

ANNEX 11

Resolution MEPC 22(22)

GUIDELINES FOR REPORTING INCIDENTS INVOLVING HARMFUL SUBSTANCES

adopted on 5 December 1985

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38 of the Convention on the International Maritime Organization concerning the functions of the Committee,

RECALLING ALSO Article 8 and Protocol I of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), concerning reports on incidents involving harmful substances,

RECALLING FURTHER resolution MEPC 21(22) by which it adopted amendments to Protocol I of MARPOL 73/78,

RECOGNIZING that States Parties to the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties (1969) and the Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances other than Oil (1973) may take such measures on the high seas as may be necessary to prevent, mitigate or eliminate grave and imminent danger to their coastline or related interests from pollution or threat of pollution of the sea by oil and substances other than oil following upon a maritime casualty or acts related to such a casualty, which may reasonably be expected to result in major harmful consequences,

RECOGNIZING ALSO the need for coastal States to be informed by the Master of an assisting ship or a ship undertaking salvage of particulars of action taken and the incident,

RECOGNIZING FURTHER that an incident involving damage, failure or breakdown of the ship, its machinery or equipment could give rise to a significant threat of pollution to coastlines or related interests,

NOTING resolution A.447(XI) by which Interim Guidelines for Reporting Incidents Involving Harmful Substances were adopted as an interim measure,

NOTING FURTHER that the Assembly at its fourteenth session requested the Committee to adopt and issue revised Guidelines to supersede the Guidelines contained in resolution A.447(XI),

HAVING CONSIDERED proposals for a revision of the Guidelines,

1. ADOPTS the Guidelines for Reporting Incidents Involving Harmful Substances, the text of which is set out in the Annex to the present resolution to supersede the Interim Guidelines contained in resolution A.447(XI);
2. RECOMMENDS Member Governments and States Parties to the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 to implement the Guidelines.

ANNEX

GUIDELINES FOR REPORTING INCIDENTS INVOLVING HARMFUL SUBSTANCES

1 INTRODUCTION

The intent of these guidelines is to enable coastal States and other interested parties to be informed without delay of any incident giving rise to pollution, or threat of pollution, of the marine environment, as well as of assistance and salvage measures, so that appropriate action may be taken.

2 HOW TO MAKE REPORTS

The report should be transmitted in the following manner:

- .1 to the nearest coastal State through an appropriate coast station preceded by the safety signal (if the incident affects the safety of navigation) or by the urgency signal (if it affects the safety of ship or persons);
- .2 on appropriate frequencies (in the bands 405-525 kHz, 1605-2850 kHz or 156-174 MHz);
- .3 when the ship is not within reach of an MF or VHF coast station, to the most appropriate HF coast station or on the relevant maritime satellite communication system;
- .4 when the ship is within or near an area for which a ship reporting system has been established, to the designated shore establishment responsible for operation of that system.

3 CONTENTS OF REPORTS

The report should contain the following specific information:

- .1 name of ship, call sign and flag;
 - .2 frequency or radio channel guarded;
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- .3 name, address, telex and telephone number of the ship's owner and representative (charterer, manager or operator of the ship or their agent);
- .4 type of ship, (e.g. oil tanker, chemical tanker, dry cargo ship) and gross tonnage;
- .5 date and time (UTC) of the occurrence of the incident;
- .6 brief description of incident (including damage sustained);
- .7 position, course and speed at time of incident, as appropriate;
- .8 the correct technical name (trade names should not be used, if possible), quantity, and concentration of the harmful substance discharged or likely to be discharged into the sea; and
- .9 type and quantity of cargo carried, harmful substances to be specified.

4 SUPPLEMENTARY REPORT

4.1 Immediately following or as soon as possible after the transmission of the information referred to in section 3, as much as possible of the following information essential for the protection of the marine environment as appropriate to the incident should be reported:

- .1 condition of the ship, as relevant;
 - .2 ability to transfer cargo/ballast;
 - .3 cause of the discharge;
 - .4 whether the discharge is continuing, and the approximate quantity discharged;
 - .5 weather on scene, sea and current conditions;
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- .6 estimate of the spill movement, if possible include an estimate of the surface area of the spill;
- .7 actions being taken with regard to the discharge and the movement of the ship;
- .8 assistance which has been requested from or which has been provided by others;
- .9 correct technical name, UN number, IMO Dangerous Goods Class and manufacturer of the harmful substance;
- .10 type of packaging including identification marks and whether in packaged form, freight containers, portable tanks, road and rail vehicles or shipborne barges;
- .11 whether the lost packaged harmful substance floated or sank;
- .12 estimate of the quantity and likely condition of the packaged harmful substance.

4.2 In the case of a sinking or stranding, suitable arrangements should be made for these reports to be supplemented as soon as possible by the full dangerous goods list or manifest, stowage plan and details of damage to the ship and likely state of the cargo.

5 PROBABILITY OF DISCHARGE

5.1 The probability of a discharge resulting from damage to the ship or its equipment is a reason for making a report. In judging whether there is such a probability and whether the report should be made, the following factors, among others, should be taken into account:

- .1 the nature of the damage, failure or breakdown of the ship, machinery or equipment; and
 - .2 sea and wind state and also traffic density in the area at the time and place of the incident.
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5.2 It is recognized that it would be impracticable to lay down precise definitions of all types of incidents involving probable discharge which would warrant an obligation to report. Nevertheless as a general guideline, the master of the ship should make reports in cases of:

- .1 damage, failure or breakdown which affects the safety of ships.
Examples of such incidents are collision, grounding, fire, explosion, structural failure, flooding, cargo shifting; and
- .2 failure or breakdown of machinery or equipment which results in the impairment of the safety of navigation. Examples of such incidents are failure or breakdown of steering gear, propulsion plant, electrical generating system, essential shipborne navigational aids.

6 REPORTS ON ASSISTANCE OR SALVAGE

6.1 Whenever a ship is engaged in or requested to engage in an operation to render assistance to or undertake salvage of a ship involved in an incident referred to in sub-paragraph 1(a) or 1(b) of Article II of Protocol I of MARPOL 73/78, as amended, the Master of the former ship should report without delay the particulars of the action undertaken or planned. In addition he should report, as far as practicable, on the items referred to in sections 3 and 4. Reports should be made in accordance with section 2 and the coastal State should be kept informed regarding developments.

7 ACTION BY GOVERNMENTS

7.1 Governments should issue appropriate instructions to coast stations, Coast Earth Stations (CES) and designated shore establishments responsible for operation of any ship reporting system to ensure that reports are relayed without delay to the officer or agency designated to receive and process such reports, and to ensure that the officer or agency relays the report without delay to any coastal State which may be affected.

7.2 Affected States which may require information relevant to the incident should take into account the circumstances in which the Master is placed and should endeavour to limit their requests for additional information.
