

PRF Directive (EU) 2019/883: Sufficient Dedicated Storage Capacity

Unit 1.1 Sustainability

Sustainability and Technical Assistance

EMSA PRF Workshop / 07-08 April 2021







- PRF Directive entered into force on 27 June 2019. Member States (MS) shall implement it by 28 June 2021.
- As a general rule, the Directive requires that the master of a ship calling at an EU port has to deliver all its waste carried on board to port reception facilities (Art.7.1).

➤ ‘Waste from Ships’ definition (Art. 2.3):

all waste, including cargo residues, which is generated during the service of a ship or during loading, unloading and cleaning operations and which falls within the scope of Annexes I, II, IV, V and VI to MARPOL Convention, as well as passively fished waste



- However, a ship may proceed to the next port of call without delivering waste if the information in the advance waste notification (AWN) and waste delivery receipts (WR) show that there is sufficient dedicated storage capacity for all waste that has been accumulated and will be accumulated during the intended voyage until the next port of call (Art.7.4).
- The determination of waste storage capacity is fundamental for the application of an **exception to deliver** foreseen in Article 7 (Delivery of waste from ships) of the directive under uniform conditions.



- 'Sufficient storage capacity' definition (Art 2.10):

means enough capacity to store the waste on board from the moment of departure until the next port of call, including the waste that is likely to be generated during the voyage

- In addition to be a central element for decision making for authorities, the calculation of the sufficient storage capacity can also be useful for the ship master to plan its waste delivery accordingly to EU-requirements.



- ‘The concept of “sufficient dedicated storage capacity” is also used in Article 9(5) - Exemptions- used to establish a safeguard provision against the possibility for a ship to proceed voyage to the next port, without demonstrating that there is waste storage space available, regardless the exemption presented.

Notwithstanding the exemption granted, a ship shall not proceed to the next port of call if there is insufficient dedicated storage capacity for all waste that has been accumulated and that will be accumulated during the intended voyage of the ship until the next port of call.



- Directive foresees an Implementing Act to define the methods to be used for the calculation of the sufficient storage capacity (Art 7(4) of Directive (EU) 2019/883)
 - relevant for the implementation and enforcement of Article 7 (Delivery of waste from ships) and Article 9 (Exemptions) of PRF Directive (EU) 2019/883)



Consultation Process (I)



- In 2019 a Sub-Group on Waste From Ships(WfS) was established by the Commission under the European Sustainable Shipping Forum(ESSF)
- This is a group of experts on maritime transport sustainability
- Tasks: Support the Commission on the new PRF Directive and revision of the SSP Directive, namely with recommendations for the four implementing acts called for in the PRF Directive
- Two regular meetings per year of the WfS Sub-group
- The Sub-group reports to the ESSF Plenary

Consultation Process (II)



- The process was initiated in Dec. 2019, with EMSA presenting a concept paper, and was further developed within the Sub-Group in 4 written consultations, with Finland as work package leader.
- Reports summarizing the recommendations were compiled after the 3rd ESSF Meeting, by HEC (Hellenic Environmental Centre) with ESPO support, and submitted to the ESSF Plenary for information and endorsement.



- There was later the need for an additional written consultation on cargo residues, which resulted in some updates to the Recommendations for Annex I and V cargo residues
- So far, a total of 5 Meetings have been held (latest on 18 march 2021, next on 8 June 2021)
- The ESSF WfS Subgroup provided updated Recommendations to COM



Recommendations for IA SDS (I)

- 3 different Calculation Methods were discussed, and their added value recognized by the Sub-Group
- there was however general consensus that for simplicity and to have a single formula the **Used Waste Capacity** at the beginning of the journey to the next port (Method 1) should be applied:

With:

$$UWC_{\text{BEGINNING}} (\%) = \frac{A * 100}{M} < \text{Threshold}$$

A – is the Amount of waste type retained on board (m3) at the time of departure from the Port of Call.

M – is the Maximum dedicated storage capacity (m3)

Recommendations for IA SDS (II)



- It is proposed to select Method 1 as the single preferred method to be applied by the EU in the scope of the PRF Directive.
- Method 1 has been considered:
 - Simple and user friendly for PRF inspectors;
 - Easy to understand by the ship crew and appreciated by the industry/stakeholders;
 - Ready to be operational, as all required data are available in the Advanced Waste Notification (AWN);
- Calculation to be developed in the Thetis-EU PRF module
- Propose to keep the reference to the two other methods, as possible methodologies to be evaluated and if needed, further refined/developed.

Recommendations for IA SDS (III)

- Although unanimity could not be reached for some waste categories on the thresholds to be applied, a compromise proposal taking into account the views of all and particularly the Directive's objective is put forward and addresses Annexes I, Annex IV, Annex V and Annex VI.
- So far, no differentiation for individual waste types had been considered necessary.

Next port of call	Annex I	Annex IV	Annex V	Annex VI
Next Port of Call is an EU-port + 'Group of Additional Selected Ports'	50	50	25	75
Next Port of Call is not an EU-port, nor from 'Group of Additional Selected Ports'	25	50	20	25

Recommendations for IA SDS (IV)



- It has been considered that the thresholds should be differentiated for EU and non-EU ports, with some non-EU ports being addressed in the same way as EU ports (ex: UK and Norway)
- The Recommendations foresee a trial period of 2 years for assessment of the value adding and applicability of the methods, in Particular Method 1, and eventual adjustment of the ports addressed as EU ports.
- It has been considered that Annex II and passively fished waste should at this time not be addressed in the Implementing acts methodologies, for a number of reasons indicated in the reports to the Plenary and this shall be reassessed after the trial period, following a further thoroughly discussion.



- Following an additional written consultation on **cargo residues** for Annex I ‘(oily tank washings’ and ‘dirty ballast water’) and Annex V (HME and non-HME cargo residues), some concerns were identified with the application of Method 1.
- These were mainly linked with:
 - Wide range of circumstances involved in the management of cargo residues
 - Possibility to use variable storage tanks on board
 - Lack of dedicated storage capacity in some vessels
 - Difficulty to assess with accuracy the involved quantities



Update to Recommendations

(*)After the trial period, the accuracy and validity of the calculation value provided by Method 1 shall be evaluated and, if needed, adjusted/revised. The evaluation will be particularly important for Annex I and V cargo residues, due to the specificities involved, like indicating the maximum dedicated storage capacity due to flexible storage and different operational scenarios for waste generation and disposal, as well as due to insufficient experience with advance waste notification of this type of waste reporting so far.

(**)During the trial period, it should be possible to treat the automatic $UWC_{\text{BEGINNING}}$ coefficient of calculation Method 1 as indicative for Annex I and V cargo residues waste types.





- The ESSF WfS sub-group has provided recommendations to COM
- COM will prepare the draft proposal for the IA, taking into account those recommendations (legal aspects need to be thoroughly checked)
- The IA proposal will go through COM inter-service consultation
- The IA proposal will be presented and further discussed with the COSS (Committee on Safe Seas and Prevention of Pollution from Ships)
- COM will adopt the IA (based on the opinion of COSS)



Contact: sonia.antunes@emsa.europa.eu

 twitter.com/emsa_lisbon

 facebook.com/emsa.lisbon

