

ACCREDITATION OF OIL WATER SEPARATORS, OIL CONTAINMENT, RECOVERY AND DISPERSAL EQUIPMENT AND CHEMICAL DISPERSANTS

PHTBP MEMORANDUM CIRCULAR NO. 06-2001, September 16, 2001

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AUTHORITY

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

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SCOPE

This Memorandum Circular shall apply the following:

- a. Vessels four hundred (400) gross tons and above and oil terminals discharging oily and dirty ballast;
- b. Self-propelled barges, tankers (150 GT and above), vessels towing dumb barges, refineries and depots;
- c. Oil refineries and major loading ports; and
- d. Manufacturers, dealers or distribution of oil-water separator, oil containment, recovery and dispersal equipment, or chemical dispersant.

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PURPOSE

The purpose of this Circular is to prescribe the procedures for the accreditation of chemical dispersants, oil containment, recovery dispersal equipment and oil separators, prescribe requirements to be observed by the subjects of this Circular, and to impose the corresponding sanctions for its violation.

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GENERAL REQUIREMENTS

- a. All oil-water separating equipment installed on board Vessels 400 GT and above Oil Tankers 150 GT and above shall be duly approved by the Philippine Coast Guard (PCG) to insure that any oil mixture discharged into the open sea, while the vessel is underway, after passing through the separators of filtering system have an oil content of not more than 15 parts per million (ppm).
- b. Self-propelled barges/tankers and vessels towing dumb barges containing oil in special areas shall have on board at least one (1) 210 liter drum of dispersants (Same as para 4c)
- c. Oil companies shall provide the following PCG-approved items:
 - 1) Twenty (20) drums of dispersants to refineries;

- 2) Five (5) drums of dispersants to depots.
- 3) Oil containment, recovery and dispersal equipment to major oil-loading ports; and
- 4) Appropriate receiving facility equipped with an oil water separator to oil terminals discharging oil and ballast.

d. PCG personnel shall not engage in the manufacture, dealing or distribution of oil-water separators, oil containment, recovery and dispersal equipment or chemical dispersants.

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PROCEDURES

a. Applicants for the type or brand accreditation of chemical dispersants, oil containment, recovery and dispersal equipment and oil-water separators shall be filed with the Director, National Operations Center for Oil Pollution (DNOCOP), Farola Compound, Binondo, Manila. The application shall include brochures/catalogues with specification from the manufacturer for study and evaluation.

b. Upon receipt of the application, DNOCOP or his duly authorized representative shall conduct tests on the operational capabilities and effectiveness of the oil-water separators, oil containment, recovery and dispersal equipment or toxicity of chemical dispersants, as the case may be, and submit to Commander, Marine Environmental Protection Command (CMEPCOM) the result of such test and his recommendation thereon

c. If found satisfactory, CMEPCOM shall recommend to the Commandant, Philippine Coast Guard (CPCG) the issuances of a certificate of accreditation in favor of the manufacturer/dealer/distributor for the particular model/type or brand of the item(s) for which Accreditation certificates shall be valid for a period of three (3) years. Application for the renewal of Accreditation Certificates should be filed not later than fifteen (15) days prior to the indicated date of expiration.

d. Prior to the installation of any equipment on board vessels, in oil terminals, refineries and depots, CMEPCOM shall be informed in writing by its manufacturer dealer or distributor.

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FEES

The following fees shall be imposed for the issuance of a Certificate of Accreditation:

- a. Testing Fee for Oily-Water Separators (three samples at 2,000.00/sample) - P 6,000
- b. Toxicity and Effectiveness Test for Oil Spill Dispersant - P3,000.00
- c. Accreditation Fee for each type of Oil Containment and Recovery Equipment - P1,000.00
- d. Certificate Fee - P300.00

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PENALTY CLAUSE

a. In case of failure of the equipment, after its installation to produce an effluent within the standards set by the PCG resulting to pollution of the sea due to mechanical defect already existing prior to its installation, the manufacturer/dealer/distributor from whom the equipment was purchased shall be held administratively liable and shall be subject to an administrative fine in the amount of Ten Thousand Pesos (P10,000.00) and the cancellation of the Certificate of Accreditation. Provided further that the defective equipment shall be replaced at the expense of the manufacturer/distributor/dealer upon coordination with the owner/operator of the vessel or oil firm.

b. If an equipment/dispersant heretofore prescribed in installed/provided without the Certificate of Accreditation

from the PCG, the owner/operator of the vessel or firm concerned shall pay the fine in the amount of Ten Thousand Pesos (P10,000.00) and shall effect the immediate replacement of the equipment/dispersant without prejudice to his right of action against the manufacturer dealer or distributor, who is subsidiary liable.

c. The Fines/penalties herein prescribed shall be imposed only after the offender shall have been found guilty of the imputed violation in an administrative investigation and Adjudication Officer.

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EFFECTIVITY

This Memorandum Circular shall take effect after fifteen (15) days from the time is filed with the U.P. Law Center.

Adopted: 16 Sept. 2001

(SGD.) ARTHUR N. GOSINGAN

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Commandant PCG

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