Ballast water deficiencies in US double in 2017

Reprinted from IHS Fairplay

INTERTANKO's Katharina Stanzel says ballast water equipment is a growing problem for shipowners. Credit: John Galayda

John Gallagher, senior editor – March 23, 2017 – Commercial shipowners are feeling the sting of the US Coast Guard's (USCG's) stepped-up efforts to ensure vessels trading in the United States are complying with US ballast water regulations, according to preliminary data obtained by *Fairplay*.

While the number of ballast water examinations conducted by port state control (PSC) officials increased by just 1.9% in 2017 compared with 2016, the number of ballast water examination deficiencies nearly doubled, from 110 in 2016 to 219 last year.

Part of the jump may be attributed to an increase in the number of vessels that have passed either their initial or extended compliance date for meeting US ballast water requirements, leaving them more susceptible to an infraction.

But since US-type approved ballast water management systems became available to shipowners in December 2016 (as of late March there are six from which to choose), coastguard officials in Washington, DC, have been less sympathetic to owners who continue to delay purchasing and installing the equipment – or at least submit a strategy on how they plan to do so.

PSC, the agency's eyes and ears on the ground at nine districts around the country, have also been taking a harder line on enforcing regulation on ships entering port.

In early 2017, PSC officers ordered a maximum fine of USD38,175 against Hamburg-based vessel operator Vega Reederei after they found the company's bulker *Vega Mars* had dumped untreated ballast water in Port of Tacoma, Washington. It was the first ballast water civil penalty in the United States following approval of ballast water equipment certified for use in the United States.

While actual vessel detentions are rare – there were just 92 overall in 2017, out of thousands of port calls made by foreign vessels – the increase in the number of ballast water-related deficiencies could be a sign of more detentions to come.

According to the coastguard, most of the ballast water-related deficiencies recorded last year were related to ballast water record keeping, inadequate ballast water management plans, or illegal discharge of untreated ballast water into US waters.

In 17 cases, the agency imposed a restriction or operational control on the vessel, which ranged from a letter of warning or civil penalty to ordering the vessel to leave port to conduct a ballast water exchange in open water.

Jennifer Williams, who oversees foreign vessel investigations as the coastguard's director of inspections and compliance, said some common threads behind the data show a lack of familiarity and training among vessel crews with installed ballast water management equipment, as well as an over-reliance on manufacturers for routine equipment maintenance. In some cases, she said, vessels are only operating ballast water management systems when entering US waters – a problem for equipment that requires regular use to function reliably.

"Shipowners have a lot of questions, because ballast water systems are somewhat new and they're not used to them yet," Williams told *Fairplay*. "They feel like they don't know enough about the manufacturers, how to fix them, how to maintain them – there's a lot of people in the industry that are very uncomfortable with the situation."

The problem is reminiscent of breakdowns associated with oily water separator equipment, which have been required for decades to prevent the dumping of large volumes of oil found in bilge water. Those breakdowns have sometimes been a factor in the use by vessel crews of hoses known as "magic pipes" to illegally bypass the inoperable equipment, allowing untreated bilge water to be dumped directly overboard. Magic pipe violations have resulted in civil penalties and fines as high as USD40 million.

The regulation governing ballast water discharges in the United States has been in force since June 2012, and is aimed at preventing the larvae of invasive species such as zebra and quagga mussels from being carried from one region of the world to another in a ship's ballast tanks. The regulation is considered stricter than the International Maritime Organization's Ballast Water Convention, to which the United States is not a signatory. Up until last year, however, the coastguard has been forced to take a measured approach to enforcing its regulation because of the lack of ballast water equipment certified for use in US waters.

Now that shipowners have started using the new equipment, the problem has become one of operability. Ole Schroeder, director of Environmental Compliance for Scorpio Tankers, has been frustrated by the ballast water equipment breakdowns on his fleet, and the lack of service response from vendors, after spending millions of dollars to retrofit the company's ships.

“In general, this is a big issue for the whole industry, and we haven’t made much progress,” Schroeder told *Fairplay*. “All of these [ballast water] units have certain limitations. Our experience has been weak follow-up from the manufacturer once the system is in place, and a lack of properly trained service engineers. We’ve also had problems getting spare parts when components break down. If we can get them to be better at coming onboard to fix the problem, it will be a good step.”

Katharina Stanzel, managing director of tanker vessel owner group INTERTANKO, met with her members this week in Dubai to exchange experiences among those who have installed ballast water equipment. “It’s not good news, and that’s a problem,” she told attendees at the Connecticut Maritime Association (CMA) conference in Stamford, Connecticut, on 12 March. Having training in marine biology, she said, “Life wants to live, and killing [invasive species] is really difficult. And doing so effectively is what these ballast water systems are supposed to do.”

BIMCO CEO Angus Frew, also speaking at CMA, said manufacturers of the equipment should also bear some responsibility. Manufacturers, he said, should “provide systems that are as easy to use as possible, and that there is a service network worldwide to support these systems. It’s an upfront investment, but we can’t run ships in international trade without them in place”.

Getting manufacturers to shoulder responsibility for equipment breakdowns – outside the contractual agreement with the vessel owner – is not likely. But shipowners trading in the United States can be spared some of the headaches they are experiencing from equipment breakdowns through a liberal enforcement policy by the coastguard, argues maritime regulations compliance expert Jeanne Grasso, a partner at law firm Blank Rome.

“I don’t know that this is a liability issue, to me, it’s more of a regulatory discretion issue,” Grasso told *Fairplay*. “Ships travel around the world, so if the manufacturer can’t deliver in a timely manner, I don’t think the shipowner should take the hit for that. I think the coastguard should recognise that this is a new technology and the challenges it presents for shipowners.”

Grasso is in favour of a USCG ballast water regime in which the ability of a ballast water manufacturer to respond to service outages be taken into account during the equipment type-approval process.

“What does the vendor’s service network look like, and how extensive is it? What is their capacity for getting parts delivered in a timely fashion at port locations around the world? If the coastguard is not considering those questions during the type-approval phase, then I think it should be using more discretion when enforcing the regulation.”

Williams acknowledges the challenges faced by foreign shipowners trading in the United States, and that she is striving for a “consistent and practical” approach.

“The US Coast Guard recognises that the BWM systems on the market are not perfect and operators will experience problems as they make an effort to comply with the standards,” she said. “But waiting for a perfect solution while the real environmental threat of invasive species continues is not an option.”

Contact John Gallagher and follow him on Twitter:@JohnAGallagher1

News Release

Contact: Mark Riggio
724.218.7304
mriggio@hydemarine.com

About Calgon Carbon Corporation

Calgon Carbon, a wholly-owned subsidiary of Kuraray Co., Ltd. (TYO: 3405) (Kuraray), is a global leader in the manufacture and/or distribution of innovative coal-, wood- and coconut-based activated carbon products – in granular, powdered, pelletized and cloth form – to meet the most challenging purification demands of customers throughout the world. Complemented by world-class activated carbon and ultraviolet (UV) light purification and disinfection equipment systems and service capabilities, as well as diatomaceous earth and perlites, Calgon Carbon provides purification solutions for more than 700 distinct applications, including drinking water, wastewater, pollution abatement, and a variety of industrial and commercial manufacturing processes.

Headquartered in Pittsburgh, Pennsylvania, Calgon Carbon employs approximately 1,300 people and operates 20 manufacturing, reactivation, innovation and equipment fabrication facilities in the U.S., Asia, and in Europe, where Calgon Carbon is known as Chemviron.

Calgon Carbon was acquired by Kuraray in March of 2018. With complementary products and services, the combined organization will continue to focus on providing the highest quality and most innovative activated carbon and filtration media products, equipment, and services to meet customer needs anywhere in the world. For more information, visit calgoncarbon.com.

About Hyde Marine

With more than 100 years in the maritime industry, Hyde Marine, as part of Calgon Carbon UV Technologies, LLC, is a pioneer in the development of ballast water treatment systems. Since participating in the first treatment system in 1996, Hyde marine has become the leading U.S. manufacturer and market educator regarding regulations, technology choice, installations, and sector challenges. Since its initial launch in 1998, the Hyde GUARDIAN® BWTS has rapidly emerged as the industry leader, featuring mechanical separation followed by UV disinfection. With more than 500 Hyde GUARDIAN units sold to date, installed on various types of ships, there is no doubt why their customers continue to Demand Hyde Marine.
Calgon Carbon UV Technologies, LLC d/b/a Hyde Marine
www.hydemarine.com

+1.724.218.7001 | www.hydemarine.com