



MONGOLIA MARITIME ADMINISTRATION

Government Building-11, J.Sambuu Street-11,
Chingeltei district, Ulaanbaatar 15141, MONGOLIA
Tel: (976-51)-26 14 89, 26 14 90, Fax: (976-11)-31 06 42
E-mail: info@monmarad.gov.mn,
Website: www.monmarad.gov.mn

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Ref. 1/200

Marine Circular No .1/200/2020

APPLICABLE TO: Ship-owners, managers, operators, masters of vessels registered under the ship registry of Mongolia, Recognized Organizations and Registry agents

SUBJECT: New compulsory requirement on oil filtering equipment and control of operational discharge of oil in compliance with the revised Annex I of MARPOL 73/78

References:

1. MARPOL, International Convention for the Prevention of Pollution from Ships, Consolidated Edition 2011, as amended
2. IMO Resolution MEPC.266(68), Amendments to Regulation 12 of MARPOL Annex I, adopted 15 May 2015
3. IMO Circular MSC-MEPC.4/Circ.3, Port State Control-Related Matters-Blanking of bilge discharge piping systems in ports, issued 19 December 2008
4. IMO Circular MEPC.1/Circ.867, Unified Interpretations of Regulations 1.24, 12, 27 And 28.3.3 of MARPOL Annex I, issued 09 December 2016

PURPOSE

The Purpose of this Circular is to implement the International Convention of the Prevention of Pollution from Ships (MARPOL) Annex I requirements regarding oil filtering equipment (e.g., Oily Water Separators (OWSs)). It reflects amendments to the sludge piping requirements under MARPOL Regulation I/12 which entered into force on 01 January 2017 and recognizes recent Unified Interpretations to MARPOL Annex I, including with respect to sludge tanks.

BACKGROUND

Despite widely publicized prosecutions and convictions, vessels subject to the requirements of Annex I continue to be found and/or detained by Port State Control (PSC) in violation of the convention requirements. Most commonly, OWSs have been found inoperative and/or fitted with bypass piping, directing illegal oily discharges overboard. In many cases, piping modifications were made by the crew without the knowledge of management shore, indicating potential International Safety Management (ISM) Code discrepancies.

IMPLEMENTATION

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1. General

- 1.1. Any required oily water separation, monitoring, and control equipment on board is operating as required. This includes the proper functioning of three-way or recirculating valves, monitoring and/or recording devices, and alarms and/or automatic shutdown features. The results of system tests, repairs, and routine maintenance shall be properly recorded in the relevant maintenance record according to the Ship's Safety Management System (SMS);
- 1.2. Frequent shipboard checks are made to ensure that no illegal by-pass piping or other arrangements are provided in violation of, or to circumvent, MARPOL;
- 1.3. Emergency bilge discharge valves and other overboard discharge valves of a similar nature that are normally closed are sealed in the closed position with numbered seals. The SMS should implement a suitable method, either manual or electronic, for recording the changes in the process, including removal and replacement of numbered seal tags, testing of valves, maintenance, and other operational requirements. In accordance with IMO Circular MSC-MEPC.4/Circ.3, the sealing of valves of an emergency nature shall not be construed as a requirement for the valve to be blanked or physically locked. It shall be ensured that such valves remain available for use at all times in case of an emergency situation, and valve sealing may be accomplished through use of a breakable seal, electronic tracking, or similar method;
- 1.4. Bilge systems are maintained in accordance with the plans approved by the vessel's Classification Society;
- 1.5. There is no excessive oil in the bilges and that cleaning substances which contain emulsifiers or other substances which may interfere with the proper operation of the monitoring and control systems are not utilized;
- 1.6. Receipts are requested for all shore side discharges of oil and oily wastes, including sludge, which account for the amount and type of waste discharged as well as the date and place of discharge; and
- 1.7. The Oil Record Book is properly maintained and that it is checked for consistency with other shipboard log books.

2. Requirements on Oil residue (sludge)

MEPC has adopted amendments to Regulation 12 of MARPOL Annex 1 vide Resolution MEPC.266 (68). Revised Regulation 12 reads as follows:

- 2.1. Oil residue (sludge) may be disposed of directly from the oil residue (sludge) tank(s) to reception facilities through the standard discharge connection as per regulation 13, or to any other approved means of disposal of oil residue (sludge), such as an incinerator, auxiliary boiler suitable for burning oil residues (sludge) or other acceptable means which shall be annotated in item 3.2 of the Supplement to IOPP Certificate Form A or B.

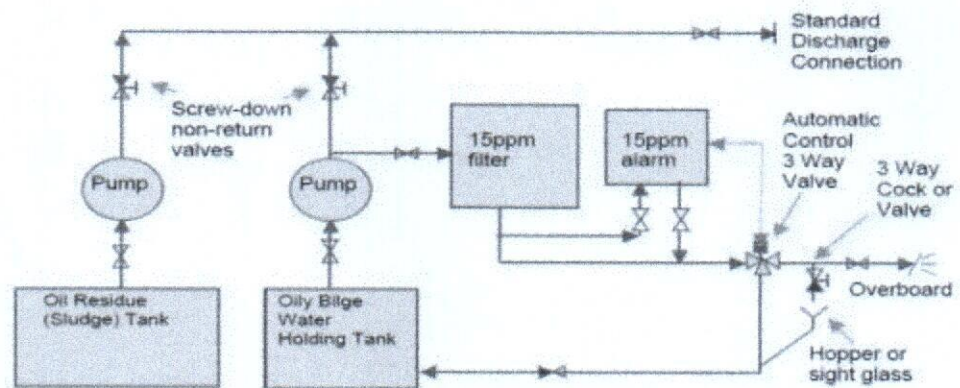
- 2.2. Oil residue (sludge) tank(s) shall be of adequate capacity, having regard to the type of machinery and length of voyage, to receive the oil residues (sludge).
- 2.3. Oil residue (sludge) tank(s) shall be provided with a designated pump that is capable of taking suction from the oil residue (sludge) tank(s) for disposal of oil residue (sludge) by means as described in para 2.4.
- 2.4. Oil residue (sludge) tank(s) shall have no discharge connections to the bilge system, oily bilge water holding tank(s), tank top or oily water separators, except that the tank(s) may be fitted with drains, with manually operated self-closing valves and arrangements for subsequent visual monitoring of the settled water, that lead to an oily bilge water holding tank or bilge well, or an alternative arrangement, provided such arrangement does not connect directly to the bilge discharging piping system; and
- 2.5. Oil residue (sludge) tank(s) discharge piping and bilge water piping may be connected to a common piping leading to the standard discharge connection as per regulation 13; the connection of both systems to the possible common piping leading to standard discharge connection referred to in regulation 13 shall not allow for the transfer of sludge to the bilge system.
- 2.6. Sludge tank(s) shall not be arranged with any piping that has direct connection overboard, other than the standard discharge connection referred to in regulation 13.
- 2.7. Sludge tank(s) shall be designed and constructed so as to facilitate their cleaning and the discharge of residues to reception facilities (ships delivered before 31 December 1979 may comply with this requirement as far as practicable).
- 2.8. Ships constructed before 1 January 2017 shall be required to comply with paragraph 2.4, 2.5, 2.6 and 2.7 above not later than the first renewal survey of IOPP on or after 1 January 2017.

3. Clarifications for terminology used and some examples of possible acceptable arrangements approved by MMA

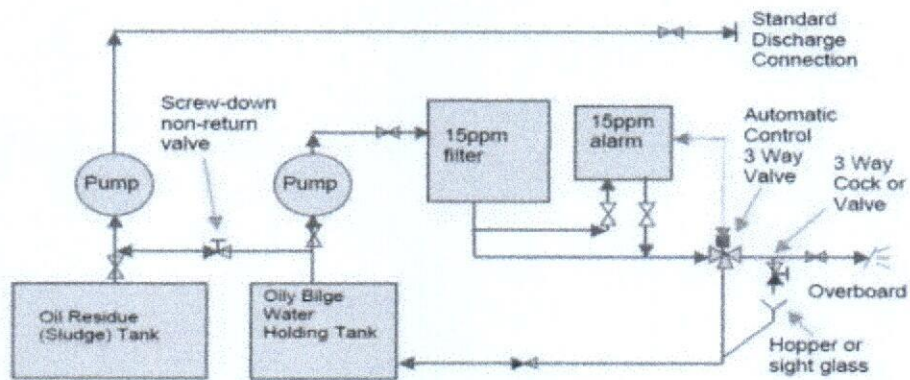
- 3.1 The designated pump is any pump used for disposal of oil residue (sludge) through standard connection or any pump used to transfer oil residue (sludge) to any approved means of disposal such as an incinerator, auxiliary boiler suitable for burning oil residue (sludge) or other acceptable means as written in paragraph 3.2 of FORM A or B.
- 3.2 Common pump for transferring content of oil residue (sludge) tank(s) and oil bilge water of bilge holding tank to standard discharge connection is acceptable, provided same pump is not transferring sludge to bilge system and not discharging to 15 PPM filter unit also.

3.3 Some of the acceptable arrangements:

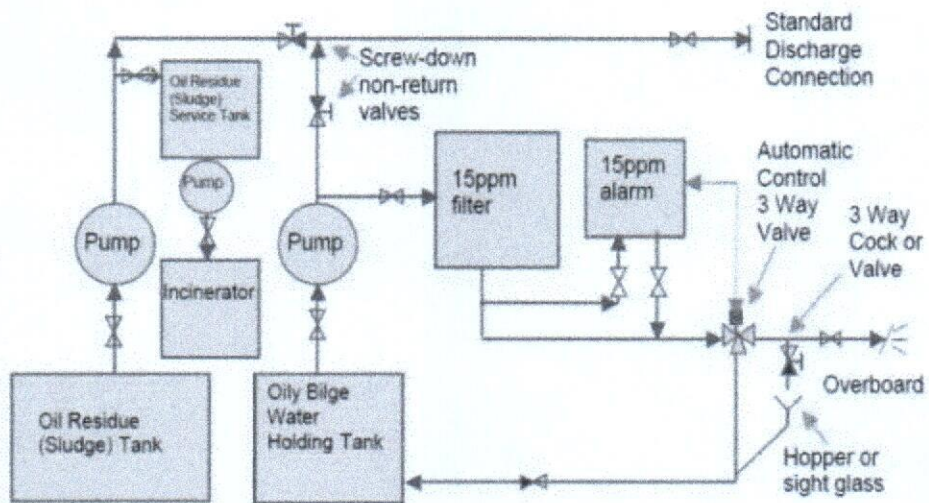
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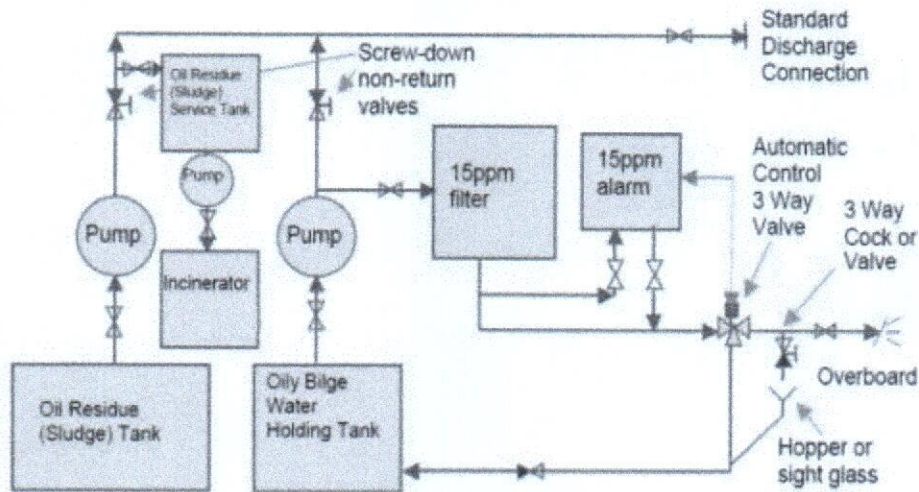
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3.4. For ships constructed before 1 January 2017 which does not comply with paragraph 2.4, 2.5, 2.6 and 2.7 above, owners will be required to propose modification and get the plans submitted and approved. The compliance is to be ensured by first renewal IOPP survey carried out on or after 1 January 2017.

4. Malfunctioning Equipment

Any malfunctioning Oily Water Monitoring and Control Systems and Oil Filtering Equipment must be promptly repaired. In the event that the necessary parts are not readily available, MMA shall be notified at info@monmarad.gov.mn in writing of the situation and of the place and date where the required parts and/or service can be obtained. Where available, the Recognized Organization (RO) shall also be notified to attend and issue a short term IOPP Certificate for the duration until repairs can be completed. Otherwise, a Dispensation Letter/Letter of Acknowledgement, as appropriate, may be issued to allow the vessel to operate during the interim period. In general, the conditions for issuance of the short term IOPP Certificate and/or Dispensation Letter/Letter of Acknowledgement are:

- 4.1. No overboard discharges of oil and oily wastes, including sludge, will be permitted during the interim period. All material of this type must be retained aboard for discharge to a shore side facility;
- 4.2. Overboard discharge valves associated with the inoperative equipment must be sealed with numbered seals in the closed position and signs or notices prohibiting the use of the valves, except for emergency conditions, must be posted;
- 4.3. The crewmembers must be made aware that the equipment in question does not function properly and that it cannot be used;
- 4.4. The Oil Record Book and other applicable logs must document the inoperative equipment and the numbered sealing of the overboard discharge valves;
- 4.5. The appropriate coastal State authorities are notified, as required, of the defective equipment prior to arrival in port;
- 4.6. The MMA shall be notified in writing when the defective equipment has been repaired and is properly operating;
- 4.7. The Master and Chief Engineer are held ultimately responsible for ensuring that no discharges are made using the defective equipment or otherwise in contravention of MARPOL.

5. Consequences of Non-Compliance

3.1 By PSC

Vessels that are not in compliance with MARPOL above may be subject to PSC actions, including detention, heavy fines, and often civil and/or criminal actions from the coastal State. Inoperative OWSs have been a continuing cause of PSC detentions.


3.2 By MMA

Article 4 of MARPOL specifies the imposition of penalties that are sufficient in severity to discourage violations of the Convention. The MMA, as a signatory, is bound to assess appropriate penalties for the contravention of Convention requirements, such as:

- a. Immediate flag State detention of the vessel;
- b. Assessment of substantial fines and penalties by MMA;
- c. Withdrawal of the vessel's Certificate of Registry; and
- d. Fines, suspensions, or revocations of ship's officers' Certificates of Competency

3.3 The only true acceptable course of action is vigilance and compliance. Any queries regarding present circular should be directed to the Ship Registration and Monitoring Department of MMA. (E-mail: info@monmarad.gov.mn, Tel: +976 310642).

Sincerely,


TUVSHINTUR Saranjav
Director-General