Contingency measures for BWMS when encountering challenging water quality during uptake

Uptake of Ballast Water

No special permission is required if bypassing the BWMS during uptake is unavoidable. However, it should be noted that untreated ballast water can contaminate the tanks and piping arrangements. Please refer to the example in the INTERIM GUIDANCE ON THE APPLICATION OF THE BWM CONVENTION TO SHIPS OPERATING IN CHALLENGING WATER QUALITY CONDITIONS, Appendix 1, for guidance on how to deal with contaminated tanks. Prior to an uptake in bypass, contact should be made with the port state that would receive the non-D-2-compliant ballast water in order to agree further measures in good time.

Discharge of Ballast Water

If a ship has received a dispensation letter from its flag due to problems with its BWMS, the following applies: Even if such a dispensation letter from a flag would allow a discharge of non-compliant ballast water during a decontamination procedure or an exchange in accordance with D-1, this would **not** be possible without sanctions in the North Sea or Baltic Sea (see also the section 'Area for carrying out decontamination procedures'). Even if an exchange had been carried out in accordance with Regulation D-1, this would also **not** lead to a discharge authorisation in German ports.

Technical/operative measures

Reduced Flow Rate

The BWMS should be operated at the minimum flow rate defined in the BWMP that will allow the ship to continue cargo operations while using the Ballast Water Management System (BWMS), which should not be greater than 50% of the face value of the BWMS treatment rated capacity (TRC). It is recommended to carry out the ballast water uptake via the BWMS in such a way that successful treatment in accordance with Regulation D-2 is possible (with the max. necessary reduced uptake rate) to avoid a decontamination procedure.

Internal Circulation

Ballast water could alternatively be circulated internally on a ship (internal pumping between the various ballast water tanks) if this would sufficiently stabilize the ship. This would allow the ship to take on cargo without discharging ballast water, i.e. without having to discharge non-D-2-compliant ballast water.

Minimum uptake at the "same location"

If a ship has already carried out an uptake of ballast water bypassing the BWMS, this ballast water could be discharged at the same location. This would comply with Regulation A-3.5 of the Annex to the Ballast Water Management Convention (so-called same location). In consultation with the responsible authority, this may also be a location a few hundred meters

away from the current berth, e.g. a little further in the middle of the stream where the water contains less sediments.
Afterwards, the ship should take up the minimum amount of ballast water required via the BWMS and, as soon as the water quality allows, carry out an uptake of further ballast water via the BWMS, if necessary for safe ship operation. Guidelines G3, 5.2 define the same location as “the same harbour, mooring or anchorage”.

Therefore, if the vessel carries out uptake and discharge of its ballast water and sediments at the same location, it does not need to manage the ballast water in accordance with regulation D-2 unless the ballast water has been mixed with untreated ballast water from other locations. Please note the risk of contamination of tanks and the rest of the ballast system. Therefore, if the BWMS was bypassed, a subsequent decontamination procedure according to the Annex of the INTERIM GUIDANCE ON THE APPLICATION OF THE BWM CONVENTION TO SHIPS OPERATING IN CHALLENGING WATER QUALITY CONDITIONS, Appendix 1 needs to be carried out **outside of the North Sea and Baltic Sea**.

Mobile BWMS

It is possible to arrange a service that could help with D-2-compliant uptake water or the treatment of ballast water for D-2-compliant discharge. One service provider is based in Hamburg and is able to offer its services in various German ports using a mobile container-based BWMS. It would be advisable to book this service well in advance to avoid delays.

Area for carrying out Contingency Measures

Neither in the German North Sea nor in the German Baltic Sea it is possible for a ship to reach an area where a contingency measure such as a decontamination procedure or a ballast water exchange could be carried out. Such an area would need to fulfil the requirements of water depths of at least 200 metres and be located at a distance of 200 nautical miles from the nearest land (if not reachable: 200-metre water depth and not less than 50 nautical miles).
Please note:
A decontamination procedure that is not conducted on the high seas requires approval from the competent port State.
Conducting such a procedure in the German North Sea and Baltic Sea is always a violation of these requirements and will be sanctioned accordingly.
The North Sea Ballast Water Exchange Area designated by IMO circular (BWM.2/Circ.56) has ceased to exist since 8 September 2024 (see NfS Heft 38, 2024). No ballast water exchange area is currently designated either in the North Sea or the Baltic Sea.