

Commonwealth of Dominica**Office of the Maritime Administrator**

TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF MERCHANT SHIPS, MOBILE OFFSHORE DRILLING UNITS AND RECOGNIZED ORGANIZATIONS

SUBJECT: MARPOL 73/78, Prevention of Pollution from Ships

REFERENCE:

- (a) **International Convention for the Prevention of Pollution from Ships, 1973, as modified by the 1978 Protocol Relating Thereto (MARPOL 73/78)**
- (b) **Res. MEPC.51 (32) 6 March 1992**

PURPOSE: This Circular emphasizes the importance of protecting the marine environment by the prevention of pollution from all vessels in the Dominica International registry. It also provides the Administration's guidance toward compliance with the MARPOL 73/78 Convention.

APPLICABILITY: All Ships Owners will find requirements in MARPOL that are applicable to their vessels depending on operation and trade. Masters, ships' officers and crewmembers must be familiar with and aware of these requirements.

The Commonwealth of Dominica has ratified MARPOL, including Annex I (oil), Annex II (noxious liquid substances) and Annex V (garbage).

REQUIREMENTS:**1.0 The 1997 Consolidated Edition of MARPOL 73/78**

This publication contains the 1978 Protocol to the 1973 International Convention for the Prevention of Pollution from Ships. Included in the Protocol are Protocol I - Provisions concerning reports of incidents involving harmful substances, and Protocol II - on the provisions for arbitration. Please see *Attachment 1* of this Circular for reporting requirements, giving particular attention to Article V, Methods of Reporting in Protocol I.

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Inquiries concerning the subject of this Circular should be directed to the Deputy Maritime Administrator
Commonwealth of Dominica, 32 Washington Street, Fairhaven, MA 02719 USA

registration@dominica-registry.com

It also contains the provisions and regulations with unified interpretations on Annex I, pollution from oil; Annex II, pollution from noxious liquid substances; and Annex V, pollution from garbage.

- 1.1 **Annex I (Oil Pollution)** - This Annex was ratified by the Commonwealth of Dominica and came into force for full compliance for vessels under Dominica registry on 21 September 2000. Annex I applies to all ships unless expressly provided otherwise (Regulation 2). Oil tankers of 150 tons gross tonnage and above, and every other ship of 400 tons gross tonnage and above are subject to the surveys specified in Regulation 4. Please see **Attachment 2** of this Circular for recent Amendments.
- 1.2 **Annex II (Noxious Liquids)** - This Annex also was ratified by the Commonwealth of Dominica and entered into force for vessels under Dominica registry on 21 September 2000. Annex II applies to all ships carrying noxious liquid substances in bulk unless expressly provided otherwise (Regulation 2) and the surveys specified in Regulation 10. For further particulars, please see Chapter VII, Parts B and C of SOLAS and also the IBC and BCH Codes for Chemical Tankers and the IGC Code for Gas Carriers.
- 1.3 **Annex V (Garbage)** - This Annex was acceded to by the Commonwealth of Dominica became effective for all Dominica registered ships on 21 September 2000. A key feature is the requirement for maintenance of a Garbage Management Plan aboard most vessels.
- 1.4 Even though certain optional annexes were not acceded to by the Commonwealth of Dominica, it would be advisable for Ship Owners, Masters and Ships' Officers to follow the guidelines specified in those annexes in so far as practicable.
- 1.5 This Administration recommends that copies of the MARPOL Regulations be on board each vessel and that the ship's officers be knowledgeable and responsible in seeing that the regulations are complied with. The 1997 Consolidated Edition of MARPOL 73/78 that includes the Protocols as well as Annex I, II, III, IV, and V with the Unified Interpretations are available as follows:

International Maritime Organization (IMO)
Publications Section
4 Albert Embankment
London SE1 7SR, England
Sales No. IMO-520 E

2.0 Vessel Onboard Requirements

- 2.1 Vessels are also required to have on board the following:

- .1 **International Oil Pollution Prevention (IOPP) Certificate** issued by an IACS class society recognized by the Administration.
 - .2 **International Bulk Chemical (IBC) or a Bulk Chemical Code (BCH) fitness Certificate** for every vessel carrying noxious liquid substances in bulk of Category A, B or C and every chemical tanker carrying noxious liquid substances of category A, B, C and D as applicable.
 - .3 **International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk** for every vessel carrying noxious liquid substances of Category D only, which are not regulated for safety by the IBC or BCH Codes.
 - .4 **Oil Record Book (Annex I, Regulation 20) and a Cargo Record Book.** All tank vessels are to maintain these record books in which all operations relating to loading, transfer, unloading, cleaning, ballasting and discharge of cargoes, oily residues or oily-water mixtures are to be recorded on a daily and tank by tank basis. The Record Book forms and Instructions are available from Office of the Deputy Maritime Administrator. Please see *Attachment 4* to this Circular.
 - .5 **Shipboard Oil Pollution Plans (SOPEPs)** required by Annex I, Regulation 26, are to be carried on the vessel at all times. The SOPEP is to be approved either directly by this Administration or by a Recognized Organization on behalf of this Administration. Refer to Circular CD-MSC 14-01 for details.
 - .6 **Procedures and Arrangement Manual** - All ships certified for the carriage of noxious liquid substances in bulk (Annex II) shall be provided with a Procedures and Arrangement (P&A) Manual.
- 2.2 For compliance with Annex V, effective 1 July 1997, every Dominica registered ship of:
- .1 12 meters or more in length overall shall have on display placards written in English and/or French which notify the crew and passengers of the disposal requirements of Regulations 3 and 5 of this Annex, as applicable.
 - .2 400 tons gross and above which is certified to carry 15 persons or more engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention and every fixed and floating platform engaged in exploration and exploitation of the sea-bed shall have a Garbage Management Plan in accordance with the guidelines developed by the IMO and shall maintain a Garbage Record Book formatted similar to that in *Attachment 3* of this Marine Circular.

ATTACHMENT 1**PROTOCOL I**

Provisions Concerning Reports on
Incidents Involving Harmful Substances
(in accordance with Article 8 of the Convention)

Article I - Duty to Report

- (1) The Master of a ship involved in an incident referred to in Article III of this Protocol, or other person having charge of the ship, shall report the particulars of such incident without delay and to the fullest extent possible in accordance with the provisions of this Protocol.
- (2) In the event of the ship referred to in paragraph (1) of the present Article being abandoned, or in the event of a report from such ship being incomplete or unobtainable, the owner, charterer, manager or operator of the ship, or their agents shall, to the fullest extent possible, assume the obligations placed upon the Master under the provisions of this Protocol.

Article II - When to Make Reports

The report shall be made on all incidents involving harmful substances and/or marine pollutants whenever:

- (a) a discharge has occurred other than as permitted under the present Convention; or
- (b) a discharge is permitted under the present Convention:
 - (i) for the purpose of securing the safety of a ship or saving life at sea; or
 - (ii) because it results from damage to the ship or its equipment; or
- (c) a discharge of a harmful substance has been made for the purpose of combating a specific pollution incident or for purposes of legitimate scientific research into pollution abatement or control; or
- (d) there is the probability of a discharge of the type referred to in sub-paragraphs (a), (b) or (c) of the present Article.

Article III - Contents of Reports

- (1) Each report shall contain in general:
 - (a) the identity of the ship;
 - (b) the time and date of the occurrence of the incident;
 - (c) the geographic position of the ship when the incident occurred;
 - (d) the wind and sea conditions prevailing at the time of the incident; and,
 - (e) relevant details respecting the condition of the ship.
- (2) Each report shall contain, in particular:
 - (a) a clear indication or description of the harmful substances involved, including, if possible, the correct technical names of such substances (trade names should not be used in place of the correct technical names);
 - (b) a statement or estimate of the quantities, concentrations and likely conditions of harmful substances discharged or likely to be discharged into the sea; and
 - (c) where relevant, a description of the packaging and identifying marks; and
 - (d) if possible, the names of the consignor, consignee or manufacturer.
- (3) Each report shall clearly indicate whether the harmful substance discharged, or likely to be discharged is oil, a noxious liquid substance, a noxious solid substance or a noxious gaseous substance and whether such substance was or is carried in bulk or contained in packaged form, freight containers, portable tanks, or road and rail tank wagons.
- (4) Each report shall be supplemented as necessary by any other relevant information requested by a recipient of the report or which the person sending the report deems appropriate.

Article IV - Supplementary Report

Any person who is obliged under the provisions of this Protocol to send a report shall, when possible:

- (a) supplement the initial report, as necessary, with information concerning further developments; and

- (b) comply as fully as possible with requests from affected States for additional information concerning the incident.

Article V - Methods of Reporting

- (1) Each report shall be made by radio whenever possible, but in any case by the fastest channels available at the time the report is made. Reports made by radio shall be given the highest possible priority.
- (2) Reports shall be directed to the appropriate officer or agency specified in paragraph (2)(a) of Article 8 of the Convention. IMO Resolution A.648 (16) on the general principles of reporting provides that the officer or agency of the nearest coastal State shall be the recipient of the report.
- (3) Owners and Masters of vessels under Dominica International registry and any other persons subject to the provisions of the foregoing Protocol are instructed that any Report of an Incident involving Harmful Substances as described in Article III or Oil Discharges (Annex I) shall also be directed to:

Office of the Deputy Maritime Administrator
32 Washington Street
Fairhaven, MA 02719

Fax: (508) 992-7120
Telephone: (508) 992-7170
e-mail: registration@dominica-registry.com

ATTACHMENT 2**Regulation 9 - As amended, MEPC.51(32) 6 March 1992**

1. Subject to the provisions of regulations 10 and 11 of this Annex and paragraph (2) of this regulation, any discharge into the sea of oil or oily mixtures from ships to which this Annex applies shall be prohibited except when all the following conditions are satisfied:
 - (a) For an oil tanker, except as provided for in subparagraph (b) of this paragraph:
 - (i) the tanker is not within a special area;
 - (ii) the tanker is more than 50 nautical miles from the nearest land;
 - (iii) the tanker is proceeding *en route*;
 - (iv)* the instantaneous rate of discharge of oil content does not exceed 30 liters per nautical mile;
 - (v) the total quantity of oil discharged into the sea does not exceed for existing tankers 1/15,000 of the total quantity of the particular cargo of which the residue formed a part, and for new tankers 1/30,000 of the total quantity of the particular cargo of which the residue formed a part; and
 - (vi) the tanker has in operation an oil discharge monitoring and control system and a slop tank arrangement as required by regulation 15 of this Annex.
 - (b)** From a ship of 400 tons gross tonnage and above other than an oil tanker and from machinery space bilges excluding cargo pump-room bilges of an oil tanker unless mixed with oil cargo residue:
 - (i) the ship is not within a special area;
 - (ii) the ship is proceeding *en route*;
 - (iii) the oil content of the effluent is less than 15 parts per million; and
 - (iv) the ship has in operation an oil discharge monitoring and control system, oily-water separating equipment, oil filtering equipment or other installation as required by regulation 16 of this Annex.

* Amended

** New Text

2. In the case of a ship of less than 400 tons gross tonnage other than an oil tanker whilst outside the special area, the Administration shall ensure that it is equipped as far as practicable and reasonable with installations to ensure the storage of oil residues on board and their discharge to reception facilities or into the sea in compliance with the requirements of paragraph (1)(b) of this regulation.
3. Whenever visible traces of oil are observed on or below the surface of the water in the immediate vicinity of a ship or its wake, Governments of Parties to the Convention should, to the extent they are reasonably able to do so, promptly investigate the facts bearing on the issue of whether there has been a violation of the provisions of this regulation or regulation 10 of this Annex. The investigation should include, in particular, the wind and sea conditions, the track and speed of the ship, other possible sources of the visible traces in the vicinity, and any relevant oil discharge records.
- 4.* The provisions of paragraph (1) of the regulations do not apply to the discharge of clean or segregated ballast or unprocessed oily mixtures which without dilution have an oil content not exceeding 15 parts per million and which do not originate from cargo pump-room bilges and are not mixed with oil cargo residues.
5. No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or chemicals or other substances introduced for the purpose of circumventing the conditions of discharge specified in the regulation.
6. The oily residues which cannot be discharged into the sea in compliance with paragraphs (1), (2) and (4) of the regulation must be retained on board or discharged to reception facilities.
- 7.*** In the case of a ship, referred to in regulation 16(6) of Annex I, not fitted with equipment as required by regulation 16(1) or 16(2) of this annex, the provisions of paragraph 1(b) of this regulation will not apply until 6 July 1998 or the date on which the ship is fitted with such equipment, whichever is the earlier. Until this date any discharge from machinery space bilges into the sea of oil or oily mixtures from such a ship shall be prohibited except when all the following conditions are satisfied:
 - (a) the oily mixture does not originate from the cargo pump-room bilges;
 - (b) the oily mixture is not mixed with oil cargo residues;
 - (c) the ship is not within a special area;

* Amended

*** New Paragraph

- (d) the ship is more than 12 nautical miles from the nearest land;
- (e) the ship is proceeding *en route*;
- (f) the oil content of the effluent is less than 100 parts per million; and
- (g) the ship has in operation oily-water separating equipment of a design approved by the Administration, taking into account the specification recommended by the Organization."

NOTES:

- (a) *En route* means making headway. Any discharge made while the ship is stopped is an offense.
- (b) Instantaneous rate of discharge of oil content not exceeding 30 liters per mile is calculated to produce, in calm conditions, no visible oil sheen on the sea surface. **Should there be a visible sheen of oil on the sea surface the discharge rate is being exceeded and an offense has been committed.**
- (c) The term oil mixture means a mixture of more than 100 parts per million from machinery spaces and 15 parts per million from cargo and oil fuel tanks.
- (d) Cargo oil or fuel oil residues may not be discharged under any circumstances when less than 50 miles from land. Machinery space residues may not be discharged when less than 12 miles from land.
- (e) Where oil discharge monitoring and control equipment is required to be fitted, all discharges must be made through this equipment which must be maintained in an operational condition.
- (f) Clean or segregated ballast may be discharged without restriction provided it has an oil content of less than 15 parts per million. If any doubt exists as to the oil content it should not be regarded as being clean ballast.
- (g) The special areas referred to in regulation 9 paragraphs (1)(a)(i) and (1)(b)(i) above are:

Mediterranean Sea area	Red Sea area*
Baltic Sea area	Gulf area*
Black Sea area	Gulf of Aden*

For specific definitions of these special areas, refer to regulation 10 of the Convention. At present, none of the Special Areas * listed above are fully in compliance with regulation 10(7)(b). However, every effort should be made to avoid discharges in these areas.

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ANNEX 13

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ATTACHMENT 3
FORM OF GARBAGE RECORD BOOK

Name of ship:

Distinctive number or letters:

IMO No:

Period: _____ From: _____ To:

1. Introduction

In accordance with Regulation 9 of Annex V of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78) effective 1 July 1997, a record is to be kept of each discharge operation or completed incineration. This includes discharges at sea, to reception facilities, or to other ships.

2. Garbage and garbage management.

Garbage includes all kinds of food, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the vessel and liable to be disposed of continuously or periodically except those substances that are defined or listed in other annexes to MARPOL 73/78 (such as oil, sewage or noxious liquid substances).

The Guidelines for the Implementation of Annex V of MARPOL 73/78 should also be referred to for relevant information.

3. Description of the garbage.

The garbage is to be grouped into categories for the purposes of this record book as follows:

- (a) Plastics.
- (b) Floating dunnage, lining, or packing material.
- (c) Ground-down paper products, rags, glass, metal, bottles, crockery, etc.
- (d) Paper Products, rags, glass, metal, bottles, crockery, etc.
- (e) Food waste.
- (f) Incinerator ash.

4. Entries in the Garbage Record Book.

4.1 Entries in the Garbage Record Book shall be made on each of the following occasions:

- (a) When garbage is discharged into the sea:
 - (iii) Category of garbage discharged
 - (iv) Estimated amount discharge for each category in m³
 - (v) Signature of the officer in charge of the operation
- (b) When garbage is discharged to reception facilities ashore or to other ships:
 - (i) Date and time of discharge
 - (ii) Port or facility, or name of ship
 - (iii) Category of garbage discharged
 - (iv) Estimated amount discharged for each category in m³
 - (v) Signature of officer in charge of the operation
- (c) When garbage is incinerated:
 - (i) Date and time of start and stop of incineration
 - (ii) Position of the ship (latitude and longitude)
 - (iii) Estimated amount incinerated in m³
 - (iv) Signature of the officer in charge of the operation.
- (d) Accidental or other exceptional discharges of garbage
 - (i) Time of occurrence
 - (ii) Port or position of the ship at time of occurrence
 - (iii) Estimated amount and category of garbage
 - (iv) Circumstances of disposal, escape or loss, the reason therefore and general remarks.

4.2 Receipts

The master should obtain from the operator of port reception facilities, or from the master of the ship receiving the garbage, a receipt or certificate specifying the estimated amount of garbage transferred. The receipts or certificates must be kept on board the ship with the Garbage Record Book for two years.

4.3 Amount of garbage

The amount of garbage onboard should be estimated in m³, if possible, separately according to category. The Garbage Record Book contains many references to estimated amount of garbage. It is recognized that the accuracy of estimating amounts of garbage is left to interpretation. Volume estimates will differ before and after processing. Some processing procedures may not allow for a usable estimate of volume, e.g., the continuous processing of food waste. Such factors should be taken into consideration when making and interpreting entries made in a record.

RECORD OF GARBAGE DISCHARGES

Ship's Name: _____ Distinctive No. or Letters: _____ IMO
No: _____

Garbage Categories:

- 1: Plastic.
- 2: Floating dunnage, lining, or packing materials.
- 3: Ground paper products, rags, glass, metal, bottles, crockery, etc.
- 4: Paper products, rags, glass, metal, bottles, crockery, etc.
- 5: Food Waste.
- 6: Incinerator ash.

NOTE: THE DISCHARGE OF ANY GARBAGE OTHER THAN FOOD WASTE IS PROHIBITED IN SPECIAL AREAS. ONLY GARBAGE DISCHARGED INTO THE SEA MUST BE CATEGORIZED. GARBAGE OTHER THAN CATEGORY 1 DISCHARGED TO RECEPTION FACILITIES NEED ONLY BE LISTED AS A TOTAL ESTIMATED AMOUNT.

Date/Time	Position of The Ship	Estimated Amount Discharged into Sea (m ³)					Estimated Amount Discharged to Reception Facilities or to other ship(m ³)		Estimated Amount Incinerated (m ³)	Certification/ Signature
		CAT.2	CAT.3	CAT.4	CAT.5	CAT.6	CAT.1	OTHER		

Master's Signature: _____ Date: _____

