

JAPAN P&I NEWS

No.968

10 July 2018

To the Members

[Revised] Ukraine - Development of Ballast Water Problems

***Please note the correct information as per attached.**

The Association has been informed by Dias Marine Consulting p.c., our correspondent in Ukraine, of the development of the problem regarding the ballast water inspections by the local ecological inspectors in Ukraine.

Please find the attached correspondent's circular. As announced by [Japan P&I News No.948](#) dated 8 March 2018, Ukrainian law on the segregated ballast quality control on board ships has become effective again since 2017. They explain the latest situation after its re-installation and introduce the countermeasures.

It is recommended that the Members keep in close contact with their local agents in calling Ukrainian port to check the latest status.

Yours faithfully,

The Japan Ship Owners' Mutual Protection & Indemnity Association
Claims Department

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Attachment: Dias Marine Consulting p.c. Circular dated 14 June and 9 July 2018

Important correction to the latest Notification dd. 14.06.18

Dear Sirs,

We regret to inform you that there is misprint in our latest NOTIFICATION: “New Aspects of Ballast Problems in Ukrainian Ports” dd. 14.06.2018. The phrase “Therefore, we do recommend in order to avoid undue fines not to hinder the Inspectors and to allow them to take the ballast samples but it’s worth to make sure that the samples are taken from the ballast tanks and not from the pipelines (it may also be useful to changes ballast **before entering** the Black Sea and maintain the tanks well so that there is no rust/corrosion/suspended solids in there; fresh paint also will add no good to the analyses results).” Should be read “Therefore, we do recommend in order to avoid undue fines not to hinder the Inspectors and to allow them to take the ballast samples but it’s worth to make sure that the samples are taken from the ballast tanks and not from the pipelines (it may also be useful to changes ballast **after entering** the Black Sea and maintain the tanks well so that there is no rust/corrosion/suspended solids in there; fresh paint also will add no good to the analyses results).”

We do apologize for this misprint! We hope for your understanding.

Best regards,

Natalia Kalinina

For Igor Cherezov

NOTIFICATION. New Aspects of Ballast Problems in Ukrainian Ports. 14.06.2018

As we are trying to keep our Principals and their Members updated on the subject of ecological authorities activities in Ukrainian ports and related problems, we would like to draw your attention once again to the recent changes, which we are afraid are not for the better.

Following our recommendations for about a year the Owners and the Masters of the ships calling at the Ukrainian ports were able to successfully repel the attacks of the ecological inspectors by not allowing them on board their ships to take samples of segregated ballast and thus, not giving them an opportunity to impose unfair fines. But much to our regret the situation has changed drastically and as we reported in our Notification dd. 05 March 2018 the latest changes in Ukrainian legislation unfortunately returned some rights to the ecological inspectors – they now have a full right to come onboard and take samples of the ballast for further laboratory analysis and take quite an aggressive attitude if obstructed (for the recent fortnight we were notified of a couple of serious conflicts between the Masters, unaware of our latest notification, and the Ecological Inspection resulted in huge fines and penalties).

Therefore, we do recommend in order to avoid undue fines not to hinder the Inspectors and to allow them to take the ballast samples but it's worth to make sure that the samples are taken from the ballast tanks and not from the pipelines (it may also be useful to changes ballast before entering the Black Sea and maintain the tanks well so that there is no rust/corrosion/suspended solids in there; fresh paint also will add no good to the analyses results).

Finally, we would like to emphasize that the best defense against the improper fines is a counter-claim filed after the vessel's departure and there are good chances of winning the case, return the money and restrain the unscrupulous ecological officials in future.

We hope the above will be of help and we remain at your full disposal for any further information/assistance you may require.

Kind regards,

Igor Cherezov