

Regulations in Shanghai on the Prevention and Control of Marine Environmental Pollution by Ship



Article 1 These regulations are formulated in accordance with relevant laws and regulations such as the "Regulations on the Prevention and Control of Marine Environmental Pollution by Ships", the "Administrative Regulations of the People's Republic of China on the Prevention and Control of Marine Environmental Pollution by Ships and their Related operations", and "Measures for the Prevention and Control of Ship Pollution in Shanghai Port".

Article 2 These regulations apply to ship pollutant reception and STS operations and related units, ships and personnel within the jurisdiction of Shanghai.

Article 3 The Shanghai MSA is responsible for the unified management of ship pollutant reception and water transshipment operations within Shanghai; each branch maritime bureau is responsible for the on-site supervision and management of ship pollutant reception and water transshipment operations within its jurisdiction according to their duties.

Article 4 The discharge of pollutants from ships sailing, berthing, or operating within the jurisdiction of the Shanghai shall comply with relevant national laws, regulations, rules, and standards as well as the provisions of international treaties concluded or acceded to by the People's Republic of China. Vessels shall dispose the pollutants that do not meet the emission requirements and the pollutants that are prohibited from being discharged according to law to shore reception facilities with corresponding receiving capabilities.

Article 5 Facilities that receive/transfer ship pollutants (hereinafter referred to as "shore facility") shall comply with relevant national laws, regulations, rules and registered business certificate with related service. The shore facility shall meet the requirements of the "Requirements for Receiving and Treatment Capability of Ship Pollutants Receiving and Ship Clearance Operations" (JT/T673), and have or agree to have the ability to prevent and remove pollution commensurate with its operational risks.

Article 6 The receiving and transferring of ship pollutants containing toxic and hazardous substances or other dangerous ingredients shall comply with the relevant national regulations on hazardous waste management. Garbage and domestic sewage from ships in epidemic areas shall be quarantined by the relevant quarantine department before being

received and transferred.

Article 7 The shore facility shall be equipped with facility and equipment that meet the requirements, establish and implement a safety and pollution prevention plan, abide by the relevant national standards and regulations, take effective pollution prevention measures, and prevent pollutant spills.

Article 8 Shore facilities shall make emergency response plans for the prevention and control of pollution of the marine environment during the operation, and keep it on record with the relevant MSA. A drill is held every six months, and the emergency plan is evaluated and revised according to the drill performance.

Article 9 Shore facilities shall organize their operators to conduct professional training on operating skills, equipment use, operating procedures, safety protection and emergency response, etc., to ensure that operators have professional knowledge and skills related to safety and pollution prevention.

Article 10 The shore reception operator on the water shall own the receiving ship suitable for the operating species and navigation area.

Article 11 The receiving ship shall meet the requirements of the national technical specifications for the prevention and control of pollution of the marine environment by ships, hold corresponding certificates and documents, be equipped with emergency equipment corresponding to the pollution risks caused by its operations, and keep it in working conditions at all times. The receiving ship should install an automatic ship identification system (AIS) and keep it in normal working condition. The equipped rubber infusion hose shall be tested by a qualified testing agency every six months in accordance with the relevant technical standards, and shall hold a test certificate.

Article 12 Vessels receiving residual oil and oily sewage shall be oil tanker and meet the requirements of anti-pollution double-hull structure, and the receiving ship of the type of "oil tanker" shall meet the requirements of anti-pollution double-hull structure within one year from the effective date of this regulation; Other receiving vessels such as "oily sewage treatment vessel", "oil spill (soil) recovery vessel", etc., shall meet the pollution prevention double-hull structure requirements within 2 years from the effective date of this regulation. The receiving vessel shall operate in accordance with the wind resistance level specified in its certificate. For inland river receiving vessels that do not specify the wind

resistance level in the certificate, they shall not operate when the wind force exceeds level 6.

Article 13 Vessels engaged in the reception of residual oil and oily sewage shall, in accordance with the "Implementation Measures of the People's Republic of China on Public Liability Insurance for Vessel Oil Pollution Damage", purchase Public liability insurance for vessel oil pollution damage or obtain corresponding financial guarantees.

Article 14 Before collecting pollutants from ships, the shore facility shall, in accordance with the regulations, specify the operating time, location, operating unit, operating vessel, pollutant type and the quantity, proposed disposal method and destination, etc. shall be reported. If the reception plan changes, it shall be reported in time. It should be confirmed in time after the completion of the operation. In order to facilitate the reporting of operations by shore facility, Shanghai MSA implements an online reporting system. Shore facility shall report their operations through the maritime e-platform.

Article 15 In addition to the report, the shore facility shall also report the operation time and location, operation type and quantity to the branch maritime bureau of the jurisdiction via VHF, telephone and other instant communication methods when the operation is about to start.

Article 16 The shore facility shall report in advance before starting operations for the first time, submit the following materials and accept supervision and inspection:

- (1) The information of the shore reception facility;
- (2) Certification issued by relevant departments;
- (3) Emergency response plan, the pollutant treatment plan;
- (4) Proof materials of the ability to prevent and remove pollution;
- (5) List of personnel and operators and training certificates;
- (6) The rubber infusion hose inspection certificate;
- (7) Pollutant disposal agreements with qualified factories.

Article 17 The shore facility units that use ships to receive pollutants should also submit the following materials before starting operations for the first time:

- (1) Ship's nationality certificate, registration certificate, ship survey certificate, ship's minimum safe manning certificate, ship's oil pollution emergency plan, ship's oil pollution damage public liability insurance certificate, or other financial guarantee certificates, Mobilization Maritime Service Identification (MMSI) number;
- (2) List of crew members and their special training certificates;

(3) Certification materials of the dock that meets the docking conditions of the receiving ship or the docking agreement signed with the dock that meets the docking conditions of the receiving ship.

Article 18 The MSA shall carry out supervision and inspection of the first operations of the shore facility unit, promptly announces the above-mentioned unit information to the public as required.

Article 19 The announced shore facility unit shall keep the actual situation consistent with the published information. If the situation of the unit, ship, vehicle, main person in charge of the unit, safety and pollution prevention management personnel, etc. changes, the relevant materials shall be reported within one week after the change, and reconfirmation and announcement shall be carried out.

Article 20 When a ship entrusts a shore facility unit to receive residual oil and oily sewage, its ship operator shall entrust a shore facility unit at Shanghai Port to receive it before the operation, and sign a pollutant receiving agreement with it; the ship operator has a local branch For companies (offices), the local branch (office) shall sign or confirm the pollutant entrusted acceptance agreement. For ships in the shipyard for repairing, building, dismantling, and discharging residual oil and oily sewage, the shipyard and the shore facility unit shall sign an entrusted acceptance agreement. The shore facility unit shall enter the above-mentioned entrusted receiving agreement and the list of ships to which it belongs to the maritime e- platform. If the ship operator changes the shore facility unit, it shall sign an entrusted receiving agreement with the new receiving unit and report it to Shanghai MSA for **public announcement for 60 days**. After the expiration of the publicity period, the shore facility unit will enter the new entrusted acceptance agreement and the list of its ships into the maritime e-platform.

Article 21 Shore facility units in Shanghai are encouraged to establish associations to carry out self-management and standardize receiving operations.

Article 22 When a vessel receives residual oil, oily sewage, or pollutants containing toxic and hazardous substances at an anchorage, it shall entrust a qualified evaluation agency to evaluate the operation plan, pollution risk and pollution removal capacity, and report to authority. It is not necessary to repeat the assessment for the anchorage receiving operations of the same receiving unit, the same ship type, the same pollutant type, and the same operation site.

Article 23 Before carrying out ship dismantling and ship oil tank repair operations, the operating unit shall effectively dispose of the residues and wastes on board the ship, and obtain the pollutant receipts in accordance with regulations. If the ship is repaired and built in the dock, the shipyard shall clean up the pollutants in the dock before sinking the floating dock or opening the dock door. For ship pollutant receiving operations during the period of ship dismantling and entering the factory for repair, the safety and pollution prevention responsibilities have been clearly defined by the shipyard through relevant agreements, and the shipyard shall perform the corresponding safety and pollution prevention responsibilities of the ship. The shipyard shall establish a management system for the prevention and control of pollution of the marine environment by ships, and take necessary protective measures to prevent marine environmental pollution during ship repair and construction.

Article 24 Under any of the following circumstances, the receiving and transferring of ship pollutants is not allowed:

- (1) The content of the report does not match the actual situation;
- (2) The receiving or transshipping ship is found to have operational safety and pollution hazards or defects, and it is not corrected within the prescribed time limit;
- (3) The meteorological and hydrological conditions of the operation site do not meet the requirements for operation safety and pollution prevention;
- (4) Operating in a special protected area;
- (5) The conditions for safe and anti-pollution operations are not met after pollution risk assessment;
- (6) The ship comes from an epidemic area or a key infectious disease prevention and control area, and its domestic sewage and ship garbage have not been approved by the inspection and quarantine department;
- (7) Other situations where operations are not permitted by laws, regulations and rules.

Article 25 In the process of receiving and transshipping ship pollutants, both parties should fill in the "Confirmation of Ship Pollutant Receiving Operation Safety and Pollution Prevention" in accordance with the "Requirements for Receiving and Processing Capabilities of Ship Pollutants Receiving and Cleaning Operations". (Annex II), operate in accordance with prescribed operating procedures, and implement safety and pollution prevention measures.

Article 26 The shore facility unit shall truthfully record the operation status

in the corresponding record book after the pollutant receiving operation is completed, and issue the pollutant receipt to the ship, which shall be signed by both parties and kept for at least 2 years. The pollutant receipt shall indicate the name of the operating unit, the names of the ships of both parties, the time and place of the start and end of the operation, and the type and quantity of pollutants. The ship shall keep the pollutant receipts in the corresponding record book.

Article 27 The shore facility unit shall send the received ship pollutants to a unit with corresponding qualifications or capabilities for treatment. Shore facility units shall comply with the reporting requirements of the combined system for pollutant reception, transferring and treatment. If the received ship pollutants are still used for transit or transfer after pretreatment, they shall go through the relevant declaration procedures in accordance with the relevant regulations on the management of water-borne pollution hazardous goods.

Article 28 For unattended pollutant receiving sites, the shore facility unit shall set up effective monitoring and reporting equipment to ensure the effective development of closed-loop pollutant management.

Article 29 MSA may implement lead sealing management on ships sailing, berthing, and operating in Shanghai Port for more than 30 days and ships repaired in docks. If a ship needs to unseal the sewage equipment, it should report that implements the lead seal in advance and explain the reason; if it is necessary to unseal the sewage equipment in an emergency that endangers the safety of the ship, the ship should report that implements the lead seal as soon as possible after unsealing. The unsealing situation shall be truthfully recorded in the engine log.

Article 30 MSA shall supervise & inspect the receiving and transferring operations in accordance with its duties in accordance with the law. If it is found to be inconsistent with these regulations, it shall be ordered to make corrections in accordance with the law. If MSA discovers that shore facility units, ships and related personnel violate relevant laws and regulations, they will be dealt with in accordance with the law.

Article 31 Shanghai MSA shall keep close eyes on shore facility units that have one of the following situations in the past three years:

- (1) Fire, explosion, shipwreck, pollution and other accidents occur;
- (2) It has records punishment such as illegal discharge of pollutants;
- (3) Having bad records of integrity or fraudulent acts such as forging documents;
- (4) Refusing to accept or obstructing the supervision of MSA;

(5) Other acts that violate regulations & cause serious consequences.

Article 32 The MSA and MEE carry out joint supervision of ship pollutant transshipment and disposal, establish an information sharing mechanism, and promote closed-loop management of ship pollutants.

Article 33 The "pollutants" referred to in these regulations include ship residual oil (oil sludge), oily sewage, sewage containing toxic and hazardous substances, garbage, domestic sewage, and washing water residues from the ship's waste gas cleaning system. "Ship operator" in these regulations refers to the company that is actually responsible for ship operation and management.

Article 34 Pollutants generated during ship clearance operations shall be received and processed in this port, and relevant reporting and receiving operations requirements shall be implemented in accordance with these regulations.

Article 35 These regulations shall come into effect on January 1, 2021, and shall be valid until December 31, 2025. The original "Interim Regulations of Shanghai Maritime Safety Administration on the Prevention and Control of Marine Environmental Pollution by Ship Pollutant Receiving Operations" (Huhai Weifang [2010] No. 529) shall be repealed simultaneously.

Shanghai Highwoods Ship Co., Ltd. is inviting you partnering together efforting on sea environment protection



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