



IMCO

INTERNATIONAL CONFERENCE ON
MARINE POLLUTION, 1973
Committee III
Agenda item 3

ANNEX II

DRAFT REGULATIONS FOR THE CONTROL OF POLLUTION
BY NOXIOUS LIQUID SUBSTANCES IN BULK
(as amended by Committee III)

Regulation 1

Definitions

For the purposes of this Annex:

- (1) "Chemical tanker" means a ship constructed or adapted primarily to carry a cargo of noxious liquid substances in bulk and includes an oil tanker when carrying a cargo or part cargo of noxious liquid substances in bulk.
- (2) "Clean ballast" means ballast carried in a tank which, since it was last used to carry a cargo containing a substance in Categories A, B or C, has been cleaned and the residues resulting therefrom have been discharged in accordance with the appropriate requirements of Regulation 5 of this Annex.
- (3) [To be considered later taking into account the outcome of the discussion in Committee I or II].
- (4) "Liquid substances" covered by this Annex are those having a vapour pressure not exceeding 2.8 kp/cm^2 at a temperature of 37.8°C .

- (5) "Noxious liquid substance" means any [harmful] substance designated in Appendix II to this Annex or provisionally assessed under the provisions of Regulation 3(3) as falling into Category A, B or C.
- (6) ["Special area" means a sea area where for recognized technical reasons in relation to its oceanographic and ecological condition and to its peculiar transportation traffic the adoption of special mandatory methods for the prevention of sea pollution by noxious liquid substances in bulk is required. Special areas are those listed in Regulation 5A of this Annex.]

Regulation 2

Application

- (1) [To be considered later taking into account the outcome of the discussion in Committee I].
- (2) Where chemical tankers carry a cargo of oil or contain residues thereof and/or discharge oil or oily mixtures the relevant requirements of Annex I shall also apply.

Regulation 3

Categorization and Listing of Noxious Liquid Substances

- (1) For the purpose of the Regulations of this Annex, except Regulation 11, noxious liquid substances shall be divided into three categories. The guidelines used in the categorization of noxious liquid substances are given in Appendix I to this Annex:
 - (a) Category A - Noxious liquid substances which if released into the sea from tank cleaning or deballasting operations would present a major hazard to either marine resources or human health or cause serious harm to amenities or other legitimate uses of the sea and therefore justify the application of special measures to prevent their escape into the marine environment.

- (b) Category B - Noxious liquid substances which if released into the sea from tank cleaning or deballasting operations would present a hazard to either marine resources or human health or cause harm to amenities or other legitimate uses of the sea and therefore justify the application of special anti-pollution measures.
- (c) Category C - Noxious liquid substances which if released into the sea from tank cleaning and deballasting operations would present a minor hazard to either marine resources or human health or cause minor harm to amenities or other legitimate uses of the sea and therefore require special operational conditions.
- (2) The list of noxious liquid substances carried in bulk and presently categorized which are subject to the provisions of this Annex is set out in Appendix II to this Annex.
- (3) Where it is proposed to carry a liquid substance in bulk, which has not been categorized under paragraph (1) of this Regulation nor evaluated as referred to in Regulation 4 of this Annex, the Contracting Governments involved in the proposed operation shall establish and agree on a provisional category for the proposed operation on the basis of the guidelines referred to in paragraph (1) of this Regulation and thus establish conditions for the carriage of the substance. Until full agreement between the Governments involved has been reached, the substance shall be carried under the most severe conditions proposed. As soon as possible, but not later than 90 days after its first carriage, the Administration concerned shall notify the Organization and provide details of the substance and the provisionally assigned category for prompt circulation to all Contracting Governments for their information and consideration.^{1/} Each Contracting Government shall have a period of [] days in which to forward its comments to the Organization, with a view to the provisional categorization of the substance by the appropriate body of the Organization which will deal with the environmental matters.

^{1/} This paragraph should be reviewed in the light of Article 17(3)(c).