

# **Prevention of Pollution of the Sea (Oil) (Amendment) Regulations 2010**

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**No. S 792**

## **PREVENTION OF POLLUTION OF THE SEA ACT (CHAPTER 243)**

### **PREVENTION OF POLLUTION OF THE SEA (OIL) (AMENDMENT) REGULATIONS 2010**

In exercise of the powers conferred by sections 7(4), 12 and 34 of the Prevention of Pollution of the Sea Act, the Maritime and Port Authority of Singapore, with the approval of the Minister for Transport, hereby makes the following Regulations:

#### **Citation and commencement**

**1.** These Regulations may be cited as the Prevention of Pollution of the Sea (Oil) (Amendment) Regulations 2010 and shall come into operation on 1st January 2011.

*[G.N. Nos. S 393/2007; S26/2008; S 466/2008]*

#### **Amendment of regulation 2**

**2.** Regulation 2 of the Prevention of Pollution of the Sea (Oil) Regulations 2006 (G.N.

No. S 685/2006) (referred to in these Regulations as the principal Regulations) is amended by deleting the definition of “IMO” and substituting the following definition:

““IMO” or “Organization” means the International Maritime Organization;”.

### **Amendment of regulation 3**

3. Regulation 3(3) of the principal Regulations is amended by deleting the words “regulation 2(1)” and substituting the words “regulation 2.1”.

### **Amendment of regulation 5**

4. Regulation 5 of the principal Regulations is amended —

- (a) by deleting the words “regulation 7(2)” in paragraph (2) and substituting the words “regulation 7.2”; and
- (b) by deleting paragraph (3) and substituting the following paragraph:

“(3) For the purposes of regulations 14.3, 14.5.3.1, 18.5, 18.8.2, 18.8.4, 18.10.1.1, 19.8, 23.3.1, 25.5, 27.3.1, 28.1.3, 28.3.4, 28.4.4, 29.2.1, 29.2.3, 30.6.5.2, 30.7, 31.4, 33, 35.1, 37.1, 39, 40.1 and 41.1 of Annex I, references to the Administration shall be read as references to the Director or an authorised organisation.”.

### **Amendment of First Schedule**

5. The First Schedule to the principal Regulations is amended —

- (a) by inserting, immediately after paragraph 30 of regulation 1, the following paragraphs:

“31. *Oil residue (sludge)* means the residual waste oil products generated during the normal operation of a ship such as those resulting from the purification of fuel or lubricating oil for main or auxiliary machinery, separated waste oil from oil filtering equipment, waste oil collected in drip trays, and waste hydraulic and lubricating oils.

32. *Oil residue (sludge) tank* means a tank which holds oil residue (sludge) from which sludge may be disposed directly through the standard discharge connection or any other approved means of disposal.

33. *Oily bilge water* means water which may be contaminated by oil resulting from things such as leakage or maintenance work in machinery spaces. Any liquid entering the bilge system including bilge wells, bilge piping, tank top or bilge holding tanks is considered oily bilge water.

34. *Oily bilge water holding tank* means a tank collecting oily bilge water prior to its discharge, transfer or disposal.”;

- (b) by deleting paragraphs 1, 2 and 3 of regulation 12 and substituting the following paragraphs:

“1. Every ship of 400 gross tonnage and above shall be provided with a tank or tanks of adequate capacity, having regard to the type of machinery and length of voyage, to receive the oil residues (sludge) which cannot be dealt with otherwise in accordance with the requirements of this Annex.

2. Oil residue (sludge) may be disposed of directly from the oil residue (sludge) tank(s) through the standard discharge connection referred to in regulation 13, or any other approved means of disposal. The oil residue (sludge) tank(s):

1 shall be provided with a designated pump for disposal that is capable of taking suction from the oil residue (sludge) tank(s); and

2 shall have no discharge connections to the bilge system, oily bilge water holding tank(s), tank top or oily water separators except that the tank(s) may be fitted with drains, with manually operated self-closing valves and arrangements for subsequent visual monitoring of the settled water, that lead to an oily bilge water holding tank or bilge well, or an alternative arrangement, provided such arrangement does not connect directly to the bilge piping system.

3. Piping to and from oil residue (sludge) tanks shall have no direct connection overboard, other than the standard discharge connection referred to in regulation 13.

4. In ships delivered after 31 December 1979, as defined in regulation 1.28.2, tanks for oil residues shall be designed and constructed so as to facilitate their cleaning and the discharge of residues to reception facilities. Ships delivered on or before 31 December 1979, as defined in regulation 1.28.1, shall comply with this requirement as far as is reasonable and practicable.”;

- (c) by deleting the word “sludge” in regulation 13 and substituting the words “oil residue (sludge)”;
- (d) by deleting the words “sludge and other oil residues” in paragraph 2.3 of regulation 17 and substituting the words “oil residue (sludge)”;
- (e) by deleting the word “sludge” in paragraphs 2.4, 7.1 and 7.2 of regulation 38 and substituting in each case the words “oil residue (sludge)”;
- (f) by inserting, immediately after regulation 39, the following chapter:

#### “CHAPTER 8

#### PREVENTION OF POLLUTION DURING TRANSFER OF OIL CARGO BETWEEN OIL TANKERS AT SEA

## REGULATION 40 — Scope of application

1. The regulations contained in this chapter apply to oil tankers of 150 gross tonnage and above engaged in the transfer of oil cargo between oil tankers at sea (STS operations) and their STS operations conducted on or after 1 April 2012. However, STS operations conducted before that date but after the approval of the Administration of STS operations Plan required under regulation 41.1 shall be in accordance with the STS operations Plan as far as possible.

2. The regulations contained in this chapter shall not apply to oil transfer operations associated with fixed or floating platforms including drilling rigs; floating production, storage and offloading facilities (FPSOs) used for the offshore production and storage of oil; and floating storage units (FSUs) used for the offshore storage of produced oil<sup>1</sup>.

<sup>1</sup> Revised Annex I of MARPOL, chapter 7 (resolution MEPC.117(52)) and UNCLOS article 56 are applicable and address these operations.

3. The regulations contained in this chapter shall not apply to bunkering operations.

4. The regulations contained in this chapter shall not apply to STS operations necessary for the purpose of securing the safety of a ship or saving life at sea, or for combating specific pollution incidents in order to minimize the damage from pollution.

5. The regulations contained in this chapter shall not apply to STS operations where either of the ships involved is a warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on government non-commercial service. However, each State shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities of such ships that the STS operations are conducted in a manner consistent, so far as is reasonable and practicable, with this chapter.

## REGULATION 41 — General rules on safety and environmental protection

1. Any oil tanker involved in STS operations shall carry on board a Plan prescribing how to conduct STS operations (STS operations Plan) not later than the date of the first annual, intermediate or renewal survey of the ship to be carried out on or after 1 January 2011. Each oil tanker's STS operations Plan shall be approved by the Administration. The STS operations Plan shall be written in the working language of the ship.

2. The STS operations Plan shall be developed taking into account the information contained in the best practice guidelines for STS operations identified by the Organization<sup>2</sup>. The STS operations Plan may be incorporated

into an existing Safety Management System required by chapter IX of the International Convention for the Safety of Life at Sea, 1974, as amended, if that requirement is applicable to the oil tanker in question.

<sup>2</sup> IMO's "Manual on Oil Pollution, Section I, Prevention" as amended, and the ICS and OCIMF "Ship-to-ship Transfer Guide, Petroleum", fourth edition, 2005.

3. Any oil tanker subject to this chapter and engaged in STS operations shall comply with its STS operations Plan.

4. The person in overall advisory control of STS operations shall be qualified to perform all relevant duties, taking into account the qualifications contained in the best practice guidelines for STS operations identified by the Organization<sup>3</sup>.

<sup>3</sup> Revised Annex I of MARPOL chapters 3 and 4 (resolution MEPC.117(52)); requirements for recording bunkering and oil cargo transfer operations in the Oil Record Book, and any records required by the STS operations Plan.

5. Records<sup>4</sup> of STS operations shall be retained on board for three years and be readily available for inspection by a Party to the present Convention.

<sup>4</sup> IMO's "Manual on Oil Pollution, Section I, Prevention" as amended, and the ICS and OCIMF "Ship-to-ship Transfer Guide, Petroleum", fourth edition, 2005.

#### REGULATION 42 — Notification

1. Each oil tanker subject to this chapter that plans STS operations within the territorial sea, or the exclusive economic zone of a Party to the present Convention shall notify that Party not less than 48 hours in advance of the scheduled STS operations. Where, in an exceptional case, all of the information specified in paragraph 2 is not available not less than 48 hours in advance, the oil tanker discharging the oil cargo shall notify the Party to the present Convention, not less than 48 hours in advance that an STS operation will occur and the information specified in paragraph 2 shall be provided to the Party at the earliest opportunity.

2. The notification specified in paragraph 1 of this regulation<sup>5</sup> shall include at least the following:

<sup>5</sup> The national operational contact point as listed in document MSC-MEPC.6/Circ.4 of 31 December 2007 or its subsequent amendments.

- 1 name, flag, call sign, IMO Number and estimated time of arrival of the oil tankers involved in the STS operations;