

An aerial photograph of a coastal region, showing a large bay on the left and a narrow channel or inlet on the right. The land is light-colored, and the water is dark blue. The text is overlaid on the image.

# ***Port State Control***

## ***A three-tiered approach***

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# ***Outline***

- Introduction
- Vessel's approach
- PSC: local approach
- Regional cooperation

# **1- Introduction**

*“[...] Some flag States fail to fulfil their commitments contained in agreed international legal instruments and subsequently some ships are sailing in an unsafe condition, threatening the lives as well as the marine environment. Port State control is a system of harmonized inspection procedures designed to target sub-standards ships with the main objective being their eventual elimination. .”*

Mediterranean MoU on PSC website ([www.medmou.org/](http://www.medmou.org/))

*“1.6.4. Inspection: A visit on board a ship to check both the validity of the relevant certificates and other documents, and the overall condition of the ship, its equipment and its crew.”*

PROCEDURES FOR PORT STATE CONTROL 2000 Edition, IMO, London 2001

# ***In short***

## PSC principle:

Mitigate risk placed on ports posed by substandard vessels or vessel not complying with international conventions

### Global level

- Flag state or R.O. surveys unreliability
- “2<sup>nd</sup> line of defense” for safety / environment protection and properties

### National level

- Legal instrument to enforce rules
- Protect national interests and avoid threats of substandard vessels
- Political action to reassure (public and state)
- Costly investment for Port State

### On vessel's level

- PSCO can be considered as a third party controlling the vessel
- PSC implies direct relationship Vessel/Port State

# ***PSC & Ballast Convention***

## Nation Scale

- Ports & loading facilities – location of majority of ballast operation
- Protection of coastline & included in coastal management program

## Vessel's scale

- Verification of vessel's compliance & ballast management
- Verify whether vessel can perform safe ballast operation
- Sampling if necessary
- Penalties & detention for violations

## **2- Vessel's approach**

Meaning of PSC for a vessel's crew ->

Feeling of being under strict scrutiny and considered as a suspect.

- Control made in addition of statutory surveys
- Survey done mainly during cargo operation
- Extra burden and stress for crew
- Today's lack of knowledge & training

# ***Meaning of Ballast Management***

## Traditionally:

- Stability
- Draft adjustment
- Trim optimization
- Stress distribution
- Bending moments

## Today:

- Extra workload
- Extra procedures
- Extra control
- Extra paperwork
- Extra risk for vessel
- Extra care for environment
- Management without new resources



# ***Ballast Management Documentation On Board***

## Documents related to the vessel

- Ballast water management plan is approved by Administration (*Regulation B-1*)
- Ballast water record book is available on board (*Regulation B-2*)
- Ballast water management guidelines and procedures often include inside vessel SMS
- Vessel's technical and operational manuals on ballast equipment type and use

## Other documentation available to assist proper ballast management

- Text of “International Convention for the Control and Management of Ships’ Ballast Water and Sediments, 2004” – plus guidelines
- National documentation (i.e. USA-Australia) and local documentation (i.e. California – Victoria)
- All kind of guidelines and good practices documentation



# ***Practice of ballast management***

- Identification of crew involved in ballast management & work distribution:
  - In practice: C/O in charge of ballast management under Captain's responsibility. C/O makes calculations, plans working operations, fill in record book, manage & manage equipment...
  - Main operators: deck officers operates according to C/O instructions and plans
  - Supportive crew (i.e. sounding, equipment checks...)
- Ballast management:
  - General instructions and procedures concerning equipment, safety issues, testing and sounding, maintenance, sediment management, ballast exchange, reporting requirements & forms...
  - In port (adapt vessel's conditions to cargo and particular needs)
  - At sea (adapt vessel to convention's expectation & changes of vessel's conditions and needs)
- Preparation & submission of BWRF together with required documentation
- Recordkeeping of all ballast movements

# ***Inspection of Ballast system***

## Port State Control Officer:

- Check of records & logs
- Cross-check with sea charts / logs
- Assess ballast water quality
- Explains local requirements
- Indicates which ballasts can be discharged
- Seals valves which should not be opened
- Eventually takes samples & visit ballast
- Before leaving the vessel, he issues a certificate of visit with remarks
- In case of violation or clear grounds, PSCO begins a in-depth survey

## Crew:

- Provide documentations & make available logs
- Assist PSCO in order to see ship's equipment & take samples
- Adapt ballast, operation & working schedule to PSCO's demands

# 3- PSC: local / national approach

Targeting of vessels (risk assessment)

## Initial Inspection :

- Certificates and documents
- Overall condition and hygiene meets rules and standards
- Check whether previous deficiencies rectified

## More detailed inspection

- Based on “clear grounds”
- In-depth examination of vessel / crew / organization (ILO-ISM-STCW)

## Expanded Inspection:

For some identified vessels  
Check of overall condition including human element (ILO-ISM-STCW)

# ***Targeted vessels***

- Port state control system have targeting systems
- Purpose of such systems is to concentrate resources according to risk profile of vessels
- Risk Profile (Paris MoU) determines *“the ships priority for inspection, the interval between its inspections and the scope of the inspection.”*
- Main criteria for PSC are weighted to establish vessels' risk profiles:
  - Shipowner / charterer / operator
  - Flag State
  - Classification society / Recognized Organization
  - Vessel Type
  - Vessel history
  - Vessel age
- **For ballast : targeting via submission of Reports -> pre-declaration for classification (vessel's history & water type)**

# Port State Control Safety and Environmental Protection Compliance Targeting Matrix

<i>I</i>	<i>II</i>	<i>III</i>	<i>IV</i>	<i>V</i>
<b>SHIP MANAGEMENT</b>	<b>FLAG STATE</b>	<b>RECOGNIZED ORGANIZATION</b>	<b>VESSEL HISTORY</b>	<b>SHIP PARTICULARS (SEE NOTE)</b>
<b>5 POINTS</b> Listed Owner, Operator, or Charterer	<b>7 POINTS</b> Flag State has a detention ratio 2 or more times the overall average for all flag States.  <b>2 POINTS</b> Flag State has a detention ratio between the overall average and up to 2 times the overall average for all flag States.	<b>PRIORITY I</b> Detention ratio equal to or greater than 2%  <b>5 POINTS</b> Detention ratio less than 2% but greater than or equal to 1%  <b>3 POINTS</b> Detention ratio less than 1% but greater than .5%  <b>NO POINTS</b> Detention ratio less than .5%	<b>PRIORITY II</b> First time to U.S. or no port State control exam in the previous 12 months  <b>5 POINTS EACH</b> Detention, denial of entry, or expulsion in the previous 12 months  <b>1 POINT EACH</b> COTP restricted the operations of the vessel for safety related issues in the previous 12 months (including LODs)  <b>1 POINT EACH</b> Reportable marine casualty in the previous 12 months  <b>1 POINT EACH</b> Marine violation in the previous 12 months	<b>4 POINTS</b> General Cargo Ship Ro-Ro Cargo Ship Vehicle Carrier Passenger Ship involved in "day trips" or ferry service  <b>2 POINTS</b> Bulk Carrier Refrigerated Cargo  <b>1 POINT</b> Oil or Chemical Tanker  <b>SHIP AGE (ADD OR SUBTRACT POINTS)</b> 0-4 years - subtract 3 5-9 years - subtract 2 10-14 years - add 0 15-19 years - add 3 20-24 years - add 5 25+ years - add 7  <i>Note: For Qualship 21 vessels only, points should not be added in this column, but points can be subtracted for age.</i>
<b>Total Targeting Score</b> (Sum of Columns I-V) determines vessels priority (PI, PII, or NPV)				

### Priority (P)I Vessel

17 or more points on the Matrix; ships involved in a marine casualty that may have affected seaworthiness; USCG Captain of the Port (COTP) determines a vessel to be a potential hazard to the port or the environment; ships whose Recognized Organization (classification society) has a detention ratio equal to or greater than 2%. Port entry may be restricted until the Coast Guard examines the vessel.

### Priority (P)II Vessel

7 to 16 points on the Matrix; outstanding requirements from a previous examination in this or another U.S. port that require clearing; the vessel has not been examined within the past 12 months per column IV. Cargo operations or passenger embarkation/debarkation may only be restricted if the Sector Commander/COTP determines that the vessel poses a safety or environmental risk to the port.

### Non-Priority Vessel (NPV)

6 or fewer points on the Matrix. Vessel poses a low safety and environmental risk. The Coast Guard may select and examine vessel using the Port State Control random selection process.

**Downgrade Clause.** If a vessel has scored either a PI or PII and has had a USCG PSC examination within the past 6 months with no serious deficiencies, the Sector Commander may downgrade the vessel to NPV. If the Sector Commander downgrades a vessel, it will be added to the pool of random examinations.

# ***PSC Procedure***

- Introduce PSCOs & purpose of visit and focused points
- Do not disclose sources of complaints (crew / pilots / port workers / other stakeholders)
- Try to not delay the vessel
- Inform the master if detailed or expanded inspection – explain clear grounds
- Main items verified:
  - Documents / ship's and crews' certificates
  - Sanitation
  - Lifesaving
  - Drills
  - Emergency generator
  - E/R
  - Oily water separator
  - Structural integrity
  - Navigation equipment
  - Communications

# ***PSCO Training***

- Qualified surveyor (*flag state experience / Classification society experience / Sea experience / special training...*)
- English skills
- Knowledge of applicable conventions
- Periodical seminars or trainings to update their knowledge (ex: Mediterranean MoU / Section 9 Training programmes and seminars: The Authorities will endeavour to establish appropriate training programmes and seminars.)
- Specific training adapted to vessels entering particular port

# ***Ballast Water Convention Compliance***

In practice PSCO verifies:

- Vessel Specific Plan approved as BWMP by administration (including practices & crew in charge)
- Ballast Water Treatment System or Ballast Water Exchange Operation must be completed and precisely recorded (traceability of water) / take samples if necessary
- Recordkeeping of ballast management documents
- Crew training & instructions (familiar with ship's Ballast Water management plan)



## **4- Regional / International cooperation**

### Purpose of MoU

*“(7) A harmonised approach to the effective enforcement of these international standards by Member States in respect of ships sailing in the waters under their jurisdiction and using their ports should avoid distortions of competition.”*

*DIRECTIVE 2009/16/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 April  
2009 on port State control*

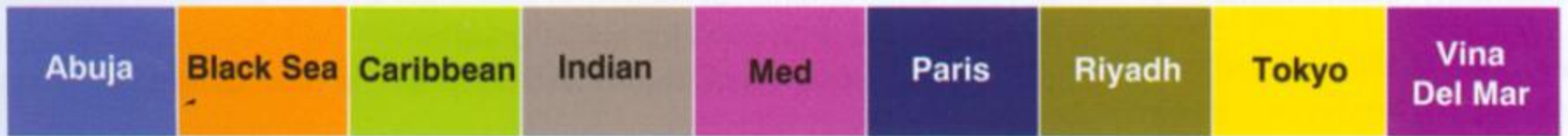
# ***Main aims***

- Increasing compliance with international regulation on maritime safety and security, protection of the environment and working conditions;
- Establishing common criteria for control of ships by the port State and harmonising procedures on inspection and detention ;
- Implementing procedure to identify risky vessels and inspecting according to vessel's risks;
- Avoid unfair competitiveness between port in area;
- Set common goals in terms of number of vessel inspected.

# ***Extent of Memorandum of Understanding on PSC***

- Europe and North America (Paris MoU) - 1982
- Latin America (Acuerdo de Viña Del Mar) - 1992
- Asia and Pacific (Tokyo MoU) – 1993/94
- The Caribbean (Caribbean MoU) - 1996
- Mediterranean (Mediterranean MoU) – 1997
- Indian Ocean (Indian Ocean MoU) – 1998/99
- West and Central Africa (Abuja MoU) - 1999
- Black Sea Region (Black Sea MoU) –2000
- Arab States of the Gulf (Riyadh MoU) - 2005

# World-Wide Port State Control



**Figure 1: Nine regional MOUs currently exist, which cover: Europe and the North Atlantic (Paris); Asia and the Pacific (Tokyo); Latin America (Acuerdo de Vina Del Mar); the Caribbean (Caribbean); West and Central Africa (Abuja); the Black Sea region (Black Sea); the Mediterranean (Med); the Indian Ocean (Indian); and the Arab States of the Gulf (Riyadh).**

## VISION

To eliminate substandard shipping in the Asia-Pacific region.



## MISSION

To promote the effective implementation, and the universal and uniform application, of relevant IMO/ILO instruments on ships operating in the region.

### COMMITMENT

To develop and maintain effective and efficient PSC system in the region;

### COMMITMENT

To enhance status and performance of the MOU;

### COMMITMENT

To promote joint initiatives and co-operation with other regional PSC regimes; and

### COMMITMENT

To improve transparency, communication and relationship with the industry.



### CURRENT DETAINED SHIPS

Found: 13 records

IMO Number	Ship Name	Flag state	State of inspection	Date of detention
8113009	GEM 1	Korea, Democratic People's Rep.	Egypt	07.03.2011
6616928	SAMER - M	Moldova, Rep. of	Egypt	21.02.2011
8505642	NEMO	Antigua and Barbuda	Turkey	22.01.2011
8504765	CLARE	Kiribati	Morocco	27.12.2010
6813203	AFRODET	Georgia	Egypt	27.12.2010
6807072	MARZOOQAH	Georgia	Egypt	07.10.2010
8120856	AMBA	Libyan Arab Jamahiriya	Egypt	27.04.2010
4500084	UTEC SURVEYOR	Saint Vincent and the Grenadines	Malta	22.05.2009
7125407	CARAVELLE	Comoros	Egypt	01.04.2009
7818092	WHITE NILE	Sudan	Egypt	02.09.2008
7043570	CLEOPATRA MOON	Honduras	Egypt	12.04.2007
7046821	SHAHD CLEOPATRA	Honduras	Egypt	30.01.2007
7335882	BALTIYSKIY-21	Russian Federation	Morocco	11.07.2006

# ***Main goals of Regional agreements***

- Harmonization of PSCO training
- Defining together targeting factors
- High number of control by sufficient number of PSCO
- Development of a common and comprehensive database
- Creation of White/Grey/Black lists
- Harmonization of detention procedure to avoid unfair competitiveness
- Define concentrate Inspection Campaign in addition to periodic inspection
- Procedure on expanded inspection for specific vessels
- List of banned vessels from area
- Cooperation to ensure an effective follow-up with regard to ships with deficiencies



**Annex 11      Inspection Commitments of Authorities**

Inspection Commitments of Member States

- 1      The inspection commitments of each Authority are:
  - a) to carry out an inspection on every ship calling at one of its ports and anchorages with a Priority I status, and
  - b) to carry out a number of inspections on Priority I and Priority II ships which corresponds at least to its annual inspection commitment.
  
- 2      The information system shows, daily, whether a Member State is ahead or behind the commitment in 1.b above.



# ***Ballast Water Convention*** ***“knowledge sharing”***

IMO pushes cooperation via

- *Article 6 Scientific and Technical Research and Monitoring*
- *Article 10 Detection of Violations and Control of Ships*
- *Article 11 Notification of Control Actions*
- *Article 13 Technical Assistance, Co-operation and Regional Co-operation*
- *Article 14 Communication of information*

Australia and United states have a long experience in Ballast water management inspections either through PSC (USCG) or special inspections (AQIS)

An aerial photograph of a coastal region. A large, dark blue bay is visible on the left side, with a narrow, light-colored isthmus connecting it to the rest of the land. The land is a mix of light brown and green, suggesting a mix of terrain and vegetation. The text "Any questions?" is overlaid in the center of the image.

***Any questions ?***