

Enforcement of the Port Reception Facilities Directive



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Objective

- Guidance for a harmonised approach to ship inspections;
- Ascertains compliance/non-compliance;
- Enforcement and follow up actions;
- Article 3 - all ships, irrespective of flag, calling at, or operating within, a port of a Member State, including fishing vessels and recreational craft;

- exceptions: ships engaged in port services;
- warship, naval auxiliary;
- ship owned or operated by a State/
- Government on a non commercial basis;
- ship only calls at an anchorage for less than 24 hours or under adverse weather conditions.



- Ships should deliver all the waste carried on board to a port reception facility:
 - taking into account relevant **MARPOL discharge provisions;**
- **Advanced Waste Notification;**
- **Provision of Receipts;**
- **‘sufficient dedicated storage capacity’ for all waste that has been accumulated and will be accumulated until the next port of call;**
- **MS’s shall ensure that any ship may be subject to inspections - either targeted or random ones;**
- **MS shall carry out inspections corresponding to at least 15 % of the ships calling their ports based on the average of individual ships calling in the last 3 calendar years.**



MS's must ensure that a ship has met its obligation to deliver, before departure, all its waste if:

- (a) adequate port reception facilities are not available at the next port of call;**
- (b) the next port of call is unknown; or,**
- (c) evidence of no 'sufficient dedicated storage capacity'.**

PRF inspection should be limited to determining:

- whether the ship has delivered or will be delivering the waste at the inspection port; or,**
- has a valid exemption certificate in place; or,**
- has sufficient dedicated storage capacity to keep the waste on board until the next port of call.**



- Thetis EU – PRF; and
- Safe Sea Net (300GT) – AW Notification/Cargo Information

Selection of a ship for Inspection

- National Risk Based Analysis;
- Union Targeting Mechanism.

Focus on ships:

- which have not complied with the AWN;
- proceeded to sea without having delivered waste in last port;
- having any PRF alert in THETIS-EU; or
- having no inspections during the last 12 months.

Alerts:

- Failure to comply with PRF reporting obligations;
- Possible non-compliance with PRF Directive; and,
- Ship sailed without complying with the waste delivery.



Pre-boarding: Information

- Ship particulars and cargo on board;
- Last port and date where the waste was delivered;
- **Verification of WR (in case of a previous EU port);**
- The amount of waste the ship has notified that it has on board and will deliver to the PRF;
- **The maximum dedicated storage capacity for each type of waste on board the ship;**
- How much waste the ship intends to keep on board after this port call; and,
- **How much waste the ship estimates that will generated between the notification and the next port call.**

STANDARD FORMAT OF THE ADVANCE NOTIFICATION FORM FOR WASTE DELIVERY TO PORT
Reception Facilities
Notification of the delivery of waste to:
Directive (EU) 2019/883
This form should be retained on board the ship along with the appropriate Oil Record Book, Cargo Record Book, Garbage Record Book or Garbage Management Plan as required by the MARPOL Convention.

(order name of port of call, as referred to in Article 6 of Directive (EU) 2019/883)

1. SHIP PARTICULARS

1.1 Name of ship:	1.5 Owner or operator:
1.2 IMO number:	1.6 Distinctive number or letters:
1.3 Gross tonnage:	MMSI (Maritime Mobile Service Identity) number:
1.4 Type of ship:	1.7 Flag State:
<input type="checkbox"/> Oil tanker <input type="checkbox"/> Other cargo ship	<input type="checkbox"/> Chemical tanker <input type="checkbox"/> Bulk carrier <input type="checkbox"/> Ro-ro <input type="checkbox"/> Container <input type="checkbox"/> Passenger ship <input type="checkbox"/> Other (specify):

2. PORT AND VOYAGE PARTICULARS

2.1 Location/terminal name:	2.6 Last port where waste was delivered:
2.2 Arrival date and time:	2.7 Date of last delivery:
2.3 Departure date and time:	2.8 Next port of delivery:
2.4 Last port and country:	2.9 Person submitting this form (if other than the master):
2.5 Next port and country (if known):	

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)
MARPOL Annex I – Oil					
Oily bilge water					
Oily residues (sludge)					
Oily tank washings					
Dirty ballast water					

Inspection prior to Waste Delivery:

- has AWP been sent/received;
- the information is consistent with the current waste on board;
- waste is being preparing for delivered;
- the ship has been informed PRF will arrive;
- the ship's agent has arranged for the ship to be serviced by PRF or a waste contractor; and,
- there have been no previous problems with the ship delivering its waste.



Inspection after Waste Delivery:

- delivery of the pre-notified waste did occur at the port of inspection;
- **the delivery was complete;**
- a WR is available for the current port and has been uploaded into SSN; and,
- **appropriate records have been made in the ship's record books**



Inspecting the AWN

- Is present on board the ship;
- Has been filled in appropriately;
- Is correct for the relevant types of waste;
- Reported the waste storage capacities as stated in the relevant documentation on board; and
- Corresponds to the data that has been reported to SSN.



Exempted ships

- **is the Exemption Certificate on board?;**
- **is it complete, is valid and is signed by the MS competent body (exemptions can only be given by a MS for the ports in their country);**



- **verify that it is applicable to the ship being inspected;**
- **verify that the conditions and requirements of the exemption are being fulfilled; and,**
- **verifying that the receipts are on board,**

- Based on the Commission Implementing Act ‘Method for Calculating Sufficient Storage Capacity’

The calculation will be available in THETIS-EU.

- Based on the estimations performed, if sufficient capacity then the ship may be granted an Exception from mandatory delivery; and,
- Should be confirmed on board if inspected.



‘sufficient dedicated storage capacity’

- capacities outlined in the Garbage Management Plan;
- the waste that the ship has declared that it will keep on board;
- the remaining storage capacity on board;
- the AWN of the previous port of delivery; and
- the WRs of the previous ports of delivery in the record books to ensure that delivery has been occurring regularly.



Non-Compliances

Non-Compliance	Nature of Defect	Action
Pre-arrival notification to current port	<ul style="list-style-type: none">• Not via NSW• Not sent 24hrs prior to arrival• Not sent when destination becomes known• Missing• Incorrect• Incomplete• Mismatch between AWN and Form on board	<ul style="list-style-type: none">• Flag Informed• PSC authority Informed• Warning Issued• Relevant authorities Informed• Case raised under National legislation• Penalty applied• Compliance requested• Re-notification required• Delivery Required• Other

Non-Compliances

Non-Compliance	Nature of Defect	Action
Pre-arrival notification to previous port	<ul style="list-style-type: none"> • Not via NSW • Missing • Incorrect • Incomplete 	<ul style="list-style-type: none"> • Flag Informed • PSC authority Informed • Warning Issued • Relevant authorities Informed • Case raised under National legislation • Penalty applied • Compliance requested • Delivery Required • Other
Delivery of waste from the ship in current port	<ul style="list-style-type: none"> • Delivery did not occur • No intention to deliver waste • Incomplete delivery 	
Delivery of waste from the ship in previous port	<ul style="list-style-type: none"> • Delivery did not occur • Incomplete Delivery 	

Non-Compliance	Nature of Defect	Action
Storage Capacity for waste on board	<ul style="list-style-type: none">• Information not provided• Information not complete• Storage capacity inadequate for the next voyage	<ul style="list-style-type: none">• Flag Informed• PSC authority Informed• Warning issued• Relevant authorities Informed• Case raised under National legislation• Penalty applied• Compliance requested• Delivery Required• Next port of call informed• Other

Non-Compliances

Non-Compliance	Nature of Defect	Action
Exemptions	<ul style="list-style-type: none">• Not available• Information not complete• Not applicable• Not as required• Conditions not fulfilled• Requirements not fulfilled	<ul style="list-style-type: none">• Flag Informed• PSC authority Informed• Warning Issued• Relevant authorities Informed• Case raised under National legislation• Penalty applied• Compliance requested• Delivery Required• Other
Record books and Waste Receipt	<ul style="list-style-type: none">• Information not complete• Incorrect entries• Receipt and record book inconsistent• Receipt not reported electronically	



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