Ballast Water Management Convention

Guidance for implementation
Brief history of the Convention

- In 1988, Canada was the first to signal the negative effects resulting from migration of invasive species
- In 1991 the first set of voluntary guidelines to avoid the migration invasive species
- First IMO resolution in 1993, next in 1997
- In 1999, start of the Ballast Water Working Group at IMO tasked with the drafting of the convention
- In 2004 the Ballast Water Management Convention was adopted at IMO level
- Since 2004, the IMO has steadily worked on the implementation
- On 8 September 2016 Finland ratified the Convention
- In vigour on 8 September 2017
Aim of the Convention

• Avoid the migration of harmful aquatic organisms and pathogens
To which vessels does the convention apply?

- The convention applies to all ships according to the definition:

  *Ship means a vessel of any type whatsoever operating in the aquatic environment and includes submersibles, floating craft, floating platforms, FSUs and FSPOs*

- There will be no distinction according to type, tonnage, propulsion or usage (recreational or professional)
- No more favourable treatment will be given to ships flying the flag of a non-party to the convention
- Only few exemptions exist
The Convention shall not apply to

- Ships not designed or constructed to carry ballast
- Ships of a party which only operate in waters under the jurisdiction of that party, unless the party determines that the discharge of ballast water from such ships would impair or damage their environment, human health, property or resources, or those of adjacent or other states
- Ships which only operate in waters under the jurisdiction of one party and on the high seas for which the exchange of ballast water is not deemed harmful to the environment, human health, property or resources, or those of adjacent or other states
- Warships, naval auxiliary ships or other ships owned or operated by a state
- Ships with permanent ballast water in sealed tanks
How to comply with the convention?

• Documentary evidence
  ✓ International Ballast Water Management Certificate
  ✓ Ballast Water Management Plan
  ✓ Ballast Water Record Book
How to comply with the convention?

- Documentary evidence

✓ Internationaal Ballast Water Management Certificate:

➢ The certificate states that:

❖ The ship has been surveyed in accordance with the annex to the convention

❖ That the survey shows that the ballast water management on the ship complies with the annex to the convention.
How to comply with the convention?

• Documentary evidence

✓ **Ballast Water Management Plan**, drafted in the working language of the vessel and if not in English, French or Spanish, translated into English, and should contain amongst others:

  ➢ Detailed safety procedures for the ship and the crew associated with Ballast Water Management
  ➢ Detailed procedures for the disposal of sediments at sea and to shore
  ➢ Procedures for coordinating shipboard Ballast Water Management that involves discharge to the sea with the authorities of the State into whose waters such discharge will take place
  ➢ Designate the officer on board in charge of ensuring that the plan is properly implemented
  ➢ Reporting requirements
How to comply with the convention?

- Documentary evidence

✓ Ballast Water Record Book, may be an electronic record system, shall be maintained on board the ship for a minimum period of two years, and shall contain:

- Each operation concerning Ballast Water (fully)

- Accidental or exceptional discharge of Ballast Water not otherwise exempted by this Convention, describing the circumstances of, and the reason for, the discharge
How to comply with the convention?

- Technical

➢ 2 Options depending upon existence of an IOPP certificate

✓ Regulation D-1 Ballast Water Exchange Standard as of 8 September 2017 (if no IOPP)

✓ Regulation D-2 Ballast Water Performance Standard as of renewal survey of the IOPP (IMO res. A.1088(28))
Regulation D-1 Ballast Water Exchange Standard

• Conditions

➢ At least a 95% volumetric exchange of ballast water

➢ For ships exchanging ballast water by the pumping-through method, pumping through three times the volume of each ballast water tank shall be considered to meet the standard

➢ At least 200 nautical miles from the nearest land and in water at least 200 metres in depth
Regulation D-1 Ballast Water Exchange Standard

- Example - NorthSea?

  ➢ Dedicated ballast water exchange zone for intra NorthSea traffic

Red areas = No Ballast Water Exchange
Regulation D-1 Ballast Water Exchange Standard

➢ How to comply when the voyage only passes limited time through the exchange zone?

✓ A ship shall not be required to deviate from its intended voyage, or delay the voyage, in order to comply with any particular requirement of the D-1 Ballast Water Exchange Standard
How to comply when the voyage does not allow any ballast water exchange for safety reasons?

A ship conducting Ballast Water exchange shall not be required to comply with the D-1 standard, if the master reasonably decides that such exchange would threaten the safety or stability of the ship, its crew, or its passengers.
Local authorities can always refuse the discharge of ballast water when the D-1 Standard is not met for any of the aforementioned reasons!
Regulation D-2 Ballast Water Performance Standard

- Ballast Water management system
Regulation D-2 Ballast Water Performance Standard

• 1 Ships conducting Ballast Water Management in accordance with this regulation shall discharge less than 10 viable organisms per cubic metre greater than or equal to 50 micrometres in minimum dimension and less than 10 viable organisms per millilitre less than 50 micrometres in minimum dimension and greater than or equal to 10 micrometres in minimum dimension; and discharge of the indicator microbes shall not exceed the specified concentrations described in paragraph 2.

• 2 Indicator microbes, as a human health standard, shall include:
  .1 Toxicogenic *Vibrio cholerae* (O1 and O139) with less than 1 colony forming unit (cfu) per 100 millilitres or less than 1 cfu per 1 gram (wet weight) zooplankton samples ; .2 *Escherichia coli* less than 250 cfu per 100 millilitres; .3 Intestinal Enterococci less than 100 cfu per 100 milliliters.
Exceptions

- the uptake or discharge of Ballast Water and Sediments necessary for the purpose of ensuring the safety of a ship in emergency situations or saving life at sea

- the accidental discharge or ingress of Ballast Water and Sediments resulting from damage to a ship or its equipment

- ballast operations for the purpose of avoiding or minimizing pollution incidents from the ship

- the uptake and subsequent discharge on the high seas of the same Ballast Water and Sediments

- the discharge of Ballast Water and Sediments from a ship at the same location where the whole of that Ballast Water and those Sediments originated and provided that no mixing with unmanaged Ballast Water and Sediments from other areas has occurred
Exemptions

• By the administrations

➢ Can be granted to a ship or ships on a voyage or voyages between specified ports or locations; or to a ship which operates exclusively between specified ports or locations

➢ Effective for a period of no more than five years subject to intermediate review

➢ Can be granted to ships that do not mix Ballast Water or Sediments other than between the ports or locations specified

➢ Can only be granted based on the guidelines on risk assessment developed by the IMO
A vessel plying between ports under the jurisdiction of n-amount of parties will need same amount of exemptions issued by the administrations of parties to the convention involved.
Timeline for implementation

• All existing ships must comply with regulation D-2 on **8 September 2017**

• Ships without IOPP, ships <400 register ton without exemption
  
  ➢ Must comply with regulation D2 on **8 September 2017**

• Ships with, ships >400 register ton without exemption
  
  ➢ comply with regulation D2 from the *renewal of the IOPP forward*.
  ➢ Until that date they must comply with regulation D1 as of **8 September 2017**
Timeline for implementation

BWM Convention Implementation Timeline

New build
D2 Standard (treatment system)

Existing
D1 (exchange) or D2 (treatment)
- If valid IOPP
- BWM Convention Entry into Force (08 September 2017)

D2 (treatment)
- or
- if no IOPP
- Ship’s Renewal Survey
  (IOPP Certificate Renewal)
Enforcement

• Inspections

➢ By Flag State inspection

➢ By Port State Control inspection,

For the NorthSea ➔ ParisMou
Deficiencies can be

✓ Absence of Ballast Water Certificate, Management Plan or Record Book

✓ Indication that the vessel or its equipment does not correspond substantially with the particulars of the Ballast Water Certificate and/or Ballast Water Management Plan

✓ The designated personnel are not familiar with essential shipboard procedures relating to ballast water management

✓ No Designated Officer has been nominated
Deficiencies against the BWMC may warrant the detention of the vessel!