



Ukraine revises its ballast water regulations

Under the new regulation inspections of segregated ballasts by ecological inspectorates in Ukrainian ports will be temporarily prohibited.

Published 09 May 2019

The information provided in this article is intended for general information only. While every effort has been made to ensure the accuracy of the information at the time of publication, no warranty or representation is made regarding its completeness or timeliness. The content in this article does not constitute professional advice, and any reliance on such information is strictly at your own risk. Gard AS, including its affiliated companies, agents and employees, shall not be held liable for any loss, expense, or damage of any kind whatsoever arising from reliance on the information provided, irrespective of whether it is sourced from Gard AS, its shareholders, correspondents, or other contributors.

[Ballast water sampling and analyzing](#) in Ukrainian ports for “ecological control” has been an issue for some time.

Recent information from our correspondents comes as a ray of hope as far as compliance with ballast water regulation in the country is concerned. The Cabinet of Ministers of Ukraine published the Resolution No 367 dated 27.3.19 which changes the ballast water regulations in ports of Ukraine. The control of segregated ballast in Ukrainian ports has been cancelled and ecological inspectors are no longer permitted to inspect vessels for the purposes of “ecological control”, including taking and analyzing samples of ballast water. Prior to the new rules, when visible traces of pollution were noticed during de-ballasting, ecologists were permitted to sample and analyse ship’s ballast water and compare results with the limits of polluted materials concentration.

Resolution No 367 dated 27.3.19 states that the mentioned cancellation is not permanent, but will remain in force until new protocols for sampling and testing of ballast water have been adopted. Until such time, ecologists are prohibited from sampling and/or testing vessel’s ballast water.

According to our local correspondents, Legat Odessa LLC, it is likely that ecologists will continue to inspect the ballast systems, log books and ballast water exchange logs, to look for evidence of documentary non-compliance. Furthermore, the ecologists may also look at evidence in the form of visible pollution due to improper cleaning of the vessel’s "grey" water.

In light of the above, it is important that vessels calling ports in the Ukraine follow the below recommendations:

- All masters calling ports in the Ukraine should confirm with their agents that the designated berth does not have any visible traces of pollution prior to arrival. It is also important for the ship's crew to ensure that the ship's side is clear of any traces of pollutants while the vessel stays at berth.
- The ship's crew should periodically check over side of any traces or pollutants and report any issues to the authorities and at the same time inform their P&I club.
- Although the ecologists may not sample or test the ballast water we would reiterate our previous recommendation that Members should strictly adhere to the SIPBS (State Inspection for Protection of the Black Sea) requirements, such as exchange of ballast water when entering the Black Sea, document the exchange in the appropriate logs and the IMO ballast water reporting form, and declare to the agent the quantity of ballast the vessel will discharge in port. Members should pay particular attention to tank maintenance, where the ballast is taken, draining of the tanks when emptied and sampling routines when SIPBS inspectors are on board.
- As most port state control visits onboard vessels will normally start with an examination of relevant certificates and documents, it is also important to ensure that the vessel's ballast water management documentation is complete and up-to-date prior to a port entry. Under the requirements of the [International Ballast Water Management Convention](#) , vessels must have onboard a ballast water management plan, a ballast water record book and an International Ballast Water Management Certificate. The certificate is required for ships of 400 GT and above under a flag which is a Party to the Convention, however, also other vessels will need to demonstrate compliance with the requirements of the Convention.

Gard would like to thank [Legat Odessa LLC](#) for the above information. We encourage Members and clients to share their own experiences with us, using the email lp@gard.no .