



TUVALU SHIP REGISTRY

Singapore Operations Office:

10 Anson Road #25-16, International Plaza, Singapore 079903

Tel: (65) 6224 2345 Fax: (65) 6227 2345

Email: info@tvship.com Website: www.tvship.com

MARINE CIRCULAR

MC-15/2012/1

5/2012

FOR: Ship Owners, Ship Managers, Ship Operators, Ship Masters, Ship Officers, Classification Societies

SUBJECT: RECORD KEEPING AND REPORTING REQUIREMENTS FOR MARPOL

DEFINITIONS:

The following abbreviations stand for:

- "BCH Code" – Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk
- "GT" – Gross Tonnage as determined under the provisions of the ITC 69 and shown on the International Tonnage Certificate (based on ITC 69) of the ship
- "IBC Code" – International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk
- "IGC Code" – International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk
- "IMDG Code" – International Maritime Dangerous Goods Code
- "IMO" – International Maritime Organization
- "IMSBC Code" – International Maritime Solid Bulk Cargoes Code
- "IOPP" – International Oil Pollution Prevention Certificate
- "ITC 69" – International Convention on the Tonnage Measurement of Ships, 1969
- "MARPOL 73/78" – International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978
- "RO" – Recognized Organization as defined by IMO Resolution A.789(19).
- "SOPEP" – Shipboard Oil Pollution Emergency Plan
- "SOLAS" – International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended

The term "Administration" shall mean Tuvalu Ship Registry.

PURPOSE:

The purpose of this Marine Circular is to provide ship owners / operators and managers of Tuvalu flagged vessels of the Administration's requirements for compliance with MARPOL 73/78.

REFERENCES:

- (a) MARPOL 73/78, Consolidated Edition, 2006
- (b) MEPC Resolution 51(32)
- (c) MEPC Resolution 116(51)
- (d) MEPC Resolution 117(52)
- (e) Tuvalu Marine Circular MC-14/2012/1
- (f) Tuvalu Marine Circular MC-1/2010/12/2

APPLICATION:

This applies to all applicable Tuvalu flagged vessels.

CONTENTS:

1. Background

- 1.1. The MARPOL 73/78, 2006 consolidated edition, contains the provisions and regulations on:
 - 1.1.1. Annex I (Oil Pollution):
 - 1.1.1.1. Applies to all ships unless expressly provided otherwise as stated in Regulation 2.
 - 1.1.1.2. Oil tankers of 150 tons gross tonnage and above, and every other ship of 400 tons gross tonnage and above, are subject to the surveys specified in Regulation 4.
 - 1.1.1.3. Please see Appendix I of this Marine Circular for 1992 Amendments.
 - 1.1.2. Annex II (Noxious Liquids):
 - 1.1.2.1. Applies to all ships carrying noxious liquid substances in bulk unless expressly provided otherwise as stated in Regulation 2, and are subject to surveys specified in Regulation 10.
 - 1.1.2.2. For more information, please refer to:
 - 1.1.2.2.1. SOLAS Chapter VII, Parts B and C;
 - 1.1.2.2.2. IBC Code (for Chemical Tankers);
 - 1.1.2.2.3. BCH Code (for Chemical Tankers); and
 - 1.1.2.2.4. IGC Code (for Gas Carriers).
 - 1.1.3. Annex III (Harmful Substances in Package Form):
 - 1.1.3.1. For more information, please refer to:
 - 1.1.3.1.1. SOLAS Chapter VII, Part A;
 - 1.1.3.1.2. IMDG Code; and
 - 1.1.3.1.3. IMSBC Code.
 - 1.1.4. Annex IV (Sewage)
 - 1.1.5. Annex V (Garbage):
 - 1.1.5.1. The maintenance of a Garbage Management Plan aboard most vessels became effective 1 July 1997.
 - 1.1.6. Annex VI (Air Pollution):
 - 1.1.6.1. Mandatory procedures for testing, survey, and certification of marine diesel engines of more than 130 kW (175 hp) installed in vessels built after 1 January 2000 which become retroactive to 1 January 2000 with its coming into force is established by Regulation 13.
 - 1.1.6.2. Additionally, any such existing diesel engines that have undergone major conversion after 1 January 2000 must similarly meet these new requirements.
 - 1.1.6.3. In accordance with IMO guidelines, ship owners / operators shall ensure that the diesel engines falling into either of these categories have

undergone the necessary testing and surveys and have received the required certification.

- 1.2. It also contains the 1978 Protocol to the 1973 International Convention for the Prevention of Pollution from Ships, and included in the Protocol are the following:
 - 1.2.1. Protocol I - Provisions concerning reports of incidents involving harmful substances, and
 - 1.2.2. Protocol II - Provisions for arbitration.
 - 1.2.3. Please see Appendix II of this Marine Circular for reporting requirements, giving particular attention to Article V, Methods of Reporting in Protocol I.
- 1.3. This Administration recommends that the latest consolidated edition of MARPOL 73/78 be on board each vessel and that the ship's officers be knowledgeable and responsible in seeing that the regulations are complied with.

2. Requirements

- 2.1. Vessels, where applicable to MARPOL 73/78, are required to have on board the following:
 - 2.1.1. International Oil Pollution Prevention (IOPP) Certificate issued by a RO on behalf of the Administration.
 - 2.1.2. Shipboard Oil Pollution Plans (SOPEPs), as required by Annex I of MARPOL Annex I Reg 37, are to be carried on the vessel at all times. The SOPEP is to be approved by a RO on behalf of this Administration. In the case of ships to which MARPOL Annex II Reg 17 also apply, the SOPEP may be combined with the shipboard marine pollution emergency plan for noxious liquid substances. In this case the title of such a plan shall be changed to "Shipboard marine pollution emergency plan (SMPEP)." Please refer to Tuvalu Marine Circular MC-14/2012/1 for more information.
 - 2.1.3. Oil Record Book and a Cargo Record Book, as required by MARPOL Annex I Reg 17 and 36 respectively or Annex II Reg 15, requires all tank vessels to maintain these record books in which all operations relating to loading, transfer, unloading, cleaning, ballasting and discharge of cargoes, oily residues or oily-water mixtures are to be recorded on a daily and tank by tank basis. Record Book forms should conform with and supply the information recommended in MARPOL Annex I or Annex II as applicable. Oil and Cargo Record Books can be purchased from commercial ship chandlers
 - 2.1.4. International Bulk Chemical (IBC) or a Bulk Chemical Code (BCH) fitness Certificate is required for every vessel carrying noxious liquid substances in bulk of Category A, B or C and every chemical tanker carrying noxious liquid substances of category A, B, C and D as applicable.
 - 2.1.5. International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk is required for every vessel carrying noxious liquid substances of Category D only, which are not regulated for safety by the IBC or BCH Codes.
 - 2.1.6. Procedures and Arrangement Manual, as per MARPOL Annex II, is required for all ships certified for the carriage of noxious liquid substances in bulk.
 - 2.1.7. For compliance with MARPOL Annex V:

- 2.1.7.1. every vessel of 12 meters or more in length overall shall have on display placards written in English which notify the crew and passengers of the disposal requirements of MARPOL Annex V Reg 3 and 5 as applicable.
 - 2.1.7.2. every ship of 400 tons gross tonnage and above which is certified to carry 15 persons or more engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention and every fixed and floating platform engaged in exploration and exploitation of the sea-bed shall have a Garbage Management Plan in accordance with the guidelines developed by the IMO and shall maintain a Garbage Record Book formatted similar to that in Appendix III of this Marine Circular (Form GRB – can also be downloaded from our website at www.tvship.com). As amended by Resolution MEPC.116(51), it is now required that cargo residue discharges include discharge start and stop positions.
 - 2.1.7.3. MARPOL Annex V requires vessels to pass beyond a specified distance from nearest land for the purpose of disposal of cargo residues. With bone-fide limited exceptions, cargo deck residues must not be hosed off ships' exteriors, and cargo hold residues must not be pumped out of or disposed of from vessels within 12 nautical miles of the nearest land.
 - 2.1.7.4. The term "nearest land" is defined as the baseline from which territorial sea is measured and is usually the low water mark and baselines across coves and inlets. Where baselines are extended in a series of connected lines around the seaward perimeters of marine parks, reefs and other areas of great sensitivity to environmental alteration and destruction, these are construed as nearest land.
- 2.1.8. For compliance with MARPOL Annex VI, please to Tuvalu Marine Circular MC-1/2010/12/2.

Yours sincerely,

Deputy Registrar
Tuvalu Ship Registry

Appendix I

MARPOL Annex I Reg 9 - As amended by MEPC.51(32) - 6 March 1992

1. Subject to the provisions of regulations 10 and 11 of this Annex and paragraph (2) of this regulation, any discharge into the sea of oil or oily mixtures from ships to which this Annex applies shall be prohibited except when all the following conditions are satisfied:
 - (a) For an oil tanker, except as provided for in subparagraph (b) of this paragraph:
 - (i) the tanker is not within a special area;
 - (ii) the tanker is more than 50 nautical miles from the nearest land;
 - (iii) the tanker is proceeding *en route*;
 - (iv) * the instantaneous rate of discharge of oil content does not exceed 30 liters per nautical mile;
 - (v) the total quantity of oil discharged into the sea does not exceed for existing tankers 1/15,000 of the total quantity of the particular cargo of which the residue formed a part, and for new tankers 1/30,000 of the total quantity of the particular cargo of which the residue formed a part; and
 - (vi) the tanker has in operation an oil discharge monitoring and control system and a slop tank arrangement as required by regulation 15 of this Annex.
 - (b) ** From a ship of 400 tons gross tonnage and above other than an oil tanker and from machinery space bilges excluding cargo pump-room bilges of an oil tanker unless mixed with oil cargo residue:
 - (i) the ship is not within a special area;
 - (ii) the ship is proceeding *en route*;
 - (iii) the oil content of the effluent is less than 15 parts per million; and
 - (iv) the ship has in operation an oil discharge monitoring and control system, oily-water separating equipment, oil filtering equipment or other installation as required by regulation 16 of this Annex.
2. In the case of a ship of less than 400 tons gross tonnage other than an oil tanker while outside the special area, the Administration shall ensure that it is equipped as far as practicable and reasonable with installations to ensure the storage of oil residues on board and their discharge to reception facilities or into the sea in compliance with the requirements of paragraph (1)(b) of this regulation.
3. Whenever visible traces of oil are observed on or below the surface of the water in the immediate vicinity of a ship or its wake, Governments of Parties to the Convention should, to the extent they are reasonably able to do so, promptly investigate the facts bearing on the issue of whether there has been a violation of the provisions of this regulation or regulation 10 of this Annex. The investigation should include, in particular, the wind and sea conditions, the track and speed of the ship, other possible sources of the visible traces in the vicinity, and any relevant oil discharge records.
4. * The provisions of paragraph (1) of the regulations do not apply to the discharge of clean or segregated ballast or unprocessed oily mixtures which without dilution have an oil content not exceeding 15 parts per million and which do not originate from cargo pump-room bilges and are not mixed with oil cargo residues.
5. No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or chemicals or other substances introduced for the purpose of circumventing the conditions of discharge specified in the regulation.
6. The oily residues which cannot be discharged into the sea in compliance with paragraphs (1), (2) and (4) of the regulation must be retained on board or discharged to reception facilities.

7. *** In the case of a ship, referred to in regulation 16(6) of Annex I, not fitted with equipment as required by regulation 16(1) or 16(2) of this annex, the provisions of paragraph 1(b) of this regulation will not apply until 6 July 1998 or the date on which the ship is fitted with such equipment, whichever is the earlier. Until this date any discharge from machinery space bilges into the sea of oil or oily mixtures from such a ship shall be prohibited except when all the following conditions are satisfied:
- (a) the oily mixture does not originate from the cargo pump-room bilges;
 - (b) the oily mixture is not mixed with oil cargo residues;
 - (c) the ship is not within a special area;
 - (d) the ship is more than 12 nautical miles from the nearest land;
 - (e) the ship is proceeding *en route*;
 - (f) the oil content of the effluent is less than 100 parts per million; and
 - (g) the ship has in operation oily-water separating equipment of a design approved by the Administration, taking into account the specification recommended by the Organization.

(* Amended / ** New Text / *** New Paragraph)

NOTES:

- (a) *En route* means making headway. Any discharge made while the ship is stopped is an offense.
- (b) Instantaneous rate of discharge of oil content not exceeding 30 liters per mile is calculated to produce, in calm conditions, no visible oil sheen on the sea surface. **Should there be a visible sheen of oil on the sea surface the discharge rate is being exceeded and an offense has been committed.**
- (c) The term oil mixture means a mixture of more than 100 parts per million from machinery spaces and 15 parts per million from cargo and oil fuel tanks.
- (d) Cargo oil or fuel oil residues may not be discharged under any circumstances when less than 50 miles from land. Machinery space residues may not be discharged when less than 12 miles from land.
- (e) Where oil discharge monitoring and control equipment is required to be fitted, all discharges must be made through this equipment which must be maintained in an operational condition.
- (f) Clean or segregated ballast may be discharged without restriction provided it has an oil content of less than 15 parts per million. If any doubt exists as to the oil content it should not be regarded as being clean ballast.
- (g) The special areas referred to in regulation 9 paragraphs (1)(a)(i) and (1)(b)(i) above are:

Mediterranean Sea area	Red Sea area*
Baltic Sea area	Gulf area*
Black Sea area	Gulf of Aden*

For specific definitions of these special areas, refer to regulation 10 of the Convention. At present, none of the Special Areas * listed above are fully in compliance with regulation 10(7)(b). However, every effort should be made to avoid discharges in these areas.

Appendix II

PROTOCOL I

Provisions Concerning Reports on
Incidents Involving Harmful Substances
(in accordance with Article 8 of the Convention)

Article I - Duty to Report

- (1) The Master of a ship involved in an incident referred to in Article III of this Protocol, or other person having charge of the ship, shall report the particulars of such incident without delay and to the fullest extent possible in accordance with the provisions of this Protocol.
- (2) In the event of the ship referred to in paragraph (1) of the present Article being abandoned, or in the event of a report from such ship being incomplete or unobtainable, the owner, charterer, manager or operator of the ship, or their agents shall, to the fullest extent possible, assume the obligations placed upon the Master under the provisions of this Protocol.

Article II - When to Make Reports

The report shall be made on all incidents involving harmful substances and/or marine pollutants whenever:

- (a) a discharge has occurred other than as permitted under the present Convention; or
- (b) a discharge is permitted under the present Convention:
 - (i) for the purpose of securing the safety of a ship or saving life at sea; or
 - (ii) because it results from damage to the ship or its equipment; or
- (c) a discharge of a harmful substance has been made for the purpose of combating a specific pollution incident or for purposes of legitimate scientific research into pollution abatement or control; or
- (d) there is the probability of a discharge of the type referred to in sub-paragraphs (a), (b) or (c) of the present Article.

Article III - Contents of Reports

- (1) Each report shall contain in general:
 - (a) the identity of the ship;
 - (b) the time and date of the occurrence of the incident;
 - (c) the geographic position of the ship when the incident occurred;
 - (d) the wind and sea conditions prevailing at the time of the incident; and
 - (e) relevant details respecting the condition of the ship.
- (2) Each report shall contain, in particular:
 - (a) a clear indication or description of the harmful substances involved, including, if possible, the correct technical names of such substances (trade names should not be used in place of the correct technical names);

- (b) a statement or estimate of the quantities, concentrations and likely conditions of harmful substances discharged or likely to be discharged into the sea; and
 - (c) where relevant, a description of the packaging and identifying marks; and
 - (d) if possible, the names of the consignor, consignee or manufacturer.
- (3) Each report shall clearly indicate whether the harmful substance discharged, or likely to be discharged is oil, a noxious liquid substance, a noxious solid substance or a noxious gaseous substance and whether such substance was or is carried in bulk or contained in packaged form, freight containers, portable tanks, or road and rail tank wagons.
- (4) Each report shall be supplemented as necessary by any other relevant information requested by a recipient of the report or which the person sending the report deems appropriate.

Article IV - Supplementary Report

Any person who is obliged under the provisions of this Protocol to send a report shall, when possible:

- (a) supplement the initial report, as necessary, with information concerning further developments; and
- (b) comply as fully as possible with requests from affected States for additional information concerning the incident.

Article V - Methods of Reporting

- (1) Each report shall be made by radio whenever possible, but in any case by the fastest channels available at the time the report is made. Reports made by radio shall be given the highest possible priority.
- (2) Reports shall be directed to the appropriate officer or agency specified in paragraph (2)(a) of Article 8 of the Convention. IMO Resolution A.648(16) on the general principles of reporting provides that the officer or agency of the nearest coastal State shall be the recipient of the report.
- (3) Owners and Masters of Tuvalu flagged vessels and any other persons subject to the provisions of the foregoing Protocol are instructed that any Report of an Incident involving Harmful Substances as described in Article III or Oil Discharges (Annex I) shall also be directed to the office of this Administration:

Tuvalu Ship Registry
Technical Department
10 Anson Road, Unit 25-16, International Plaza, Singapore 079903
Email: technical@tvship.com
Fax: +65-6227-2345
Telephone: +65-6224-2345

Appendix III

Garbage Record Book



TUVALU SHIP REGISTRY

Garbage Record Book

(Form GRB)

Tuvalu Ship Registry
10 Anson Road #25-16
International Plaza
Singapore 079903
Tel: (65) 6224 2345
Fax: (65) 6227 2345
Email: info@tvship.com
Website: www.tvship.com

Name of Vessel	IMO Number	Official Number	Call Sign

Period	From	To

1. Introduction

In accordance with regulation 9 of Annex V of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78), as amended by Resolution MEPC.116(51), a record is to be kept of each discharge operation or completed incineration. This includes discharges at sea, to reception facilities, or to other ships. The discharge or incineration record is to be recorded in the Garbage Record Book and be signed for on the date of incineration or discharge by the Officer in Charge. Each completed page of the Garbage Record Book shall be signed by the Master of the ship. The entries in the Garbage Record Book shall be in either in English, French or Spanish as well as the language of the crew if it is other than English. Any required placards shall similarly be written in the language of the crew and in either English, French, or Spanish if other than the language of the crew.

2. Garbage and garbage management

Garbage includes all kinds of food, 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 except those substances which are defined or listed in other annexes to MARPOL 73/78 (such as oil, sewage or noxious liquid substances).

The Guidelines for the Implementation of Annex V of MARPOL 73/78 should also be referred to for relevant information.

3. Garbage and garbage management

The garbage is to be grouped into categories for the purposes of this record book as follows:

- (1) Plastics
- (2) Floating dunnage, lining, or packing material
- (3) Ground-down paper products, rags, glass, metal, bottles, crockery, etc.
- (4) Cargo residues, paper products, rags, glass, metal, bottles, crockery, etc.
- (5) Food waste
- (6) Incinerator ash except from plastic products which may contain toxic or heavy metal residues

4. Entries in the Garbage Record Book

4.1. Entries in the Garbage Record Book shall be made on each of the following occasions:

- (a) When garbage is discharged into the sea:

- (i) Date and time of discharge
 - (ii) Position of the ship (latitude and longitude). Note for cargo residue discharges, include discharge start and stop positions.
 - (iii) Category of garbage discharged
 - (iv) Estimated amount discharged for each category in cubic metres
 - (v) Signature of the officer in charge of the operation
- (b) When garbage is discharged to reception facilities ashore or to other ships:
- (i) Date and time of discharge
 - (ii) Port or facility, or name of ship
 - (iii) Category of garbage discharged
 - (iv) Estimated amount discharged for each category in cubic metres
 - (v) Signature of the officer in charge of the operation
- (c) When garbage is incinerated:
- (i) Date and time of start and stop of incineration
 - (ii) Position of the ship (latitude and longitude)
 - (iii) Estimated amount incinerated in cubic meters
 - (iv) Signature of the officer in charge of the operation
- (d) Accidental or other exceptional discharges of garbage:
- (i) Time of occurrence
 - (ii) Port or position of the ship at the time of occurrence
 - (iii) Estimated amount and category of garbage
 - (iv) Circumstances of disposal, escape or loss, the reason(s), and general remarks

4.2. Receipts

The master should obtain from the operator of port reception facilities, or from the master of the ship receiving the garbage, a receipt or certificate specifying the estimated amount of garbage transferred. The receipts or certificates must be kept on board the ship with the Garbage Record Book for two (2) years.

4.3. Amount of garbage

The amount of garbage on board should be estimated in cubic meters, if possible separately according to category. The Garbage Record Book contains many references to estimated amount of garbage. It is recognized that the accuracy of estimating amounts of garbage is left to interpretation. Volume estimates will differ before and after processing. Some processing procedures may not allow for a usable estimate of volume, e.g. the continuous processing of food waste. Such factors should be taken into consideration when making and interpreting entries made in a record.

RECORD OF GARBAGE DISCHARGES

Name of Vessel	IMO Number	Official Number	Call Sign

Garbage categories:

Cat 1	Plastic
Cat 2	Floating dunnage, lining, or packing materials
Cat 3	Ground paper products, rags, glass, metal, bottles, crockery, etc.
Cat 4	Cargo residues, paper products, rags, glass, metal, bottles, crockery, etc.
Cat 5	Food waste
Cat 6	Incinerator ash except from plastic products which may contain toxic or heavy metal residues

Note: The discharge of any garbage other than food waste is prohibited in Special Areas. Only garbage discharged into the Sea must be categorized. Garbage other than Cat 1 discharged to reception facilities need only be listed as a total estimated amount. Discharges of Cargo Residues require START and STOP positions to be recorded.

Date / Time	Position of Vessel	Estimated amount of Discharge into Sea (m ³)					Estimated amount of Discharge to Reception Facilities or other Ship (m ³)		Estimated amount Incinerated (m ³)	Certification / Signature
		Cat 1	Cat 2	Cat 3	Cat 4	Cat 5	Cat 1	Other		
/										/
/										/
/										/
/										/
/										/
/										/
/										/

Name & Signature of Master: _____

Date: _____