



CIRCULAR 002/2017
NEW PROVISIONS ON BALLAST WATER MANAGEMENT:
BALLAST CHLORINATING

On 17th February 2005 Argentina ratified the “International Convention for the Control and Management of Ships’ Ballast Water and Sediments (BWM), 2004” which was passed by Law N° 27.011. Whilst the BWM Convention will enter into force on 8th September 2017, the Ministry of Environment and Sustainable development enacted – somehow surprisingly – the Resolution 85-E/2017, published on 15th February 2017 and which came into force on 24th February 2017 (hereinafter the “Resolution”).

Until the BWM Convention enters into force, the “Resolution” compels all ships calling Argentinean ports not only to comply with Coastguards Ordinance 7/98 (in force and practice for many years now) but also to apply at roads a “Chlorinating Procedure” on the ballast tanks according with the provisions of the Resolution 159/99 issued by the Ministry of Health and Social Action, which establishes a proportion of chlorine to be applied of 15 PPM.

After coming into force, the “Resolution” was not applied until recently when the sanitary authorities at San Lorenzo port commenced requesting the certificate of chlorination as per the new regulation.

In general, for the time being at San Lorenzo port, the ship agents are providing chlorine to the vessels that do not have it on board, for the Crew to perform the chlorination and the Master to issue the certificate as per section 2 of the Resolution.

It cannot be disregarded that other jurisdictions would adopt similar requests. We suggest to your Members to seek instructions on this matter from the ship’s agents prior to her arrival.

Please find below an office translation of the aforementioned “Resolution”:

Section 1° All vessels engaged in maritime international navigation coming from ports abroad, carrying on board ballast water and bound for Argentinean ports shall, in addition to comply thoroughly with the Coastguards Ordinance N° 7/98, undertake at roads or similar anchorage or berthing places, a chemical proceeding on the ballast tanks, applying the chlorinated procedure established on Resolution N°159/99 issued by the Ministry of Health and Social Action, until the BWM Convention passed by Act N°27,011 come into force.

Section 2° those applying the chloride technique on the ballast tanks, shall issue a certificate and sample the treated ballast tanks prior to its discharge. Such certificate shall be submitted before the Authority of Control. The certificate shall include vessel’s details: name and flag, distinctive number or letters, port of registry, IMO number and the total m3 ballast capacity; Company that provided the service and its details: place and date of the chlorination of the tank, quantity (m3) of ballast treated, tanks treated and ballast pumps, among other relevant information.

Section 3° during the chlorination procedure, the following variables shall be controlled: doses and concentration, pH, temperature, mixture, dispersion and mixing degree, contact period and exposure. Upon the procedure and prior to its discharge, the content of residual chlorine shall be controlled according to the requirements of the relevant jurisdiction, allowing the use of neutralizers to reduce its concentration.

The aforementioned actions, at roads or similar area, shall be arranged and paid for the Ship Agent so as to optimize the periods for loading, the management resources and treatment at roads.



If unballasting takes place at port, without applying the chloride procedure, it shall be undertaken at appropriate facilities and the agency shall record those on the Ballast Book, to prevent and ensure the quality of its subsequent discharge.

Section 4° regarding its sediments, all vessels included on Section 1° which cannot apply the methods of cleaning ballast in high seas, shall enter the reasons in the ballast book, being absolutely forbidden to discharge the sediments in areas not allowed by the Authority of Control.

If the disposal of the sediments is to take place at port, due to the possible ballast tank cleaning and/or repair and subsequent cleaning, the Ship Agent will be in charge of the disposal. To that end, the sediments shall be placed in containers to be kept in the provisional custody of the port for its subsequent treatment outside, or shall be disposed directly outside the port. In both cases, the disposal shall be carried out as per the applicable local/provincial and/or national legislation.

Section 5° For the purpose of facilitating compliance of SECTIONS 3° and 4° of this resolution, the General Port Administration and/or each provincial/national Port Administration will ensure the existence of suitable facilities for the reception of ballast water and temporary storage of ballast tanks' sediments for their subsequent eco-friendly treatment ashore.

Section 6° In order to comply with everything stated herein, each vessel's Maritime Agency shall be responsible for the costs involved, obligations and compliance of this resolution, as well as for the environmentally safe management and treatment of the ballast water and its sediments, whether it is carried out onshore or at roads.

Section 7° Vessels complying with the obligation of unballasting in high sea shall hold ballast water and its sediments until they enter areas designated to that end and/or leave areas where contamination actions are forbidden.

Section 8° For the purpose of complying with all stated in SECTION 7°, the Authority of Control will be entitled to demand the usage of seals in tanks' control valves and/or ballast pumps, as well as take samples, through the usage approved technologies, of the content in ballast tanks, pipes and pumps in order to control the presence of harmful water organisms.

Section 9° All vessels that fall within the scope of this resolution shall keep record of all actions and procedures mentioned herein in their respective ballast books.

Section 10° The present resolution shall be registered, reported/informed, published, passed to the NATIONAL BUREAU OF OFICIAL REGISTRY and filed.- Sergio Alejandro Bergman.

We shall keep monitoring the situation and will keep you posted. In the meantime, we remain at your disposal if clarification or additional information is needed.

Yours faithfully

PANDI LIQUIDADORES SRL