

INTERNATIONAL CONFERENCE ON THE ENVIRONMENTALLY SOUND MANAGEMENT OF WASTE GENERATED AT SEA

**MARSEILLE – FRANCE
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Conference notes

20/08/08

Issue

The conference is driven by the need to respond swiftly to the current inadequacy of arrangements for managing wastes generated at sea. The conference will seek to illustrate this problem, propose solutions and encourage partnerships to address the situation in different parts of the world.

Oily residues arise from the routine operation of ships. Some residues are left over from cargoes transported on board ships. These residues have to be discharged or delivered in ports or terminals and managed on land. Action over the past 30 years to prevent discharge at sea, in particular through the implementation of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78), has been successful but has not been matched by the provision and improvement of port based facilities for receiving these residues and the development of adequate infrastructure for their sound management on land.

A number of deficiencies result from this situation both at the international and national level. In particular, it concerns the lack of or insufficient capacity of port-based facilities to receive the different types of residues generated by ships, uncertainties regarding rules and procedures applied to certain types of residues, lack of common system to verify port or terminal capacities to receive residues, insufficient traceability of waste flow from the moment the residues are received in port until they are properly treated, recycled or disposed of on land, and the lack of capacity in many countries around the globe to manage wastes, including residues generated on board ships, in a way to protect human health and the environment.

Programme highlights

The conference will address the following themes:

- ◆ Current situation: gaps and challenges
- ◆ The environmentally sound management of residues generated on board ships
- ◆ Partnerships and cooperation: valuing assets and shaping workable solutions

Key debates

Two workshops will be organised during the conference to consider the following issues :

- ◆ Certification of ports qualified to receive residues generated on board ships
- ◆ Traceability of residues generated on board ships from their reception at shore in port facilities to their recycling or final disposal on land

PLENARY SESSIONS

Session I Current situation: gaps and challenges

International perspectives

Adequate port or terminal reception facilities for oily residues and cargo residues generated on board ships and their proper and safe management on land will contribute to the international efforts aiming at depolluting the sea and improving the environmentally sound management and minimisation of waste. Shaping workable solutions will necessitate the strengthening of cooperation between shipowners, charterers, port authorities, private contractors operating in ports and waste managers. The globalisation of trade, the fast growing economic development of emerging countries and global environmental challenges call for a better integration and improved coherence between maritime and terrestrial activities and the design of policies that will consolidate the sea-land interface.

Issue

The adequacy of port reception facilities for residues generated on board ships, and of the arrangements for their proper and safe management on land, should be an important component of the global drive towards the environmentally sound management of waste. To what extent has this component been recognised, and what more remains to be done ?

Regulatory perspectives and experience

The overarching objective at the global level is to ensure that residues generated on board ships are delivered or discharged in adequate facilities at shore and that the management of these residues on land is done in such a way as to protect human health and the environment. The conference will focus its attention to the residues covered by Annexes I (oily residues) and II (cargo residues) of MARPOL. and on initiatives taken by the International Maritime Organisation in this domain.

The adjustments of the international principles and standards for the environmentally sound management of waste to residues generated on board ships would constitute a step forward in improving the situation. A strategy to reduce marine pollution caused by ships should be accompanied by measures to develop or improve land-based capacity for the sound and safe handling of oily residues and cargo residues.

Issue

Is the regulatory framework covering the full life-cycle of these residues complete? What more needs to be done to join up the maritime and land-based residue/waste management rules? How might best practice be identified and promulgated?

Maritime industry perspectives and experience

Shipowners, charterers, shipping agents, flag States, port States, port authorities, contractors operating in the port, waste collectors and managers, enforcement administrations have different perceptions of the difficulties encountered with residues generated on board ships. This illustrates

the complexity surrounding the collection and management of such residues and demonstrates the usefulness of working towards integrated approaches that would consider sectoral specificities. The objective would be to pursue the efforts undertaken so far by governments and industry to bring more transparency into current practices, to improve harmonisation of procedures and to promote better flow of information and cooperation between public and private stakeholders.

It would also be an opportunity to hear about industry response to more stringent regulations aiming at reducing pollution and initiatives to implement environmental management programmes.

Issue

Many different types of industry and regulatory organisations are involved in this picture. In this session we shall hear from some of them, and consider how they might work together to improve the collection and management of residues generated on board ships.

Experience in the implementation of the European Directive 2000/59/EC on port reception facilities

A discussion of the work done by the Member States of the European Union to implement this law will provide an interesting picture of the situation in ports in Europe, their diversity, the difficulties experienced and options for improving port reception facilities.

Challenges faced by ports

Globally, the situation regarding the collection of residues generated on board ships is unsatisfactory. Equally, the management of these residues on land remains problematic.

Many ports in the world do not possess the adequate capacity to collect oily residues. The collection of cargo residues suffers from a lack of capacity at shore and a large number of countries do not have facilities or sites to manage these residues in a way to protect human health and the environment..

Better availability of reception facilities, guidelines for best practices, better training of crew, improved dialogue between the different operators, developing a level-playing field, improved flow of information, improved data on the type of residues generated on board ships, effective port state control would contribute to reducing both marine and land pollution. In this context, port authorities have an active and central role to play.

Issue

To what extent is there a gap between the demand for reception of residues generated on board ships and collection facilities in ports ? What obstacles do port authorities face in handling these residues. How might such problems be addressed ?

Cooperation and regional partnerships

Opportunities exist to translate in concrete terms environmentally sound management principles to residues generated on board ships. The Mediterranean Sea offers such opportunity. The Mediterranean Sea is a microcosm of the world situation in the sense that both developed and developing countries are using it as a surface for transport and communication and as a resource for fisheries and tourist development. Because the Mediterranean Sea is a closed sea, marine environmental pollution will have direct and serious adverse consequences on people and ecosystems, exacerbating impact of land-based sources of pollution. Ports developing infrastructures could benefit from the experience gained by other ports having done so. The objective would be to create a level-playing field and having port reception facilities in the Mediterranean region operating at high standards. The development of a certification scheme for ports could promote and facilitate the creation of such a level-playing field.

Session II The environmentally sound management of residues generated on board ships

International cooperation to improve capacity to manage residues generated on board ships

Globally, there is lack of capacity to manage soundly and safely on land residues generated at sea which represents a permanent threat to human health and the environment. It would be important to apply the principles and standards adopted by governments for the environmentally sound management of wastes to those residues generated on board ships.

It implies that Port States should have adequate facilities to collect residues from ships and the capacity to manage these residues on land safely and soundly; which, in turn, requires the existence of a national capacity to manage wastes whether generated on land or at sea properly. From an economic point of view it may not be productive to establish costly installations only for treating residues generated on board ships. Most important is for a country to have access to certified or accredited companies that are capable to treat wastes generated domestically and those residues collected from ships in a sound and safe manner in accordance with international and national norms, rules and procedures.

Issue

Following on from the case studies of cooperation within a region, how might the lessons learned be extended to a global scheme?

Applying the principles of environmentally sound management to residues generated at sea

The principles of environmentally sound management (ESM) concern States and industry principally. For instance, how is the principle of extended individual producer responsibility applied to maritime affairs as well as the precautionary principle. It would also be important to promote efforts geared towards minimising both the quantity and hazardousness of residues generated by ships. There are, however, many obstacles in progressing in that direction. As an example, the world fleet is principally using heavy fuel which is highly polluting. Although a number of initiatives are taken at the international level to reduce air emissions, refineries may not be in a position to provide a higher grade of fuel before a number of years.

The environmentally sound management criteria developed by OECD for waste facilities, the so called "Core Performance Elements", could serve as a model that could be applied to facilities that collect residues generated on board ships and to those that treat, recycle or dispose of these residues on land.

Issue

How might the principles of environmentally sound management (ESM) be applied to residues generated on board ships once they are collected at shore and managed on land ?

Best practices for the collection and management of residues generated on board ships

Both public and private stakeholders have come to the conclusion that there is a pressing need to pursue efforts towards improving the collection of residues generated on board ships. Moving in that direction would require the implementation of sound technical measures as well as consideration of such measures in the larger context of costs and pricing and economies of scale.

In order to develop best practices there is a need to improve the flow of information between the different maritime economic actors and between those actors and waste managers and public authorities responsible for environment and transport. It is also critical to be able to identify, qualify and characterise the different types of residues generated on board ships to ensure that port facilities are capable of collecting these residues and that those residues will be managed on land in a way to protect human health and the environment.

Issue

What tools would be needed to reduce uncertainty about the suitability of shore-based facilities for managing oily residues and cargo residues generated on board ships ? Is there a role for an international standard for collecting such residues that could be build into a certification system for port facilities ? Are there other tools that might be developed ?

Expectations, barriers and opportunities for maritime operators (ship owners, charterers)

Shipowners and charterers, for instance, are looking for ways to improve certainties regarding the availability and adequacy of port reception facilities to receive residues generated on board their ships. Managing time and liability issues, ensuring safety are at the core of maritime operators' concerns.

Often, there is little possibility for responsible officers of a ship to follow the path the residues will take once they are discharged or delivered in a port reception facility.

Improving the flow of information between port authorities, contractors operating in the port and shipowners or charterers is key to improve the collection and management of residues generated on board ships. The long term objective is to reduce the inadequacy of port reception facilities, to pursue sound pricing policies, to solve the discrepancy between demand and offer in terms of reception and management, and to promote the implementation of best practices. Improving the level of awareness and training of ship crews and ship agents is an important factor in achieving the goals of environmentally sound management of residues , to guarantee workers' safety and the protection of human health.

Issue

To what extent is information about port reception facilities available to maritime operators (ship owners, charterers, traders) and how might it be improved to help them to be satisfied that the residues generated on board their ships will be collected in adequate port facilities and properly managed on land ? Would certification or tracking systems be of value ?

Session III Options for managing residues and the role of waste managers

The challenge lies in the capacity of the different operators to improve the maritime-land interface regarding the collection and management of residues generated on board ships. Fulfilling environmentally sound management (ESM) criteria would require that the residues collected in adequate port or terminal reception facilities are being treated, recycled or disposed of on land in a way to protect human health and the environment.

Issue

The large variations in ability and capacity between the various operators present a challenge in improving the management on land of residues generated on board ships.. How might overall standards be raised in the light of these challenges ? Discussion will focus on the roles of: legislation; standards; mechanisms for validation, reporting and monitoring of the quality of services provided; proper storage and transport; and measures for preventing and reducing pollution and contamination.

WORKSHOPS

These two workshops will build on the foregoing sessions and discuss opportunities for developing tools that would assist the different stakeholders to address the challenges discussed at this conference in a context of an increased global maritime trade.

Governments and industry have taken measures to build the capacity of ports to receive residues generated on board ships. Considering the environmental challenges of the sound collection and management of oily residues and cargo residues, international efforts could be accompanied and reinforced through initiatives aiming at reducing uncertainties and gaps.

It is proposed to discuss the opportunity and feasibility to develop workable tools that would assist the different stakeholders in their daily work in a context of an increased global maritime trade. The tools that could be designed and developed to improve transparency would be of preventative nature and would use modern information technology. Three complementary tools are proposed here for discussion: certification, standards and traceability.

Workshop 1: Proposal for a certification

Certification would provide shipowners, charterers and ports with additional information to assist them to comply with international environmental regulations applied to shipping and maritime transport. The existence of adequate port reception facilities and terminals is a necessary pre-condition for ensuring compliance with MARPOL' s Annexes I and II. One way forward would be to design and develop a certification scheme for reception facilities collecting oily residues and cargo residues. The certification system would be based on the identification and evaluation of the infrastructure, logistics and know-how at port facilities and terminals to handle MARPOL Annexes I and/or II residues adequately and in compliance with MARPOL rules and procedures.

A certified port or terminal would represent an incentive for ships to discharge or deliver their slops or , cargo residues. The issuing of a certificate of reception would satisfy the ship's officers that the residues they discharged or delivered are being taken care of soundly and safely in accordance with international and national rules and procedures.

Ships would know in advance which types of residues the port or terminal was certified to receive. Once residues are discharged or delivered, ships would get a certificate of delivery or reception that would be sufficient for the master or captain to demonstrate compliance with good practices. It would not delay operation of ships and would assist in overcoming operational hurdles. A mechanism for informing shipping operators of the certification status of ports would also be an essential component.

There is a need to develop a level-playing field at the international level regarding the adequacy of port reception facilities and terminal to comply with MARPOL. For this purpose one may consider the development of a standard for port reception facilities and terminals handling MARPOL Annex I and/or Annex II residues. This would enable Port States and port authorities to determine a minimal operational and managerial base upon which a reception facility or terminal could be qualified as adequate in terms of MARPOL requirements. This standard would be part of the criteria used to design and develop a certification scheme for port facilities and terminals.

The development of an international standard could serve two distinct purposes. It could provide norms for ports or terminals wanting to establish reception facilities so that building contractors engaged by the port or the State would have to achieve the requirements of the international standard. It could or should provide operational standard so that users of the port or terminal could be satisfied that the facilities are operated in an environmentally sound way. An international standard would provide specification for reception management systems for safe and environmentally sound facilities. It would encourage best practises and facilitate the selection of port and terminal reception facilities by ships.

In order to support the development and implementation of an international standard there would be a need for technical guidelines for the environmentally sound management of the different types of MARPOL Annex I and II residues.

Workshop 2: Traceability of waste

Certification of ports could be enhanced by tools capable of providing a further clarification on the way residues are handled once they are discharged or delivered at shore. Maritime rules and obligations will apply until the residues are received into port or terminal facilities. It is therefore useful to develop means to follow what happens with these residues once they are received in ports and to ensure that their treatment, recycling or disposal on land is carried out in a sound and safe manner.

This would require a close working relationship between maritime actors and waste managers and an effective and efficient flow of information among all stakeholders operating at sea and on land. In this regard, it is important to consider developing systems or tools that would avoid possible commercial disruptions. Traceability systems or information tools could operate in real time, be simple and workable. They should not impose unnecessary new bureaucratic burden on ship crews. Such systems or tools would make the chain of events more transparent and would help timely demonstration of compliance (or otherwise) with good practices while protecting confidentiality of contracts and improving costs and charges visibility. It will also assist in smoothing procedures, and making them more understandable, between maritime and land operators.

There are two levels of transparency to consider. The first level regards the port and contractors operating in the port. The second level concerns the relationship between what is happening in the port and the further handling on land of the residues generated on board ships.. Traceability systems or information tools would contribute to improving the collection, quality and accuracy of statistics, to harmonising procedures and practices among ports and to clarifying and making more understandable procedures and responsibilities for the discharge of residues in adequate port reception facilities and their sound management on land.