

Ballast Water Management Convention

Background and general requirements

The Ballast Water Management Convention (BWMC) entered into force on September 8, 2017, and is fully implemented in Swedish legislation. The BWMC is applicable to all ships that are designed and constructed to carry ballast water. These ships is required to have an International Ballast Water Management Certificate (IBWMC) (if > 400 GT), an approved ballast water management plan (BWMP) and a ballast water record book (BWRB) on board.

The Convention does not apply to:

- Ships that are not designed or built to use ballast water.
- Ships that use only permanent ballast water in sealed tanks that are not discharged.
- Ships operating only within the Swedish Exclusive Economic Zone (EEZ).

Requirements for ballast water management

Initially The BWMC demand ships to exchange ballast water during voyage. New ships must however have a treatment system installed from September 8, 2017. Gradually all existing ships will be required to meet the D-2 standard and have to install a treatment system. The obligation to meet the D-2 standard is coupled to the expiry date of the IOPP Certificate.

Ballast water exchange

Exchange of ballast water shall be carried out according to the D-1 standard and regulation B-4 of the BWMC. Regulation D-1 requires that vessels perform ballast water exchange with an efficiency of at least 95 per cent volumetric exchange of ballast water in the tanks.

Exchange shall be carried out in areas specified by regulation B.4:

- 1) At least 200 nautical miles from the nearest land and in water at least 200 metres in depth,
- 2) At least 50 nautical miles from the nearest land and in water at least 200 metres in depth in cases where the ship is unable to conduct ballast water exchange in accordance with paragraph (1),

- 3) In the designated North Sea exchange area - only if the ship operates on an intra North Sea voyage.

A ship is not required to deviate from its intended voyage, or delay the voyage, in order to perform exchange.

Because of the possibility that partially exchange may encourage re-growth of organisms, ballast water exchange should only be commenced in any tank if there is sufficient time to complete the exchange to comply with the standard in regulation D-1 and the criteria in regulation B-4. As many complete tanks should be exchanged to the standard in regulation D-1 as the time allows, if for any tank the standard in regulation D-1 cannot be fully met the exchange should not be commenced for that tank.

A ship conducting exchange shall not be required to comply with exchange requirements if the master reasonably decides that such exchange would threaten the safety or stability of the ship, its crew, or its passengers because of adverse weather, ship design or stress, equipment failure, or any other extraordinary condition.

A ship operating in a sea area where ballast water exchange is not possible according to regulation B-4 ([BWM.2/Circ. 63](#)):

- Is not required to meet the D-2 standard;
- Is not 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;
- Is not required to proceed under regulation B-3.6, B-3.7 or A-4 of the BWM Convention; and should record the reasons why ballast water exchange was not conducted.

Exchange in the North Sea

The North Sea countries have designated an exchange area according to regulation B-4.3 ([BWM.2/Circ.56](#)). The North Sea exchange area is applicable only for ships on intra North Sea routes, including ports on the Swedish west coast, from Gothenburg in the south to the Norwegian border in the north. If ships cannot complete exchange within the exchange area without delaying the voyage it will be allowed to discharge unmanaged ballast water. The reasons why ballast water exchange was not conducted shall be recorded in the BWRB. Ships arriving from outside the North Sea shall exchange before entering the North Sea.

Exchange in the Baltic Sea

In the Baltic Sea there are no areas where it is possible to exchange ballast water. Ships operate on intra Baltic Sea voyages, or on voyages between ports in the

Baltic Sea and ports in the North Sea, will be allowed discharge unmanaged ballast water as long as they are subject to the D-1 standard. The reasons why ballast water exchange was not conducted shall be recorded in the BWRB. Ships from arriving to the Baltic Sea from outside the North Sea shall exchange before entering the North Sea.

Ballast water treatment

Gradually all ships will be required to meet the D-2 standard and have to install a treatment system. The requirement to meet the D-2 standard is coupled to the expiry date of the IOPP Certificate.

Implementation schedule for meeting the D2 standard

Ships constructed (keel-laid) on or after 8 September 2017 need to comply with the D-2 standard upon delivery.

Existing ships (keel-laid < 8 September 2017) should be D-2 compliant on the first IOPP renewal following entry into force if:

- 1) this survey is completed on or after 8 September 2019; or
- 2) a renewal IOPP survey is completed on or after 8 September 2014 but prior to 8 September 2017.

For existing ships where the first renewal survey, following the date of entry into force of the Convention, is completed prior to 8 September 2019 and if conditions 1) or 2) above are not met the ship should be D-2 compliant on the second IOPP renewal survey following entry into force.

Vessels which are not required to be IOPP certified shall comply with the D-2 standard prior to 8 September 2024.

Ways to meet the D-2 standard

Most ships will have to install a ballast water treatment system to meet the D-2 standard. The ballast water treatment systems must be type approved according to the BWMC and its guidelines. Another way to meet the standard can be by discharging ballast water to a reception facility (regulation B-3.6). Ships that take up and discharge ballast water on the same location (same harbour, mooring or anchorage) without mixing with water from other locations are exempted from requirements of management. Use of “drinking water” that meets the D-2 standard may be a solution for some ships.

Exemptions

The BWMC contain regulations on exemptions from the requirements of ballast water management. The regulation A-4 states:

“1. A Party or Parties, in waters under their jurisdiction, may grant exemptions to any requirements to apply regulations B-3 or C-1, but only when they are:

a. 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;

b. effective for a period of no more than five years subject to intermediate review;

c. granted to ships that do not mix ballast water or sediments other than between the ports or locations specified in paragraph 1.1; and

d. granted based on the Guidelines on risk assessment developed by the Organization.”

HELCOM and OSPAR have developed the “[Joint HELCOM/OSPAR Harmonised Procedure on the Granting of BWM Convention Exemptions](#)”, which stipulates an agreed procedure to grant exemptions for the Northeast Atlantic and the Baltic Sea in accordance with A-4 of the BWMC and is based on IMO Guideline G-7.

Exemption becomes applicable when ships will be required to meet the D-2 standard. Ships operating on fixed routes or in limited areas that consider to apply for exemptions are urged to contact the affected port states well in advance before (years), for consultation and to get a decision in due time. Swedish Transport Agency is the focal point for exemptions in areas under Swedish jurisdiction.