

MARINE ENVIRONMENT PROTECTION
COMMITTEE
82nd session
Agenda item 4

MEPC 82/4/9
9 August 2024
Original: ENGLISH
Pre-session public release:

HARMFUL AQUATIC ORGANISMS IN BALLAST WATER

Comments on challenges encountered by ships engaged in short voyages in water bodies shared by Parties to the BWM Convention

Submitted by ICS

SUMMARY

Executive summary: This document highlights the challenges associated with the implementation of the BWM Convention, particularly the challenges encountered by ships involved in short voyages when seeking an exemption to discharge untreated ballast water into a similar aquatic environment.

Strategic direction, 1 if applicable:

Output: 1.25

Action to be taken: Paragraph 6

Related documents: MEPC 81/4/7, MEPC 81/WP.9; MEPC 82/4/5; resolutions MEPC.123(53) and MEPC 387(81); BWM.2/Circ.62 and BWM.2/Circ.63

Introduction

1 This document is submitted in accordance with paragraph 6.12.5 of the *Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.5/Rev.5) and provides comments on document MEPC 82/4/5 (Australia) to be considered along with the items related to the Correspondence Group on Review of the BWM Convention that would benefit from discussion at MEPC 82.

Background

2 At the eighty-first session of the Committee, the Ballast Water Review Group (BWRG) considered proposals in document MEPC 81/4/7 (INTERTANKO) with regard to challenges encountered by ships engaged in short voyages in water bodies shared by Parties to the BWM Convention, noting that this entailed amending the *2017 Guidelines for risk assessment under regulation A-4 of the BWM Convention* (G7) and, as this would take time, in the interim amending BWM.2/Circ.63 on *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. In the ensuing discussion, there was not sufficient support for this proposal and, as a result, the Guidelines (G7) and BWM.2/Circ.63 were not added to the list of provisions and instruments for revision and/or development (MEPC 81/WP.9, paragraph 19).

Discussion

3 Ships face a number of challenges when engaged in short voyages, where compliance with the BWM Convention becomes impractical owing to the difficulty to conduct ballast water exchange or treatment (BWE/T) if the BWMS is temporarily inoperable due to challenging water quality or not available due to a technical issue. These challenges are particularly pronounced for ships engaged in regional trade, which often involve multiple short voyages that sometimes occur within the same or similar aquatic environments. Despite adhering to all the necessary procedures as outlined in the BWM Convention, relevant Guidelines, and Guidance including BWM/Circ.62 and resolution MEPC.387(81), obtaining an exemption from the receiving port State to discharge untreated ballast water into the same or similar environments where it was originally taken remains difficult due to the bureaucratic processes involved.

4 Further to the locations mentioned in paragraph 8 of document MEPC 81/4/7 posing challenges for ships on short voyages in conducting BWE/T, ICS provides the following examples to illustrate the gravity of the challenges faced by ships on short voyages.

- .1 A ship encountered a technical issue with the ballast water management system (BWMS) in Moerdijk (Netherlands, Kingdom of) and its next destination was Antwerp (Belgium). In addition to being less than 100 kilometres apart by land, both of the ports are situated in the same aquatic environment with waters very similar in Moerdijk and Antwerp. As a result, the port of Antwerp eventually granted the ship permission to discharge untreated ballast water, but the process required a significant investment of time and effort.
- .2 A ship encountered challenging water quality in Groveport (UK), which is on the river Trent, and its next destination was Grimsby (UK), which is on the river Humber. The Trent flows into the Humber which flows into the North Sea. Following multiple attempts to obtain permission to discharge untreated ballast water into the same aquatic environment, permission was denied by the relevant authorities and ballast water exchange plus treatment (BWE+BWT) was recommended. ICS believes that the decision to deny permission to discharge untreated ballast water is disproportionate considering the water was taken almost on the same river around 50 miles away by land.

5 The Committee is requested to consider resolving the difficulties faced by ships in obtaining permission for exemptions by streamlining the exemption process. ICS believes that adopting a pragmatic approach to ballast water management, particularly when ships are trading between ports with similar aquatic environments, is needed and provide the below points for the Committee's consideration:

- .1 facilitate public access to the contact information of the coastal State authority responsible for granting exemptions; and
- .2 develop clear and unambiguous procedures for exemptions.

Action requested of the Committee

6 The Committee is invited to consider the comments contained in the document and take action as appropriate.