

駐美國代表處經濟組 函

地址：4301 Connecticut Ave. NW suite 4
20 Washington DC 20008 USA

承 辦 人：杜簡任秘書先覺

聯絡電話：(202)6866400

傳 真：(202)3636295

受文者：行政院農業委員會動植物防疫檢疫局

發文日期：中華民國101年12月20日

發文字號：經美字第10100015280號

速別：最速件

密等及解密條件或保密期限：

附件：

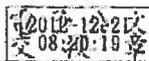
主旨：有關美國公告自102年1月1日起對木質棧板及船舶廚餘垃圾排放之新管制措施，詳如說明，請查照。

說明：

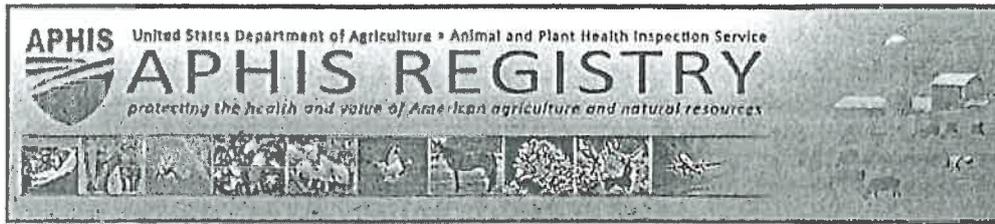
- 一、美國農業部動植物防疫檢疫局 (USDA / APHIS) 本 (101) 年12月20日公告，自明 (102) 年1月1日起，未標記國際植物檢疫措施第15號 (ISPM 15) 標誌之木質棧板 (wooden dunnage)，將禁止進入美國港口必需退運回原出口國。另其在廚餘垃圾，只有可生物分解的食品廢棄物 (biodegradable food wastes) 允許排放入海。
- 二、相關資料可至下列網址<http://content.govdelivery.com/bulletins/gd/USDAAPHIS-630854> 下載。

正本：行政院農業委員會動植物防疫檢疫局、交通部航政司

副本：行政院農業委員會國際處



駐美國代表處經濟組

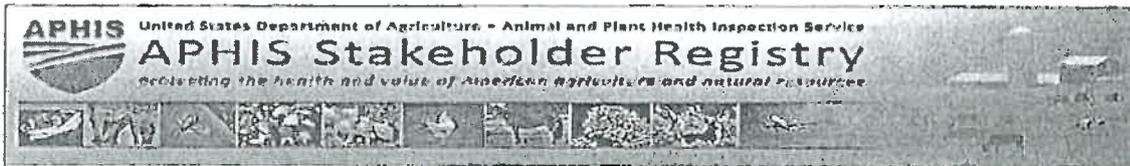


Prohibition on Disposal of Waste at Sea - MARPOL Update

USDA Animal and Plant Health Inspection Service sent this bulletin at 12/20/2012 09:46 AM EST

Having trouble viewing this email? [View it as a Web page.](#)

SHARE



Prohibition on Disposal of Waste at Sea - MARPOL Update

Beginning January 1, 2013, the discharge of garbage from ships into the sea is prohibited by MARPOL* (with certain exceptions). Only biodegradable food wastes are permitted to be discharged from ships into the sea. Products which were formerly allowed discharge, once the vessel was 25 miles out to sea, are no longer permitted to be discharged. Among the agricultural products of concern are APHIS regulated garbage (Food Waste) and wooden dunnage. Starting January 1, 2013, wooden dunnage that is not marked with the International Standard for Phytosanitary Measures No. 15 (ISPM 15) mark will be refused entry at U.S. ports and will no longer be allowed to discharge at sea. All wooden dunnage will need to be ISPM 15 compliant or will be returned to the country of origin.

APHIS is aware that such a change affects several of our stakeholders. We are forwarding this notification in an effort to reach out to our and bring awareness of the coming change.

Please see the following links for more information on these changes:

http://www.aphis.usda.gov/newsroom/hot_issues/wpm/downloads/MARPOL_text.pdf

http://www.aphis.usda.gov/newsroom/hot_issues/wpm/downloads/MARPOL_graph.pdf

*The United States, as a member of the International Maritime Organization, is a signatory to the International Convention for the Prevention of Pollutions by Ships (MARPOL); which is a standard for discharge of ship generated operational wastes. The U.S. Coast Guard is the enforcement branch of MARPOL for the United States. Amendments associated with Annex V of MARPOL will be effective January 1, 2013.

Please contact Tyrone Jones with any questions at John.T.Jones@aphis.usda.gov or 301-851-2344

SHARE



**Simplified overview of the discharge provisions of the revised
MARPOL Annex V (resolution MEPC.201(62)) which will enter into force on
1 January 2013**

(for more detailed guidance regarding the respective discharge requirements please refer to the text of
MARPOL Annex V or to the 2012 Guidelines for the Implementation of MARPOL Annex V)

Type of garbage	Ships outside special areas	Ships within special areas	Offshore platforms (more than 12 nm from land) and all ships within 500 m of such platforms
Food waste comminuted or ground	Discharge permitted ≥ 3 nm from the nearest land, en route and as far as practicable	Discharge permitted ≥ 12 nm from the nearest land, en route and as far as practicable	Discharge permitted
Food waste not comminuted or ground	Discharge permitted ≥ 12 nm from the nearest land, en route and as far as practicable	Discharge prohibited	Discharge prohibited
Cargo residues ¹ not contained in wash water	Discharge permitted ≥ 12 nm from the nearest land, en route and as far as practicable	Discharge prohibited	Discharge prohibited
Cargo residues ¹ contained in wash water		Discharge permitted ≥ 12 nm from the nearest land, en route, as far as practicable and subject to two additional conditions ²	Discharge prohibited
Cleaning agents and additives ¹ contained in cargo hold wash water	Discharge permitted	Discharge permitted ≥ 12 nm from the nearest land, en route, as far as practicable and subject to two additional conditions ²	Discharge prohibited
Cleaning agents and additives ¹ in deck and external surfaces wash water		Discharge permitted	Discharge prohibited
Carcasses of animals carried on board as cargo and which died during the voyage	Discharge permitted as far from the nearest land as possible and en route	Discharge prohibited	Discharge prohibited
All other garbage including plastics, synthetic ropes, fishing gear, plastic garbage bags, incinerator ashes, clinkers, cooking oil, floating dunnage, lining and packing materials, paper, rags, glass, metal, bottles, crockery and similar refuse	Discharge prohibited	Discharge prohibited	Discharge prohibited
Mixed garbage	When garbage is mixed with or contaminated by other substances prohibited from discharge or having different discharge requirements, the more stringent requirements shall apply		

1 These substances must not be harmful to the marine environment.

2 According to regulation 6.1.2 of MARPOL Annex V the discharge shall only be allowed if: (a) both the port of departure and the next port of destination are within the special area and the ship will not transit outside the special area between these ports (regulation 6.1.2.2); and (b) if no adequate reception facilities are available at those ports (regulation 6.1.2.3).

Inspections by the U.S. Coast Guard

The Coast Guard routinely visits and inspects ports and terminals to ensure compliance with reception facility regulations (33 CFR 158). These inspections can be pre-arranged or conducted without notice. An on-site inspection is always required before a COA is issued, either initially or for a renewal.

Handling Reports of Inadequacy

Reports of alleged reception facility inadequacy often stem from insufficient communications between the vessel and waterfront facility. When notice of alleged inadequacy is made, quick action must be taken to investigate and if necessary, correct problems.

A report of inadequacy can be made directly to the local Captain of the Port (COTP). This is preferred because the COTP can often take action that may lead to rapid resolution of actual or perceived problems, sometime before the vessel even departs the port. As an alternative, the report may be made to the vessel's Flag State Authority who will in turn notify the Port State (United States) and IMO. The U.S. Coast Guard then acts on the notification and directs an investigation be performed. Results of the investigation are then provided back to the Flag State Authority and IMO.

If a report of inadequacy is made, the waterfront facility should be prepared to provide investigators with at a minimum:

- Any records of communication to or from the vessel pertaining to waste reception needs or services available;
- The current COA and any supporting contracts with outside services, such as waste disposal companies;
- Waste delivery receipts

What Happens If Inadequacy is Determined?

If an inspection or investigation leads to a determination that a waterfront facility is not providing adequate reception facilities, a number of corrective or punitive actions may be imposed depending on, but not limited to, the severity of non-compliance, repeat offenses, or willful disregard for the regulations. Some actions that may be pursued include:

- An opportunity for immediate correction
- Issuance of a CG-835 that directs corrective action within a specified timeframe
- Revocation of a COA and imposition of an operational control that include prohibiting the waterfront facility from accepting vessels
- Imposition of civil or criminal penalties

Waterfront facility operators who have questions regarding the applicability of or compliance with 33 CFR 158 are encouraged to contact their local COTP:

Useful Internet Links

U.S. Coast Guard
www.uscg.mil

33 CFR 158 Reception Facility Regulations
<http://www.gpo.gov/fdsys/>

Coast Guard Maritime Information Exchange
<http://cgmix.uscg.mil/>

International Maritime Organization
<http://www.imo.org/OurWork/Pages/Home.aspx>

Global Integrated Shipping Information System
<http://gisis.imo.org/Public/Default.aspx>

A WATERFRONT FACILITY'S GUIDE to MARPOL and the CERTIFICATE OF ADEQUACY PROGRAM



U.S. Department of
Homeland Security

United States
Coast Guard



Summarizing MARPOL

In 1973 the International Maritime Organization (IMO) adopted the International Convention for the Prevention of Pollution by Ships. Its objective is to limit ship-borne pollution by restricting operational pollution and reducing the possibility of accidental pollution through the provision of reception facilities. MARPOL specifies standards for stowing, handling, shipping, and transferring pollutant cargoes, as well as standards for discharge of ship-generated operational wastes. Acceptance of the convention by national government obliges them to make the requirements part of domestic law.

MARPOL consists of six separate Annexes.

Annex	Pollution Source
I	Oil
II	Noxious Liquid Substances (NLSs)
III	Packaged Substances
IV	Packaged Substances
V	Garbage
VI	Air

Implementing MARPOL in the U.S.

Currently, the U.S. is signatory to Annexes I, II, III, V and VI. Annexes I, II, V and VI have been incorporated into U.S. law by the Act to Prevent Pollution from Ships and implemented within 33 USC 1901 and 33 CFR 151 and 158. The U.S. incorporates Annex III by the Hazardous Materials Transportation Act, HMTA implemented within 46 USC 2101 and 49 CFR 171-174 and 176.

The Certificate of Adequacy (COA) Program

To fulfill the U.S. obligation to MARPOL, the Coast Guard ensures applicable ports and terminals operate in compliance with domestic requirements for reception facilities. Specific ports and terminals are required to make application to the Coast Guard for a COA. If the Coast Guard finds the port or terminal can meet ships' waste disposal needs without undue delay or disincentive, a COA will be issued.

Individual COAs are issued based on oil, NLS or garbage wastes that are received. More than one COA may be required at a port or terminal. A COA issued by the Coast Guard is valid for five (5) years from its date of issuance.

Reception Facilities

Reception facilities are required at all ports and terminals for:

- Annex I wastes from oceangoing tankers, or any other oceangoing ship of 400 gross tons or more, carrying oily mixtures;
- Annex II wastes from oceangoing ships carrying NLSs; and
- Annex V wastes, except for marinas that serve less than 10 recreational vessels.

COA Applicability

The requirement for a port or terminal to provide a reception facility is separate from the requirement to hold a COA. A COA is required to operate if a port or terminal receives:

- Oceangoing tankers, or any other oceangoing ship of 400 gross tons or more, carrying oily mixtures
- Oceangoing ships carrying NLSs
- Fishing vessels which offload more than 500,000 pounds of fish per year

Amendments to MARPOL Annex V and Impacts to Waterfront Facilities

Beginning January 1, 2013, amendments to Annex V will come into effect. Among those amendments, three provisions are highlighted:

- Discharge of garbage from ships into the sea is prohibited unless allowed by MARPOL;
- While in the Wider Caribbean Region (WCR) Special Area (SA), discharge of comminuted food waste may only occur beyond 12 nautical miles from land; and
- While in the WCR SA, cargo hold washing water that includes small amounts of dry cargo residue (not classified as a marine pollutant) may be discharged.

In order to remain adequate, ports and terminals required to provide reception facilities must be prepared to handle a potential increase in the volume of discharged ships' waste. This may mean greater capacities for the reception of waste, or more frequent removal of received waste is necessary.

Best Practices

The U.S. Coast Guard encourages ports, terminals and vessels to use the IMO's "Guide to Good Practice for Port Reception Facility Providers and Users" which is available from the Global Integrated Shipping Information System. Communications between the vessel and reception facility are vital in ensuring proper arrangements are made and services provided. Use of the following forms found within the guide is encouraged:

- For the vessel:
- Advance Notification Form for Waste Delivery

- For the facility:
- Waste Delivery Receipt