Guidelines for exemption from compliance with the requirements Annex IV of MARPOL, 73/78, for ships registered under Merchant shipping Act, 1958, operating in Indian coast.

Engineering Circular No. 114/2009

NO:ENG/OPP-38(2)/97-Annex IV Dated 18.08.2009

Subject:- Guidelines for exemption from compliance with the requirements Annex IV of MARPOL, 73/78, for ships registered under Merchant shipping Act, 1958, operating in Indian coast.

1. Further to the **Engineering Circular No. 107/2009**, it has been noted that some ship owners / operators operating ships on Indian coast are still in the process to comply with the provisions of Annex IV of MARPOL 73/78 and are repeatedly approaching this Directorate for exemption / extension from the compliance with the provision of Annex- IV of MARPOL 73/78.
2. Non-compliance with Annex IV of MARPOL 73/78 by few Passenger Ships has also been observed. The ship-owners of these passenger ships have indicated that compliance with Annex-IV of MARPOL 73/78 by these vessels is impractical due to the inherent design and configuration of hull structure and machinery. In order to prevent disruption of such essential transportation services, the Directorate General of Shipping has made the following criteria, which need to be followed:-
   - i. For all those applicants who are desirous of availing exemption /extension from the compliance with Annex IV of MARPOL 73/78, will approach the Indian Register of Shipping (IRS), for carrying out necessary feasibility study towards the installation of a compatible sewage holding tank of adequate capacity or otherwise.
   - ii. In case, sewage holding tank need to be installed, then same to be completed in all respects during the first scheduled dry-dock or as indicated in the feasibility report, which ever is earlier, with proof of capacity computation.
     Note: In the feasibility report, the IRS is required to clearly indicate as to whether the installation of a sewage holding tank and fitment of necessary arrangement is possible while the vessel is afloat.
   - iii. In case, the feasibility report of IRS indicates the impracticality of installing sewage holding tank and necessary arrangement, then a waiver may be considered by the Directorate. This waiver shall, however, will not be considered for new ships as defined in regulation 1 of Annex IV of MARPOL 73/78.
   - iv. Notwithstanding the above, all those vessels issued with waiver as per paragraph 2(iii) need to take due precaution to ensure that they discharge sewage only when the vessel is more than 12 Nautical miles (NM) from the nearest land and it is en-route and proceeding at not less than 4 knots. Incase, toilets / urinals need to be used while the vessel is within 12 NM than in such cases, use of portable toilet may be considered. Master to enforce and maintain a record that all water-closets and toilets are sealed when the vessel is within 12 NM from the nearest land, for necessary inspection by the competent authority.
   - v. Vessels which do not go beyond 12 NM will need to abide by the same restrictions as stated in paragraph 2(iv), however the Master to enforce the same restrictions when the vessel is no closer than 3 NM from the nearest land. This issues with the approval of the competent authority in the Directorate General of Shipping, Mumbai.

Sd/-

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