

MEMBER ALERT



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NOVEMBER 29, 2017

PEOPLE'S REPUBLIC OF CHINA, HAINAN— NOTICE REGARDING SHIP POLLUTION CONTROL PLAN

The Hainan Maritime Safety Agency (MSA) has issued the *Notice to Implement Ship Pollution Control Plan* that details actions to be taken by the MSA between November 3, 2017 to December 3, 2018 to control of emission of ship's pollutants and ballast water discharge. During this period, inspections will be carried out on ships, fuel suppliers and units that receive ships' pollutants. The main contents of the Notice are:



1. Inspections on ships and fuel supplies

a. *Documentary inspection on quality of fuel of ships calling at Hainan ports.*

The inspection will focus on checking the records of Oil Record Book, integrity of bunker delivery notes and fuel samples, compliance of the index of the fuel. For ships navigating internationally, the fuel shall meet the requirements as set forth in Annex VI of *MARPOL Convention 73/78*, whereas the fuel of domestic ships shall comply with the marine fuel oil standards as set forth by the Chinese GB 17411-2015 standard.

b. *Fuel sampling.* The sample inspection will be carried out mainly on fuel suppliers. Meanwhile, if a ship is found emitting black smoke, or violating documentary requirements, or does not keep fuel sample, the MSA will take sample of the fuel of the ship to check and verify compliance with relevant requirement.

c. *Punishment.* In the following circumstances, the ship would be warned and educated, ordered to rectify the illegal behavior, detained or levied other punishments depending on the gravity of violation:

- (i) using non-compliant fuel;
- (ii) not record on document;
- (iii) not keeping bunker delivery notes or fuel samples;
- (iv) not taking effective alternative measures such as using shore based power, clean energy, exhaust treatment equipment; or
- (v) emitting excessive air pollutants.

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2. To use moveable manifests and set up an interactive and closed-loop mechanism to manage and supervise the receipt, transshipment and disposal of ship's pollutants. The entity engaged in receiving the ship's pollutants shall report their handling and disposal to local MSA monthly. The MSA shall make spot examinations those entities receiving ship's pollutant at least twice a year.

The moveable manifest is a paper based system of tracing and managing the discharge, transfer, treatment and disposal of ship's pollutants. At the time of receiving ship's pollutants, the receiver of ship's pollutants will fill in a *Ship's Pollutant Acceptance Form* and give it to the ship's Master for signature/stamp. Thereafter, when the ship's pollutants are disposed of ashore, the receiver of ship's pollutants shall then complete a *Hazardous Waste Transfer Manifest* which will be countersigned by the disposal company.

The receiver of the ship's pollutants shall then submit a *Hazardous Waste Transfer Manifest* to the local environmental protection authority and keep the copy, and then shall submit *Ship's Pollutant Treatment Report* together with the copies of *Ship's Pollutant Acceptance Form* and *Hazardous Wastes Transfer Manifest* to the Hainan MSA, environmental protection authority and port administrative department every month. This ensures that the entire process of receiving and disposing of ship's pollutants is under the supervision of the governmental authorities working as an interactive closed loop mechanism and shall effectively avoid the secondary pollution of the ship's pollutants.

3. Supervision and inspection on ship's compliance with the *International Convention for the Control and Management of Ships' Ballast Water and Sediments* (BWMC). The inspection will focus on whether or not the ship:
 - holds on board the valid international ballast water management certificate;
 - maintains a ballast water management plan;
 - maintains a ballast water management record book,
 - or its equipment corresponds with the particulars of the international ballast water management certificate;
 - whether or not the record of ballast water management record book reflects the true condition of ship's disposal of ballast water;
 - whether or not the crew in charge is familiar with the basic procedure;
 - relevant operation and equipment requirement relating to ballast water management; and
 - whether or not the ship disposes of or discharges ballast water in accordance with requirement.

A copy of the *Notice to Implement Ship Pollution Control Plan* can be found in both [English](#) and [Mandarin](#).

Your Managers kindly thank Haitong & Partners in Shanghai for this information.