



Council of the
European Union

Brussels, 19 January 2018
(OR. en)

**Interinstitutional File:
2018/0012 (COD)**

**5454/18
ADD 1**

**TRANS 20
MAR 9
ENV 30
CODEC 59
IA 19**

PROPOSAL

From: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 18 January 2018

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of
the European Union

No. Cion doc.: COM(2018) 33 final ANNEXES 1 to 5

Subject: ANNEXES to the Proposal for a DIRECTIVE OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL on port reception facilities for the
delivery of waste from ships, repealing Directive 2000/59/EC and
amending Directive 2009/16/EC and Directive 2010/65/EU

Delegations will find attached Annexes 1 to 5 to the document COM(2018) 33 final ANNEXES 1 to 5.

Encl.: COM(2018) 33 final ANNEXES 1 to 5



EUROPEAN
COMMISSION

Strasbourg, 16.1.2018
COM(2018) 33 final

ANNEXES 1 to 5

ANNEXES

to the

**Proposal for a
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on port reception facilities for the delivery of waste from ships, repealing Directive
2000/59/EC and amending Directive 2009/16/EC and Directive 2010/65/EU**

{SWD(2018) 21 final} - {SWD(2018) 22 final}

ANNEX 1

REQUIREMENTS FOR WASTE RECEPTION AND HANDLING PLANS IN PORTS

Plans shall cover all types of waste originating from ships normally visiting the port and shall be developed according to the size of the port and the types of ships calling at that port.

The following elements shall be included in the plans:

- a) an assessment of the need for port reception facilities, in light of the need of the ships normally visiting the port;
- b) a description of the type and capacity of port reception facilities;
- c) a description of the procedures for the reception and collection of waste from ships;
- d) a description of the cost recovery system;
- e) a description of the procedure for reporting alleged inadequacies of port reception facilities;
- f) a description of the procedure for ongoing consultations with port users, waste contractors, terminal operators and other interested parties; and
- g) an overview of the type and quantities of waste received from ships and handled in the facilities.

The plans may also include:

- a) a summary of relevant national legislation and the procedure and formalities for the delivery of the waste to port reception facilities;
- b) identification of a point of contact in the port; c) a description of the pre-treatment equipment and processes for specific waste streams in the port if any;
- d) a description of methods of recording the actual use of the port reception facilities;
- e) a description of methods for recording the amounts of the waste delivered by ships;
- f) a description of how the different waste streams are managed in the port.

The procedures for reception, collection, storage, treatment and disposal should conform in all respects to an environmental management scheme suitable for the progressive reduction of the environmental impact of these activities. Such conformity is presumed if the procedures are in compliance with the Regulation (EC) No 1221/2009 of the European Parliament and the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme.

ANNEX 2
**STANDARD FORMAT OF THE ADVANCE NOTIFICATION FORM FOR WASTE
DELIVERY
TO PORT RECEPTION FACILITIES**

Notification of the Delivery of Waste to: (enter name of port of destination, as referred to in Article 6 of Directive XXXX/XX/EU)

This form shall be retained on board the vessel along with the appropriate Oil Record Book, Cargo Record Book, or Garbage Record Book as required by the Marpol Convention.

1. SHIP PARTICULARS

1.1 Name of ship:	1.5 Owner or operator:		
1.2 IMO number:	1.6 Distinctive number or letters:		
1.3 Gross tonnage:	1.7 Flag State:		
1.4 Type of ship:	<input type="checkbox"/> Oil tanker <input type="checkbox"/> Other cargo ship	<input type="checkbox"/> Chemical tanker <input type="checkbox"/> Passenger ship	<input type="checkbox"/> Bulk carrier <input type="checkbox"/> Ro-ro <input type="checkbox"/> Container <input type="checkbox"/> Other (specify)

2. PORT AND VOYAGE PARTICULARS

2.1 Location/Terminal name:	2.6 Last Port where waste was delivered:
2.2 Arrival Date and Time:	2.7 Date of Last Delivery:
2.3 Departure Date and Time:	2.8 Next Port of Delivery:
2.4 Last Port and Country:	2.9 Person submitting this form is (if other than the master):
2.5 Next Port and Country (if known):	

3. TYPE AND AMOUNT OF WASTE AND STORAGE CAPACITY

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)
MARPOL Annex I- Oil					
Oily bilge water					
Oily residues (sludge)					
Oily tank washings					
Scale and sludge from tank cleaning					
Other (please specify)					
MARPOL Annex II – NLS¹					
Category X					

¹ Indicate the proper shipping name of the NLS involved

substance					
Category Y substance					
Category Z substance					
OS- other substances					
MARPOL Annex IV - Sewage					
MARPOL Annex V – Garbage					
Plastics					
Food Wastes					
Domestic wastes (e.g. paper products, rags, glass, metal, bottles, crockery, etc.)					
Cooking Oil					
Incinerator ashes					
Cargo residues ²					
Operational wastes					
Animal carcass(es)					
Fishing gear					
MARPOL Annex VI – Air Pollution related					
Ozone depleting substances and equipment containing such substances ³					
Exhaust gas cleaning residues					

Notes

1. This information shall be used for port State control and other inspection purposes.
2. This form is to be completed unless the ship is covered by an exemption in accordance with Article 9 of Directive XXXX/XXXX/EU

² May be estimates; indicate the proper shipping name of the dry cargo

³ Arising from normal maintenance activities on board

ANNEX 3

STANDARD FORMAT FOR THE WASTE DELIVERY RECEIPT

The designated representative of the reception facility provider shall provide the following form to the master of a ship that has delivered waste in accordance with Article 7 of Directive XXXX/XX/EU.

This form shall be retained on board the vessel along with the appropriate Oil Record Book, Cargo Record Book or Garbage Record Book, as required by MARPOL.

1. RECEPTION FACILITY AND PORT PARTICULARS

1.1.	Location /terminal name:	
1.2.	Reception facility provider(s)	
1.3.	Treatment facility provider(s) – if different from above:	
1.4.	Waste Delivery Date and Time from:	to:

2. SHIP PARTICULARS

2.1. Name of the ship:	2.5. Owner or operator:
2.2. IMO number:	2.6. Distinctive number or letters:
2.3. Gross tonnage:	2.7. Flag State:
2.4. Type of ship: <input type="checkbox"/> Oil tanker <input type="checkbox"/> Chemical tanker <input type="checkbox"/> Bulk carrier <input type="checkbox"/> Container <input type="checkbox"/> Other cargo ship <input type="checkbox"/> Passenger ship <input type="checkbox"/> Ro-ro <input type="checkbox"/> Other (specify)	

3. TYPE AND AMOUNT OF WASTE RECEIVED

MARPOL Annex I – Oil	Quantity (m ³)	MARPOL Annex V- Garbage	Quantity (m ³)
Oily bilge water		A. Plastics	
Oily residues (sludge)		B. Food wastes	
Oily tank washings		C. Domestic wastes (e.g. paper products, rags, glass, metal, bottles, crockery, etc.)	
Dirty ballast water		D. Cooking oil	
Scale and sludge from tank cleaning		E. Incinerator ashes	
Other (please specify)		F. Operational wastes	
MARPOL Annex II – NLS	Quantity (m³)/Name⁵	G. Cargo residues ⁶	
Category X substance		H. Animal carcass(es)	
Category Y substance		I. Fishing gear	
Category Z substance		MARPOL Annex VI – Air Pollution related	Quantity (m³)
OS – other substance		Ozone-depleting substances and equipment containing such substances	
MARPOL Annex IV – Sewage	Quantity (m³)	Exhaust gas-cleaning residues	

--	--	--	--	--

- ⁵ Indicate the proper shipping name of the NLS involved
- ⁶ Indicate the proper shipping name of the dry cargo

ANNEX 4

Categories of costs for the operation and administration of PRF

<i>Direct costs</i>	<i>Indirect costs</i>
<p>Operational costs that arise from the actual delivery of waste from ships, including the cost items listed below.</p> <ul style="list-style-type: none">• Provision of port reception facilities infrastructure, including the containers, tanks, processing tools, barges, trucks, waste reception, treatment installations;• Concessions due for site leasing, if applicable, or for leasing the equipment necessary for the operation of port reception facilities;• The actual operation of the port reception facilities: collection of waste from the ship, transport of waste from the port reception facilities for final treatment, maintenance and cleaning of port reception facilities, costs for staff, including overtime, provision of electricity, waste analysis and insurance;• Final reuse, recycling or disposal of the waste from ships, including separate collection of waste;• Administration: invoicing, issuing of waste receipts to the ship, reporting.	<p>Administrative costs that arise from the management of the system in the port, including the cost items listed below.</p> <ul style="list-style-type: none">• Development and approval of the waste reception and handling plan, including any audits of the plan and its implementation;• Updating the waste reception and handling plan, including labour costs and consultancy costs, where applicable;• Organizing the consultation procedures for the (re)evaluation of the waste reception and handling plan;• Management of the notification and cost recovery systems, including the application of reduced fees for "green ships", the provision of IT systems at port level, statistical analysis and associated labour costs;• Organisation of public procurement procedures for the provision of port reception facilities, as well as the issuing of the necessary authorisations for the provision of port reception facilities in ports;• Communication of information to port users through the distribution of flyers, putting up signs and posters in the port, or publication of the information on the port's website,) and electronic reporting of the information as required in article 5. .• Other administrative costs: monitoring exemptions and electronic reporting of this information as required in article 9.

ANNEX 5

Exemption Certificate

**CERTIFICATE OF EXEMPTION UNDER ARTICLE 9
IN RELATION TO THE REQUIREMENTS UNDER ARTICLE 6,
ARTICLE 7 AND ARTICLE 8 OF DIRECTIVE XXXX/XX/EC
AT THE PORT[S] OF *[INSERT PORT]* IN *[INSERT MEMBER STATE]*⁴**

Name of ship	Distinctive number or letters	Flag State
<i>[insert name of the ship]</i>	<i>[insert IMO number]</i>	<i>[insert name of the Flag State]</i>

is in scheduled traffic with frequent and regular port calls at the following port(s) located in *[insert name of the Member State]* according to a schedule or predetermined route:

[]

and calls at these ports at least once a fortnight:

[]

and has made an arrangement to ensure the payment of the fee and the delivery of waste to the port, or a third party at the port of:

[]

and is thus exempted, in accordance with *[Insert relevant article in national legislation of the country]*, from the requirements on **mandatory delivery** of waste from ships, the advance notification of waste, and the payment of the mandatory fee, at the following port(s):

[]

This certificate is valid until *[insert date]*, unless the grounds for issuing the certificate are changed before that date.

Place and Date

.....
Name
Title

⁴ Delete if not appropriate