European Commission

Towards a new EU Directive on port reception facilities for the delivery of waste from ships

Making the EU legal framework fit for purpose

GreenPort Cruise, Amsterdam, 10th October 2017

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Background

- **Directive 2000/59/EC**:
  - Objective: *reduce discharges of SGW and CR into the sea*
  - Scope: **all ships**, including fishing vessels and small recreational craft; **all EU ports** receiving seagoing vessels

- **REFIT Evaluation (2015):**
  - Commission Evaluation Report: COM(2016) 168 final;
  - Need for a legislative revision
  - Challenges to be addressed: **Availability of Adequate PRF**, **Delivery of Waste** to PRF and **Administrative Burden** associated with implementation

Short/medium term action

- **Commission Interpretative Guidelines: Commission Notice 2016/C (115/05):**
  - *addressing implementation issues in the interim period by providing clarification of key concepts*
- **Common Information and Monitoring System**, Article 12(3) of the PRF Directive, Building on existing electronic data systems:
  - **SafeSeaNet:** reporting of the advance waste notification (electronic waste message based on Annex II)
  - **THETIS:** Port State Control system, separate module for PRF (THETIS-EU)

Impact Assessment process

- **Inter-Service Steering Group: MOVE, SG, MARE, ENV, GROW, REGIO, EMSA**
- **Impact Assessment Support Study: May 2016-May 2017: Ecorys/COWI, final report available:**
  https://ec.europa.eu/transport/modes/maritime/studies/maritime_en
- **Stakeholder consultation process**
- **Commission Impact Assessment Report, approval from the Regulatory Scrutiny Board**

Impact Assessment Report

- Problem definition
- Definition of policy measures
- Definition of policy options
- Assessment of the impacts (environmental, economic and social impacts)
- Comparison of the options (effectiveness efficiency, coherence)

Problem definition

- *Problem drivers and root causes:*
  1. **Inadequate reception and handling of SGW and CR by PRF**
  2. **Insufficient cost incentives to deliver the waste to PRFs**
  3. **Ineffective enforcement of the mandatory delivery of SGW**
  4. **Inconsistent and outdated definitions and forms applied**
  5. **Inconsistent application of exemptions**

- Quantification of the **Baseline** (*waste gap*); **MARWAS model and Environmental Vulnerability Assessment**

Policy measures

- **General objective of the revision**: reduce discharges of SGW and CR into the sea, while ensuring an efficient operation of maritime operations in port.

- 20 **Policy measures addressing**:
  1. **Adequacy of PRF**
  2. **Incentives for delivery**
  3. **Enforcement of the mandatory delivery**
  4. **Definitions/forms, consistency with MARPOL**
  5. **Exemptions**

Policy options

- 4 **Policy Options**: 1. Baseline; 2. Minimum revision; 3. **MARPOL alignment**; 4. **EU PRF regime** for all discharges; and variant options 3b and 4b on **Marine Litter**
- Both options 3 and 4 to include measures to improve **Adequacy of PRF**, as well as the **Incentives for delivery**

➢ ***Preferred option: 3b: MARPOL alignment with special focus on marine litter!***

MARPOL alignment option (3)

- ***Rationale**: clarify the relationship with the MARPOL Convention, simplify the legislative framework and reduce administrative burden*
  - Define the scope of the mandatory delivery obligation in relation to MARPOL discharge norms
  - Align the **definition** of SGW and cargo residues with the Annexes in MARPOL
  - **Waste notification** to be fully aligned with IMO Circular; introduction of a **Waste Receipt**
  - **Risk-based approach** for inspections: **Port State Control** (with separate regime for domestic vessels)
  - **Measures** to improve **adequacy** of PRF and increase delivery of SGW through **economic incentives**

Marine litter option variant (3b)

- ***Rationale**: contribution of sea-based sources to overall problem of marine litter: merchant ships, fishing vessels, recreational craft. Environmental vulnerability of different sea-basins.*

Marine litter option variant (3b)

- Mix of incentive and enforcement measures, with special focus on the delivery of **garbage** to PRF.
- Redefine the position of **fishing vessels and small recreational craft** in the Directive
- In addition to the mix of other measures to improve **Adequacy** of PRF and increase the delivery of waste to PRF

Time-schedule

- Inter-service Consultation on the draft proposal: *October –beginning of November*
- Translation: *November*
- Adoption and publication: *December 2017*

European Commission

Thank you for your attention!

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