

Basic Training

Introduction to the new PRF Directive (EU) 2019/883 on PRF for the delivery of waste from ships & Implementing Acts

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Unit 1.1 Sustainability

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Directive Policy Objective

■ Two-fold Directive Policy objective:

- ❑ Protect the marine environment against the negative effects from discharges of waste from ships using ports located in the Union, while ensuring the smooth operation of maritime traffic, by **improving the availability and use of adequate PRFs and the delivery of waste to those facilities**
- ❑ Facilitate maritime transport operations by reducing the administrative burden and contribute to the circular economy



Directive Policy Context



- ❑ Mandatory delivery in line with MARPOL norms-> Exception based on Sufficient Dedicated Storage capacity
- ❑ MARPOL Regulation addresses discharge prohibition, PRF Directive imposes waste delivery obligations
- ❑ The new Directive aligns EU legislation further with the MARPOL Convention (more stringent, new categories of waste, similar reporting format)
- ❑ Applicable to all ships* irrespective of their flag, calling at or operating at a port of a member State
- ❑ Entry into force: 28 June 2019
- ❑ Transposition deadline: 28 June 2021

*except ships engaged in port services, warships, naval auxiliary, or other ship owned or operate by a state used only for government non-commercial activities

Scope of PRF Directive

		SSN	THETIS-EU PRF Module
Flag	Foreign		
	Flag State		
GT	<300 GT	Except if with dangerous goods	
	>= 300 GT		
Voyages	International		
	Domestic		
Ship Type	Fishing	<45 m	
		>45m	
	Warships		
	Naval Auxiliaries		
	Wooden of primitive build	<45 m	
		>45m	
	Engaged in port services		
	Governmental Non-commercial		
	Pleasure yachts	<45 m	
		>45m	
	Bunkers<1000 GT		

Note: those categories that are filled in yellow in the column 'THETIS-EU PRF Module' but not filled in blue in the column 'SSN', are still under the scope of the PRF Directive, but notifications will not be available electronically through SSN.

Three main areas in PRF Directive Provisions:

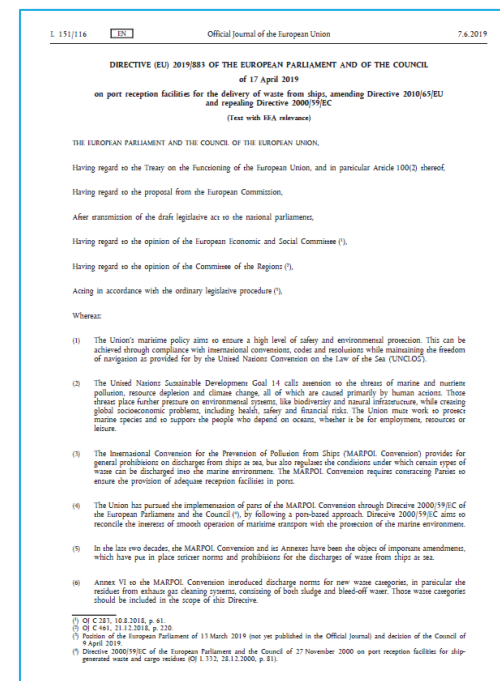
1. Adequacy of port reception facilities: *Operational and environmental conditions*

1. Delivery of waste from ships:

1. *Economic Incentives*
2. *Enforcement*
3. *Exemptions*

2. Administrative provisions

1. *Waste Reception and handling plans*
2. *Requirements on Cost Recovery Systems*
3. *MS to collect data on volume and quantity of passively fished waste and report to the Commission*



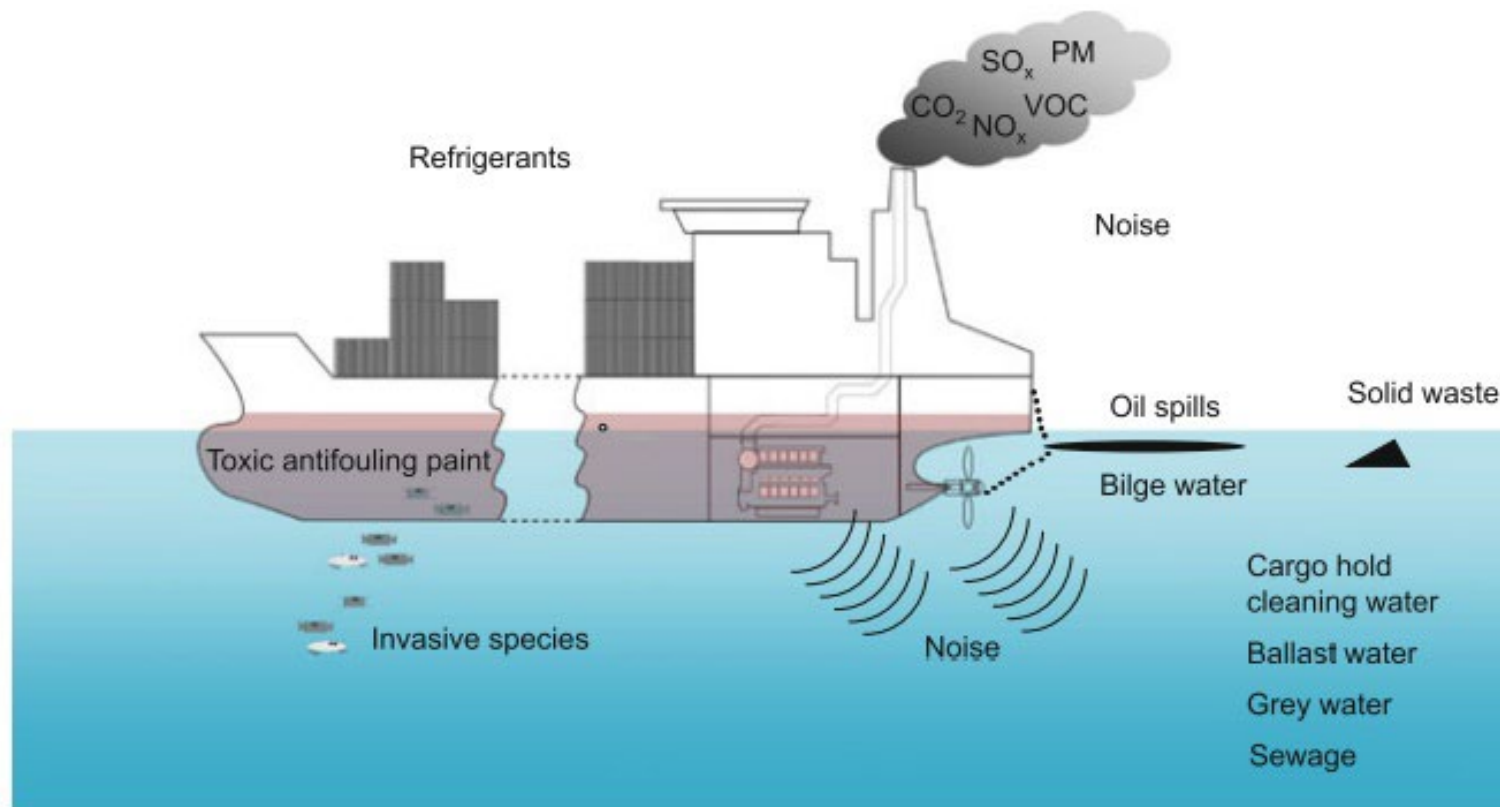
Provisions on PRFs

- ❑ **Port Reception Facility** means any facility which is fixed, floating or mobile and capable of providing the service of receiving the waste from ships;
- ❑ Member States shall ensure the **availability of PRFs** adequate to meet the need of the ships normally using the port without causing undue delay to ships.
- ❑ Member States shall **ensure separate collection** to facilitate reuse and recycling of waste from ships in ports, as required under Union waste legislation*.

*in particular Directive 2006/66/EC, Directive 2008/98/EC and Directive 2012/19/EU



Waste from Ships (I)



- Moving from 'ship-generated waste' to 'waste from ships'
- Directive (EU) 2019/883 addresses additional categories of waste: MARPOL Annex VI, Passively fished waste and Cargo Residues

Waste from Ships (II)

MARPOL Annex I – Oil
Oily bilge water
Oily residues (sludge)
Oily tank washings
Dirty ballast water
Scale and sludge from tank cleaning
Other (please specify)

MARPOL Annex II – (NLS)
Category X substance
Category Y substance
Category Z substance
OS – other substances
NOXIOUS LIQUID SUBSTANCES

MARPOL Annex IV – Sewage

MARPOL Annex V – Garbage
A. Plastics
B. Food Waste
C. Domestic waste (e.g. paper products, rags, glass, metal, bottles, crockery, etc.)
D. Cooking Oil
E. Incinerator ashes
F. Operational waste
G. Animal carcass(es)
H. Fishing gear
I. E-waste
J. Cargo residues ⁽¹⁾ (Harmful to the Marine Environment – HME)
K. Cargo residues ⁽²⁾ (non-HME)

MARPOL Annex VI – Air Pollution related
Ozone depleting substances and equipment containing such substances ⁽³⁾
Exhaust gas cleaning residues



Other waste, not covered by MARPOL
Passively fished waste

Directive's Implementation (I)



- ❑ Mandatory delivery in line with MARPOL norms; Exception based on **Sufficient Dedicated Storage capacity**
- ❑ Reporting of Advance Waste Notification, Waste Receipts and Exemptions
- ❑ Use of Information, Monitoring and Enforcement System for Electronic reporting /exchange of information:
 - ❑ SSN/THETIS-EU PRF Module
- ❑ **Mandatory Reporting of Inspections outcome in THETIS-EU PRF Module**
- ❑ Inspection regime:
 - ❑ Inspection commitment (15%) *
 - ❑ Selection of ships based on **Union**
 - ❑ **Risk-Based targeting mechanism**





- **Directive foresees 4 additional Implementing Acts to be adopted:**
 - ❑ Methods for calculation of Sufficient Dedicated Storage (SDS) capacity – Art. 7(4)
 - ❑ Criteria for demonstrating that a ship produces reduced quantities of waste, and manages its waste in a sustainable and environmentally sound manner - Art. 8(5)(b)
 - ❑ Definition of Union Risk-Based Targeting (RBT) Mechanism to provide for uniform conditions for selecting ships for inspection – Art.11(2)
 - ❑ Methodology for reporting passively fished waste - Art. 8(7)

Directive Implementation (III)

PRF Directive overall goal: to contribute to a zero pollution ambition



Risk Based Targeting
to select ships for
Inspections



Mandatory recording of Inspections
in **THETIS** -EU



sorting, treating and promoting recycling



PRF fees
reduced if
ship meets
'green' criteria



Indicator if
Sufficient Storage
onboard available



Reporting of more
waste types to be
delivered to PRF
and kept on board,



- ❑ **SDS calculation** expected to be available in THETIS-EU PRF Module
- ❑ **RBT** expected to be implemented in THETIS-EU PRF Module
- ❑ **New Configurations** (example: new set of Non-Compliances) already applied in THETIS-EU PRF Module on 8 July
- ❑ **Updated EMSA PRF Guidance** had first round of consultation with MS, second draft available. Still room for suggestions/comments. Final version of Guidance only after SDS and RBT IA's are adopted

ANNEX 2

STANDARD FORMAT OF THE ADVANCE NOTIFICATION FORM FOR WASTE DELIVERY TO PORT RECEPTION FACILITIES

1. SHIP PARTICULARS
2. PORT AND VOYAGE PARTICULARS
3. TYPE AND AMOUNT OF WASTE AND STORAGE CAPACITY

Type	Waste to be delivered (m ³)	Maximum dedicated storage capacity (m ³)	Amount of waste retained on board (m ³)	Port at which remaining waste will be delivered	Estimated amount of waste to be generated between notification and next port of call (m ³)
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ANNEX 3

STANDARD FORMAT FOR THE WASTE DELIVERY RECEIPT

1. PORT RECEPTION FACILITY AND PORT PARTICULARS
2. SHIP PARTICULARS
3. TYPE AND AMOUNT OF WASTE RECEIVED

MARPOL Annex I – Oil	Quantity (m ³)
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Notifications under the Directive

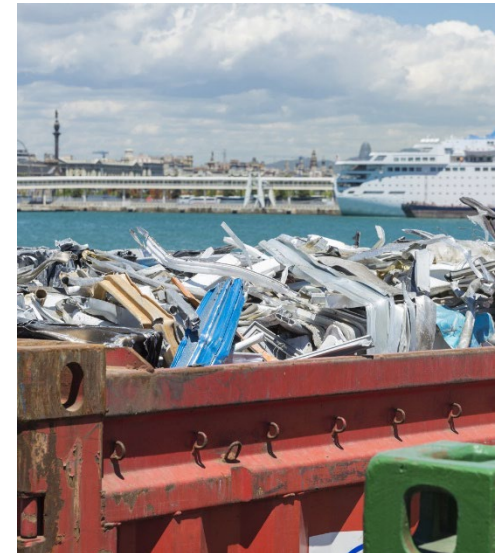
ANNEX 5

EXEMPTION CERTIFICATE PURSUANT TO ARTICLE 9 IN RELATION TO THE REQUIREMENTS UNDER ARTICLE 6, ARTICLE 7(1) AND ARTICLE 8 OF DIRECTIVE (EU) 2019/883 AT THE PORT[S] OF [INSERT PORT] IN [INSERT MEMBER STATE] ⁽¹⁾

and is thus exempted, in accordance with *[insert relevant provision in national legislation of the country]*,
[from the requirements on:

- ☐ *mandatory delivery of waste from ships,*
- ☐ *the advance waste notification, and*
- ☐ *the payment of the mandatory fee, at the following port(s):]*

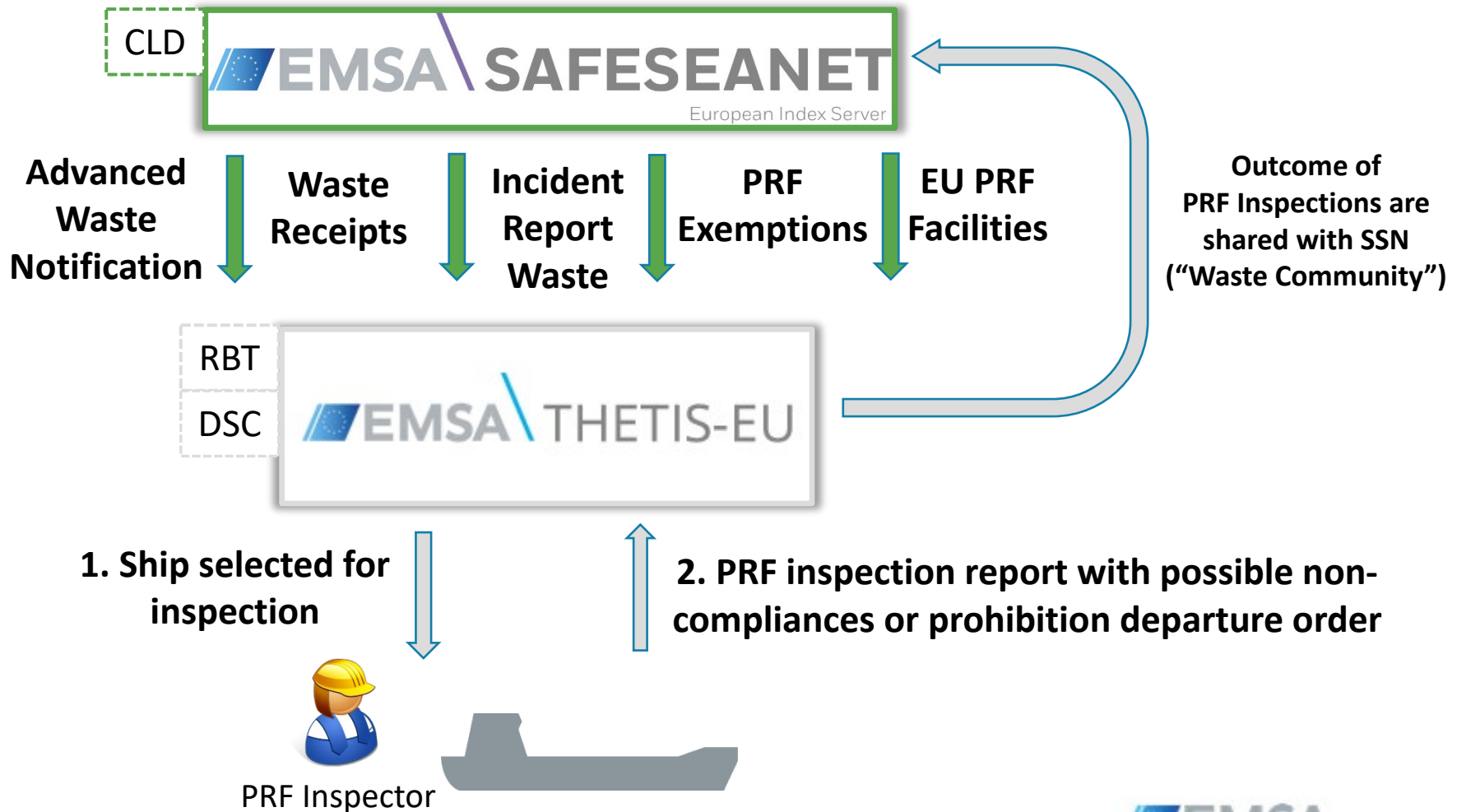
Exempted ships **can still be inspected!**





- ❑ According to Article 13(3) of the PRF Directive, PRF information like location, managed waste types, contact points, etc, shall be made electronically available through SSN.
- ❑ The purpose is to allow further processing by THETIS-EU and ensure information is kept up-to-date.
- ❑ Information is expected to be stored in EMSA Central Locations Databases (CLD).
- ❑ The MS also have the obligation to communicate information on their PRFs to the IMO GISIS Module*.
- ❑ To avoid double reporting (to SSN and IMO GISIS), there is ongoing a joint submission to IMO for a technical link between SSN and IMO GISIS.

How will this all work?



Sufficient Dedicated Storage (I)

- 'Sufficient storage capacity' definition (Art 2.10):

means enough capacity to store the waste on board from the moment of departure until the next port of call, including the waste that is likely to be generated during the voyage

- there was however general consensus that for simplicity and to have a single formula the **Used Waste Capacity** at the beginning of the journey to the next port (Method 1) should be applied:

With:

$$UWC_{\text{BEGINNING}} (\%) = \frac{A * 100}{M} < \text{Threshold}$$

A – is the Amount of waste type retained on board (m3) at the time of departure from the Port of Call.

M – is the Maximum dedicated storage capacity (m3)



Expected provisions:

- ❑ Threshold will vary depending on MARPOL Annex and if next port of call in EU or not.
- ❑ Some ports, even if not physically located in the EU, will be treated as so for the sake of the Threshold value
- ❑ This group is expected to include all ports located in: Iceland, Norway, United Kingdom (including Isle of Man, Channel Islands and Gibraltar), as well as Russian ports located in the Baltic Sea.

Sufficient Dedicated Storage (III)



Expected provisions:

- ❑ The method for calculating the sufficient dedicated storage capacity will not be applicable :
 - (a) waste types under Annex II to the MARPOL Convention;
 - (b) passively fished waste.

- ❑ During an initial phase, the $UWC_{\text{BEGINNING}}$ value may be treated as indicative for cargo residues waste types:
 - (a) MARPOL Annex I – Oil: Oily tank washings and Dirty Ballast Water;
 - (b) MARPOL Annex V – Garbage: Cargo Residues (HME and non-HME);



RBT Proposed way forward

- The RBT is a system to provide an indication to authorities on which ships to inspect, giving an indication of risk level
- Increased likelihood to detect PRF non-compliances
- The proposed mechanism establishes 4 different Risk Levels:
 - PRF Risk Level 1
 - PRF Risk Level 2
 - PRF Risk Level 3
 - Normal Risk Level



higher Risk Level is associated with a higher probability of identifying a non-conformance to the Directive obligations

Risk levels will be computed based on input parameters

Risk Based Targeting Mechanism (II)



Expected provisions:

- ☐ MS shall give priority to the inspection of ships with a higher risk level category and randomly select some vessels for inspection every year.
- ☐ It remains the decision of the authorities which exactly vessels to select in order to achieve the 15% annual plafond of inspections.
- ☐ 10 risk parameters are expected as inputs to the calculation of the Risk Level
- ☐ Each of those risk parameter is assigned a different colour code representing a risk level: red (high), orange (medium) or yellow (low).

Risk Based Targeting Mechanism (III)



Expected provisions (cont.):

- ❑ We will not go into detail and list all 10 parameters, but Table 1 below gives some of them, as an example:

Risk parameter number	Risk level of the alert (Colour code)	Risk parameter description	Criteria for activating an alert for the risk parameter	Criteria for deactivating the alert for the risk parameter
3	Orange	Date of the previous inspections carried out in accordance with Article 10 of Directive (EU) 2019/883.	The alert is activated if the ship was not inspected in accordance with Article 10 of Directive (EU) 2019/883 in the previous 12 months. Note: This alert should only be active after 28 June 2022.	The alert is deactivated after an inspection has been recorded in accordance with Article 14(2), point (a), of Directive (EU) 2019/883.
4	Red	Existing report(s) by Port Reception Facilities inspection authorities, port authorities or other competent bodies indicating that the ship has not complied with Article 7 of Directive (EU) 2019/883.	The alert is activated manually in THETIS-EU by Port Reception Facilities inspectors.	The alert is deactivated after an inspection is concluded (status 'Inspected') without non-compliances.
5	Orange	Port Reception Facilities Non-Compliances <u>Alert</u>	Alert triggered if ship has been identified with Port Reception Facilities non-compliances within the last 6 months, with a relevant report in THETIS-EU.	The alert is deactivated after an inspection is concluded (status 'Inspected') without non-compliances.

Risk Based Targeting Mechanism (IV)



- ❑ The assignment of the risk level to a ship on the basis of the active parameters shall be based on the criteria set out in Table 2 below.

Table 2: Assignment of risk levels based on number of active inputs

Criteria for risk levels	
Risk level 1	One or more red alerts
Risk level 2	One or more ¹ orange alerts
Risk level 3	One or more ¹ yellow alerts
No risk level	No active alert

Risk Based Targeting Mechanism (V)



- ❑ And in order to apply several concurrent active alerts for assigning the risk levels set out in Table 2, the conversion factors set out in Table 3 below may be applied.

Table 3: Conversion factors to combine several concurrent active parameters for application of Table 2 risk levels

Conversion factor	
Three yellow alerts	One orange alert
Three orange alerts	One red alert

Risk Based Targeting Mechanism (VI)

- ❑ One of the expected risk parameters is the availability of an active SSN Waste Incident Report

Annex III – Incident Report type Waste

The IR Waste template shall include the following data elements:

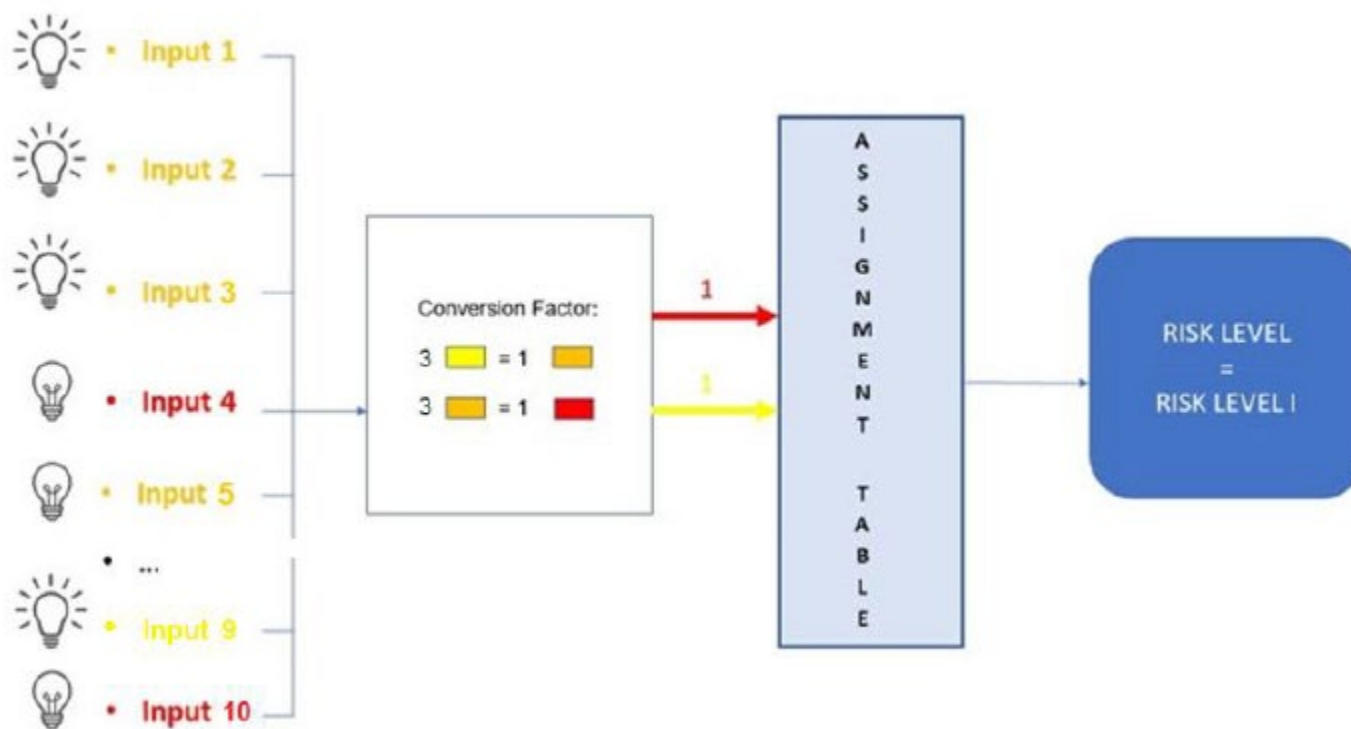
Ship identification (IMO or MMSI mandatory)
Authority reporting the incident
Date of incident
Port reporting the incident (possibility to link to voyage in SSN using ShipCallId)
Next Port of Call
ETA to next port
Waste Incident type – possible list of values: <ul style="list-style-type: none">○ Advance Waste notification not reported (article 6)○ Waste not delivered (article 7.1)○ Waste receipt not reported (article 7.3)○ Vessel has sailed but not sufficient storage capacity (article 7.4)○ Other (please fill in the free text description below) e.g. <i>[significant] mismatch between the notification and receipt*</i>
* In due time it should be explored if and how the system can support by sending such warnings
Description of the incident (free text description) <i>e.g. describe the type(s) and quantity(-ies) of mismatch between the notified amounts of waste to be delivered and the actual amounts delivered, resulting in not enough spare storage capacity in view of next port of call and possible risks for discharging and pollution (and any action taken or recommended any by whom).</i>

The Incident should be automatically distributed to the country of the next port of call if port of a Member State.

Risk Based Targeting Mechanism (VII)



Example





Thank you!

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