



JULY 30, 2007

CIRCULAR NO. 14/07

TO MEMBERS OF THE ASSOCIATION

Dear Member:

UKRAINIAN PORTS: GROWING INCIDENCE OF FINES CONCERNING THE DISCHARGE OF DIRTY BALLAST WATER

It has come to the attention of your Managers that certain port authorities in the Ukraine, particularly those in the Crimea, are increasingly penalizing shipowners in connection with the de-ballasting of vessels in those ports. The Ukrainian State Inspection for Protection of the Black Sea [SIPBS] has adopted an aggressive policy of imposing fines on vessels engaged in ballasting activities. Recent cases have exhibited fines in the range of USD 40,000.00 to USD 60,000.00 in individual instances.

Members are therefore recommended to ensure that masters of vessels entering Ukrainian ports pay particular attention to obtaining cleaner ballast samples and, in the process, reduce exposure to fines. The following procedures are regarded as being particularly important in this regard.

A vessel's representative should be present on board ship during sampling to ensure that SIPBS does not take samples from the ballast pipe flange in the engine room. Samples drawn from these flanges may be rusty or soiled and could potentially create results indicating an excessive oil product content. Samples should be drawn directly from the open deck manhole of the ballast tank and should not be taken from the surface of the liquid present there – since it may bear some patches of oily film – nor from the bottom of the tank where there might be an accumulation of contaminating materials. Samples should ideally be taken from the mid-levels of the tank where the ballast water is likely to be cleanest.

It goes without saying that ballast tanks should in all cases be well maintained. This means, *inter alia*, that they should be painted and there should be no rust or loose scale inside. If there is excessive rust scale inside the tank, chemical analysis may show that the content of iron in the ballast water exceeds permissible limits. However, freshly painted ballast tanks may create problems if the paint is not of high quality since contaminating oil products may leach from such paint into the ballast water and subsequent analysis thereof show excessive levels of such contaminants.

SIPBS have made it compulsory that vessels change their ballast in the Black Sea. Accordingly, ballast water should preferably be taken in places where the water is visually clean. Locations where seaweed has accumulated should be avoided so as to reduce excessive levels of suspended material being found in subsequent ballast samples. It is also recommended that ballast be exchanged several times and that, generally, no more ballast should at any time be maintained on board than that necessary to fulfill requirements as to the calculation of vessel stability.



As always, your Managers will be pleased to answer any inquiries Members may have both as to the above, and generally.

Yours faithfully,

Joseph E.M. Hughes, Chairman & CEO
Shipowners Claims Bureau, Inc., Managers for
THE AMERICAN CLUB