



Marine Notice 6/2012

Revised Garbage Discharge Regulations for Ships

The purpose of this Marine Notice is to advise ship owners and operators of new requirements, to come into effect from 1 January 2013, that will prohibit the discharge of garbage waste into the sea from ships, except in very limited circumstances.

The Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO) has developed amendments to Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL). These amendments were adopted at the 62nd session of the MEPC in July 2011.

Discharge of garbage

The new regulations will prohibit the discharge of garbage into the sea, except in the following limited circumstances, which will only apply while the ship is "en route":

- at least 3 nautical miles from the nearest land for food wastes which have been passed through a comminuter or grinder. Such comminuted or ground food waste is to be capable of passing through a screen with openings no greater than 25mm;
- at least 12 nautical miles from the nearest land for food wastes that have not been treated by passing through a comminuter or grinder;
- at least 12 nautical miles from the nearest land for cargo residues that cannot be recovered using commonly available methods for unloading. These cargo residues are not to contain any substances classified as harmful to the marine environment, taking into account guidelines that are currently being developed by IMO;
- cleaning agents or additives contained in cargo hold, deck and external surfaces wash water may be discharged into the sea, however these

substances must not be harmful to the marine environment, taking into account guidelines currently being developed by IMO;

- animal carcasses may be discharged into the sea providing the discharge is as far as possible from the nearest land, taking into account guidelines that are currently being developed by the IMO.

A further notice will be issued in 2012 once the various guidelines mentioned above have been completed and circulated by the IMO.

The major change will be that ships will no longer be able to discharge paper, cardboard, wood, packing materials, dunnage, glass, metal, crockery, incinerator ash or similar refuse at sea at all.

It will not be mandatory to offload waste in every port of call. If appropriate storage is available on board a vessel it may retain waste onboard for bulk disposal at a particular port.

As previously provided, exceptions in the regulations continue for:

- the discharge of garbage from a ship necessary to secure the safety of a ship and those on board, or saving a life at sea;
- the accidental loss of garbage resulting from damage to a ship or its equipment, provided that all reasonable precautions have been taken before and after the occurrence of the damage, to prevent or minimize the accidental loss;
- the accidental loss of fishing gear from a ship provided that all reasonable precautions have been taken to prevent such loss; or
- the discharge of fishing gear from a ship for the protection of the marine environment or for the safety of that ship or its crew.

Garbage Management Plans

The other major change is that the requirement for ships to have Garbage Management Plans has been extended from every ship of 400 gross tons and above and every ship certified to carry 15 persons or more, to apply to:

- every ship of 100 gross tons and above;
- every ship which is certified to carry 15 or more persons; and
- fixed or floating platforms.

Owners and operators of Australian ships of 100 gross tons and above that do not already have garbage management plans will need to ensure such plans are completed and on board by 1 January 2013. The IMO guidelines for the development of garbage management plans has been issued as circular MEPC/Circ.317 which can be accessed at www.imo.org by following the links to "Circulars" and "MEPC".

Other changes

Other changes include:

- fixed or floating platforms engaged in exploration and exploitation of the sea-bed will be required to comply with placarding obligations;

- new requirements for recording accidental discharge or loss of garbage from ships less than 400 gross tons in the ship's official logbook; and
- new requirements to report to both the Flag and the coastal State for accidental loss or discharge of fishing gear which poses a threat to the marine environment or navigation.

Amendments will be made to Australian legislation to give effect to the revised garbage discharge regulations for ships.

The full text of the regulations that will come into effect on 1 January 2013 can be found on the AMSA web site at www.amsa.gov.au/marine_environment_protection/revision_of_annexes_i_and_ii_of_marpol/index.asp and by clicking on the link to Resolution MEPC.201(62).

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