Maritime Administration (MARAD) has recently posted the above Advisory in reference, stating among others that the ongoing conflict in Libya continues to pose a potential risk to commercial vessels transiting in the vicinity of coastal Libya. Threats may come from a variety of different sources including, but not limited to, missiles, rockets, artillery, mines, small arms, aircraft, and unmanned aerial vehicles. These threats pose a direct risk to all commercial vessels operating in the area. Accordingly, (commercial vessels operating in this area are advised to review security measures, ensure AIS is transmitting at all times (except when transmitting creates a threat to the safety or security of the ship or where a security incident is imminent, consistent with provisions of SOLAS), and monitor VHF Channel 16. Vessels at anchor, operating in restricted maneuvering environments, or proceeding at slow speeds should be especially vigilant. To afford the best protection in the region, commercial vessels are encouraged to check in with the NATO Shipping Center upon entering the Mediterranean Sea. In the event of any incident or suspicious activity, to call the NATO Shipping



Center and activate the Ship Security Alert System immediately. Mariners are also encouraged to review the “Central Mediterranean” section of the NATO ShippingCenter website at <https://mc.nato.int/nsc/operations/news/2020/threat-to-commercial-shipping-operating-in-the-mediterranean-2>.

2.US COAST GUARD (US C.G.) - NEW UNITED STATES COAST GUARD (USCG) BALLAST WATER MANAGEMENT REPORT FORM:

The USCG has adopted a new format for the US Ballast Water Reporting Form replacing all previous and expired versions. The new Ballast Water Management Reporting Form has two important changes from the most recently expired Reporting Form. They are: (1). The yes/no question “Alternative BW management conducted, per instructions from COTP (U.S. Coast Guard (USCG) Captain of the Port Zones)” has been removed, and (2) All vessels are now required to report the date of their last dry dock, information that is critical to the USCG for determining a vessel’s compliance date. All ships calling at US ports are required to submit a Ballast Water Management Report unless they are exempt under relevant legislation (https://www.ecfr.gov/cgi-bin/text-idx?SID=b652687de1af3ef09fd646a4a5bd9abe&mc=true&node=se33.2.151_12015&rgn=div8). The new reporting format includes ships, both foreign and domestic, that are bound for ports or places in the US and are equipped with ballast water tanks, regardless of whether the vessel operated outside the US Exclusive Economic Zone (EEZ). Ships that declare “No Ballast On Board” (NOBOB) and ships not discharging ballast are not excluded from the requirement. This reporting form introduces a new requirement to report the date of their last dry dock to allow USCG to determine the ship’s compliance date as specified in 33CFR 151.1512 & 151.2035. A civil penalty of up to \$27,500 per day or a Class C Felony charge may be imposed for non-submittal of the form. In light of there being a new Ballast Water Management Reporting Form, the National Ballast Information Clearinghouse (NBIC) will no longer accept expired versions. To fully comply with all USCG ballast water reporting requirements, all vessels must use the new Ballast Water Management Reporting Form, since expired versions lack the required information. The new Ballast Water Management Reporting Form can be accessed through the NBIC website with links to both pdf and web application reporting at https://nbic.si.edu/new_nbic_ballast_water_management_reporting_form/.

For the International Ship Registry of Togo



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