NATIONAL ADMINISTRATIVE REGISTER · JULY 5, 2001

SHIPBOARD OIL POLLUTION EMERGENCY PLAN FOR PHILIPPINE REGISTERED VESSELS

PHTBP MEMORANDUM CIRCULAR NO. 08-2001, July 05, 2001

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1
AUTHORITY

a. Republic Act 5173
b. Presidential Decree No. 600
c. Presidential Decree No. 979
d. Regulation 26 of Annex I MARPOL 73/78
e. Executive Order No. 292

2
PURPOSE

The purpose of this Memorandum Circular is to provide implementing guidelines for the development of a Shipboard Oil Pollution Emergency Plan for ships.

3
SCOPE

This Memorandum Circular shall apply to all Philippine registered vessels engaged in international or domestic trade.

4
DEFINITION OF TERMS

a. Oil Tanker - a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes combination carriers or any "chemical tanker" constructed or adapted primarily to carry cargo of noxious liquid substances in bulk or when it is carrying cargo other than noxious liquid substances but part of it is oil in bulk.

b. Ship - vessel other than an oil tanker of any type operating in the marine environment and includes floating crafts and fixed or floating platforms.

c. Incident - an event involving the actual or probable discharge into the sea of any harmful substances, or effluents containing such substance.

d. Plan - refers to the Shipboard Oil Pollution Emergency Plan mandated by this Circular.

5
POLICY

All oil tankers of 150 gross tonnage and above and every ship other than an oil tanker of 400 gross tonnage and above shall carry on board a shipboard oil pollution emergency plan approved by the PCG.

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6
GENERAL REQUIREMENTS

a. Ship Operators/Oil Companies

Developed shipboard oil pollution emergency plans of every ship shall contain at least the following items:

1) Procedures to be observed by the master or other persons having charge of the ship in case of an oil pollution incident.

2) List of authorities or persons to contact in the event of an oil pollution incident

3) Detailed description of actions to be taken immediately by persons on board in order to reduce or control the discharge of oil as a result of the incident.

4) Procedures and point of contact on the ship for purposes of coordinating shipboard activities with national and local authorities in combating pollution.

5) Necessary assistance to the master in meeting the demands of a major discharge should it involved in one.

6) Provisions on:

a. Coastal State reports on actual and probable discharge.

b. List of persons to contact in the port and ships.

c. Coastal State contacts in agencies or officials of administration responsible for receiving and processing reports.

d. Steps to control discharge during operational spills through on-board re- sources or hiring clean-up company.

e. Priority actions in shipboard emergencies.

f. Ship's lay-out and plans appendices.

g. National and local coordination entities and their roles in case of emergencies falling within their jurisdiction.

b. Ships

1. Ensure the availability of the plan for inspection and evaluation at all times.

2. Conduct regular drills/exercises and periodic review of the plan at least yearly to keep up with changes in local laws and policies.

3. After using the plan in a incident, evaluate it and whenever necessary to suit the current condition.

7
PROCEDURE

a. Ship operator shall have a copy of the proposed Plan in writing to the Commander, MEPCOM or the Coast Guard Commander concerned as the case may be for evaluation and approval prior to its implementation aboardship (Annex II[*] - Format of a Shipboard Oil Pollution Emergency Plan).

b. No alternation or revision on the plan shall be made without the approval of the PCG.

c. The Plan shall be effective for a period of three (3) years from the date of its approval and may be renewed prior to the expiration of this period by observing the procedure prescribed in this Circular. The existing plan shall

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remain effective until the approval of the proposed modified Plan.

d. The Plan ceases to be valid if significant alterations or revisions are made without the approval of the PCG.

8
FEES

Approved/Evaluation of Shipboard Oil Pollution Emergency Plan - P800.00

9
PENALTY CLAUSE

Shipowners through the master or agent whose vessels have been found to have no Plan on board, shall be administratively liable and shall be subject to a fine of Ten Thousand Pesos (P10,000.00).

The shipowner shall reimburse the master/agent the amount defrayed by the latter in payment of the administrative penalty. In case of inability of the master/agent to pay the penalty, the Shipowner shall be subsidiary liable. The administrative penalty mentioned in the preceding paragraphs is without prejudice to other sanctions that the PCG may impose for violation of other rules and regulations arising from the same incident.

10
REPEALING CLAUSE

Memorandum Circular No. 04-93 dated 20 May 1991 is hereby repealed.

11
EFFECTIVITY CLAUSE

This Memorandum Circular shall take effect fifteen (15) days from the filing of a copy of this Circular with the U.P. Law Center.

Adopted: 05 July 2001

(SGD.) ARTHUR N. GOSINGAN
VADM PCG
Commandant PCG

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[*] Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City.

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