

# 03 Technical instructions



## 3.1. The ship's stay in the port

### 3.1.1. Objective of the technical instruction

Regulation of environmental aspects (waste, emissions, noise and discharges) generated by the presence of ships in the port. In this regard, the ship is understood to be present in the port as of its entry into zone II of the common water areas, and until it has left zone II.

### 3.1.2. Persons responsible for ensuring compliance

Ships' Captains will be responsible for ensuring compliance with this Technical Instruction. The title holders of companies supplying fuel to ships will also be responsible. In any case, the consignee will be particularly responsible for informing the ship's Captain of the content of these regulations.

Port reception facilities for ship generated waste (hereinafter, the MARPOL Service) as well as handling companies, and receivers of cargo and cargo-related residue will also be responsible.

### 3.1.3. Ship-generated waste

Solid residue (annexes V and VI of the MARPOL 73/78 Convention) and liquid residue (annexes I, II and IV<sup>50</sup> of the MARPOL 73/78 Convention) generated by ships, with the exception of cargo and cargo-related residue (Technical Instruction no. 6), must be delivered to the MARPOL Service, in accordance with the port or installation's Plan for the reception and handling of ship-generated waste.

Handling companies will be responsible for guaranteeing the reception of cargo and cargo-related waste, as well as for the cleaning of quays and forecourts, including transit or handling areas, as a consequence of goods depositing and handling operations.

Terminals for the loading or unloading of hydrocarbons, as well as shipyards and naval repair or scrapping facilities, must also have, in the area surrounding terminals and quays, services for the reception of cargo waste and ballast water from ships intended for such facilities, regulated by annexes I and II of the MARPOL 73/78 Convention, as well as the measures required to prevent and control any possible spillage. The title holders of these port facilities must also have services for the reception of ship-generated waste corresponding to annexes I, IV, V and VI of the MARPOL 73/78 Convention, and a plan for the reception and handling of ship-generated waste approved by the Port Authority.

Water from cargo residue may not be discharged from on board ship or from the quayside.

50. The waste contemplated in annex IV will be subject to that established in the Ship-generated waste section.



Waste may not be deposited on quays while awaiting collection by the port reception facility. This does not include the case of residues contemplated in annex V of the MARPOL 73/78 Convention, when the waste manager has provided containers and previously prepared areas on the quay, and provided that the time of deposit while awaiting removal is as short as possible, always under 12 hours, and the waste manager has been notified thereof in advance.

Drums containing hazardous waste must not be deposited or handled on the quays, while awaiting collection, except in those storage areas previously authorised by the Port authority, and with the identification of the owner and type of waste.

Flares and other pyrotechnic material must not be deposited in waste containers. Expired flares and pyrotechnic material must be returned to the supplier or manufacturer<sup>51,52</sup>.

### 3.1.4. Discharges from ships

As determined in the section in the general instructions on Discharges, the types of liquid residue contemplated in annexes I, II and IV MARPOL 73/78 Convention must be delivered to the authorised port reception facility (MARPOL Service); the discharge thereof within the port's service area is not permitted, with the exception of residues described

in annex IV which have been treated on board, do not give rise to any solid floating effluent or discolouration of the surrounding waters, and providing the ship has a valid international Certificate for the prevention of contamination by dirty waters, wherein the results of the tests to which the treatment plant was subjected appear<sup>53,54</sup>.

Nor may waste which may affect the quality of the waters, such as residues from repairs or maintenance work, or other liquid residues (waste from paint, anti-fouling treatments (paints), bilge water, tank cleaning water, used oils, residues of polluting fuels, etc.) be discharged into port waters.

Moreover, unless expressly relieved by the Port authority of this requirement, in the case of supplying fuel, cleaning holds or operations which may entail a risk of spillage, it must have suitable anti-pollution means available, in order to prevent the dispersion of the effects of any possible accidental spillage. More specifically, during fuelling operations, the ship's captain, or representative thereof, must ensure that the fuel supply company has sufficient means of containment for immediate use in the event of a spillage. In the event of an accidental spillage into the sea, the means for containment and collection thereof must be put in place.

In the case of terrestrial spillages or accidental discharges into the sea, the persons responsible for the operation must notify the Service and Emergency Control Centre (CCS/CCE), which will activate the corresponding Internal maritime plan,

51. Royal Decree 543/2007, of 27 April, determining the safety and prevention measures to be met by fishing vessels with less than 24m in length (L). Annex VI.12.

52. Additional technical instruction no. 12. Handling of products destined for elimination or inertisation. Royal Decree 563/2010, of 7 May, approving the Regulations for pyrotechnic articles and ammunition and Royal Decree 1335/2012, modifying the same.

53. Regulation 11 of annex IV to the MARPOL 73/78 Convention. Resolution MEPC.159(55).

54. In the case of fishing vessels, Royal Decree 543/2007, of 27 April, determining the safety and prevention measures to be met by fishing vessels with less than 24m in length (L). Annex VIII.12.



managing the waste generated by any such incidents properly, in accordance with the characteristics thereof, and restoring the conditions extant prior to said incidents.

With regard to ballast water, the Ballast Water Management Convention (2004) —once it comes into force after the ratification of the Convention by 30 states, and which will account for 35% of the tonnage from the world merchant fleet— will require ships to have the following:

- Ballast water management plan,
- Ballast water record book,
- Ballast water exchange (Rule D-1, see below),
- Ballast water management (Rule D-2, see below),
- International ballast water management certificate.

Additionally, ships will have to comply with the following ballast water management requirements:

1. For ships constructed prior to 2009, ballast water management will be:
  - With ballast water capacity between 1,500 m<sup>3</sup> and 5,000 m<sup>3</sup>, they must comply with Rule D-1 and with Rule D-2 until 2014.

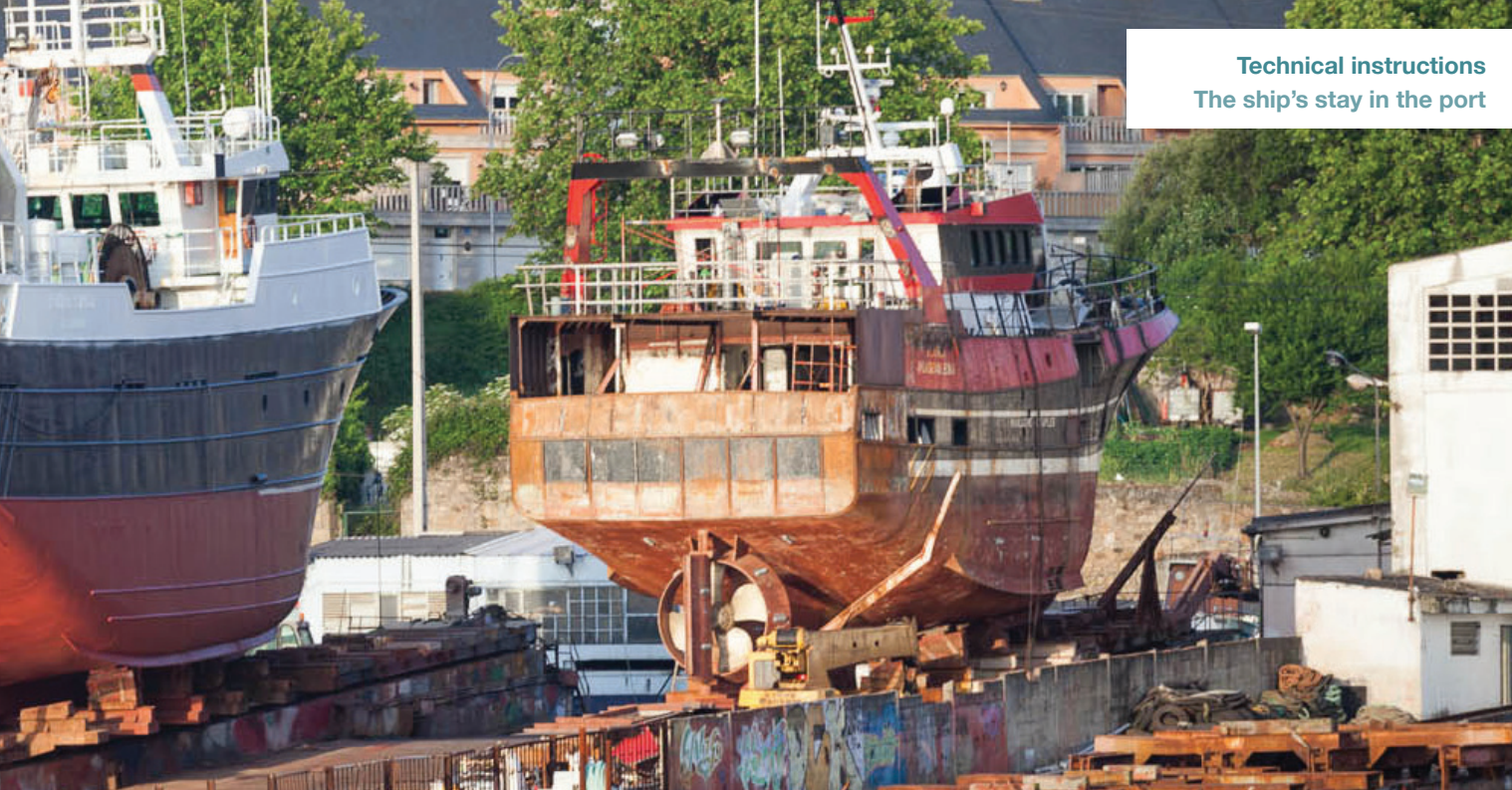
- With ballast water capacity lower than 1,500 m<sup>3</sup> or higher than 5,000 m<sup>3</sup>, they must comply with Rule D-1 and with Rule D-2 until 2016.
2. For ships built in 2009 or later:
    - With ballast water capacity lower than 5,000 m<sup>3</sup> they will need to perform ballast water management in compliance with Rule D-2.
    - With ballast water capacity equal to or greater than 5,000 m<sup>3</sup>, they must comply with Rule D-1 and with Rule D-2 until 2016..
  3. For ships built in 2012 or later:
    - With a capacity equal to or greater than 5,000 m<sup>3</sup>, they must comply with Rule D-2.

Those ships implementing ballast water management to comply with the regulations of Rule D-1 (ballast water pumping), must comply with the following:

- a. They must perform the ballast water exchange at least 200 miles from the nearest land, and in waters with a depth of at least 200 metres, in accordance with IMO Guidelines.
- b. In the case of ships which cannot perform said exchange in accordance with the previous paragraph, they must do so in line with the Organisation's Guidelines, and as far

55. Water pumping capacity 3 times the volume of the tank to guarantee 95 % of the total water unballasted.

56. The equipment's filtering capacity and other combined methods (ultraviolet light, heat, energy, etc.) to deal effectively with ballast water.



away from the nearest land as possible, and in all cases at least 50 miles away from the coast and in waters with a depth of at least 200 metres.

- c. In maritime areas where the distance to the nearest coast or the depth do not meet the aforesaid parameters, the port State—in consultation with neighbouring States, or with other States— may designate areas in which the ship is permitted to exchange its ballast water in accordance with IMO Guidelines.

Ships of 400 t gross tonnage and over will be subject to examinations, initially prior to their coming into service or when the International ballast water management certificate is granted for the first time (valid for a period of 5 years).

All requirements will be considered in a new edition of the environmental code of conduct.

### 3.1.5. Emissions from ships

Ships moored or anchored in the port of A Coruña may not use marine fuels with a sulphur content in excess of 0.10% by mass, with the crew being allowed sufficient time to perform any fuel changing operation as soon as possible after mooring and as late as possible after leaving.<sup>57</sup>

The ship's captain must ensure effective compliance with the obligations determined by annex VI of the MARPOL

Convention, which establishes the regulations for the prevention of atmospheric contamination from ships, with regard to the instruction for the monitoring of their emissions (addressed in section 3.7.3 of the technical instruction Supply of fuel and lubricants).

Additionally, pursuant to the aforesaid annex IV, captains must make sure that they are kept informed of the examinations applicable to their ships and guarantee that the equipment, systems, accessories, facilities and materials comply fully with the applicable requirements. In this regard, the ship must be in possession of a valid International Air Pollution Prevention Certificate<sup>58</sup>, and must make the same available to the Port Authority when so required.

The Port Authority of A Coruña encourages the adoption of good environmental practices through rebates on ships' port rates<sup>59</sup> (see section 1.7 **Environmental Rebates**, in chapter 1).

### 3.1.6. Scrapping of ships

The recycling of ships is addressed in technical instruction no. 12 **Recycling of ships**.

57. Royal Decree 290/2015, of 17 April, modifying Royal Decree 61/2006, of 31 January, establishing the specifications for petrol, diesel oil, fuel oil, and liquid petroleum gas, and regulating the use of certain biofuels and the sulphur content of marine fuels.

58. International Convention for the Prevention of Pollution from Ships

59. Art. 245 of Legislative Royal Decree 2/2011, establishing the rebates to be applied in the case of ships.