

PORT STATE CONTROL COMMITTEE INSTRUCTION 52/2019/07

GUIDELINES FOR PORT STATE CONTROL ON POLLUTION PREVENTION MARPOL ANNEX V - GARBAGE

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1 INTRODUCTION

1.1 General

MARPOL Annex V seeks to eliminate and reduce the amount of garbage being discharged into the sea from ships. The revised MARPOL Annex V prohibits the discharge of all types of garbage into the sea unless explicitly permitted under the Annex.

1.2 Goals and purpose

This document is intended to provide guidance on the conduct of Port State control inspections for compliance with MARPOL Annex V and provide consistency regarding inspections, deficiency identification and the application of control procedures.

1.3 Application

Unless expressly provided otherwise, the provisions of MARPOL Annex V apply to all ships. When ships are observed to be operating, or previously operated, in Polar Waters, special requirements of MARPOL Annex V in accordance with Part II-A of the Polar Code shall be examined.

1.4 Definitions and abbreviations

PSCOs should consult the Port State Control Committee Instruction on Definitions and Abbreviations, which serves as a general document and is to be used in conjunction with these guidelines.

Shipper means any person by whom or in whose name, or on whose behalf, a contract of carriage of goods by sea has been concluded with a carrier, or any person by whom or in whose name, or on whose behalf, the goods are actually delivered to the carrier in relation to the contract of carriage by sea. The identification of the shipper is made possible by consulting the bill of lading referring to the above goods.

2 INSPECTION OF SHIP

2.1 Initial inspection

2.1.1 Certificates and documents

During an initial inspection, including a tour of the ship, the PSCO should first ascertain the particulars of the ship, such as its length overall, gross tonnage and capacity of persons the ship is certified to carry, which are subject to the provisions of MARPOL ANNEX V. The following areas should be checked:

1. **Garbage Record Book (GRB)** – for appropriate entries, in conjunction with shipper declaration for cargo residues and any receipts obtained from port reception facilities.. GRB shall, whether as a part of the ship's official log-book or otherwise, be in the form specified in appendix II of Annex V.

The PSCO should take into account there is no convention requirement for port reception facilities to issue a waste receipt nor for a vessel to be able to present one.

2. **Garbage Management Plan** – applicable for ships greater than 100 GT or certified to carry 15 or more persons and fixed or floating platforms. Such ships or platforms shall carry a garbage management plan that provides written procedures for collecting, storing, processing and disposing of garbage, including the use of the equipment on board. The plan shall be based on the guidelines developed by the Organization and written in the working language of the crew.

2.1.2 Statutory Certification

The PSCO should bear in mind that MARPOL ANNEX V has no requirements for statutory certification, therefore a certificate on the prevention of pollution by garbage from ships is not mandatory.

2.1.3 Shipboard Incinerator

If a ship is fitted with an incinerator, the garbage collection space capacity may be smaller than for a ship that has no incinerator. The incinerator shall be maintained in good working condition. It should be noted, some incinerators may not be able to meet air pollution regulations imposed in some ports and harbours or by flag and coastal States when such matters are subject to their jurisdiction.

2.2 Clear grounds

The following non exhaustive list may be considered as clear grounds for a more detailed inspection:

1. Garbage Record Book is missing or clearly invalid (e.g. not signed or appears to have been tampered with);
2. Garbage Record Book entries are not recorded correctly as required in MARPOL ANNEX V
3. Garbage Management Plan is missing or the content of it is incomplete according to MARPOL ANNEX V,
4. The Placards posted on board are not according to MARPOL ANNEX V;
5. The garbage is not separated, handled or stored correctly according to the Garbage Management Plan; and
6. Evidence that garbage collecting arrangements or storage space is not sufficient for the intended voyage.
7. the master or crew are not familiar with essential shipboard procedures relating to the prevention of pollution by garbage
8. Declaration of shipper for the categorisation, of cargo residue as HME or not, missing, incomplete or invalid.

2.3 More detailed inspection

If the PSCO, from general impressions or observations on board, has clear grounds for believing that the garbage management on board a ship does not correspond substantially with MARPOL ANNEX V, or that the master or crew are not familiar with essential shipboard procedures, a more detailed inspection should be carried out and the Master should be informed immediately of these grounds. While conducting a more detailed inspection, the inspection should focus on shipboard garbage handling (collection, processing, storage and discharge) and the PSCO should verify the consistency between the management of garbage on board with the plan and records. These aspects include:

1. Aligning the garbage handling equipment with the garbage management plan, including different colour markings on containers;
2. Confirming the different types of garbage stored in separate containers, and that these are clearly marked to avoid incorrect discharge, and to facilitate proper handling and treatment on land;
3. Confirming that there was no deliberate discharge of garbage, including in restricted areas;
4. Confirming that the garbage collected throughout the ship has been delivered to the designated processing or storage locations.

With regard to the operational control for garbage, the PSCO may determine if all operational requirements of MARPOL ANNEX V have been taken into account:

5. Ship's personnel are aware of garbage management plan and procedures, in particular minimizing the amount of potential garbage generated (Reusing and Recycling) and shipboard handling and storage of garbage; and

6. Ship's personnel are familiar with the disposal and discharge requirements under MARPOL ANNEX V inside and outside a special area and are aware of such special areas, as determined under MARPOL ANNEX V.

2.4 Expanded Inspection

An expanded inspection should be carried out in accordance with the Paris MoU procedures and guidelines. There are no additional requirements regarding the Polar code to follow during an expanded inspection

3 FOLLOW-UP ACTION

3.1 Deficiencies warranting detention

In order to assist the PSCO in using these Guidelines, the following (non exhaustive) list of deficiencies could be considered to be of such a serious nature that they may warrant the detention of the ship involved:

1. Absence of the garbage management plan;
2. No garbage record book available;
3. Ship's crew are not familiar with the handling and discharge requirements documented in the garbage management plan, leading to illegal discharge of garbage into the sea where prohibited by MARPOL Annex V;
4. excess garbage stored on board and/or insufficient garbage storage space for the intended voyage.

4 REPORTING

4.1 Codes

14501	Garbage shipboard handling
14502	Placards
14503	Garbage Management Plan
14599	Other (MARPOL – Annex V)