



Marine Notice 2017/4

## MARPOL Annex V Discharges

### Purpose

The purpose of this Marine Notice is to provide general information on the Australian legislative requirements<sup>1</sup> that implement Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL), the *2012 Guidelines for the Implementation of MARPOL Annex V* and other relevant IMO guidance material to assist shipowners, masters and crews in applying the Annex V discharge requirements.

This notice is issued as general guidance only and should be read in conjunction with the relevant Acts, Marine Orders and Standards. This document does not constitute legal advice and is not a substitute for independent professional advice.

This Marine Notice supersedes Marine Notice 2012/19.

### Guidelines for the Implementation of MARPOL Annex V

The 2012 Guidelines for the Implementation of MARPOL Annex V (Resolution MEPC.219(63)), as amended, (2012 Guidelines) were developed to assist shipowners, ship operators, ships' crews, cargo owners and equipment manufacturers in complying with certain requirements set out in Annex V of MARPOL. This includes the management of cargo residues, cleaning

<sup>1</sup> In particular the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* and Marine Order 95 (Marine pollution prevention – garbage)

agents or additives, and the treatment of animal carcasses.

The Guidelines also provide information on all aspects of garbage management, such as waste minimisation, shipboard garbage handling and storage, shipboard treatment of garbage (e.g. grinding or comminution, compaction and incineration).

### General Prohibition

The disposal of all garbage into the sea from ships is prohibited, except in some limited circumstances.

Under MARPOL Annex V, garbage includes all kinds of food wastes, domestic wastes and operational wastes, all plastics, cargo residues, incinerator ashes, cooking oil, fishing gear, and animal carcasses generated during the normal operation of the ship.

### Discharge Requirements

A summary of the MARPOL Annex V discharge requirements is on the AMSA website. In general, discharges may be permitted in the following circumstances.

#### Food Wastes

While the vessel is *en route*, food wastes that have been comminuted or ground and capable of passing through a screen with openings no greater than 25mm, can only be discharged 3nm or more from the nearest land<sup>2</sup>.

<sup>2</sup> Australia's nearest land boundary extends around the outer edge of the Great Barrier Reef and the Torres Strait. Refer to the AMSA website for more information on MARPOL 'Nearest Land'.

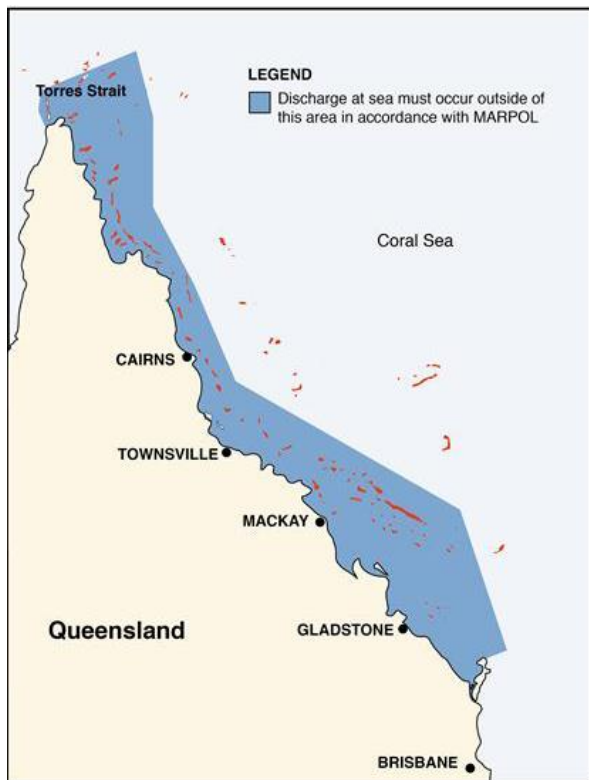


Figure one: Nearest Land – Limitations on Operational Discharges

Food waste not comminuted or ground can only be discharged 12nm or more from the nearest land. Ships operating alongside or within 500m of a fixed and floating platform cannot discharge food waste, except under very limited circumstances (see Exceptions below).

Additional requirements are in place for ships operating in MARPOL Special Areas and Polar Regions. Refer to MARPOL for more information, noting that there are currently no Annex V Special Areas designated around the Australian mainland.

In addition, vessels arriving into Australian waters on an international voyage are subject to Australian Biosecurity requirements and additional restrictions will apply, particularly in relation to food and other waste onboard. See the [Department of Agriculture and Water Resources](#) website for more information.

### Cargo Residues

Cargo residues may be left over after recovery using commonly available unloading methods. Cargo residues classified as Harmful to the Marine Environment (HME), cannot be discharged into the sea, except under very limited circumstances (see Exceptions below). Such waste must be

discharged to an onshore waste reception facility.

Cargo residues not classified as HME can be discharged into the sea provided that the ship is *en route* and the discharge occurs as far as practicable from nearest land, but not less than 12 nautical miles from the nearest land.

Cargo residues of solid bulk substances are classified as HME according to the criteria of the United Nations Globally Harmonized System for Classification and Labelling of Chemicals (UN GHS) fourth revised addition (2011).

The classification and declaration of solid bulk cargoes, other than grain, as HME will be mandatory from 1 March 2018.

More information can be found in AMSA's Managing Solid Bulk Cargo Residues in Australian Waters fact sheet.

### Cleaning agents or additives

Cleaning agents or additives contained in cargo hold, deck and external surfaces wash water can be discharged into the sea, provided that they are not classified as HME.

For cleaning agents and additives, HME substances are those that are identified as marine pollutants in the International Maritime Dangerous Goods (IMDG) Code or which meet the criteria in the Appendix of MARPOL Annex III (harmful substances). These criteria are provided in the 2012 Guidelines.

### Animal carcasses

Animal carcasses may only be discharged into the sea when:

- the ship is not in a MARPOL designated special area;
- the ship is *en route* and the discharge is as far as possible from the nearest land;
- the carcass has been slit or cut so that its thoracic and abdominal cavities are opened or passed through a comminuter, grinder, hogger, mincer or similar equipment; and
- the discharge is undertaken in accordance with section 2.12 of the 2012 Guidelines.

## Mixed Garbage

When different types of garbage are mixed together, or contaminated by other substances that are prohibited from discharge, the more stringent discharge requirements will apply.

## Exceptions

The following situations provide the waste discharge exceptions under MARPOL Annex V:

### General Garbage

- the discharge of garbage from a ship is 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;

### Fishing Gear

- 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.

It is recommended that local State and Port authorities are consulted on any local regulations that may apply in specific circumstances.

## Garbage Management

MARPOL Annex V requires that ships manage and record waste generated on board the ship, including discharges.

### Garbage Management Plans

Under MARPOL Annex V, every ship of 100 gross tonnage and above, and every ship certified to carry 15 or more persons, are required to carry a Garbage Management Plan. The Garbage Management Plan contains procedures for collecting, storing,

processing and the discharge of garbage, including the use of equipment onboard.

### Garbage Record Books

Under MARPOL Annex V, every ship of 400 gross tonnage and above, and every ship certified to carry 15 or more persons engaged in international voyages, is required to maintain and retain onboard the ship, a Garbage Record Book (see Marine Notice 3/2017).

### Placards

All ships of 12 metres or more in length are required to display placards that notify the crew and passengers of the MARPOL garbage discharge requirements for that ship under MARPOL.

The placards should be placed in prominent places onboard the ship where the crew and passengers will see them to inform how they can manage their waste (e.g. galley spaces, bridge, main deck and passenger accommodation).

Garbage Placards can be obtained from any AMSA office or by submitting a request to AMSA through the AMSA website.

### Reception facilities

Australia is required under MARPOL to ensure that adequate reception facilities are available in ports and terminals to meet the needs of the ships regularly using them, including the reception of all waste streams generated on board a ship during normal operations.

Marine Notice 5/2016 provides further detail on arranging for waste reception, reporting inadequacies of facilities, and best practice regarding the provision of waste reception facilities in Australia.

### Penalties

There are substantial penalties for MARPOL breaches in the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983*, including the power to detain vessels. A detention requires the owner to post an undertaking of considerable financial security.

## Further information

The following information can be obtained from the [AMSA website](#):

- Summary of MARPOL discharge standards
- Managing Solid Bulk Cargo Residues in Australian Waters fact sheet
- Marine Notice AMSA291
- 2012 Guidelines for the implementation of MARPOL Annex V
- Revisions to MARPOL - Current texts
- Development of Garbage Management Plans
- Marine Notice 2016/05

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