

Sultrade - Operations Dept

De: Sultrade - Vinicius Fernandes
Enviado em: quinta-feira, 7 de agosto de 2025 13:10
Para: Padilla, Maximo
Cc: COMMERCIAL; operations@sultradeagency.com
Assunto: ATLANTIC DAMA - Port call to Suape anchorage - POA
Anexos: ballast water - Brazil Rules by IMO.pdf

To Parana Logistica.
Fm Sultrade Shipping Agency.

Dear Mr. Padilla.

Good day,

Your message duly noted, understand when departing MVD vessel will have all documents to engage in an international voyage, so all ok on this matter.

Could you share with us the Ballast Water Management Plan, which is already under review and will be approved by the Flag Authority?

Alternatively, we are going to check with Brazilian PSC friend of us, extraofficial, if below mentioned would be accepted:

- *That the vessel departs with ballast on board and all ballast tanks and valves sealed, so it is formally certified that no ballast water operations will be carried out throughout the voyage.*
- *Alternatively, to formally notify the Brazilian authorities that the vessel will not require any ballast movement and will therefore enter and exit Brazil with the same water ballast, unchanged since departure from Montevideo. Same should be logged in records on board.*

Keeping posted and look forward to hear from you.



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De: Padilla, Maximo <mpadilla@paranalogistica.com.ar>
Enviadas: Quarta-feira, 06 de Agosto de 2025 18:28
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Assunto: RE: ATLANTIC DAMA - Port call to Suape anchorage - POA

Hi Vinicius,

Many thanks for your detailed email and the thorough analysis you shared — it's highly appreciated.

Just to clarify and avoid any possible misunderstanding: although I previously informed you that Atlantic Dama is currently certified for cabotage trade within Argentina-Uruguay, this is irrelevant for the upcoming voyage to Brazil. Prior to departure, the vessel will receive a full set of re-issued certificates from the Argentine Flag Authority, authorizing international trading for a single voyage. Therefore, we do not require any exemption or special consideration from the Brazilian Maritime Authority in this regard. They will receive International Certificates for clearance in/out same as any other vessel calling.

The same applies to the Ballast Water Management Plan, which is already under review and will be approved by the Flag Authority before sailing and the crew will keep log on any activities following IMO guidelines.

The issue we are facing relates specifically to the ballast water exchange requirement: The tug will likely take ballast in Montevideo before starting the tow (brackish water). However, under current Uruguayan regulations, it is expected that the vessel will not be permitted to discharge that ballast into the sea to perform an exchange. Mixing river water with seawater within 200nm before entering Brazil shouldn't be authorized. That is the main constraint.

Additionally, conducting a ballast water exchange beyond the 200 NM limit is not a viable or safe option, given we are towing a small unmanned dredger — it would expose both the tug and the tow to unnecessary risk merely to comply with the exchange requirement.

This is precisely where we would need, let's say, special consideration or guidance from the Brazilian Maritime Authority, in order to identify a viable solution that allows the vessel to enter and leave Brazilian waters without breaching any ballast water regulation.

As mentioned in my previous email, the Argentine Flag Administration (Prefectura Naval Argentina) has proposed the following alternatives as something they would consider in a similar situation:

- That the vessel departs with ballast on board and all ballast tanks and valves sealed, so it is formally certified that no ballast water operations will be carried out throughout the voyage.
- Alternatively, to formally notify the Brazilian authorities that the vessel will not require any ballast movement, and will therefore enter and exit Brazil with the same water ballast, unchanged since departure from Montevideo. Same should be logged in records on board.

We would highly appreciate your opinion on these alternatives, or if you see any other feasible approach that could meet the requirements of the Brazilian Maritime Authority under these specific conditions.

As for the agency fee, it is accepted.

I am open for a call if you prefer to do so tomorrow morning.

Thank you,
Best.

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MANAGING DIRECTOR



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De: Sultrade - Vinicius Fernandes <vinicius.fernandes@sultradeagency.com>

Enviado el: miércoles, 6 de agosto de 2025 17:04

Para: Padilla, Maximo <mpadilla@paranalogistica.com.ar>

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Asunto: ATLANTIC DAMA - Port call to Suape anchorage - POA

To Parana Logistica.
Fm Sultrade Shipping Agency.

Dear Mr. Padilla.

Good day,

Please note below our comments ref. subject call at SUAPE:

1. Current Certificates for Cabotage Navigation:

- Have noted that the Atlantic Dama holds valid certificates restricted to cabotage navigation in Argentina and Uruguay (shared waters).
- Brazilian authorities distinguish between vessels engaged in **international voyages and cabotage** within shared waters. If the ship's trading area is limited exclusively to Argentina and Uruguay under normal operations, she would indeed not be required under international conventions to have a Ballast Water Management Plan (BWMP) or maintain ballast water records.
- However, transiting into Brazilian waters introduces international regulatory requirements. Even if the vessel does not typically operate internationally, as soon as she crosses into Brazilian jurisdiction, **Brazilian law and the Convention for Ballast Water Management apply.**

2. Single-Voyage Certificates:

- The issuance of a single-voyage certificate by the flag state administration may allow the ship to temporarily operate under different regulations compared to her routine cabotage certification.
- For Brazilian authorities, this single-voyage certification must still comply with the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention), as Brazil is a signatory to the convention. This means that:
 - A valid BWMP and ballast water records will likely be required by Brazilian authorities, especially during port state control inspections.
 - Even though the vessel is not intending to exchange ballast in Brazilian waters, the BWMP could still be required to ensure compliance with Brazilian and global convention standards.

3. Submission of a Ballast Water Management Plan:

- Submitting a BWMP to the relevant authority for review and approval is a positive first step and will improve the likelihood of Brazilian authorities accepting the vessel's status.
- However, approval of the BWMP is critical, and authorities may have concerns about the timing (e.g., whether the review will be completed before entering Brazilian jurisdiction). If the vessel enters Brazilian waters without the BWMP approval issued, inspections may lead to temporary detention or fines.

4. Intention Not to Exchange Ballast Water:

- The vessel's claim that it does not intend to perform ballast exchanges in Brazilian waters is an important aspect of this case. If no discharge or exchange of ballast will occur, the potential ecological risks are reduced. However:
 - Brazilian regulations typically require **proof that ballast water complies with accepted standards** via approved treatment or prior exchange, irrespective of discharge or exchange intentions.
 - The authorities may still inspect ballast conditions and request documentation or certificates confirming compliance with IMO standards, even if no exchange is planned.

Challenges and Risks for Acceptance:

1. Ballast Water Management Plan: While submission of the BWMP is positive, Brazilian authorities are unlikely to agree to waive the requirement for an approved plan, especially for transit in Brazilian waters under international ballast water rules.
2. Single-Voyage Certificates: Although single-voyage certificates address voyages outside the vessel's usual area of operation, Brazilian authorities will likely scrutinize this document carefully. Compliance with MARPOL Annex V and the BWM Convention, along with national law (e.g., NORMAM-401), will likely remain mandatory.
3. Inspection Risk: Even though ballast exchanges are not planned, Brazilian port state control or authorities may still conduct an inspection. If they find any documentation gaps, this could lead to penalties or voyage delays.
4. Time Sensitivity: The time available for authorities to review and approve the BWMP is crucial. If the approval process isn't complete before entering Brazilian waters, this could complicate clearance.

Recommendations to Improve Acceptance:

1. Seek Provisional Approval of the BWMP:
 - If final approval of the BWMP cannot be secured before entering Brazilian waters, request provisional approval or a letter of acknowledgment from the reviewing authority confirming that the plan has been submitted for approval.
 - This will demonstrate intent to comply with regulations, potentially avoiding stricter enforcement actions.
1. Communicate with Brazilian Authorities:

- Notify the **Brazilian Maritime Authority** (Agência Nacional de Transportes Aquaviários - ANTAQ) and the **port state control** in advance, explaining the voyage's specifics:
 - Mention that it is a single voyage under extraordinary certification.
 - Clarify that ballast water will not be exchanged in Brazilian waters.
- 3. Carry Supporting Documentation:
 - Ensure the vessel carries:
 - The single-voyage certificates.
 - Documentation confirming BWMP submission for approval.
 - Ballast management records from previous voyages (if any), even those limited to cabotage.
- 4. Avoid Discharging Ballast Water:
 - Clearly emphasize to Brazilian authorities that no ballast exchanges or discharges will occur in Brazilian waters. Ensure compliance with this to avoid ecological risks or penalties.

It is possible that Brazilian authorities may accept the vessel's circumstances — particularly the single-voyage certification and the submission of a BWMP for approval — provided that no ballast water exchanges or discharges occur, and the vessel carries documentation proving efforts to comply. However, without an approved BWMP or detailed communication with Brazilian authorities in advance, there is a significant risk of inspection or penalties.

Proactive communication, documentation, and compliance with any requests from Brazilian authorities will be key to a successful transit.

With all above mentioned to act on your behalf we would propose USD 1800,00 as an agency fee which will include:

1. Present all flag state documentation to the Brazilian Authorities, allowing vessel to engage international voyage.
2. Present to local Harbor Master / Port State Control BWMP plan asking for their approval.
3. Be in touch with the charterers' agent to guarantee a smooth turnaround in Suape port.

Extra services:

- It is not included on this plan any convoy clearance and operation related to the nature of the voyage.
- Internal transportation USD 90,00
- Customs boarding clearance USD 95,00
- Launch boat: To be quoted once we know vessel position. Find below supplier table:

	DESCRIÇÃO	VALOR
I	BOAT FOR PASSENGERS TRANSPORTATION (INTERNAL TRIP) BETWEEN 07:00 AM AND 18:00 PM (MONDAY TO FRIDAY, EXCEPT HOLIDAYS).	R\$
II	BOAT FOR PASSENGERS TRANSPORTATION (INTERNAL TRIP) BETWEEN 6:01 PM AND 6:59 AM (MONDAY TO FRIDAY), AND 24 HOURS A DAY ON SATURDAYS, SUNDAYS AND PUBLIC HOLIDAYS.	R\$
III	BOAT FOR MATERIALS TRANSPORTATION (INTERNAL TRIP) BETWEEN 07:00 AM AND 18:00 PM (MONDAY TO FRIDAY, EXCEPT HOLIDAYS).	R\$
IV	BOAT FOR MATERIALS TRANSPORTATION (INTERNAL TRIP) BETWEEN 6:01 PM AND 6:59 AM (MONDAY TO FRIDAY), AND 24 HOURS A DAY ON SATURDAYS, SUNDAYS AND PUBLIC HOLIDAYS.	R\$
V	BOAT FOR PASSENGERS TRANSPORTATION (EXTERNAL TRIP) BETWEEN 07:00 AM AND 18:00 PM (MONDAY TO FRIDAY, EXCEPT HOLIDAYS).	R\$
VI	BOAT FOR PASSENGERS TRANSPORTATION (EXTERNAL TRIP) BETWEEN 6:01 PM AND 6:59 AM (MONDAY TO FRIDAY), AND 24 HOURS A DAY ON SATURDAYS, SUNDAYS AND PUBLIC HOLIDAYS.	R\$
VII	BOAT FOR MATERIALS TRANSPORTATION (EXTERNAL TRIP) BETWEEN 07:00 AM AND 18:00 PM (MONDAY TO FRIDAY, EXCEPT HOLIDAYS).	R\$
VIII	BOAT FOR MATERIALS TRANSPORTATION (EXTERNAL TRIP) BETWEEN 6:01 PM AND 6:59 AM (MONDAY TO FRIDAY), AND 24 HOURS A DAY ON SATURDAYS, SUNDAYS AND PUBLIC HOLIDAYS.	R\$
IX	BOAT FOR PASSENGERS TRANSPORTATION TO RECIFE PORT BETWEEN 07:00 AM AND 18:00 PM (MONDAY TO FRIDAY, EXCEPT HOLIDAYS).	R\$
X	BOAT FOR PASSENGERS TRANSPORTATION TO RECIFE PORT BETWEEN 6:01 PM AND 6:59 AM (MONDAY TO FRIDAY), AND 24 HOURS A DAY ON SATURDAYS, SUNDAYS AND PUBLIC HOLIDAYS.	R\$

* Minimum charge of 01 hour.

* Each service will comprise 01 ship per trip.

* Additional time will be charged after 61 minutes.

* Trips between 61 and 90 minutes will have an additional charge corresponding to 50% of the table value.

* Trips between 91 and 120 minutes will have an additional charge corresponding to 100% of the table value.

Since you have mentioned August 18th as an estimate date of departure, urgent revert with vessel flag state documentation as well as acceptance of our agency fee.

We remain at your disposal.



Vinicius Fernandes
Director / General Manager

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Enviadas: Quarta-feira, 06 de Agosto de 2025 12:40

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Assunto: RE: ATLANTIC DAMA - Port call to Suape anchorage - POA

Dear Vinicius,

Thanks for below.

The Atlantic Dama currently holds cabotage certificates and we are in the process of receiving international certificates for one single voyage to Brazil.

I've just learned from JDN that they have finally appointed Wilson Sons as charterers' agent and indeed, they will take care of convoy's clearances both in and out.

Looking forward to your feedback.

Best,

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Enviado el: miércoles, 6 de agosto de 2025 12:17

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Asunto: ATLANTIC DAMA - Port call to Suape anchorage - POA

To Parana Logistica.
Fm Sultrade Shipping Agency.

Dear Mr. Padilla.

Good day,

Message well received with many thx.

Reverting within today with full guidance regarding BW system.

Just for our understanding, does Atlantic Dama have the authorization to sail between International ports? Understand North Star Shipping would perform all clearances against authorities since arrival until sailing, is that correct?

Thank you in advance.



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Enviado: quarta-feira, 6 de agosto de 2025 09:52

Para: Sultrade - Vinicius Fernandes <vinicius.fernandes@sultradeagency.com>

Assunto: ATLANTIC DAMA - Port call to Suape anchorage - POA

Dear Vinicius

Nice to make your acquaintance, your contact details were provided to me by Livio Di Givionni from Argelan who recommended your good services.

I'm reaching out because we have been awarded by Jan De Nul the towage of their backhoe dredger Postnik Yakovlev from Montevideo Roads to Suape Roads. The tow would be carried out by our AHTS Atlantic Dama (specifications attached), and we will require the appointment of a protective agent in Brazil when the time comes. Commencement date for the towage is scheduled for August 18th so we have limited time ahead.

According to JDN, the charterers' appointed agent will be North Star Shipping. However, as the convoy will not enter port, the plan is for *Atlantic Dama* to hand over the tow to local port tugs at pre-agreed coordinates off Suape. Therefore, we would only need in/out clearance at the anchorage to return to Argentina. These formalities and related expenses would supposedly be covered or arranged by charterers' agent but I still need to confirm this.

Our main concern at this stage is related to ballast water management regulations. Since our vessel is not fitted with a ballast water treatment plant, we need to understand how to sort this out with Brazilian authorities' requirements.

For the avoidance of doubt, the vessel's current status is as follows:

1. Atlantic Dama holds valid certificates restricted to cabotage navigation.
2. As such, and in accordance with local regulations, she is not required to carry a Ballast Water Management Plan or maintain ballast water records, since her trading area is limited to Argentina and Uruguay (shared waters).
3. For this specific voyage, the flag administration will issue a new set of certificates valid for a single voyage.
4. A Ballast Water Management Plan has already been submitted to the authority for review and approval.
5. The vessel does not require to change ballast condition at any time during the transit, meaning we do not need to change ballast while in Brazilian jurisdiction.

We've been looking at NORMAM 401 which requires vessels entering into Brazil to exchange ballast at least 200 nautical miles from shore and in waters >200 meters deep; Or, if not feasible, at a minimum of 50 nautical miles from land, still in >200m depth. According to navigation charts, we would only find >200m depth in Uruguayan jurisdiction +80nm away from shore.

We want to avoid sailing offshore for safety reasons due to dredger's limited size and ideally we would want to sail as close as possible to shore during the transit.

Under these circumstances, and following our recent meeting with Prefectura Naval Argentina (flag authority), the following alternatives have been presented to us:

1. Inform the Brazilian authorities that the vessel will not conduct any ballast operations and will enter and exit Brazilian waters with the same ballast water. Or,
2. Have Prefectura Naval Argentina seal the ballast tanks/valves to ensure that no ballast exchange takes place from departure in Argentina until return to home port.

Do you think any of these may be accepted?

Could you please revert with your agency fee proposal covering these matters and—if approved—proceed with the necessary inquiries with the Brazilian Authorities?

Thank you in advance for your guidance, and I look forward to the possibility of working together.

Best,

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