The US Coast Guard’s Marine Safety Center has informed four ultraviolet ballast water management system manufacturers that the ‘Most Probable Number’ (MPN) method is not considered an equivalent alternative to the testing method prescribed in the Coast Guard’s regulations pertaining to the type approval of ballast water systems. A Coast Guard review concluded the MPN test method is not equivalent because it does not measure the efficacy of the BWMS to the performance standard required by the regulations. The regulations specifically require ballast water treatment systems to be evaluated based on their ability to kill certain organisms. Since the proposed MPN method assesses the viability of an organism to colonise after treatment, it measures to a different standard than that required by the regulations.

According to the USCG: “In the Preamble to the Final Rule, which implemented the ballast water discharge standard and the procedures for BWMS type-approval, the distinction between live and dead and viable and unviable was evaluated, explicitly discussed and the decision was made to use live/dead as the standard for evaluating the performance of BWMS (See 77 FR 17254, at 17266). Since the MPN method does not measure performance to this standard, it is not an equivalent evaluation or test under the provisions of 46 C.F.R. § 162.060-10(b)(1).”

The USCG said it is aware of other ultraviolet BWMS undergoing evaluation using the prescribed tests. As such, the tests required by the regulations and the Environmental Protection Agency’s Environmental Technology Verification, (ETV) Protocol are applicable and practicable for the evaluation of all systems. As with all decisions made under the authority of Title 46 of the Code of Federal Regulations, this Marine Safety Center ruling is subject to appeal by the manufacturers.