



# Guidance for Ship Inspections on PRF

**Guidance for Ship Inspections under the  
Port Reception Facilities Directive  
Directive (EU) 2019/883**

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## Document History

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The EMSA guidance is a non-binding document and nothing in this guidance document should be construed as generating mandatory requirements on any of the involved parties.

In the event of lack of clarity or in doubt of a requirement(s) in this EMSA guidance, or dispute arising out of an event, the legal texts are prevailing.

Draft

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## List of Abbreviations

Abbreviation	In full
AWN	Advanced Waste Notification
CR	Cargo Residues
EMSA	European Maritime Safety Agency
GISIS	Global Integrated Shipping Information System
IMO	International Maritime Organization
IOPP Certificate	International Oil Pollution Prevention Certificate
IAPP Certificate	International Air Pollution Prevention Certificate
MS	Member State
PRF	Port Reception Facilities
PRF Directive	Directive (EU) 2019/883 on Port Reception Facilities for the delivery of waste from Ship, amending Directive 2010/65/EU and repealing Directive 2000/59/EC
PSC	Port State Control
RBT	Risk Based Targeting
SGW	Ship Generated Waste
SSN	SafeSeaNet, Community vessel traffic monitoring and information system established by Directive 2002/59/C.
WR	Waste Receipt

# 1. Introduction

The main objective of the Directive (EU) 2019/883 on Port Reception Facilities for the delivery of waste from ships, (hereafter referred to as 'the PRF Directive') is to reduce the discharge of ship generated waste including cargo residues (hereafter referred to as SGW) into the sea, by requiring that vessels visiting EU ports deliver all SGW to port reception facility (hereafter referred as PRF) before departure.

This document should be read in conjunction with the text of the PRF Directive.

## 1.1 Objective

The goal of this document is to provide guidance for a harmonised approach to the inspection of ships within the context of the PRF Directive, ascertaining their compliance, identifying non-compliances, applying enforcement procedures and follow-up actions.

This guidance has been developed to facilitate ship inspections that are to be undertaken by the Member States (hereafter referred to as MSs) in accordance to the provisions of the PRF Directive.

## 1.2 Definitions

The terms used in this document are defined in the PRF Directive as followed:

- (1) 'ship' means a seagoing vessel of any type operating in the marine environment, including fishing vessels, recreational craft, hydrofoil boats, air-cushion vehicles, submersibles and floating craft;
- (2) 'MARPOL Convention' means the International Convention for the Prevention of Pollution from Ships, in its up-to- date version;
- (3) 'waste from ships' means 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;
- (4) 'passively fished waste' means waste collected in nets during fishing operations;
- (5) 'cargo residues' means the remnants of any cargo material on board which remain on the deck or in holds or tanks following loading and unloading, including loading and unloading excess or spillage, whether in wet or dry condition or entrained in wash-water, excluding cargo dust remaining on the deck after sweeping or dust of the external surfaces of the ship;
- (6) 'port reception facility' means any facility which is fixed, floating or mobile and capable of providing the service of receiving the waste from ships;
- (7) 'fishing vessel' means any ship equipped or used commercially for catching fish or other living resources from the sea;
- (8) 'recreational craft' means a ship of any type, with a hull length of 2,5 metres or more, regardless of the means of propulsion, intended for sports or leisure purposes, and not engaged in trade;
- (9) 'port' means a place or a geographical area made up of such improvement works and equipment designed principally to permit the reception of ships, including the anchorage area within the jurisdiction of the port;
- (10) 'sufficient storage capacity' 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;



(11) 'scheduled traffic' means traffic based on a published or planned list of times of departures and arrivals between identified ports or recurrent crossings that constitute a recognised schedule;

(12) 'regular port calls' means repeated voyages of the same ship forming a constant pattern between identified ports or a series of voyages from and to the same port without intermediate calls;

(13) 'frequent port calls' means visits by a ship to the same port taking place at least once a fortnight;

(14) 'GISIS' means the Global Integrated Shipping Information System set up by the IMO;

(15) 'treatment' means recovery or disposal operations, including preparation prior to recovery or disposal;

(16) 'indirect fee' means a fee paid for the provision of port reception facility services, irrespective of the actual delivery of waste from ships.

'Waste from ships' as it is referred in point (3) shall be considered to be waste within the meaning of point 1 of Article 3 of Directive 2008/98/EC, "any substance or object which the holder discards, or intends, or is required to discard."

### 1.3 Delivery of waste and scope of application

The master of a ship calling at a Union port shall, before leaving that port, deliver all the waste carried on board to a port reception facility in accordance with the relevant discharge provisions laid down in the MARPOL Convention. However, the following "Exceptions" may be applicable to the obligation to deliver the SGW whereby a ship may proceed to the next port of call without delivering the waste (Article 7.4):

- (a) the information provided in the AWN and WR shows that there is 'sufficient dedicated storage capacity' for all waste that has been accumulated and will be accumulated during the intended voyage of the ship until the next port of call;
- (b) the information available on board the ship shows that there is 'sufficient dedicated storage capacity' for all waste that has been accumulated and will be accumulated during the intended voyage of the ship until the next port of call; or
- (c) the ship only calls at an anchorage for less than 24 hours or under adverse weather conditions (unless such an area has been excluded by the MS of the scope of the PRF Directive).

The PRF Directive applies to all ships irrespective of the flag, including fishing vessels and recreational craft, calling at, or operating within, a port of a MS with the exception of ships engaged in port services within the meaning of Article 1(2)<sup>1</sup> of Regulation (EU) 2017/352<sup>2</sup>, and with the exception of any warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on a government non-commercial basis (Directive Art. 3).

Anchorage areas may be excluded by MSs from fulfilling the requirements of the PRF Directive regarding notification and delivery of waste.

MSs shall take measures to ensure that, where reasonably possible, ships that do not fall within the scope of the Directive deliver their waste in a manner consistent with the Directive.

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<sup>1</sup> 'Port services' either inside the port area or on the waterway access to the port: bunkering, cargo-handling, mooring, passenger services, collection of ship-generated waste and cargo residues, pilotage and towage.

<sup>2</sup> Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports

## 1.4 Preliminary considerations

PRF inspections in EU ports on ships, to which the Directive is applicable irrespective of their flag, should be carried in a harmonized way. In addition to the Directive requirements, there may be requirements arising from national legislations of the MSs or international regulations from the International Maritime Organization (IMO) that should be also correctly enforced.

PRF inspections must be based on the requirements of the Directive. However, where the Directive lacks further guidance on issues of importance to the PRF inspection, regulations from the MARPOL Convention may be used as benchmarks.

### Member States enforcement obligations in relation to the Directive

PRF inspections to ships derive from the obligations placed on the MSs in Articles 10 and 11 of the PRF Directive, that states that MSs shall ensure that any ship may be subject to inspections, including random ones, in order to verify that it complies with the PRF Directive.

Each MS shall carry out inspections of ships calling in its ports corresponding to at least 15 % of the ships calling their ports based on the average of individual ships calling in the last 3 calendar years.

The main issues concerning enforcement, are related to the delivery of SGW (Article 7), and the inherent mechanisms that are linked to the delivery, such as the AWN and WR. Inspectors may also need to deal with situations where there exist non-compliances from the ship's previous ports of call. In addition, it should be noted that exempted ships may still be inspected to confirm the terms of the Exemption Certificate.

MSs must ensure that a ship has met its obligation to deliver, before departure, all its waste if:

- (a) it cannot be established, based on the available information, that adequate port reception facilities are available at the next port of call,
- (b) the next port of call is unknown, or
- (c) there is evidence of no 'sufficient 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, even in the case of Exempted ships.

## 1.5 Relevant certificates and other documentation

In order to establish whether a ship is in compliance with the requirements of the PRF Directive, the following documentation should be examined as appropriate.

### 1.5.1 Documents referred to under the PRF Directive

- Advanced Waste Notification Form, AWN (Article 6 and Annex 2)

Annex 2 of the PRF Directive sets out the format of the AWN Form that should be used by the operator, agent or master of the ship for notification to the authority or body designated by the MS in which the port is located.

The Advance Waste Notification Form (AWN) shall be communicated:

- a) at least 24 hours prior to arrival, if the port of call is known;
- b) as soon as the port of call is known, if this information is available less than 24 hours prior to arrival;
- or,
- c) at the latest upon departure from the previous port, if the duration of the voyage is less than 24 hours.

The AWN must include information on:



- details about the ship, including the ships' name, call sign, IMO identification number and flag State;
- the ships' last and next port of call;
- the ships' last port where SGW has been delivered;
- the waste types and amounts of SGW the ship has onboard;
- the amount of SGW it intends to deliver to the PRF in port;
- the amount of SGW the ship intends to keep on-board for deliver at the next port of call; and,
- the maximum dedicated storage capacity the ship has for each waste type of SGW.

A copy of the AWN shall be available on board, at least until the next port of call and shall be made available upon request to the relevant Member States' authorities.

This document is important for a PRF inspection as it provides the basic information on which the PRF inspection is based.

#### ■ Waste Delivery Receipt, WR (Article 7 and Annex 3)

Upon delivery, the port reception facility operator or the authority of the port where the waste was delivered shall issue and provide, without undue delay, the WR to the master of the ship.

It should be noted that small ports with unmanned facilities or remotely located may not issue WR as they are exempted from doing this (Article 7.2 second paragraph) and it is reported in SSN.

The information from the WR must be available on board for at least two years, together with appropriated records in for example the Oil Record Book, Cargo Record Book, Garbage Record Book or the Garbage Management Plan as relevant, and shall be made available upon request to the Member States' authorities.

#### ■ Exemption Certificate (Article 9)

Ships may be exempted from the obligations related to the AWN, the delivery waste (and payment of port waste fees), provided that some conditions are met.

If a ship has granted an exemption the MS where the port is located must issue an exemption certificate, confirming that the ship meets the necessary conditions and requirements for the application of the exemption and stating the duration of the exemption.

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

### 1.5.2 Other relevant documents on board

Although not required under the PRF Directive, the following documents are required under international law, which might also be relevant in the context of a PRF inspection to ascertain compliance with the requirements of the PRF Directive.

#### ■ Ships' logbooks

Under the term of ships' logbooks, the following relevant documents for a PRF inspection, as a minimum, could be considered:

- Oil Record Book Parts I and II;
- Cargo Record Book;

- Ozone-depleting substances record book<sup>3</sup>;
- Records of navigational activities;
- Engine logbooks; and,
- Garbage Record Book, Part I and II.

#### ■ Oil Record Book and Cargo Record Book

Every ship of 400GT and above and every Oil Tanker of 150GT and above must have an Oil Record Book Part I (Machinery space operations) and every Oil Tanker of 150GT and above must have an Oil Record Book, Part II (Cargo/ballast operations) on board. All chemical tankers must also have a cargo record book on-board. Entries in the Oil Record Book and the Cargo Record Book should be drawn up at least in English or French or Spanish.

The Oil Record Book and Cargo Record Book must be kept on board the ship in such a place as to be readily available for inspection. It shall be preserved for a period of three years after the last entry has been made. For compliance verification with the Directive, the Oil Record Book, and when applicable, the Cargo Record Book, is therefore an essential part of the PRF inspection.

#### ■ Records of navigational activities

Records of navigational activities must be kept on board all ships of 150GT and above, engaged on international voyages and on all other ships of 500GT and above (excluding fishing vessels). In addition, each ship of 500GT and above, in the case where the voyage exceeds 48 hours, must submit a daily report to its company, which shall retain this and all subsequent daily reports for the duration of the voyage. The reports shall contain, as a minimum, the following information:

- the ship's position;
- the ship's course and speed; and,
- details of any external or internal conditions that are affecting the ship's voyage or the normal safe operation of the ship.

The above information is essential to obtain a complete record of the voyage, which may be used during the PRF Inspection. Studying these documents should allow the PRF inspector to gain an understanding of whether the operations on the vessel match up with the operational plans on-board and whether the vessel has met its requirements under the PRF Directive especially for the delivery of sewage and ships that have an exemption.

#### ■ Garbage Record Book

Every ship of 400GT and above and every ship which is certified to carry 15 persons or more engaged in international voyages is to have a Garbage Record Book which is split into 2 parts. Part I for recording the management of all garbage, and Part II for recording the management of all cargo residues. The Garbage Record Book, whether as a part of the ship's official logbook or otherwise, is to be in the form specified in Appendix II of MARPOL Annex V and be completed at least in English, French or Spanish.

Each discharge into the sea or to a reception facility, or a completed incineration, shall be promptly recorded in the Garbage Record Book and signed for on the date of the discharge or incineration by the officer in charge. It should be noted that receipts must be kept on board the ship with the Garbage Record Book for two years and the amount of garbage on board should be estimated in cubic metres. The Garbage Record Book contains many references to the estimated amount of garbage, and it is recognized that the accuracy of estimating amounts of garbage is left to interpretation. Volume estimates will also differ before and after processing and some processing procedures may not allow for a usable estimate of volume, e.g. the continuous processing

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<sup>3</sup> This record book may form part of an existing logbook or electronic reporting system as approved by the administration.

of food waste. Such factors should be taken into consideration when making and interpreting entries made in a record.

The Garbage Record Book is an essential document for the PRF Inspection as it contains the entire history of garbage management on board the ship.

#### ■ **Garbage Management Plan**

Every ship of 100GT and above, and every ship which is certified to carry 15 persons or more, is to carry a garbage management plan which provides written procedures for collecting, storing, processing and disposing of garbage, including the use of waste management equipment on board. It shall also designate the person in charge of carrying out the plan and is written in the working language of the crew. This document is also relevant to the PRF Inspection as it sets out the way garbage is managed on the ship and will therefore contain information that will support the assessment of storage capacity on board.

#### ■ **International Sewage Pollution Prevention Certificate**

This certificate to be kept by ships 400GT or more, or less than 400GT and certified to carry more than 15 persons engaged in an international voyage. This certificate is to show that the Sewage Treatment Plant, the comminuting and maceration system or holding tank has been examined and satisfactorily tested in accordance with the IMO operational requirements. This certificate also gives the capacity of any sewage holding tanks on the vessel. This document will be important to assess what equipment the ship has on board, how sewage is treated and managed on-board the ship, and therefore, whether sewage on board ships should have been delivered in port.

#### ■ **International Oil Pollution Prevention Certificate (IOPP Certificate) and the Supplement to the International Oil Pollution Prevention Certificate**

The IOPP Certificate provides a record of construction and equipment for oil tankers, ships other than an oil tanker with cargo tanks coming under regulation 2.2 of Annex I of MARPOL and all ships other than any of the above. The Certification states information on the capacity of:

- oil residue (sludge) tanks;
- holding tank(s) for the total retention on board of all oily bilge water;
- holding tank(s) for the total retention on board of oil residue (sludge) tanks;
- any incinerator for oil residues;
- any auxiliary boiler suitable for burning oil residues;
- tanks for mixing oil residues with fuel oil, capacity; and,
- any other acceptable means for the disposal of residues in addition to the provisions of sludge tanks.

The IOPP Certificate shall be at least in English, French or Spanish

#### ■ **International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk (NLS Certificate) and the Procedures and Arrangements Manual**

The NLS Certificate provides a record of construction and equipment for chemical tankers coming under regulation 2 of Annex II of MARPOL. The procedures and arrangements manual provide information on the tank cleaning equipment and the cleaning arrangements to be applied on the respective ship in order to comply with any prewash requirement stipulated for specific cargoes under MARPOL Annex II.

The NLS Certificate shall be at least in English, French or Spanish.

#### ■ **International Air Pollution Prevention Certificate (IAPP Certificate) and the Supplement to the International Air Pollution Prevention Certificate**

An International IAPP certificate shall be issued for every ship of 400GT and above as well as platforms and drilling rigs engaged in international voyages. The IAPP Certificate shall be at least in English, French or Spanish.

Operational systems or equipment onboard using ozone depleting substances shall be listed in the IAPP certificate. If repairs or replacements of these equipment are required, the equipment removed from the ship shall be delivered to an appropriate PRF facility and an annotation shall be made in the ozone-depleting record book.

If the ship is using an EGCS, it should also be identified in the Supplement of the IAPP certificate, specifying whether it apply to all fuel combustion machinery on board (main engine, auxiliary engines and boilers) or only some of them. The type of EGCS shall be also reported in the IAPP certificate: close loop, open loop or hybrid.

## 2. PRF inspection

Inspectors should be duly authorised by the designated Competent Authority for the enforcement of the PRF Directive, and be conversant with its requirements, relevant national legislation and the IMO Conventions and Guidelines therein referenced.

In relation to the pre-boarding preparation, the MSs may need to develop pre-boarding preparation documents, specific instructions regarding the selection of ships for inspection as well as any other relevant form that may be required to conduct PRF inspection.

A PRF inspection consists of the following stages:

Pre-boarding:

- Ship information
- Selection of a ship for inspection

On board inspection:

- Preliminary verifications
- Verification of the main requirements and documents under the PRF Directive

Follow-up actions

- Non-compliances with the PRF Directive
- Reporting

### 2.1 Pre-boarding

#### 2.1.1 Ship information

Before boarding, relevant information about the ships in port may be obtained from THETIS-EU and other sources. This may include information on, for example, ship particulars, last and next port of call, arrival and departure times, port stay duration, AWN, etc. Further information may directly be obtained through the port Authorities or the ship's agent. The information gathered needs to be confirmed once on board.

It should be noted that fishing vessels or recreational craft authorised to carry no more than 12 passengers as are excepted from the AWN requirements and all related information should be gathered through the ship's agent or onboard.

IMO GISIS could also provide additional relevant information such as on available PRF facilities on the next port of call, which may be relevant for instance to assess the need of SGW deliver in the present port if there is no available PRF in the next port.

Inspectors may retrieve from THETIS-EU any additional inspection data reported by any MS for the purpose of monitoring the implementation of the PRF Directive. Information on AWN as well as any Exemption Certificate issue to the ship may be also obtained from THETIS-EU. Further information on the ship or its previous and future journeys, may directly be obtained from Port Authorities or the ship's agent.

Information on the cargo should also be gathered, on a chemical tanker, information should include whether the cargo is classified as category X, Y or Z (high viscous, solidifying) under MARPOL Annex II and for a bulk carrier, whether the cargo is hazardous to the marine environment. This information can be obtained from the cargo documents which can be requested through the ships' agent.

### 2.1.2 Selection of a ship for inspection

#### Union Risk Targeting mechanism

Selection of individual ships for inspection may be based on risk-based methods developed at national level, PRF inspectors may also use the Union risk-targeting mechanism established by the Commission Implementing Act to select the ships for inspection. The Union RBT mechanism classifies any vessel calling at an EU port into a Risk Level Class, where it is assumed that the probability of identifying a non-conformance during a PRF inspection is higher for vessels with higher Risk Levels. See Annex 2.

#### Selection criteria

Based on the ships in at berth, the information gathered, and the information provided by THETIS-EU, a ship may be selected for a PRF Inspection by the MS. The decision on which ships should be inspected lies with the PRF inspector and may be based on numerous factors. However, inspectors should pay particular attention to ships:

- which have not complied with the AWN requirement (Directive Article 6);
- that have proceeded to sea without having delivered waste in the previous port (Directive Article 7);
- having any PRF alert in THETIS-EU; or
- having no inspections during the last 12 months.

In addition, the examination of information from the AWN can provide additional key elements for selecting a ship for inspection as the following information can be obtained from it:

- last port and date where the waste was delivered,
- the amount of SGW the ship has notified that it has on board and will deliver to the PRF,
- the maximum dedicated storage capacity for each type of SGW on-board the ship,

- how much SGW the ship intends to keep on-board after this port call, and
- how much SGW the ship estimate that will generated between the notification and the next port call.

## Alerts

Any alerts indicating potential non-compliance received from a third party, especially from another MS, concerning the waste delivering should be investigated to determine whether a ship should be inspected. Currently, THETIS-EU provides information on the following type of alerts:

- Failure to comply with PRF reporting obligation (Not AWN requirement as per Article 6);
- Ship sailed without complying with the waste delivery (Directive Article 7);
- Possible non-compliance with PRF Directive; and,
- No previous PRF inspections carried out in the last 12 months, within the context of the Directive.

Whenever there is an alert for a particular ship, the ship should be prioritized for an inspection. If the ship is selected for an inspection, the alert that triggered its selection should be archived by the inspector following the inspection (or the reason that originated the alert no longer applies) while reporting in THETIS-EU.

## 2.2 On board inspection

### 2.2.1 Preliminary verifications

During the pre-boarding phase, significant information about the ship is collected which should be verified once on board. This information may be also important as part of the details that need to be recorded after the inspection:

- ship particulars and cargo onboard;
- last port and date where the waste was delivered,
- the amount of SGW the ship has notified that it has on board and will deliver to the PRF,
- the maximum dedicated storage capacity for each type of SGW on-board the ship,
- how much SGW the ship intends to keep on-board after this port call, and
- how much SGW the ship estimate that will generated between the notification and the next port call.

The PRF Directive obliges ships to deliver the SGW in each port and to receive from the facility a WR. Based on this, a PRF inspection should be limited to determining whether the ship:

- has delivered or will be delivering the SGW at the inspection port; or
- has a valid exemption certificate in place, or
- has sufficient storage capacity to keep the SGW on-board until the next port of call.



### 2.2.2 Delivery of the SGW

If the PRF inspection takes place before delivery of the SGW the inspector should check whether:

- an AWN has been received at the port of inspection;
- the information in the AWN is consistent with the current SGW on-board;
- the ship is already preparing for the SGW to be delivered;
- the ship has been informed by the port, the ship's agent, the PRF or the waste contractor, that transport will arrive at the ship with suitable PRF at a certain time;
- if appropriate, the ship's agent has arranged for the ship to be serviced by PRF or a waste contractor; and,
- there have been no previous problems with the ship delivering its SGW.

If the PRF inspection takes place after delivery of the SGW, the inspector should check that:

- delivery of the pre-notified SGW did occur at the port of inspection;
- the delivery was complete,
- a WR is in place; and
- appropriate records have been made in the ship's record books.

### 2.2.3 Exempted ships

Inspectors should also monitor and enforce the arrangements for the delivery of waste for any exempted ships visiting their ports, or claiming to be exempted, from notifying, delivering or paying a fee for their SGW (or any mixture of notifying, delivering or paying a fee) under Article 9 of the PRF Directive.

In order to verify that an exemption is valid for a ship, the inspector should:

- ask the master of the ship for the Exemption Certificate to ensure it is on-board the vessel;
- ensure that the Exemption Certificate is complete, is valid and is signed by the competent body from the MS (to note that exemptions can only be given by a MS for the ports in their country);
- verify that the Exemption Certificate is applicable to the ship being inspected;
- verify that the conditions and requirements of the exemption (i.e. arrangements that the SGW is being notified, delivered and fee is paid in at least one port along the ship's route) are being fulfilled by inspecting the corresponding record books and receipts are on board;
- verify that any deviations from the route if any were made because of force majeure; and,
- verify that the SGW is being delivered to the PRF in the nominated port of the route.

### 2.2.4 Exceptions

The PRF Directive provides the exception to deliver all or part of the SGW when the ship has 'sufficient storage capacity' to keep the SGW on-board until the next port of call (Article 7.4). The determination of whether the ship has sufficient capacity on-board for the SGW and the amount of waste likely to be produced on the next voyage, must be based on the Commission Implementing Act [...](Annex 1). The calculation will be available for consultation in THETIS-EU

If based on the estimations performed, the competent authority considers that the ship has sufficient capacity to store the SGW then the ship may be granted an Exception from delivering.

### 2.2.5 Ascertaining compliance

Should the general impressions and on-board checks of documentation confirm the ship is meeting the requirements of the Directive then the inspection should be limited to these checks. However, situations might arise where proof may be needed to determine that the ship is not ready to deliver the SGW it has notified on the AWN, or no action has been taken to ensure this SGW will be delivered.

Depending on the case, proof may be obtained through the inspection:

- of the capacities outlined in the documentation on board such as the Garbage Management Plan and the AWN;
- of the SGW that the ship has declared that it will keep on-board to confirm that the amount is accurate;
- of the remaining storage capacity on-board to confirm that is adequate for the SGW that will be generated;
- of the AWN of the previous port of delivery; and
- of the WRs of the previous ports of delivery in accordance with relevant records in the logbooks to ensure that delivery has been occurring regularly.

In addition, the inspector may verify whether the AWN submitted prior arrival to the port fulfilled the requirements in the Directive (Article 6.1). In particular, the inspector may check if the AWN:

- is present on-board the ship;
- has been filled in appropriately with information on the actually SGW generated on board;
- is correct for the relevant types of SGW; and
- reported the waste storage capacities as stated in the relevant documentation on board (e.g. Garbage Management Plan, Supplement to the IOPP Certificate and the International Sewage Pollution Prevention Certificate).

## 2.3 Non-compliances

If the competent authority considers that the ship: is not ready to deliver the SGW it has notified on the AWN; no action has been taken to ensure the SGW will be delivered; does not have sufficient capacity to store the SGW to be kept on-board and the SGW that will be produced on the next voyage; has not submitted the AWN according to the requirements in the PRF Directive; or that the ship is not operating in line with the conditions under which the Exemption Certificate was issued; a relevant enforcement action should be undertaken.

Any enforcement actions should be undertaken in accordance with the national legislation transposing the Directive in the MS and any non-compliances found during the PRF Inspection should be reported in THETIS-EU.

MSs have several tools that can be used to ensure compliance with the PRF Directive once a non-compliance has been identified. These range from:

- a warning or simple request to comply with any non-conformity, such as re-notification;
- a formal request to deliver SGW before the vessel leaves, for example when there is no sufficient storage capacity for the ships SGW for the next journey;
- holding the ship to ensure notification and delivery of all or part of the SGW. However, if this happens then the flag State of the ship should be informed in order to follow international practice during survey

and inspection. If a ship leaves without notifying and/or delivering its SGW, or without following an enforcement request then the next port of call should be notified through THETIS\_EU and a manual alert should be included; and,

- penalties as per the provisions in national legislation or for more serious cases a legal case can be initiated against master of the ship/company based on the provisions of the MS national legislation. If the non-compliance is also a deficiency under MARPOL, the relevant authorities should also be informed.

The use of these enforcement rules and penalties are at the discretion of the competent authorities.

A non-exhaustive list of non-compliances and potential actions that could be taken under the PRF Directive can be found in Annex 3.

### 3. Reporting PRF inspections in THETIS-EU

The results of all PRF inspections should be reported in THETIS-EU, in the dedicated module in THETIS supporting the enforcement of the PRF Directive as per Directive Article 14. Along with the outcome of the inspection, other ship specific information should be inserted in THETIS-EU which could be of relevance for future inspections.

Inspectors should report without delay to the THETIS-EU database the information related to the PRF inspections, including information regarding non-compliance as soon as the inspection report has been completed.

In addition, the relevant competent authorities in the MSs, shall ensure that the information related to any prohibition of departure order which have been lifted, or any exemption which has been granted is transferred to the THETIS-EU.

#### Inspection outcomes and follow-up actions:

There are only two inspections outcomes in THETIS-EU: "Inspection on-going" or "Inspected". Any PRF inspection while is being processed in THETIS-EU will set the 'Inspection outcome' to 'Inspection on-going' by default. The inspection outcome is visible to all authorised users. As soon as a PRF Inspection is finalised, this should be reported in the information system and the outcome changed consequently to 'Inspected'.

As a result of the inspection several actions can be taken. These actions can be the following but not limited:

- o Penalty Applied (Article 16)
- o Prohibition of Departure Order Issued (Article 14.2)
- o Prohibition of Departure Order Lifted (Article 14.2)
- o Prohibition of Departure Order Revoked (Article 14.2)
- o Exception granted (Article 7.4)

The outcome of the inspection as well as potential non-compliances, nature of the defect and inspection actions should be appropriately reported by the inspector.

#### Alerts:

Manual alerts may be used by inspectors to notify other MSs of a possible infringement of the PRF Directive which may lead to a follow-up inspection at the next port of call, as for example:

- Failure to comply with PRF reporting obligations:
- Possible non-compliance with PRF directive: and,
- Ship sailed without complying with waste delivery

## Appendix A List of Annexes

Annex 1	Implementing Act on the Calculation of the Sufficient storage Capacity
Annex 2	Implementing Act on the Risk Based Targeting Mechanism
Annex 3	List of non-compliances
Annex 4	AWN form
Annex 5	WR form
Annex 6	Exemption certificate form

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## **Annex 1 Method for calculating Sufficient Storage Capacity**

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## Annex 2 Risk based targeting mechanism

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## Annex 3 List of non-compliances

Principle	Non-Compliance	Action Taken	Directive Reference (cons. Edition)
AWN for current port	<ul style="list-style-type: none"> <li>Missing;</li> <li>AWN on board contains incorrect information</li> <li>AWN on board contains incomplete information</li> <li>AWN not kept on board (electronically or on paper)</li> </ul>	<ul style="list-style-type: none"> <li>Flag informed</li> <li>Other (free text)</li> <li>Penalty as per provisions pursuant to national legislation</li> <li>PSC authority informed</li> </ul>	Art 6.1 Pre-arrival timing
			Art 6.1 Content
Delivery of SGW in current port	<ul style="list-style-type: none"> <li>Delivery did not occur</li> <li>There was no intention to deliver the waste that had been notified in the AWN;</li> <li>Incomplete delivery;</li> </ul>	<ul style="list-style-type: none"> <li>Compliance (delivery) requested</li> <li>Penalty as per provisions pursuant to national legislation</li> <li>PSC authority informed</li> <li>Next port informed</li> <li>Flag informed</li> <li>Ship delayed to delivery</li> <li>Warning issued</li> <li>Other (free text)</li> </ul>	Art 7.1 Delivery obligation
			Art 7.4 Para a) b) Storage capacity for delivery in next port
Delivery of SGW in previous port	<ul style="list-style-type: none"> <li>- Delivery did not occur</li> <li>- Incomplete delivery</li> </ul>	<ul style="list-style-type: none"> <li>- Compliance (delivery) requested</li> <li>- Flag consulted</li> <li>- Other (free text)</li> <li>- Relevant authorities informed</li> <li>- Penalty as per provisions pursuant to national legislation (only if previous port is in the same country)</li> <li>- Ship delayed to deliver</li> <li>- Warning issued</li> </ul>	Art 7.4 Para c) Lest than 24 h in port
			(Article 9.5)

Storage capacity for waste on board.	<ul style="list-style-type: none"> <li>• Information not provided;</li> <li>• Information not complete;</li> <li>• No sufficient dedicated storage capacity for next voyage</li> </ul>	<ul style="list-style-type: none"> <li>- Penalty as per provisions pursuant to national legislation</li> <li>- Flag informed</li> <li>- Next port of call informed (if left without delivering notified waste)</li> <li>- Ship held until delivery</li> <li>- Other (free text)</li> </ul>	Art 7.1 Storage capacity
Exemption	<ul style="list-style-type: none"> <li>• Certificate of exemption not available;</li> <li>• not complete;</li> <li>• not applicable;</li> <li>• not as required;</li> <li>• conditions of the exemption are not fulfilled;</li> <li>• requirements of the exemption are not fulfilled (arrangement that the waste is delivered, and fee is paid in a port along the ship's route);</li> <li>• waste has not been delivered to the PRF in the nominated port en-route</li> </ul>	<ul style="list-style-type: none"> <li>- Penalty as per provisions pursuant to national legislation</li> <li>- Flag informed</li> <li>- Ship delayed to delivery</li> <li>- Other (free text)</li> </ul>	Art 9.1 Ship outside route declared on exemption
			Art 9.4 (arrangement for delivery and payment of the fee in a port along the ship's route)
Record books	<ul style="list-style-type: none"> <li>• Missing information;</li> <li>• Incomplete information;</li> <li>• Incorrect information.</li> </ul>	<ul style="list-style-type: none"> <li>- Penalties as per provision pursuant to national legislation,</li> <li>- Flag informed,</li> <li>- Other (free text)</li> </ul>	Art 7.3 Record books annotations

## Annex 4 Advanced waste notification form

### STANDARD FORMAT OF THE ADVANCE NOTIFICATION FORM FOR WASTE DELIVERY TO PORT RECEPTION FACILITIES

Notification of the delivery of waste to: *(enter name of port of call, as referred to in Article 6 of Directive (EU) 2019/883)*

This form should be retained on board the ship along with the appropriate Oil Record Book, Cargo Record Book, Garbage Record Book or Garbage Management Plan as required by the MARPOL Convention.

#### 1. SHIP PARTICULARS

1.1 Name of ship:	1.5 Owner or operator:
1.2 IMO number:	1.6 Distinctive number or letters:
	MMSI (Maritime Mobile Service Identity) number:
1.3 Gross tonnage:	1.7 Flag State:
1.4 Type of ship: <input type="checkbox"/> Oil tanker <input type="checkbox"/> Chemical tanker <input type="checkbox"/> Bulk carrier <input type="checkbox"/> Container <input type="checkbox"/> Other cargo ship <input type="checkbox"/> Passenger ship <input type="checkbox"/> Ro-ro <input type="checkbox"/> Other (specify)	

#### 2. PORT AND VOYAGE PARTICULARS

2.1 Location/terminal name:	2.6 Last port where waste was delivered:
2.2 Arrival date and time:	2.7 Date of last delivery:
2.3 Departure date and time:	2.8 Next port of delivery:
2.4 Last port and country:	2.9 Person submitting this form (if other than the master):
2.5 Next port and country (if known):	

#### 3. TYPE AND AMOUNT OF WASTE AND STORAGE CAPACITY

Type	Waste to be delivered (m <sup>3</sup> )	Maximum dedicated storage capacity (m <sup>3</sup> )	Amount of waste retained on board (m <sup>3</sup> )	Port at which remaining waste will be delivered	Estimated amount of waste to be generated between notification and next port of call (m <sup>3</sup> )
MARPOL Annex I – Oil					
Oily bilge water					
Oily residues (sludge)					
Oily tank washings					
Dirty ballast water					

Type	Waste to be delivered (m <sup>3</sup> )	Maximum dedicated storage capacity (m <sup>3</sup> )	Amount of waste retained on board (m <sup>3</sup> )	Port at which remaining waste will be delivered	Estimated amount of waste to be generated between notification and next port of call (m <sup>3</sup> )
Scale and sludge from tank cleaning					
Other (please specify)					
MARPOL Annex II – NOXIOUS LIQUID SUBSTANCES (NLS) <sup>(1)</sup>					
Category X substance					
Category Y substance					
Category Z substance					
OS – other substances					
MARPOL Annex IV – Sewage					
MARPOL Annex V – Garbage					
A. Plastics					
B. Food Waste					
C. Domestic waste (e.g. paper products, rags, glass, metal, bottles, crockery, etc.)					
D. Cooking Oil					
E. Incinerator ashes					
F. Operational waste					
G. Animal carcass(es)					
H. Fishing gear					
I. E-waste					

<sup>(1)</sup> Indicate the proper shipping name of the NLS involved.

Type	Waste to be delivered (m <sup>3</sup> )	Maximum dedicated storage capacity (m <sup>3</sup> )	Amount of waste retained on board (m <sup>3</sup> )	Port at which remaining waste will be delivered	Estimated amount of waste to be generated between notification and next port of call (m <sup>3</sup> )
J. Cargo residues <sup>(1)</sup> (Harmful to the Marine Environment – HME)					
K. Cargo residues <sup>(2)</sup> (non-HME)					
MARPOL Annex VI – Air Pollution related					
Ozone depleting substances and equipment containing such substances <sup>(3)</sup>					
Exhaust gas cleaning residues					

Other waste, not covered by MARPOL					
Passively fished waste					

## Notes

1. This information shall be used for port State control and other inspection purposes.
2. This form is to be completed unless the ship is covered by an exemption in accordance with Article 9 of Directive (EU) 2019/883

<sup>(1)</sup> May be estimates. Indicate the proper shipping name of the dry cargo.

<sup>(2)</sup> May be estimates. Indicate the proper shipping name of the dry cargo.

<sup>(3)</sup> Arising from normal maintenance activities on board.



## Annex 5 Waste Receipt form

### STANDARD FORMAT FOR THE WASTE DELIVERY RECEIPT

*The designated representative of the port reception facility provider shall provide the following form to the master of a ship that has delivered waste in accordance with Article 7 of Directive (EU) 2019/883*

*This form shall be retained on board the ship along with the appropriate Oil Record Book, Cargo Record Book, Garbage Record Book or Garbage Management Plan as required by the MARPOL Convention.*

#### 1. PORT RECEPTION FACILITY AND PORT PARTICULARS

1.1. Location/terminal name:	
1.2. Port reception facility provider(s):	
1.3. Treatment facility provider(s) – if different from above:	
1.4. Waste delivery date and time from:	to:

#### 2. SHIP PARTICULARS

2.1. Name of the ship:		2.5. Owner or operator:	
2.2. IMO number:		2.6. Distinctive number or letters: MMSI (Maritime Mobile Service Identity) number:	
2.3. Gross tonnage:		2.7. Flag State:	
2.4. Type of ship: <input type="checkbox"/> Oil tanker <input type="checkbox"/> Chemical tanker <input type="checkbox"/> Bulk carrier <input type="checkbox"/> Container <input type="checkbox"/> Other cargo ship <input type="checkbox"/> Passenger ship <input type="checkbox"/> Ro-ro <input type="checkbox"/> Other (specify)			



## 3. TYPE AND AMOUNT OF WASTE RECEIVED

MARPOL Annex I – Oil	Quantity (m <sup>3</sup> )	MARPOL Annex V – Garbage	Quantity (m <sup>3</sup> )
Oily bilge water		A. Plastics	
Oily residues (sludge)		B. Food waste	
Oily tank washings		C. Domestic waste (e.g. paper products, rags, glass, metal, bottles, crockery, etc.)	
Dirty ballast water		D. Cooking oil	
Scale and sludge from tank cleaning		E. Incinerator ashes	
Other (please specify)		F. Operational waste	
MARPOL Annex II – NOXIOUS LIQUID SUBSTANCES (NLS)	Quantity (m <sup>3</sup> )/ Name <sup>(1)</sup>	G. Animal carcass(es)	
Category X substance		H. Fishing gear	
Category Y substance		I. E-waste	
		J. Cargo residues <sup>(2)</sup> (Harmful to the Marine Environment – HME)	
		K. Cargo residues <sup>(2)</sup> (non-HME)	
		MARPOL Annex VI – Air Pollution related	Quantity (m <sup>3</sup> )
Category Z substance		Ozone-depleting substances and equipment containing such substances	
OS – other substance		Exhaust gas-cleaning residues	
MARPOL Annex IV – Sewage	Quantity (m <sup>3</sup> )	Other waste, not covered by MARPOL	Quantity (m <sup>3</sup> )
		Passively fished waste	

<sup>(1)</sup> Indicate the proper shipping name of the NLS involved.

<sup>(2)</sup> Indicate the proper shipping name of the dry cargo.

## Annex 6 Exemption Certificate form

EXEMPTION CERTIFICATE PURSUANT TO ARTICLE 9 IN RELATION TO THE REQUIREMENTS UNDER ARTICLE 6, ARTICLE 7(1) AND ARTICLE 8 OF DIRECTIVE (EU) 2019/883 AT THE PORT[S] OF [INSERT PORT] IN [INSERT MEMBER STATE] <sup>(1)</sup>

Name of ship

Distinctive number or letters

Flag State

[insert name of the ship]

[insert IMO number]

[insert name of the Flag State]

is in scheduled traffic with frequent and regular port calls at the following port(s) located in [insert name of the Member State] according to a schedule or predetermined route:

[ ]

and calls at these ports at least once a fortnight:

[ ]

and has made an arrangement to ensure the payment of the fees and the delivery of waste to the port or a third party at the port of:

[ ]

and is thus exempted, in accordance with [insert relevant provision in national legislation of the country], [from the requirements on:

- ☐ mandatory delivery of waste from ships,
- ☐ the advance waste notification, and
- ☐ the payment of the mandatory fee, at the following port(s):]

This certificate is valid until [insert date], unless the grounds for issuing the certificate are changed before that date.

Place and date

.....  
Name  
Title

<sup>(1)</sup> Delete if not appropriate.

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