
Real Ballast Facts Bulletin

Issue #5, 27 September 2021

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- For any questions, ask the BEMA External Affairs Committee at external-affairs@bwema.org

Lessons to be learned through the legislative development process to date

Entry into force of the BWM Convention took a very long 13 years. While this is longer than desired, there is often the impression that little was accomplished during this time period. On the contrary, fundamental work was completed, particularly for shipowners, regulatory agencies, and BWMS manufacturers that were proactive in the development of their implementation plans. Organizations that took the 'wait and see' approach now find themselves trailing behind the leaders, unprepared for the rapidly moving implementation phase that we are currently in.

Unfortunately, incorporating stakeholders' experiences into the legislative process can lag behind. That's why there is always room to improve the efficiency and practicality of regulations, ensuring they remain up-to-date, and serve to foster innovation, improve technology design, and bring the latest developments to the market quickly.

An upcoming topic that the IMO will concern itself with, and which BEMA is keen to support, is how changes to type-approved BWMs are addressed. Undoubtedly, sufficient review is required to ensure no loss of function, safety, or equipment integrity; however, a more streamlined review and approval process is also necessary to facilitate the rapid adoption of improved technology. This is important to BEMA Members who strive to offer the best possible product, and BEMA looks forward to contributing to their efforts towards that end.

We recognize that each stakeholder adopts different perspectives and purposes - but each one has value. Respecting what each group of stakeholders needs to accomplish - commerce, environmental protection, regulation, etc. - and listening to the challenges that each faces, can make all stakeholders aware that they must work together to achieve their goals.

As such, the industry seeks convergence between different stakeholders' views under the IMO umbrella through open and transparent communication, and through the sharing of technical information that supports stakeholders in their respective goals. Aided by this process, stakeholders will ultimately find that they have more areas of common interest than they originally anticipated.

This is our scope and goals as we look forward to connecting with #ballastgeeks throughout the Globe.

If you have any questions about how you can join our leadership team, contact BEMA at info@BWEMA.org.

BEMA Updates & News

BEMA represents a broad range of ballast water industry stakeholders - makers, component suppliers, engineering firms, test facilities - making BEMA an excellent resource for all technical matters relating to ballast water. We extend a warm welcome to our newest Associate Members!

- [Albion Marine Solutions Ltd.](#) provides consultancy, naval architecture, engineering, site supervision, retrofit and project management services worldwide in the fields of all marine, offshore, and oil and gas activities. BEMA members can keep up to date with the latest news out of Albion Marine Solutions by following them on [LinkedIn](#).
- The [Golden Bear Research Center](#) is a U.S. Coast Guard approved and ISO 17025:2017 accredited laboratory for land-based and shipboard type-approval testing of Ballast Water Management Systems. BEMA members can keep up to date with the latest news out of the GBRC by following them on [LinkedIn](#).
- The [Vessel Performance Centre](#) helps all types of vessels and ships to comply with the newest regulations and improve fuel performance with tailor-made solutions. BEMA members can keep up to date with the latest news out of the VPC by following them on [LinkedIn](#).

We also look forward to welcoming our newest Associate Members to each of our permanent Committees: External Affairs, Planning, Technical, and Membership. Participation in BEMA's permanent Committees is where Associate Members tend to gain the most value from their membership. That is why we encourage all our Associate Members, both new and old, to take an active role in BEMA Committees. Currently, both the Planning and Membership Committees welcome any additional expertise that our members may be able to offer.

Regulation Updates & Info

★ IMO UPDATES

Due to time constraints imposed by MEPC 76's limited agenda, the following agenda items regarding Ballast Water Management were deferred to the MEPC 77 taking place on November 22nd-26th 2021.

- **Application of the BWM Convention to specific ship types;**
- **Application of the BWM Convention to ships operating at ports with challenging water quality;**
- **Review of the ballast water record book;**

The IMO will use MEPC 77 to try and forge a broader consensus regarding ballast water implementation. In his opening remarks during MEPC 76, IMO Secretary-General Kitack Lim was direct, "Let me be blunt, failure is not an option, as if we fail in our quest, it is not unreasonable to conclude that we run the risk of having unilateral or multilateral initiatives." The same climate of urgency should be prevalent for MEPC 77.

★ FLAG UPDATES: UK MCA Proposed Ballast Water Regulations)

BEMA took the opportunity to provide technical comments on the United Kingdom's (UK) Maritime and Coastguard Agency (MCA) proposed legislation to implement the IMO's Ballast Water Management Convention. As shared with Members in April 2021, the External Affairs Committee formed an ad hoc Subcommittee to gather input from BEMA Members and formulate BEMA's comments. Thank you to Giles Candy (Individual Member) who Chaired the Subcommittee, and to the following Members who participated: Ecochlor, ERMA FIRST, Filtersafe, John Loiza, and Wartsila. Background information and related documents can be accessed on the [GOV.UK website](#).

★ FLAG UPDATES : **People's Republic of China**

Beginning from March 1st, the People's Republic of China put into effect a new environmental law that prohibits the carriage of a range of [highly toxic and dangerous chemicals](#) along the Yangtze River Basin. To implement this new law along with other stricter national ship pollution prevention measures, and to adhere to the Ballast Water Management Convention, the Nantong Maritime Safety Administration and the Jiangyin Customs Ballast Water Testing Laboratory have begun sampling ballast water on ships along the Yangtze River Basin. In the latest recorded instance, a Bulk Carrier scheduled to dry dock for repairs underwent verification of its BWMS and sampling of its ballast water. Following analysis, the ballast water was found to be non-compliant and subsequently disinfected by Chinese authorities. The [source article](#) behind this update went on to forecast that the frequency of BWMS auditing and ballast water testing will increase in the region.

★ FLAG UPDATES: **Canada**

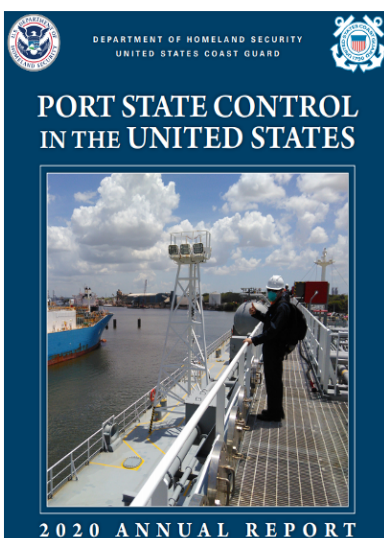
On June 23, 2021 Transport Canada introduced new **Ballast Water Regulations**. The regulations are broadly consistent with the IMO's Ballast Water Convention but do include some additional specific requirements. The aim, like The Convention, is to reduce the spread of aquatic invasive species within Canada, as well as their transfer from Canada to other countries, and to help protect global biodiversity.

Transport Canada stated "...The new regulations mark a transition from the traditional method of ballast water management (the exchange of ballast water in mid-ocean) to the use of modern ballast water management systems (which clean ballast water of organisms before release)".

[Ballast Water Regulations - Canada.ca](#)

★ UNITED STATES (Highlights of [USCG Port State Report](#))

The United States Coast Guard (USCG) published its 2020 Annual Port State Control Report summarizing the enforcement of SOLAS, MARPOL, and other international conventions on foreign vessels trading in U.S. ports. In 2020, a total of 7,383 Port State Control examinations took place, resulting in 57 detentions. According to the Report, the USCG noticed a trend towards greater foreign vessel compliance with Ballast Water Management regulations as contained in [33 Code of Federal Regulations Part 151](#).

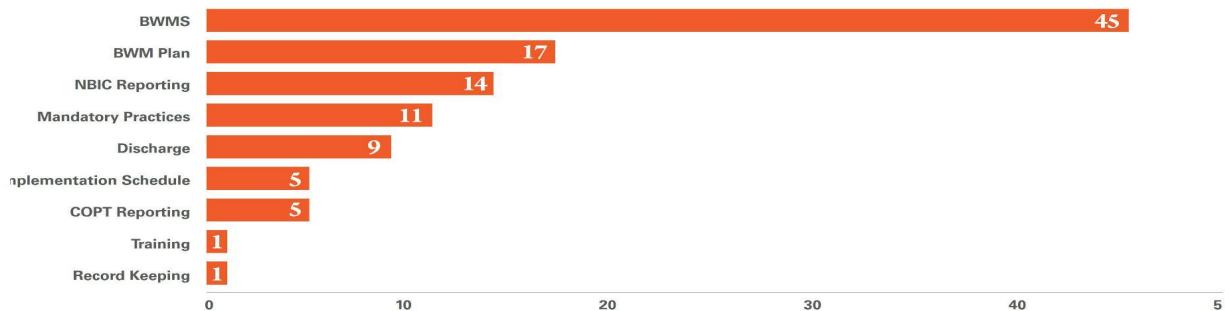


During 2020, a total of 108 Ballast Water Management deficiencies were identified on foreign vessels visiting U.S. ports. While the overall number of deficiencies is trending down, USCG enforcement actions taken against non-compliant companies have risen. USCG deficiencies concerned:

- Inoperable Ballast Water Management Systems
- Incomplete Ballast Water Management Plans
- Failure to make complete, accurate and timely ballast water reports to the NBIC
- Failure to adhere to mandatory BWM practices
- Illegal discharge of ballast water
- Implementation schedule
- Failing to report inoperable systems to nearest COPT or District Commander
- Training deficiencies
- Record keeping deficiencies

The majority of enforcement actions, in the form of Letters of Warning, Notices of Violation or Civil Penalties, were issued to vessel operators. The USCG recommended that vessel operators incorporate BWM systems into their company Safety Management Systems so that they may more effectively maintain crewmembers' ballast water training and competencies to help ensure vessel compliance upon its arrival at a U.S. port. The following figures, taken from the USCG Report, summarize the deficiencies issued and enforcement actions taken by the USCG in 2020.

2020 Ballast Water Deficiencies



2020 Enforcement Actions



USCG Annual Report: BWM Deficiencies in Brief

BEMA Events and Meetings

GREEN4SEA 2021 Virtual Forum & Awards (April 21st - 22nd, 2021)

BEMA members took part in the GREEN4SEA 2021 Virtual Forum Panel No. 4 which focused on Ballast Water Management. Doctor Efi Tsolaki, President of BEMA and Chief Scientific Officer for ERMA FIRST ESK Engineering Solutions S.A., Dimitris Tsoulos, Regional Sales Manager EMEA for De Nora Marine Technologies, Panos Smyroglou, Director of Business Development for Ecochlor and were joined by other members of the industry Mr. Jad Mouawad and Mr. George Kriezis. In a spirited panel discussion, each expert gave their insight on important BWM issues, including:

- Where does the industry stand with BWMS? What is next on the regulatory agenda?
- What are the key operational challenges of installing a BWMS? Is there a need for additional crew training?
- What is the key feedback from the market regarding BWTS installations and their operation so far?
- What lessons are there to be learned, and best practices to be shared?

The complete panel discussion is available on [Youtube](#).



GREEN4SEA Virtual Forum Panel no. 4

Green Intelligent Ship & Offshore Shanghai Conference 2021 (May 26th - 28th)

Headway Technology Group Technical Manager Kechao Lu attended the Green Intelligent Ship & Offshore Shanghai Conference, delivering a brief presentation on behalf of BEMA to attendees representing classification societies, equipment suppliers, service providers, shipyards and shipowners' associations.



Forthcoming Events

New Opportunity for Ship Conversion Market

2021 International BWT Forum

October 20, 2021 Shanghai, China



Experience Building Phase: GloFouling Update

BEMA aims to support the IMO's Experience Building Phase (EBP) and serve as a resource for sharing experiences from stakeholders as implementation of global Ballast Water Management regulations continues.

In this RBF Bulletin, we are pleased to present the [IMO Partnerships Projects](#) as a case study, thus extending the experience beyond ballast water.



The Department of Partnerships and Projects (DPP) serves as the gateway for developing partnership opportunities with a wide range of external partners, including IMO Member States, UN agencies, financial institutions, NGOs, IGOs and the private sector.

The DPP began operating on March 1st, 2020, to increase the existing portfolio of donor-supported long-term projects supporting the technical cooperation objectives of the IMO. The establishment of the DPP reflects the strong and continuing commitment of the IMO in helping its Member States achieve the 2030 Agenda for Sustainable Development, with its 17 Sustainable Development Goals, and in implementing the Organization's regulatory framework.

The IMO has a long and successful track record of matching the requirements of developing and less-developed countries with resources made available by a range of governmental, institutional and corporate donors. Building on this, the DPP also promotes a culture of collaboration and innovation, creating broader engagement and partnerships with maritime and ocean-related stakeholders.

The DPP strives to help tackle key global challenges, within a maritime context, through innovative partnerships and long-term projects. Decarbonization, marine plastic litter and biofouling are among the topic areas already being addressed by the major projects of the IMO such as [GMN](#), [GloFouling Partnerships](#), [GreenVoyage2050](#), [GloLitter Partnerships](#), [MEPSEAS](#) and [SENSREC](#).



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