

Document of Hainan MSA of the People's Republic of China

QHWF [2017] No.10

Notice of Hainan MSA on Circulating the Ship Pollution Control Implementation Plan

All branch bureaus and relevant departments of this MSA,

In order to carry out the *Decision of Hainan Province Committee of the Communist Party of China on Further Strengthening Ecological Civilization Construction and Composing a Beautiful Hainan of China*, enhance the supervision and administration on environment pollution in Hainan waters caused by ships and their related operations, this MSA formulated the *Ship Pollution Control Implementation Plan*. It is hereby circulated to you, please implement it seriously.

Hainan MSA of the People's Republic of China (seal)

November 3, 2017

Ship Pollution Control Implementation Plan of Hainan Province

In order to fully carry out the plan of prevention and control of water pollution and atmosphere pollution, this Plan is formulated in accordance with united deployment of the provincial committee of CPC and the People's Government of Hainan Province as well as in combination with prevention and control work of ship pollution in Hainan province.

I. General Requirement

Implement and fulfill the *Decision of Hainan Province Committee of the Communist Party of China on Further Strengthening Ecological Civilization Construction and Composing a Beautiful Hainan of China*, fully promote the ecological civilization construction, actively promote the plan of prevention and control of water pollution and atmosphere pollution, actively promote green shipping development and strictly control ship pollution in ports, strengthen the governance on environment pollution in waters caused by ships and their related operations in accordance with law, with the core as reducing pollutant emissions and strengthening pollutants disposal, make overall arrangement for prevention and control in seas and on lands concurrently, improve regional joint operation mechanism, strictly protect marine environment, serve to the green, circular, low-carbon and sustainable development of local economy and society.

II. Organizing and Leadership

In order to strengthen the leadership for the work of ship pollution control, this MSA establishes the "ship pollution control work" Leading Group, with office established subordinately, and the office is established with the Danger Prevention Division. Members of the Leading Group and the office are as follows:

Group Leader: Chen Xiandi

Members: Li Tao, Zhou Rongzhong, Weng Jiancai, Zeng Jingfeng, Chen Hanbing, Tang Bozheng, Zou Xianzhi

Office members: Huang Kaiwei, Cai Lina, Yu Xiaoping

III. Schedule Arrangement

Duration for implementation of this Plan is from November 3, 2017 to December 3, 2018.

IV. Subjects of Work

(1) Strengthening the control of atmosphere pollution caused by ships

Strengthening the quality inspection for fuels of ships arriving at ports. Focusing on whether or not the content recorded in the Oil Record Book is in good order, whether or not fuels supply documents and certificates as well as fuel samples are kept complete, whether or not indexes indicated in the fuels supply documents and certificates meet relevant requirements. Fuels used by ships engaged in international voyages shall meet requirements as provided for in MARPOL 73/78 Annex IV, and fuels used by ship engaged in domestic voyages shall meet requirements as provided for in the Marine Fuel Oils (GB 17411 - 2015).

Obtain samples through sampling for ships arriving at ports and units in your respective jurisdictions conducting operation of supplying fuels, send such samples for test, random sampling test proportion may be determined by branch bureaus based on specific situations in their respective jurisdictions. Priority shall be given to the random sampling test for units in their respective jurisdictions conducting fuel supplying operations. During daily tour inspection or inspection onboard, focusing on ships emitting black smokes, ships failing to record in Oil Record Books as required

and ships failing to keep fuels supplying documents and certificates or oil samples.

Where oil products so supplied by oil supplying units are found not to meet standards or requirements during the inspection, such situations shall be notified to oil products quality supervision and administration departments, and arrange a meeting with such unit if necessary.

Where a ship is found to use fuels not meeting standards or requirements, to fail to record in relevant documents, to fail to, as required, keep bunker supply certificates and bunker samples, to fail to take effective alternative measures, or is found to discharge atmosphere pollutants exceeding corresponding standards, such situations shall be handled through methods such as warning educations, rectifying violations, detention or administrative punishment based on the seriousness of violations and in accordance with relevant laws and regulations such as the Law of the People's Republic of China on the Prevention and Control of Atmospheric Pollution and the Regulations of PRC on Prevention and Control of Marine Pollution from Ships.

(2) Strengthening the coordination and cooperation, strongly promote the prevention and control of ship pollution

a. Fully implement duplicate form system for supervision on receiving, transferring and disposing of ship pollutants

On the basis of setting up and implementing duplicate form system for supervision on receiving, transferring and disposing of ship pollutants in Haikou and Sanya, summarize experiences and actively promote to set up and implement the duplicate form system in other main coastal ports of Hainan province. In 2018, fully implement such system for all main costal ports in Hainan, achieve closed-loop management for receiving, transferring and disposing of ship pollutants, prevent unknown whereabouts of and secondary pollution by ship

pollutants.

b. Strengthening the supervisions and administration on operations receiving ship pollutants and the building of receiving capability

Continue to strengthen on supervision and administration for units in respective jurisdiction receiving ship pollutants and their operations. All branch bureaus shall, pursuant to the *Notice of Hainan MSA on Well Administration on Units Engaged in Danger Prevention Operation and theirs Operations after the Adjustment of Level of Administrative Powers* (QHWF[2015] No.8), strictly require units within their respective jurisdictions conducting operations of receiving ship pollutants to submit the monthly situations in respect of receiving and disposing of ship pollutants. Meanwhile, no less than twice on-site supervision inspection shall be carried out every year for units receiving ship pollutants. During such on-site inspection, focus on disposal of and whereabouts of ship pollutants after being received, units receiving these ship pollutants shall provide written evidences to prove that the disposal of ship pollutants is in compliance with requirements as set out in the *Requirements of Receiving and Disposing Demands of Units/Enterprises Operating Ship's Pollutants Disposal and Tank Cleaning Operation* (JTT 673 – 2006).

As to newly-built terminals, all branch bureaus shall actively pay attention to the situation of ship pollutants receiving capability construction, promote the competent department of transport of the place of such terminal to organize to assess the ship pollutants receiving capability when conducting acceptance inspection for the port, supervise and urge terminals of the port to improve ship pollutants receiving capability construction.

c. Promote advanced scrapping renewal work of old transport ships and single-hull oil tankers

Eliminate old and outmoded ships strictly as per relevant laws and regulations, mandatorily scrap ships exceeding their service life in accordance with law, continue to implement policy of advanced scrapping renewal of old transport ships and single-hull oil tankers. Reinforce safety supervision inspection on old transport ships, and shall not handle ship registration formality for ships reaching scrapping age limit as provided for in the *Provisions of Administration on Old Transport Ships*. Strictly adhere to the *Announcement of MOT on Publishing the Implementation Plan for Advanced Eliminating Single-hull Oil Tankers Engaged in Domestic Voyages* (No.52 of 2009), prohibit handling ship registration formalities for oil tankers of 600DWT or more engaged in domestic voyages that fails to meet requirements of the Announcement, prohibit ships engaged in domestic voyages that violated the Announcement from entering into waters of branch bureaus' respective jurisdictions to carrying out ship-to-ship operations. All branch bureaus shall, once finding that there is any vessel violating provisions of the Announcement navigating or carrying out operations in waters within their respective jurisdictions, handle strictly in accordance with relevant legal provisions, and circular relevant situations to Danger Prevention Division of Hainan MSA.

(3) Progressively fulfill the International Convention for the Control and Management of Ship's Ballast Water and Sediments

The International Convention for the Control and Management of Ship's Ballast Water and Sediments officially came into implementation as of September 8, 2017. Ships build on or after September 8, 2017 shall meet the D-2 Standards (Biological and Hygienic Standard for Disposal of Ship's Ballast Water) as of the date of delivery of such ships. Ships built before September 8, 2017 are allowed to meet the D-2 Standard upon their first renewal of IOPP Certificates on or after

September 8, 2019.

All branch bureaus shall carry out supervisions and inspection for ships to which the Convention applies, mainly focusing on whether or not the ship holds that International Ballast Water Management Certificate and the Ballast Water Management Plan, and whether or not the ship keeps onboard the Ballast Water Record Book. Key points to be checked shall be whether or not the ship or her equipments are in compliance with requirements in the International Ballast Water Management Certificate or the Ballast Water Management Plan, whether or not records in the Ballast Water Record Book could truly reflect the situation of disposal of ship's ballast water, whether or not designated seafarer is familiar with basic procedures for ballast water management as well as requirements for relevant operations and equipments, whether or not the ship disposed of and discharged ballast water in accordance with relevant requirements.

(4) Strengthen on interim and ex post supervision and administration on operations preventing ship pollution

Parts of administrative approval for operations prevention ship pollution were cancelled in the laws and regulations such as the newly revised Marine Environment Protection Law of the People's Republic of China, the Regulations of PRC on Prevention and control of Marine Pollution caused by Vessels and their Relevant Operations as well as the Regulations of PRC on Emergency Prevention and Handling of Marine Pollution. All branch bureaus shall well handle the follow-up work following cancellation of administrative approval, strengthen the interim and ex post supervision and administration on operations of preventing ship pollution, urge ships and relevant operating units to fulfill enterprises safe productions responsibility, operate strictly as per requirements of relevant laws, regulations and standards. All branch bureaus shall set up and standardize reporting procedures and system for activities preventing ship pollution, strictly

require relevant operating units to fulfill reporting system for operations preventing ship pollution.

(5) Strengthen the propaganda and implementation of policies and regulations

All branch bureaus shall actively propagandize to relevant shipping enterprises and ships of relevant laws, regulations and international conventions relating to prevention and control of ship pollution, convey relevant policies and documents of the State, the provincial committee of CPC and the People's Government of Hainan Province, heighten the environment protection awareness and legal awareness of practitioners, enhance their understanding and support for the work promoted by this MSA in controlling ship pollution, supervise, urge and guide relevant enterprises and units to fulfill relevant requirements for control of ship pollution, and make efforts to achieve the green, circular, low-carbon and sustainable development .

V. Work Requirements

(I) All relevant units(departments) shall fully realize the significance of the ship pollution control work for promoting marine environment protection and ecological civilization construction of Hainan Province. Draft work plans and organize to implement the same based on requirements of the Plan and in close combination with actual situations in all respective jurisdictions. Such work plans shall keep in step with superior authorities, and content of such work plans shall include organizing institutes, time points for implementing various works, main contents and targets of work. Meanwhile, measures shall be detailed and implemented, and all specific works for special activities shall be in detailed to be allocated to specific departments, posts and personnel, so as to ensure the orderly progress of works.

(II) During the course of implementation of the Plan, all relevant units (department)

shall pay attention to communicate and coordinate with local governments and relevant functional department at various levels, reinforce joint actions amongst departments, enhance information exchange, so as to achieve multi-governance.

(III) All relevant units(department) shall attach importance to propaganda of the work in fulfilling the Ship Pollution Control Implementation Plan. Keep in close contact with relevant presses, timely publish to the society of relevant measures/actions relating to maritime departments' active promoting development of green shipping and strict controlling pollution caused in ports or by ships, so that the public could well understand the confidence and efforts that maritime departments have and made for participating in pollution control and n and ecological civilization construction.

(IV) All branch bureaus shall, in combination with ship pollution control work, strengthen on regularity research, form long-term administration mechanism, and seriously record in ledgers and make summaries for relevant works. These summaries shall include situations of works carried out, issue found in various phases as well as corresponding proposed management suggestions thereof, and set up supervision and administration mechanism suitable for actual situations within their respective jurisdictions. All branch bureaus please submit your ship pollution control work situations of the previous month to the Danger Prevention Division of this MSA before 5th day of each month, and shall submit the summary of the situation in carrying out the Plan before December 5, 2018. Contact person: Huang Kaiwei, Tel: 68626028/36178.

(V) All branch bureaus shall attach high importance to ship pollution control work, strengthen on organization and leadership, elaborately organize for implementation, ensure actual effect to be made for the work. Where appropriate , this MSA will organize supervision and inspection for situations of various branch bureaus in carrying out comprehensive control work.