

Directive 2000/59/EC

Port reception facilities
for ship generated
waste and cargo
residues

- Arnaud Leroy
- Olev-Erik Leino



Purpose of the Directive 2000/59/EC

- Article 1:

The purpose of the Directive is to reduce the discharges of ship-generated waste and cargo residues into the sea, especially illegal discharges, from ships using ports in the Community, by improving the availability and use of port reception facilities for ship-generated waste and cargo residues, thereby enhancing the protection of the marine environment

General information

- Art 12.3 of the Directive 2000/59/EC states that:

Member States and the Commission shall co-operate in establishing an appropriate information and monitoring system, covering at least the whole of the Community, to:

- *improve identification of ships which have not delivered their ship-generated waste and cargo residues in accordance with the Directive.*

- []

Scope

- Art. 3 states that the Directive shall apply to
 - All ships, including fishing vessels and recreational craft (exception of war ships /naval auxiliary and other ship owned or operated by the State and used for non-commercial service)
 - All ports of the member States normally visited by ships

Obligations for a Member State

- Obligation for a Member State to ensure **availability** of port reception facilities **adequate** to meet the needs of ships normally using the port without causing undue delay to ships
- Obligation to ensure the costs of port reception facilities shall be covered through the collection of a fee from ships (polluter pays principle)

Obligations for a Member State

- Ports have to develop and implement a waste reception and handling plans
 - » guidelines given in Annex I of Directive for the elements to be contained in the plan
 - » information made available to all port users
 - » the Member State has to evaluate and approve the plans, monitor its implementation and ensure its re-approval every three years

Obligations for a ship

- Art.6 Obligation to notify (Master/ship agent)
 - At least 24 hours prior to arrival, if the port of call is known
 - As soon as the port of call is known
 - At the latest upon departure from the previous port if the duration of the voyage is less than 24 hours.

INFORMATION TO BE NOTIFIED BEFORE ENTRY IN TO THE PORT I

- 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 call:
- 6. Next port of call:
- 7. Last port and date when ship-generated waste was delivered:
- 8. intention to deliver
- all ☐ some ☐ none ☐ of the onboard waste into a port reception facilities?

INFORMATION TO BE NOTIFIED BEFORE ENTRY IN TO THE PORT II

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

Obligations for a ship II

- Delivery of ship-generated waste (art.7):
 - Mandatory delivery, except when there is a sufficient storage capacity on board.
 - In this case, art 7.2 allows ship to proceed at sea without delivery
- Cargo residues have to be delivered in accordance with the MARPOL provisions. (art 10)

Exemptions

- Art 9: when ships which are engaged in scheduled traffic with frequent and regular port calls, and when there is sufficient evidence of an arrangement to ensure the delivery of ship-generated waste and the payment of fees in a port along ship's route.
- Member State of the ports involved may exempt these ships from the obligations of notification, delivery of waste and payment of the fees for ship-generated waste.

Enforcement I

- Art. 11 states that Member States shall ensure that any ship may be subject to an inspection in order to verify that a ship complies with the Directive's requirements.

When selecting ships for inspection, particular attention has to be given to ships which have:

- not complied with the notification or
- notified suspicious information

Art 12.1.d states that the information notified has to be appropriately examined.

Inspections may be undertaken within the framework of Port State control. Whatever the framework of the inspections, the 25% inspection requirement shall apply.

Enforcement II

- Further to an inspection, the competent authority may require a ship to deliver its waste (ship-generated waste and cargo residues).
- If a ship proceed at sea without having complied with the waste delivery requirements, competent authority of the next port of call shall be informed.

What next ?

- to promote the use of the already existing Waste alert message;
- based on the outcome of the COSS meeting held in September, to set up a working group to explore the possibility to use the information contained in the waste notification in SSN;
- to assist and encourage Member States already implementing such a system on voluntary basis.

THANK YOU FOR ATTENTION