

29 July 2013

MARPOL Annex V – disposal of residues from solid bulk cargoes

Following the entry into force on 1 January 2013 of the revised MARPOL Annex V requirements concerning prevention of pollution by garbage from ships, we understand that some shipowners and operators have experienced problems with the new requirement for classification of dry bulk cargoes as 'harmful to the marine environment' (HME).¹ Some shipowners and operators have not been able to obtain proper HME declarations from the shippers at the loading port. Others have not been able to find adequate reception facilities in ports along the planned voyage once their cargo has been classified as HME.

The IMO Marine Environment Protection Committee (MEPC) recognised already at its 64th meeting in October 2012 that the toxicity data needed to classify a solid bulk cargo as HME may not be readily available and the Committee therefore established a provisional classification of solid bulk cargoes for the period between 1 January 2013 and 31 December 2014 ([MEPC.1/Circ.791](#)). However, ports and terminals were not allowed any further time to provide adequate reception facilities.

At the MEPC's 65th meeting held in May 2013, the overall situation was reviewed again and in order to alleviate the operational difficulties and to allow the trade in cargoes classified as HME to continue, the MEPC agreed to introduce, as an interim solution, the following relaxation of the MARPOL Annex V requirements concerning the discharge of HME cargo residues contained in hold wash water:

Until 31 December 2015, cargo hold wash water from holds previously containing solid bulk cargoes classified as HME may be discharged outside special areas, provided:

- based upon the information received from the relevant port authorities, the master determines that there are no adequate reception facilities either at the receiving terminal or at the next port of call;
- the ship is en route and as far as practicable from the nearest land, but not less than 12 nautical miles;
- before washing, any solid bulk cargo residue is removed (and bagged for discharge ashore) as far as practicable and holds are swept;
- filters are used in the bilge wells to collect any remaining solid particles and minimise the discharge of solid residue; and
- the discharge is recorded in the Garbage Record Book and the flag State is notified utilizing the Revised Consolidated Format for Reporting Alleged Inadequacies of Port Reception Facilities ([MEPC.1/Circ.469/Rev.2](#)).

See [MEPC.1/Circ.810](#) for further details.

Members and clients are recommended to carefully check the garbage processing capability of a port prior to arrival and, as far as practicably possible, use port reception facilities as their primary means of garbage disposal. However, shipowners and operators should also bear in mind the interim measures announced in [MEPC.1/Circ.810](#) as a means to avoid operational difficulties and delays.

The International Tanker Owners Pollution Federation (ITOPF) has produced a useful guide concerning bulk cargo hold wash water discharge and cargo declarations under MARPOL Annex V. The document sets out the requirements as well as the concept and process of classification of cargoes as HME. A copy of the guide can be found [here](#) and we are grateful to ITOPF for their kind permission to reproduce the document.

¹ Under the current MARPOL Annex V regime, no discharges of cargo residues classified as HME are permitted, whether contained in cargo hold wash water or not, and the responsibility for classifying and declaring a solid bulk cargo as HME rests with the shippers. See also [Gard Alert](#) of 3 January 2013 concerning entry into force of the revised garbage disposal regulations of MARPOL Annex V.

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