

Joint HELCOM/OSPAR Task Group on Ballast Water Management Convention Exemptions  
Eighth Meeting  
Helsinki, Finland, 16-17 November 2017

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<b>Agenda Item</b>	8 - Any other business
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## North Sea Ballast Water Exchange Area

Since the entry into force of the Ballast Water Management Convention, Sweden and other states have received questions from ship operators regarding the application of the North Sea Ballast Water Exchange Area for ships on voyages between the North Sea and the Baltic Sea.

Sweden would like to take the opportunity to discuss the terms of use of the exchange area with the aim to clarify the application and ensuring a harmonized approach.

The IMO circulars BWM.2/Circ.56 on the North Sea Ballast Water Exchange Area and BWM.2/Circ.63 on the application of the Convention to ships operating in marine areas where ballast water is exchanged according to Regulations B-4.1 and D-1 is not possible, are submitted for consideration.

### Action required

The Meeting is invited to take note of and discuss the information on North Sea Ballast Water Exchange Area.

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BWM.2/Circ.56  
13 July 2015

**INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT  
OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004**

**Communication received from the Government of the Netherlands**

1 A communication has been received from the Government of the Netherlands, regarding the designation of areas for ballast water exchange in the North Sea in accordance with regulation B-4.2 of the BWM Convention by Belgium, Denmark, France, Germany, Norway, the Netherlands, Sweden and the United Kingdom,

2 At the request of the Government of the Netherlands, the above-mentioned communication, annexed hereto, is circulated to Member States for their information.

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ANNEX



Ministry of Infrastructure and the  
Environment

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4 Albert Embankment  
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United Kingdom

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Date 6 July 2015  
Subject Notification on ballast water exchange areas in the North  
Sea

**Enclosure(s)**  
1

**Date**  
6 July 2015

**Our Reference**  
IENM/BSK-2015/134255

Dear Mr. Secretary-General,

I have the honour to inform you, on behalf of the North Sea countries, that Belgium, Denmark, France, Germany, the Netherlands, Norway, Sweden and the United Kingdom have designated Areas for Ballast Water Exchange in the North Sea. These exchange areas have been subsequently endorsed by the OSPAR Commission in June 2014.

The Ballast Water Management Convention, G14 Guidelines on Designation of Area's for Ballast Water Exchange, recommends that parties intending to designate areas for ballast water exchange under Regulation B-4.2 should communicate this intention to the organization prior to the implementation of the designated ballast water exchange areas.

The proposed ballast water exchange areas have been identified, assessed and designated taking into account the relevant guideline of the Convention: "Guidelines on Designation of Areas for Ballast Water Exchange (G14)". Please find enclosed information on the designated ballast water exchange area, including the precise geographical coordinates of the areas.

It would be appreciated if you could bring this notification to the attention of the Member Governments.

Yours sincerely,

Director Maritime Affairs and Inland Shipping

Brigit Gijsbers

## **North Sea ballast water exchange area's**

OSPAR 2014 endorsed the decision to designate ballast water exchange areas in the North Sea. These ballast water exchange areas are for intra North Sea traffic only and should be seen as a temporary regulation. It terminates when ships shall meet regulation D-2 of the International Convention for the Control and Management of Ships Ballast Water and Sediments (the Convention).

Norway has implemented parts of the Ballast Water Management Convention (Regulation D-1; the exchange standard) in its national regulations which entered into force on 1 July 2010. Three exchange areas have been designated within Norway's exclusive economic zone (EEZ).

### **Purpose**

1 This regulation designates areas in which ballast water exchange can take place in the North Sea for intra North Sea traffic, in accordance with the Convention. A ship on a voyage between two North Sea ports, which must at least meet the standards described in regulation D-1 of the Convention, may conduct ballast water exchange in these areas. This designation of areas of ballast water exchange in the North Sea is a temporary regulation. It enters into force when the Convention enters into force, and terminates when ships shall meet regulation D-2 of the Convention, as outlined in IMO resolution A.1088(28).

2 Within Norwegian territorial waters and economic zone the Norwegian national regulation applies. The Norwegian regulations entered into force on 1 July 2010. Norway has implemented parts of the Ballast Water Management Convention (D-1; Exchange standard) in its national regulations. The Norwegian Ballast Water Regulation entered into force on 1 July 2010. As regulation B-4.2 in the BWMC allows, Norway has designated areas for ballast water exchange within its exclusive economic zone (EEZ). Areas within Norway's EEZ are therefore excluded from the current proposal.

### **Introduction**

3 The Convention aims "to prevent, minimize and ultimately eliminate the risks to the environment, human health, property and resources arising from the transfer of harmful aquatic organisms and pathogens through the control and management of ships' Ballast Water and Sediments, as well as to avoid unwanted side-effects from that control and to encourage developments in related knowledge and technology."

4 Regulation B-3 of the Convention states for different categories of ships when Ballast Water Management must be conducted to at least meeting the standard described in regulation D-1: "Ballast water Exchange Standard".

5 Regulation B-4.2 of the Convention allows ports States to designate areas, in consultation with adjacent or other States, as appropriate, where ships may conduct ballast water exchange. Regulation B-4.2 determines that such sea areas can be designated in sea areas where the distance from the nearest land or the depth does not meet the parameters described in paragraph 1.1 or 1.2 of the regulation. The North Sea falls under this category, as the required depth is to shallow.

6 The identification, assessment and designation of these areas were done taking into account the relevant guideline of the Convention: "Guidelines on Designation of Areas for Ballast Water Exchange (G14)."

7 The assessment of identified areas was done in the European Space Agency (ESA) Due Innovator II project. The goal of this project was to investigate the opportunity for remote sensing data to contribute to the risk assessment of Ballast Water exchange. Some of the basic principles used were:

- clear water indicates a low risk;
- high chlorophyll concentration indicates high risk;
- a close distance to the coast indicates a high risk; and
- low depth indicates a high risk.

After careful consideration, the group proposed that ballast water exchange should, in principle, be avoided in areas with a risk index of 0.75 and above; consequently areas with a risk index lower than 0.75 can be designated as ballast water exchange areas. However, while the group agreed that a high standard of protection was desirable, taking into consideration regulation B-4 of the BWMC, the group agreed that a delay of the voyage of a deviation from the intended voyage should be avoided. The group noted that options for exchange on the Traffic Separations Scheme Terschelling-German Bight might not be sufficient with the proposed index value of 0.75. Rather than lowering the standard of protection for the North Sea as a whole, the group agreed to adjust the boundary of the designated ballast water exchange area around the TSS, in order to afford ships bound on the TSS the opportunity for ballast water exchange.

8 The North Sea area means<sup>1</sup> the North Sea proper including seas therein with the boundary between:

- .1 the North Sea southwards of latitude 62<sup>0</sup> N and eastwards of longitude 4<sup>0</sup> W;
- .2 the Skagerrak and part of the Kattegat, the southern limit of which is determined east of the Skaw by latitude 57<sup>0</sup>44' N; and
- .3 the English Channel and its approaches eastwards of longitude 5<sup>0</sup> W and northwards of latitude 48<sup>0</sup>30' N.

### **Ballast Water Exchange in the North Sea**

9 A ship, on a voyage between 2 ports located in the North Sea, which under the Convention shall at least meet the standard described in regulation D-1, may conduct ballast water exchange in the designated ballast water exchange area in the North Sea. A ship conducting ballast water exchange in this area shall comply with all the regulations for ballast water exchange in the Convention, with the exception of regulation B-4.1.

10 The designated ballast water exchange area in the North Sea is the area with a risk index ARI of less than 0.75, the area which is not red, corrected for the "Kompromisslinie" for the Traffic Separations Scheme Terschelling-German Bight, and corrected for the Norwegian EEZ.

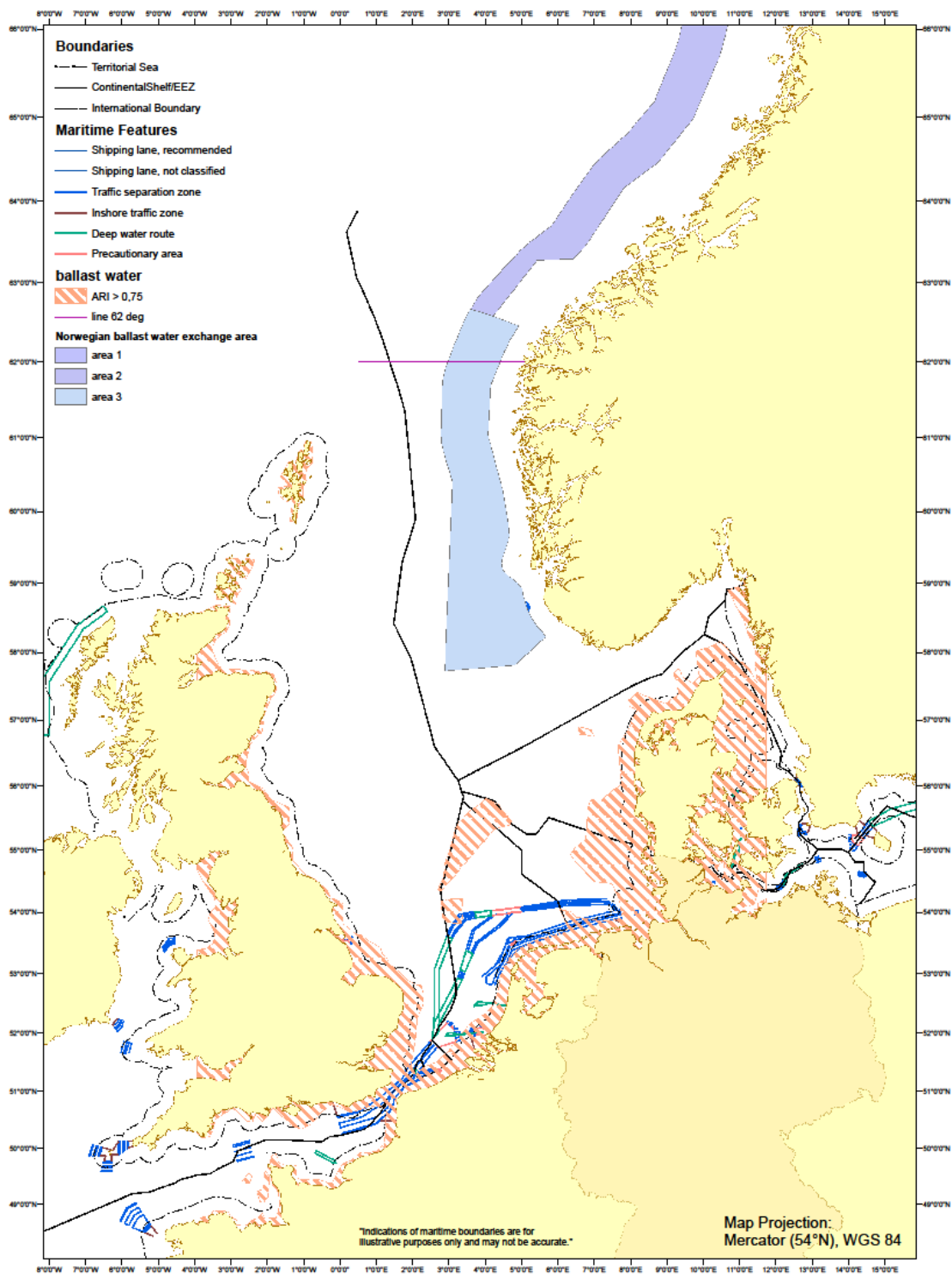
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<sup>1</sup> The definition of the North Sea is consistent with MARPOL 73/78, Annex V, regulation 5 (1) (f), but above that includes a part of the Kattegat so that traffic to and from Gothenburg is included.

Annex 1

**Map of the designated ballast water exchange area in the North Sea (including correction by the "Kompromisslinie")**

**North Sea: ballast water**



Annex 2

**Map of the area average risk index ARI in the North Sea**

The area with the risk index ARI of 0.75 and above is depicted in red. This area is corrected by the "Kompromisslinie" for the Traffic Separation Scheme Terschelling-German Bight as pictured in annex 1 and the attached coordinates in annex 3.





Annex 3

**Coordinates of the designated ballast water exchange area in the North Sea**  
(These geographical positions are based on WSG84)

Area number in map annex 2	Latitude	Longitude
2	60° 39' 51" N	000° 45' 53" W
2	60° 35' 46" N	000° 53' 15" W
2	60° 30' 07" N	000° 57' 39" W
2	60° 25' 06" N	000° 55' 17" W
2	60° 20' 05" N	001° 01' 34" W
2	60° 10' 60" N	001° 01' 06" W
2	60° 03' 24" N	001° 09' 58" W
2	59° 51' 24" N	001° 10' 21" W
2	59° 51' 14" N	001° 22' 34" W
2	60° 00' 57" N	001° 20' 23" W
2	60° 11' 37" N	001° 17' 43" W
2	60° 08' 10" N	001° 26' 58" W
2	60° 13' 02" N	001° 40' 18" W
2	60° 19' 46" N	001° 42' 48" W
2	60° 21' 10" N	001° 27' 45" W
2	60° 22' 44" N	001° 25' 30" W
2	60° 28' 52" N	001° 38' 06" W
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2	60° 38' 07" N	001° 13' 57" W
2	60° 49' 34" N	001° 08' 09" W
2	60° 50' 31" N	001° 00' 47" W
2	60° 57' 06" N	000° 57' 57" W
2	60° 57' 24" N	000° 48' 14" W
2	60° 50' 40" N	000° 45' 06" W
3	59° 13' 39" N	002° 24' 24" W
3	59° 04' 07" N	002° 35' 32" W
3	59° 08' 19" N	002° 50' 44" W
3	59° 20' 36" N	003° 08' 11" W
3	59° 21' 24" N	002° 36' 00" W
3	59° 19' 37" N	002° 21' 23" W
4	59° 09' 17" N	003° 21' 46" W
4	59° 08' 44" N	003° 10' 06" W
4	59° 09' 07" N	003° 03' 45" W
4	59° 03' 48" N	002° 53' 19" W
4	58° 55' 01" N	002° 43' 14" W
4	58° 48' 16" N	002° 50' 46" W
4	58° 41' 44" N	002° 51' 60" W
4	58° 42' 57" N	002° 55' 57" W
4	58° 46' 05" N	003° 00' 59" W
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11*	53° 45' 01" N	005° 28' 03" E
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11*	53° 55' 54" N	005° 51' 51" E
11*	54° 00' 48" N	005° 57' 08" E
11*	54° 05' 13" N	005° 56' 58" E
11*	54° 12' 20" N	006° 15' 14" E
11*	54° 07' 24" N	006° 29' 19" E
11*	54° 02' 18" N	006° 55' 58" E
11*	54° 03' 52" N	007° 35' 24" E
11	54° 13' 21" N	007° 40' 31" E
11	54° 28' 07" N	007° 29' 12" E
11	54° 30' 06" N	006° 58' 50" E
11	54° 49' 20" N	006° 29' 11" E
11	54° 55' 41" N	006° 20' 25" E
11	55° 01' 22" N	006° 26' 33" E
11	55° 10' 30" N	006° 45' 53" E

11	55° 33' 21" N	006° 49' 00" E
11	55° 39' 23" N	006° 48' 46" E
11	55° 47' 21" N	006° 54' 15" E
11	55° 46' 40" N	007° 11' 26" E
11	55° 49' 44" N	007° 17' 14" E
11	55° 52' 13" N	007° 22' 30" E
11	55° 54' 55" N	007° 27' 35" E
11	56° 01' 42" N	007° 45' 01" E
11	56° 36' 58" N	007° 38' 35" E
11	56° 52' 58" N	007° 58' 05" E
11	57° 00' 16" N	008° 01' 32" E
11	57° 09' 23" N	008° 11' 23" E
11	57° 13' 04" N	007° 55' 57" E
11	57° 17' 54" N	007° 56' 09" E
11	57° 24' 48" N	008° 10' 47" E
11	57° 15' 10" N	008° 56' 50" E
11	57° 23' 18" N	009° 20' 04" E
11	57° 30' 33" N	009° 16' 14" E
11	57° 35' 45" N	009° 16' 26" E
11	57° 38' 18" N	009° 11' 04" E
11	57° 42' 31" N	009° 11' 14" E
11	57° 46' 03" N	009° 19' 24" E
11	57° 38' 18" N	009° 26' 35" E
11	57° 33' 13" N	009° 42' 41" E
11	57° 38' 45" N	009° 53' 08" E
11	57° 51' 14" N	009° 49' 52" E
11	58° 01' 17" N	009° 47' 23" E
11	58° 04' 22" N	010° 06' 42" E
11	58° 09' 55" N	010° 27' 53" E
11	58° 04' 16" N	010° 39' 07" E
11	57° 53' 49" N	010° 57' 08" E
11	57° 51' 20" N	011° 04' 60" E
11	57° 45' 41" N	011° 16' 21" E
11	57° 35' 43" N	011° 25' 36" E
11	57° 33' 13" N	011° 29' 38" E
11	57° 49' 20" N	011° 25' 25" E
11	58° 01' 19" N	011° 25' 53" E
11	58° 07' 30" N	011° 22' 37" E
11	58° 16' 26" N	011° 12' 59" E
11	58° 27' 39" N	011° 07' 41" E
11	58° 40' 06" N	010° 54' 15" E
11	58° 50' 50" N	010° 44' 18" E
11	58° 53' 19" N	010° 41' 37" E
11	59° 07' 04" N	010° 36' 16" E
11	59° 14' 04" N	010° 36' 32" E
11	59° 16' 39" N	010° 36' 26" E
11	59° 21' 50" N	010° 36' 39" E
11	59° 27' 46" N	010° 35' 19" E
11	59° 32' 08" N	010° 27' 19" E
11	59° 24' 34" N	010° 32' 32" E
11	59° 14' 45" N	010° 33' 11" E
11	59° 04' 57" N	010° 29' 08" E
11	58° 59' 08" N	010° 21' 06" E
11	58° 55' 13" N	010° 04' 40" E

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11	58° 54' 48" N	009° 51' 46" E
11	58° 53' 19" N	009° 39' 37" E
11	58° 40' 23" N	009° 18' 55" E
11	58° 31' 19" N	009° 01' 23" E
11	58° 22' 17" N	008° 47' 53" E
11	58° 14' 31" N	008° 34' 56" E
11	58° 12' 02" N	008° 21' 54" E
11	58° 04' 25" N	008° 12' 30" E
11	58° 01' 19" N	008° 00' 04" E
11	58° 02' 10" N	007° 38' 50" E
11	57° 58' 31" N	007° 31' 56" E
11	57° 59' 18" N	007° 12' 06" E
11	57° 58' 56" N	007° 03' 03" E
11	57° 59' 07" N	006° 58' 36" E
11	58° 02' 28" N	006° 48' 29" E
11	58° 02' 30" N	006° 31' 55" E
11	58° 12' 00" N	006° 33' 27" E
11	58° 14' 31" N	006° 20' 19" E
11	58° 17' 12" N	006° 15' 14" E
11	58° 22' 17" N	006° 02' 12" E
11	58° 24' 58" N	005° 57' 08" E
11	58° 27' 27" N	005° 46' 41" E
11	58° 41' 26" N	005° 27' 20" E
11	58° 59' 41" N	005° 29' 09" E
11	59° 03' 40" N	005° 36' 54" E
11	59° 12' 52" N	005° 35' 15" E
11	59° 12' 57" N	005° 23' 47" E
11	59° 05' 03" N	005° 13' 47" E
11	59° 03' 46" N	005° 09' 03" E
11	59° 19' 35" N	005° 05' 23" E
11	59° 22' 57" N	005° 06' 33" E
11	59° 24' 33" N	005° 10' 46" E
11	59° 32' 10" N	005° 09' 04" E
11	59° 36' 04" N	005° 11' 48" E
11	59° 36' 09" N	005° 06' 39" E
11	59° 38' 34" N	005° 04' 06" E
11	59° 48' 02" N	005° 02' 40" E
11	59° 53' 01" N	005° 02' 47" E
11	60° 06' 13" N	005° 11' 05" E
11	60° 11' 21" N	005° 12' 41" E
11	60° 11' 60" N	004° 56' 19" E
11	60° 20' 34" N	004° 54' 08" E
11	60° 24' 33" N	004° 58' 17" E
11	60° 33' 44" N	004° 53' 19" E
11	60° 42' 06" N	004° 50' 35" E
11	60° 52' 56" N	004° 56' 03" E
11	60° 55' 50" N	004° 53' 30" E
11	61° 01' 23" N	004° 55' 52" E
11	61° 01' 29" N	004° 43' 35" E
11	61° 07' 45" N	004° 42' 13" E
11	61° 11' 35" N	004° 45' 08" E
11	61° 13' 45" N	004° 57' 08" E
11	61° 24' 19" N	004° 56' 41" E
11	61° 31' 30" N	005° 04' 19" E



11	61° 32' 08" N	005° 01' 36" E
11	61° 37' 30" N	004° 56' 35" E
11	61° 40' 21" N	004° 52' 21" E
11	61° 52' 47" N	004° 42' 35" E
11	61° 56' 05" N	004° 49' 56" E
11	61° 57' 48" N	005° 03' 10" E
11	55° 47' 00" N	010° 15' 40" E
11	55° 42' 22" N	010° 10' 43" E
11	55° 38' 03" N	010° 30' 01" E
11	55° 43' 09" N	010° 28' 29" E
11	54° 36' 56" N	010° 21' 02" E
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11**	54° 01' 03" N	006° 20' 23" E
11**	54° 03' 35" N	006° 02' 51" E
11**	53° 44' 45" N	006° 17' 09" E
11**	53° 41' 46" N	006° 14' 02" E
11**	53° 35' 15" N	005° 40' 44" E
11**	53° 35' 00" N	005° 27' 53" E
11**	53° 29' 53" N	005° 12' 54" E
11**	53° 29' 06" N	005° 11' 10" E
11**	53° 27' 39" N	005° 04' 13" E
11**	53° 25' 57" N	004° 57' 43" E
11**	53° 14' 57" N	004° 39' 31" E
11**	53° 10' 57" N	004° 35' 19" E
11**	53° 02' 47" N	004° 26' 44" E
11**	53° 02' 00" N	004° 26' 46" E
11**	52° 55' 28" N	004° 24' 28" E

\* Coordinates marked with one asterisk are the original coordinates that were not corrected by the "Kompromisslinie". They are listed for information purposes.

\*\* Coordinates marked with two asterisks represent the "Kompromisslinie".

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BWM.2/Circ.63  
27 July 2017

**INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT OF SHIPS'  
BALLAST WATER AND SEDIMENTS, 2004**

**Application of the Convention to ships operating in sea areas where ballast water  
exchange in accordance with regulations B-4.1 and D-1 is not possible**

1 The Marine Environment Protection Committee, at its seventy-first session (3 to 7 July 2017), approved guidance on *Application of the BWM Convention to ships operating in sea areas where ballast water exchange in accordance with regulations B-4.1 and D-1 is not possible*, as set out in the annex.

2 Member Governments are invited to bring the guidance circular to the attention of all parties concerned.

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## ANNEX

### APPLICATION OF THE BWM CONVENTION TO SHIPS OPERATING IN SEA AREAS WHERE BALLAST WATER EXCHANGE IN ACCORDANCE WITH REGULATIONS B-4.1 AND D-1 IS NOT POSSIBLE

1 The purpose of this circular is to provide guidance on the application of the BWM Convention to ships operating in sea areas where ballast water exchange in accordance with regulation B-4.1 and D-1 is not possible. This guidance is only applicable to ships which are not required to meet the ballast water performance standard prior to its implementation schedule in accordance with regulation B-3.

2 The Committee recommends that, until the date a ship is required to meet the ballast water performance standard described in regulation D-2 (D-2 standard) in accordance with regulation B-3, a ship operating in a sea area where ballast water exchange in accordance with regulation B-4.1 and D-1 is not possible:

- .1 should not be required to meet the D-2 standard;
- .2 should not be required to meet the D-2 standard regardless if the ship does not comply with regulation B-3.6 (Discharge to a ballast water reception facility), B-3.7 (Other methods) or A-4 (Exemptions) of the BWM Convention;
- .3 should not be required to proceed under regulation B-3.6, B-3.7 or A-4 of the BWM Convention; and
- .4 should record the reasons why ballast water exchange was not conducted in accordance with regulation B-4.5.

3 In cases where the port State has established designated areas for ballast water exchange in accordance with regulation B-4.2, regulation B-4.2 should be implemented as referred to in paragraph 10.3 of the *Guidelines on designation of areas for ballast water exchange* (G14) (resolution MEPC.151(55)):

- .1 the ship should comply with the terms of use for those areas provided by the port State. In case no terms of use are provided, the ship should not be required to deviate from its intended voyage, or delay the voyage, in order to conduct ballast water exchange; and
- .2 when a ship does not have sufficient time to carry out the exchange for all of its ballast water complying with the standard in regulation D-1, the ship, taking into account the Ballast Water Management plan, should comply with the terms of use for those areas provided by the port State in accordance with paragraph 10.3 of the Guidelines (G14).