



COMDTPUB P16700.4
NVIC 9-82 CH-1

8 OCT 1988

NAVIGATION AND VESSEL INSPECTION CIRCULAR NO. 9-82 CHANGE 1

Subj: Change 1 to NVIC 9-82 of 10 May 1982, Subj: MSD Certification

1. PURPOSE. This Circular revises guidance in Navigation and Vessel Inspection Circular No. 9-82, by providing for acceptance of non-Coast Guard certified sewage treatment plants on foreign flag vessels operating in waters of the United States, if the sewage treatment plants meet the requirements of Annex IV of the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL). The performance requirements for Annex IV Sewage treatment plants are in Resolution MEPC.2(VI) of the International Maritime Organization (IMO).
2. BACKGROUND. Although it is not in force internationally and has not been ratified by the United States, several countries have ratified MARPOL Annex IV (Regulations for the Prevention of Pollution by Sewage from Ships). Some foreign shipping administrations have already begun to issue MARPOL Annex IV Certificates of Type Test for sewage treatment plants. For foreign flag ships, the United States has typically recognized appropriate foreign certifications for ship safety equipment based on international instruments. Under 33 U.S.C. 1322(c)(2) and (g)(1), there is no requirement for the United States to maintain a certification procedure for foreign flag ships as long as there is another means for verifying the acceptability of their sewage treatment plants.
3. DISCUSSION.
 - a. Enclosure (1) to NVIC 9-82 contains a comparison of effluent standards for USCG certified Type I and Type II Marine Sanitation Devices (MSDs), Canadian certified MSDs meeting Great Lakes standards, and MARPOL Annex IV sewage treatment plants (identified as "IMCO" on the table). The MARPOL standard for suspended solids is more stringent than the U.S. standard, and the fecal coliform count standard is marginally less stringent. The MARPOL sewage treatment plants must also meet a standard for 5-day biological oxygen demand (BOD₅) for which there is no U.S. equivalent.

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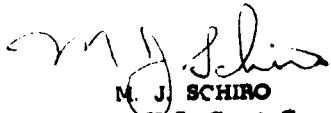
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3. b. NVIC 9-82 notes that a letter of understanding allows U.S. vessels to operate in the Canadian waters of the Great Lakes with USCG certified MSDs and allows Canadian vessels to operate in U.S. waters of the Great Lakes with Canadian certification.
- c. The Coast Guard has determined (and the Environmental Protection Administration concurs) that sewage treatment plants meeting MARPOL Annex IV are fully equivalent to Coast Guard certified Type II MSDs. The appropriate evidence for compliance with MARPOL Annex IV is a "Certificate of Type Test" indicating testing in accordance with the requirements of IMO Resolution MEPC.2(VI). The Certificate of Type Test must be issued by or on behalf of a government which is a party to the MARPOL Convention.

4. IMPLEMENTATION.

- a. A foreign flag vessel that has a "Certificate of Type Test" indicating that its sewage treatment plant meets the test requirements of Resolution MEPC.2(VI) of the International Maritime Organization will be accepted by the Coast Guard as being in compliance with 33 CFR 159.7(b) or (c). Such a plant will be considered as fully equivalent to a Coast Guard certified Type II MSD as long as the unit is in operable condition.
- b. U.S. registered vessels will continue to be required to have Coast Guard certified MSDs in accordance with 33 CFR 159.


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