



IMCO

INTERNATIONAL CONFERENCE ON
MARINE POLLUTION, 1973
Agenda item 7

CONSIDERATION OF A DRAFT INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

Comments and proposals on a draft text of the Convention

Submitted by the Government of Greece

Greece is of the opinion that this voluminous draft can best be analysed in a two-fold way:

- 1 Outlining major topics where strong feelings are existing.
- 2 Commenting on specific topics of the Convention on both articles and regulations.

1 PREAMBLE

A Definition of oil:

Clear distinction to be made between persistent and non persistent oils with a list of different requirements as far as structure and operations on tankers carrying them.

B Discharge Criteria:

We strongly believe that the 1969 amendments to the existing convention if properly observed universally could eliminate any harm to the environment from an operational pollution point of view. No stricter

criteria should be necessary. Greece is in the final stage of endorsing those amendments.

C Retention of oil on board (Load on top):

Further to the successful launching of the O.C.I.M.F. and I.C.S. issued "Clean Seas Guide" publication being also translated in Greek and circulated on board the tanker fleet we believe that a strict adherence to the above mentioned procedures could - as per tanker operators reports we are getting - meet effectively operational pollution criteria to all long haul trips.

Proper use of this procedure having the prerequisite that shore reception facilities to become obligatory by law to all terminals and specifically - with a deadline - to all clean sea terminals can guarantee equal operational pollution minimization on short haul trips also.

Further study of the now introduced cargo crude oil tank cleaning, if proven feasible, can in the future eliminate all mixture of oil with water and further contribute towards operational pollution elimination as much as possible.

D Segregated ballast:

We are opposed to any compulsory requirement for segregated ballast tankers.

E Minimization of Accidental Outflow:

We are also opposed to any compulsory double bottom skin future tanker requirements.

F Subdivision and Stability:

As per our commentary Appendix enclosed.

For any deviation from tanker rules set forth at the I.L.L. 66 Convention clear amendment to be introduced to any one either the existing load line or the now coming pollution convention so no confusion will arise for the tanker designer in the future.

COMMENTS ON THE DRAFT TEXT OF THE ARTICLES

EXISTING TEXT	PROPOSED AMENDMENT	REMARKS
<u>Article 2 Definitions</u>		
(2) Administration	Delete square brackets around "authority"	The views on authority are: Continental shelf is irrelevant in the context of this Convention.
(4) Discharge (a)	Delete footnote 5	Interpretation, and/or clarification of the word "discharge" unnecessary.
" (b)	Delete the word "Directly" in the sentence ... "but does not include releases directly..."	
<u>Article 3 Applications</u>		
(2) Warships etc	Substitute the text of footnote 8 for the text in the draft.	The intention is to restrict the immunity to warships, or at least to state vessels only.
<u>Article 4</u>		
Either alternative	Delete footnote 9	Considered irrational, over-expanding the authority for contracting states.
Incorporate the substance of footnote II in either text		
<u>Article 5 Certificates etc</u>		
(2)	<ul style="list-style-type: none"> a. Incorporate the text of footnote 12 b. Delete footnote 15 c. Substitute the provisions of footnote 16 at the end of the paragraph. 	

- d. At the end of par. (2) add the sentence:
"Any inspection shall be limited to the
slop tanks, or other special waste tanks,
and to the documents related to them.

Delete both paragraphs.

Delete footnotes 21, 22 & 23

- a. Delete "shall"
- b. Incorporate "in fine" the text of
footnote 28
- c. Incorporate text of footnote 30

(4) - (5)

Articles 6 Detection etc

(5)

Article 7 Reports etc

(7)

This paragraph should be deleted and the
text transferred to the appropriate place
in ANNEX I and ANNEX II

(3)

Delete par. (9)

The provisions of this paragraph are entirely
unrealistic, and in many cases unenforceable.

Article 8 Powers etc

- a. Delete footnote 36 (II)
- b. Delete footnote 37
- c. Delete square brackets around word
"... and manning" in footnote 39
- d. Delete footnote 40

Article 9 Other Treaties etc

- a. Delete footnote 41
- b. Delete paragraph (2), and include text in
a resolution, or alternatively,
- c. amend text as per footnote 42.ii

Article X War etc

This proposal for an insertion of a new
article is considered superfluous.

Article 12 Casualties etc

Delete footnote 49 ii

Article 14 Reservations

- a. Alternate text II
- b. Incorporate footnote 53

Article 15 Annexes

Delete square brackets around the text of the last sentence "Every new annex etc ..."

Article 16 Entry etc

Delete footnote 54

II. ANNEX I

CHAPTER I

REG. FOR PREVENTION OF POLLUTION BY OIL

REGULATION 1 : Definitions

For the purposes of this Annex:

(1) "Oil means Petroleum in any form including crude oil, residual fuel oil, sludge, oil refuse and refined products (other than petrochemicals, which are subject to the provisions of Annex II of the present Convention) and, without limiting the generality of the foregoing, includes the substances listed in Appendix I to this Annex.

We support the division of oils into two categories: Persistent oils (black oils). Non persistent oils (clean oils).

We further recommend that non persistent oils be covered in a separate Annex and the ships carrying those oils to meet less stringent operational and structural requirements.

In case of new, non listed oils, the more stringent requirement should apply until categorisation.

Sub-paragraph (5) (b)

The delivery of which is (three/five) years or more after the date of entry into force of the present Convention; or

Delete square brackets and delete three, retain five.

Sub-paragraph (16)

"Clean ballast" means the ballast in a tank which since oil was last carried therein, has been so cleaned that effluent therefrom, if it were discharged from a stationary tanker into clean seawater on a clear day would produce no visible traces of oil on the surface of the water or an adjoining shore line or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shore lines. If the tank from which ballast is discharged is fitted with an oil content monitoring arrangement approved by the Administration, evidence based on such an arrangement

Believing that 25 ppm is a more realistic figure, we propose to Delete (15) and insert "25" in third line from end.

to the effect that the oil content of the effluent did not exceed (15) parts per million shall be determinative that the ballast was clean, notwithstanding the presence of visible traces.

REGULATION 4- Inspection and Survey

Sub-paragraph (1)

(1) Every oil-tanker of (150) tons gross tonnage and above, and every other ship of (400) tons gross tonnage and above shall be subject to the surveys and inspections specified below:

In order to streamline the requirements with the SOLAS 1960 Convention, we are in favour of increasing the figure for ships other than tankers to 500 gross.

Sub-paragraph (1) (c)

A periodical inspection at intervals specified by the Administration, but not exceeding two years which shall be such as to ensure that the equipment and associated pumps and pipings, including oil discharge monitoring and control systems, fully comply with the applicable requirements of this Annex and is in good working order. Some periodical inspection shall be endorsed on the International Oil Pollution Prevention Certificate (1973) issued under Regulation 5 of this Annex.

In view of the pattern of trade of many oil tankers, provision should be made in this regulation for extension of the certificate. The extension provision of SOLAS 1960 Chapter 1 Part B Regulation 14 (c) and (d) should be adopted.

REGULATION 9: Control of Discharge of Oil (14)

Footnote 14:

There was a reasonable division of opinion among delegations on the need to develop special requirements under this Regulation for non-persistent oil. A proposed approach of dealing with this matter submitted by several delegations is shown on page 87 of this document as an addendum to this footnote. Time did not permit examination of this proposal in any depth.

Sub-paragraph (1)

Subject to the provisions of Regulation 10 of this Annex (15) 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:

Footnote 15

Some delegations suggested the insertion of the following words at the beginning of the paragraph:
 "Without prejudice to more stringent regulations which a coastal State may make (within the limits of national jurisdiction /in respect of areas under its jurisdiction / in respect of waters under its jurisdiction).

{ sub-paragraph (1) (a) (ii)

(ii) the tanker is more than (50) nautical miles from the nearest land;

Amend the heading to read: Control of discharge of persistent oil.

We firmly suggest that the discharge of non-persistent oils (clean oils) should be governed by less stringent criteria than those applicable to persistent oils. Therefore the present appendix I to Annex I should be divided into two lists, one for persistent oils and the other for non persistent oils.

Delete "oil or oily mixtures" in line 2 insert "oils in Category 1 as defined in Regulation 1 (1) of the Annex or oily mixtures containing such oils.
 Division of persistent and non-persistent oils as recommended.

Footnote 15 to be deleted.

Delete square brackets.

Sub-paragraph (1) (iv)

(iv) The instantaneous rate of discharge of oil content does not exceed (60) litres per nautical mile;

Delete square brackets

Sub-paragraph (1) (v) (1) and (2)

(1) For the new tankers (18) of less than (100,000) tons deadweight and for existing tankers (18) (1/15,000) of the total quantity of the cargo which the residue formed a part; and

We endorse footnote 18 keeping the figure for existing ships as valid as for new ships also.-

(2) For new tankers (18) of (100,000) tons deadweight or more (1/30,000) of the total quantity of the cargo of which the residue formed a part;

Footnote 18:

Some delegations proposed that there should be no distinction of the maximum quantity as between new and existing ships.

Sub-paragraph (1) (b) (ii)(iii) and (iv)

(ii) the oil content of the discharge is less than (100) parts of oil per 1,000,000 parts of effluent;

Delete square brackets.

(iii) The instantaneous rate of discharge of oil content does not exceed (60) litres per nautical mile;

Delete square brackets

(iv) The discharge is made as far as practicable from the land, but in no case less than (10) nautical miles from the nearest land.

Delete square brackets

REGULATION 11: Methods to effect the Control of Discharge of oil from Oil Tankers

Sub-paragraph (1) and (2)

(1) (22) Every oil tanker shall operate under such methods as appropriate to comply with the discharge criteria specified in Regulation 9 of this Annex. To this end the following operating methods shall apply, subject to the provisions of paragraphs (2) and (3) of this Regulation and Regulation 12 of this Annex:

The requirements for segregated ballast tankers should be no mandatory, therefore we suggest that paragraph (2) should be deleted. We believe that paragraph (3) covers successfully the whole matter bearing in mind that it is required additionally monitoring and control system.

(a) segregated ballast tanks specified in Regulation 13 of this Annex:

- (b) Retention of oil on board specified in Regulation 15 of this Annex;
- (c) In-port disposal to shore-reception specified in Regulation 20 of this Annex.

(2) Every oil tanker (excluding combination carriers) of (150,000) tons deadweight and above and every combination carrier of (100 000) tons deadweight and above, for which the building contract is placed on or after (1 January 1978) or in the absence of a building contract the keel of which is laid or which is at a similar stage of construction on or after (1 January 1980), or the delivery of which is on or after (1 January 1981) shall be designed, constructed and equipped in compliance with the requirements of Regulation 13 of this Annex.

Footnote 22

Depending on the decisions by the Conference on Regulation 9 relating to a possible inclusion of special discharge criteria for non-persistent oil this paragraph might require modification (see Footnote 14 under Regulation 9).

Sub-paragraph (3)

As from the date of the entry into force of the present Convention every oil tanker shall be capable of operating under both the methods specified in sub-paragraphs (1)(b) and 1(c) of this Regulation to the standards and requirements of Regulation 9(1) (a) of this Annex, except

Insert new paragraph as follows:

"Every oil tanker engaged in the carriage of oils in category II as listed in Appendix 1 to this Annex shall comply with the discharge criteria in Regulation 9 (2) of this Annex".

We would be in favour of three year period having clear grounds to believe that proper time should be allowed for the development of the equipment specified herewith.

for the requirements of Regulation 9 (1) (a) (vi) and 9 (1) (a) (vii) of this Annex which shall be provided before the expiry of a period of (2) years from that date.

REGULATION 13: Segregated Ballast Oil Tankers

Sub-paragraph (1)

(1) Oil tankers provided with segregated ballast tanks in accordance with paragraph (2) of Regulation 13 of this Annex shall comply with the requirements of this Regulation.

In view of our proposal made in reg. 11 para (1) and (2) the words "paragraph (2)" of this regulation should be deleted.

Sub-paragraph (2) , Footnote 33

(33) Several delegations were in favour of specifying double bottom construction as an anti-pollution measure in the event of stranding by adding the following sentence. "This segregated ballast capacity shall be achieved in part by fitting throughout the cargo length a double bottom height of at least B/15" etc.

The whole footnote 33 to be deleted.

Double bottom tanker was without success in the past and is considered a most harmful principle from both operational and safety point of views for the future.

Sub-paragraph (5)

Where abnormally severe weather conditions render it necessary to carry additional water ballast in oil tanks, such ballast water shall be processed and disposed of in accordance with the requirements of Regulation 15 of this Annex, and entry shall be made in the Oil Record Book referred to in Regulation 21 of this Annex.

REGULATION 15: Retention of Oil on Board

Sub-paragraph (1) - (4)

(1) Where it is intended that the control of discharge of oil under Regulation 11 of this Annex shall be effected by the retention of slops and tank washings on board, oil tankers of (150) tons gross tonnage and above shall be provided with arrangements in accordance with the requirements of this Regulations etc.

Sub-paragraph (3) (a)

(a) In this system arrangements shall be provided to transfer the oily waste into a slop tank or combination of slop tanks in such a way that the oil content of any effluent is such as to comply with the provisions of Regulation 9 of this Annex.

Insert at the end of the existing text:

"Connections between the ships' ballast loading system and cargo tanks used under this provision shall be so arranged that they can be sealed in a way still permitting rapid ballast handling but sufficient to indicate when such seals have been broken to permit ballast in cargo tanks".

Should division of persistent and non-persistent oils be adopted, references to Regulation 9 and 11 of this Regulation will change to Regulation 9 (1) and 11 (1)

Amend to read: In this system arrangements shall be provided to transfer the oily waste into one or more slop tanks in such a way that the oil content of any effluent is such as to comply with the provisions of Regulation 9 of this Annex.

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Sub-paragraph 3(d) ()

The tanker shall be fitted with an (automatic) oil content monitoring arrangement approved by the Administration to check the quality of any effluent discharged to the sea in the "once through system" or decanted from any cargo tank, slop tank or reception tank in which ballast water or tank washings are allowed to settle either when the recirculatory system is used or when the discharge of residue ashore is intended. (The meter shall be fitted with a recording device to provide a permanent record of the oil content of the discharge).

Delete "automatic" in first line.

We would accept this subparagraph, under the following provisions.

- (1) Until the date of enforcement of the convention it will be fully developed and marketable an efficient system and
- (2) In case of failure of this system alternative methods will be acceptable to permit the ships operations to be continued, such as continuous watching and proper entrying to the oil record book.

REGULATION 16: Oil Discharge Monitoring and Oily Water
Separating Equipment in Ships Other than Oil Tankers.

Sub-paragraphs (1) (4) and (5)

(1) Any ship of (10,000) tons gross tonnage and above shall be fitted with an oil discharge monitoring system to comply with the provisions of paragraph (5) of this Regulation.

(4) An oily water separating system shall be of a design approved by the Administration and shall be such as will ensure that an oily mixture discharged into the sea after passing through the separator shall have an oil content of not more than 100 parts per million. In considering the design of such equipment, the Administration shall have regard to the specification set out in Part A of the Recommendation annexed to Resolution A.233 (VII) adopted by the Assembly of the Organization.

Regulation 16 is compatible with the provisions of Regulation 9 (1) (b) (vi). On the other hand we find very unrealistic to require for ships other than oil tankers both discharge monitoring system and oily water separator. Consequently we would suggest to delete sub-paragraph 1 and 5 of Reg. 16.

In case this could not be fully acceptable we would recommend:

- (1) The figure between brackets in paragraph (1) to be substantially increased.
- (2) Delete "permanent" in penultimate lines and also the square brackets at the bottom of para. 5
- (3) Insert a new paragraph 6 reading as follows:

(5) An oil discharge monitoring (and control) system shall be of a design approved by the Administration and shall be such as will ensure that the discharge of oil mixture is automatically stopped when the discharged mixture contain 100 parts per million or more of oil. In considering the design of the oil content meter that is to be incorporated into the design of such a system the Administration shall have regard to the specification set out in Part B of the Recommendation annexed to Resolution A. 233 (VII) adopted by the Assembly of the Organization. (The meter shall be fitted with a recording device to provide a permanent record of the oil content of the discharge.)

REGULATION 19: Pumping and Piping Arrangements of Oil Tankers
for the Discharge to Reception Facilities or to the Sea.

(1) In every oil tanker, pipelines for the discharge of dirty water ballast and/or oil contaminated water to shore or floating reception facilities shall be laid to the open deck on both sides of the ship.

(2) In every oil tanker, pipelines for the discharge to the sea of effluent which may be permitted under Regulation 9 of this Annex shall be led to the open deck or to the ship's side above the waterline in the heaviest ballast condition.

"(6) The equipment specified in this regulation shall be provided before the expiry of (3) years from the date of entry into force of this Convention."

- (a) It is assumed that the cargo pipelines on deck of L.O.T. operated tankers can be used for the application of paragraph (1) of this regulation.
- (b) It could also be acceptable a suitable system, such as a system of signals preferably given by means of a push button switch at the observation position operating a red light or bell at the separator or pump station.

(3) In (new) (42) oil tankers remote control of the pumps for discharge pipes referred to in paragraphs (1) and (2) of this Regulation shall be provided at a position where the discharge pipes are under visual supervision.

Footnote 42

Some delegations considered that this requirement should apply to new and existing ships.

Footnote 42 to be deleted

REGULATION 20 Reception Facilities

Paragraphs (1) - (3)

A deadline with respect of time for compliance to the provisions of this Regulation by contracting Governments located outside special areas should also be established

REGULATION 21 - Oil Record Book

Footnote 43

43: Some delegations suggested that for smaller ships a simplified form for oil records should be provided by means of either a simplified Oil Record Book, special entries in the log book or other appropriate means decided by the Administration.

We fully endorse this statement.

REGULATION 24: Limitation of Size and Arrangements

of Cargo Tanks

Sub-paragraph (1) (b) (ii)

- (ii) the building contract is placed after 1 January (1972) or in cases etc.

REGULATION 25: Subdivision and stability

Pumping and Piping Arrangements for Cargo Transfer (52)

Footnote 52

(i) Several delegations suggested that consideration should be given to a need for a regulation that appropriate arrangements should be made to provide ashore equipment capable of transferring cargo from compartments in the case of accidents to oil tankers.

(ii) Some delegations suggested the inclusion of the following regulations:

* Each new oil tanker (of not less than (size limit) shall be equipped with self-contained fixed or portable pumping and piping arrangements capable of pumping cargo from the damaged compartment, beginning from the upper layers of the cargo, to another compartment or outside the ship.

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MP/CONF/8/10/ADD.1

To be reported as follows:

"The building contract is placed after 30 June 1974, or in case where no building contract has previously been placed, the keel is laid or the tanker is at a similar stage of construction after 1 January 1975.

Footnote 52 to be deleted. We consider such a regulation as unnecessary and impracticable.