

LP BULLETIN

Friday 26 October 2007

Bulletin 549 - 10/07 - Changing Ballast - Ukraine

A ship was recently fined for dumping allegedly dirty ballast even though she was more than twelve miles from the coast at the port of Ilyichevsk.

On arrival at the load port, an inspection of the ballast water by local authorities found the ballast unfit for discharge as per maximum particle limits under Ukrainian law. On approval of customs and other local authorities, the ship sailed outside the twelve mile zone for a full ballast exchange. On returning to the port the ship was fined for polluting the marine economic zone of Ukraine.

The Law of Ukraine Number 162/95 BP (1995), which came into force in 2003, states that Ukraine legislation will apply within a 200 mile exclusive zone. We are advised that this is the first time proceedings have been brought against a ship under this law by any Ukrainian authority.

Fines imposed on ships at Ukrainian ports are most commonly with regard to dirty ballast water, determined by the amount of suspended matter in the sample. In order to avoid polluting ballast taken on board, ballast tanks and systems should be well maintained with particular focus on tank coatings.

Unfortunately the regulations do not consider the level of pollution that may exist in the Black Sea and subsequent ballast samples. We are also advised that the Ukrainian authorities do not publish acceptable levels of suspended matter in ballast samples, and do not accept samples taken or analysed by third-parties.

Ships visiting Ukrainian ports from connecting waters are required to change ballast but should be aware that Ukrainian authorities strictly apply local law and fine heavily for non-compliance. Most fines for dirty ballast are due to the amount of suspended matter in the sample. It may be prudent to dump unnecessary ballast before arriving at Ukrainian ports as the State Ecological Inspection of Environmental Protection of the Black Sea's North-West Region (SIPBS) are particularly interested in ships with 10,000 tonnes or more of ballast on board.

It is also advised that, in advance of the ship's arrival, arrangements be made for a P&I surveyor to be present during sampling. Such precautions will ensure that samples are not taken from the surface of the ballast water or from the tanktop.

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