
STATUTORY INSTRUMENTS

1996 No. 2154

**The Merchant Shipping (Prevention
of Oil Pollution) Regulations 1996**

PART III

**REQUIREMENTS FOR CONTROL OF OPERATIONAL
POLLUTION—CONTROL OF DISCHARGE OF OIL**

General exceptions

- 11.** The provisions of regulations 12, 13 and 16 shall not apply to—
- (a) any discharge into the sea of oil or oily mixture necessary for the purpose of securing the safety of a ship or saving life at sea; or
 - (b) any discharge into the sea of oil or oily mixture which results from damage to a ship or its equipment provided that—
 - (i) all reasonable precautions were taken after the damage, or discovery of the discharge, to prevent or minimise the discharge; and
 - (ii) the owner or the master did not act either with intent to cause damage, or recklessly and with knowledge that damage would probably result; or
 - (c) any approved discharge into the sea of substances containing oil, when being used for the purpose of combating specific pollution incidents in order to minimise the damage from pollution. Any such discharge shall be subject to the approval of any Government in whose jurisdiction it is contemplated the discharge will be made.

Ships other than oil tankers and machinery space bilges of oil tankers

- 12.—(1)** Subject to regulation 11 this regulation applies to—
- (a) (i) United Kingdom ships other than oil tankers; and
 - (ii) United Kingdom oil tankers in relation to discharges from their machinery space bilges (unless mixed with oil cargo residue) but excluding cargo pump room bilges; wherever they may be, and—
 - (b) subject to regulation 38, to—
 - (i) other ships, other than oil tankers; and
 - (ii) other oil tankers, in relation to discharges from their machinery space bilges (unless mixed with oil cargo residue) but excluding cargo pump room bilges, wherever they may be.
- (2) Subject to paragraph (3), a ship to which this regulation applies shall not discharge oil or oily mixture into any part of the sea unless all the following conditions are satisfied—
- (a) the ship is proceeding on a voyage;

- (b) the ship is not within a special area;
- (c) the oil content of the effluent does not exceed 15ppm; and
- (d) the ship has in operation the filtering equipment and the oil discharge and monitoring and control system, required by regulation 14.

(3) In the case of a ship referred to in regulation 14(7) (that is to say, a ship delivered before 6th July 1993) which by virtue of that regulation is for the time being not required to be fitted and is not in fact fitted with the equipment required by regulation 14(1), (2) or (3), paragraph (2) shall not apply until—

- (a) 6th July 1998; or
- (b) the date on which the vessel is so fitted;

whichever is earlier. Even so, until that date (that is to say, the earlier of the two said dates) the ship shall not discharge oil or oily mixture into the sea unless all the following conditions are satisfied—

- (i) the ship is not within a special area;
- (ii) the ship is more than 12 miles from the nearest land;
- (iii) the ship is proceeding on a voyage;
- (iv) the oil content of the effluent is less than 100ppm; and
- (v) the ship has in operation approved oily-water separating equipment of a design which is approved in accordance with the specification set out in the Recommendations on International Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters.

(4) No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or contain chemicals or other substances introduced for the purpose of circumventing the conditions of discharge prescribed by this regulation.

(5) Insofar as any oil or oily mixture has not been unloaded as cargo and may not be discharged into the sea in compliance with paragraphs (2) or (3), it shall be retained on board and discharged into reception facilities.

(6) Subject to paragraph (7), this regulation does not apply to discharges which occur landward of the line which for the time being is the baseline for measuring the breadth of the territorial waters of the United Kingdom.

(7) Notwithstanding paragraph (6), discharges prohibited by paragraph (4) shall continue to be prohibited when made in the sea on the landward side of the line referred to in paragraph (6).

Oil Tankers

13.—(1) Subject to regulation 11 this regulation applies to—

- (a) every United Kingdom oil tanker; and
- (b) subject to regulation 38, every other oil tanker wherever it may be.

(2) Subject to paragraph (3) an oil tanker to which this regulation applies shall not discharge any oil or oily mixture (except those for which provision is made in regulation 12) into any part of the sea unless all the following conditions are satisfied—

- (a) the tanker is proceeding on a voyage;
- (b) the tanker is not within a special area;
- (c) the tanker is more than 50 miles from the nearest land;
- (d) the instantaneous rate of discharge of oil content does not exceed 30 litres per mile;

- (e) the total quantity of oil discharged into the sea does not exceed $\frac{1}{3,000}$ of the total quantity of the particular cargo of which the residue formed a part, or, in the case of existing tankers, the total quantity of oil discharged does not exceed $\frac{1}{1,500}$ of the total quantity of the particular cargo of which the residue formed a part; and
- (f) the tanker has in operation an oil discharge monitoring and control system and a slop tank arrangement as required by regulation 15.

(3) The provisions of paragraph (2) shall not apply to the discharge of clean or segregated ballast or unprocessed oily mixture which without dilution has an oil content not exceeding 15 ppm and which does not originate from cargo pump room bilges and is not mixed with oil cargo residues.

(4) No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or contain chemicals or other substances introduced for the purposes of circumventing the conditions of discharge prescribed by this regulation.

(5) Insofar as any oil or oily mixture has not been unloaded as cargo and may not be discharged into the sea in compliance with paragraph (2), it shall be retained on board and shall be discharged into reception facilities.

(6) Subject to paragraph (7), this regulation does not apply to discharges which occur landward of the line which for the time being is the baseline for measuring the breadth of the territorial waters of the United Kingdom.

(7) Notwithstanding paragraph (6), discharges prohibited by paragraph (4) shall continue to be prohibited when made in the sea on the landward side of the line referred to in paragraph (6).

Oil filtering equipment and oil discharge monitoring and control system

14.—(1) Subject to paragraphs (3) and (7), every ship of 400 GT and above but less than 10,000 GT shall be fitted with oil filtering equipment complying with paragraph (5); and any such ship which carries ballast water in its bunker fuel tanks—

- (a) (i) in addition, shall be provided with an alarm device and the means for automatically stopping and discharge of oily mixture when the oil content in the effluent exceeds 15 ppm complying with the specifications referred to in paragraph (6); and
- (ii) shall not discharge such ballast water into the sea unless using that equipment and a record of any such discharge shall be made in the Oil Record Book; or
- (b) shall discharge the ballast water to reception facilities.

(2) Subject to paragraphs (2) and (6), every ship which is of 10,000 GT and above shall be provided with—

- (a) oil filtering equipment complying with paragraph (5); and
- (b) oil content measuring equipment fitted with an 15ppm alarm device and with arrangements for automatically stopping any discharge of oily mixture when the oil content in the effluent exceeds 15 ppm, both complying with paragraph (6).

(3) The Secretary of State may waive the requirements in paragraphs (1) and (2) if a ship is engaged exclusively on voyages within special areas and—

- (a) it is fitted with a holding tank having a volume adequate for the retention on board of all oily bilge water;
- (b) all oily bilge water is retained on board for subsequent discharge to reception facilities;
- (c) adequate reception facilities are available to receive such oily bilge water in a sufficient number of ports or terminals that the ship calls at;

- (d) the IOPP Certificate, when required, is endorsed to the effect that the ship is exclusively engaged on voyages within special areas; and
- (e) the relevant entries are recorded in the Oil Record Book.

(4) Subject to paragraph (7), every ship which is of less than 400 GT shall, so far as reasonably practicable be constructed to ensure that oil or oily mixtures are retained on board and discharged to reception facilities or, if oil or oily mixtures are to be discharged into the sea, are so discharged in accordance with the requirements of regulation 12(2).

(5) Oil filtering equipment shall be of an approved design in accordance with the specification for such equipment set out in the Recommendations on International Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters.

(6) Oil content measuring equipment and alarm device shall be of an approved design in accordance with the specification for such equipment set out in the Recommendations on International Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters, and the arrangements for automatically stopping any discharge shall be of an approved design.

(7) A ship delivered before 6th July 1993 need not comply with the foregoing requirements before 6th July 1998; but, if the ship does not so comply before that date, it shall be fitted with oily-water separating equipment which is such as to ensure that any oily mixture discharged into the sea after passing through the equipment has an oil content not exceeding 100 ppm.

Retention of oil on board

15.—(1) Subject to the provisions of paragraphs (5) and (6), oil tankers of 150 GT and above shall comply with the requirements of paragraphs (2) and (3).

- (a) (2) (a) Adequate means shall be provided for cleaning the cargo tanks and transferring the dirty ballast residues and tank washings from the cargo tanks into a slop tank. In existing oil tankers, any cargo tank may be designated as a slop tank.
- (b) Arrangements shall be provided to transfer the oil waste into a slop tank or combination of slop tanks in such a way that any effluent discharges into the sea will be such as to comply with regulation 13.
- (c) The slop tank or combination of slop tanks provided shall have sufficient capacity to retain the slops generated by tank washings, oil residues and dirty ballast residues; and that capacity shall be not less than 3 per cent of the cargo oil carrying capacity of the ship unless—
 - (i) segregated ballast tanks or dedicated clean ballast tanks are provided in accordance with regulation 18, or a cargo tank cleaning system using crude oil washing, in accordance with regulation 21. In that event the total capacity of the slop tank or tanks may be reduced to 2 per cent of the oil carrying capacity of the ship;
 - (ii) in the case of combination carriers, the oil cargo is carried in tanks with smooth walls, when the said total capacity may be reduced to 1 per cent of the oil carrying capacity of the ship;

Provided that, where the tank washing arrangements are such that, once the slop tank or tanks are charged with washing water, this water is sufficient for the tank washing and, where applicable, for providing the driving fluid for the pumps (including eductors) without the introduction of additional water into the system, the above figures of 3 per cent, 2 per cent and 1 per cent may be reduced to 2 per cent, 1.5 per cent and 0.8 per cent respectively.

- (d) Slop tanks shall be so designed, particularly as regards the position of inlets, outlets, baffles or weirs (where fitted), as to avoid excessive turbulence and entrainment of oil or emulsion with water.

- (e) New oil tankers of 70,000 tons deadweight and above shall be provided with at least two slop tanks.
 - (a) (3) (a) An oil discharge monitoring and control system of an approved design shall be fitted. It shall be designed and installed in accordance with the Guidelines and Specification for Oil Discharge and Control Systems for Oil Tankers.
 - (b) Any such system shall be fitted with a recording device to provide, unless otherwise required by the Guidelines and Specifications referred to in subparagraph (a) a continuous record of the discharge of oil in litres per mile and the total quantity of oil discharged or, in lieu of the total quantity of oil discharged, the oil content and rate of discharge of the effluent. The record shall be identifiable as to the time and date and be kept for at least three years.
 - (c) The system shall be brought into operation when there is a discharge of effluent into the sea and shall be such as to ensure that any discharge of oily mixture is, unless otherwise permitted by the Guidelines and Specifications referred to in subparagraph (a), automatically stopped when the instantaneous rate of discharge of oil exceeds 30 litres per mile.
 - (d) On any failure of the system the discharge shall be stopped and the failure noted in the Oil Record Book. A manually operated alternative system shall be provided and may be used in the event of such a failure, but the defective unit shall be made operable as soon as possible. If a tanker with a defective unit is within the United Kingdom or the territorial waters thereof, the Secretary of State may allow the tanker to undertake one ballast voyage before proceeding to a repair port.
 - (e) Effective oil/water interface detectors, of a design approved in accordance with the Specifications for Oil/Water Interface Detectors, shall be provided for the rapid and accurate determination of the oil/water interface in slop tanks and in other tanks where the separation of oil and water is effected and from which it is intended to discharge effluent direct to the sea.
 - (f) Approved instruction manuals on the operation and maintenance of the various components comprising the oil discharge monitoring and control system shall be provided. These manuals shall contain information on manual as well as automatic operation and shall be so drawn up as to ensure that at no time will oil be discharged except in compliance with the conditions specified in regulation 13.
- (4) Oil tankers of less than 150 GT pursuant to regulation 13 shall retain oil and all contaminated washings on board for subsequent discharge to reception facilities. The total quantity of oil and water used for washing and returned to a storage or slop tank shall be recorded in the Oil Record Book. This total quantity shall be discharged to reception facilities unless adequate arrangements are made to ensure that any effluent which is discharged into the sea is effectively monitored to ensure that the provisions of regulation 13 are complied with.
- (a) (5) (a) Paragraphs (1), (2) and (3) shall not apply to any oil tanker which is engaged exclusively on voyages of 72 hours or less in duration and within 50 miles of the nearest land, provided that—
 - (i) the oil tanker is engaged exclusively in trade between ports or terminals within the United Kingdom;
 - (ii) the oil tanker retains on board all oily-mixtures for subsequent discharge to reception facilities;
 - (iii) the Secretary of State has determined that adequate facilities are available to receive such oily mixtures.
 - (b) The requirements of paragraph (3) shall not apply to any oil tanker where—

- (i) the tanker is an existing oil tanker of 40,000 deadweight tons or above, engaged in specific trades, in accordance with regulations 22(1) and complying with the conditions specified in regulation 22(2); or
- (ii) subject to subparagraph (b)(iii), the tanker is engaged exclusively on voyages—
 - (aa) within special areas; or
 - (bb) within 50 miles from the nearest land outside special areas and—
- (A) trading between ports and terminals within the United Kingdom; or
- (B) on restricted voyages of 72 hours or less in duration;
- (iii) tankers to which subparagraph (b)(ii) applies shall comply with the following requirements—
 - (aa) all oily mixtures are retained on board for subsequent discharge to reception facilities;
 - (bb) for voyages specified in subparagraph (b)(ii)(bb) adequate reception facilities are available to receive such oily mixtures in those oil loading ports or terminals the tanker calls at;
 - (cc) the IOPP or UKOPP Certificate is endorsed to the effect that the ship is exclusively engaged in one or more of the categories of voyages specified in subparagraphs (b)(ii)(aa) and (b)(ii)(bb) above; and
 - (dd) the relevant entries are recorded in the Oil Record Book.

(6) Paragraphs (1), (2) and (3) shall not apply to oil tankers carrying asphalt or other products subject to the provisions of these Regulations which, through their physical properties, inhibit effective product/water separation and monitoring: in such cases the requirements of regulation 13 shall be satisfied by the retention of residues on board and the discharge of all contaminated washings to reception facilities.

Methods for the prevention of oil pollution from ships operating in special areas

16.—(1) For the purposes of these Regulations the special areas are the Mediterranean Sea area, the Baltic Sea area, the Black Sea area and the Antarctic area, defined as follows—

- (a) “the Mediterranean Sea area” means the Mediterranean Sea including the gulfs and seas therein with the boundary between the Mediterranean and the Black Sea constituted by the 41°N parallel and bounded to the west by the Straits of Gibraltar at the meridian of 5°36'W;
- (b) “the Baltic Sea area” means the Baltic Sea with the Gulf of Bothnia, the Gulf of Finland and the entrance to the Baltic Sea bounded by the parallel to the Skaw in the Skagerrak at 57°44.8'N;
- (c) “the Black Sea area” means the Black Sea with the boundary between the Mediterranean and the Black Sea constituted by the parallel 41°N;
- (d) “the Antarctic area” means the sea area south of 60° south latitude,

and any designated by the Secretary of State in a Merchant Shipping Notice following a Resolution of the Marine Environment Protection Committee of the International Maritime Organisation.

- (2) Subject to the provisions of regulation 11 and paragraph (3), there shall be prohibited—
 - (a) in the Antarctic area, any discharge into the sea from any United Kingdom ship of oil or oily mixture; and
 - (b) in every special area other than the Antarctic area—
 - (i) any discharge into the sea of oil or oily mixture from any United Kingdom oil tanker or from any United Kingdom ship of 400 GT or above other than an oil tanker; and

- (ii) any discharge into the sea of oil or oily mixture from a United Kingdom ship of less than 400 GT other than an oil tanker, except when the oil content of the effluent without dilution does not exceed 15 ppm.
 - (a) (3) (a) Paragraph (2) shall not apply to the discharge of clean or segregated ballast.
 - (b) Paragraph (2)(a) shall not apply to the discharge of processed bilge water from machinery spaces, provided that all the following conditions are satisfied—
 - (i) the bilge water does not originate from cargo pump room bilges;
 - (ii) the bilge water is not mixed with cargo oil residues;
 - (iii) the ship is proceeding on a voyage;
 - (iv) the oil content of the effluent, without dilution, does not exceed 15 ppm of mixture;
 - (v) the ship has in operation an oil filtering system complying with regulation 14(5) and equipment complying with regulation 14(6);
 - (vi) the oil filtering system is equipped with a stopping device which will ensure that the discharge is automatically stopped if the oil content of the effluent exceeds 15 ppm parts of the mixture.
 - (a) (4) (a) No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or contain chemicals or other substances introduced for the purpose of circumventing the conditions of discharge specified in this regulation.
 - (b) Where residues of oil or oily mixture may not be discharged into the sea in compliance with paragraphs (2) or (3), they shall be retained on board and shall only be discharged into reception facilities.
- (5) Nothing in this regulation shall prohibit a ship on a voyage only part of which is in a special area from discharging outside the special area in accordance with regulations 12 and 13.
- (6) A United Kingdom ship shall not enter the Antarctic unless—
- (a) it is fitted with a tank or tanks of sufficient capacity for the retention on board of all sludge, dirty ballast, tank washing water and other oily residues and mixtures while operating in the area; and
 - (b) it has concluded arrangements to have such oily residues and mixtures discharged into a reception facility after it has left the area.
- (7) Subject to regulation 38, this regulation, other than paragraph (6), applies to ships which are not United Kingdom ships as it applies to United Kingdom ships.