



## Managing Solid Bulk Cargo Residues in Australian Waters

### Introduction

Australia is a party to the International Convention for the Prevention of Pollution from Ships (MARPOL), which amongst other things, regulates the discharge of cargo residues.

The Australian Maritime Safety Authority (AMSA) urges ship operators, masters and crew, to refer to this fact sheet to ensure that the discharge of cargo residues is undertaken in accordance with MARPOL Annex V.

### General requirements

MARPOL Annex V sets out regulations for the prevention of pollution by garbage from ships and prohibits the disposal of all types of garbage into the sea, except in some limited circumstances. More information on these regulations can be found in [Marine Notice 2017/04](#).

### The Great Barrier Reef and Torres Strait

MARPOL allows some types of waste to be discharged at sea at a specific distance from the nearest land, which is generally defined as the territorial sea baseline. However, on the north eastern coast of Australia, Australia's nearest land boundary extends around the outer edge of the Great Barrier Reef and the Torres Strait, see figure 1.

Discharges permitted under MARPOL must be measured seaward of this boundary.

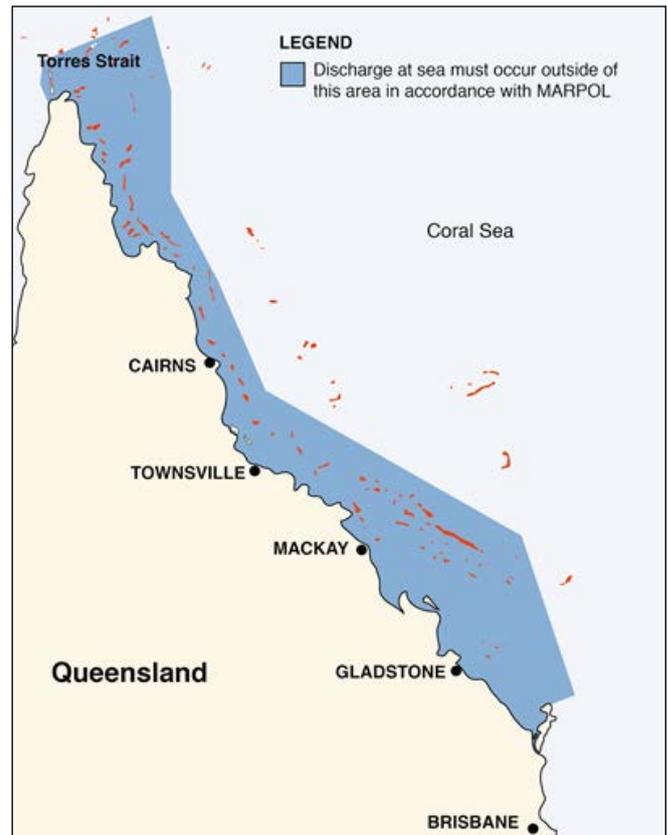
### Solid bulk cargo residues

The Annex V definition of garbage includes a broad range of waste generated during the normal operations of a ship, including cargo residues. Cargo residues are the remnants of any cargo, not covered by other Annexes of MARPOL, which remain on the deck or in the holds of a ship following loading, unloading and onboard handling. This includes loading or unloading of excess or spillage, whether in wet or dry conditions or entrained in washwater. Cargo dust remaining on the deck after sweeping or dust on the external surfaces of the ship is not considered cargo residues under MARPOL Annex V.

Cargo material contained in the cargo hold bilge water is not treated as cargo residue, provided that the cargo material is not HME and the bilge water is discharged from a loaded hold through the ships' fixed piping bilge drainage system.

In addition, ships that are at anchorage for a period of time with empty holds may discharge hold bilge water as long as the water is not directly related to a hold cleaning operation.

Figure 1 - Great Barrier Reef limits on operational discharges



### Discharge

The regulations in MARPOL Annex V state that cargo residues classified as Harmful to the Marine Environment (HME), which cannot be recovered using commonly available methods for unloading, cannot be discharged into the sea. This waste must be discharged to an onshore waste reception facility.

[Marine Notice 2016/05](#) provides further detail on arranging for waste reception, reporting inadequacies of facilities, and best practice regarding the provision of waste reception facilities in Australia.

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 in any case not less than 12 nautical miles (nm) from the "nearest land". Based on the 'nearest land' definition, this means that discharge of waste including cargo residues, whether or not they are HME, is prohibited within the Great Barrier Reef and the Torres Strait.

To assist in the management of cargo residues, the International Maritime Organization (IMO) recommends that wherever possible cargo residues be completely cleaned up prior to sailing and either delivered to the intended cargo space or to a waste reception facility. Shipboard areas where spillage is most common should be protected to ensure residues can be easily recovered.

### Classification and declaration of Cargo Residues as Harmful to the Marine Environment (HME)

The IMO Marine Environment Protection Committee, at its 70th session adopted amendments to MARPOL Annex V to require, as of 1 March 2018, solid bulk cargoes as defined in regulation VI/1-1.2 of the International Convention for the Safety of Life at Sea (SOLAS), other than grain, to be classified in accordance with Appendix I of MARPOL Annex V, and declared by the shipper as to whether or not they are HME.

Section 4.2.3 of the International Maritime Solid Bulk Cargoes (IMSBC) Code should be referred to for information on the required declaration. AMSA provides an example of a suitable shipper's declaration for solid bulk cargoes- AMSA form 268, 'Shipper's Declaration'.

Prior to 1 March 2018, the HME classification criteria for cargoes can still be obtained from the *2012 Guidelines for the Implementation of MARPOL Annex V* (Resolution MEPC.219(63)). These Guidelines also contain information on how cargo residues can be minimised and managed. These Guidelines can be found on the AMSA website.

### Onboard Waste Management

Minimisation of cargo residue wash down and discharge should form part of the ship's **Garbage Management Plan**. MARPOL requires every ship of 100 gross tonnage and above, and every ship certified to carry 15 or more persons 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 on board. Please refer to the AMSA website for more information on the development of Garbage Management Plans.

Every ship of 400 gross tonnage and above, and every ship certified to carry 15 or more persons engaged in international voyages are required to maintain a **Garbage Record Book** (Record book). The Record book, whether as a part of the ship's official log-book or otherwise, is to be in the form specified in the appendix to Annex V (Appendix II from 1 March 2018). The discharge of all cargo residue needs to be recorded in the Record book, including the start and stop positions of the discharge.

The MEPC, at its 70th session, also adopted amendments to the Form of the Garbage Record Book to require ships that carry solid bulk cargoes to maintain a Part II of the Garbage Record Book, as required under MARPOL Annex V. More information on Garbage Record Books and these changes can be found in [Marine Notice 2017/03](#).

All ships of 12 metres or more in length are also required to display placards that notify the crew and passengers of the garbage discharge requirements for that ship under MARPOL. Garbage Placards can be requested from the [AMSA website](#).

### Ship safety

The safety of the ship, its crew and others involved in working the ship is also of vital importance. Accordingly, MARPOL Annex V Regulation 7 provides exceptions from the discharge restrictions where there is a threat to the safety of the ship and to those on board.

The wash down of cargo residues from the deck of a vessel within the 12 nm limit is also permitted in the following circumstances:

- To ensure the safe operation of a helicopter within the landing area and its immediate vicinity to avoid dust being raised by the down-draft of the rotors;
- Where there is a need to avoid navigational hazards such as dust being blown onto the wheelhouse or bridge wings; and
- Where residues cause a serious safety hazard to personnel if spillages are not cleaned from deck areas, adjacent walkways and working areas.

An appropriate entry should be recorded in the exceptional discharge or loss of garbage section of the Garbage Record Book to provide verification of a discharge under these specific circumstances.

### Penalties

There are substantial penalties for MARPOL breaches on discharges 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. There are also criminal and civil provisions for breaches under the *Great Barrier Reef Marine Park Act 1975* with considerable penalties.

### Further information

Further information can be obtained from the AMSA website including:

- [Marine Notice 2016/05](#)
- [Marine Notice 2017/03](#)
- [Marine Notice 2017/04](#)
- [2012 Guidelines for the implementation of MARPOL Annex V](#)
- [Garbage Management Plans](#)