Commission Implementing Decision (EU) 2019/995 of 17 June 2019 amending Implementing Decision (EU) 2016/2323 establishing the European List of ship recycling facilities pursuant to Regulation (EU) No 1257/2013 of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2019/995

of 17 June 2019

amending Implementing Decision (EU) 2016/2323 establishing the European List of ship recycling facilities pursuant to Regulation (EU) No 1257/2013 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC[(1)], and in particular Article 16 thereof,

Whereas:

(1) Article 6(2) of Regulation (EU) No 1257/2013 requires ship owners to ensure that ships destined to be recycled are only recycled at ship recycling facilities included in the European List of ship recycling facilities published pursuant to Article 16 of that Regulation.

(2) The European List is set out in Commission Implementing Decision (EU) 2016/2323[(2)].

(3) Denmark has informed the Commission that two ship recycling facilities[(3)] located in its territory have been authorised by the competent authority in accordance with Article 14 of Regulation (EU) No 1257/2013. Denmark has provided the Commission with all information relevant for those facilities to be included in the European List. The European List should therefore be updated to include those facilities.

(4) Following incorporation of Regulation (EU) No 1257/2013 into the Agreement on the European Economic Area[(4)], Norway has informed the Commission that five ship recycling facilities[(5)] located in its territory have been authorised by the competent authority in accordance with Article 14 of that Regulation. Norway has provided the Commission with all information relevant for those facilities to be included in the European List. The European List should therefore be updated to include those facilities.

(5) The Commission has received an application in accordance with Article 15(1) of Regulation (EU) No 1257/2013 for a ship recycling facility[(6)] located in Turkey to be included in the European List. Having assessed the information and supporting evidence provided or gathered in accordance with Article 15 of that Regulation, the Commission considers that the facility complies with the requirements set out in Article 13 of that

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2019/995. (See end of Document for details)*

Regulation to conduct ship recycling and to be included in the European List. The European List should therefore be updated to include that facility.

(6) Moreover, it is necessary to correct an error in relation to the information with regard to Article 16(2)(d) of Regulation (EU) No 1257/2013 included in the European List for the ship recycling facility located in Finland.

(7) Implementing Decision (EU) 2016/2323 should therefore be amended accordingly.

(8) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 25 of Regulation (EU) No 1257/2013,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Implementing Decision (EU) 2016/2323 is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 17 June 2019.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2019/995. (See end of Document for details)*

ANNEX

ANNEX

THE EUROPEAN LIST OF SHIP RECYCLING FACILITIES REFERRED TO IN ARTICLE 16 OF REGULATION (EU) No 1257/2013

PART A

Ship recycling facilities located in a Member State

Name of the facility	**Method of recycling**	**Type and size of ships that can be recycled**	**Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management**	**Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority[a]**	**Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility[b]**	**Date of expiry of inclusion in the European List[c]**
BELGIUM						
NV Galloo Recycling Ghent Scheepszatestraat 9 9000 Gent Belgium Phone: +32(0)9/251 25 21 Email: peter.wyntin@galloo.com	Alongside (wet berth), slope	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 265 meters Width: 37 meters		Tacit approval, with a maximum review period of 30 days	34 000[d]	31 March 2020

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			Draught: 12,5 meters			
DENMARK						
FAYARD A/S Kystvejen 100 DK-5330 Munkebo Denmark www.fayard.dk Phone: +45 7592 0000 Email: fayard@fayard.dk	Drydock decommissioning and recycling	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 415 meters Width: 90 meters Draught: 7,8 meters	The ship recycling facility is regulated in accordance with applicable legislation and with the conditions set out in Environmental Permit of 7 November 2018 issued by the Municipality of Kerteminde. The Environmental Permit includes conditions for operating hours, special operating conditions, handling and storage of waste and also includes a condition that the activity must be carried out in a dry dock.	Tacit approval, with a maximum review period of 14 days.	0[e]	7 November 2023
Fornæs ApS Rolshøjvej 12-16	Dismantling by quay and subsequent scrapping	Ships as defined in point (1) of Article 3(1) of	The municipality of Norddjurs has the	Tacit approval, with a maximum review	30 000[f]	30 June 2021

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2019/995. (See end of Document for details)*

8500 Grenaa Denmark www.fornaes.dk Phone: +45 86326393 Email: recycling@fornaes.dk	on impermeable floors with effective drainage systems	Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 150 meters Width: 25 meters Draught: 6 meters GT: 10 000	right to allocate Hazardous waste for environmentally approved reception facilities.	period of 14 days.		
Modern American Recycling Services Europe (M.A.R.S) Sandholm 60 9900 Frederikshavn Denmark Website: http://www.modernamericanrecyclingservices.com/ Email: kim@mars-eu.dk	Clipping and flame cutting after the item for dismantling has been placed in a slipway facility	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 290 meters Width: 90 meters Draught: 14 meters	The conditions under which the ship recycling facility operates are defined in the Environmental Permit of 9 March 2018 issued by the Municipality of Frederikshavn The Municipality of Frederikshavn has the right to allocate hazardous waste to environmentally approved reception facilities, as set out in the Environmental	Tacit approval, with a maximum review period of 14 days.	0[g]	23 August 2023