



## PORTS and MARITIME AFFAIRS

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### Directive No. MARPOL/03

#### **CONTROL OF DISCHARGES OF RESIDUES OF NOXIOUS LIQUID SUBSTANCES IN BULK FROM SHIPS**

Issued under the enabling power of the Ministerial Resolution 20/2016

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#### 1 Introduction

- (1) The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78) relating thereto requires each party State to implement the provisions of the revised MARPOL Annex II (regulations for the prevention of pollution by noxious liquid substances (NLS) in bulk from ships), taking into account the read in conjunction with IMO Resolution MEPC 148(54) "revised guidelines for the transport of vegetable oils in deep tanks or in independent tanks specially designed for the carriage of such vegetable oils in general dry cargo ships"
- (2) The Ports and Maritime Affairs (PMA) is fully aware of the importance to enhance and control the prevent of pollution by NLS from ships through implementing the provisions of MARPOL Annex II pursuant to the right and obligation stipulated in the National legislations:
  - Legislative decree law no.14/1978 : Law for Registration of Ships and Determination of Safety Conditions thereof,
  - Regulations 15 of ministerial resolution no. 6/2010: Implementing Regulations of law 61/2006
  - Law No. 11/2014 : Law for Safety Regulations for Ships not covered by the provisions of the Conventions of the IMO in the GCC countries
  - Regulation 1 of ministerial resolution 20/2016: Implementation of Conventions related to marine navigation.
  - PMA resolution no. 7/2016: The implementation of MARPOL Annexes I, II and V, and



- International Convention for the Prevention of Pollution from Ships (MARPOL), Consolidated Edition 2011, Annex II, Regulation 13 as amended.
- (3) This Directive provides guidance to vessel owners, operators and managers in the method and requirements of discharging residues of noxious liquid substances, during and post cargo operations, in line with the requirements of Annex II, Regulation 13.

## 2 Definitions

For the purpose of this Directive the following definitions apply:

- (1) **Manual** means Procedures and Arrangements Manual in accordance with the model given in appendix 6 of MARPOL Annex II.
- (2) **Cargo residues** mean the remnants of any NSL cargo which remain inside the cargo holds (tanks) following loading or unloading.
- (3) **Residue** means any noxious liquid substance which remains for disposal.
- (4) **Residue/water mixture** means residue to which water has been added for any purpose (e.g. tank cleaning, ballasting, bilge slops).
- (5) **En route** means that the ship is underway at sea on a course or courses, including deviation from the shortest direct route, which as far as practicable for navigational purposes, will cause any discharge to be spread over as great an area of the sea as is reasonable and practicable.
- (6) **Nearest land**, the term "from the nearest land" means from the baseline from which the territorial sea of the territory in question is established in accordance with international law, except that, for the purposes of the MARPOL Annex II, "from the nearest land" off the north-eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia as it appears on MARPOL Annex II, Regulation 1.
- (7) **Liquid substances** are those having a vapour pressure not exceeding 0.28 MPa absolute at a temperature of 37.8°C.
- (8) **Noxious Liquid Substance (NSL)** means any substance indicated in the Pollution Category column of chapter 17 or 18 of the International Bulk



Chemical Code or provisionally assessed under the provisions of regulation 6.3 of MARPOL Annex II as falling into Category X, Y or Z.

- (9) **International Bulk Chemical Code (IBC Code)** means the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk adopted by the Marine Environment Protection Committee of the Organization by resolution MEPC.19(22), as amended by the Organization, provided that such amendments are adopted and brought into force in accordance with the provisions of article 16 of the present Convention concerning amendment procedures.
- (10) **Solidifying Substance** means a noxious liquid substance which:
- (a) in the case of a substance with a melting point of less than 15°C which is at a temperature of less than 5°C above its melting point at the time of unloading; or
  - (b) in the case of a substances with a melting point of equal to or greater than 15°C (5) which is at a temperature of less than 10°C above its melting point at the time of unloading.
- (11) **Non-solidifying Substance** means a noxious liquid substance, which is not a Solidifying Substance.
- (12) **Tanker**
- (a) **Chemical tanker** means a ship constructed or adapted for the carriage in bulk of any liquid product listed in chapter 17 of the International Bulk Chemical Code;
  - (b) **NLS tanker** means a ship constructed or adapted to carry a cargo of Noxious Liquid Substances in bulk and includes an "oil tanker" as defined in Annex I of the MARPOL Convention when certified to carry a cargo or part cargo of Noxious Liquid Substances in bulk.
- (13) **Viscosity**
- (a) **High-Viscosity Substance** means a noxious liquid substance in Category X or Y with a viscosity equal to or greater than 50 mPa.s at the unloading temperature.
  - (b) **Low-Viscosity Substance** means a noxious liquid substance, which is not a High-Viscosity Substance.



### 3 Application

This directive applies to:

- (1) All Bahraini registered ships certified to carry Noxious Liquid Substances in bulk, and
- (2) Where a cargo subject to the provisions of Annex I of the MARPOL Convention is carried in a cargo space of an NLS tanker, the appropriate requirements of Annex I of the MARPOL Convention shall also apply.

### 4 General

- (1) Categorization and listing of noxious liquid substances into four categories (according to Regulation 6 of Annex II to the MARPOL Convention)

Category	Hazard to marine resources or to human health	Harm to amenities or other legitimate uses of the sea
X	Major hazard	Serious harm
Y	Hazard	Harm
Z	Minor hazard	Minor harm
OS*	No categorization under above groups	Considered to present no harm

\* Other substances, these substances are not subject to the provisions of Annex II.

**N.B.:**

As per paragraph 1.3 of Regulation 13 of Annex II to the MARPOL Convention, the carriage and discharge of non-categorized substances are prohibited

- (2) The discharge into the sea of residues of substances assigned to Category X, Y or Z or of those provisionally assessed as such or ballast water, tank washings or other mixtures containing such substances is prohibited unless such discharges are made in full compliance with the applicable operational requirements contained in this directive



## 5 Discharge Requirements for Residues of Noxious Liquid Substances

Before any prewash or discharge procedure is carried out in accordance with the conditions stipulated below, the relevant tank shall be emptied to maximum extent in accordance with the procedures prescribed in the Manual.

Groups	Discharge Requirements
X	<ul style="list-style-type: none"> <li>- Tank <u>must</u> be prewashed <u>before</u> leaving the port.</li> <li>- Resulting residues must be discharged to a reception facility until the concentration of the substance in the effluent to such facility is at or below 0,1% by weight (sample analysis).</li> <li>- Remaining tank washings must be discharged to the reception facility</li> </ul>
Y	<ul style="list-style-type: none"> <li>- Tank must be prewashed before leaving the port, as far as the unloading of the cargo has not been carried out in accordance with the Manual.</li> <li>- Tank washings shall also be discharged to a reception facility</li> <li>- In cases of high-viscosity or solidifying substances in category Y.</li> <li>- Prewashing is to be carried out in accordance with Appendix 6 of MARPOL Annex II</li> <li>- The residue/water mixture must be discharged to a reception facility until the tank is empty.</li> </ul>
Z	<ul style="list-style-type: none"> <li>- Tank must be prewashed before leaving the port, as far as the unloading of the cargo has not been carried out in accordance with the Manual.</li> <li>- Tank washings shall also be discharged to the reception facility.</li> <li>- Any water subsequently introduced into the tank may be discharged into the sea in accordance with the discharge standards in Paragraph 2 of Regulation 13 of MARPOL Annex II.</li> </ul>

**N.B:** Any water subsequently introduced into the tank after the above operations completed, may be discharged into the sea in accordance with the discharge standards in Paragraph 2 of Regulation 13 of Annex II to the MARPOL Convention.



## 6 Discharge Standards

Where a discharge is allowable by MARPOL Annex II, the following discharge standards for all substances of the categories X, Y and Z shall apply:

- (1) Ship is proceeding en route.
- (2) Minimum speed of 7 knots (self-propulsion) or 4 knots (without self-propulsion).
- (3) Discharging below the waterline at least 12 nm from the nearest land in a depth of water at least 25 m

**N.B.:** Within the Antarctic area of jurisdiction, any and all discharging of noxious liquid substances or mixtures containing such substances is forbidden in accordance with Paragraph 8.2 of Regulation 13 MARPOL Annex II.

## 7 Exception

The discharge requirements of MARPOL Annex II shall not apply to the discharge into the sea of Noxious Liquid Substances or mixtures containing such substances when such a discharge:

- (1) Is necessary for the purpose of securing the safety of a ship or saving life at sea.
- (2) results from damage to a ship or its equipment:
  - (a) provided that all reasonable precautions have been taken after the occurrence of the damage or discovery of the discharge for the purpose of preventing or minimizing the discharge; and
  - (b) except if the owner or the master acted either with intent to cause damage, or recklessly and with knowledge that damage would probably result; or
- (3) Is approved by the PMA, when being used for the purpose of combating specific pollution incidents in order to minimize the damage from pollution. Any such discharge shall be subject to the approval of any Government in whose jurisdiction it is contemplated the discharge will occur.



**8 Penalty**

Failure to comply with this directive, the Navigation License may be withdrawn, and/or the ship's master and the company may be fined in accordance with Amiri Decree No. 14/1978 or Article 6 of Law No. 11/2014 (Law for Safety Regulations for Ships not covered by the provisions of the Conventions of the IMO in the GCC countries)

**9 Revision History:**

Revision No. 1 of the present Directive is the first revision.

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Undersecretary for Ports and Maritime Affairs  
29<sup>th</sup> December 2016