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# RULES AND REGULATIONS FOR TANK CLEANING OPERATIONS AND THE COLLECTION AND DISPOSAL OF DILUTED OIL AND OTHER SUBSTANCES

*PHTBP MEMORANDUM CIRCULAR NO. 05-2001, June 19, 2001*

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I
AUTHORITY

Presidential Decree Number 600 as amended by PD 979 empowers the PCG to prescribe, promulgate and enforce regulations for the prevention and control of marine pollution.

II
SCOPE

This Memorandum Circular shall apply to all tank cleaning operations and the collection and disposal of diluted oil within the territorial jurisdiction of the Philippines.

III
DEFINITION OF TERMS:

1. Tank Cleaning Operations - methods of removing from the tankers the residue from her previous cargo.

2. Oil - grease of in any kind or any form including but not limited to petroleum fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredge spoil.

3. Oil Mixture - a combination of substances mixed with oil

4. Oil Tanker - a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes combination carriers when carrying cargo or part of oil in bulk.

5. Gas Free - a condition where sufficient air is allowed into a tank, compartment or container thereby reducing the level of any flammable, toxic or inert gases to that required for specific purposes.

IV.
RESPONSIBILITIES OF MASTER/AGENT & OPERATOR/CONTRACTOR:

**A. GENERAL RESPONSIBILITIES:**

1. All vessels intended for tank cleaning shall be provided on board with at least a drum (210 ltrs) of chemical oil dispersant duly approved and accredited by the PCG.

2. No tank cleaning operation shall commence without the proper clearance from the PCG. A clearance is required for every tank cleaning operation. Contractors shall be duly accredited by the PCG.

3. No tank cleaning operation shall commence unless a written certification is accomplish by the master/contractor to the effect that the tank is gas free and devoid of toxic substances.


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4. Ship personnel shall maintain a close watch against the escape of oil before, during, and after tank cleaning operation. The master of the vessel shall be responsible for any oil spill even when tank-cleaning operation is being undertaken.

5. The master of the vessel shall designated restricted areas aboard ship where smoking or open light is prohibited. These areas shall be easily identified and properly marked.

6. Periodic gas tests shall be undertaken by the contractor and continuously maintained whenever tank-cleaning operations are on going.

7. Owners or refineries and other power plant establishing shall be responsible for the safe disposal of diluted oil, chemicals and other harmful substances to avoid their spill, particularly to any body of water.

**B. SPECIFIC RESPONSIBILITIES:**

1. Master/Local Agent:

a. Be administratively liable for the violation of marine pollution rules and regulations.

b. Assist the PCG in the effective supervision of tank cleaning operations.

2. Operator/Contractor:

a. Coordinate with DNOCOP and District Commanders as the case may be for the effective and safe conduct of the tank cleaning operations.

b. Observe all rules and regulations pertaining to prevention.

c. Liable to the master of the vessel for any oil spill that may occur from the tank cleaning activities.

d. The contractor shall furnish DNOCOP with relevant information (in a format as shown in Annex A[*]) each time a tank cleaning operation is undertaken.

e. Collectors shall be accredited by the Philippines Coast Guard. Collection shall be supervised by/reported to PCG authorities. Oil wastes shall be disposed of by depositing it to the DENR-EMB accredited reception facility or dumping areas.

V
ACCREDITATION

A. Procedures for Accreditation of Tank Cleaning Contractors/Collectors of Diluted Oil and Other Related Harmful Substances

1. Accreditation of oily waste collectors shall be processed and filed with the Commander, National Operations Center for Oil Pollution (NOCOP), PCG. Those in the areas shall submit their request to DNOCOP thru the respective District Commander for endorsement if applicant is outside the District Area. Application for accreditation shall include the requirements listed on Annex I of this Circular.

2. Upon receipt of the application, DNOCOP or the District Commander, as the case may be, shall evaluate the applicant's capability and apprise CMEPCOM of the result thereof with appropriate recommendation for the issuance of an Accreditation Certificate to the applicant.

3. The AC of S, CG-9 shall prepare the accreditation certificate for signature of CPCG.

4. List of accreditation contractors shall be posted at O/CG-9, HMEPCOM and in all CG District and Stations.


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5. Accreditation certificates shall be valid for a period of one (1) year. Application for the renewal of Accreditation Certificates should be filed not later than fifteen (15) days prior to the indicated date of expiration.

VI
FEES

The following fees shall be charged:

a. Inspection/Testing of equipment

-

P

600.00

b. Accreditation Certificate

-

P

1,000.00

c. Tank Cleaning Clearance

-

P

500.00

d. Supervision Fee (Oil Waste Collection)

-

P

1,000.00

VII
PENALTY CLAUSE

A. Any contractor undertaken tank cleaning operations and/or involved in the collection and disposal of diluted oil and other related substances within Philippine territory without the proper accreditation certificate from the PCG shall be held administratively liable and the violators shall be subject to a fine of P10,000.00

B. Ship owners, who through the master or agent, shall fail to secure the clearance from CPCG as prescribed in paragraph A.1 or shall allow tank cleaning operations to be conducted by any contractor without the required


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accreditation certificate from the PCG shall be held administratively liable and shall be subject to a fine of P10,000.00

C. The master of the vessel shall be held liable for any violation of marine pollution laws and shall be subject to fines stipulated in rules and regulations implementing these laws.

VIII
EFFECTIVITY

This Memorandum Circular shall take effect after 15 days from the time a copy of the approved circular is filed with the UP Law Center.

Adopted: 19 June 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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