



Document title	Information on ballast water exchange in the Baltic Sea
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Background

In Germany, water ways police officers carry out regular inspections of ships to check compliance with the new ballast water management regulations which entered into force on 8 September 2017, including its regulations B-4.1 and D-1. As the competent authority to issue administrative penalties, the Federal Maritime and Hydrographic Agency (BSH) receives the reports and took note that in several cases the master and crew received misleading information/concrete wrong instructions with respect to ballast water exchange in the North and Baltic Sea from their agents or ports. For example, some ports in the Baltic Sea region require always an exchange in the Baltic Sea before discharge in their waters.

Informal communications with colleagues at IMO level showed that there is general knowledge and agreement that exchange in the Baltic Sea should generally not be carried out. Apparently, there is a misunderstanding at port level. Hence, there is a need for clarification of this issue and information of the port authorities in the Baltic Sea region accordingly.

In this context, please take note of BWM. 2/Circ.63, which provides 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 (see Annex 1).

For your information, find also attached the information brochure by BSH on the implementation of the Ballast Water Management Convention in Germany, which explains in detail the existing rules on ballast water exchange in the North Sea and the Baltic Sea, including practical examples (see Annex 2).

Action requested

The Meeting is invited to:

- take note of the information;
- agree on a common understanding that ballast water exchange should generally not take place in the Baltic Sea;
- communicate the common understanding on the matter to port authorities in the Baltic Sea region and forward the information to OSPAR.

Annex 1



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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.

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).

Annex 2

See pdf version of information brochure at

https://www.bsh.de/DE/PUBLIKATIONEN/Anlagen/Downloads/BSH-Informationen/BSH-Flyer/Ballast_Water_Management_eng.pdf?blob=publicationFile&v=5