



**DEPARTMENT OF COMMUNICATIONS, MARINE AND NATURAL
RESOURCES**

Marine Notice No. 18 of 2003

To all Ports, Port Companies, Harbour Masters, Agents, Ships Masters and
Officers, Local Authorities and Ship Inspectors from the Department of
Agriculture and Food

**EUROPEAN COMMUNITIES (PORT RECEPTION FACILITIES FOR SHIP
GENERATED WASTE AND CARGO RESIDUES) REGULATIONS 2003**

GENERAL

This is to advise that the Minister for Communications, Marine and Natural Resources has signed the above Regulations (Statutory Instrument No. 117 of 2003), which gives effect to Directive 2000/59/EC regarding Port Reception Facilities for Ship Generated Waste and Cargo Residues. The Regulations are effective from the 20th March 2003.

A copy of Statutory Instrument No. 117 of 2003 is available from the Government Publications Office, Molesworth Street, Dublin 2.

The Regulations require Port Authorities (including Local Authorities) and Harbour Masters in Fishery Harbour Centres to:

- develop and implement an appropriate waste reception and handling plan (see attachment Schedule 2 (3 Pages)) for each port following consultations with the relevant parties, in particular with port users or their representatives, having regard to their obligations under the Waste Management Acts and the requirements of Articles 4, 6, 7, 10 and 12 of the Directive (*Regulations also provide for groups of ports to combine for reasons of efficiency in preparing plans provided that the need for, and availability of, reception facilities is specified in respect of each port*);
- furnish to the Department on an annual basis or as may be requested in such form as the Minister shall determine a status report;
- furnish information in relation to notifications from Ships' Masters to the Department on request;
- take all necessary measures to prevent marine pollution, having consulted with the Department, if necessary by requiring the ship to deliver its waste before departure from the port;

- cover the costs of port reception facilities for ship-generated waste, including the treatment and disposal of the waste, through the collection of a fee from ships.

As regards Ships' Masters:

- The Master, of a ship, bound for a port located in the State is obliged to complete the form set out in Schedule I of the Regulations (see attachment Schedule 1 (3 pages)) and notify that information to the appropriate local competent authority at least 24 hours prior to arrival in a port or at the latest on departure from the previous port if the duration of the voyage is less than 24 hours;
- The Master of a ship must deliver the ship generated waste and cargo residues before leaving a port unless it follows that there is enough capacity left on the ship to hold the existing waste plus the waste that will be accumulated until the ship reaches the next port of delivery.

Definitions:

Local Competent Authorities means -

- (1) in the case of a Fishery Harbour Centre, the Harbour Master or such other person as the Minister may designate from time to time; and
- (2) in the case of any other port, the Port Authority concerned.

Ship means a seagoing vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air cushion vehicles, submersibles and floating craft.

Department means Department of Communications, Marine and Natural Resources.

Exemptions

- (1) Fishing vessels are exempt from the notification requirement
- (2) Scheduled traffic with regular and frequent port calls can apply for an exemption to the local competent authority.

Director General
Maritime Safety Directorate
Department of Communications, Marine
and Natural Resources
Dublin 2.

6th June 2003

For any technical assistance in relation to this Marine Notice please contact the Marine Survey Office, 26-27 Eden Quay, Dublin 1 at 01-8744900.
For general enquiries please contact the Maritime Safety Division at 01-678 2360
Any enquiries concerning Marine Notices should be addressed to:
Maritime Safety Directorate, Leeson Lane, Dublin 2
Email: marine.notices@dcmnr.gov.ie
Or visit us at www.dcmnr.ie

SCHEDULE 1

Regulation 8

European Communities (Port Reception Facilities for Ship Generated Waste and Cargo Residues) Regulations 2003.

AND

Directive No. 2000/59/EC of the European Parliament and of the Council

ANNEX II OF DIRECTIVE

INFORMATION TO BE NOTIFIED BEFORE ENTRY INTO

THE PORT OF _____

Port of destination as referred to in
Article 6 of Directive 2000/59/EC

1. Name, call sign and, where appropriate, IMO identification number of the ship:
2. Flag State:
3. Estimated time of arrival (ETA):
4. Estimated time of departure (ETD):
5. Previous port of call:
6. Next port of call:
7. Last port and date where ship-generated waste was delivered:

8. Are you delivering (1)
- all some none

of your waste into the waste reception facilities?

9. Type and amount of waste and residues to be delivered and/or remaining on board, and percentage of maximum storage capacity:

Note: If delivering all waste, complete second column as appropriate.

⁽¹⁾ Tick appropriate box.

If delivering some or no waste, complete all columns.

Type	Waste to be delivered m³	Maximum dedicated storage capacity m³	Amount of waste retained on board	Port at which remaining waste will be delivered	Estimated amount of waste to be generated between notification and next port of call m³
1. Waste oils					
Sludge					
Bilge water					
Others (specify)					
2. Garbage					
Food waste					
Plastic					
Other					
3. Cargo-associated waste ⁽²⁾ (specify)					
4. Cargo residues ⁽²⁾ (specify)					

⁽²⁾ May be estimates.

Notes:

1. This information may be used for Port State Control and other inspection purposes.

2. Member States will determine which bodies will receive copies of this notification.

3. This form shall be completed unless the ship is covered by an exemption in accordance with Article 9 of Directive 2000/59/EC.

I confirm that:

- (a) the above details are accurate and correct, and
- (b) there is sufficient dedicated onboard capacity on our ship to store all waste generated between notification and the next port at which waste will be delivered.

Date _____

Time _____

Signature _____

SCHEDULE 2

Regulation 12

Requirements for Waste Reception and Handling Plans in Ports

ANNEX I OF DIRECTIVE

Plans shall cover all types of ship-generated waste and cargo residues originating from ships normally visiting the port and shall be developed according to the size of the port and the types of ships calling at that port.

The following elements shall be addressed in the plans:

- an assessment of the need for waste reception facilities, in light of the need of the ships normally visiting the port;
- a description of the type and capacity of waste reception facilities;
- a detailed description of the procedures for the reception and collection of ship-generated waste and cargo residues;
- description of the charging system;
- procedures for reporting alleged inadequacies of waste reception facilities;
- procedures for ongoing consultations with port users, waste contractors, terminal operators and other interested parties; and
- type and quantities of ship-generated waste and cargo residues received and handled.

In addition, the plans should include:

- a summary of relevant legislation and formalities for delivery;
- identification of a person or persons to be responsible for the implementation of the plan;
- a description of the pre-treatment equipment and processes in the port, if any;
- a description of methods of recording actual use of the waste reception facilities;
- a description of methods of recording amounts of ship-generated waste and cargo residues received; and
- a description of how the ship-generated waste and cargo residues are disposed of.

The procedures for reception, collection, storage, treatment and disposal should conform in all respects to an environmental management scheme suitable for the progressive reduction of the environmental impact of these activities. Such conformity is presumed if the procedures are in compliance with the Council Regulation (EEC) No 1836/93 of 29 June 1993⁽¹⁾ allowing voluntary participation by companies in the industrial sector in a Community eco-management and audit scheme.

⁽¹⁾ OJ No. L168, 10.7.1993, p.1.

Information to be made available to all port users:

- brief reference to fundamental importance of proper delivery of ship-generated waste and cargo residues;
- location of waste reception facilities applicable to each berth with diagram or map;
- list of ship-generated waste and cargo residues normally dealt with;
- list of contact points, the operators and the services offered;
- description of procedures for delivery;
- description of charging system; and
- procedures for reporting alleged inadequacies of port waste reception facilities.