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# **Ballast Water Sampling**

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## **The Member State's Perspective**

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Views expressed in this presentation are those of the author and do therefore not necessarily reflect the views of the Member State or the BSH.



# The Member State's Perspective

Problems and issues that need to be overcome with respect to sampling and analysis for compliance in German ports:

1. Identification of the players
2. BSH - PSC
3. PSC expectations
4. Legal framework
5. Summary
6. Way forward?

## Federal Maritime and Hydrographic Agency (BSH):

- maritime partner to industry, science and environmental organisations
- located in Hamburg and Rostock



# BSH and Ballast Water

- BSH is the competent authority for measures to prevent the distribution of alien organisms through ships including the examination, approval and control of ballast water management systems as well as for the necessary preparations and international approval processes
- **NOT** Port State Control (PSC), **BUT** ...



# BSH and Ballast Water

- BSH is the competent authority for the prosecution of environmental violations in general (e.g. MARPOL regulations and most likely in the future for BWMC regulations, ...)
- prosecution as administrative offence can result in fines up to 30.000 € if investigations proof wilful intent/negligence
- **wilful intent /negligence** and violation of D-2 - more proof needed (e.g. not following the manufacturers handbook, ...)

## PSC Germany

- Ship Safety Division  
(BG for transport and traffics)
- regime of Paris MoU (“Paris Memorandum on Port State Control”)
- regime of Directive 2009/16/EC on port State control

## First thoughts of PSC colleagues:

- sampling procedure to be feasible/practical
- small sampling quantities (max. 10 l)
- simple, standardized and fast (max. 1/2 h)
- light equipment (max. 10 kilo)
- short training (max. 2 days)

## Idea:

- D2-Compliance should be proven by “ship”  
(according to an ISO-standardized procedure)

## What do we have so far?

- BWM Convention - Art. 9
- Guidelines for Ballast Water Sampling (G2)
- Aide-Memoire to initiate the development of an IMO-Circular



# Art. 9 - Inspections of Ships

## Inspections for compliance:

WHEN? always possible

EXTEND? limited to

- Certificate
- BWM record book
- G2 sampling

Result? No undue delay (even if analysis is not completed)

# Art. 9 - Inspections of Ships

## Detailed inspection for compliance:

WHEN?	<ul style="list-style-type: none"><li>- no valid Certificate (Cert.)</li><li>- <b>clear grounds</b> for believing a<ul style="list-style-type: none"><li>- substantially lack of correspondence with Cert.</li><li>- lack of essential BWM procedures</li></ul></li></ul>
EXTEND?	?
Result?	<b>No BW Discharge (delay not undue - analysis to be completed?)</b>

# Guidelines G2 - Overview

Aim: practical and technical guidance on ballast water sampling and analysis for compliance control

Limited: to general technical sampling procedures (not addressing legal requirements)

Sampling Methods should be:

- safe to ship, inspectors, crew and operators
- simple, feasible, rapid and applicable at the point of discharge

# Guidelines G2 - Sampling

## D-2 Sampling:

### WHERE?

- from the discharge line - as near to the point of discharge as practicable
- via manholes, sounding pipe or air pipes not preferred
- in tank only if no treatment at discharge

### GOAL

consistent sampling point  
indifferent to BWMS in use

# Guidelines G2 - Sampling

## D-2 Sampling:

WHEN?

During ballast water discharge  
whenever possible

GOAL

consistent sampling time  
indifferent to BWMS in use



# Guidelines G2 - Sampling

D-2 Sampling protocols requirements (6.2):

- **representative samples** of the whole ballast water discharge
- quantity and quality of samples sufficient to demonstrate that **D-2** is meet
- samples concentrated to a manageable size
- (...)

# Guidelines G2 - Analysis

## Analysis:

- **indicative analysis** to evaluate the potential of compliance or non-compliance (6.3)  
GOAL: Identifying immediate mitigation measures
- **D-2 analysis for compliance** (detailed analysis - testing for compliance with D-2 standard)

Aide-Memoire to initiate development of an  
IMO Circular to provide Ballast Water Sampling  
Analysis Protocols and to give advice on  
uniform application of the protocols

- focus on analysis
- technical

# Summary

- sampling and analysis is mentioned/planned for in the BWMC - not only “paper” inspection
- no undue delay < > examples for “clear grounds” (problem of compensation of any loss or damage) ?
- inspection < > detailed inspection with regard to D-2 ?
- non compliant ship < > no ballast water discharge (reception facilities, exceptional BW exchange, ...) ?

# Summary

- representative sample?
- D-2 compliance: average < > instantaneous
- indicative analysis < > indicative sample  
potential of compliance or non-compliance
- D-2 analysis for compliance: ship not BWMS
- wilful intent /negligence and D-2?



# Way Forward?

- one BWMC > uniform implementation
- uniform implementation > uniform inspection  
and therefore guidance on uniform inspection
- uniform inspection > uniform sampling/analysis  
and therefore guidance on uniform  
sampling/analysis

## **Conclusion:**

**Common European Guidance / Procedure  
welcomed and needed!**



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# THANK YOU for your attention!

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