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SHIP WASTE MANAGEMENT PLAN

Tel: (284)- 494-3435

Email: bviports@bviports.org

Website: www.bviports.org

Mailing Address

PO. Box 4 Road Town

Tortola, VG1110

British Virgin Islands

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REVISION HISTORY AND APPROVAL

Rev.	Nature of changes	Approval	Date
1.0	Original release	Board of Directors	18. Mar. 2021

APPROVAL LETTER FROM VISR

ABBREVIATIONS

BVI	British Virgin Islands
BVIPA	British Virgin Islands Port Authority
DDM	Department of Disaster Management
DWM	Department of Waste Management
MCA	Maritime & Coastguard Agency
MNRLI	Ministry of Natural Resources, Labour and Immigration
MPRT	Marine Pollution Response Team
NDMP	National Disaster Management Plan
NEOC	National Emergency Operations Centre
OPRC	Oil Pollution Preparedness, Response and Co-operation Convention
PPE	Personal Protective Equipment
RVIPF	Royal Virgin Islands Police Force
UKSI	United Kingdom Statutory Instrument
VISR	Virgin Islands Shipping Registry

1 INTRODUCTION

This Ship Waste Management Plan sets out the policy, procedures and infrastructure for waste management and waste reception from vessels at the locations under the jurisdiction of the British Virgin Islands Ports Authority (BVIPA).

1.1 Requirements for Waste Management Plans¹

A waste management plan is required to address the following elements:

- an assessment of the need for waste reception facilities, in the light of the need of the ships normally visiting the harbours or port facilities.
- a description of the type and capacity of waste reception facilities.
- a detailed description of the procedures for the reception and collection of prescribed wastes.
- a description of the charging system.
- procedures for reporting alleged inadequacies of waste reception facilities.
- procedures for on-going consultations with persons using the harbours or port facilities, waste contractors and other interested parties.
- the type and quantity of prescribed wastes received and handled.

A waste management plan shall also include:

- a summary of relevant legislation and formalities for delivery.
- identification of a person or persons to be responsible for the implementation of the waste management plan
- communication and training to staff and port users
- a description of pre-treatment equipment and processes in the harbours or port facilities, if any.
- a description of methods of recording actual use of the waste reception facilities.
- a description of methods of recording the amounts of prescribed wastes received.
- a description of how the prescribed wastes are disposed of.

A waste management plan shall provide for the following information to be made available to agents and port users:

- Brief reference to fundamental importance of proper delivery of prescribed wastes.
- Locations of waste facilities applicable to each berth at each port facility, with diagram or map.
- List of prescribed wastes normally dealt with.
- List of contact points, the operators and services offered.

¹ MCA, MGN 563 (M+F), Annex E

- Description of procedures for delivery.
- Description of the charging system.
- Procedures for reporting alleged inadequacies of waste reception facilities.

1.2 Policy

BVI Ports Authority seeks to ensure the provision of adequate waste reception facilities for the types and sizes of vessels using port facilities within designated Harbours.

1.3 Objectives

To ensure the efficient and environmentally safe disposal of waste from ships and other users of BVIPA facilities the plan will:

- advise agents and ship's personnel of the arrangements and charges in place within the BVI ports for the disposal of ship's waste in accordance with the relevant MARPOL Annexes and the Laws of the Virgin Islands
- provide guidance to users on the procedures to dispose of vessel-generated wastes in an environmentally sustainable and legally correct manner
- provide for regular consultation and dialogue with stakeholders in order to improve the quality of services provided to users

Every effort will be taken to minimize or alleviate undue delay to the vessels' scheduled itinerary.

2 LEGISLATION

As an Overseas Territory of the United Kingdom and member of the Red Ensign Group of Shipping Registers, the British Virgin Islands is required to comply with Domestic, UK and International Law. The Virgin Islands Shipping Registry (VISR) is presently the national competent authority within BVI for the enforcement of MARPOL.

UK Maritime and Coastguard Agency (MCA), are responsible for regulating all harbours and ports in the UK and oversee Shipping Registries in the OTs through management of the Red Ensign Group.

This plan has been prepared to fulfil requirements the Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003 (SI 2003/1809) adopted into BVI law by the Merchant Shipping (Adoption of UK Enactments) Order 2005 (as amended 2010). The plan has been prepared in accordance with the latest guidance for ports, given in MCA Marine Guidance Note 563 which includes Annex E “Port Waste Management Planning – A Guide to Good Practice”.

The Plan is submitted for approval to the Minister responsible for maritime transportation in the BVI through the VISR, verifying that BVIPA is in compliance with the requirements of the Regulations.

Copies of the plan are available to the public on request.

2.1 INTERNATIONAL CONTEXT

2.1.1 UNCLOS – United Nations Convention on the Law of the Sea

The United Nations Convention on the Law of the Sea is the treaty which codifies international law on use of the sea, safety at sea and protection of the marine environment. As a party to UNCLOS the BVI is required to take all necessary measures to prevent, reduce and control pollution of the marine environment, including taking measures designed to minimize pollution from vessels.

2.1.2 MARPOL - International Convention for the Prevention of Pollution from Ships

The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL), was promoted by the International Maritime Organization (IMO) to prohibit all ships from discharging wastes at sea which could result in pollution of the marine environment. The objective of the convention is to reduce the volumes of harmful materials entering the world's ocean and the marine environment. Ships have traditionally discharged all of their waste into the sea. In the past, this waste was mainly foodstuffs, timber and packaging materials, ship's gear and lost cargo. More recently it has included oils, chemicals, plastics and

other materials which may float, are not biodegradable, are extremely persistent and deteriorate very slowly.

MARPOL requires that ships retain all the wastes on board until reaching port. Certain wastes can be discharged under certain conditions such as the distance from shore, the type of waste and the condition of the waste. But generally, MARPOL requires that countries provide adequate reception facilities in all of their ports, harbors and anchorages.²

MARPOL was extended to BVI on 9 June 2006.

2.1.2.1 Obtaining Receipts

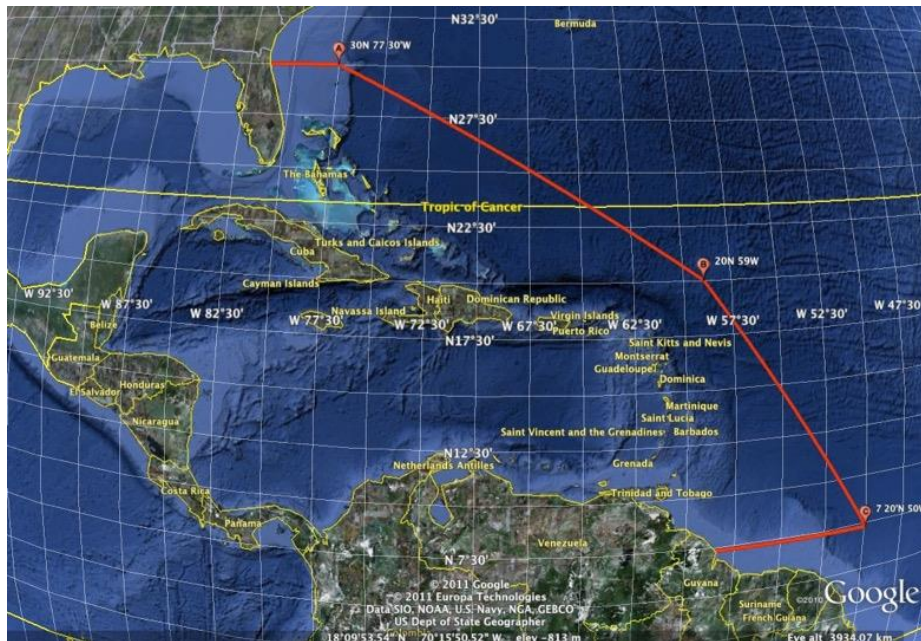
“Regulation 9 of Annex 5 of MARPOL 73/78 states that amongst other things, every ship of 400 tonnes gross or above and every ship authorised to carry 15 passengers or more shall carry a Garbage Management Plan and maintain a Garbage Record Book. In relation to this the Master of these vessels should obtain from the operator of the Port Reception Facilities or from the Master of a ship receiving the garbage, a receipt or certificate specifying the estimated amount of garbage transferred. The receipt or certificates must be kept on board the ship for two years.”

2.1.3 Caribbean Sea Special Area Designation

The BVI falls within the Wider Caribbean Area³ which was designated a Special Area with restrictions under MARPOL Annex V. This prohibits the disposal of any garbage at sea with the exception of food waste, subject to certain conditions. This puts greater pressure on Caribbean ports, like those in BVI, to provide proper waste reception facilities.

² Leithbridge, JR. <http://documents.worldbank.org/curated/en/860841468330898141/MARPOL-73-78-International-Convention-for-the-Prevention-of-Pollution-from-Ships>

³ The Wider Caribbean area is defined from the following way points: Coast of Florida at 30 N; 30N 77 30'W; 20N 59W; 7 20'N 50W; Coast of Guyana.



Source: Internet⁴

2.1.3.1 Regional Arrangements possible for Small Island Developing States

In March 2012, MEPC 63 adopted, by resolution MEPC.216(63), the amendments to MARPOL Annex V, which provide that Small Island Developing States (SIDS) may satisfy the relevant requirements of reception facilities through regional arrangements when, because of those States' unique circumstances, such arrangements are the only practical means to satisfy these requirements.

2.2 BVI LEGISLATION

2.2.1 Constitution of the Virgin Islands

Section 29 of the 2007 Constitution of the Virgin Islands provides a Right to Protection of the Environment stating, among other things, that every person has the right to have the environment protected for the benefit of present and future generations through such laws as may be enacted by the Legislature including laws to prevent pollution and ecological degradation.

2.2.2 Public Health Act and Regulations

The basic framework for waste management remains the Public Health Act 1976 and House Refuse Regulations 1971, which vest responsibility for the portfolio in the Minister tasked with

⁴ http://www.ancomaritime.com/page0/files/Wider_Caribbean_Region.html

the “Promotion and preservation of the health of the inhabitants”. The regulations prohibit the disposal of refuse except in places notified by the public health department (now the Department of Waste Management), makes provision for a public collection system for household waste only, and requires all other persons to bear the cost of removing waste from their premises.

2.2.3 Ports Authority Act & Regulations

The Ports Authority Act 1990 establishes the Ports Authority, setting out its functions and jurisdiction. Schedule 2 of the Act establishes four (4) Harbours. Section 169 of the 1995 Regulations deals with prevention of pollution. It prohibits the discharge or deposit of *any* pollutants in the territorial waters, “pollutants” being defined as (a) any discharge or deposit of oil, oily waste or sludge, which causes a slick, film or sheen upon the surface of the water or causes a sludge or emulsion beneath the surface of the water; (b) sewage; (c) noxious liquid substances; (d) garbage.

2.2.4 Merchant Shipping Act 2001

The Merchant Shipping Act seeks to consolidate international shipping legislation into one location. It provides power to make regulations to give effect to any provision of international maritime treaties which have been extended to BVI, including the International Convention for the Prevention of Pollution from Ships. The Merchant Shipping Act also makes provision for the adoption of UK maritime legislation into BVI law.

2.3 ADOPTED UK LEGISLATION

2.3.1 Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003 (SI 2003/1809)

These regulations apply to any terminal, marina, wharf or similar facility within a Harbour *in the British Virgin Islands*. They also apply to all ships calling at the Harbour facility. Under these regulations BVIPA has a duty to:

- Provide waste reception facilities adequate to meet the needs of ships normally using the harbour. Adequate means capable of receiving the types / quantities of prescribed wastes from ships normally using the Harbour taking into account the operational needs of the users, its size and geographic location.
- Prepare a waste management plan in respect of the waste reception facilities and submit for approval to the Premier.⁵

⁵ Minister responsible for measures relating to the prevention, reduction and elimination of pollution of water and to maritime transport.

- Make charges for the amounts a ship using the harbour is to pay for “waste” reception and to arrange for the amount of charges and the basis of which they have been calculated to be published in such a manner to bring them to the notice of persons likely to be affected. These charges should ensure that each ship to which the regulation applies makes significant contribution to the costs of waste reception facilities irrespective of actual use of the facilities, and provide no incentive for ships to discharge waste into the sea.

Ship Masters are obligated to:

- Notify the terminal in advance of the waste aboard and the amounts to be offloaded / retained upon arrival. (Some types of vessels are exempted from this requirement.)
- Complete a notice in the form set out in Appendix 6 to inform the BVIPA of these amounts.
- Ensure all ship-generated waste is delivered to a waste reception facility. The Master may proceed to the next port without delivering ship-generated waste if there is sufficient dedicated storage space for all of such waste that has been or will be accumulated during the intended voyage.
- Pay the waste charges implemented by the BVIPA.

2.3.2 Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations 2008 (SI 2008/3257)

These regulations apply to BVI ships and other ships while they are in BVI waters. They make provision for:

- Designation of Special Areas including the Wider Caribbean Region Special Area.
- The disposal of any garbage from a ship into the sea within any Special Area is prohibited.
- The disposal of food waste from a ship into the sea within any Special Area is permitted but not less than 12 miles from the nearest land.
- Every ship of 12 metres or more in length shall display placards, which notify the crew of any waste disposal requirements.
- Every ship of 400 GT or above and every ship, which is certified to carry 15 persons or more, shall carry a garbage management plan documenting waste handling procedures. (See Merchant Shipping Notice MSN 1807). In addition, such vessels shall carry a garbage record book. This record book shall record all details of garbage discharge and description/amount etc. Inspection of Garbage Record Books may be required. Under these regulations - Part 7, Regulation 39 (Power to Detain) the Director of the BVPA (Harbour Master) has the power to detain a ship from sailing under certain circumstances.

3 ABOUT BVI PORTS AUTHORITY

The British Virgin Islands Ports Authority (BVIPA) is a statutory organization created by the British Virgin Islands Ports Authority Act, 1990. The BVIPA is responsible for the management of 8 port facilities within 4 designated harbours on the 3 main islands, as well as 1 dock on Anegada.

3.1 Road Harbour – Tortola

- Port Purcell
- Road Town Jetty
- Tortola Pier Park (Cruise Ship Pier)*

Road Harbour, the largest and busiest is home to the main cargo port, ferry terminal, cruise ship facility and tender pier as well as 1 oil depot, 5 commercial marinas, several private docks and dozens of moorings.

The Port Purcell facility is the main cargo port, through which the bulk of cargo entering and leaving the Virgin Islands is processed due to the facility's ability to accommodate a number of large ships simultaneously.

The Cruise Pier at the Cyril B. Romney Tortola Pier Park which accommodates the cruise ships is operated by the Tortola Pier Park Limited, a limited liability company owned by the BVIPA, also has the ability to generate a larger volume of food waste.

3.2 West End Harbour (Sopher's Hole) – Tortola

- West End Ferry Dock

The West End Ferry Dock was heavily damaged by Hurricane Irma. It was refurbished and reopened to international traffic in August 2019. It is normally a major port of entry for passenger entry into Territory as it offers the shortest route to BVI from the United States Virgin Islands (USVI). It is located immediately adjacent to the Frenchman's Cay Fisheries Protected Area. The Harbour also hosts 2 marinas, 1 shipyard and a few private docks. This facility is closest in proximity to the Pockwood Pond Incinerator Facility.

3.3 Great Harbour - Jost Van Dyke

- Dog Hole

The Dog Hole facility was dedicated on 21 December 2019 and will receive international traffic as of 1 March 2021. It services ferry boats, pleasure vessels and feeder cargo vessels. There are

no landfill or waste treatment services available on Jost Van Dyke. All waste is collected for transshipment to Tortola.

3.4 St Thomas Bay Harbour - Virgin Gorda

- Spanish Town

The Spanish Town dock is located on St. Thomas Bay Beach, still a popular swimming spot. receives ferry boats, mega yachts, cruise ships, yachts and pleasure craft and sea plane traffic. It also receives cargo by feeder traffic. There is also a privately operated marina.

3.5 Gorda Sound Harbour

- Gun Creek

The Gun Creek facility and the Gorda Sound Harbour welcomes mega yachts, cruise ships, yachts and pleasure craft, ferries, and soon, sea planes. Also, feeder traffic with cargo for north sounds and surrounding sister islands

3.6 Anegada Harbour (not yet declared)

- Anegada Dock

3.7 Environmental Information

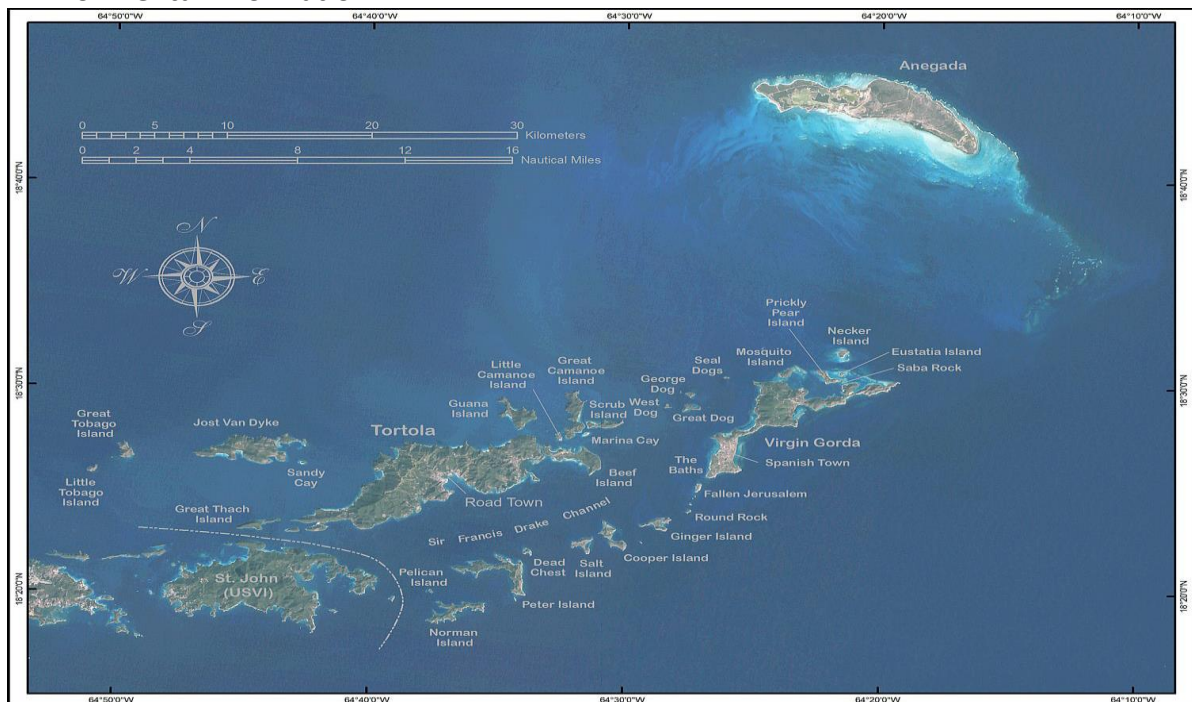


Figure 1: Map of the BVI (Source: <https://bvi.org.uk/british-virgin-islands/>)

The BVI is an archipelagic island territory of 40 small islands, rocks and cays with an estimated resident population of approximately 32,000. Located in the Caribbean in the northeast arc of the West Indies island chain, the largest island, Tortola is just over 24 sq. miles. The combined land area of the Territory is just 59 sq. miles (153 sq. km).

The territorial sea of The Virgin Islands covers a much larger area⁶ of 575 mi² (1,489 km²). Accordingly, the Territory possesses a significant maritime jurisdiction, with over 500 times more marine environment than terrestrial environment.

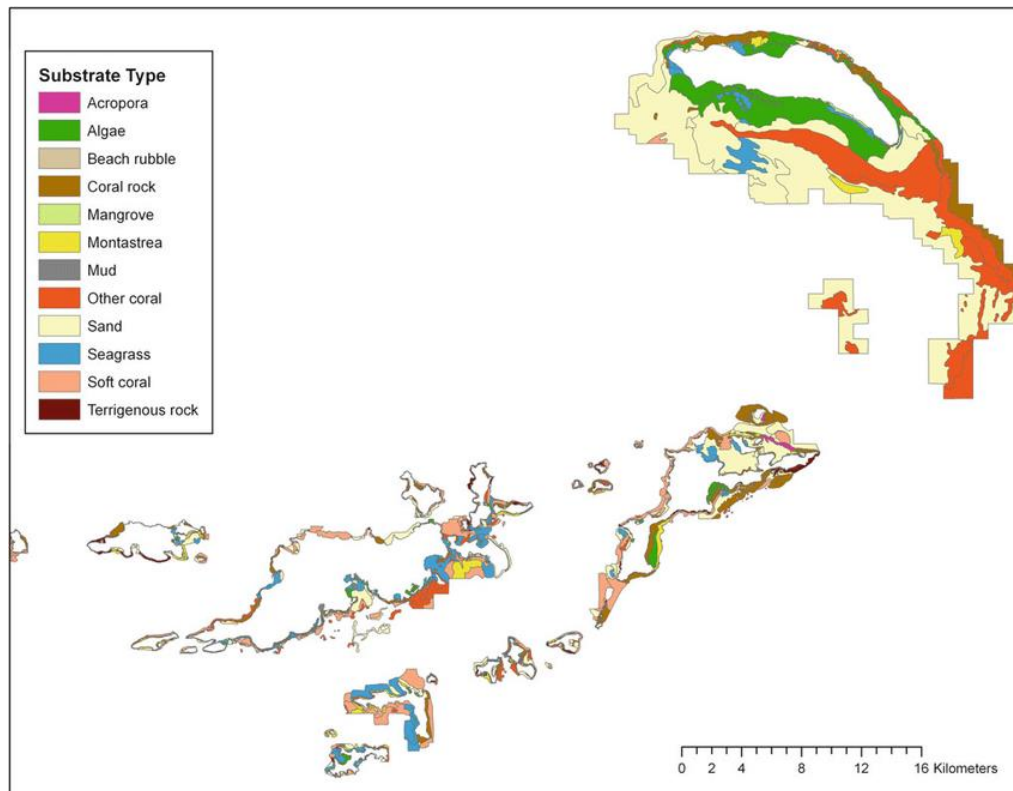
The islands are extremely close together. Most ports are less than 1 hour apart, with no more than perhaps half-day journey between the furthest points of land for any type of vessel.

The islands are less than a day's journey from its closest neighbours, the United States Virgin Islands, and are within a day's journey of Puerto Rico and St. Martin.

The primary marine access route is the Sir Francis Drake Channel which acts as a highway for shipping traffic into and around the islands.

Figure 2: BVI Coastal Resources Map

⁶ <https://www.globalsecurity.org/military/world/caribbean/bvi-geography.htm>



Nearshore mapping of environmental resources shows the prevalence of coral reefs, seagrass beds, mangroves, and other types of marine habitat. Tourism is an important industry in the BVI and marine ecosystems are extremely valuable to the economy contributing an estimated \$200 million annually. All of the BVI territorial waters are subject to a protected species declaration as a Shark Sanctuary. Most recently the Territory has responded to increased environmental pressures from tourism and development by articulating intentions for a Green Development Policy moving forward.

The marine environment is vital to the economic sustainability of the British Virgin Islands tourism sector and to the livelihood of its people. There is a high interest in prevention and elimination of pollution from vessels in order to maintain a clean pristine marine environment necessary to sustain the Territory's status as a high value tourism destination.

4 NEED FOR WASTE RECEPTION FACILITIES

The BVI Ports Authority is required to provide waste reception facilities that are adequate for types of vessels calling and the types and amounts of wastes they need to land. Waste reception facilities are important to discourage vessels from dumping waste overboard while at sea.

4.1 Summary of Vessel Types

Name of Port	Type of Traffic									
	Cargo Vessel under 200 Grt	Cargo Vessel 200Grt & Over	Tanker	Barge	Cruise	Coast Guard	Ferry	Naval	Pleasure Vessel	Cruise/Cargo
1. Port Purcell	X	X		X			X		X	
2. Road Town Jetty							X		X	
3. TPP Facility					X			X		
4. West End Ferry Dock				X			X		X	
5. Dog Hole				X			X		X	
6. Spanish Town			X				X		X	
7. Gun Creek							X		X	
8. Anegada Dock (Domestic Traffic Only)	X			X			X		X	
9. Other			X							

Table 1: Type of Vessel Traffic at each Port

2020	Cargo Vessel Under 200Grt	Cargo Vessel 200Grt & Over	Tanker	Barge	Cruise	Coast Guard	Ferry	Naval	Pleasure Vessel	Cruise/Cargo	Total
1. Port Purcell	85	1107	0	24	0	0	3	0	18	0	1237
9. Other			100								

Table 2: Summary of No. Vessel calls at Port Purcell during 2020

4.2 Types of wastes received

MARPOL Annex	Category of Waste	Annex in Force in BVI?	Reception Facilities Required?	Reception Facilities Available?	Types of Waste
I	Oil	Yes	Yes	*by arrangement	Covers all types of wastes from the carriage of oil, as fuel, engine room slops, cargo or dirty ballast water. Produced by all types of vessels.
II	Noxious Liquid	Yes	No	No	Chemical Wastes derived from bulk chemical transportation including residues and mixtures containing

					noxious substances. These types of vessels do not call in BVI.
III	Harmful Substances	Yes	No	No	Items packed in freight containers, portable Tanks or other forms of containment specified in the schedule for harmful substances in the IMDG code. They are substances potentially explosive, flammable, combustible, unstable, poisonous, infectious, corrosive, toxic to humans or environment if not packaged and handled safely.
IV	Sewage	Yes	Yes	*by arrangement	Raw sewage should be retained in holding tanks for disposal in port or outside 12 nm. Partially treated sewage retained in holding tanks for disposal in port or outside 3 nm.
V	Garbage	Yes	Yes	Yes	Garbage includes domestic (food and packaging) and operational wastes (maintenance, cargo and miscellaneous)
VI	Air Pollution from Ships	Yes	No	No	Ozone depleting substances and exhaust gas cleaning residues. Could be generated by any ship

Table 3: Types of Waste received at each Port

4.3 Quantities of wastes received and handled

The BVIPA implemented a formal waste reception procedure in February 2021, prior to which the amounts of waste received were not recorded. Overall significant quantities of waste were not received at the Ports during 2020. There have been occasional incidences of small containers of oil or oily waste left next to garbage bins. There have been no requests for disposal of hazardous or dangerous materials. Reasonable amounts of garbage, in keeping with size of the facilities, have been received at the ports.

2020		ANNEX I	ANNEX II, III & VI	ANNEX IV	ANNEX V
		Oily Waste	Hazardous Substances & Dangerous Goods	Sewage	Garbage
1.	Port Purcell	Very rare	None	Very rare	Common
2.	Road Town Jetty	Very rare	None	None	Very rare
3.	TPP Facility	None	None	None	Very rare
4.	West End Ferry Dock	Very rare	None	None	Very rare
5.	Dog Hole	None	None	None	Common
6.	Spanish Town	Very rare	None	None	Common
7.	Gun Creek	None	None	None	Very rare
8.	Anegada Dock	None	None	None	Very rare
9.	Other				

Table 4: Amount of wastes received at each Port

4.4 Assessment of Facilities

BVIPA relies on the BVI national waste management system to accept and process wastes received from vessels at the Port. As a small island developing state BVI possesses limited waste processing, and limited space for safe waste disposal. The development of regional facilities for shipping waste reception should be closely monitored so that regional arrangements can be pursued to fill any gaps.

Inspection of foreign vessels to ensure public health protection, including protection from importation of pathogens and pests which could develop in some types of waste, is the role of the Environmental Health Division in the Ministry of Health.

Collection and transportation of waste from the Port is effected through licensed contractors.

The treatment and disposal of solid waste is presently effected by the Department of Waste Management under the Minister for Health. The Department oversees 3 dumpsites and 1 transfer station on the 4 main inhabited islands, and operates a 100 ton per day incinerator at the Pockwood Pond facility on Tortola.

The treatment and disposal of sewerage is the responsibility of the Water & Sewerage Department. The Department operates 1 primary sewerage treatment facility located at Bird Point, at the western end of Road Harbour. Repairs following Hurricane Irma remain pending. The facility is not presently operational.

The BVIPA provides adequate reception facilities at each of its docks for the type and amount of Annex V wastes normally received at those locations.

Reception for oily wastes is available by arrangement with a licensed contractor at the Port Purcell facility, upon approval from the Department of Waste Management.

4.5 Description of the type and capacity of waste reception facilities

2020	Annex V Facility Available
1. Port Purcell	1 x 20 cu. Yd. skip 2 x 40 cu. Yd. skip
2. Road Town Jetty	5 gallon drum
3. TPP Facility	Skip Available on request
4. West End Ferry Dock	5 gallon drum

5.	Dog Hole	5 gallon drum
6.	Spanish Town	5 gallon drum
7.	Gun Creek	5 gallon drum
8.	Anegada Dock	5 gallon drum

Port Purcell

This port is the most heavily trafficked and serves as the main waste reception facility for the Territory.

Three open skips (20 cu. Yd and 40 cu. Yd.) are located in the [] and easily accessible from either side of the dock. These skips are maintained by BVIPA and serviced by a private contractor bi-weekly or as needed.

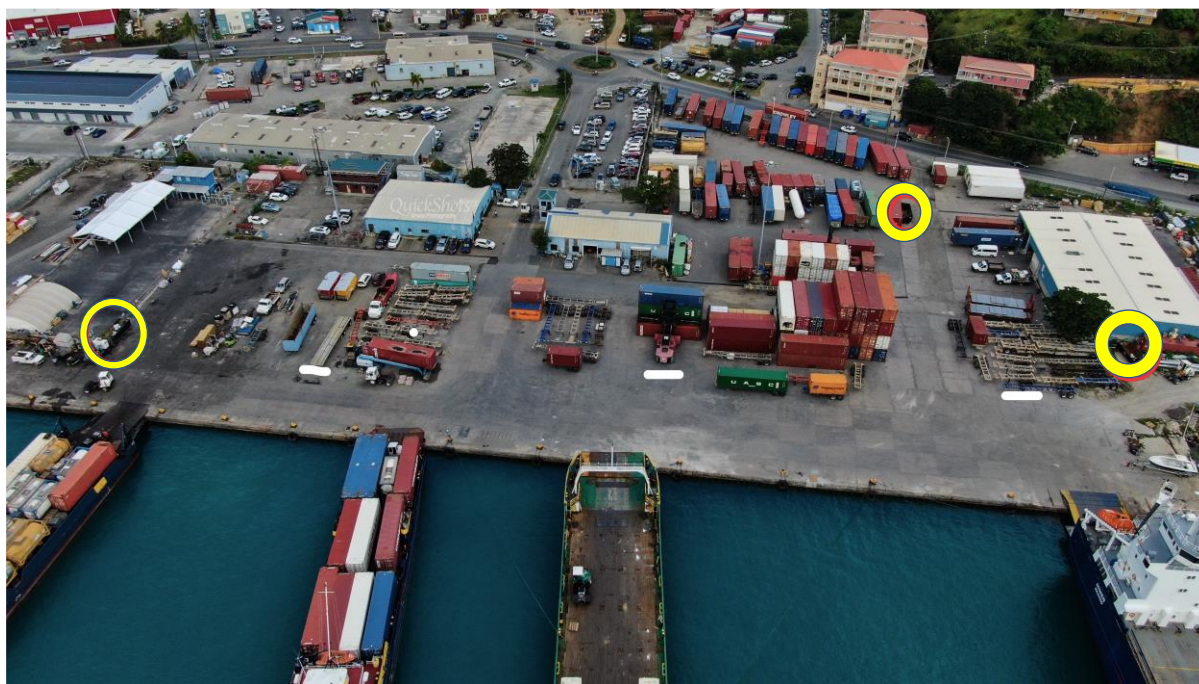
Vessels needing to dispose of more than a few bags or garbage are able to make arrangements through their Agent for a contractor to provide and collect a dedicated skip.

Other facilities

With the exception of the Cruise Ship Pier the type of traffic at the remaining ports does not require more than a bin for receipt of garbage.

4.6 Location of Waste Reception Facilities

Figure 3: Location of Waste Reception skips at Port Purcell



4.7 Identification of responsible parties

Managing Director	<ul style="list-style-type: none">• Is in charge of the overall operations of the ports facilities and co-ordinates the different parties in the execution of their duties in the plan
Director of Operations	<ul style="list-style-type: none">• Implementing annual review• Administers the plan and ensures that Ship's Agents and operators are kept advised of any changes to the list of approved waste contractors or waste reception procedures
Director of Compliance	<ul style="list-style-type: none">• responsible for ensuring that port waste infringement reports are produced and submitted to the Virgin Islands Shipping Registry as required.• is responsible for identifying any difficulties that arise in compliance with this Plan and recommending corrective actions.• is responsible for ensuring that operations are undertaken in line with company policy and risk assessments.
Business Development Department Manager	<ul style="list-style-type: none">• will undertake the pre-vendor assessment to approve waste contractors as well as monitoring contract compliance and ensuring the contractors have valid registration and accreditation as detailed in the management of contractors' procedure• is responsible for processing and following up on complaints.
Financial Comptroller	<ul style="list-style-type: none">• is responsible for ensuring that the approved contractor complies with the contract and also maintains the list of alternative approved contractors.• assessing requests for a charge reduction relating to environmentally friendly ships.
Security Manager	<ul style="list-style-type: none">• is responsible for ensuring the waste contractors operate as approved and that skips leaving the facility are documented (time, date, vehicle registration number, length of skip, driver and company) and that an end of day report is submitted to the Head of Operations
Master and Agent	<ul style="list-style-type: none">• Maintenance of Waste Management Log Book• Is responsible for informing BVIPA prior to arrival of the type and amount of waste that they intend to land while in any BVI Port• Advising if port waste reception facilities are not suitable for accepting the ship's waste

5 WASTE RECEPTION PROCEDURE

Notification

The ship's agent must submit the waste notification form (**Appendix 6**) attached to the Berthing Application to the BVIPA by email to operations@bviports.org; Attn: Director of Operations. The form requires ships to provide information on the type and amount of waste to be delivered, or retained along with information on storage and next intended port of call. The ship's agent should retain a copy for up to 1 year. The form should be submitted 48 hours before the ship is due to arrive or immediately on departure from the previous port, where less than 48 hours away.

The Ship's Agent will be notified of any conditions attached to the approval.

Reception

Garbage bags should be deposited in 1 of the 3 available skips, whichever is most accessible to the berth. Directions may be sought from any member of the operations team. There are no pre-treatment equipment or processes located at the Port.

Officers from HM Customs or the Environmental Health shall be notified by BVIPA with the waste reception form, and may determine to inspect or oversee waste removal process.

Where the Ship's Agent makes arrangements with waste contractor the contractor will ensure the requisite number of bins or receptacles are available at the Port in a convenient location close to the berth and removed within 2 hrs of the vessel's departure.

Recycling

Recycling facilities in BVI are still under development. Once the program is fully operational BVIPA shall implement separate collection bins at its various facilities.

Disposal

Waste shall be transported directly to the incinerator facility at Pockwood Pond for incineration prior to disposal at the landfill at Pockwood Pond. If the incinerator is unavailable, waste is placed in the landfill buried.

Charges

An Administrative fee of \$50 for waste reception was implemented on XX 2021 in order to cover the costs of providing and developing this service.

Contractors

Any duly licensed contractor list of approved contractors can be found in **Appendix 2**. These will change over time; up to date lists can be obtained from the BVI Ports Authority Operations Office.

6 The charging system

All vessels accessing berthage at the Port Purcell Facility will be charged a flat rate nominal fee **\$50** to cover access to facilities, regardless of whether or not they use the requested service. Ensuring the availability of waste receptacles is to discourage vessels discharging waste into the ocean or while in port.

The charge represents the average market cost of providing the bins on an annual basis divided by 60% of the total number of vessels visiting the port (not including exempt vessels) and shall be updated to reflect any changes in market rates.

Note: included here for information only: to be deleted in final version

Annual cost of waste reception facility	US\$ 18,000.00
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	Total no. of vessel visits	Assuming 40% of vessel traffic domestic or ineligible	Cost per Vessel
2018	1686	1011.6	US\$ 17.79
2019	1998	1198.8	US\$ 15.02
2020	1237	742.2	US\$ 24.25

Annex I - Oily Waste

Arrangements for oily waste reception facilities are made through the ships' agent using licensed waste contractors. A direct charge is made for the collection services used, which vary according to the amount and types of oily waste landed and contractor used.

Annex IV - Sewage –

Arrangements for sewage reception facilities are made through the ships' agent using licensed waste contractors. A direct charge is made for the collection services used, which vary according to the amount landed and contractor used.

7 APPLICATION AND EXCEPTIONS

Domestic cargo boats and other similar vessels that operate principally within the Territory and Passenger vessels that operate within the Port Authority area but are not owned or operated on behalf of the port fall outside the scope of the requirement to notify, deliver or pay charges.

This procedure applies to all other ships.

8 INADEQUACIES

The Ship's Agent should notify the Business Development Manager of the BVI Ports Authority of any concerns regarding adequacy of waste reception facilities using the Waste Reception Inadequacy Report form in Appendix 7. Where these are not rectified within a reasonable time the Ship's Agent or Master may notify the Virgin Islands Shipping Registry.

The BVI Ports Authority shall take such actions as it considers necessary to correct the situation.

The Business Development Manager shall process the complaint, ensure the matter is investigated, and submit recommendations for corrective actions to the Managing Director.

Where necessary the Waste Management Plan will be revised and updated by the Director of Operations.

If the problem is not resolved at the time to the Master's satisfaction then the ship should:

- 1) Submit report to the MCA

PWR Inadequacies,
Environmental Policy Branch,
Maritime and Coastguard Agency,
Spring Place,
105 Commercial Road,
Southampton, SO15 1EG.
E-mail: environment@mcga.gov.uk

- 2) Contact their own flag, who should take appropriate action through the IMO;
- 3) Submit a report through GISIS at <https://gisis.imo.org/Public/Default.aspx>.

The competent authority will investigate the Master's report and where, in its opinion the allegation of inadequate facilities is justified it will take the matter up directly with the BVIPA and also notify the requisite regulatory bodies.

9 VESSEL NON-COMPLIANCE

Where possible the BVIPA is faced with a vessel that has not complied with the need for notification and / or not off loaded waste as required the Virgin Islands Shipping Registry should be informed.

Such vessels may then be targeted by the VISR for inspection and destination ports / terminals will be warned of their non-compliance.

Vessels that fail to comply with the requirements of the Regulations shall be guilty of an offence and liable on summary conviction to a fine.

Where the Managing Director of BVIPA has reason to believe that the owner, manager, demise charterer or master has committed an offense under the Regulations by disposal from the ship of garbage he, if the disposal was into the waters of the Harbour, may detain the ship.

10 PROMULGATION OF INFORMATION

Methods used by the BVIPA to promulgate information concerning port waste facilities and waste management procedures include:

- Informing ship's agents of Port Waste Facility Reception Policy
- Informing marine associations
- Website

11 DISPOSAL OF TYPES OF WASTE

11.1 General Requirements

All ships (other than the stated exceptions) are to notify the BVIPA in advance of their requirements to dispose of waste by use of the notification form.

11.2 Plastics

Recycling facilities in BVI are still under development. Once the program is operational BVIPA shall implement separate collection bins at its various facilities.

11.3 International Food Waste

International food waste is subject to handling and disposal controls as it is one of the means by which exotic notifiable diseases could be introduced into the BVI. It is a particular risk if farmed or feral animals are able to come into contact with it. Other waste that is mixed with international food waste must be disposed of as if it were international catering waste. International food waste must be kept separate and identifiable. During collection a dedicated skip or container must be used. The skip or container should be clearly identified as containing 'International Food Waste for Disposal Only'.

11.4 Garbage / Domestic wastes

All garbage can be placed in the appropriate skip or bin at the designated location in the Port.

International food waste (from outside of the British Virgin Islands) from ships operating internationally must not be placed in the regular garbage skip but must be placed in a dedicated covered skip.

PPE/Masks/Quarentine waste should not be included in garbage unless sanitized.

Alternatively, food waste only, but not including any packaging, may be disposed of at sea within the Caribbean Sea Special Area not less than 12 miles from land.

11.5 Oil / Cooking Oil

It is an offence to discharge oil or oily mixture into the waters of the Virgin Islands or anywhere in the Caribbean Sea. All oil residues should be contained and stored appropriately onboard the vessel. Very small amounts of oily waste may be received by BVIPA, only upon approval of the request.

There Is no facility for receiving bulk waste oil on island. In an emergency or urgent situation if the application is approved the Ship's Agent must arrange to organize for collection by a private contractor for transportation to Pockwood Pond incineration facility.

11.6 Incinerator Ashes

This waste may be received. The Ship's Agent must arrange to organize for collection by a private contractor for transportation to Pockwood Pond incineration facility.

11.7 Noxious Liquid

There are no facilities to receive such waste at Harbours in the Virgin Islands. It is not envisaged there will be a requirement for such disposal.

11.8 Operational Waste

This waste may be deposited at the waste reception facilities at Port Purcell.

11.9 Animal Carcasses

This waste is not received. Environmentally sound disposal capacity is not available.

11.10 Fishing Gear

This waste is not received. Environmentally sound disposal capacity is not available.

11.11 E-waste

This waste is not received. Environmentally sound disposal capacity is not yet available.

11.12 Cargo Residue Waste

At present there is no requirement for waste reception facilities for this type of waste.

11.13 Special Wastes (Hazardous Waste)

There is presently no requirement for the disposal of such hazardous waste.

11.14 PPE/Mask/Quarantine Waste

This category of waste is subject to handling and disposal controls as a means by which infectious disease could be introduced in the BVI. This waste must be kept separate and identifiable. A dedicated skip or container must be used. The skip or container should be clearly identified as containing PPE/Quarantine Waste for Disposal Only.

11.15 Sewage

The provision of port facilities for sewage reception and treatment is available through the Agents, on special request only.

12 CONSULTATION

In pursuit of its mission to provide superior quality seaport facilities and services, the BVI Ports Authority employs ongoing constructive dialogue with key public and private stakeholders to understand the needs and requirements of port users for port waste facilities.

BVIPA communicates with other port and harbour users by mail, email, website, publication of notices, in-person and group meetings as required. In preparation of this plan consultation has taken place internally with:

- Virgin Islands Shipping Registry
- Department of Waste Management
- HM Customs Department

- Department of Disaster Management
- Ministry of Natural Resources, Labour & Immigration: Environment Division
- Ministry of Health & Social Development: Environmental Health Division

And externally with:

- Registered Ships Agents
- Waste Management Contractors
- Marine Associations & Businesses

Written communication has been sent to all agents relating to the waste management plan and proposed charges.

12.1 For Agents

Letters have been sent to all Agents currently acting for vessels at the BVI Ports Authority notifying them of the waste reception facility requirements, as applicable to the Port. The first of these letters was sent in Jan 2021. Agents have also been given copies of this plan during the consultation process (See example at Appendix 6).

BVIPA maintains open communication channels to users who may submit written communication at any time to operations@bviports.org.

13 ANNUAL PORT WASTE REPORT

Effective February 2021, the BVIPA maintains records on waste reception services at managed ports in order to monitor the changes in demand for the service.

Information on the amount and type of waste received from vessels is collected on the waste notification form attached to the Berthing Application.

The information is compiled at the end of each year and utilized for statistical analysis by type/category to evaluate future trends with a view to maintain adequacy of BVIPA reception facility.

A report (Appendix 8) is forwarded to the Virgin Islands Shipping Registrar by end of February each year.

14 REVIEW OF WASTE MANAGEMENT PLAN

This initial Plan has been prepared to elaborate operating procedure as of January 2021. This plan will be kept under regular review. In accordance with good practice requirements, the Plan will be submitted to the Virgin Islands Shipping Registry for review every three years, or with every significant change.

In reviewing the plan consideration shall be given to:

- Continuous feedback from consultation
- Changes in the type and quantity of vessels using the port
- Statistical analysis of records on the amount of waste reception notices and quantities landed
- Changes in legislation

All revisions will first be submitted to the VISR for their formal approval before being published or incorporated into any other document. Once approved, revision update(s) will be forwarded to all Plan holders as notated in the distribution list of this plan (see p.4).

Appendix 1: Glossary and types of waste

Asbestos All asbestos containing materials as defined in the 2010 SI 2984 Merchant Shipping Regulations. **(Vessel or agent to organize uplift through BVIPA approved contractor)**

Batteries Vehicle or electronic batteries containing toxic materials excluded from land fill waste sites. **(Vessel or agent to organize uplift through BVIPA approved contractor)**

Chemicals Unidentified drums or containers containing chemical substances are to be automatically treated as hazardous waste this also applies to chemical spills. **(Vessel or agent to organize uplift through BVIPA approved contractor)**

Clinical / Medical Waste Normally waste associated with minor medical procedures. (Vessel or agent to organize uplift through BVIPA approved contractor)

Contaminated waste Waste that includes oil-based products, paints and waste generated as a result of maintenance or any other waste that could be considered as 'contaminated', 'special' or 'hazardous' under UK regulations and Laws of the Virgin Islands. **(Vessel or agent to organize uplift through BVIPA approved contractor)**

Dunnage from cargo operation originating out with the USA and the Caribbean will be removed by skip for incineration. **(Vessel or agent to organize uplift through BVIPA approved contractor)**

Explosives (Flares etc.) (Vessel or agent to organize uplift through BVIPA approved contractor)

Garbage Waste Means all kinds of victual, domestic and operational waste, generated during the normal operation of galleys **(EXCLUDING International Food Waste)**.

General Waste Means all waste, which is generated during the offloading of ships, which includes paper and plastics but excluding oil.

International Food Waste All food wastes originating beyond the UK. If there is any dubiety regarding the origin for food wastes it will be treated as international.

Refrigerators All refrigerators and stand-alone Air Conditioning units are to be assumed as containing gases damaging to the environment and treated as special waste. **(Vessel or agent to organize uplift through BVIPA approved contractor)**

Scrap Metal Off cuts of metal and scrap machinery. (Requests for reception facilities for scrap will be considered on an individual basis.)

Sewage/Black Water Waste water from toilets (Vessel or agent to organize uplift through BVIPA approved contractor)

Tires - All tires from motor vehicle and plant are considered special waste. (Vessel or agent to organize uplift through BVIPA approved contractor)

Any other waste. (Vessel or agent to organize uplift through BVIPA approved contractor)

Appendix 2: Contact details

British Virgin Islands Ports Authority

Deputy Managing Director	(284) 547-2427
Director of Operations	(284) 442-5600
Business Development Manager	(284) 442-2750
Director of Finance:	(284) 499-9390
Marine Manager	(284) 499-0863

MCA – Waste Reception Facilities Complaints:

PWR Inadequacies
Environmental Policy Branch
Maritime and Coastguard Agency,
Spring Place,
150 Commercial Road
Southampton, SO15 1EG

Email: enviroment@mcga.gov.uk

Appendix 3: List of consultees

Appendix 4: Consultation Feedback

From the first round of consultation (for the 2019 plan), feedback principally related to the no existing plan and procedures relating to the management of port waste. As a result the process was started. While there was a system in place for port waste, the system primarily was designed for the waste accumulated by the port administration.

Appendix 5: Sample Letter to Port Stakeholders or Users

Dear Sir,

Re: Port Waste Management – British Virgin Islands Ports Authority

Introduction

As you will be aware there have been a number of changes to BVI and UK legislation relating to ship generated waste over the last few years. The waters around our ports in the are protected under international conversation designations. These, and a number of other international conventions highlight the unacceptability of the once common practice of throwing waste overboard. It is therefore in the interest of ships to utilize the waste reception facilities provided at our ports to ensure our environment is not polluted with ship generated wastes.

Should the BVI Ports Authority be faced with a vessel that has not complied with the need to notify and/or offload waste, it is under an obligation to notify the VISR. Such vessels may then be targeted by the VISR for inspection and destination ports/terminals will be warned for their non-compliance. Vessels that fail to comply with the requirements shall be guilty of an offence and liable on summary conviction to a fine.

The Waste Reception Process

Forty-Eight hours before arrival in port or no later than the time of departure from the previous port (if the sailing is less than 48 hours). The pre-arrival notice providing containing details of all waste on board and what will be disposed of when in port facilities must be received by the BVIPA for approval and facilitation.

Obviously, there are many different types of waste, and these need to be handled is specific ways and placed is specific locations. These details are outlined below.

As is currently the case, prior to arrival of a vessel at Port Purcell, the Operations Department there are skiffs in close proximity to the berths. The skiff's location may not be immediately adjacent to the berth, but in a safe and practical location, and in a convenient location considering the small size of the port. The Agent/Master of the vessel must ensure the skiff is not overfill or excess rubbish placed either adjacent to or beside of the skiffs. If this occurs the vessel will be charged the full clear up costs with an administrative cost of \$200. Similarly, if vessels place waste in the wrong skips, full costs will be passed on in addition to the \$200 administrative cost.

All international food wastes (any wastes from a vessel that has previously entered a port out side the BVI) must be placed in the enclosed food waste skips provided. Non-food wastes (e.g. metals, paper etc.) should not be placed in these skips.

Other general wastes (office waste, paper etc.) should be placed in the other skips provided (the non-food skips).

Special, hazardous or other waste of a sensitive nature must be removed using an approved licensed contractor, organized by the Agent. It is the responsibility of the Agent to ensure that any approved contractor used has a license to handle the waste concerned. If there are any uncertainties relating to waste disposal, queries should be addressed to the Department of Waste Management.

Lists of various waste types are attached at **Appendix 1**.

A list of the currently approved contractors can be found in **Appendix 2** along with the appropriate port contact points. The approved contractors list will change on a regular basis and up to date lists can be obtained from the Operations Department.

Exemptions

All ships are required to comply with this plan if services are required.

Complaints

The matter of a **BVI/UK Flagged** ship faced with a lack of reception facilities in at the BVI Ports Authority should bring the alleged inadequacy to the attention of the BVIPA Managing Director and the Business Development Manager immediately.

If the problem is not resolved at the time to the Masters satisfaction then the ship

Where possible, the Master of a **foreign flagged** ship faced with a lack of reception facilities should bring the alleged inadequacy to the attention of the Director of Operations immediately. If the problem is not resolved at the time to the Agent or Masters satisfaction then the form at **Appendix 6** should be completed and sent to the VISR or MCA as per section 8 of this plan. The ship may also contact their own flag, who should take appropriate action through the IMO.

The VISR will investigate the Master's report and where, in its opinion the allegation of inadequate facilities is justified it will take the matter up directly with the Port and also notify the requisite regulatory bodies.

The BVI Ports Authority is obligated to take action to correct the situation by whatever means it considers necessary. All complaints received by the BVI Ports Authority will be forwarded to the **Head of Compliance** and **the Business Development Manager**. In the medium term, the **Head of Compliance** will consider what corrective actions are necessary to prevent this type of complaint from occurring again and if any revisions are required to the Waste Management Plan are required.

Charging

Charge for BVIPA Waste Reception Facilities: \$50 / day

Average charges for skiffs

Code 1024	Minimum of two weekly calls	\$150 per Skiff
Code 1026	One call per week	\$250 per skiff
Code 1028	Bi-monthly/monthly	\$350 per skiff
Code 1030	Random vessels calls	\$400 per skiff

NB: These charges are set by the private contractors and are included here for illustration only.

Yours sincerely

Managing Director

APPENDIX 6: WASTE NOTIFICATION FORM

PORT PURCELL, TORTOLA, BRITISH VIRGIN ISLANDS

(Port of destination)

1. Name, call sign:	
2. IMO identification number of the ship (where appropriate):	
3. Flag state:	
4. Estimated time of arrival (ETA):	
5. Estimated time of departure (ETD):	
6. Previous port of call:	
7. Next port of call:	
8. Last port and date when ship-generated waste was delivered, including the quantities (in m ³) and the types of waste that were delivered:	
9. Are you delivering (tick appropriate box):	<input type="checkbox"/> all <input type="checkbox"/> some <input type="checkbox"/> none of your waste into port reception facilities?
10. Type and amount of waste and residues to be delivered and/or remaining on board, and percentage of maximum storage capacity	

Notes

- This information may be used for port State control and other inspection purposes.

If delivering all waste, complete second and last columns as appropriate. If delivering some or no waste, complete all columns.

Type	Waste to be delivered (m ³)	Maximum dedicated storage capacity (m ³)	Amount of waste retained on board (m ³)	Port at which remaining waste will be delivered	Estimated amount of waste to be generated between notification and next port of call (m ³)	Waste that has been delivered at the last port of delivery identified under point 7 above (m ³)
I. Waste oils						
Oily bilge water						
Oily residues (sludge)						
Other (specify)						
IV. Sewage⁽¹⁾						
V. Garbage						
Plastics						
Food wastes						
Rubbish						
Recyclable (glass, aluminium)						
Cooking oil						
Other						
Cargo associated waste⁽²⁾ (specify) ⁽³⁾						
Cargo residues⁽²⁾ (specify) ⁽³⁾						

(1) Sewage may be discharged at sea in accordance with Regulation 11 of Marpol Annex IV. The corresponding boxes do not need to be completed if it is the intention to make an authorised discharge at sea.

(2) May be estimates.

(3) Cargo residues shall be specified and categorised according to the relevant Annexes of Marpol, in particular Marpol Annexes I, II and V.

I confirm that:

- the above details are accurate and correct, and
- there is sufficient dedicated onboard capacity to store all waste generated between notification and the next port at which waste will be delivered.

DateTime

Signature

APPENDIX 7: REVISED CONSOLIDATED FORMAT FOR REPORTING ALLEGED INADEQUACY OF PORT RECEPTION FACILITIES¹

The Master of a BVI flagged ship having encountered difficulties in discharging waste to reception facilities should forward the information below, together with any supporting documentation, to the Maritime and Coastguard Agency.

1. SHIPS PARTICULARS

- 1.1 Name of Ship
- 1.2 Owner or Operator
- 1.3 Distinctive Numbers or Letters:
- 1.4 IMO No:2
- 1.5 Gross Tonnage:
- 1.6 Port of Registry:
- 1.7 Flag State3:
- 1.8 Type of Ship
- | | | |
|---|--|--|
| <input type="checkbox"/> Oil Tanker | <input type="checkbox"/> Chemical Tanker | <input type="checkbox"/> Bulk Carrier |
| <input type="checkbox"/> Other Cargo Ship | <input type="checkbox"/> Passenger Ship | <input type="checkbox"/> Other (Specify) |

2. PORT PARTICULARS

- 2.1 Country:
- 2.2 Name of Port or Area:
Location/Terminal Name
- 2.3 (e.g. berth/terminal/dock):
Name of company operating the
- 2.4 reception facility (if applicable)
- 2.5 Type of port operation:
- | | | |
|--|---------------------------------------|-----------------------------------|
| <input type="checkbox"/> Unloading Port | <input type="checkbox"/> Loading Port | <input type="checkbox"/> Shipyard |
| <input type="checkbox"/> Other (specify) | | |
- 2.6 Date of Arrival: / / (dd/mm/yyyy)
- 2.7 Date of Occurrence / / (dd/mm/yyyy)
- 2.7 Date of Departure / / (dd/mm/yyyy)

¹. This format was approved by the fifty-third session of the Marine Environment Protection Committee in July 2005.

². In accordance with the IMO ship identification number scheme adopted by the Organization by Assembly resolution A.600(15).

3. The name of the State whose flag the ship is entitled to fly

3. INADEQUACY OF FACILITIES

3.1 Type and amount of waste for which the port reception facility was inadequate and nature of problems encountered.

Type of waste	Amount for discharge (m3)	Amount not accepted (m3)	Problems encountered Indicate the problems encountered by using one or more of the following code letters, as appropriate: A No facility available B Undue delay C Use of facility technically not possible D Inconvenient location E Vessel had to shift berth involving delays/cost F Unreasonable charges for use of facilities G Other (please specify in paragraph 3.2)
MARPOL Annex I – related			
Type of oily waste			
Oily bilge water			
Oily residues (sludge)			
Oily tank washings (slops)			
Dirty ballast water			
Scale and sludge from tank cleaning			
Other (please specify.....)			
MARPOL Annex II – related			
Category of NLS ₄ residue/water mixture for discharge to facility from tank washings:			
Category X substance			
:Category Y substance			
Category Z substance			
MARPOL Annex IV – related			
Sewage			
MARPOL Annex V – related			
Type of garbage:			
Plastic			
Floating dunnage, lining, or packing materials			
Ground paper products, rags, glass, metal, bottles, crockery, etc..			
Cargo residues, paper products, rags, glass, metal, bottles, crockery			
Food waste			
Incinerator, ash			
Other (please specify.....)			
MARPOL Annex VI – related			
Ozone-depleting substances and equipment containing such substances			
Exhaust gas-cleaning residues			

4. Indicate, in paragraph 3.2, the proper shipping name of the NLS involved and whether the substance is designated as “solidifying” or “high viscosity” as per MARPOL Annex II regulation paragraphs 15.1 and 17.1 respectively.

1. Additional information with regard to the problems identified in the above table.

2. Did you discuss these problems or report them to the port reception facility?

Yes No

If Yes, with whom (please specify)

If Yes, what was the response of the port reception facility to your concerns?

3. Did you give prior notification (in accordance with relevant port requirements) about the vessel's requirements for reception facilities?

Yes No Not applicable

If Yes, did you receive confirmation on the availability of reception facilities on arrival?

Yes No

4. ADDITIONAL REMARKS/COMMENTS

Master's signature

Date: ___/___/___(dd/mm/yyyy)

APPENDIX 8: ANNUAL WASTE RETURN FORM

IMO Information Return – Report of Cost, Type And Capacity Of Port Waste Reception Facilities

(To Be Submitted Annually to the MCA)

Name of Port:	
Total number of vessels calling at port (per year):	

	Oil						Noxious Liquid Substances	Sewage	Garbage
	Dirty Ballast Water	Tank Washings (slops)	Oily mixture containing chemicals	Scale & sludge from tank cleaning operations	Oily Bilge Water	Sludge from purification of fuel oil	Categories A, B or C		
Type & size of facility, Method of use (where applicable)									
Is notice required? (If yes, number of hours)									
Frequency of emptying									
Annual capacity									
Amount of waste which should be received									
Amount of waste actually received									
Amount of waste stored by ships for reception in other ports									
Cost of use									

References:

Cowes Harbour Commission, 2005. Port Waste Management Plan (Am. 2016)

Inverness Harbour Trust, 201. Port Waste Management Plan

Maritime & Coastguard Agency MGN 564 (M+F): Guidance on the Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003 and amendments