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Marine Notice No. 04 of 2018

To: Ship Owners and Masters, Managers, Charterers, Port Agents, Namibian Ports Authority, Maritime Rescue Centre/Walvis Bay Radio, Maritime Community

Date: 15 November 2018

GARBAGE MANAGEMENT REQUIREMENTS IN NAMIBIA UNDER MARPOL ANNEX V

1. PURPOSE

1.1 The purpose of this Marine Notice is to provide general guidance on the requirements for shipboard garbage management in Namibia in terms of the International Convention for the Prevention of Pollution from Ships (Marpol), Annex V, especially in view of the latest amendments to Annex V which entered into force in March 2018.

2. INTERPRETATION

2.1 For clarity and in the context of this Marine Notice:

Annex V means the Marpol regulations for the prevention of pollution by garbage.

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Cargo residues means remnants of any cargo which are not covered by other Annexes to Marpol and which remain on deck or in holds following loading or unloading.

E-waste means electrical and electronic equipment used for the normal operation of the ship or in the accommodation spaces, including all components, sub-assemblies and consumables which are part of the equipment at the time of discarding, with the presence of material potentially hazardous to human health and/or the environment.

Marpol means the International Convention for the Prevention of Pollution from Ships 1973 as modified by the Protocol of 1978 Related thereto and by the Protocol of 1997.

Ministry means the Ministry of Works and Transport, Directorate of Maritime Affairs.

Polar Code means the International Code for Ships Operating in Polar Waters or Polar Code is an international regime adopted by the International Maritime Organization (IMO).

SOLAS means the International Convention for the Safety of Life at Sea adopted by the International Maritime Organization (IMO)

3. APPLICATION

3.1 This Marine Notice applies to all ships and all Namibian ships terms of the Marpol.

3.4 This Marine Notice is effective immediately.

4. GENERAL GARBAGE MANAGEMENT REQUIREMENTS

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

Garbage Management Plans

4.2 Under 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.

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Placards

4.3 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.

4.4 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).

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

Discharge Requirements

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

Food Wastes

4.7 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 3 nautical miles or more from the nearest land.

4.8 Food waste not comminuted or ground can only be discharged 12 nautical miles or more from the nearest land. Ships operating alongside, at anchorages 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.

Cargo Residues

4.9 Cargo residues may be left over after recovery using commonly available unloading methods. Cargo residues classified as harmful to the marine environment (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.

4.10 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 the nearest land, but must be at least 12 nautical miles or more from the nearest land.

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4.11 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).

4.12 The classification and declaration of solid bulk cargoes, other than grain, as HME is mandatory since 1 March 2018.

Cleaning agents or additives

4.13 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.

4.14 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).

Animal carcasses

4.15 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*.

Mixed Garbage

4.16 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.

Reception Facilities

4.17 The provision of adequate port waste reception facilities for ships' waste is vital to preventing marine pollution. The Namibian Ports Authority must therefore ensure that reception facilities are available in all ports and terminals adequate to the needs of ships using them for oily waste, residues of noxious liquid substances, sewage, garbage, exhaust gas cleaning residues and ozone depleting substances.

4.18 Ships' crews and agents are encouraged to make waste reception arrangements where possible, at least 24 hours in advance of the ship's arrival in port.

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5. EXCEPTIONS

5.1 In terms of Annex V, waste may be discharged contrary to the prescribed requirements - provided that the following circumstances apply:

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.

6. AMENDMENTS TO MARPOL ANNEX V

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

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

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

6.4 The revised Annex V also include criteria for determining whether cargo residues are harmful to the marine environment (HME), and a new Garbage Record Book format with a new garbage category for e-waste.

Declaration of Cargo Residues

6.5 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

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the new Appendix I of Annex V, and the shipper shall then declare whether the cargo is harmful to the marine environment (HME) or not.

Garbage Record Book

6.6 Under 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 (GRB).

6.7 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.

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

6.9 The GRB is now 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.

6.10 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 and non-HME. The new garbage category distribution is 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)

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

6.12 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.

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6.13 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.

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

Guidelines

6.15 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.

7. COMPLIANCE INSPECTIONS

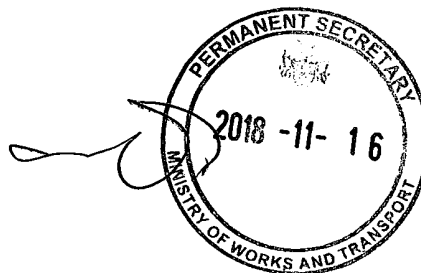
7.1 Vessels and ports will be inspected by the Ministry for the purpose of determining whether they comply with these requirements, especially the revised GRB format. Placards, Garbage Management Plans, Garbage Receipts should also be revised as necessary to satisfy the latest Annex V amendments.

7.2 Such inspection may include inspection of the BRC, Garbage Management Plans, Placards, and any other relevant documentation as required by the Ministry.

7.3 Port reception facilities will also be inspected for adequacy.

7.4 In cases where the Ministry determines that a vessel or port facility does not comply with these requirements the vessel or port facility may be subjected to detailed inspections and further action as appropriate.


Willem Goeyemann
PERMANENT SECRETARY



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