

Environmental Conditions Underwater Cleaning of Maritime Vessels

ERA, Environment and Resources Authority regulates the environmental impact of a range of activities through a set of environmental conditions set out as General Binding Rules. The environmental conditions in this General Binding Rule (GBR) are aimed at improving the environmental performance of operations involved in water cleaning and maintenance of marine vessel hulls, underwater sea apertures and propellers.

GBR Conditions and Permits

The classes of marine craft in List 1 (see Annex 1) are subject to regulation by this GBR. Following registration, in-water maintenance and cleaning of marine vessels may be carried out by notifying ERA of this activity.

The Environmental Conditions in this GBR:

- Do not override the requirements of any other legislation.
- Apply immediately on start-up of operations by new operators
- Apply to all existing operators upon the acceptance of the registration by ERA
- Will be enforced through ERA inspections, with the possibility of significant penalties.
- Apply until such time as they may be superseded for individual enterprises by the requirements of an Environmental Permit, other legal requirements or the amendment of this GBR.

Operators have an obligation to understand and implement the requirements of this GBR. An explanation of the conditions and practical advice on their implementation is given in ERA Guidance Note No.17.

Definitions

“*Operator*” means every person undertaking underwater cleaning and maintenance of marine vessels.

“*Underwater cleaning and maintenance*” means any operation undertaken to maintain and clean an underwater part of a marine vessel whilst in water

“*Registration*” means the procedure by which an operator submits the required information to ERA with the intention to start carrying out in-water cleaning and maintenance of marine vessels

“*Notification*” means the procedure by which an operator informs ERA prior the commencement of each operation.

“*Approved areas*” means the sites in which in-water cleaning and maintenance is consented to be carried out as in List 2 of Annex I of these conditions.

“*Cleaning agent*” means any chemical used as an aid during the in-water cleaning and maintenance operation.

General Requirements

- 1.1. All businesses have a duty of care to protect the environment. The operator shall become familiar with the legal obligations and good environmental practice.
- 1.2. The operator shall inform the working staff of the importance of environmental protection and provide them with appropriate training.
- 1.3. ERA officials have the right to inspect the equipment which is registered for the cleaning operations and to ask for samples of material that has been taken off the vessel in such operations as well as any material used in such operations.

Registration

- 2.1. The operator shall submit a Method Statement upon registration. The Method Statement shall incorporate all the requirements as set out in the ERA Guidance Note No.17
- 2.2. The operator shall use the official registration application to register the activity with the authority
- 2.3. Only registered operators shall be allowed to carry out in-water vessel cleaning and maintenance.
- 2.4. Registrations shall be renewed yearly with the operator submitting a renewal request in writing and addressed to ERA at least one month prior the expiry of the registration.

Notification

- 3.1. Registered operators must submit a notification form to ERA prior to every vessel cleaning. Cleaning operations may only proceed upon approval from ERA of the notification form submitted.
- 3.2. No cleaning shall be allowed in bathing areas and protected sites designated under L.N. 311 of 2006 as amended. Cleaning shall be carried out only in the approved areas as per List 2 in Annex 1.
- 3.3. In cases where the notification refers to methodologies that are not approved by the registration or areas not contemplated by these conditions, the operator will be considered as being in breach of this permit.
- 3.4. The exact location as supplied by the Transport Malta is to be listed in the notification

Discharges to sea

- 4.1. No marine fouling removed during the underwater cleaning operation shall be released into the sea.
- 4.2. No in-water cleaning and maintenance shall be carried out on hulls having paint coatings containing TBT (Tributyltin).
- 4.3. Underwater cleaning of soft marine growth on hulls which are coated with abrasive paints (self-polishing) shall only be allowed if soft sponges are used for the removal of the fouling in question. In cases when hard encrusted growths are found on hull which are coated with

ablative paints (self-polishing) no cleaning shall be allowed in-water and cleaning has to be carried out in dry dock.

- 4.4. If vessel is covered with sealing agents, its MSDS has to be submitted with the notification. ERA reserves the right to refuse the permit if it is felt that the paint surface might have been jeopardised.
- 4.5. No sanding, stripping and chipping of antifouling paint shall be carried out at sea.
- 4.6. No antifouling paint chips accidentally removed during cleaning or maintenance shall be released into the sea.
- 4.7. Underwater pluming or clouding during removal of fouling might indicate that the paint layer is being stripped. In such cases operations are to be immediately suspended and ERA are to be informed forthwith.
- 4.8. Any cleaning agents used must have approval from ERA prior to notification.

Emissions to air and water

- 5.1. During any cleaning operation, the operator may be instructed by ERA to engage an environmental consultant to take samples of the marine growth on the vessel before and/or after collection. The operator may be requested to carry out a species identification exercise as well as chemical analyses of the fouling removed.
- 5.2. Grit blasting at sea with metal particles such as, aluminium oxide, steel grit, cast iron shot, garnet and slag, is prohibited.
- 5.3. Blasting at sea shall be subject to the submission by the operator of a method statement to ERA. Such method statement shall specify methods of operation, type of medium and environmental protection measures.
- 5.4. The operator shall not initiate blasting prior to approval by ERA of the method statement. The method statement must be submitted together with the notification. The operator shall inform ERA prior any initialisation of such operations.

Waste management

- 6.1. All waste produced during the cleaning and maintenance of underwater vessel parts shall be treated as hazardous waste, unless proved otherwise by the operator (e.g. marine fouling removed from unpainted parts namely the propeller)
- 6.2. All wastes shall be properly contained in sealed drums and stored in a designated area prior to collection for disposal.
- 6.3. The transport of waste off-site shall be by means of a waste carrier authorised for that waste.
- 6.4. Off-site disposal or recycling of wastes shall only take place at a facility licensed for that purpose (e.g. only inert waste may be disposed of at a landfill licensed for inert waste).

The disposal of hazardous wastes shall follow the procedure of a Waste Consignment Note as described in LN Waste Management Regulations (Legal Notice 184 of 2011, as amended, S.L. 549.63)

Note: The above conditions may be subject to revision in order to:

- (i) reflect any requirements set out by new regulations or legislations which come into force
- (ii) mitigate any potential risks and pressures on the marine environment from this activity.

List 1

Classes of the Marine Craft by type¹

- Tankers: ships used to transport crude oil, chemicals and petroleum products. Tankers can appear similar to bulk carriers, but the deck is flush and covered by oil pipelines and vents.
- Ferries and Passenger vessels: ships used to perform short journeys for a mix of passengers, cars and commercial vehicles. Most of these ships are Ro-Ro (roll on-roll off), ferries, where vehicles can drive straight on and off. Passenger vessels include vacation cruise ships.
- Ro-Ro vessels: Ships with roll on/roll off cargo spaces or special category spaces which allows wheeled vehicles to be loaded and discharged without cranes.
- Container vessels: Ships used to transport large, rectangular metal boxes, usually containing manufactured goods.
- Dry cargo vessels: Ships used to transport cargo that is not liquid and normally does not require temperature control.
- Reefer vessels: Ships with refrigerated cargo holds in which perishables and other temperature-controlled cargoes are bulk loaded.
- Bulk Carriers: Ships used to transport large amounts of non-containerised cargoes such as oil, lumber, grain, ore, chemicals etc. identifiable by the hatches raised above deck level which cover the large cargo holds.
- Yachts: of a length greater than 50m.
- Fishing vessels: of a length greater than 30m.

¹ Definitions from 2006 Intergovernmental Panel on Climate Change (IPCC) guidelines for National Greenhouse Gas Inventories, Vol. 2, *Energy*

List 2

Approved sites for in water maintenance and cleaning of marine vessels

- Wharfs within the Grand Harbour
- Bunkering and Waiting areas
- Freeport: Innermost berthing areas at North Quay Terminal One and South Quay Terminal Two.