

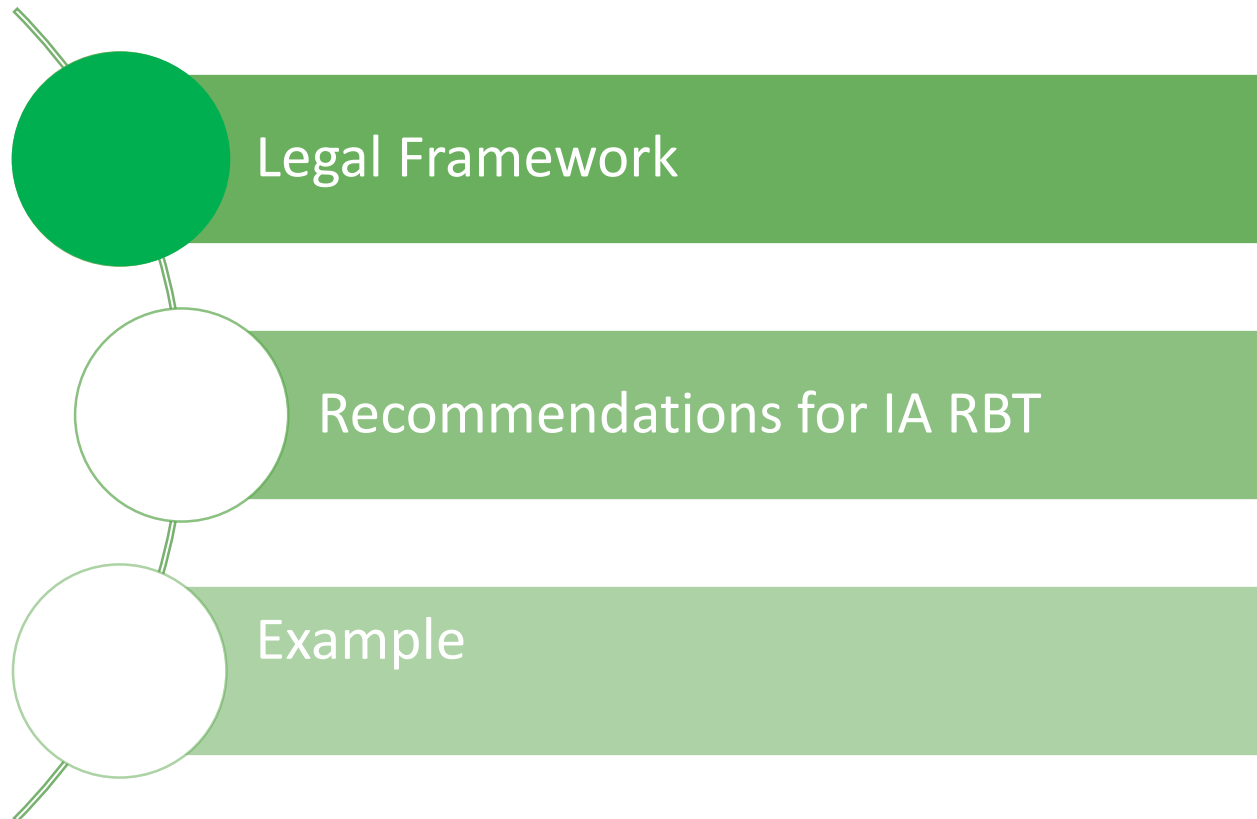
PRF Directive (EU) 2019/883: RBT Mechanism

Unit 1.1 Sustainability

Sustainability and Technical Assistance

EMSA PRF Workshop / 07-08 April 2021







- PRF Directive foresees an Implementing Act to provide for uniform conditions for selection of ships for inspections: Article 11 (Inspections commitments)
- Effective enforcement of the delivery obligation is based on a risk-based approach, for which a **Union Risk-Based Targeting (RBT) Mechanism** will be established:
- **Article 11** outlines the relevant provisions:
 - Min. of 15% of the total number of ships calling in EU ports to be inspected (Ships falling in the scope of Directive 2002/59/EC)
 - Inspection of ships falling outside the scope of Directive 2002/59/EC is for the MS to establish procedures to ensure, as far as practicable, compliance with PRF Directive.

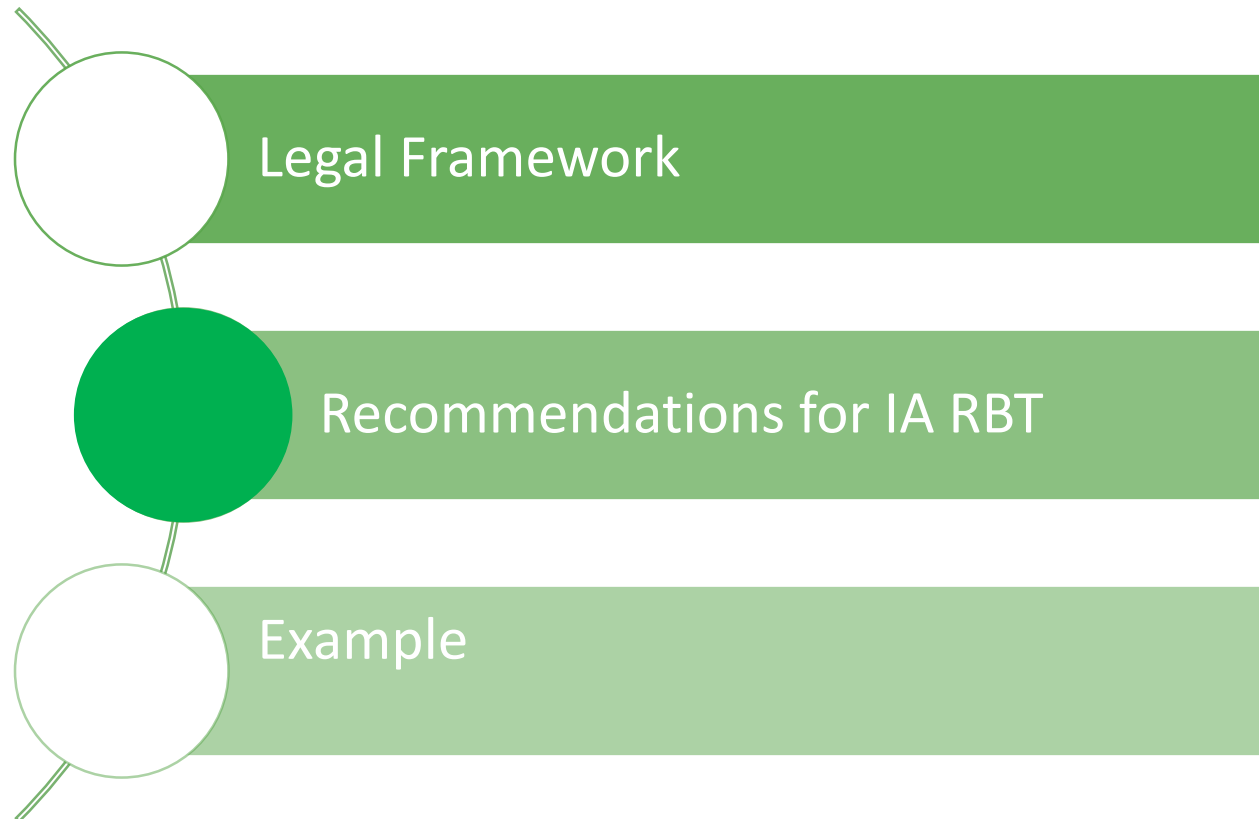


- RBT will be used for targeting ships for inspection
 - Aim: ensure harmonisation of inspections and provide uniform conditions for selection of ships for inspection
- In addition to Article 11, Articles 12, 13 and 14 are also important for the design and concept of the RBT mechanism:
 - roles of SafeSeaNet (SSN) and THETIS-EU as fundamental in the development of the RBT mechanism



How:

- Defining input elements to be used by the RBT: Advanced Waste Notification (AWN), Waste Receipt (WR) and Exemption Certificates
 - SSN to be used for reporting/exchange of electronical information
- By the indication of the THETIS-EU database to be used to record PRF inspections, in a dedicated PRF module:
 - a PRF module, is available since April 2016





Proposed way forward

- The RBT is a system to provide an indication to authorities on which ships to inspect, giving an indication of risk level
- Increased likelihood to detect PRF non-compliances
- The proposed mechanism establishes 4 different Risk Levels:
 - PRF Risk Level 1
 - PRF Risk Level 2
 - PRF Risk Level 3
 - Normal Risk Level



higher Risk Level is associated with a higher probability of identifying a non-conformance to the Directive obligations

Recommendations for IA RBT (II)



- The proposal is a compromise between a simpler, approach as used for the 'Sulphur Directive', and a quantitative approach as used for 'Port State Control'. It defines 4 Risk Levels that are computed based on input parameters
- 10 parameters are proposed as inputs to the calculation of the Risk Level
- Each parameter is assigned a colour code: red, orange or yellow
- The determination of the Risk Level is performed using an Assignment table and a Rule for Conversion

Assignment Table

Assignment Table - proposed rules to assign Risk Levels based on number of active inputs

Criteria for RBT1 Risk Levels	
Risk Level I	One or More Red inputs
Risk Level II	One or more ¹ Orange inputs
Risk Level III	One or more ¹ Yellow inputs
No risk level	No active input

¹ Up to the number that triggers the application of the conversion factor

Recommendations for IA RBT (IV)

- On top of the Risk Levels assignment rules, there is an additional **Rule for Conversion**: in case of simultaneous activation of a minimum number of alerts, the colour code is increased. This is done following the conversion factors indicated below Table 1.

Conversion Factor:

$$3 \text{ } \boxed{\text{Yellow}} = 1 \text{ } \boxed{\text{Orange}}$$

$$3 \text{ } \boxed{\text{Orange}} = 1 \text{ } \boxed{\text{Red}}$$

- Additionally, some inspections shall take place randomly.



Input Parameters related to:

- Advanced Waste Notification (AWN):
 - not sent;
 - automatic content validation
- Non-existing PRF inspections in the past or reported non-conformances
- Availability of sufficient dedicated waste storage space
- Type of:
 - Next Port of Call (non-EU or unknown)
 - Previous port of call (non-EU)
- Exemptions (has an exemption and has not been inspected for 6 months)



Input Parameters (I):

# Input	Input Parameter Name	Criteria	Reset condition
1	i. Non-compliance with the advanced waste notification requirements in Article 6;	Alert triggered if AWN was not sent or did not contain mandatory information	Alert is computed to Port A based on the AWN sent to Port A. Condition must be reassessed at each Port.
2	ii. Examination of the information provided by the operator, agent or master in accordance with Article 6 reveals that the ship might not be compliant with the Directive;	Alert triggered by validity checks of AWN content	Alert is computed to Port A based on the AWN sent to Port A. Condition must be reassessed at each Port.
3	iii. No previous PRF inspections carried out in the last 12 months, within the context of this Directive	Alert triggered if ship was not inspected for PRF in the last 12 months. Note: This alert should only be active after 28 June 2022	Alert is cleared after an inspection has been recorded as per Article 14.2 (a)

Recommendations for IA RBT (VII)

Input Parameters (II):

# Input	Input Parameter Name	Criteria	Reset condition
4	iv. Existing report(s) by PRF inspection authorities, port authorities or other competent bodies indicating that the ship has not complied with Article 7	Alert triggered manually in THETIS-EU by PRF inspectors or port authorities	After an inspection is concluded (status 'Inspected') and has taken place without non-compliances
5	PRF Non-Compliances Alert	Alert triggered if ship has been identified with PRF non-compliances within the last 6 months, with a relevant report in THETIS-EU	After an inspection is concluded (status 'Inspected') and has taken place without non-compliances
6	Sufficient Dedicated Storage Alert	Alert triggered if the dedicated storage onboard is not considered sufficient according to the calculation methods described in the 'Implementing Act on Methods to be used for the calculation of sufficient dedicated waste storage capacity'	Alert is computed to Port A based on the AWN sent to Port A. Condition must be reassessed at each Port.
7	Next Port Of Call	Considered to increase risk level if non-EU OR unknown. For the computation of this alert, ports located in Iceland, Norway, United Kingdom (including Isle of Man, Channel Islands and Gibraltar) and Russian ports located in the Baltic Sea are to be treated as EU.	Alert is computed to Port A based on the AWN sent to Port A. Condition must be reassessed at each Port
8	Previous Port Of Call	Considered to increase risk level if non-EU. For the computation of this alert, ports located in Iceland, Norway, United Kingdom (including Isle of Man,	Alert is computed to Port A based on the AWN sent to Port A. Condition must be reassessed at each Port

Input Parameters (III):

# Input	Input Parameter Name	Criteria	Reset condition
		Channel Islands and Gibraltar) and Russian ports located in the Baltic Sea are to be treated as EU.	
9	Exemption Alert	Alert triggered if ship has an exemption and has not been inspected for 12 months, to ensure that these ships will be included in the inspections	Condition must be reassessed at each Port
10	Incident Type Waste Alert	Alert triggered if an Incident Report of type waste has been issued in SafeSeaNet for that vessel in a previous port.	After an inspection is concluded (status 'Inspected') and has taken place without non-compliances OR After the incident is inactive at SafeSeaNet

Examples: Waste Incident type – possible list of values:

Advance Waste notification not reported (article 6)

Waste not delivered (article 7.1)

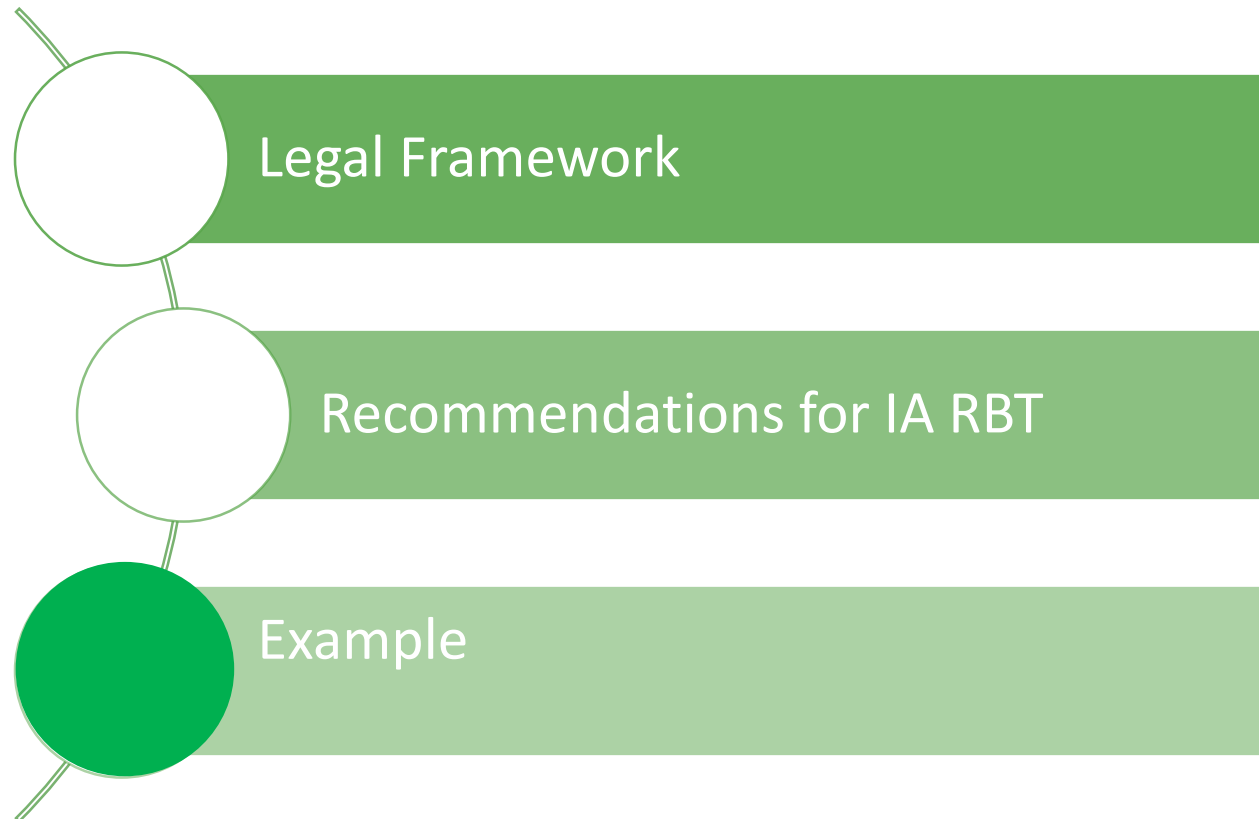
Waste receipt not reported (article 7.3)

Vessel has sailed but not sufficient storage capacity (article 7.4)

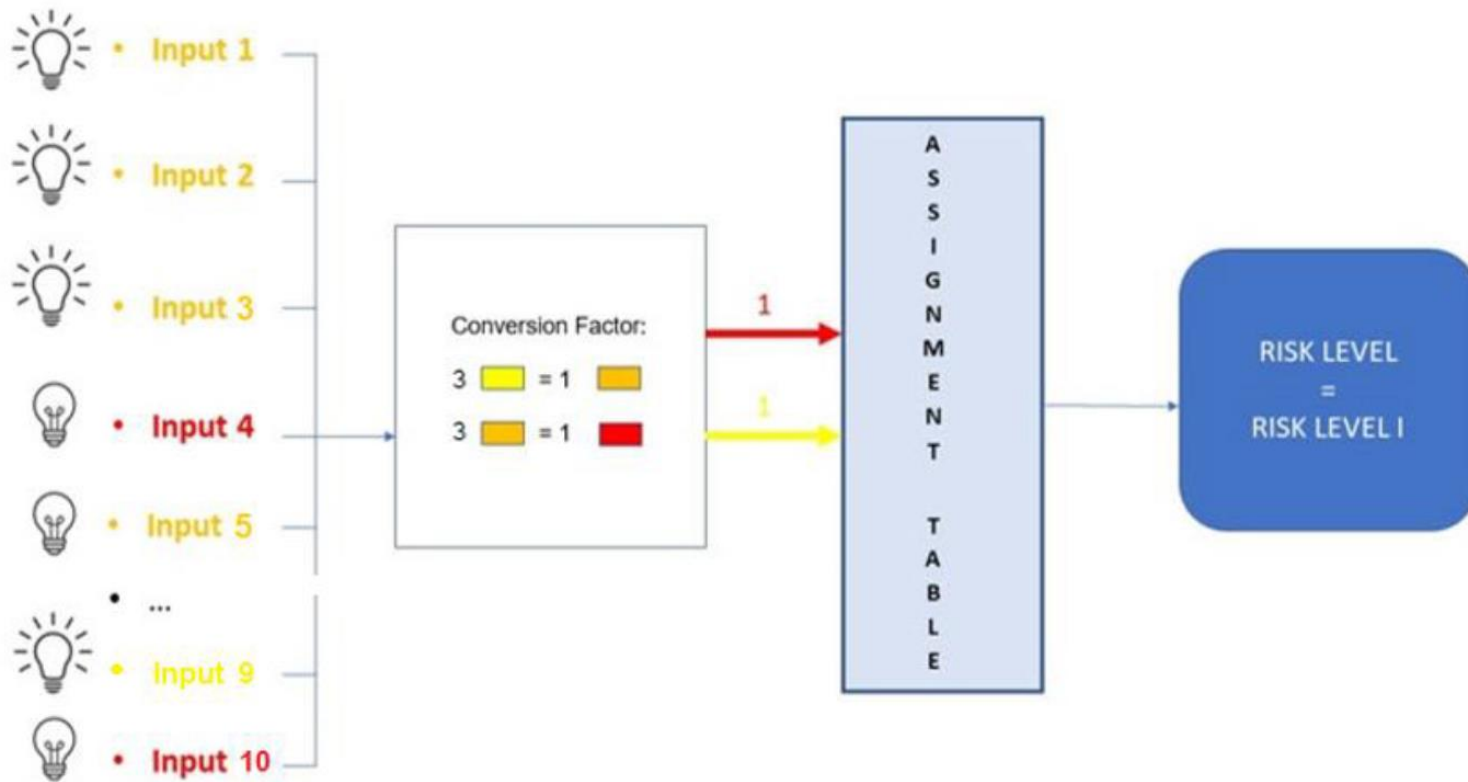
Other (please fill in the free text description below) e.g. *[significant] mismatch between the notification and receipt**

Recommendations for IA RBT (IX)

- It remains the decision of the authorities which vessels to select in order to achieve the 15% annual plafond of inspections
- The agreed mechanism will be implemented in the THETIS-PRF Module and reviewed after one year of its implementation (Impact Assessment performed was indicative)
- **IMPORTANT:** to consider that content and availability of electronic reporting might not be adequate at the beginning of the RBT Mechanism operation



RBT Mechanism Example





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