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## IMCO

INTERNATIONAL CONFERENCE ON  
MARINE POLLUTION, 1973  
Committee III

Agenda item 3

CONSIDERATION OF THE DRAFT TEXT OF ANNEX II OF THE  
INTERNATIONAL CONVENTION FOR THE PREVENTION OF  
POLLUTION FROM SHIPS, 1973

Draft Text of Regulations 5A, 6 and 8

Regulation 5A - Discharge of Noxious Substances Within Special Areas

Subject to the provisions of Regulation 6 of this Annex,

- (1) The discharge into the sea of substances in Category A and Category B as defined in Regulation 3(1)(a) and (b) of this Annex or those provisionally categorized as such or ballast water, tank washings, or other residues or mixtures containing such substances, shall be prohibited. If tanks containing such substances or mixtures are to be washed, the resulting residues shall be discharged to a reception facility until the concentration of the substance in the effluent to such facility is at or below the residual concentration prescribed for that substance in Appendix II to this Annex and the tank is empty. Provided that the residue then remaining in the tank is subsequently diluted by the addition of a volume of water of not less than 5% of the total volume of the tank, it may be discharged into the sea when all the following conditions are also satisfied:

- (a) the ship is proceeding en route at a speed of at least 7 knots, 4 knots for barges;
  - (b) the discharge is made below the waterline, taking into account the location of the seawater intakes; and
  - (c) the discharge is made at a distance of not less than 12 nautical miles from the nearest land in a depth of water of not less than 25 metres.
- (2) The discharge into the sea of substances in Category C, as defined in Regulation 3(1)(c) of this Annex or those provisionally categorized as such or ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited. However, such mixtures may be discharged into the sea when all the following conditions are satisfied:
- (a) the ship is proceeding en route at a speed of at least 7 knots, 4 knots for barges;
  - (b) the procedures and arrangements for discharge are approved by the Administration. Such procedures and arrangements shall be based upon standards developed by the Organization to ensure that the concentration and rate of discharge of the effluent is such that the concentration of the substance in the wake astern of the ship does not exceed 1 part per million;
  - (c) the maximum quantity of cargo discharged into the sea from each tank and its associated piping system does not exceed 1 cubic metre or 1/3,000 of the tank capacity in cubic metres, whichever is the greater;
  - (d) the discharge is made below the waterline, taking into account the location of the sea water intakes; and
  - (e) the discharge is made at a distance not less than 12 nautical miles from the nearest land and in a depth of water of not less than 25 metres.

- (3) Ventilation procedures approved by the Administration may be used to remove cargo residues from a tank. Such procedures shall be based upon standards developed by the Organization. If subsequent washing of the tank is necessary, the discharge into the sea of the resulting tank washings shall be made in accordance with paragraphs (1), (2) or (3) of this Regulation, whichever is applicable.
- (4) The discharge into the sea of substances which have not been categorized, provisionally categorized, or evaluated as referred to in Regulation 4 of this Annex, or of ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited.
- (5) The discharge of clean ballast shall not be subject to the requirements of this Regulation.
- (6) Nothing in this Regulation shall prohibit a ship from retaining aboard the residues from a category B or C cargo and disposing of these in accordance with Regulations 5(2) or 5(3), respectively, outside a special area.

#### Regulation 6

##### Exceptions

Regulation 5 of this Annex shall not apply to:

- (a) the discharge into the sea of noxious liquid substances or mixtures containing such substances, necessary for the purpose of securing the safety of the ship or saving life at sea; or
- (b) the escape into the sea of noxious liquid substances or mixtures containing such substances resulting from damage to a ship or its equipment, provided that all reasonable precautions have been taken after the occurrence of the damage or discovery of the leakage for the purpose of preventing or minimizing the escape.

#### Regulation 8

##### Measures of Control

Each Contracting Government shall appoint or authorize Surveyors whose duties shall include the inspection of ships for the purpose of implementing this Regulation.

Category A substances and Category B substances within special areas

- (1) (a) If a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book.
- (b) Until that tank is cleaned every subsequent pumping or transfer operation carried out in connexion with that tank shall also be entered in the Cargo Record Book.
- (2) If the tank is to be washed:
  - (a) The effluent from the tank washing operation shall be discharged from the ship to a reception facility at least until the concentration of cargo in the discharge, as indicated by analyses of samples of the effluent taken by the Surveyor, has fallen to the residual concentration specified for that substance in Appendix II to this Annex. When the required residual concentration has been achieved, remaining tank washings shall continue to be discharged to the reception facility until the tank is empty. Appropriate entries (e.g. residual concentrations, tank washings discharged to the reception facility, etc.) of these operations shall be made in the Cargo Record Book and certified by the Surveyor;
  - (b) After diluting the residue then remaining in the tank with at least 5% of the tank capacity of water, this mixture may be discharged at sea in accordance with the provisions of Regulations 5(1)(a), (b) and (c) and 5A(3)(a), (b) and (c) of this Annex. Appropriate entries of these operations shall be made in the Cargo Record Book.
- (3) Where the Contracting Government of the receiving state is satisfied that it is impracticable to measure the concentration of the substance in the effluent without causing undue delay to the ship, that Contracting Government may accept an alternative procedure as being equivalent to sub-paragraph (2)(a) provided that:
  - (a) a precleaning procedure for that tank and that substance as approved by the Administration based on standards developed by the Organization and the Contracting Government is satisfied that such procedure will fulfil the provisions of Regulation 5(1)

- and 5(3) of this Annex with respect to the attainment of the prescribed residual concentrations;
- (b) a surveyor duly authorized by the Contracting Government shall certify in the Cargo Record Book that:
- (i) the tank, its pump and piping system have been emptied, and that the quantity of cargo remaining in the tank is at or below the quantity on which the approved precleaning procedure as referred to in paragraph (ii) below has been based;
  - (ii) precleaning has been carried out in accordance with the precleaning procedure approved by the Administration for that tank and that substance; and
  - (iii) the tank washings resulting from such precleaning have been discharged to a reception facility and the tank is as empty as practicable.
- (c) the discharge of any remaining residues shall be in accordance with the provisions of paragraph (2)(b) of this Regulation and the Master makes an appropriate entry in the Cargo Record Book.

Category B substances outside special areas and category C substances

- (4) Subject to such surveillance by the authorized Surveyor as may be deemed necessary by the Contracting Government, the Master of a vessel which has carried a Category B cargo outside special areas or Category C cargo shall ensure that the following operations are carried out:
- (a) If a tank is partially unloaded or unloaded but not cleaned, the Master shall make an appropriate entry in the Cargo Record Book.
  - (b) If the tank is to be cleaned at sea, the Master shall:
    - (i) ensure that the cargo piping system serving that tank has been drained and that the appropriate entries have been made in the Cargo Record Book;
    - (ii) ascertain that the quantity of substance remaining in the tank does not exceed the quantity on which the approved discharge procedure is based or the maximum quantity which

may be discharged into the sea for that substance under Regulation 5(2)(c) of this Annex in the case of Category B substances outside special areas and 5(3)(c) and 5A(4)(c) of this Annex for Category C substances, whichever is less and that the appropriate entries have been made in the Cargo Record Book;

- (iii) ensure, where it is intended to discharge the quantity of substance remaining into the sea, that the previously approved cleaning procedures have been complied with, that the necessary dilution of the substance satisfactory for such a discharge has been achieved and that the appropriate entries have been made in the Cargo Record Book;
  - (iv) ensure, where the tank washings are not discharged into the sea, that if any internal transfer of washings takes place from that tank the appropriate entries are made in the Cargo Record Book; and
  - (v) ensure that any subsequent discharge into the sea of such washings is made in accordance with the requirements of Regulation 5 and 5A of this Annex for the Category of substance involved.
- (c) If the tank is to be cleaned in port,
- (i) the tank washings shall be discharged to a reception facility and appropriate entries in the Cargo Record Book shall be made; or
  - (ii) the tank washings shall be retained on board the ship and appropriate entries in the Cargo Record Book indicating the location and disposition of the washings shall be made.

#### Discharge from a slop tank

- (5) Any residues retained on board in a slop tank, including those from pump room bilges, which contain a Category A substance, and within special areas also a category B substance shall be discharged to a reception facility in accordance with the provisions of Regulation 5(1) and 5A(3) of this Annex and an appropriate entry shall be made in the Cargo Record Book.

- (6) Any residues retained on board in a slop tank including those from pump room bilges, which contain substances of Category B outside special areas or category C in excess of the aggregate of the maximum quantities specified in Regulation 5(2)(c) of this Annex for substances of Category B outside special areas and Regulations 5(3)(c) and 5A(4)(c) of this Annex for category C substances shall be discharged to a reception facility and an appropriate entry shall be made in the Cargo Record Book.
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