



South African Maritime Safety Authority

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Marine Notice No. 9 of 2018

Amendments to MARPOL ANNEX V from 01 March 2018

TO ALL SHIP OPERATORS, MASTERS, SHIPS' AGENTS, PRINCIPAL OFFICERS AND SURVEYORS

Summary

The purpose of this Marine Notice is to provide general guidance on the requirements of Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL), the 2017 Guidelines for the Implementation of MARPOL Annex V {Resolution MEPC.295(71)} and other relevant IMO guidance material to assist shipowners, masters and crews in applying the Annex V discharge requirements.

1. Introduction

The Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986, is currently in force in the Republic and incorporate outdated Annex V requirements. However, it is in the interest of foreign going vessel owners to ensure compliance with the latest MARPOL requirements to avoid their vessels being detained and/or fined when operating in waters where the latest amendments and resolutions are incorporated in local legislation and thus enforceable.

Although vessels cannot be detained or fined for non-compliance in terms of the latest amendments during a Port State Control Inspection (PSCI) when operating in South African waters, non-compliance with the latest convention requirements will be categorised as 'deficiencies' on the PSCI report.

2. Amendments to MARPOL ANNEX V

The amendments to MARPOL Annex V adopted at MEPC 70 entered into force on 1 March 2018.

Under the revised MARPOL Annex V, discharge of all garbage into the sea is prohibited, except as specifically permitted in regulations 3, 4, 5 and 6 of the Annex.

Annex V totally prohibits the disposal of plastics anywhere into the sea, and severely restricts discharges of other garbage from ships into coastal waters and "Special Areas".

The changes include criteria for determining whether cargo residues are harmful to the marine environment, and a new *Garbage Record Book* format with a new garbage category for *e-waste*.

3. Declaration of cargo residues

Cargo residues which are not harmful to the marine environment have less strict discharge requirements than cargo residues which are harmful. Solid bulk cargo as per regulation VI/1-1.2 of SOLAS, other than grain, shall now be classified per the criteria in the new Appendix I of MARPOL Annex V, and the shipper shall then declare whether the cargo is harmful to the marine environment (HME) or not.

4. Garbage Management

MARPOL Annex V requires that ships manage and record waste generated on board the ship, including discharges.

5. Garbage Management Plans

Under MARPOL Annex V, every ship of *100 gross tonnage and above*, and every ship certified to carry *15 or more persons*, are required to carry a *Garbage Management Plan*. The Garbage Management Plan contains procedures for collecting, storing, processing and the discharge of garbage, including the use of equipment onboard.

6. Placards

All ships of 12 metres or more in length are required to *display placards* that notify the crew and passengers of the MARPOL garbage discharge requirements for that ship under MARPOL.

The placards should be placed in prominent places onboard the ship where the crew and passengers will see them to inform how they can manage their waste (e.g. galley spaces, bridge, main deck and passenger accommodation).

7. Guidelines

The 2012 Guidelines for the implementation of MARPOL Annex V has been revoked by the *new 2017 Guidelines*, aligning it with the MARPOL amendments and relevant requirements of the Polar Code.

8. Recommendations

To ensure *compliance* prior to *1 March 2018*, a Garbage Record Book with the new format should be provided on board. Furthermore, Placards and Garbage Management Plans should be revised as necessary to satisfy the amendments to MARPOL Annex V.

9. Garbage Record Book

Under MARPOL Annex V, every ship of 400 gross tonnage and above and every ship which is certified to carry 15 or more persons engaged in voyages to ports or offshore terminals under the jurisdiction of another Party to the Convention and every fixed or floating platform, shall be provided with a *Garbage Record Book*.

In case of a ship not required to carry a Garbage Record Book, an entry is to be made in the ship's *Official Log Book*.

A new form of the Garbage Record Book (GRB) has been included in Appendix II to MARPOL Annex V.

The GRB will be divided into two parts:

- Part I for all garbage other than cargo residues, applicable to all ships;
- Part II for cargo residues only applicable to ships carrying solid bulk cargo.

The garbage categories in the GRB have also been amended to include e-waste, and the category for cargo residues has been split into HME (harmful to the marine environment) and non-HME. The new garbage category distribution will be as follows:

- A. Plastics
- B. Food waste
- C. Domestic wastes
- D. Cooking oil
- E. Incinerator ashes
- F. Operational waste
- G. Animal carcasses
- H. Fishing gear
- I. E-waste
- J. Cargo residues (non-HME)
- K. Cargo residues (HME)

The GRB discharge table has also been revised, as both *incineration* start and stop date/time/position shall be recorded.

In addition, a new table is included for reporting exceptional discharge or loss of garbage under regulation 7, also covering the reason for the discharge or loss, details thereof and precautions taken.

The new GRB Part II for solid bulk cargo residues includes entries for position or port, garbage category (J or K), amount discharged to sea or reception facilities, and start and stop positions for sea discharge.

Along with the GRB, receipts obtained from reception facilities will also be required to be kept on board for *at least two years*.

10. Validation

Even though Annex V of MARPOL is mandatory for all aforementioned ships, there are *neither certification nor approval requirements*.

However, the following is required under MARPOL:

- Placards posted on board noting the discharge requirements;
- A Garbage Management Plan;
- A Garbage Record Book.

11. General Prohibition

The disposal of all garbage into the sea from ships is prohibited, except in some limited circumstances.

Under MARPOL Annex V, garbage includes all kinds of food wastes, domestic wastes and operational wastes, all plastics, cargo residues, incinerator ashes, cooking oil, fishing gear, and animal carcasses generated during the normal operation of the ship.

12. Discharge Requirements

In general, discharges may be permitted in the following circumstances:

a). Food Wastes

While the vessel is en-route, food waste that has been comminuted or ground and capable of passing through a screen with openings no greater than 25mm, can only be discharged 3nm or more from the nearest land.

Food waste not comminuted or ground can only be discharged 12nm or more from the nearest land. Ships operating alongside or within 500m of a fixed and floating platform cannot discharge food waste, except under very limited circumstances (see Exceptions below).

Additional requirements are in place for ships operating in MARPOL Special Areas and Polar Regions. Refer to MARPOL for more information.

b). Cargo Residues

Cargo residues may be left over after recovery using commonly available unloading methods. Cargo residues classified as HME, cannot be discharged into the sea, except under very limited circumstances (see Exceptions below). Such waste must be discharged to an onshore waste reception facility.

Cargo residues not classified as HME can be discharged into the sea provided that the ship is en-route and the discharge occurs *as far as practicable from nearest land*, but *must be at least 12* nautical miles or more from the nearest land.

Cargo residues of solid bulk substances are classified as HME according to the criteria of the United Nations Globally Harmonized System for Classification and Labelling of Chemicals (UN GHS) fourth revised addition (2011).

The classification and declaration of solid bulk cargoes, other than grain, as HME will be mandatory from 1 March 2018.

c). Cleaning agents or additives

Cleaning agents or additives contained in cargo hold, deck and external surfaces wash water can be discharged into the sea, provided that they are not classified as HME.

For cleaning agents and additives, HME substances are those that are identified as marine pollutants in the International Maritime Dangerous Goods (IMDG) Code or which meet the criteria in the Appendix of MARPOL Annex III (harmful substances).

d). Animal carcasses

Animal carcasses may only be discharged into the sea when:

- The ship is not in a MARPOL designated special area;
- The ship is en-route and the discharge is as far as possible from the nearest land;
- The carcass has been slit or cut so that its thoracic and abdominal cavities are opened or passed through a comminutor, grinder, mincer or similar equipment; and
- The discharge is undertaken in accordance with section 2.12 of the 2017 Guidelines.

e). Mixed Garbage

When different types of garbage are mixed together, or contaminated by other substances that are prohibited from discharge, the more stringent discharge requirements will apply.

13. Exceptions

The following situations provide the waste discharge exceptions under MARPOL Annex V:

General Garbage

- The discharge of garbage from a ship is necessary to secure the safety of a ship and those on board, or saving a life at sea;
- The accidental loss of garbage resulting from damage to a ship or its equipment, provided that all reasonable precautions have been taken before and after the occurrence of the damage, to prevent or minimize the accidental loss;

Fishing Gear

- The accidental loss of fishing gear from a ship provided that all reasonable precautions have been taken to prevent such loss; or
- The discharge of fishing gear from a ship for the protection of the marine environment or for the safety of that ship or its crew.

It is recommended that local State and Port Authorities are consulted on any local regulations that may apply in specific circumstances.

14. Recommendations

To ensure compliance prior to 1 March 2018, a Garbage Record Book with the new format should be provided on board. Furthermore, Placards and Garbage Management Plans should be revised as necessary to satisfy the latest amendments to MARPOL Annex V.

15. FAQ's

What about cargo dust on deck?

Regulation 1.2 of MARPOL Annex V stipulates that the term 'cargo residues' does not include cargo dust remaining on the deck after sweeping or dust on the external surfaces of the ship and thus this dust is excluded from the definition of 'garbage' within the Annex.

Although dust on external surfaces from cargo operations is not classified as a residue, it should however be removed and disposed of with due regard to local port and state authority rules.

What about the discharge of boiler / economiser wash-down (sooty) water?

There has been much recent discussion regarding the classification and discharge of boiler/economiser wash down water. It has been proposed by several states that this waste could be regarded as 'other similar discharges' essential to the operation of a vessel.

Where practicable, the use of a soot collecting tank is recommended as an effective option for the management of economiser wash-down water.

The "skimmed" top layer of the tank which may contain any oil-like traces should be drained to a sludge tank. Any separated solid soot should then be collected for either discharge to a port reception facility or discharged through the oily water separator. The remaining decanted water may be discharged when the vessel is underway not less than 12 nautical miles from the nearest land.

The disposal of any collected waste discharged to a port reception facility must be recorded in the Garbage Record Book.

The discharge of decanted clean wash-down water should be recorded in the Engine Room Logbook.

The discharge through the oily water separator should be recorded in the Oil Record Book.

What is the definition of wash water?

When discussing wash water, the regulations are referring to the waste water created from the cleaning up of non-recoverable cargo residues and small quantities of cleaning agents contained within it; this will mainly be in the cargo hold.

16. References

MEPC.277(70) Amendments to MARPOL Annex V

MEPC.295(71) 2017 Guidelines for the implementation of MARPOL Annex V

MEPC.220(63) Guidelines for the development of garbage management plans

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