

Port reception facilities for the delivery of waste from ships

2018/0012(COD) - 13/03/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 596 votes to 16 with 7 abstentions a legislative resolution on the proposal for a directive of the European Parliament and of the Council on port reception facilities for the delivery of ship-generated waste, repealing Directive 2000/59/EC and amending Directive 2009/16/EC and Directive 2010/65/EU.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Subject matter

The Directive shall aim to protect the marine environment from the adverse consequences of discharges of waste from ships calling at ports located in the Union, while ensuring the flow of maritime traffic, improving the availability and use of adequate port reception facilities and the delivery of waste in such facilities.

In this context, it is stressed that the Union's maritime policy should be based on the principles of preventive action, correction of environmental damage at source as a priority, and the polluter pays.

Member States may decide to exclude the anchorage area from their ports for the purpose of applying the provisions on prior notification of waste and the deposit of ship-generated waste. Member States intending to avail themselves of the derogations should notify the Commission thereof no later than the date of transposition of the Directive.

Port reception facilities

Member States shall ensure that the fees charged for delivery do not create a disincentive for ships to use the port reception facilities and that the facilities allow ship waste to be managed in an environmentally friendly way.

Waste reception and handling plans

Member States shall ensure that an appropriate waste reception and handling plan is in place and has been implemented for each port following ongoing consultations with the relevant parties, including in particular with port users or their representatives, and, where appropriate, local competent authorities, port reception facility operators, organisations implementing extended producer responsibility obligations and representatives of civil society.

Information from the waste reception and handling plan on the availability of adequate port reception facilities in their ports and the structure of the costs shall be clearly communicated to the ship operators and made publicly available and easily accessible, in an official language of the Member State where the port is located and, where relevant, in a language that is internationally used.

Member States shall evaluate and approve the waste reception and handling plan.

Small non-commercial ports which are characterised by rare or low traffic from recreational craft only may be exempted from the obligation to draw up a waste management plan if their port reception facilities are integrated in the waste handling system managed by or on behalf of the relevant municipality and the Member States where those ports are located ensure that the information regarding the waste management system is made available to the users of those ports.

Ship waste disposal

The master of a ship calling at a Union port shall, before leaving that port, deliver all its waste carried on board to a port reception facility in accordance with the relevant discharge norms laid down in the MARPOL Convention.

A ship may proceed to the next port of call without delivering the waste, (i) if the information provided shows that there is sufficient dedicated storage capacity for all waste that has been accumulated and will be accumulated during the intended voyage of the ship until the next port of call; (ii) the information available on board ships shows that there is sufficient dedicated storage capacity for all waste that has been accumulated and will be accumulated during the intended voyage of the ship until the next port of call; or (iii) the ship only calls at anchorage for less than 24 hours or under adverse weather conditions.

Cost recovery systems

Ships shall pay an indirect fee, irrespective of delivery of waste to a port reception facility.

Under the amended text, Member States may:

- cover the costs of collecting and treating passively finished waste from revenues from alternative financing mechanisms, including waste management systems as well as EU, national or regional funding available;
- provide appropriate financial incentives for the deposit of tank wash residues containing persistent high-viscosity floating substances.

The indirect charge shall not cover residues from exhaust gas cleaning systems, for which costs are covered on the basis of the types and quantities of waste delivered.

Inspection commitments

Each Member State shall carry out inspections of ships calling at its ports, corresponding to at least 15% of the total number of individual ships calling at its ports each year. To this end, ships shall be selected on the basis of an EU risk-based targeting mechanism.

Training of personnel

Port and port reception facilities authorities shall ensure that all personnel receive the necessary training to acquire the knowledge which is essential for their work on dealing with waste, with specific attention to health and safety aspects pertaining to dealing with hazardous materials, and that training requirements are regularly updated to meet the challenges of technological innovation.