



Clean Seas Guide 2004

The Baltic Sea Area



A MARPOL 73/78 Special Area

**Information for Mariners from the Helsinki Commission
- Baltic Marine Environment Protection Commission -**



Introduction

The Baltic Sea area comprises the Baltic Sea proper, plus the Gulf of Bothnia, the Gulf of Finland, and the entrance to the Baltic Sea bounded by the parallel of the Skaw in the Skagerrak at 57°44.43'N. With a total area of about 370,000 km², the Baltic Sea area is one of the world's largest brackish water basins.

The Baltic Sea area has always been of great importance to the people living around it, providing a natural bond as well as routes of navigation. Fisheries remain a valuable part of people's livelihood and the Baltic Sea area is also a recreational resource of growing value.

Because of the very specific hydrographical, chemical and physical conditions of the Baltic Sea area, and its geological history, it possesses quite unusual fauna and flora. Marine and freshwater organisms live side by side, and there is a number of living relicts. The exchange of water in the Baltic Sea is very slow, and if harmful substances are introduced they will remain there for a very long time. As the fauna and flora of the Baltic Sea area are extremely sensitive to changes in their environment there should be no discharges of harmful substances, especially oil and noxious liquid substances, into this vulnerable sea.





The Helsinki Convention

Growing awareness that national measures alone are not sufficient to protect this highly sensitive marine environment led the Baltic Sea States to adopt the HELSINKI CONVENTION, which was signed in 1974 and came into force in 1980. The 1974 Convention was the first international agreement worldwide to take into account all aspects of marine environment protection. The Convention aims to prevent pollution from ships (including dumping), pollution from land-based sources, and pollution resulting from the exploration and exploitation of the seabed and its subsoil. The Convention also regulates the co-operation to respond to marine pollution by oil and other harmful substances.

A new Convention was signed in 1992 in order to extend, strengthen and modernize the legal regime for the protection of the marine environment of

the Baltic Sea area. The 1992 HELSINKI CONVENTION entered into force on 17 January 2000. The Convention text and HELCOM Recommendations can be found in the internet, see www.helcom.fi.

The pollution prevention regulations

To protect the marine environment of the Baltic Sea area from pollution, **every** ship entering the area is **urged** to comply with the anti-pollution regulations of the HELSINKI CONVENTION. This applies to **all** ships, irrespective of whether or not they are flying the flag of a Contracting Party to the HELSINKI CONVENTION.

In accordance with MARPOL 73/78, under which the Baltic Sea area has been designated as a special area, far-reaching prohibitions and restrictions on any discharge into the sea of oil or oily mixtures, noxious liquid substances and garbage have been introduced by the Baltic Sea States. In addition, regulations concerning the discharge of sewage into the sea and the prohibition of incineration of ship-generated wastes in the territorial seas of the Baltic Sea States have been adopted by the Contracting Parties to the HELSINKI CONVENTION. There is also a general ban on dumping and incineration of other wastes, not incidental to or derived from the normal operation of ships, in the entire Baltic Sea area.

The discharge regulations must be strictly observed owing to the vulnerable marine environment of the Baltic Sea area and in order to keep the shorelines and beaches clean.

The responsibility for avoiding discharges of oil or other harmful substances rests not only with the master and his crew but also with the charterer, the ship-owner and the ports.

The master and his crew should be fully proficient in carrying out the correct procedures and should apply them carefully and conscientiously.

The charterer should include in the Charter Party a clause stating his policy on pollution prevention compliance.

The ship-owner should ensure sound management in safety and pollution prevention, as required by the International Safety Management Code for certain categories of ships.

Ports must be prepared to accept tank cleaning slops, or cargo that has been mixed with retained residues.

The discharge regulations are as follows:

Oil

Any discharge of oil or oily mixtures into the Baltic Sea area is prohibited. Oil means petroleum in any form including crude oil,



fuel oil, sludge, oil refuse and refined products. The prohibition applies not only to discharges from the cargo tanks of oil tankers but equally to discharges from the machinery spaces of any ship. Only if the oil content in the effluent does not exceed 15 parts per million can a discharge be permitted. The oil filtering equipment must be provided with arrangements that ensure that any discharge of oil or oily mixtures is automatically stopped when the oil content in the effluent exceeds 15 parts per million. Since 1 January 2002 also ships of less than 400 tons gross tonnage, flying the flag of a Baltic Sea State, should comply with adopted guidelines concerning holding tanks/oily water separating or filtering equipment.

Finland has prohibited the use of bilge water separators in her inland waterways and in the territorial waters, within the area 4 nautical miles from the nearest land.



Noxious liquid substances carried in bulk

Within the Baltic Sea area there is a prohibition on discharges from tanks that have contained Category A or B substances, specified by IMO's International Bulk Chemical Code, which categorizes noxious liquid substances carried in bulk as A, B, C or D according to their magnitude of harm to the marine environment if discharged.

Tanks having contained Category A or B substances must be pre-washed and the resultant tank washings must be delivered to a reception facility. This is either to ensure a certain concentration of the substance in the effluent or a certain concentration of the substance in the wake astern of the ship. The same applies to tanks that have contained high-viscosity or solidifying Category C substances. The eventual discharge into the sea must comply with provisions on the speed of

the ship, discharge below the waterline, distance from the nearest land and depth of water.

For discharges from tanks that have contained other Category C substances there are provisions on the concentration of the substance in the wake astern of the ship, maximum quantity of cargo to be discharged, speed of the ship, distance from the nearest land, discharge below waterline and depth of water.

Likewise provisions on concentration of the mixtures to be discharged, speed of the ship and distance from the nearest land apply to discharges from tanks that have contained Category D substances.

The discharge into the sea of noxious liquid substances which have not been categorized, provisionally assessed or evaluated, or of ballast water, tank washings, or other residues or mixtures containing such substances is prohibited.

Sewage

For ships flying the flag of a Baltic Sea State it is prohibited to discharge sewage within 12 nautical miles of the nearest land. This prohibition also applies to all other ships in the territorial seas of the Baltic Sea States. However, sewage that has been comminuted and disinfected using an approved system may be discharged at distances greater than 3 nautical miles from the nearest land. In any case, when

discharging from a sewage holding tank, the discharge must be at a moderate rate and the ship must be proceeding en route at a minimum speed of 4 knots. Only if an approved sewage treatment plant is used onboard can discharge take place at any distance from the nearest land.

For ships, flying the flag of a Baltic Sea State, certified to carry more than 50 persons and engaged in international voyages in the Baltic Sea area regulations on Surveys and Sewage Pollution Prevention Certificates also apply.

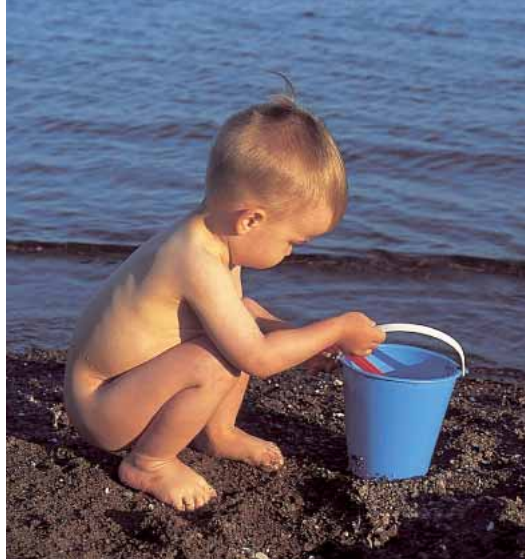
Garbage

Discharge of garbage in the Baltic Sea area is prohibited. However, food wastes may be discharged, but in any case not less than 12 nautical miles from the nearest land.

Fuel oil quality

In the Baltic Sea area ship-owners are encouraged to use marine fuel oils with as low sulphur content as possible, but not exceeding 1.5% by weight. Alternatively, exhaust gas treatment systems, proven to cause no harm to the marine environment, may be used.

The Baltic Sea States have also agreed to take actions to reduce and finally prohibit the use of ozone-depleting substances on board ships flying the flag of a Baltic Sea State.



When Annex VI of MARPOL 73/78 on “Regulations for the Prevention of Air Pollution from Ships” enters into force on 20 May 2005 the Baltic Sea area will obtain the status of a SO_x emission control area requiring that on and after 20 May 2006 all ships navigating in the area use fuel oil with a sulphur content not exceeding 1.5% m/m or an exhaust gas cleaning system/any other technical method reducing the total emissions of sulphur oxides from ships. In accordance with Annex VI deliberate emissions of ozone-depleting substances will be prohibited.

Prohibition of incineration

Incineration means the deliberate combustion of wastes or other matter at sea for the purpose of their thermal destruction, excluding activities incidental to the normal operation of ships or other man-made structures.



Incineration, except for incineration of ship-generated wastes, is prohibited throughout the Baltic Sea area. However, incineration of wastes deriving from the normal operation of the ship is also prohibited in the territorial seas of the Baltic Sea States.

Prohibition of dumping

Dumping means any deliberate disposal at sea of wastes or other matter from ships, or any deliberate disposal of ships at sea. The prohibition of dumping does not apply to the disposal of dredged materials at sea, provided specific provisions are complied with.

Dumping is prohibited throughout the Baltic Sea area.

Regulations for small ships

All the discharge regulations, described above, apply equally to small ships,

including fishing vessels, working vessels and pleasure craft. To ensure this, such ships, sailing the flag of a Baltic Sea State, should have onboard for example garbage retention appliances suitable for collection and separation of garbage.

Small ships, built on or after 1 January 2000 and fitted with a toilet, must comply with the sewage discharge regulations of the revised Annex IV "Regulations for the Prevention of Pollution by Sewage from Ships" of MARPOL 73/78 and be able to connect to sewage reception facility pipes. Small ships built before 1 January 2000 must comply with the sewage discharge regulations of the revised Annex IV of MARPOL 73/78 by 1 January 2005.

Discharge of ships' wastes into port reception facilities

Mandatory delivery of wastes at port reception facilities

All ships, with some exceptions, are under an obligation to deliver to a port reception facility, before leaving the port, their ship-generated wastes and cargo residues that cannot be legally discharged under the global International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), or under the HELSINKI CONVENTION.

Availability of port reception facilities

To enable ships to deliver their ship-generated wastes and cargo residues, over 210 port reception facilities are provided in ports located around the Baltic Sea area.

Delivery of oil to reception facilities

Oil loading terminals, repair ports and other ports are provided with reception facilities to receive and treat oily residues and oily mixtures from oil tankers and other ships.

Delivery of residues of noxious liquid substances carried in bulk

Facilities are available to receive ballast water or tank washings containing cargo residues of noxious liquid substances in Categories A, B and C (if applicable):

- where such noxious liquid substances are unloaded and a pre-wash is carried out;
- where tankers are loaded, provided that the loading port has confirmed it can and will receive the residues and mixtures containing noxious liquid substances;
- where tankers are to be repaired and when the removal of ballast water or tank washings containing cargo residues of noxious liquid substances is necessary before repair work can be carried out.

The facilities are expected to have adequate capacity to meet the needs of ships without causing undue delay. Waste discharge procedures and arrangements



are described in waste management plans elaborated by the ports. Information on reception facilities in more than 100 ports of Denmark, Estonia, Latvia, Lithuania and Russia can be found in the Baltic Ports Waste Information System on www.helcom.fi.

Delivery of sewage and garbage

Reception facilities are available for sewage and garbage.

Notification of the intended use of port reception facilities

To ensure the use and efficiency of the port reception facilities, an information sheet must be forwarded to the next port of call 24 hours in advance of the intended use of a port reception facility. The sheet must include the following information: the capacity of the waste storage tanks/bins on board; the amounts of wastes delivered



at the last port of call; and the estimated amounts of wastes to be delivered at the next port of call. The notification can be also accomplished electronically via the Baltic Ports Waste Information System.

The “no-special-fee” system

According to the “no-special-fee” system, a fee covering the cost of reception, handling and final disposal of ship-generated wastes is levied on the ship irrespective of whether or not ship-generated wastes are actually delivered. The fee is included in the harbour fee or otherwise charged to the ship.

Currently the “no-special-fee” system should be applied in all Baltic Sea ports

to oily wastes from machinery spaces. The “no-special-fee” system is expected to be extended by 2005 to cover other categories of ship-generated wastes, i.e., sewage and garbage.

Detection and prosecution of offenders of anti-pollution regulations

The Baltic Sea States place high priority on the elimination of violations of anti-pollution regulations, and on the conviction of any offenders.

Various actions have been taken to this end.

Cargo, Oil and Garbage Record Books

MARPOL 73/78 and the HELSINKI CONVENTION lay down a duty to keep Cargo, Oil and Garbage Record Books, and specify the operations requiring entries in the appropriate Record Books. Accurate and timely entries in Cargo, Oil and Garbage Record Books are of utmost importance to ensure compliance with the special discharge regulations. A copy of the relevant Record Book may be used in judicial proceedings as evidence of facts stated in the entry.

Aerial surveillance

In order to prevent and detect any violation of discharge regulations, the Baltic Sea States regularly conduct aerial surveillance supported by satellite observations of their response regions and jointly survey specific parts of the Baltic Sea area.

During the joint surveys a chosen traffic route is surveyed for a minimum of 24 hours by a number of aircraft from the Baltic Sea States. A joint command post manages the surveillance in close co-operation with patrol vessels, ready to take proper measures when offenders are detected.

Co-operation in investigation

The Baltic Sea States are co-operating to investigate violations of anti-pollution regulations.

This is particularly important when a ship violates the discharge regulations in the waters of one State, without calling at a port in that State, and proceeds to a port in another State. Thus, a Baltic Sea State can request another State to conduct a Port State Control upon the ship's arrival at the next port of call, to obtain necessary information and evidence of the suspected violation.

To enhance this co-operation, the Baltic Sea States have elaborated a Baltic Legal Manual specifying the requirements for



obtaining a conviction in each Baltic Sea State and Guidelines on ensuring successful convictions of offenders of anti-pollution regulations at sea.

Fines

The Baltic Sea States have agreed to harmonize administrative fines by deciding on a minimum level, which is intended to be preventive - discouraging the master or other person in charge of a ship from violating the anti-pollution regulations. The minimum level will prevent fines varying greatly between the Baltic Sea States, and will also avoid a situation in which it is cheaper to discharge illegally than to port reception facilities.



Countermeasures against spillages of oil or other harmful substances

Reporting systems

In order to facilitate countermeasures against spillages of oil or other harmful substances, it has been agreed internationally that the master or other person in charge of any ship involved in an incident must report the particulars of the incident in the following cases:

- a) a discharge above the permitted level or probable discharge of oil or of noxious liquid substances for whatever reason including those for the purpose of securing the safety of the ship or for saving life at sea; or
- b) a discharge or probable discharge of harmful substances in packaged form, including those in freight containers, portable tanks, road and rail vehicles and shipborne barges; or
- c) damage, failure or breakdown of a ship of 15 metres in length or above which:
 - i) affects the safety of the ship; including but not limited to collision, grounding, fire, explosion, structural failure, flooding and cargo shifting; or
 - ii) results in impairment of the safety of navigation; including but not limited to, failure or breakdown of steering gear, propulsion plant, electrical generating system, and essential shipborne navigational aids.

Furthermore, the Baltic Sea States have agreed that the master or other person in charge of any ship shall report in case of

d) observations of significant spillages of oil or other harmful substances.

Reports shall be made by the fastest telecommunications channels available with the highest possible priority to the nearest coastal State. In case of incidents involving oil the procedures in the shipboard oil pollution emergency plan shall be followed.

Additionally, the Baltic Sea States have agreed that by 1 January 2001 ships bound for or leaving a port of a Baltic Sea State and carrying dangerous or polluting goods, must report on the substances to the competent authority of that Baltic Sea State. Some Baltic Sea States have already made this reporting requirement obligatory under their national law.

Safety of navigation

In addition to the pollution prevention measures referred to above, the Baltic Sea States have agreed on certain safety measures in the Baltic Sea area, like ship routing, ship reporting, traffic separation schemes, pilotage, safety of winter navigation etc.

Route T

A transit route (Route T) through the Kattegat, the Great Belt and the Western Baltic has been established for big draught ships.

SHIPPOS

IMO recommends that large ships navigating Route T participate in the radio reporting service SHIPPOS. The system, which is free of charge, provides beneficial information to ships.

Ship reporting systems

IMO has adopted a mandatory ship reporting system in the Great Belt Traffic Area. Ships with a gross tonnage equal to or exceeding 50 GT, and all ships with an air draught of 15 metres or more, are required to submit a ship report to the VTS Centre. Participation is free of charge.

Mandatory ship reporting systems have also been established nationally by the Baltic Sea States in approaches to oil terminals.

Automatic Identification System (AIS)

The Baltic Sea area within A1 sea area will be covered by land-based monitoring systems for ships, based on AIS signals, by 1 July 2005.

The AIS information will improve the safety of navigation via real time information as well as statistical information on shipping in the Baltic Sea. The AIS information will also be used to identify offenders of anti-pollution regulations.

Traffic separation schemes

Traffic separation schemes are established and adopted by IMO in the following parts of the Baltic Sea area:

Area	Number of schemes
In Samsø Belt/Great Belt	2
In the Sound	2
Off Kiel lighthouse	1
South of Gedser	1
South of Öland Island	1
South of Gotland Island	1
Entrance to the Gulf of Finland	2
In the Gulf of Finland	5

Pilotage

Pilotage services are established locally by the coastal states.

IMO recommends that, when navigating the Sound, local pilotage services should be used by

- loaded oil tankers with a draught of 7 metres or more;
- loaded chemical tankers and gas carriers irrespective of size; and
- ships carrying a shipment of irradiated nuclear fuel, plutonium and high-level radioactive wastes (INFcargoes).

IMO also recommends that, when navigating Route T, established pilotage services should be used by

- large ships with a draught of 11 metres or more; and

- ships carrying a shipment of irradiated nuclear fuel, plutonium and high-level radioactive wastes (INFcargoes).

Deep sea pilotage

Certified Baltic deep sea pilots are available in all Baltic Sea States.

Safety of winter navigation

Adequate ice strengthening is required for ships sailing in ice.

Information about ice conditions in the Baltic Sea area can be obtained from the national ice services. Contact information of the national ice services and basic information about ice conditions in the Baltic Sea area can be obtained from the common website of the national ice services of the Baltic Sea States www.bsis-ice.de.

Electronic Chart Display and Information Systems (ECDIS)

Ships with a draught of 11 metres or more, oil tankers with a draught of 7 metres or more, chemical tankers and gas carriers irrespective of size and ships carrying a shipment of INF cargo who are involved in transport of goods to and from ports in the Baltic Sea area are encouraged to carry ECDIS (Electronic Chart Display and Information Systems).

The Baltic Sea countries are accepting ECDIS as equivalent to paper charts in accordance with Chapter V of SOLAS.





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