

[PPA ADMINISTRATIVE ORDER NO. 02-2003, April 21, 2003]

IMPLEMENTING GUIDELINES ON MARPOL 73/78 REQUIREMENT FOR SHORE RECEPTION FACILITIES (SRF)

1. Authority

- 1.1 Section 6(a)(iii) and 6(b)(ix) of PD 857, as amended
- 1.2 PPA Memorandum Circular No. 04-85 entitled "Policy on the Prevention of Marine Pollution"
- 1.3 PPA Administrative Order No. 16-95 entitled "Rules and Regulations on the Prevention/Control of Oil, Garbage and Sewage Waste Through the use of Reception Facilities/Collection of Vessels Refuse"
- 1.4 International Convention for the Prevention of Pollution from Ships, 1973 as modified in 1978 (MARPOL 73/78)
- 1.5 International Management Code for the Safe Operation of Ships and Pollution Prevention (International Safety Management Code)
- 1.6 UN Convention on the Law of the Sea (UNCLOS)
- 1.7 PPA Board Resolution No. 2001-782

2. Objectives

- 2.1 To comply with the requirements of MARPOL 73/78 and other international conventions relative to reception facilities.
- 2.2 To prevent or reduce marine pollution by controlling or prohibiting illegal discharge of wastes from vessels.
- 2.3 To ensure that vessel-generated wastes are properly collected, treated and disposed of in an environmentally sound way and in accordance with existing standards and laws.

3. Scope

- 3.1 This Order shall apply to all:
 - 3.1.1 base ports, sub-ports and private ports;
 - 3.1.2 vessels, except warships, naval auxiliary ships, and other government-owned vessels used for non-commercial service; and
 - 3.1.3 vessels' generated wastes such as those covered by Annexes I (Oil), II (Noxious Liquid Substance) and V (Garbage) of MARPOL 73/78.

4. Definition of Terms

For purposes of this Order, the following terms shall be understood to mean, as follows:

- 4.1 *Shore Reception Facility (SRF)* — shall refer to a physical system ashore or afloat used for receiving discharges of oily wastes, noxious liquid substance and garbage from vessels.
- 4.2 *Oily Wastes* — shall refer to wastes from cargo residues and from the operation of machinery of the vessel. It includes waste lubricants, fuel processing, spills, leaks, oily residues, fuel sludge and oily mixtures or refuse. Oils referred to are those listed in the Annex A* of this Order.
- 4.3 *Garbage* — shall refer to all kinds of victuals, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the vessel and liable to be disposed of continuously or periodically.
- 4.4 *Noxious Liquid Substance (NLS)* — shall mean any substance, which if discharged into the sea would present a hazard, minor or major, to either marine resources or human health or cause serious harm to amenities or either legitimate use of the sea. Substances referred to are listed in Annex B* of this Order.
- 4.5 *Treatment Facility* — shall mean a physical plant established for the purpose of treating, recycling, neutralizing, stabilizing and disinfecting the wastes received from vessels.
- 4.6 *Dirty Ballast Water* — shall mean water introduced into a tank of vessel that is contaminated with noxious liquid substance or mixed with oil residue or both.
- 4.7 *Vessel* — shall refer to ship, tanker, barge or floating craft or platform used as means of transportation on water.
- 4.8 *Base Port* — a port that is the center of administrative and operational activities within PPA's Port Management Office (PMO).
- 4.9 *Private Port* — a port facility constructed and owned by a private person or entity.
- 4.10 *Operator* — shall refer to the owner or company authorized to establish and operate the reception and treatment facilities and to render related services as may be authorized by PPA.
- 4.11 *PPA* — shall mean the Philippine Ports Authority.

4.12 *Biodegradable Waste* — shall mean any material that can be reduced into finer particles (degraded or decomposed) by microbiological organisms or enzymes (example: food scraps, paper, refuse or similar material).

4.13 *Non-Biodegradable Waste* — shall refer to inorganic solid waste which do not undergo decomposition, hence are non-compostable (example: plastic products, Styrofoam, ceramics, films, sachets for shampoo, coffee soap or milk).

5. General Guidelines

5.1 Compulsory Regime

5.1.1 There shall be shore reception facility (SRF) installed in all PPA base ports to provide waste collection and disposal services to ships' generated wastes covered under Section 3.1 hereof.

5.1.2 The disposal of garbage from vessel into the reception facility shall be compulsory. A fixed fee (flat rate) shall be imposed on every vessel, which shall cover the collection of 0.4 cubic meter or less of garbage. Additional service fee shall be charged for the collection of oily waste, noxious liquid substance and garbage that is in excess of 0.4 cu. m. in conformity with the schedule as shown in Section 6 of this Order.

5.1.3 The fees mentioned in Section 5.1.2 shall include the treatment/recycling and ultimate disposal of the wastes collected.

5.1.4 No imported wastes shall be discharged at the reception facilities.

5.1.5 The authorized private Operator shall, upon docking of the vessel, render the service of collecting the subject wastes without causing undue delay to the vessel. As such, the Operator shall provide and maintain reception facilities services on a 24-hour basis.

5.1.6 Vessels, such as warships, naval auxiliary ships and other government-owned ships used for non-commercial service, which are not covered by this Order as specified in Section 3.1 may avail themselves of the herein mentioned waste collection services upon request subject to the payment of fees stipulated in Section 6.

5.2 Exemption

5.2.1 Vessel calling at the first port after dry-docking shall be exempted from the payment of corresponding fees; provided that the said vessel can present a certification issued by MARINA accredited shipyard operator attesting to the fact that the vessel has been to the shipyard for dry-docking.

5.2.2 Vessel of six (6) GRT and below shall dispose of its waste into the facility but shall be exempted from paying the fixed and service fees.

5.2.3 Vessel, other than passenger ferry, calling at the next port of call shall not be required to make use of the reception facilities nor be required to pay the fixed fee if the said vessel has already discharged its wastes at the first port of call also located within the country, provided that the two calls occurred on the same day. The Certificate of Service Rendered issued by the Operator at the first port of call shall serve as evidence of this exemption.

5.2.4 Discharge of dirty ballast water into the reception facilities shall be optional although not covered by this Order.

5.3 Prior Notification and Coordination

5.3.1 The shipping agent/line/company applying for berth shall accomplish and submit to the authorized Berthing Officer the "Wastes on Board Vessel Information Form", which is attached as Annex C*, and shall form part of the application for berth. The Berthing Officer shall provide the Operator and the Harbor Operations Section of the PMO with a copy of the duly accomplished Form.

5.3.2 The Operator shall, on a regular basis, coordinate with the PMO's Harbor Operations Section, cargo handling contractor, Harbor Pilots and shipping agents/lines/companies as to the schedule of vessels' arrival and other relevant information.

5.3.3 The Operator, having been notified of the vessel's arrival, shall prepare a plan for the collection of vessel-generated wastes so as not to disrupt port operation or cause delay to vessel.

5.3.4 The Operator shall establish coordination with the Port State Control Office or Station Commander of the Philippine Coast Guard that is mandated to conduct inspection on board vessel relative to MARPOL 73/78 requirements.

5.4 Waste Collection Scheme

5.4.1 The time of disposal or transfer of wastes shall take place preferably before or during the cargo handling operation of the vessel, provided that such transfer shall not interfere with the port operations.

5.4.2 Vessels shall strictly observe the provisions of the "International Management Code for the Safe Operation of Ships and for the Pollution Prevention", or International Safety Management (ISM) Code, with respect to environmental protection and regulations being implemented in ports.

5.4.3 Garbage

5.4.3.1 Segregation of biodegradable waste from non-biodegradable waste shall be observed in discharging said wastes into the reception facilities. Each classification of waste shall be placed in a separate colored plastic bag, yellow for biodegradable waste and black for non-biodegradable waste. Black plastic bag may be used in lieu of yellow plastic bag provided that it is tied with a yellow ribbon or string. However, garbage that cannot be put in plastic bags such as used dunnage, shoring gears, wooden pallets, etc. shall be piled on deck beside those garbage in plastic bags.