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RECYCLING OF SHIPS

Addendum to the report of the correspondence group on ship recycling guidelines

Submitted by Japan

SUMMARY	
Executive summary:	This document compiles comments made during the correspondence group discussions on the Guidelines for safe and environmentally friendly ship recycling
Strategic direction:	7.1
High-level action:	7.1.2
Planned output:	7.1.2.2
Action to be taken:	Paragraph 5
Related document:	MEPC 60/3

1 This document compiles comments made by the correspondence group members as it is considered that these will be helpful in the discussions that will take place on the further development of the Guidelines for safe and environmentally sound ship recycling (hereafter "the facility guidelines") in the working group to be set up during the sixtieth session of the Marine Environment Protection Committee (MEPC 60).

2 The comments that are compiled in the annex to this document are mainly those sent by group members during the second round of the correspondence group's discussions. Comments made in the first round, as well as the coordinator's comments to the first round comments, are also reproduced in case it is necessary to quote them to understand the second round comments.

3 Only those comments which are considered to provide useful material for the subsequent discussions are listed in this document; explaining complicated ideas orally at the meeting can be difficult and therefore reference to this document may be helpful. It should be noted that many "supporting" comments, i.e. those which were in line with the general direction of the discussion and which have been reflected in the text of the facility guidelines, are not listed. Therefore, by only looking at the comments compiled in this document, might give a different impression from the direction reflected in the draft text; and consequently this document should not be used for judging the "balance" among group members' views. It is intended that group members, when

they make an intervention at the forthcoming working group meeting, they should refer to their own comments to assist the other members' understanding.

4 The "NOTES" attached to some of the comments are limited to "factual" explanations on the structure/meaning of the Convention, and also to further explanations of the comments previously made by the coordinator in the first and second rounds. This does not constitute the coordinator's suggestions regarding the latest (i.e. the second round) comments by the correspondence group members.

Action requested of the Committee

5 The Committee is invited to take note of the information in its consideration of the report of the correspondence group.

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ANNEX

COMMENTS BY THE CORRESPONDENCE GROUP MEMBERS ON THE FACILITY GUIDELINES

PART I GENERAL

1.1 Level of detail and user-friendliness of the Guidelines (including the utilisation of appendices), concerns on being too prescriptive, not being in line with the Convention, or bringing additional requirements on top of the Convention

(Bangladesh)
The correspondence group should be developing guidelines on how to implement the Convention's requirements on ship recycling facilities (regulations 9 and 17 to 25) rather than produce guidelines on best practices for ship recycling facilities. Unfortunately the group has not yet made this distinction and, as a result, the draft text is in my view too prescriptive and too broad in trying to address all eventualities. This results in text that interprets the convention by adding or extending its requirements. As a consequence of the above, the present draft text is too long, making it even less user friendly.
A contributor to the previous round of comments had suggested to include with each requirement contained in the guidelines a cross reference to the relevant regulation of the convention. I believe that is very necessary, not only for the end users of the guidelines but also for the correspondence group to be able to agree on whether the various interpretations contained in the draft text are in line with the convention.

(France)
This text is fairly comprehensive and ambitious and the important points seem to be covered.
However, we still need to discuss the level of details required in the guidelines and the reason why we need such details.
It is our understanding that the guidelines could be shortened and some useful information could migrate in Appendix 4 or in the next guidelines to be developed.

(UNEP)
The guidelines seem to take a cursory approach and therefore it would be good to provide the reader with references to more in-depth information if required.

(China)
This guidelines should be practicable and readable, not too high. The current guidelines in our view are too comprehensive and complicated, and may discourage the industry to accept them.

(Turkey)
Turkey's initial reaction to the current draft of the facility guidelines is that we are creating a hybrid text that is covering not only the requirements of the Convention, but also includes text that goes beyond the Convention covering a wider range of concepts than the ones present in the Convention. We should keep in mind that we are not tasked with drafting a *best practices guide* to ship recycling, but rather a guideline for the implementation of the Convention requirements. A too comprehensive guideline might hinder the ratification process. Therefore, we strongly support that the facility guidelines need to be concise, straight forwardly related to the Convention, and should not consist of technical text-monsters.

Turkey is in favour of facility guidelines that will address all requirements of the Convention, but will not form the basis for all ship recycling related activities. Turkey's position is this, not only because of the mandate we have been given in drafting the specific guidelines, but also because of a fear that these guidelines may be considered by some as *The Ship Recycling Guide*; something they are not. For example we are concerned with the level of detail and possible technical complexity of sections for Safe for Entry Criteria, Hazardous Materials Management especially relating to recommendations about sampling by the SRF. As also expressed during the IMO Workshop in Izmir this past October, these guidelines should be a ground document, i.e. brief, clear, easy to understand and directly related to the Convention's requirements.

Turkey is of the opinion that in order to avoid creating guidelines that go beyond their purpose, it is important to consider cross-referencing the guidelines' text to the relevant requirements of the Convention in order to better understand if we have covered all requirements and whether we have gone beyond the Convention's requirements. In this respect, Turkey has started to prepare a cross-reference list between the SR Convention requirements and the facility guidelines' text. Due to the rather complicated nature of this task, and the limited available time, the list could not be finalized; however, we include draft herewith (as a separate Excel document) for everyone's review and comments.

(Norway)
Like some others in the correspondence group I think the draft guidelines are on its way to be too advanced and complicated. I understand the intent behind some of the proposals on doing this job properly, but the result may have the opposite effect. As it is now, I fear that the guidelines, because of its complicated nature, might discourage ship recyclers to meet the standards of the Convention instead of encourage, as would be the aim of what we are doing.
At present I do not have a specific proposal on how to solve this problem, but I think it should be highlighted in our report so we can have a thorough discussion of this at MEPC 60.

1.2 Structure of the Guidelines

(United States)
With regard to Norway's suggestion that "it should be considered whether the guidelines could be better structured in order to better communicate with the regulations", the United States notes that the framework of the guideline was agreed upon at MEPC 59 and considerable progress has been made toward finalization of the draft guidelines. The United States suggests additional clarification from Norway. If this comment is with respect to more clearly identifying which regulation in the Convention that each section of the guidelines relates to, the United States is generally supportive of that concept, but does not believe that a new structure to the guidelines is needed to accomplish this objective.

(China)
It is suggested that these guidelines could be separated into two parts: basic requirements, which is very close to present practice, and recommended provisions, that could be achieved in the future with the effort of the industry.

1.3 Reference to IMO and non-IMO instruments

(United States)
With respect to the coordinator's suggestion that the ILO provide a reference list of useful and helpful ILO instruments, the United States concurs that this is a welcome suggestion for the appendix section and hopes that the ILO will be able to provide such a list, as it would strengthen the usefulness of the facility guidelines. The United States also concurs with the coordinator that cross-references within the body of the guideline is too unwieldy and could detract from the user-friendliness of the guideline text.

(Argentine)
Referring to hazardous materials i.e.: asbestos, we think that there is no need to state what already has been properly referred in other IMO documents for example: Circ.1045, or the new prohibition, etc. A reference to them makes these guidelines less bulky, and it saves a lot of wording. In general the proper IMO instrument should be referred to.
We also prefer not to make references to technical guidelines of the Basel Convention, as the work in ship recycling facilities is internal to each State, and they can refer to them via other national instruments.

(ILO)
There are many relevant ILO instruments, and I would suggest that ILO provides a reference list of ILO instruments that are considered helpful to stakeholders in the implementation of these guidelines, and such reference list could become an appendix to these guidelines.
I am afraid that the insertion of cross-reference to each instrument wherever relevant in the main text of the guidelines would make the text of the guidelines messy and difficult to read.
In addition to the appendix providing a comprehensive reference list of relevant ILO instruments, cross-reference should be utilized in the case that the explanation given in such instrument is indispensable or very helpful for the readers to understand the substance of a specific recommendation given in the text of the guidelines.
At least the United States explicitly supported this suggestion by the coordinator. If the correspondence group would find this helpful, the ILO would be willing to prepare a list of relevant ILO instruments. The annexed list should be accompanied by a general provision in the guidelines proper, recalling regulation 3.
Cross-referencing does not have to make the text messy, as it could be done by footnotes or other means, perhaps also providing a URL to a relevant website to facilitate online use.

1.4 Cross-reference to the Convention or the repetition of the Convention language

(China)
We also support some colleague's previous comment, that if the requirement in the guidelines could make a cross reference to the relevant regulation of the Convention, it would be very valuable and ensure such requirement is in line with the Convention.

(Denmark)
In several locations it is mentioned that Convention text should not be repeated in the guidelines. We would like to state that the guidelines are an explanatory and instructive document that in many cases will be used as a stand-alone document. Therefore, in our opinion too many references to the Convention for information will impede the user friendliness of the guidelines, and for reasons of legibility and clarity it can be necessary to repeat and rephrase Convention text.

1.5 Ship Recycling Method

(Germany)
Agreed. Proposals may come later from the results of the EU project DIVEST
http://ewds.strath.ac.uk/Default.aspx?alias=ewds.strath.ac.uk/divest
(Toward French comments below)

> <**French: Comments for the correspondence group (CG) (Round 1) >**
> As noted in the previous correspondence group, as a first stage, "important work should be done on establishing the guidance's framework at high level, especially in regard to orienting it more towards goals". However, improving beaching method remains a matter of concern and it is France's understanding that the way we will deal with that issue should be addressed as soon as possible. This would help us to consider the right level of details required in the guidelines. For that reason, feedback from main recycling States is necessary and more time could be needed.
>
> < **Coordinator Comment/Proposal >**
> Noted, but I need concrete proposals to go forward.

(United Kingdom)
The guidelines could do more to encourage a movement towards methods of ship recycling that offer more environmental protection perhaps by setting out a hierarchy along the following lines:

a. dry dock;
b. floating dry dock or flat top barge;
c. slipway;
d. wet berth;
e. beach, intertidal or river bank

and encouraging a move away from options at the lower end of the hierarchy.

1.6 Overview of applicable laws and regulations

(Belgium)
We suggest indeed that an overview of applicable legislation is given in the beginning of the SRFP. Doing so, it will give the user (reader) of the SRFP the possibility to fully understand (or look up further) the applicable legislation for that specific facility in that country/region. One will be able to know the requirements a specific facility has to comply with.

(Germany)
The SRF should have an overview of the applicable laws and regulations and ensure that this document is updated on a regular basis.
Agree with Belgium**: (Toward Belgian comments below)**

> < **Belgium : Comments for the CG (Round 1) >**
> We suggest making a special heading (or sub-heading) that can provide an overview of the applicable legislation. Meaning, the legislation that is applicable on the SRF (will be different, depending on State or region). This legislation overview can be put in the front (all together under chapter 3 for example), or under each chapter separately. It is preferable that this overview is just a summary of the applicable legislation.

The overview can also be a solution for other remarks (a SRF is indeed not bound to all international laws, when they are not transposed into national, regional or local legislation). Another advantage is that you do not need to repeat the standard phrase "… apply to all international, national … laws and regulations ..." that is used now each time. You can refer to the overview, where the applicable legislation will be mentioned.

< **Coordinator Comment/Proposal >**
I need clarification. Do you want to include the recommendation that all applicable regulations (national and local) should be listed in the beginning of each section of SRFP? A clear proposal in the form of text addition to the guidelines would be appreciated.

1.7 Multiple SRFs and any other points

(EC-EMSA)
The EC would like to recall the specific situation where several facilities are involved in the recycling of one ship. The EC feels that this issue should be addressed in the guidelines either in a separate dedicated part, or specifically in the relevant parts of the guidelines.

(United States)
With regard to the SBC comment that no substantive attention is provided for review of existing procedures and standards, the United States believes that this comment is intended to mean that a management system needs to be in place (such as the notation in 3.2.1.5) and, if this interpretation is correct, that the SBC is suggesting that there should be additional guidance provided in the guidelines. The United States would welcome additional clarification from the SBC.

(Denmark)
We also find that the approach to address the Operational, Occupational and Environmental Approach (aka the required plans) in 3.3, 3.4 and 3.5 is clear and consistent, but we feel these sections could become even more helpful to the users if more examples of compliant approaches were included.
Regarding the plans called for in the Convention we would suggest that the sections in the guidelines containing the information are named accordingly. This also includes the Ship Recycling Facility Plan, which in our opinion should be Recycling Facility Management Plan.
We find that more information on the management of other hazardous materials is necessary, i.e. all of those mentioned in Table A through Table D, although possibly in a collated form.

(Germany)
After the Hong Kong convention comes into force I believe there will be enough qualified personnel and procedures to carry out IHM (certified). Normally there should be no need to have this additionally described in detail. **(Towards French comments below)**

<French: Comments for the CG (Round 1) >
There is a problem regarding the way the IHM will be used by the SRF. It may be useful to distinguish between an inventory which will been compiled for an existing ship and an inventory which will been compiled for a new ship (which should be far more precise). The way the guidelines are written, there is a risk to see a (costly) duplication of activities and requirements because it looks like the IHM will be done or re-done by the yard.

< **Coordinator Comment/Proposal >**
I understand that these concerns are about Section 3.5 of these Guidelines where sampling by SRF is extensively prescribed.

PART II Comments on specific parts of the Guidelines

1.1 Objectives of the Guidelines

(United States)
The current text diminishes the role of the contracting Party and reaches down to the facilities, with the competent authority merely among "other stakeholders …[who] may also find merit" in the guidelines. We are sympathetic to the views expressed by Germany and the coordinator regarding the objective and the existence of national law; to this end, we believe that the objective section must be amended. We understand that the guidelines fulfill two purposes: providing guidance to States in how to implement the Convention (so that they might adopt appropriate legislation, rules, and standards) and to assist ship recycling facilities in understanding the requirements set forth in the Convention. We resubmit the following text in substitution for 1.1:
Suggest amended wording to paragraph 2 to make the text clearer and more concise:

NOTE: This resubmission is included in the draft text as alternative paragraphs, for a drafting exercise.

(Argentine)
There is a need to clarify the wording "recommendation" with "... guidelines are taken into account in order to achieve the compliance with these regulations", of the second paragraph. Is this mandatory?

1.2 Approach of the Guidelines

(EC-EMSA)
First paragraph: SRFs not only recycle ships to which the Convention applies, but also ships that meet the requirements of the Convention.
Text proposal first sentence: "Article 6 of the Convention requires ship recycling facilities that recycle ships to which the Convention applies and/or ships treated similarly pursuant to Article 3.4 of the Convention, be authorized by the appropriate Competent Authority."

(United States)
The coordinator has chosen to use the word "complies" based on the suggestions of the group. The United States doesn't believe this is the appropriate word, as comply indicates there is a definitive regulatory requirement. We therefore resubmit the suggestion to use "conforms", "accurately reflects" or "accurately represents".

(Germany)
The wording "critical" is not clear in this context. It is agreed to delete the sentence.
Not agreed with the "just a reference to an existing documentation…far from …. Requirements"
Alternative: "Usually the SRFP is a documentation of the management system (like ISO 9001, ISO 14001) which shows compliance with the IMO convention**: (Towards the coordinator's comments on the German comments in the 1st Round as shown below)**

<**Germany: Comments for the CG (Round 1) >**
"… It is therefore critical … Convention" Should be modified to "delete",
By reason of the SRFP may give reference to an existing documentation of a management system. Don't give advice about what is critical within the companies' documentation. The company decides how comprehensive the documentation is (risk management of the company). References may be given in the SRFP

<Coordinator comment / Proposal >
Not sure of this comment, does it suggest to delete the sentence *"it is therefore critical that the SRFP fully describe the facility's operations and procedures that are in place to ensure compliance with the Convention"?*

Just a reference to an existing documentation of a management system (ISO-based?) would be far from sufficient as SRFP requirements. The SRFP must be comprehensive, and the Company should not decide that SRFP may not be comprehensive. Otherwise, the whole essence of Chapter 3 of the Convention would be jeopardized.

NOTE: The draft Guidelines are being developed on the understanding that SRFP would be the comprehensive document for a SRF to demonstrate its compliance with various requirements of Chapter 3 of the Convention, with the structure of: 1) management approach; 2) operational approach; 3) worker safety and health compliance approach; and 4) environmental compliance approach.

2 DEFINITIONS

2.2 Competent Person

(United States)
We agree with the coordinator; we do not see a substantive difference between "as given in these guidelines" and "as given in this guidance". If the matter is not substantive, we could agree to the change; if it is substantive, we would be grateful for a clarification. We are reluctant to support the use of e.g., (for example); are there other determinations which must be made by a competent person in this guidance besides safe for hot work and safe for entry? If that is the case, we believe that enhancement of the term "competent person" in circumstances of safe for hot work and safe for entry determinations is best done in 3.4.2.1.2. ("Competent Person – for Safe For Entry and Safe For Hot Work Determinations"). Accordingly, Section 2 definition "Competent person" could be deleted; 3.4.2.1.2 could be inserted in its place or left in its current location. We see merit in the wording of the IMO guidance, but note that such inclusion should be worded so as to: 1) not be misread as a replacement for the existing definition; and 2) to ensure that 3.4.2.1.2, the section which appropriately explains and elaborates upon the requisite knowledge and practical experience to make an informed assessment of the likelihood of a dangerous atmosphere being present or subsequently arising in the space, is properly understood.

NOTE: Proposed text has been added in square brackets for consideration in 3.4.2.1.2.

(Belgium)
Belgium does not think that the comment on "competent person", referred to by the coordinator, addresses the initial comment of Belgium. Belgium is still of the opinion that two definitions of one term (*in casu* "competent person") is a bad idea within one regulatory framework. Moreover, Belgium thinks that there is no need for this new definition in the Guidelines.

The definition of "competent person" in regulation 1 is general, making use of terms still to be made concrete. The combination of the following parts of the definition:

- "a person with suitable qualifications, training, and sufficient knowledge, experience and skill, for the performance of the specific work"; and
- "The Competent Authority may define appropriate criteria for the designation of such persons and may determine the duties to be assigned to them"

allows us to mention the skills/duties of the "competent person" in sections 3.4.2.1 and 3.4.2.2 of the guidelines. The SRF should then appoint a "competent person" with the skills/duties as mentioned in those sections. Those criteria may be defined by the Competent Authority, e.g., via national legislation. Consequently, no new definition is needed for "competent person".

2.4 Enclosed Space (together with 2.7 Space)

(United States)
We do not believe that the deletion of the term "space" would be appropriate, and we feel it is important to clarify the purpose of the guidelines.

The guidelines should explain the safe-for-entry requirements and safe-for-hot work requirements, which are applicable to *all* spaces, enclosed or unenclosed (regulation 1.6 "Safe-for-entry" means a space that meets the following criteria:" and regulation 1.7 "Safe-for-hot work means a space that meets the following criteria:"). Accordingly, it is appropriate to state "Safe for Entry/Safe for Hot Work denotes a space that meets all of the following criteria:" because no space, enclosed or unenclosed, should be entered or placed under hot work without meeting those criteria. For example, hot work should not be carried out in an engine-room which, although ventilated, open for access, and designed for human entry, has a hydrocarbon leak.

The testing aspect of the guidelines is directed to spaces where a dangerous atmosphere may exist; it should be done according to a hazards-based approach which we will offer for consideration at a later date. In terms of whether or not a dangerous atmosphere may exist, enclosed spaces are often suspect; because of their limited access, poor ventilation, and the infrequency of human entry, we should be particularly concerned with ensuring their safety by means of testing.

Since space would be used in the general sense, it should be amended to read: *"Space" means a space on a ship, including the accommodation spaces (SOLAS chapter II-2, regulation 3.10), public spaces (SOLAS chapter II-2, regulation 3.11), service spaces (SOLAS chapter II-2, regulation 3.12), cargo spaces (SOLAS chapter II-2, regulation 3.13), machinery spaces (SOLAS chapter II-2, regulation 3.20), and void spaces (IBC Code, definition 1.3.36).* ~~36 means an area on a ship such as, but not limited to~~*These spaces include, but are not limited to,* cargo tanks or holds; pump or engine-rooms; storage lockers; tanks containing flammable or combustible liquids, gases, or solids; other rooms; crawl spaces; [tunnels] (i.e. shaft alleys); or access ways. The atmosphere within a space is the entire area within its bounds."

A confined space in the United States is a space which is confined – small, unventilated, or limited in access. An enclosed space in the U.S. is a space enclosed by bulkheads and an overhead. Confined spaces and those enclosed by bulkheads and overheads may overlap, there may be overlap, but there is not necessarily always overlap. If the group were to limit safe for hot work, safe for entry requirements to the current IMO definition of enclosed (which is similar to the United States definition for "confined spaces"), it could inappropriately limit SFE/SFHW

requirements and leave unaffected areas which could cause significant harm to worker health. A general reference to spaces, coupled with a hazards-based approach which requires additional effort only in those spaces where a hazard may exist, is the best approach.

(Argentine)
We are comfortable with both words (enclosed or confined). But a definition of enclosed is for this Convention, is any space that has become either by design or during the ship life, or during any alteration or modification, navigation or even during the recycling of the ship, one that is shut or closed for any purpose and implies a risk in entering it with out taking the necessary precautions. A cabin can become in a circumstance, an enclosed space.

(India)
The Confined Space and Enclosed Space should be defined based on concentration of Oxygen suitable for breathing or not suitable for breathing, in order to be taken care of objectively.

(IACS)
Please use "enclosed space" consistent with A.864(20). **(Refer to BIMCO's comments and coordinator's comments)**

< **BIMCO :Comments for the CG (Round 1) >**
This concerns the use of different names for space in the text in general. The text uses "space", "enclosed space" and "confined space". The latter are being used more times in the text (see some of the references in the left column).
Confined space has not been defined and the text should stick to the definitions. Some tidying up in the text in general is therefore needed.

< **Coordinator Comment/Proposal >**
Valid point. I checked the draft and it looks that "enclosed" and "confined" are used interchangeably. As IMO precedents, SOLAS chapter II-2 used "enclosed spaces" many times (but without a definition), and "confined spaces" are not used at all.
The current definition in the guidelines of "enclosed space" comes from A.864(20). (identical definition).
I would suggest to use "enclosed space" uniformly, instead of using both "enclosed" and "confined".
I guess, the reasons why both "confined space" and "enclosed space" appear in the text is, this is originally United States text, and the Occupational Safety and Health Administration of United States Department of Labour has the domestic rules including the definition of "space", "confined space" and "enclosed space".
http://www.osha.gov/SLTC/etools/shipyard/shiprepair/confinedspace/definitionofspaces.html#Enclosed%20Space

In the United States definition, "confined space" is "no-man" space, such as double bottom tank, cofferdam. "Enclosed space" is, other than a confined space, still enclosed by bulkheads and overheads, such as cargo holds, machinery and boiler space.

It looks like the current definition (A.864(20) definition) is a combined concept of United States "confined space" and "enclosed space". So I consider we can use "enclosed space" only.
I kept the word "space" for the time being. Please look through these guidelines, and comment on any necessity for further improvement.

2.5 Entry

(IACS)
Amend to following; "Entry" means the action by which a person passes through an opening into a space. Entry ~~includes ensuing work activities in that space and~~ is considered to have occurred as soon as any part of the entrant's body breaks the plane of an opening into the space. **(Toward IACS's comments)**

2.8 TLV and PEL

(IACS)
There is the danger of confusion here; Hazardous substances exist in items at 'threshold values' (note the continued need for work on this concept in the IHM), BUT, commonly, management of hazards is monitored and controlled using environmental checks using such concepts as exposure levels. Both have value but need to be used correctly. **(Towards the United States comments below)**

> **<United States: Comments for the CG(Round 1) >**
> In light of the coordinator's comments and our subsequent responses, the United States suggests deleting the definition of TLVs (threshold limit values) and suggests the insertion of a definition for PELs (permissible exposure limit) to read: "**Permissible exposure limit** means the exposure, inhalation, or dermal permissible exposure limit specified in Appendix B."

(IACS)
It is not understood why we cannot delete the word 'airborne' (in the definition of TLV). It opens the text correctly, and the convener has not disagreed with the central technical concept that other items can be considered. Please delete 'airborne'. **(Towards the coordinator's comments on German comments in the 1st Round)**

> **<Germany: Comments for the CG(Round 1) >**
> TLV; the inclusion of the word "airborne", limits use to gases. Delete this word and the definition still applies but may be extended to liquids and other substances.
>
> **<Coordinator Comment/Proposal >**
> I think that we are assuming gases when we talk about the content of atmosphere and concentration of vapours in these guidelines.

3 SHIP RECYCLING FACILITY PLAN

3.1 GENERAL

(United Kingdom)
The SRFP should *take account of* all relevant international and national rules and regulations rather than just show an understanding of them. It should have regard to best practice.

3.2 [INTRODUCTION AND] MANAGEMENT APPROACH

(India)
SRFP Owner should have benchmark values of health status of the workers engaged in the ship recycling facilities.

3.2.1 Company Information

(Belgium)
This comment concerns the following sentence in the draft:

> *"The SRFP should include information and documentation, as necessary, of the methodologies for ensuring compliance with the applicable statutory and regulatory requirements, the achievement of the goals set out in the policy of the company, and the monitoring, evaluation, and continuous improvement of the procedures and standards used in ship recycling operations."*

Comment second round: Belgium thinks that this sentence, more or less copying the second point of regulation 18, deserves more explanation in the SRFP. The SRFP should be more than a compilation of duties/procedures/ … for a situation *as is*. It should also include a clear mechanism to improve the SRFP, in order to approach a situation *to be*. A text proposal is made below, to be put under a chapter "3.2.6". We are ready to develop this chapter, but we first need to know if the principle can be supported by the Correspondence Group.

> *3.2.6. "Continuous improvement" process*
> *The SRFP should include a description of the management process to establish, monitor, evaluate and, if appropriate, review the SRFP, at least involving the following steps:*
> - *agreeing the goals of the SRFP;*
> - *establishing the SRFP and the implementing procedures to achieve the goals;*
> - *acting in conformity to the SRFP;*
> - *monitoring the performance of the SRF;*
> - *evaluating whether the goals of the SRFP are attained, e.g., via key performance indicators; and*
> - *planning and, if appropriate, reviewing the SRFP.*

(Germany)
In order to open the market also for newcomers it should be focused on the qualification. There might be qualifications in other fields of recycling (cars, airplanes, buildings) which are sufficient to start the business in ship recycling. Qualification sticks more in the relevant criteria and we may help to define a description for the specific area. The qualification needs to be defined or described and we believe a sufficient experience can replace some requirements.
(Towards German comments and coordinator's comments on them)

> **<Germany : Comments for the CG(Round 1) >**
> "… relevant experience ..." should be modified to "... relevant qualification",
> By reason of new SRF may have no experience but may have a good approach of recycling.

<Coordinator Comment/Proposal >
"Qualification" seems difficult to describe. Does it mean something like permits or license in specific areas? Then such concept may have been covered by the preceding word of "requisites". If it means "comprehensive" qualification, then it would be exactly the SRF is now applying for, by demonstrating its SRFP to CA. It seems that the word "relevant experience" is appropriate as an input to the company's information under SRFP.
If SRF is a newcomer in ship recycling business, still SRF could write "relevant experiences" such as the recycling of offshore or land-based structure, and shipbuilding.

(Germany)
As you mentioned, the workers could be in a key personnel role. In this case it is necessary having this described in the SRFP. The key roles should be identified by a risk analysis **(Refer to German comments and coordinator's comments)**

<Germany: Comments for the CG (Round 1) >
"… for management personnel ..." should be modified to "… any person performing tasks that have the potential to cause a significant impact on environment or health and safety"

By reason of: not only the management's needs the "roles, responsibilities and qualifications". It is recommended to have the definition of key personnel which covers the management as well.

<Coordinator Comment/Proposal >
The suggested wording "*any person performing tasks that have the potential to cause a significant impact on environment or health and safety*" would mean, in reality, almost every worker at SRF (Anyone can cause a serious accident). It is not practical for SRFP to identify the roles and responsibilities of all the workers at SRF; however the roles/responsibilities of the management personnel should be clarified under SRFP.

(Germany)
Not agreed – this type of method is used in different management systems (e.g., ISO 14001, OHSAS 18001, SCC)**: Referring to coordinator's comments on Belgian comments below)**

<Belgium : Comments in the 1st round >
The chapter on "company information" contains the following sentence: "The SRFP should include information and documentation, as necessary, of the methodologies for ensuring compliance with the applicable statutory and regulatory requirements, the achievement of the goals set out in the policy of the company, and the monitoring, evaluation, and continuous improvement of the procedures and standards used in ship recycling operations."

We think that:
3. The goals set out in the policy of the company could benefit from a translation into "key performance indicators". Therefore, we suggest making a reference to these in the guidelines.

<Coordinator Comment/Proposal >

3. As regards "Key Performance Indicator", I imagine that such numerical figure/target is not necessarily a good fit to the goal in terms of safe and environmentally sound ship recycling.

3.2.1.4

(Turkey)

Comments on: "*the names, roles, and responsibilities of the key personnel for the facility. Key Personnel should have the appropriate level of skill and experience sufficient to accomplish the intended job functions.*"

We propose to delete 'names' in the sentence above.

Reason: Including names in SRFP is a contradictory issue. The SRFP would be a document which is going to be used by the Authorities to issue a DASR. If the names of the workers/personnel is written in SRFP and if the worker leaves his job, or get redundant, then it would be a big burden for the ship recyclers always to update this document, and get it authorized each time by the Competent Authority. Considering the number of workers working in yards, this would be a though work for SRF and would be difficult to implement.

Instead of having the names in the SRFP, it can be mentioned that the specific personnel is available for a specific job task. A separate list can be maintained within the facility with the list of the key workers and their tasks, and in case the Competent Authority asks for the proof of having relevant personnel, the SRF can show the list to them.

3.2.1.5

(Turkey)

ISO and OHSAS certifications are commercial certifications. Why do we need to include commercial certifications of a ship recycling facility in the SRFP, which will be the main document to get the "national" authorization DASR to conduct ship recycling?

3.2.2 Workforce and Training Program

(EC-EMSA)

The EC agrees with the comment of the coordinator, with a preference to the first point being "hazardous materials handling and management", as the words "communication" and "awareness" are not really clear.

(Denmark)

We do find the information to the user of the guidelines relevant, but may propose the following bullet form:

The Ship Recycling Facility should establish training programs that at the least

- cover all workers and members of the Ship Recycling Facility
- ensure that workers and members of the Ship Recycling Facility attend the training;
- address identified specific training needs for individual workers by conducting a job hazard assessment,
- has developed goals and objectives for the training, and reviewed and implemented improvements in the training program, as needed;

- provide for initial and refresher training at appropriate intervals;
- is presented in a manner that can be perceived and understood by all workers;
- include participants' evaluation of their comprehension and retention of the training;
- be reviewed periodically, and modified as necessary to include an evaluation of changing work conditions and potential new hazards; and be documented.

3.2.3 Personnel and Subcontractor Management

(United States)
The United States does not concur with the inclusion of the phrase "… including the specific person or department within the facility with responsibility for the …" It is unclear what is the added value by this information, as ultimately the company (owner/operator of the SRF) has the responsibility to ensure the appropriate management of the subcontractors. When using the word "responsibility" this could also involve multiple individuals (someone to ensure the appropriate safety coordination, someone to prepare/negotiate the contract, someone who is responsible for billing/invoicing, someone who oversees subcontracted work, etc.). Again, there does not appear to be any value added in naming each individual who may be responsible for the various aspects of subcontracted work. We believe the importance of this concept is that the ship recycling facility demonstrates that they will maintain a high level of "responsibility" and diligence in ensuring that their subcontractors are performing the appropriate work while maintaining a high level of worker safety and environmental protection.

(Turkey)
Remark: In Turkey we have a number of operations. Especially those, which are related to waste management, are coordinated by a centralized organization namely 'Ship Recyclers Association' (hereafter called the Association).
The Association is responsible for conducting activities related to: subcontractor determination and management for wastes, preparing inventories, waste removal from ships, interim storage, and arranging for transport to licensed disposal facilities as well as organizing and conducting trainings for workers on various topics, etc.
This is a good working system which also makes auditing and controlling on the SRFs by our Competent Authorities easier and effective. It is vital for us to keep this system running in line with the Convention.
Therefore how will the facility guidelines be compatible with the system implemented in Turkey and with those requirements in Turkey? Can the setup described in the facility guidelines also allow a centralized organization and/or authorized and designated person / team work for different SRFs?

(Germany)
It should not be mentioned within the SRP which subcontractor is used. Within the SRFP it should cover the following requirement:
The SRF shall evaluate and select suppliers/subcontractors based on their ability to supply their products/service in accordance with the legislation and with customers' requirements. Criteria for selection, evaluation and re-evaluation shall be established. Records of the results of evaluations and any necessary actions arising from the evaluation shall be maintained. **(Refer to Germany's comments and coordinator's comments on them)**

<Germany : Comments for the CG (Round 1) >
The plan should also describe the responsibilities within the SRP for the subcontractors; The SRFP should include specific information on subcontractor responsibilities *including the specific person or department within the facility with responsibility for the subcontractor*

<Coordinator Comment/Proposal >
It seems more appropriate to include the information on sub-contractors in SRP, rather than in SRFP. Sub-contractors may change over time, and it suits better to ship-specific SRP, than the facility-specific SRFP. SRP shall describe how the HMs covered by the IHM will be managed; such management may include the use of sub-contractors, and in such a case, the information on sub-contractors should be written in SRP as well (this is the matter for the SRP guidelines).

3.2.4 Records Management

(India)
A detailed record of all the materials including hazardous materials should be maintained by the ship recycling facilities.

3.3 OPERATIONAL APPROACH

(IACS)
The new text is an improvement. It could be better, but the text is in too much a state of flux to consider holistically at the moment. **(Refer to IACS's comments)**

<IACS: Comments in the 1st Round>
This entire paragraph is extremely important and specific, but its actual requirement e.g., a "narrative" is too vague. This paragraph needs to be expanded to describe how these processes are to be carried out. Text could be provided.

3.3.1 Facility Information

(United States)
With regard to the SBC comment to provide information on general utilities (local hospital and fire station), the United States believes that this is an important concept. In the United States, we typically require that the ship recycling facilities identify that they know who to call in the event of an emergency, directions to the nearest medical facility, as well as identification of the locations that they will be using for disposal of hazardous materials, etc. This is another means for the facility to demonstrate that they are fully aware of all aspects of environmental protection and worker safety. This information does not necessarily need to be conveyed in detail within the text of the SRFP; hospital information could for example be identified in the emergency response plan; but we do believe that there is value added in the ship recycling facility being able to demonstrate awareness/planning as well as compliance with all aspects of ship recycling. At this time, we agree with the coordinator that it is unclear as to whether or not additional guidance might be needed in the guidelines, but we would like to make sure that this concept is not lost in future deliberations of the facility guidelines.

(IACS)
Model example would be useful. Layout diagram would be useful – suggest a generic "landing method" such as commonly available. These can be in appendices to be developed, but the text should identify the principle items by bullets thus;
Physical:

- Buildings
- Dismantling zones
- Cleaning areas
- Storage areas
- Hazardous waste handling areas
- Wharfage/cranes/piers, jetties
- Water depth
- Access routes (including emergency)
- Drainage

Others as decided by the group.

(Germany)
We might be able to give some drawings of principal methods of dismantling.
There should be different plans and drawings which cover the area (mentioned already), emergency plan (mentioned in **3.4.3.12 Emergency Procedures**
For safety and health related areas as well as for environmental issues (drainage plan)**: Toward Germany's comments)**

3.3.1.1 Layout of the Facility

(Germany)
Maybe more detailed in **3.4.3.12 Emergency Procedures**

(India)
To be reworded as: The SRFP should include a clear and concise description of pertinent details of the facility, such as facility layout and description of ship recycling area.

3.3.1.2 Infrastructure

(EC-EMSA)
The SRF is not a production facility of hazardous materials. In the process of recycling, it will produce hazardous materials/waste that will either be treated in the SRF itself (see footnote 1 in part 2.2 of the supplement to the DASR), or exported outside the SRF.

NOTE: The text of which deletion was suggested was put in square brackets in the draft Guidelines.

(Germany)
Examples are available within the DIVEST project **(Refer to Germany's comments and coordinator's comments on them)**

> **<Germany: Comments for the CG (Round 1) >**
> Examples should be given in a special appendix or another informative paper. See also comment under 3.3.1.1

< Coordinator Comments/Proposal >
Not sure about whether the examples should be so extensive that they become a special appendix or another informative paper. Clear proposal would be necessary if that direction is to be pursued.

(United States)
Suggest adding "and roadways" after "and other structures" in the last sentence. It seems important to include roads as part of the infrastructure.
NOTE: The suggested phrase was added in square brackets in the draft Guidelines.

(India)
Recycling facility should have following basic infrastructure:

a) Integrated Hazardous Waste Management Facility consisting of Secured Landfill, adequate Incineration facility and Effluent Treatment Plant.
b) Safety Training and Labour Welfare Institute for providing "On the Job Training" to labourers should be available.

3.3.1.3 Equipment

(United States)
Suggest adding a final sentence to further clarify intent:
"This information will also be helpful in demonstrating that the facility has the capability to recycle specific sizes and types of ships and will be useful in the preparation of ship-specific recycling plans."

3.3.1.4 Permits, Licenses, Certifications

(EC-EMSA)
The EC agrees with China that the 1st paragraph is too abstract. However, the requested information is essential and therefore should not be deleted.
The main objective of this paragraph is that the SRF should document that all procedures are in place to comply with the requirements of all international, national and local regulations related to ship recycling. However, proof of this should not be given by the SRF (being a private company), but should be done by the Competent Authority/RO.
According to regulations 15, 16 and 17 of the Convention, the Competent Authority should have procedures in place to assure the SRFs comply with the Convention. This is to a large extent done by issuing the DASR (which also includes local regulations). Once the DASR is issued by the Competent Authority, the SRF can document that all necessary procedures are in place.

Text proposal:
"The SRFP should, within a reasonable period after obtaining its DASR, document those procedures in place to ensure the facility is operated and maintained in a manner that complies with the requirements of the DASR."

(Turkey)
<on 1st Paragraph>
The United States proposed in the 1st Round comments to have "The SRFP should document those procedures in place to ensure the facility is operated and maintained in a manner that complies with all applicable international ~~laws~~, treaties, conventions and agreements, and ~~other~~ Federal, State, and local statutes, as applicable."

The coordinator agreed to the United States proposal, but the mentioned words have not been deleted in the 2nd round draft.

<1st Paragraph>
Compliance with "all international laws" is not a realistic expectation for a SRF operating under the jurisdiction of its State. SRF may not and should not have anything to do with international laws, if it is not signed/ratified by its State. All relevant applicable international law should trickle down to the SRF by way of transposition to the national legislation.

Proposal to amend text appropriately by deleting references to "international laws, treaties, conventions, agreements".
Therefore we suggest to amend the first paragraph as follows:

"The SRFP should document those procedures in place to ensure the facility is operated and maintained in a manner that complies with ~~all~~ the applicable international ~~laws~~, treaties, conventions and agreements, which have been ratified by its State and other Federal, State, national and local statutes. ~~, as applicable~~."

(IACS)
support the need for text to demonstrate this. The SRFP must clearly display the required licenses, permits, etc.

(Germany)
Appendix 5 of the Convention mentions the capabilities of the SRF and should be noted by the shipowner's SRP.
"The SRFP should include information on those site specific permits, licenses, and/or certifications that are in effect or obtained prior to the start of ship recycling, including any lease or authorization from a land owner, port, or other entity granting authorization to use the facility for ship recycling purposes and the capabilities according to Appendix 5 of the Hong Kong Convention."

3.3.1.6 Security Measures

(United States)
A ship recycling facility could be considered a facility under the ISPS code. We believe it would be appropriate to insert ISPS protective language in brackets for consideration at MEPC. We reaffirm our interest in the insertion of language to adequately avoid any potential conflict with ISPS. "*Those facilities meeting the requirements of the International Ship and Port Facility Security (ISPS) Code should follow appropriate measures as outlined in their port-state approved facility security plans.*"

3.3.2.1 Compliance with the Convention Regarding Acceptability of Ships

(France)
Compliance with the Convention Regarding Acceptability of Ships.
The following text:

> *"When the ship destined to be recycled has acquired the International Ready for Recycling Certificate, the Ship Recycling Facility shall report to its Competent Authority the planned start date of the ship recycling. The "Report of Planned Start of Ship Recycling" shall be in accordance with the reporting format in Appendix 6 of the*

Convention, and shall at least include a copy of the International Ready for Recycling Certificate. Those procedures to be followed by stakeholders from the recycling preparation phase to the completion of recycling, as required by the Convention, are illustrated in Appendix 3 of the Guidelines"

should be moved in a new § 3.3.2*bis* which could be named "Reporting of Planned Start of Ship Recycling" to clarify the fact that we need an SRP before issuing the IRRC.

(United States)
The second paragraph of this section includes text from the Convention regulation 24, and the United States believes that it is beneficial to have this information in the SRF guidelines. However, the United States would like to point out that in the comments of Round 1, the coordinator indicated (section 3.2.2) that "it is not necessary in the guidelines to copy the text of the Convention." Section 3.3.2.1 does not follow that approach. Further, it appears from the review of Round 1 comments that retaining Convention text is advocated in some sections, while removing Convention text is advocated for other sections. The United States reiterates the concurrence with the coordinator's comments that the guidelines should be user-friendly and the United States is merely pointing out this discrepancy and encouraging the need for further discussion on this type of issue throughout the entire guideline text. Should there be consistency throughout the document or is there validity in having disparity? The United States welcomes the viewpoint of the coordinator and other CG members on this question.

NOTE: The coordinator put a suggestion that it is not necessary in the Guidelines to copy the text of the Convention; while many comments were supportive of that view, in this particular section of 3.3.2.1, a large number of CG members preferred keeping the text which is the copy of regulation 24. This is a simple reason why the copied text remains in the Guidelines here. This discussion showed that the issue is not clear-cut. Although the principle may be not to copy every relevant requirement, readers may sometimes, depending upon the contents, wish to have the relevant parts repeated in the Guidelines for user-friendliness.

3.3.2.2 Ship Recycling Plan (SRP) Development

(United States)
With regard to the coordinator's comment, "it is difficult to conceive that the SRF dispatches its own personnel and conducts the sampling check …", we would like to point out that facilities within the United States, Turkey and the United Kingdom all do this as a matter of current practice. So while the United States understands that there are not relevant requirements within the Convention, the United States is still of the belief that there is merit in including this approach somewhere within the guidelines. The United States feels strongly that there are some key points of this concept that could be beneficial to new facilities. We believe that it may be appropriate to include some of this detail within section 3.3.4.1 and perhaps other relevant and key information could be included as a technical appendix.
(Refer to the coordinator's comments below)

<Coordinator's Comment/Proposal >
The United States commented that "*they [SRFs] can, and in certain cases should, conduct their own sampling and determination of the presence of hazardous materials*".
Yes, there are cases that SRFs conduct their own sampling at their own site, when they want to clear some of PCHM as non HMs. But not necessarily before the arrival, i.e. offshore or at the last port of call.

The United States does not believe that the Convention text includes language which prohibits this from happening
Neither do I. From the conception of the draft Ship Recycling Convention, the prohibition on SRF's conducting the sampling before the arrival of the ship has never been on the table. There is no prohibition, but no obligation, either, in the Convention.

If I may paraphrase my previous comment *"the SRF cannot do any checking work on PCHM and HM on the ship BEFORE the arrival", my comment would be as follows*:
"It is difficult to conceive that the SRF dispatches its own personnel and conduct the sampling check of HM onboard before the ship's arrival at SRF, namely, offshore, or at the last port of call."

(Denmark)
Agree top first two comments
Regarding comment 3 and 4 there may very well be situations where the SRF may wish to add sampling or complete an IHM with many PCHMs. Such additional survey(s) should be subject to the same conditions regarding choice of sampling experts and analysis laboratory as IHM. We do not agree that the SRF cannot perform "checking work" before arrival. The reality is that a ship may pass to new ownership anywhere in the world and that additional "checking work" may be carried out long before a final anchorage. However, suitable reference to the IHM guideline may be given. **(Refer to the coordinator's comments below)**

< Coordinator Comment/Proposal >
1. Modify "SRP be in place". The text has been modified.
2. Shipowner's signature is not necessary. The text has been modified.
3. "to aid in the completion of survey". This part is deleted.
4. "SRF may wish to conduct survey/sampling before the arrival of the ship" This part is deleted.

NOTE: The above suggested actions of 3. and 4. (the deletion of some parts) were taken based on the comments made in the 1st round.

(Netherlands)
First thought is (given the wording of the Convention) that the shipowner's signature is not necessary, but how can it be ensured that the information provided by the shipowner has been taking into account? Regulation 1.8, of the Convention provides for an extensive definition of shipowner, so asking for a ship owner's signature is in the Netherlands' view not problematic;
A suggestion is also to elaborate paragraph "It is recommended … to the facility" in the Guidelines for the development of the Ship Recycling Plan (SR/CONF/46, resolution 4, item 6).

(Germany)
The signed data of the shipowner makes clear who is the owner of the used data for the SRP. I believe this is necessary.

Voluntary by the SRF – not part of the guideline?

Because in the IHM it might be mentioned "PCHM" (potentially containing Hazardous Materials) which is not fully identified during the process for IHM for existing ship (by HazMat Expert). For these locations it may be a part of negotiations between shipowner and SRF how to treat these unclear items of the IHM.

(Germany)
This is to clarify for the reader of these guidelines the simple requirement of a certified IHM. It may be that the guideline for IHM is not completely known. **(Refer to German comments in the 1st Round and coordinator's comments on them)**

> **<Comments for the CG (Round 1) >**
> "It is recommended that the ship recycling facility gather relevant existing information on the ship prior to its arrival in order to aid (the IHM aids the completion of the SRP. After knowing the complete situation of HM onboard of the ship it can be done in a qualified way). It is understood that the SRF is not aiding in this preparation work in the completion of the Ship Recycling Plan. Further, the ship recycling facility shall require the certified Inventory of Hazardous Materials in compliance with the IMO convention."
>
> **<Coordinator Comment/Proposal >**
> IHM is required to comply with the Convention requirements by (obviously) the Convention. We cannot have a guidance to SRF that SRF shall require the compliance of IHM which is to be developed by the ship side.

3.3.2.3 Towing Operations

(Denmark)
We agree that towing is not included under the Convention, but some reference to relevant regulation may be suitable.

3.3.3 Vessel Arrival Management

(India)
Along with all those documents to be provided by Ship Owner mentioned under this paragraph, last dry docking reports pertaining to hull and structure and tanks should also be provided by shipowner.

(Turkey)
Comment: We believe that the footnote is not necessary.
Reason: With the word "extent possible", it is clear that these documents will be provided, if it is possible. Additionally, all the SRFs are aware that it is unlikely to receive all these documents with ships. Therefore we suggest deleting the footnote.

3.3.4 Ship Recycling Methodology

(India)
Inventory of the all materials generated from the ships be prepared and maintained at the facility and a part of the SRFP.

(EC-EMSA)

First remark:
The SRFP should explain in detail the approach used by the facility for the management of materials/wastes that are not ship-specific, and occur during every ship recycling operation.

However, the EC agrees with the coordinator that also the SRP should be a stand-alone document, which must be useful and readable for flag State surveyors during the final survey. It should not be limited to a detailed description of ship-specific removal and recycling operations only, but in a more general way also reflect on the whole recycling process.
The EC therefore considers, as explained by Japan in its document entitled "RECYCLING METHODOLOGY: Is it facility-specific, or ship-specific?" that the ship recycling method, which could vary much depending on ships, should be described in the SRP. In this respect, some copying of information seems unavoidable.
The EC so far can agree with the level of detail described by the coordinator in the second paragraph, but it may be necessary to elaborate further on the standard template for facility-specific information.

Second remark:
The wording of the guidelines should be in line with the Convention. Therefore the EC suggests to replace "remediation" by "management" in the second sentence, as it is used in part 2.2 of the supplement to the DASR:
"This should include the entire process of recycling a vessel, the integration of hazardous material and waste management, and a description of the methodology and procedures for identifying and segregating material."

Third remark:
Regarding the 1st Round comment of Bangladesh and the coordinator's subsequent reference to regulation 20.3: the EC agrees with the coordinator.

(United States)
The United States favors the original wording (now in square brackets), as it is more comprehensive. The United States reiterates the belief that the main functions of the facility guidelines will be for facilities to develop a document that can be used for authorization purposes and for use by the Competent Authority to ensure that the facility can recycle ships in accordance with the Convention before it authorizes the facility. As such, we believe (and from review of Round 1 comments it appears others do as well) that the SRFP contain detailed information on the recycling process and that the recycling method is facility specific and much less ship specific. As we recently observed in Turkey, all ship recycling facilities use the same general approach to the deconstruction of a ship ("the sausage cutting") predominantly regardless of ship size. We believe this confirms that a well-designed, systematic approach to recycling is facility specific and not ship specific and the SRFP should reflect this. To illustrate this point: a facility identifies 5 cranes of varying size are used at the facility. It could be stated or inferred what each crane is capable of handling, but wouldn't it be enough for the SRFP to state that each crane will be operated in accordance with manufacturer specifications and how the facility will generally use the cranes? Under the assumption that the ship specific plan would need to identify a specific crane will be used for that specific ship, what happens when the specified crane breaks down or the facility decides that a different crane can be used for a certain activity? If it is not identified in the approved SRP, do recycling operations cease while the SRP is amended?

With regard to the coordinator's comment "…that flag State surveyors do not have SRFP in their hands…", while being true, there is no reason for the flag State surveyor to have the SRFP (and certainly they could ask for a copy if they felt it was necessary to have for some reason). The surveyor is required to affirm that the SRP reflects the IHM. At present, there is no information as to what this entails. Does it mean that the SRP simply states that all hazardous materials identified in the Inventory will be properly managed? While extremely simplistic, doesn't that

satisfy the very broad requirement of "affirming that the SRP reflects the IHM"? We do not agree with the coordinator's assumption that the SRP would not be readable by the surveyor. The main point here is that the SRP does not need to have repetitive information on the processes and procedures that should be defined in the SRFP, for example the steps for removal of asbestos (such as step 1, set up containment area, step 2 use wetting agent, step 3, put removed asbestos in double lined bag). This should already be spelled out in the SRFP and does not need to be repeated for a specific ship unless there is a change in the process. Presumably, the SRP should identify how much asbestos is estimated on board a specific ship, the specific locations, and if the facility will use a different type of process for removal other than what was identified in the SRFP. That is what we mean by new and different information. We do not agree with the coordinator's suggestion that the SRP needs to "describe the recycling process" (and "copy and paste" all of the SRFP will undoubtedly result in an unnecessarily unwieldy SRP). Many processes, such as asbestos abatement, will not change from ship to ship and, in the experience of the United States ship recycling, it would be in the best interest of the facility to identify as many processes and procedures in their SRFP. We do not agree that it is unreasonable to expect a fully qualified and experienced recycler to be able to identify up front a wide variety of scenarios for recycling ships. A newer recycler may not be expected to prepare an all-encompassing SRFP, but would be able to amend those processes and procedures as they gain the expertise. Further, there is no way that the flag State surveyor needs to know what the process for removing asbestos is or how "sausage cutting" is accomplished. Not only it is beyond his expertise, it is not relevant to the final survey. Again, we believe that many other comments in Round 1 reflect this approach.

NOTE: Comments in the 1st Round has been analysed and presented in the 2nd Round. It should be noted that, although there were similar views, there were other views as well. There are not fundamental differences about the nature of SRFP, thus through discussion at MEPC 60 we can fill the gap.

(Netherlands)
The SRFP should contain a detailed description of all the work done during the dismantling and waste processes. The SRP may be limited to IHM information and ship specific information (regulation 9, item 3).

(Turkey)
It is our view that the SRFP should contain at least generic descriptions of ship recycling operations/methodologies, which may then be copied or referenced in each specific SRP to address the specific ship and IHM. In other words, the SRFP should be as complete as possible with regards to available SRF operations/methodologies that the SRF is approved to perform.

(Turkey)
We are supporting to include this 'alternative paragraph' in the main text.
[Further the common practice on production and management processes should be included in the SRFP, such as the methodologies techniques applied for the ship and in the yard.]

(Turkey)
Ship recycling methodologies in Turkey are very similar for almost every kind of ship that we recycle.

The recycling methods are usually the same. All ships are landed, either under its own power or using tugs, they are moored, tied up with ropes to land and secured, wastes are removed, the ship is pre-cleaned and cut. The procedures do not really vary from ship to ship either for mooring or lifting the heavy parts. Sometimes – of course – the sequence of cutting parts can vary due to ship's type or size. This kind of sequence information can be detailed in SRP.

Therefore our suggestion is to describe all relevant aspects of ship recycling in the SRFP to the maximum extent possible. During the preparations for SRP, the information can be extracted from the SRFP and put into SRP. The text will be modified within the SRP to address the ship-specific issues.

(Denmark)
We agree that this discussion is very important and the assigning of elements and level of details between SRFP and SRP not yet completely clarified.

(IACS)
We find the attachment confusing. It does not clarify for us the level of detail required in the SRFP. The coordinators comments to the left also do not clarify the situation and do not reflect our interpretation of the situation. We believe the changes outlined did allow for a simple SRP. Most detail should be in the SRFP so that it is only approved once (not each time for each ship), and also so that critical elements are not left in the SRP which may be "tacitly approved". We support the United States intention for detail and clarity in the SRFP.
This phrase of the United States is clearly likely; "Further, the United States believes that competent authorities will use the SRFP as a mechanism or tool to authorize the facility (as identified in section 1.3, the CA will rely on the SRFP to authorize a facility)".

NOTE: It looks like that the attachment here meant the illustration of recycling process that the coordinator attached in the 2nd round. This illustration was to explain there are ship-specific elements (based on ship size and ship type) in recycling process, and <u>not</u> to explain the level of detail in SRFP.

(IACS)
Many of our comments assume the SRFP will be seen by the CA and will be the base document for approval and issuance of the DASR, this is why we rather loosely refer to "approved SRFP". The guidelines need to make this function of the SRFP more clear. The SRFP is a requirement of the Convention, and therefore the DASR cannot be issued without it – it is inherently "approved" by the CA.**: (Refer to German comments and the coordinator's comments below)**

> **<Germany: Comments for the CG (Round 1) >**
> The description of work has to be done anyway. If it is done in the SRFP (somehow the management system documentation) the SRP could work with references to the existing procedures/instructions of the SRF (SRFP). In this case the SRFP has to be known by the competent authority (which maybe the case anyway). Generally agreed with the coordinator.
>
> **<Coordinator Comment/Proposal >**
> Judging from the context, I guess you mean "the Administration" (F.S.), not the competent authority. If SRP is developed with references to the existing procedures of SRFP, the contents of SRFP must be known by the flag State, in order to read and understand the SRP.

NOTE: There is no argument that the SRFP is the basis of the DASR, thus SRFP is inherently "approved" by CA. The coordinator's comments was about the SRP's readability for flag State surveyors; if SRP mainly consist of references to SRFP, and contains only addition/modification to SRFP, flag State surveyors would not be able to read it as a document unless they know the content of SRFP, by somehow getting a copy of SRFP. The issue of SRFP and SRP will be further discussed at the meeting.

3.3.4.1 Initial [Inspection] [Check] [Assessment] and Evaluation

(United Kingdom)
The survey should also take account of non-hazardous materials that may pose an environmental risk, for example potentially harmful aquatic organisms and non-indigenous species in marine growth, ballast water and ballast sediments.

(United States)
This may be the appropriate location for the facility to assess the information (IHM, etc.) received. See comment for section 3.3.2.2. The alternative wording presented by the coordinator appears to be a good start on providing comprehensive guidance.

(Turkey)
We propose to change the title of 3.3.4.1 as "Initial Inspection (or) Check and Evaluation"
Reason: To be in line with the Convention. The word 'Survey' is always used for the IHM and IRRC. It has never been mentioned in the Convention for the checks done by the SRFs. For instance, in regulation 15.3 of the Convention, the word inspection is used. Therefore, either Inspection or as the coordinator proposed in his alternative paragraph 'Check" can be used.

(Turkey)
Proposal to add a text into the "alternative to the previous paragraph":
"The SRF can conduct post-arrival operations that will ensure that all identified materials in the IHM are properly labelled and that any unclear information is clarified either by the shipowner or by the SRF itself performing additional tasks such as additional checks and sampling if deemed necessary.

(IACS)
Agree with the United States. Replace word "survey", in the text. Title becomes; 3.3.4.1 Initial Assessment and Evaluation. Opening paragraph reads: The SRFP should include the process for conducting a survey *assessment* of the vessel and any sampling of potential hazardous materials, as appropriate. ~~The survey~~ *This* should include hazardous materials, tank soundings, documentation of unknowns, safe and unsafe areas, gas-free certification, and verification that survey and sampling will be completed prior to the start of work.

3.3.4.2 Stability and Afloat Monitoring Procedures

(United Kingdom)
The integrity of any ship stored at a recycling facility should be regularly monitored, this monitoring should include:

(a) a visual inspection of the condition of the ship;
(b) an assessment of tank levels;

(c) visual hull checks;
(d) visual inspection for signs of vandalism or other damage;
(e) the identification of any pollutants that are in a condition in which they may be released to the environment; and
(f) stability assessment

Relevant environmental monitoring should be identified in the SRP and should include:

- an initial site report, which establishes the existing background prior to recovery activities so that any contamination caused by activities can be identified;
- monitoring of waters that could be impacted by activities;
- monitoring of noise and vibration; and
- monitoring of fugitive asbestos releases.

The SRFP should include the measures to be taken to ensure the stability and strength of any ship during the recycling operations carried out at the facility.

3.4.1 Regulatory Framework and Compliance Procedures

3.4.1.1 Key Safety and Health Personnel

(India)
Regulatory Authority under which the ship recycling facilities are operated should bring Policy related to Safety Health and Environment (S H E). The ship recyclers are required to follow the objectives of the policy precluding the requirement to lay down yard specific policy.

3.4.2.1.1 Safe for Entry Criteria

(United States)
Oxygen Content :

- We agree with the delegations which state that IMO A.864(20) must not be watered down.
- However, we would ask those delegations to consider whether their own standards reflect a range or a particular number. If a space has 21.1% O_2, or 20.9% O_2, is it not safe for entry? We believe that 21.0% is ideal; however, we acknowledge the reality that a space which has 20.9% O_2 concentration may be safely entered. We also recognize the need for a practical range which cannot be exceeded.
- Accordingly, we would propose a compromise: "*The oxygen content of the atmosphere is neither deficient nor enriched; the oxygen content should be 21% but in no case should it be below 19.5% or above 22%.*"

(United States)
ISGOTT and French proposals on SFE/SFHW:

- We welcome discussion of ISGOTT standards. We would agree with France that the 1% recommended by ISGOTT can be difficult to achieve. Accordingly, we, believe that such a standard (set at 1% or 2% of the LFL) could be difficult to achieve and unnecessarily over protective.

- We agree with France that "No Hot Work should be carried out on bulkheads of bunker tanks, or within 500 mm from such bulkheads, unless that tank has been cleaned for Hot Work," as such hot work could drive liquid out of rust into the vapor space, and "adjacent ballast tanks and compartments, other than cargo tanks, should be checked to ensure they are gas free and safe for Hot Work." If it is determined that the guidelines do not already account for this, or do not make this recommendation sufficiently clear, the text should be added.

We would like to suggest that this issue be targeted for discussion at MEPC 60.

(Netherlands)

- Agree with the coordinator's comments;
- Agree to the proposal that the concentration of flammable vapours, generally speaking, is 10.0% lower than the Lower Explosive Limit (to avoid a complicated table);
- Agree to the proposal that a simplified table covering representative gases normally used on ships would be sufficient.

(Turkey)

We strongly agree with the Coordinator's proposal for a simplified approach for the OEL Tables. Having a too detailed list, although thorough, may not be appropriate / practical to implement in the various recycling States. Furthermore we are concerned with the level of detail included in this section, as we feel it is inappropriate for the specific Guidelines' document, which is not a Guideline on best practices, but rather a Guideline for the implementation of the requirements of the Convention.

Since a Competent Person who is authorized/licensed by the recycling State, is going to conduct those measurements, he would already be well informed on the requirements of the safe-for entry and hot-work criteria, in line with the national requirements (in Turkey for instance we have a specific regulation for this). Therefore, our suggestion is to have a simplified text in the main text of Guidelines on safe for entry and hot work criteria, and have the valuable but technical information about oxygen and gas levels in Appendix 4 Technical Guidance part.

The new text in the main text is proposed as follows.
"3.4.2.1.1 Safe for Entry Criteria
A competent person should ensure that the safe for entry criteria have been met for the spaces that a certificate is issued. The details on the safe-for-entry criteria can be read in Technical Guidance of these Guidelines. National requirements of the recycling State should also be taken into account during the consideration of these criteria."

The proposed location to have the technical details (highlighted) on the Safe-for entry criteria is in Appendix 4, Technical Guidance Section 1.2.1.1.(1).
Safe for Entry denotes a space that meets all of the following criteria:

.1 The oxygen content of the atmosphere is neither deficient ([below 19.5% oxygen]) nor enriched ([22.0% oxygen or above]);

.2 The concentration of flammable vapours is below [10] percent of the Lower Explosive Limit; and,

.3 Any toxic materials in the atmosphere are within permissible concentration. Chemicals in the atmosphere, or which may be released in the atmosphere as a result of work in the space, are within Permissible Exposure Limits (PEL's). The PEL table is included in Appendix B. Recycling state should also be taken into account during the consideration of these criteria.

The proposed location to have the technical details (highlighted) on the Safe-For-Entry criteria is in Appendix 4, Technical Guidelines Section 1.2.1.1.(1).

For 'Ceiling Value' PEL's (where the PEL in Appendix B is preceded by a "C"): an employee's exposure to any Ceiling Value PEL substance shall at no time exceed the exposure limit given for that substance. If instantaneous monitoring is not feasible, then the ceilings be assessed as a 15-minute time weighted average exposure which shall not be exceeded at any time over a working day."

For "8-hour Time Weighted Average" PEL's (where the PEL in Appendix B is NOT preceded by a "C"): An employee's exposure to any 8-hour Time Weighted Average substance shall not exceed the 8-hour Time Weighted Average given for that substance in any 8-hour work shift of a 40-hour work week.

"Appendix B for the PEL Values" was not available in the Guideline document.

(IACS)
Please use the standard levels as per A864 and ISGOTT

3.4.2.1.2 Competent Person – for Safe For Entry and Safe For Hot Work Determinations

(Turkey)
Addition of the underlined text is proposed into the 1st paragraph.
"Regulation 1 of the Convention defines Competent Person. For purposes of making determinations for Safe For Entry and Safe For Hot Work, a high level of knowledge, experience, and specialization is required. The Competent Person needs to have a sufficient knowledge on chemistry, petroleum and its derivatives, the knowledge of the structure, location, and designation of spaces where work is done; the ability to calibrate, use, and interpret the appropriate testing equipment, such as oxygen indicators and combustible gas indicators, and knowledge of the limitations of such equipment; the ability to perform all required tests and inspections; and the ability to inspect, test, and evaluate spaces to determine the need for further testing. The competent person should possess the knowledge, training and experience to properly attest to all conditions noted on the appropriate permit/checklist [and accurately record his or her findings]."

Reason: Our national regulation states that the competent person shall have the above mentioned qualifications.

We strongly believe in the retention of the term "space"; and we feel it is useful to clarify the purpose of the guidelines.

The guidelines should explain the safe for entry requirements and safe for hot work requirements, which are applicable to *all* spaces, enclosed or unenclosed (regulation 1.6 "Safe-for-entry" means a space that meets the following criteria:" Regulation 1.7 "Safe-for-hot work means a space that meets the following criteria.") Accordingly, it is appropriate to state "Safe for Entry/Safe for Hot Work denotes a space that meets all of the following criteria" because no space, enclosed or unenclosed, should be entered or placed under hot work without meeting those criteria. For example, hot work should not be carried out in an engine-room which, although ventilated, open for access, and designed for human entry, has a hydrocarbon leak.

The testing aspect of the guidelines is directed to spaces where a dangerous atmosphere may exist; it should be done according to a hazards-based approach which we will offer for consideration at a later date. In terms of whether or not a dangerous atmosphere may exist, enclosed spaces are often suspect; because of their limited access, poor ventilation, and the infrequency of human entry, we should be particularly concerned with ensuring their safety by means of testing.

Since space would be used in the general sense, it should be amended to read: *"Space" means a space on a ship, including the accommodation spaces (SOLAS chapter II-2, regulation 3.10), public spaces (SOLAS chapter II-2, regulation 3.11), service spaces (SOLAS chapter II-2, regulation 3.12), cargo spaces (SOLAS chapter II-2, regulation 3.13), machinery spaces (SOLAS chapter II-2, regulation 3.20), and void spaces (IBC Code, definition 1.3.36).36* means an area on a ship such as, but not limited to. *These spaces include, but are not limited to,* cargo tanks or holds; pump or engine-rooms; storage lockers; tanks containing flammable or combustible liquids, gases, or solids; other rooms; crawl spaces; [tunnels] (i.e. shaft alleys); or access ways. The atmosphere within a space is the entire area within its bounds.

A confined space is a space which is confined- small, unventilated, or limited in access. An enclosed space in the United States is a space enclosed by bulkheads and an overhead. Confined spaces and those enclosed by bulkheads and overheads may overlap, there may be overlap, but there is not necessarily always overlap. If the group were to limit safe for hot work, safe for entry requirements to the current IMO definition of enclosed (which is similar to the United States definition for "confined spaces"), it could inappropriately limit SFE/SFHW requirements and leave unaffected areas which could cause significant harm to worker health. A general reference to spaces, coupled with a hazard based approach which requires additional effort only in those spaces where a hazard may exist, is the best approach. **(United States version 2)**

3.4.2.1.3 Safe for Entry Inspection and Testing Procedures

Same as above (**3.4.2.1.2) (United States version 2)**

3.4.2.1.3.1.1 Oxygen

(Turkey)
Remark: First Paragraph
"The Ship Recycling Facility should ensure that spaces are tested by a competent person to determine the atmosphere's oxygen content prior to initial entry into the space by workers. Spaces that warrant particular consideration are listed in Appendix C."
Appendix C is not in place.

3.4.2.1.3.1.2 Flammable Atmospheres

(Netherlands)
Agree to the additional text 'equal to or greater than 10 percent of the lower explosive limit.

(**Germany**)
Agreed … the competent person should give permits **(Toward Germany's comments)**

> **<Germany: Comments for the CG (Round 1) >**
> IMO A.864(20) additionally defines a 'responsible person' who is "authorized to permit" – he may be the competent person too, but this definition seems to have value within the required roles and responsibilities.
>
> **<Coordinator comment / Proposal >**
> A proposal to change the definition of "competent person"?

3.4.2.1.4 Safe for Entry Determination by a Competent Person

(Netherlands)
With a view to recontamination a ventilation period of at least 24 hours is sufficient although mechanical/forced ventilation may reduce this period.

(Turkey)
<u><1st paragraph></u>
An additional text to the following paragraph is proposed.
"A competent person should visually inspect and test each space certified as "Safe for Entry" as often as necessary to ensure that atmospheric conditions within that space are maintained within the conditions established by the certificate. However, at a minimum, the space should be inspected and tested at least once in a 24-hour period."
Is proposed to be replaced by;
"A competent person should visually inspect and test each space certified as "Safe for Entry" as often as necessary to ensure that atmospheric conditions within that space are maintained within the conditions established by the certificate. <u>This certificate should be renewed periodically taking into account the national requirements of the recycling State</u>. However,<u> ~~at a minimum~~</u>, the space should be inspected and tested at least once <u>before entry</u> <u>~~in a 24 hour period~~</u> <u>by a/- worker/s designated and trained for the specific work by the facility who is responsible for interim measurements. This designated worker should be competent for the measurements and equipped with necessary gas and oxygen measurement devices. Measurements should be documented according to facility's authorized procedures.</u>

Reason: Having measurements and inspections everyday by a Competent Person means that he needs to be always at the facility. This is in practice seems impossible for several reasons. One is, when he is on board, there should be no work conducted, this has economical disadvantages for the recyclers. Additionally hiring a competent person for everyday would also have some economical burden, which does not ease recyclers' work. Due to that, if we want these Guidelines to be practical, we should allow the facility to conduct its own measurements before entering into spaces as well. The workers can be trained adequately for this kind of interim measurements and have the adequate portable gas measurement devices which beep when there is a risky gas level. In this case, the yard can call the competent person again for the certification.

Except of these emergencies, periodically, for instance once in a week/15days, the spaces can be tested again by the Competent Person and certified.

(Turkey)
We are in favor of not including specific minimum ventilation time, as this will depend on the dangerous atmospheric condition and the means of ventilation.

3.4.2.1.5 Safe for Entry Certificate, Warning Signs and Labels

(United States)
Suggest amending the title to read: Atmospheric Safety Designations, Warning Signs and Labels.
Suggest adding "safe for hot work" after "safe for entry" in the opening line.
Suggest adding the name of the ship to "location of vessel" to avoid confusion over any potential vessel movement (where multiple vessels may be in one location). As such, the bullet would read "name of vessel and location".

(Netherlands)
With reference to resolution A.864(20) "Recommendations for entering enclosed spaces aboard ships" the wording Certificate should be modified to Permit(-to-work).

(Turkey)
"Safe for Entry (and Safe-For-Hot-Work) Certificates should be posted at every ship access point. The Certificate should be appended by a record of inspection for recording atmospheric tests."
Comment: We feel that further consideration should be given to this. We should consider the setup of the SRF and recommend a system that will have a positive impact on safety, while being easy to implement. With the currently proposed approach one may envisage a case where there are multiple entry points (what is the entry point for a half cut ship on an intertidal zone?), and in each access point/entry point different updated versions are made available, hence creating confusion and greater worker risk. Hence a simple setup with adequate communication to all workers would be preferable. Therefore an illustration would be beneficial for the easy communication.

(IACS)
The United States amendment is not supported. Individual enclosed spaces should be marked locally. A worker going onboard a ship to start an 8 or even 12 hour shift cannot remember every location listed at the gangplank. Spaces will change through the day. The only safe behaviour on entering a space is to check the marking of that space.

NOTE: The current text (based on the United States suggestion) provides that "areas themselves should be clearly marked".

(Netherlands)
Still of the opinion that an attendant should remain at the entrance to the enclosed space by reason that a notification at the entrance of the enclosed space indicating the name of workers in that space can not replace that extra safeguard. Moreover the attendant can be available for a certain number of working spaces.

(Turkey)
Regarding the text *"A permit for entry has been issued by [the same individual(s) who is/are responsible for maintaining the certificate, on behalf of the Ship Recycling Facility][the competent person] for those intended to enter the space"*.
Comment: In our opinion and in line with our comments to this document, we support that "individuals responsible for maintaining the certificate" are not necessarily "competent persons".

3.4.2.2.1 Safe For Hot Work Criteria

(Turkey)
In line with our comment for 3.4.2.1.1, we propose to add a new paragraph under this section and remove the rest into "Technical Guidance" appendix.

A competent person should ensure that the safe for hot work criteria have been met for the spaces that a certificate is issued. The details on the safe-for-hot-work criteria can be read in Technical Guidance of these guidelines. National requirements of the recycling State should also be taken into account during the consideration of these criteria.

Safe for Hot Work denotes a space that meets all of the following criteria:

- The oxygen content of the atmosphere is neither deficient ([below 19.5% oxygen]) nor enriched ([22.0% oxygen or above]);
- The concentration of flammable vapours is below [10] percent of the Lower Explosive Limit;
- Any residues or materials in the space are not capable of producing an oxygen enriched or deficient environment, and are not capable of generating flammable or explosive vapours;
- All adjacent spaces have been cleaned, inerted, or sufficiently treated to prevent the spread of fire.

It is proposed to paste the above highlighted part into the Appendix Technical Guidance. Possible location is similar to our comment for 3.4.2.1.1.

After moving to the Appendix 4, a proposal to add a sentence at the end of the 3rd bullet point is suggested "… vapours within the period required to perform the specific hot works operation;"

(Turkey)
"Period of elapsed time – if a sufficient period of time (not to exceed 24 hours) has elapsed since Safe -For-Hot-Work Certification has been issued, the condition of the space should be retested prior to entry and starting work."

Proposal: Delete the text in parentheses, including the parentheses, that reads "~~(not to exceed 24 hours)~~".

3.4.3.3 Welding, Cutting, Grinding and Heating

(Argentine)
We prefer this wording:
"The SRFP should include standard operational procedures (SOP) for the use of certain equipment during the work with any type, but not limited to: welding, grinding, cutting, heating machines, providing the necessary means for appropriate ventilation, and where needed the Personal Protection Equipment (PPE), for those works as stated in paragraph 3.4.3.11. This SOPs should also include the necessary permits and inspections for the job (hot work certification, gas free atmospheres, ventilation, safety illumination, emergency exits, safety for storage, transport, securing equipments or part of them, etc.)."
We also prefer to delete the wording referred to monitoring for heavy metals and training because they have been already considered in paragraphs 3.4.3.9 and 3.4.3.14.

3.4.3.5 Scaffolds, Ladders, Workman Aloft, Other Working Surfaces

(United States)
The United States concurs with the coordinator to move this text to Appendix 3 as it does have considerable added value to the guidance and should be retained. In the interest of making the primary document the most user-friendly, perhaps it would be best to keep each section as simple as possible and thereby having specific technical text in the appendices. The United States feels that there should be consistency in the document, but understands that there may be specific sections whereby more detailed and specific text is needed (such as safe for entry/hot work) within the body of the guideline, which would make consistency more difficult.

(Netherlands)
Preference to put the technical guidance in an appendix.

(Turkey)
We concur with the coordinator to include the details on "Prevention of Slip and fall accidents" in Appendix 4 Technical Guidance.
Reason: The other sub-sections always have a couple of sentences only that state procedures should be described. To be in line with the whole format of the document, we believe that this part suits more to the appendix.

3.4.3.12 Emergency Procedures

(Turkey)
Section 3.4.3.12 is deleted and the content is merged with 3.4.4
The section 3.4.3.13 has been deleted and a new text is proposed by merging it with 3.4.5, as follows:

3.4.3.12 Fire Prevention

Regulation 19.1 states that SRFs shall establish and utilize procedures to prevent explosions, fire and other unsafe conditions. The Ship Recycling Facility should have a system for fire prevention to avoid the risk of fire.

The SRF should have procedures:

- *To identify appropriate precautions to reduce the risk of fire and explosions from ship recycling activities such as; proper storage of flammable liquids, solids, and gases, combustible materials, greasy or oily waste, and scrap wood or plastics,*
- *To identify the precautions to be implemented in enclosed spaces and other places which flammable gases, vapors, or dusts can cause danger (smoking, using naked light or flame, and hot work should not be permitted unless it has been made completely free of the flammable atmosphere, tested and found safe by a competent person);*
- *To regularly inspect places where there are fire risks includes the vicinity of heating appliances, electrical installations conductors, stores of flammable and combustible materials, and hot welding and cutting operations.*

3.4.3.12.2 Response to environmental accidents

(Argentine)
This paragraph should also include communication to the local Environmental or Competent Authorities, as stated in paragraph 3.5.1.4.

3.4.3.13 Fire Response Procedures

NOTE: The editing work of merging relevant sections and paragraphs regarding emergency response are not yet done.

3.4.4 Emergency Preparedness and Response Plan

(Turkey)
Comment: It is our view that the EPRP should be integral part of the SRFP and should be prepared as part of the SRFP. The EPRP may be self-contained in meaning/structure, but should not be a stand alone document. Self contained means, in case necessary, one can directly open up that part in SRFP and check the information without checking anything else in SRFP.

Reason: Please see regulation 18 of the Convention and subparagraph 6. "Ship Recycling Facilities authorized by a Party shall prepare a Ship Recycling Facility Plan. The Plan shall be adopted by the board or the appropriate governing body of the Recycling Company, and shall include an emergency preparedness and response plan."

(Turkey)
3.4.4 is merged with 3.4.3.12 and 3.4.5 and following text is proposed under 3.4.4

3.4.4 Emergency Preparedness and Response Plan

Regulation 21 of the Convention specifies that ship recycling facilities shall establish and maintain an Emergency Preparedness and Response Plan (EPRP). EPRP should be included in the SRFP but, if desired, can be a self contained document in meaning/structure.

Ship Recycling Facility should ensure that EPRP

- *is communicated to all relevant people in the facility,*
- *has taken into account the location, physical and environmental characteristics of the Ship Recycling Facility, and the size and nature of activities associated with each ship recycling operation*
- *include information on emergency escape routes, alarm systems, responsibilities of the personnel, rescue and medical duties*
- *procedures for trainings, conducting drills and responding to fire, human injuries, and environmental accidents,*

The SRF should ensure that

- *the necessary equipment and procedures to be followed in the case of an emergency are in place*
- *the necessary information, internal communication and coordination are provided to protect all people in the event of an emergency at the facility.*
- *information to, and communication with, the relevant Competent Authority(ies), the surrounding community, and emergency response services are provided.*
- *First-aid and medical assistance, fire-fighting, evacuation plan of all people at the facility, and pollution prevention measures are provided.*
- *relevant information is provided for training of all workers of the Ship Recycling Facility, at all levels and according to their competence, including regular drills in emergency prevention, preparedness, and response procedures.*

3.4.4.1 Response to human injuries

The EPRP should ensure that appropriate responses are available for human injuries. Based on the assessment of injuries, a procedure for response to injuries should be established including the following:

.1 first aid, such as eye flushing, cleansing of wounds and skin, and bandaging;
.2 reporting to a responsible person;
.3 transport of injured person for additional medical care;
.4 recording of incident (including identification of possible hazards); and
.5 investigation, determination and implementation of remedial action.

Arrangements should be available for ensuring the safe transport of persons for medical attention.

First-aid training should be repeated at regular intervals to keep the knowledge and skills. Where the work involves risk of drowning, asphyxiation or electric shock, first-aid personnel should be proficient in the use of resuscitation and other life-saving techniques and in rescue procedures.

3.4.4.2 Response to environmental accidents

In case of spills of hazardous materials, the SRFP should describe how the cleanup of the contaminated area will be accomplished. For certain materials, the spill may require immediate evacuation of the area. A spill-cleaning procedure which includes safe handling of spilled materials should be established. The provision of relevant information and training to all

personnel of the facility, at all levels, including regular exercises in emergency prevention, preparedness and response procedures should be described in the SRFP.

3.4.4.3 Response to Fire

The SRFP should include procedures for fire response including but limited to fire watch, warning signals and alarm, fire hazards, using, proper handling and storage of fire fighting equipment (fire extinguishers, water supply system), evacuation plan, training, and identification of potential ignition sources.

Fire-fighting equipment should be selected according to the provisions of applicable international and national laws and regulations and the results of the initial hazard identification, and risk assessment of the Ship Recycling Facility operations. The equipment deployed should be suitable for and consistent with the following demands and applications: the restricted access, egress, enclosed spaces inside the ship; the quantity and characteristics of hazardous, flammable, and explosive substances handled in ship recycling operations; site transport and storage facilities; and first-stage fire-fighting purposes (such as hand-held or trolley-mounted portable fire-fighting extinguishers).

The SRF should place the fire-fighting equipment in proper locations to ensure that they are readily available, easily visible, and in accessible areas. All fire-extinguishing equipment should be maintained in proper condition with regular inspections by a designated person from the facility.

The SRF should include procedures for suitable training, instruction, and information for all supervisors and workers about the hazards of fires, the appropriate precautions to be taken, location and the use of fire alarms and fire fighting equipment, the nearest emergency services and first aid station so that adequate trained personnel are readily available during all working periods. SRF should conduct drills on a regular basis.

(Denmark)
We find these plans very important and agree that through guidance should be given, e.g., in appendices with annotated tables of contents or reference to relevant documents.

(IACS)
We support the separate EPRP and many of our comments here can be carried into that text. **(United States, German and comments in the 1st Round and the coordinator's comments below for reference)**

> **<United States: Comments for the CG (Round 1) >**
> First coordinator's comment – The second sentence should read "While the EPRP will be incorporated as part of the SRFP, it is highly recommended that the EPRP be prepared as a stand-alone, self-contained document." The reason for this is evident from the subsequent narrative in the next sentence in the guidance, and this approach has been demonstrated to be successful in U.S. facilities (i.e. by having the EPRP readily accessible there is much greater assurance that personnel will be able to find and follow these procedures).
>
> Second coordinator's comment – The United States concurs with the coordinator's comment that the text can be merged as appropriate.

<Germany: Comments for the CG (Round 1) >
The guidelines should outline the requirement for emergency access and egress procedures as well as accessibility of emergency vehicles to all work areas. New text can be provided.

<Coordinator Comment/Proposal >
Based on the comments made, the common view is that:
- EPRP would be developed as a stand-alone, self-contained document so that it is readily accessible in emergency;
- EPRP is also incorporated as a part of SRFP (EPRP can be annexed to SRFP);
- relevant paragraphs 3.4.3.12, 3.4.3.13, 3.4.4 and 3.4.5 can be merged as appropriate.

I have not embarked on the text editing, due to time constraints. At this stage, CG members are invited to confirm the above view, and the editing will be done at the next stage (of course, suggestion on the text would be appreciated).

3.4.5 Fire Prevention and Response

(Turkey)
This section has been deleted and merged into above mentioned sections.

3.5.1.1 National and International Requirements

(Argentine)
National and International Requirements
The SRFP should document those procedures in place to ensure the facility is operated and maintained in a manner that complies with all international laws, treaties, conventions and agreements, and other Federal, State*/Provincial*, and local statutes, as applicable.

3.5.1.3 Environmental Monitoring

(India)
Basic Physico-Chemical Parameters of Soil, Water, Air, Flora and Fauna within 25 km radius of the ship recycling yards be monitored quarterly to create baseline data. Over the period of 5 years or so, review may be taken to assess whether the pollution levels have increased or not. This shall be subject to national regulations.

3.5.1.4 Incident and Spills Reporting Procedures

(United Kingdom)
The SRFP should include a risk assessment in relation to the consequences of an incident, spillage or release and the procedures to be adopted to mitigate any potential environmental contamination.

3.5.1.5 (Deleted)

(Denmark)
We agree that the text need not repeat the Convention here, but find it important the "notifications" required in several places are described in the same language

3.5.2 Hazardous Materials Management

NOTE: Comments here are related to section 3.3.4.1 as well.

(EC-EMSA)
It is clear that additional sampling by the SRF is possible and necessary in case there are doubts about the amounts and/or presence of certain hazardous materials on board of the ship, and/or when the SRF has concerns about the presence of potentially hazardous materials.
According to the EC, the facility guidelines should be as thorough as possible. However, as there is a clear link with the guidelines on the IHM, it seems necessary and sufficient to refer to the relevant requirements of the IHM guidelines.
In this respect, an appendix to the facility guidelines with reference to all relevant instruments might be useful.

(United Kingdom)
We have looked at the text proposed by the United States and by the coordinator. There are some parts where the United States suggestions seem better and others where we prefer the wording proposed by the coordinator:

The coordinator proposes listing hazardous materials in accordance with Appendix 1, followed by those that are potentially hazardous. This seems sensible, although the United Kingdom would routinely consider some of the "potentially hazardous" materials such as "oils" to be hazardous.

In the United States proposal, the bullets setting out aspects of hazardous waste management requirements repeat some of the material in the previous paragraph. That paragraph could be shortened to remove the repetition. The text proposed by the Coordinator avoids this problem.

When talking about "Transport, Transportation, Disposal" both the United States and the coordinator say that the SRFP should identify all waste management sites and how the waste will be managed. This is right for waste streams commonly found on ships. However, there might be circumstances where a particular ship contained unusual material. In this case, there should be provision in the Ship specific recycling plan to describe the arrangements for the waste.

Under the heading "Removal, Handling, Remediation" appropriate wording should be included to ensure that all removal activities are adequately assessed and appropriate procedures are in place to prevent an environmental incident. Most accidents and environmental accidents happen during the removal and handling activities.

(United Kingdom)
Under the heading "Storage and Labelling after Removal", text should also refer to the appropriate environmental protection measures.

(United Kingdom)
Should include separately TBT and other anti-fouling compounds as the risks posed by the handling, removal, storage etc of this material can be different to other hazardous materials.

(United States)
General Comments for Hazardous Materials Management Section.

1. Sampling and analysis.

The United States agrees that the hazardous materials management section could be modified to better recognize the existence of the IHM and the more limited circumstances where the SRF will likely choose to conduct sampling and analysis. However, we do believe that it is important that the guidelines contain a sufficient discussion on the sampling and analysis aspects of identifying hazardous materials that SRFs can understand the fundamentally sound approaches to identifying these materials. This will provide the SRF with the considerations that are necessary to have confidence that the hazardous materials have been properly identified (of course a SRF can instead presume any unidentified materials to be hazardous and avoid the need to test them).

Although the IHM should comprehensively identify the hazardous materials on the ship, there could be a need for sampling and analysis in the following situation: (1) IHM identifies certain items as PCHM (potentially containing hazardous materials; (2) unanticipated materials are discovered during the recycling process; and (3) there is reason to believe the IHM did not correctly identify some materials. There may also be a need for a SRF to verify the IHM and/or any unknown materials before a ship is allowed at the facility if the facility is prohibited from receiving certain materials due to national law or limitations specified in the DASR.

Isn't the primary purpose of the Convention to ensure that hazardous materials are managed safely and in an environmentally sound manner? This goal is not achieved if a SRF is managing a material as non-hazardous when in fact it does contain hazardous compounds. This can easily happen if the proper sampling and analysis is not performed. (We have a number of case studies in the U.S. where a shipowner applied PCB tests to electrical cable and found them to be "clean," when in fact he had selected the wrong PCB test and the cable actually contained very high levels of PCBs.)

2. Lists of locations where hazardous materials are found on ships.

We agree with the suggestion that guidelines under the Convention should be consistent, and that we should not create different lists than those in Appendix 5 of the IHM. Our preference is to reproduce these lists in the SRFP guidance (e.g., in an appendix) for the benefit of the facility. This is to make the SRFP guidance as useful and helpful as possible, especially regarding one of the most critical issues – correctly identifying the hazardous materials on board. It is suggested to reference the IHM Appendix 5, but we believe this is less than ideal because the IMO does not make its guidelines readily available by posting them on the internet. By creating barriers to obtaining this important information, we have lost some of the value in providing guidance. One ship recycling State emphasized the need to provide simple, useful, straightforward guidance to help the facilities that are looking to improve their operations. We believe that a self-contained SRFP guideline is the best way to accomplish this.

3. Coordinator's Proposal for Section 3.5.2.

The United States believes that the coordinator presents some positive changes to the text in section 3.5.2, both in streamlining the narrative and in offering some additional guidance. The United States. offers the following key comments on the coordinator's proposal. We also attach suggestions for revisions to this text as a way to facilitate the CG's consideration of these comments, and to help the coordinator develop the next draft of the guidelines if the CG group elects to use the coordinator's proposal. Also included in this markup are some non-substantive drafting suggestions.

NOTE: Thanking very much the United States on this input, the text by the coordinator is kept as it was in the 2nd round, in time shortage. Japan intends to submit the comment paper to replace the coordinator's alternative text with some modification taking into account the United States suggestions.

(Argentine)
Removal, Handling, Remediation
We think that a reference to the 5R, should be included (Recycling, Reuse, Recuperation, Remediation, Reclamation, Reduction).

(Netherlands)
Agree with removing the present text and replace it with a text regarding the HM management such as removal, storage and labelling.

(Turkey)
Hazardous Materials Management.
Comment: We think that the United States proposal is too detailed. We agree to include coordinator's proposal in the main text of the guidelines for the section 3.5.2.

(Denmark)
See 3.3.2.2. and 3.3.4.1. We do find it important that if the SRF decides to perform sampling and analyses of HM these are subject to the same standards as those of the IHM. Reference to the appropriate sections in the IHM Guideline is needed.
Regarding indicative lists reference may be made as suggested.

(IACS)
We note that the appendix 1 hazards may be found in this list, but submit it should be made more clear to relate to appendix 1, therefore TBT should be included after PCBs in the list, and ODS moved up to this point too.

(IACS)
Once an owner has identified that hazards may be or are on his ship, the facility must have capability to manage those hazards, including sampling and testing, in order to protect its workers.

(IACS)
We do not see how this comment is actioned. The difference in English between 'presumed' and "potential" is very large. We need the P to be defined as 'presumed' in accordance with existing standards. **(IACS's comments in the 1st round below for reference)**

> **<IACS: Comments for the CG (Round 1) >**
> We support the requirement for such information for the ship recycling facility, however lists that appear in the IHM guidelines need not be repeated verbatim.
> Additionally there is a potential flaw in the various texts. Internationally recognized standards such as MDHS100, issued by the United Kingdom HSE, and the United States OSHA Regulations standards 29 CFR asbestos 1910.1001, use "presumed" asbestos containing materials (PACM) not "potentially". This is an important distinction that creates a responsibility to treat PACM as asbestos unless proven otherwise. "Potential" does not create this requirement, and can cause confusion as not being compatible with government working practice. Such confusion has the potential for large liabilities to an

Owner if a material is only treated as "potential" rather than "presumed". The convention guidelines may therefore be incompatible with National requirements.

<Coordinator comment / Proposal >
See the comments above in summary part and on the United States comments.

(India)
Radio Active Materials be also included in a list of potentially hazardous materials be addressed in SRFP.

Under Sampling and Analysis Protocol and Test Methods, sampling and analysis of waste materials should be subject to national regulations based on Standard Methods available as per National Code.

3.5.2.1 Asbestos

(United Kingdom)
The United States text refers to the asbestos being "wetted". Would "dampened" be a more appropriate word? When asbestos is stored, we understand that it is safer that it is not stacked up. This section should include ambient air monitoring.

(Netherlands)
Agree to make a reference to Appendix 5 of the Inventory Guidelines. However, with a view to the development of the remaining guidelines (SR/CONF/46, Resolution 4) the use of references should be limited in order to keep the guidelines user-friendly.

(Denmark)
We are of the opinion that "incineration" should be "destruction" (ref. Stockholm Convention), but Denmark would like to revisit this section.

(Germany)
Wetting of asbestos is not enough. Also ventilation through filters should be considered during work with asbestos. Otherwise the concentration of fibres will increase and cannot be controlled.

(India)
For Asbestos and PCB, management of handling, storage, treatment and disposal shall be complied as per prevailing national regulations **(& 3.5.2.2)**

3.5.2.2 PCBs

(UNEP)
The early **overview** under section 3.5.2.2 gives good background. Line 4 – (...PCBs were used...) please note that PCBs continue to be used so saying were needs to be supported by "and in some cases continue to be used …". For exposure to PCBs – food may be the greatest point of exposure hence the need to avoid release to the environment. This fact should be noted alongside inhalation, etc.

(UNEP)
< Identification and Potential Onboard Locations.>

As **identification** may come long before actual handling and control and also by different persons, there should be text related to inventory to ensure that material is labelled and logged during identification.

(UNEP)
< Sampling and Analysis, protocols and test methods. >
I am not sure if the release of PCDD and PCDF can be termed by-products when PCBs are heated. These are products of incomplete combustion. Also, these products should be mentioned the first time that heating is discussed. The mention of PCDD and PCDF comes after the third or fourth mention of heating. The last sentence under the sampling section is misleading. Saying that all or some materials may contain PCBs could be problematic for the user. Sampling may well be cheaper than trying to deal with all the material listed as being PCBs waste. Besides, some of these materials may have value and could be recycled if no PCBs are present.

(UNEP)
< Handling, Removal, Remediation. >
Handling, etc. Under liquid PCBs - I am not sure I agree with draining equipment that has PCB oils. I get the impression that the remaining equipment is free of PCBs. This could not be further from the truth. Such equipment is still contaminated and has to be disposed as hazardous material. If such equipment is to be flushed for further use, the nature of such flushing is a very technical process and must be highlighted. Rinsing with water, for instance, is not appropriate. The reader should be informed accordingly.

(UNEP)
<Storage and Labelling.>
Storage, etc. Containers used to store PCBs liquid must be UN approved and are very specific for this material. "Drums" are not good enough for use. Again, we must be specific and not mislead the reader with loose instructions. Again, a written inventory should be in place to ensure that material stored is recorded for posterity and for security.

(UNEP)
<Treatment, Transportation, Disposal.>
Treatment, etc. Where is transportation? It is in the title but nothing is said.

(UNEP)
The inventory, handling, management and disposal of PCBs and contaminated equipment is a specialised and professional undertaking. Given the cursory nature of these guidelines, I believe it would be best to clearly state that training should be given to those involved in both management of recycling facilities and to the actual workers on site. Professional support should be used to train workers and management and regular checks made by a professional to ensure that work is ongoing without possible environmental and human exposure. These guidelines cannot replace expert involvement in such work.

(EC-EMSA)
Same comment as in 3.5.2.
The EC agrees that IMO guidelines should preferably refer to instruments of inter-governmental agencies (such as ILO and UNEP) or other international organizations (such as ISO). The EC would in particular suggest referring to the technical guidelines that have been developed within the scope of the Basel Convention (http://www.basel.int/meetings/sbc/workdoc/techdocs.html).

(IACS)
As previously, the Convention required SRFP is a critical document for authorization of the facility and issuance of the DASR. If such guidance is not provided in detail it is very difficult to judge the quality of a facility's procedures in order to "authorize" them.

(United Kingdom)
General comment on sections 3.5.2.3-3.5.2.8
We suggest that each of these sections covers:

(a) Identification and sampling, including potential sampling techniques.
(b) Integrity of existing storage on the ship.
(c) Removal procedures designed to minimize any spill or release.
(d) On site storage to prevent releases, accidents, etc.

Reference to any relevant requirement of national or international legislation.

3.5.2.3 Fuels and Oils

(United Kingdom)
We would suggest that consideration is given to including more information on the management of waste oil such as the following:
Oils and fuels in pipework should be drained under gravity back to storage tanks.
Once safely drained, tanks and pipework should be flushed or jet washed to remove residual deposits. Such washings should be collected in suitable containers.
Stored oils should be kept separately from other wastes and not mixed with other types of oil. They should be stored in a bunded area with an impermeable pavement.

3.5.2.9 Other Materials

(United Kingdom)
This section could include the measures for identification and control of potentially harmful aquatic organisms and non-indigenous species in marine growth, ballast water and ballast sediments.

The following comments are on the Coordinator's Proposal for Section 3.5.2

NOTE: The United States offered a suggested language in the 2nd Round. Japan (not CG) will take into account those comments including the United States suggestions, and resubmit the draft of this section, as a separate comment paper.

(United States)
<4th paragraph>
Concerning the phrase: "…should take into account the Technical Guidance, Appendix 4 of these guidelines" the U.S. believes the CG needs to fully consider the new materials in Appendix 4 and determine which of these items are appropriate for the guidelines. Further, it needs to be decided whether these technical materials are offered as a resource, or if the SRF is obligated to take Appendix 4 into account (as is currently written).

(United States)
< Identification Section paragraph 2>
Concerning the phrase: "…upon arrival," the United States believes this phrase should be deleted because it contemplates only one sequence of events, when in fact the process of a shipowner transferring a ship to a SRF could happen in a number of ways and the contractual arrangements may vary from one situation to another. For example, the SRF may be elect, or may be compelled by national requirements, to verify the IHM or unknown materials before it arrives at the facility, as discussed in earlier comments. Also, some of the text in this section was redundant with the "Sampling" section that follows, so in the attachment we tried to streamline the discussion.

(United States)
A new item number 8 was added under the asbestos procedure regarding worker decontamination. It is very important that workers are decontaminated and do not take their clothing home. There are documented cases in the United States (Libby, Montana) where wives and children of workers died of asbestos diseases due to secondary exposure to clothing of the worker.

3.5.2.5 Paints and Coatings

(Germany)
It should be considered that paintings are the main hoster for heavy metals and the safety measures should be accordingly within the treatment of the paintings

3.5.2.5.1 Organotin compounds include Tributyl tins (TBT)

(United States)

- The guidelines refer only to Organotin compounds. However, the Convention applies to all anti-fouling compounds and systems regulated under Annex I to the International Convention on the Control of Harmful Anti-fouling Systems. Although the only systems currently regulated by that Convention are organotin compounds, it could be assumed that any materials which might be added to Annex would also be in similar locations, should be removed in a way that they are not deposited in the marine environment, and the residues appropriately managed. We ask the group to consider whether these commonalities merit the broadening of this section so as to avoid the need for amendment if Annex I of the AFS treaty is amended.
- In any event, the draft text notes the potential use of (TBT), Triphenyl tins (TPT) and Tributyl tin oxide (TBTO); accordingly, it would be improper to use TBT throughout the rest of the document as it is equally applicable to TPT and TBTO.

We agree that Organotin paint should not be released to the sea or soil during the ship recycling process; and, we agree that activities which result in the removal of Organotin is best done in dry dock. However, we require greater clarity on what ship recycling activities will release Organotin into the environment. For example, does dragging a ship hull or parts of a ship hull release Organotin or damage the barrier coating to allow Organotin to leach? Does torch cutting cause Organotin to be deposited in the marine environment? We read the draft text to only address intentional removal and not the potential accidental removal we note above; this, along with the rest of the section, should continue to be evaluated. Furthermore, do hulls regularly require preparation which would damage the coating or spread Organotin? It would seem logical that an over-coating would be damaged during the recycling process and might not fulfill its original purpose; however, this might not be known to all ship recycling facilities. We invite other CG members to consider the relevance of these issues for inclusion in the guidelines.

<General>
(United States)
We recommend replacing the term "national regulations" with "national requirements" because requirements is a broader term which includes regulations, legislation, and possibly other mandatory mechanisms.

3.5.3 Spill Prevention, Control, and Countermeasures

(EC-EMSA)
The EC agrees with the coordinator, and prefers to amend the text as follows: "This includes the identification of containment and diversionary structures in place to prevent discharged hazardous and other potentially contaminating materials from contaminating soil and water, the identification (etc.)."
The EC is also in favour of adding "other oils and bilges".

(United States)

- We believe that: "This includes the identification of containment and diversionary structures in place to prevent discharged hazardous materials from reaching or contaminating soil or water (including surface water and ground water)", would be an appropriate compromise.
- We are concerned about environmental effects from the accumulation of small plastic debris in the intertidal sediments. We note that the types of plastics found may be correlated to plastics used in shipbuilding; and, their presence in the marine environment may correlate to ship recycling.
- Materials which may come loose during ship recycling operations. Furthermore, we point out, as exemplified in MARPOL Annex V, that plastics are viewed by the MEPC as a material not to be deposited into the marine environment. However, containment of these items might not be understood to be part of the spill section which precedes it because debris items are solids; they are not necessarily hazardous materials; and, storm water runoff is only one means of conveying the debris into the marine environment.
- Therefore, we propose, in addition to the current guidelines on spill prevention: "3.5.3*bis* Debris Prevention and Control: The introduction of debris into the marine environment by ship recycling activities has the potential to create negative environmental effects. The SRFP should include a program that defines those measures to be implemented and maintained to minimize the potential for debris deposition into the water, including the maintenance of areas whence debris might be transported by wind, storm drains, tides, or run-off into the marine environment. Control measures should be implemented to reduce the likelihood of debris deposition."

(Netherlands)
Agree with the view that the marked wording is too limited and it should be any waters.
Agree to cover other oils, oily bilge water, … , etc.'.

3.5.4 Storm Water Pollution Prevention

(United Kingdom)
This section should also address flood risk.

Appendices/General

(United States)
We would suggest that the CG report reflect that additional consideration of the draft text and associated guidelines is to be completed at MEPC 60 and further, as necessary. This comment applies to all the attachments, appendices, and the draft text of the guidelines.

APPENDIX 1

(EC-EMSA)
Final adjustments to be made later.

(Belgium)
This comment concerns the following comment from the first round.
"For the good use of the guidelines, it will be very important to have the recommended format of the SRFP in line with the structure of the guidelines. It should be very clear where in the SRFP information described in the text of the guidelines has to be put. It should also be very clear what information evoked in the recommended format stands for. e.g., in the current draft, ESH Management Program is mentioned in the recommended format, but not in the text of the guidelines. We suppose that not everyone will know what the EHS Management Program comprehends."

Comment second round: Belgium thinks this is not a remark to be "noted", because it requires an action. Does the coordinator and the correspondence group agree on this remark and the need for a harmonization between the structure of the guidelines and the recommended format of the SRFP? This harmonization can be done in a later stage.

APPENDIX 2

(EC-EMSA)
Model format needs further refining, as it needs to be in line with the Supplement to Appendix 5 of the Convention (as they both deal with the DASR).
However, duplication of information is to be avoided. Therefore the wording and requested information in Appendix 2 should be similar with the Supplement to Annex 5. Another option is to delete the items in Appendix 2 related to the DASR, and request the SRF to attach a copy of the DASR (together with the Supplement) to Appendix 2.

Also, more generally, part 2.2 of the supplement to the DASR requests that if hazardous materials are removed within the SRF, the SRFP should indicate the responsible personnel authorized to carry out the removal, with the certificate number or other relevant information. This element should be added in the sections of the guidelines dealing with "Handling, Removal, and Remediation".

(France)
No reference should be made to ISO 30000 before it has been clarified that the ISO standard is in line with the IMO convention. There is a real doubt that ISO 30002 are "IMO compatible" (Guidelines for selection of ship recyclers and pro forma contract).

(Turkey)
<General>
The document should be self explanatory. It seems that DASR may be used during the issuance of IRRC by the Administration of another State that the document needs to be self explanatory as much as possible.

< Authorization on Industrial Wastes Handling>
Please also see our comments for section 3.2.1.5 in the main text.
ISO 9001, 14001, 30000, and OHSAS lines. We think that mentioning those commercial certificates in a document (SRFP) which would be used to issue a national authorization (DASR), is not necessary.
Even if the ISO 9001, 14001 and 30000 and OHSAS would be kept within the document, it is not appropriate to have those items under the title "Authorization on Industrial Wastes Handling". The new title would be "voluntary management system certifications".

<Capacity of the Facility>
We think that, instead of having the sub title "Type of ship to be acceptable", it makes more sense to change the title into "Type of ships that are not acceptable".

Reason: Because, Turkish SRFs are capable of recycling almost any type of ship except some special types, such as nuclear vessels. We believe that other main ship recycling countries are also similar to Turkey in this respect. Therefore; instead of listing all types that can be recycled, it is better to list types that can not be recycled. Writing fewer entries would reduce the risk of interpretational misunderstandings**.**

<Location>
Peripheral Environment: it would be nice to mention the important facilities around the recycling yards which can be used in case of emergencies.
Proposal: As the third line under Peripheral environment, Medical Facilities can be added.

<License, Notes required for Ship Recycling>
"Works Required prior notice".
Remark: It is not really clear, by whom these works require prior notice and to who? What kind of notice is mentioned here especially for CFCs or TBTs or for others? We think that it is not clear; therefore we suggest deleting this part.

<License, Notes required for Ship Recycling>
"Works Regulated".
Remark: Again, it is not clear. What is required under "works regulated"?

<Certificate, License of Workers/ General comments>
Issue: Listing the 'names' of workers
Reference: Please see our comments for 3.2.1.4.

Comment: For some of the workers mentioned here, sometimes it is not necessary to name this person but instead ask whether the facility has a trained/available worker for this task, and the answer should be "Yes/No". For instance, it is for sure that there is a crane operator. If this person leaves the job, or is fired, then the SRF would need a lot of time to update SRFP and make it re-authorized accordingly. Therefore, we do not find it practical for the implementation of the guidelines to have always the names of the related workers.

<Certificate, License of Workers, 3) >
"3) Asbestos handling class".
Proposal: In this sentence instead of "class" we propose to use word "team" or "group".

<Certificate, License of Workers, 6) >
"6) Zinc Handling".
Comment: Why it is specially mentioned here, zinc handling?

<Certificate, License of Workers, 7) & 8)>
We propose to delete 7) and 8) and instead write a single row "Crane Operators" or "Heavy Machine Operators".
Reason: We believe that it is not necessary to separate lifting and heavy lifting, and instead to write a general word.

<Appendix 2 - Certificate, License of Workers, 9)>
Why it is necessary to have seafarer? What does it mean or what is the intention behind?

<Information on sub-contractor>
Comment: We don't agree that all subcontractors should be listed in the Facility Information document, but all subcontractors specific to ship are listed in detail in SRP.
Reason: Because, the subcontractors can vary from ship to ship, and can be changed within time, and they can be a lot in number. Therefore as the section 3.2.3 suggested:

> *"The SRFP should include specific information on subcontractor responsibilities including the specific person or department within the facility with responsibility for the subcontractor, teaming and subcontractor relations, subcontractor qualifications and personnel, training and monitoring responsibilities, and the procedures for any required approval of subcontractor work plans",*

We agree to include only the information on the qualifications of subcontractors, their responsibilities and necessary tasks to conduct, etc., but not to write all company names of subcontractors in SRFP. (e.g., PCB containing wastes are sent to incineration facilities, or cement factories which are authorized to accept that kind of waste, we explain the necessary qualifications of a subcontractor for PCB containing wastes, but not give the contractor's name in SRFP, because depending on the agreements it is likely that we work with different companies. It would be not practicable to update SRFP each time we change/not use anymore one subcontractor and get the SRFP approved again by our Competent Authority)

APPENDIX 4

(United States)
Technical guidance Index – this appears to be the same document as was originally submitted by Japan as the facility guidelines. While the coordinator notes that this has not been aligned with the final version of the guidelines, the United States is concerned over inclusion of this document in its current form. Since this appendix covers the same items as the body of the current guidelines, we believe it could lead to substantial confusion unless significant amendments are made. We feel that a clearer approach would be for the body of the guideline text to provide specific references to an appendix where more detailed technical information can be found. For example, Section 3.4.3.5 should have a sentence such as "Further detailed technical information

on slip and fall prevention can be found in Appendix X". The United States does not support the inclusion of this appendix as is currently found in the Round 2 document.

(Turkey)
<General Comment on Technical Guidance>

- In order to be in line with the Convention, Turkey proposes to use wording "Safe for hot work" instead of "Gas free for hot work".
- We support the idea to have the details for Safe for entry and hot work details (gas-free) (tables, values, etc.) in appendix 4.
- The United States' proposal for having extra parts for the indicative list should be examined thoroughly because especially for asbestos, some points are already included in the IHM guidelines' indicative list (such as brake linings, or valve packing, etc.) Therefore, having both lists lead to a duplication. Also, with respect to consistency within the Convention and its guidelines, having two different indicative lists in two different guidelines should be inappropriate.
- Comment to section 5 – Details on PPE should remain in the Technical guidance appendix.

2 OPERATIONAL APPROACH

1.1.2.1 Control Method of Soil Pollution

(United Kingdom)
Subheading "Control method of soil protection" – working on potentially contaminating materials on soils should be discouraged. Those activities should take place on appropriately surfaced areas designed to manage any potential pollution.

1.1.3 Drain Control

(United Kingdom)
Other contaminants may be present in site waters and appropriate measures should be in place to prevent pollution.

1.2.1.1 Step-I: Vessel Arrival Management (3)

(United Kingdom)
The detailed operational plan might also include the management of ballast waters and the cutting of the ship to ensure stability and integrity during this activity.

1.2.1.3 Step-III: Ship Recycling Methodology

(United Kingdom)
In relation to primary cutting, we understand that cold cutting methods reduce the impacts from environmental releases and the potential for fires and so could be encouraged in place of hot cutting where appropriate.

3.3 Hazardous liquids, residues and sediments (Oils, Bilge, Ballast water)

(United Kingdom)
This should include a reference to emptying, flushing and cleaning of fuel, oil, waste water, etc., pipe runs prior to removal.

3.4 Heavy Metals (Lead, Mercury, Cadmium, Hexavalent chromium)

(United Kingdom)
For Floating, Production, Storage (FPSO) vessels, there is also the potential for Naturally Occurring Radioactive Material Low Specific Activity Scale (NORM LSA scale) in pipes and equipment. An appropriate radioactive survey should be carried out to identify this material where there is potential for it.

3.5 Paints and Coatings

(United Kingdom)
Where hot cutting could release potential hazardous emissions from paints/coatings these should be removed from the cutting area prior to cutting.

ATTACHMENT 1 to Appendix 4

(Turkey)
These last two pages can also be incorporated into the appendix 4 – Technical guidance, in relevant parts. Check please section "1.1.1.1 Zoning" in Appendix 4.

Reason: Having an attachment of an appendix seems not necessary. Since this attachment is not a too detailed document and relevant to the section in question (1.1.1.1 Zoning), it can be incorporated into the specific section.

DISCUSSION MATERIAL <Recycling method – facility or ship specific? >

The comments below are about the illustrative explanation on difference in ship recycling process depending upon the ship type and size, which was given by the coordinator in the 2nd Round. Such illustration does not constitute a part of the guidelines, nor of CG report. However, the comments below may be useful for discussion on the detail level of SRFP and its relation to SRP. As the United States suggested that "the coordinator's inclusion of this paper "Recycling method is it facility specific or ship specific" outlines an important issue for the guidelines", Japan intends to submit such illustration as a separate comment or INF paper.

(United States)
As stated in comments above, the United States strongly believes that recycling is facility specific and not ship specific and the SRFP should reflect this and incorporate as much detail as possible, while acknowledging that any information that would be new or different for a specific ship, would be required to be included within the ship specific recycling plan. We further reiterate those comments include above for section 3.3.4.

In the case of the mooring example provided by the coordinator, the United States believes that a ship recycling facility should be able to outline in their SRFP "worst case scenario", such as the largest type of ship they can accept, severe weather conditions common to the area, the specific dimensions of their slip/pier. We believe that this can easily be engineered in advance to determine how many mooring bits are required at their facility and the facility should have the appropriate knowledge and capability to follow the appropriate regulations and/or guidance. If for some reason, the facility later decides (or has the ability) to accept a type of ship not previously expected, it would be beneficial at this point for the facility to make the necessary adjustments at the facility and incorporate these changes into the SRFP (thereby eliminating the need to detail this information in every future ship specific plan that they prepare). It just seems easier, more cost effective, and less time consuming.

In the case of the cutting example, it is clear that different types of ships will have some different characteristics, however, the overall processes and procedures will be the same. The facility will still use cranes to remove blocks of the ship, the facility will still use torch cutting, the facility will still have to evaluate stability as the dismantling progresses, the facility will still have to provide secure access/egress at some place on the ship. Small details will change, but is it really necessary for a facility to identify in a ship specific plan that the gangway will be placed mid-ship on Deck 4, especially since as dismantling continues, the location of the gangway will likely change? Isn't it better for the SRFP to state that the facility will provide the appropriate type of gangway (in accordance with domestic law, such as the United States worker safety system which provides specificity on the criteria a gangway needs to meet) and ensure that the gangway is present at all times? An experienced facility would then go on in their SRFP to say that they will monitor such things as tidal fluctuations (if any) or vessel movement to ensure the gangway maintains the appropriate compliance.

We feel the coordinator's inclusion of this paper "Recycling method is it facility specific or ship specific" outlines an important issue for the guidelines. The working group has yet to have any discussions of what the level of detail in the ship specific recycling plan will be and how that will incorporate or be aligned with the information contained in the SRFP. We suggest that the coordinator target this issue for discussion at MEPC 60.
