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RECYCLING OF SHIPS

Draft Guidelines for authorization of Ship Recycling Facilities

Submitted by France, Germany and Turkey

SUMMARY

<i>Executive summary:</i>	This document proposes a draft text of the Guidelines for authorization of Ship Recycling Facilities
<i>Strategic direction:</i>	7.1
<i>High-level action:</i>	7.1.2
<i>Planned output:</i>	7.1.2.1
<i>Action to be taken:</i>	Paragraph 10
<i>Related documents:</i>	MEPC 56/3/19; MEPC-ISRWG 2/2; MEPC 59/WP.7; SR/CONF/46 and MEPC 60/WP.8

Introduction

1 A correspondence group on Ship Recycling had been established at the fifty-eighth session of the Marine Environment Protection Committee (MEPC 58) to develop the Guidelines for the Development of the Inventory of Hazardous Materials ("the Inventory Guidelines" hereafter) and the Guidelines for Safe and Environmentally Sound Ship Recycling ("the Facility Guidelines" hereafter) which are essential for implementing the Hong Kong International Convention for Safe and Environmentally Sound Recycling of Ships, 2009 ("the Convention" hereafter).

2 MEPC 59 adopted the Inventory Guidelines and decided to establish an intersessional correspondence group, under the coordination of Japan, for the further development of the Facility Guidelines.

3 On the basis of the outcome of MEPC 60 and the report of the working group (MEPC 60/WP.8), the intersessional Correspondence Group on Ship Recycling Guidelines had been instructed to:

- "1 further develop the draft text of the "Guidelines for safe and environmentally sound ship recycling" based on the text contained in annex 1 to document MEPC 60/WP.8;

- .2 commence the development of draft text for the "Guidelines for the development of the Ship Recycling Plan";
- .3 if possible, commence the development of draft text for the "Guidelines for the authorization of Ship Recycling Facilities"; and
- .4 report the outcome of its deliberations to MEPC 61."

4 With regard to items 2 and 3, the group had noted the availability of the following early documents containing draft text of the "Guidelines for the authorization of Ship Recycling Facilities": annex 6 to documents MEPC-ISRWG 2/2 (Norway, report of the correspondence group submitted to MEPC 56), and MEPC 56/3/19 (United States).

5 The group had also noted an offer from Turkey, France and Germany to submit a first draft for the Guidelines for the authorization of Ship Recycling Facilities.

Development of draft text for the "Guidelines for the authorization of Ship Recycling Facilities"

6 During the diplomatic Conference for the adoption of the International Convention for the Safe and Environmentally Sound Recycling of Ships, the Conference invited the Organization to develop a set of guidelines as a matter of urgency, including the Guidelines for the authorization of Ship Recycling Facilities (SR/CONF/46 resolution 4).

7 The parallel development of the three Guidelines (on the Ship Recycling Facilities, on the Ship Recycling Plan, and on the authorization of the Ship Recycling Facilities), in order to provide for a better understanding of the interrelationships between them, has been agreed at MEPC 60.

8 The draft text submitted at annex to this document has not been circulated through the Correspondence Group on Ship Recycling Guidelines which already has had to cope with an extended scope, namely with the development of two guidelines. France, Germany and Turkey considered that it was more appropriate to submit the draft text for the "Guidelines for the authorization of Ship Recycling Facilities" to MEPC 61.

9 The draft text presented in the annex to this document takes into account documents MEPC-ISRWG 2/2 and MEPC 56/3/19, as requested by the group. It will need to be reviewed in light of the outcome of the discussions on the SRF and SRP Guidelines.

Action requested of the Committee

10 The Committee is invited to consider this document and to take action as appropriate.

ANNEX

DRAFT GUIDELINES FOR THE AUTHORIZATION OF SHIP RECYCLING FACILITIES

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1 INTRODUCTION

These Guidelines provide recommendations for a Party in establishing mechanisms for the Authorization of Ship Recycling Facilities. The Guidelines may also be useful for ship recycling facilities in establishing compliant capability and preparing for the authorization process.

These Guidelines intend to provide guidance to and encourage both Ship Recycling Facilities to be authorized and governmental bodies that have a responsibility for authorizing ship recycling facilities to consider the requirements of the Convention especially on safety, health, the environment and welfare matters in ship recycling towards achieving a sustainable recycling industry.

Efforts should be made to ensure uniform application of these Guidelines.

1.1 BACKGROUND

Articles and regulations referred to in these Guidelines are those contained in the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as "the Convention").

According to Article 6 of the Convention, each Party shall ensure that Ship Recycling Facilities that operate under its jurisdiction and that recycle ships to which this Convention applies, or ships treated similarly pursuant to Article 3.4 of this Convention, are authorized in accordance with the regulations set out in the Annex of the Convention (regulations 15, 16).

Only Ship Recycling Facilities that have the Document of Authorization to conduct ship recycling (DASR) in accordance with the requirements of the Convention can recycle ships (regulation 8.1).

The Competent Authority(ies) or organizations recognized by it shall carry out authorization of Ship Recycling Facilities in accordance with the requirements of the Convention and Guidelines For Safe and Environmentally Sound Ship Recycling (herein after referred to as SRF-Guidelines) and this authorization process includes (regulations 15.3 and 16.2):

- the verification of documentation required by this Convention;
- a site inspection and a voluntary audit scheme; and
- issuance of Document of Authorization to conduct Ship Recycling (DASR) (regulation 8.1).

Article 4 (Controls related to Ship Recycling), Article 6 (Authorization of Ship Recycling Facilities), Article 7 (Exchange of information), Article 9 (Detection of violations), Article 10 (Violations), Article 12 (Communication of information) and the provisions contained in the Annex, chapter 3 (Requirements for Ship Recycling Facilities), and chapter 4 (Reporting requirements) form the basis for these Guidelines.

1.2 SCOPE

The scope of these Guidelines is the uniform authorization of Ship Recycling Facilities falling under the auspices of the Convention. The Competent Authorities have to ensure the fulfilment of the requirements of the Convention including: SRF's capability to prevent, reduce, minimize and, to the extent practicable, eliminate accidents, injuries and other adverse effects on human health and the environment; and the establishment of a single point of contact.

1.3 APPLICATION

These Guidelines apply to the Competent Authority(ies) and Ship Recycling Facilities that undertake recycling of ships that fall under the scope of the Convention.

2 DEFINITIONS

The terms used in these Guidelines have the same meaning as those defined in the Convention and for the purpose of these Guidelines, the following definitions apply.

2.1 "Recognized Organization" means an organization recognized by an Administration in accordance with these Guidelines in order to issue DASR on behalf of the Administration and to undertake other relevant tasks.

2.2 "Operator" means a natural or legal person who runs a Ship Recycling Facility and who is liable.

2.3 "Determination" means the process by which the Competent Authority decides whether or not to issue a DASR to an operator.

2.4 "Duly-made" means the condition that an application must satisfy, by being sufficiently complete in a legal sense before a Determination is possible.

[TO BE DEVELOPED LATER ON WHEN REQUIRED.]

3 IDENTIFICATION OF COMPETENT AUTHORITY(IES) AND/OR RECOGNIZED ORGANIZATION RESPONSIBLE FOR THE AUTHORIZATION

According to the Convention, the Party shall identify the Competent Authority(ies) responsible for authorizing Ship Recycling Facilities within its jurisdiction. The Competent Authority(ies) should identify a single point of contact [which has the responsibility for establishing and maintaining the system for authorizations and] to act as central communicating partner for Competent Authorities, administrations and ship recycling facilities (regulation 15.4).

The Competent Authority may entrust the authorization of Ship Recycling Facilities to organizations recognized by it (regulation 16.2).

Recognized Organizations should be working fully in harmony with the Competent Authority while undertaking each and every responsibility that is entrusted to them, including site inspections, periodical and unannounced inspections on behalf of the Competent Authority(ies). The Competent Authority should assess the application and if appropriate issue a DASR considering the outcome of reports by the Recognized Organizations.

The qualifications of the Recognized Organizations should include but may not be limited to:

- .1 being quality assured and certified in compliance with an international recognized standard and at all time maintain all requirements to which such certification is subject;
- .2 demonstrating and understanding of all aspects of the Convention; i.e. its purpose, Party obligations and rights, and technical requirements;

- .3 demonstrating relevant capability and sufficient capacity with respect to undertaking the procedures for authorization as laid down in the Convention and in these Guidelines. This includes resources as well as in-depth experience and knowledge in the following fields:
- safety management – risk identification, risk reducing measures including operational as well as personal protection measures;
 - health management – health issues identification including paramedical issues as well as long term health monitoring;
 - waste management including hazardous waste management;
 - incident emergency preparedness and response management; and
 - environmental aspects.
- .4 having established a comprehensive plan for authorization [and follow-up inspections during the period to which the authorization is valid.]

In case the Recognized Organization is delegated for the authorization of SRFs, a system for tracking the flow of information between the Recognized Organization and the Competent Authority(ies)'s [/single point of contact] should be established.

The Competent Authority(ies) should establish a system/systems for the evaluation, control and auditing of the Recognized Organization.

The Competent Authority(ies) should establish a system for actions to be taken if the Recognized Organization no longer meets the qualifications for undertaking the authorization on behalf of the Competent Authority(ies), and/or if irregular activities are identified. Such a system should also include procedures for notification of such events, as relevant.

[MORE IF NEEDED]

4 THE APPLICATION

4.1 GENERAL

The SRF should submit an application for an authorization to conduct Ship Recycling to the Competent Authority(ies) or to the Recognized Organization. If the Operator and the Competent Authority(ies) hold a pre-application discussions before the Operator makes a formal application, the Competent Authority(ies) may only give the Operator general advice on how to prepare the application and what relevant legislation is in force. It must not imply any advance agreement as to the outcome of any application. Competent Authority(ies) should not be expected to provide free consultancy in advance.

The Competent Authority(ies) should be aware of requirements and obligations outside the scope of the Convention, but which are established under regional and national law and regulations which are applicable to Ship Recycling Facilities operating under its jurisdiction.

Consistent with regional and national law and regulations, the Party may supplement the requirements of the Convention by technical standards, codes of practice and/ or guidelines that might take into account technological developments, advanced practice, norms and standards in order to further reduce risks for occupational health and safety, and risks for environment and other adverse effects related to ship recycling.

The Operator makes the formal application (ensuring the application is complete and Duly-made). The onus is on the Operator to assess the effects of his operation and to demonstrate how to manage ship recycling operations to meet the requirements of the Convention and of relevant national/regional law.

The Competent Authorities may ask for additional documentation in line with the national legislation. Operators may draw upon or attach other sources of information in their application, and indeed are encouraged to make use of existing information where it fits the purpose.

If the Operator fails to do this, the Competent Authority(ies) may have to request additional information, delaying the Determination.

When the Competent Authority(ies) is of the opinion that an application is not Duly-made, they should return it. As a matter of good practice, Competent Authority(ies) should always explain to the applicant why they consider that an application was not Duly-made and what action the Operator can take to make the application acceptable.

Once the Competent Authority(ies) has concluded that the application is Duly-made, they should acknowledge this to the Operator and further process the application (Determination phase). Even when the Competent Authority(ies) concludes that an application is Duly-made, it may still require the Operator to submit additional information.

4.2 CONSULTATION AND PUBLIC PARTICIPATION

Duly-made applications should be placed on a public register, after taking into consideration any requests for confidentiality. The application may be sent by the Competent Authority(ies) to relevant public consultees and be subject to appropriate consultations and public participation.

Consultations serve to inform the public (and other interested bodies) so they can make better informed comments to the Competent Authority(ies), allowing the Competent Authority(ies) to make better decisions. Consultation can provide the Competent Authority(ies) with relevant facts and views that it might not otherwise have from the application, to help with its determination. This may apply to applications for permits and to applications for a substantial change to an existing permit.

Competent Authority(ies) should take into account any representations made by consultees during the allowed period.

5 NECESSARY DOCUMENTATION FOR THE DASR AUTHORIZATION

5.1 GENERAL

The Ship Recycling Facility Plan (SRFP) which is described in the Facility Guidelines (as required by regulation 18) shall be used as the main document for the issuance of DASR. Consistent with regional and national laws and regulations, the Party may supplement the requirements of the Convention by technical standards, codes of practice and/or guidelines taking into account technological developments, advanced practice, norms and standards in order to further reduce environmental impacts and occupational health and safety risks related to ship recycling. Any other documentation and/or certification required by any applicable international/national legislation, including those related to ship recycling activity, should be submitted with the application.

The Competent Authority should ensure that the SRF has a management system in place and in its documentation with the appropriate procedures and techniques, aiming to protect the environment and human health without posing any unacceptable risks. The Competent Authority should check whether the SRF Plan (SRFP) contains:

- .1 a policy to ensure workers' safety and the protection of human health and the environment;
- .2 a system to establish, implement and maintained documentation of relevant functions and levels within the organization. These objectives shall be measurable and consistent with the management policy;
- .3 identification of roles and responsibilities for workers and employers;
- .4 identification system of relevant training;
- .5 an Emergency Preparedness and Response Plan;
- .6 a system for monitoring the performance and operation of the Ship Recycling Facility;
- .7 a system for documentation, recording and reporting of any discharge, emissions, incidents, accidents, near misses, occupational disease and chronic effects causing or with the potential of causing, risks to workers safety, human health and the environment. A system for checking and reporting discharges periodically, and which should be made available to Competent Authority by the SRF; and
- .8 a plan for periodical reviews at planned intervals of its management system and for checking that the management system is kept up to date (regulation 17.1).

5.2 HAZARDOUS MATERIAL MANAGEMENT

The Competent Authority(ies) should check that the SRF has established, implemented and maintain procedures for environmentally sound management of hazardous materials.

The Competent Authority(ies) should check that the SRF has procedures to check that all hazardous materials detailed in the IHM are identified, labelled, packaged, and removed to the maximum extent possible prior to cutting by properly trained and equipped workers, and transported to waste management facilities by licensed vehicles.

The Competent Authority(ies) should check that the SRF implements and follows procedures to send all hazardous materials and wastes to licensed recycling, recovery or disposal sites prior to issuance of DASR.

The Competent Authority(ies) should ensure that the SRF has procedures for all wastes generated by the recycling activity which shall be kept separate from recyclable materials and equipment, and labelled and stored, under conditions that do not pose a risk to the workers, human health, or the environment.

5.3 OTHER REQUIREMENTS

The Owner/Manager/Operator of SRF should undertake all necessary steps to fulfil the requirements of relevant applicable international/national legislation including those related to commercial activity(ies).

The Owner/Manager/Operator has to make sure that the planned and conducted activities are within limitations set out in municipal plans or other restriction for the use of the land where the SRF is located and operating.

The Competent Authority(ies) could require an Environmental Impact Assessment (EIA) from the SRFs. In case of this, the following guidance is to be considered.

An Environmental Impact Assessment (EIA) should be conducted to assess the potential environmental impacts from the facility as basis for the identification and prioritization of the facility's environmental aspects. In case a new Ship Recycling Facility is planned, this assessment should allow to determine whether or not the location is appropriate and suitable for ship recycling activities. If the actual project involves a site already occupied by either ship recycling or similar activities, the EIA should include an assessment of the environmental condition of the location. The EIA should be executed in a planning stage and should be initiated as early as possible.

The EIA especially assesses whether the SRF has adverse effects on the following and whether these effects are within acceptable limits as defined by applicable international and national legislation:

- on the flora and fauna of that specific area
- on the hydrogeology
- on the surface and ground water
- on the soil structure
- on the historical, cultural, social and economical values.

The assessment on the environmental effects should focus particularly on the significant environmental effects of releases. The assessment should identify and quantify possible releases of polluting substances into any media. It should also quantify their effects. Most attention should be paid to large-scale releases and releases of the more hazardous pollutants. These are likely to have most significant effects. Conversely, any releases at level so low that they are unlikely to have any serious effects need not to be assessed. However, as this is just indicative, consideration should be given to other substances capable of causing pollution in the same way.

The environmental assessment should pay special attention to:

- .1 Consumption and nature of raw materials:
Consideration should be given to options that use fewer resources or those that use materials that are less likely to produce hazards or pollution risks.
- .2 Energy efficiency:
Consideration should be given to the effects on energy consumption and efficiency.
- .3 Waste issues:
[TO BE DEVELOPED ...]

- .4 Accidents:
Consideration should be given to the environmental hazards posed by possible accidents and their associated risks. This should include the practicality of measures to reduce risks and hazards and to respond to any accidents.
- .5 Site restoration:
Consideration should be given to whether options risk polluting the site. This should include planning ahead for decommissioning and restoring the site upon closure.

In some cases, a judgment will need to be made about the relative significance of a different environmental effect, sometimes in different media. In comparing these, certain basic parameters may help to reach a conclusion. For example, long-term, irreversible effects are worse than short-term reversible ones, if all other factors such as immediate severity are equal.

6 VERIFICATION OF DOCUMENTATION

The documents related to the SRF Guidelines and other requirements should be assessed and verified by the Competent Authority(ies) or the Recognized Organization. The assessment and verification should be concluded within a reasonable time frame, if possible without exceeding a period of 3 months.

This assessment should recommend a site inspection, only if the assessment concludes that the facility is equipped and prepared to conduct ship recycling in compliance with the requirements of the Convention and national laws and recommendations. The assessment by the Competent Authority(ies)/Recognized Organization should be concluded within a reasonable time frame, if possible without exceeding a period of 3 months.

The application may be rejected, if it is found to be incomplete, inconsistent or in non-compliance with the requirements of the Convention and/or with the procedures for authorization defined by the Competent Authority(ies) with respect to:

- .1 documentation;
- .2 scope of authorization:
 - ship size;
 - ship type;
 - area, type and nature of the operations;
 - waste management including details on removal, storage and disposal of hazardous materials and wastes;
 - emergency preparedness;
 - training;
 - Occupational Health and Safety;
 - environmental protection measures;
 - subcontractor management/[employment policy]/[subcontractor policy]; and
 - validity of other permissions/authorizations.

The Competent Authority or Recognized Organization is responsible for planning and undertaking the site inspection.

7 SITE INSPECTION

Site inspections should be conducted at operating ship recycling facilities. In case of new or inoperative [inactive] Ship Recycling Facilities, an interim DASR, subject to final verification directly after the start of the operations, can be issued.

The main purpose of the site inspection is to validate the consistency between the documentation and the actual arrangements, as well as operations of the Ship Recycling Facility. The inspector should produce an inspection report. [Consistency between the report, the application, the requirements of the Convention and the relevant international and national laws and regulations are prerequisites for the issuance of a DASR].

An off-site assessment should be conducted in order to prepare the on-site visit. All documents should be checked during the preparation of inspections. The inspectors may need to spend a substantial part of their time for the off-site assessment.

The first site inspection is announced in advance to the Operator, in order to ensure that it will be possible to meet with all relevant persons.

During and following the site inspection, sufficient and necessary information should be provided by the Ship Recycling Facility in advance. Security [and Safety] issue(s) should be considered and sufficient precautions should be undertaken throughout the site inspection including personal protection.

The inspection should address the functionality of arrangements established with focus on safety and environmental protection, handling of all materials including hazardous wastes and debris. This inspection should include situations at which the facility is utilized at its maximum capacity, taking into account full employment including sub-contractors and operation of the Recycling Facility.

The site inspection should verify the existence and full implementation of the Ship Recycling Facility Plan (SRFP). This should include verification:

- .1 that the plan is available to all personnel at the facility;
- .2 that knowledge of the plan exists, as appropriate, amongst management, foremen and workers according to their designated tasks, roles and responsibilities, including special duties like first aid servants, fire fighters and others. This should be done by interviews of all categories of personnel and supervision of drills if appropriate;
- .3 of the implementation of the objectives of the plan by assessing implementation of operational procedures in:
 - .1 ship preparation processes;
 - .2 monitoring of safe-for-entry and safe-for-hot work conditions;
 - .3 hazardous material handling and management;
 - .4 deconstruction processes;
 - .5 hot work processes;
 - .6 hazardous materials management (protective measures, removal/transport/storage and disposal); and
 - .7 emergency preparedness.

The site inspection should identify procedures and routines for:

- .1 establishing the Ship Recycling Facility Plan;
- .2 the use of the Ship Recycling Plan;
- .3 the acceptance of ships taking into account relevant requirements and the required certificates;
- .4 procedures for incident reporting and follow-up; and
- .5 operations in a safe and environmentally sound manner, in accordance with the regulations of the Convention.

The site inspection should verify the availability, size, restrictions and the general setup of the Ship Recycling Facility according to the application. Any arrangements established for the purpose of facilitating the recycling process should be described in the inspection report. Any limitation related to the operation of the Ship Recycling Facility should be listed in the report.

All sites relevant for following procedures, methods, arrangements and facilities for the removal, storage, processing (incineration, reclamation, specific treatment), transport and disposal of hazardous materials and wastes should be inspected. The inspection should verify that the SRF is designed and constructed to manage the Hazardous Materials/wastes that are contained in their application.

In cases where the Ship Recycling Facility is engaging one or more contractors by means of sub-contracting for any kind of related activities, like the removal and/or storage and/or transportation and/or disposal of Hazardous Materials [or for any services], these contractors should be subject to the same assessments as if the Ship Recycling Facility itself was undertaking these activities. In such cases, the sub-contractors should be required to develop parallel documentation as described in these Guidelines as applicable for their role in the ship recycling process and furthermore, the site inspection should be expanded to include all sites involved in the processes related to the service they are providing for the Ship Recycling Facility.

The site inspection should include a practical test for assessing the implementation of safety procedures. This may encompass routines associated to ensure safety during critical operations. It is recommended to apply procedures for safe-for-hot work for such test.

Furthermore, the site inspection should include a practical test for assessing the implementation of measures for emergency preparedness and response. This may involve an unannounced complete evacuation of the Ship Recycling Facility or a similar procedure described in the plans for emergency, preparedness and response.

[TO BE DEVELOPED: PERIODICAL PLUS UNANNOUNCED ON-SITE INSPECTIONS]

After the site visit, the Competent Authority or Recognized Organization should process or store the inspection data and their findings as to the compliance of the Ship Recycling Facility with the above requirements, an evaluation thereof and a conclusion on whether any further action should follow. This report is properly recorded in writing and maintained in a readily accessible database. The Operator should be informed by a letter, or e-mail [and ...].

The information gathered during the inspection must flow back to the Competent Authority(ies) in order to allow them to take it into account when issuing the authorization.

The supplement to the DASR (appendix 2 to the annex to the Guidelines) may be used as guidance for the planning of site inspections. A checklist in appendix 1 can be used as the basis for planning of the site inspection.

8 ISSUANCE, AMENDMENT, SUSPENSION, WITHDRAWAL AND RENEWAL OF THE DASR

As stated in regulation 16.6, "The Party shall identify the terms for which the authorization will be issued, withdrawn, suspended, amended and renewed."

Each Party shall establish a mechanism for ensuring the establishment and effective use of inspection, monitoring and enforcement provisions, including powers of entry and sampling. Such a mechanism may include an audit scheme to be carried out by the Competent Authority(ies) or an organization recognized by the Party (regulation 15.3).

[AUDIT SCHEME TO BE DEVELOPED]

8.1 ISSUANCE

The Competent Authority or the Recognized Organization authorized by it, should issue a DASR Certificate to the Operator of the Ship Recycling Facility if the document verification and the site inspection were appropriate and successful.

In case of a new and/or inoperative [inactive] Ship Recycling Facility, the Competent Authority or the Recognized Organization authorized by it, should issue an interim DASR subject to final verification directly after operations have started. The interim DASR can be issued to the Ship Recycling Facility if the document verification and the site inspection were appropriate and successful.

The DASR or interim DASR should not be issued until all required documentation has been received and the successful completion of the site inspection. This should also apply for Ship Recycling Facilities using sub-contractors as described elsewhere in these Guidelines.

Before issuing a DASR, the Competent Authority(ies) could send a specific informative letter drawing the Operator's attention to particular conditions which require immediate actions.

A supplement to DASR (appendix 2) shall be permanently attached to the DASR. Most of the information required for this supplement is available in the Ship Recycling Facility Plan, as described in the "Facility Guidelines". This SRFP could be attached to the supplement to DASR.

[THE LAST SENTENCE WILL HAVE TO BE REVIEWED IN LIGHT OF THE OUTCOME OF THE SRF GUIDELINES]

DASR should also have as an attachment the map of the boundary of the Ship Recycling Facility and the location of ship recycling operations within it. This map and location should be approved by the Competent Authority or by the responsible governmental authority or authorities of the Party or the Recognized Organization, if appropriate.

The DASR shall be available at the Ship Recycling Facility at all times. All procedures, plans and other documents which are required for DASR shall be available in the working language of the SRF and either in English, French or Spanish.

8.2 AMENDMENT

The Competent Authority may amend the DASR as appropriate. The Competent Authority may accomplish minor amendments by administrative correction or revision of the DASR. For more significant amendments, the Competent Authority may require a site inspection to verify compliance with the Convention before it amends the DASR. In all cases, the Ship Recycling Facility should provide the Competent Authority with appropriate documentation and updates to the Ship Recycling Facility Management Plan.

8.3 SUSPENSION

The Competent Authority may suspend the DASR if it has information demonstrating that the Ship Recycling Facility no longer complies with the DASR, the Recycling Facility Management Plan, or the Convention. The Competent Authority(ies) may suspend the DASR on a temporary basis or for an indefinite period of time, depending on the Ship Recycling Facility's return to compliance. During any period of suspension, the Ship Recycling Facility is not authorized to conduct any recycling activities, except as far as the Competent Authority has specified that the Ship Recycling Facility should continue with certain activities without negatively affecting protection of human health or the environment.

[The Competent Authority may suspend the DASR in cases where site inspections have been limited or circumvented by Operators.]

8.4 WITHDRAWAL

The Competent Authority may withdraw the DASR if the Competent Authority has information demonstrating that the Ship Recycling Facility no longer complies with the DASR, the Recycling Facility Management Plan, or the Convention. The Competent Authority shall generally reserve withdrawal for cases, in which the Ship Recycling Facility has seriously or repeatedly failed to comply and suspending the DASR does not present an adequate remedy. After the Competent Authority withdraws the DASR, the facility is no longer authorized to conduct ship recycling operations under the Convention. The Competent Authority can reinstate the Ship Recycling Facility's authorization only after the Ship Recycling Facility has submitted a new application to the Competent Authority, demonstrating that the Ship Recycling Facility complies fully with the Convention's requirements and related Guidelines.

Any action or modification taking place at the Ship Recycling Facility that may affect the conditions for which the authorization was granted, should incur a new inspection to be undertaken. If such an inspection reveals that the conditions for the authorization are no longer in place, the DASR should be withdrawn.

In case of limited/restricted access to the Competent Authority(ies) or Recognized Organization, the DASR should be terminated immediately.

8.5 RENEWAL

The Competent Authority may renew the DASR after the Ship Recycling Facility has submitted a written request. The Ship Recycling Facility should support any such request with revised documents, as appropriate, as prescribed in section 6 above for the Ship

Recycling Facility's initial application for authorization. The Competent Authority, at its discretion, may conduct a site inspection before it renews the DASR.

[The renewal interval should be in compliance with the requirements of the Convention, but not exceed 5 years.]

9 VALIDITY

The DASR should be issued for a period determined by the Party not exceeding 5 years. In the case of first-time authorizations, the Ship Recycling Facility should be inspected not later than 3 years after first being authorized.

As a consequence of incidents occurring at the Ship Recycling Facility causing death and/ or injury and/or acute pollution, the Competent Authority may:

- .1 suspend operations of the Ship Recycling Facility for as long as required to prevent further harm to human health and the environment;
- .2 require the Ship Recycling Facility to take remedial action; and
- .3 reconsider the validity of the DASR.

In case where a Ship Recycling Facility changes ownership, the new owner should, within 30 days of the ownership change, request that the Competent Authority amends the DASR to identify the new owner. The new owner should verify in writing that it will fully comply with all requirements, including the Recycling Facility Management Plan, and the Convention. The new owner should also provide supporting documentation as requested by the Competent Authority. If the Ship Recycling Facility operations are changed and these changes are having an effect on the conditions to which the authorization was granted, the Competent Authority(ies) may amend, suspend or withdraw the DASR and inform the new owner accordingly.

10 VIOLATIONS AND SANCTIONS

Sanctions shall be established for any violation to the requirements of the Convention under the law of the Party having jurisdiction over the Ship Recycling Facility.

The sanctions provided for by the laws of a Party shall be adequate in severity to discourage violations of this Convention wherever they occur.

11 COMMUNICATION OF INFORMATION

11.1 RECOGNIZED ORGANIZATIONS

The Party shall notify the Organization of the specific responsibilities and conditions of the authority delegated to the Recognized Organizations, for circulation to Parties. In every case, the Competent Authority(ies) retains full responsibility for the authorization issued (regulation 16.3).

The Recognized Organization may be requested to maintain a list of surveyors with adequate expertise for conducting the tasks requested by the Party.

Each Party shall report to the Organization and the Organization shall disseminate, as appropriate a list of the Recognized Organizations and nominated surveyors who are authorized to act on behalf of that Party in the administration of matters relating to the control of Ship Recycling in accordance with the Convention, and the specific responsibilities and conditions of the authority delegated to the Recognized Organizations or nominated surveyors (Article 12.3).

11.2 AUTHORIZED SHIP RECYCLING FACILITIES

Each Party shall report to the Organization and the Organization shall disseminate, as appropriate, a list of Ship Recycling Facilities authorized in accordance with this Convention and operating under the jurisdiction of that Party (Article 12.1).

The DASR should have as an attachment the map of the boundary of the Ship Recycling Facility and the location of Ship Recycling operations within it. This map and location should be approved by the Competent Authority of the SRF or by the responsible governmental authority or authorities of the Party.

The SRFP, which is described in detail in the "Facility Guidelines", should be permanently attached to the Document of Authorization to conduct Ship Recycling (DASR) (Appendix 5 of the Annex to the Convention, and also appendix 2 of these Guidelines).

[THIS SENTENCE WILL HAVE TO BE REVIEWED IN LIGHT OF THE OUTCOME OF THE SRF GUIDELINES]

All procedures, plans and other documents which are required for the DASR shall be available in the working language of the SRF and in either English, French or Spanish.

11.3 COOPERATION

The results of the audits described in section 8 of these Guidelines should be communicated to the Organization.

11.4 VIOLATIONS AND SANCTIONS

If an alleged violation has been identified, the Party shall promptly inform the Party that reported the alleged violation, as well as the Organization, of any action taken.

If the Party has not taken any action within one year after receiving the information, it shall inform the Party which reported the alleged violation, and the Organization, of the reasons why no action has been taken.

If a request for an investigation is received from any Party, together with sufficient evidence that a Ship Recycling Facility is operating, has operated, or is about to operate in violation of any provision of this Convention, the Party that is receiving the request should investigate the Ship Recycling Facility operating under its jurisdiction and make a report. The report of any such investigation shall be sent to the Party requesting it, including information on action taken or to be taken, if any, and to the Organization for appropriate action.

* * *

APPENDIX 1

CHECKLIST

No.	Criteria	Assessment/Comments
1	Is the yard entrance under control? Does it have a barrier-gate, etc.? Is there a watchkeeper working at the gate of the facility?	
2	Is the company name displayed at the gate of the yard?	
3	Is there a security guard booth? Is a security personnel employed at the booth?	
4	Are the roads to and inside the facility in a proper condition? (Cobblestone or asphalt covered roads are examples of proper condition)	
5	Is there a facility layout plan?	
6	Are there necessary arrangements to keep records and documents separately for each ship to be dismantled?	
7	Does the Facility have sufficient communication devices? (Telephone, WiFi–Internet, walkie-talkie)	
8	Do fire prevention and fire-fighting systems exist in the buildings?	
9	Are the dining areas, dormitories and buildings in a hygienic condition? Is there any unpleasant sight from these areas? Are regulations, instructions and warnings posted on the relevant locations?	
10	Are the accommodation areas and social facilities illuminated properly?	

No.	Criteria	Assessment/Comments
11	Are there enough satisfactory lockers for the personnel? Does a heating system exist?	
12	Is the entry point to the cutting area indicated by warning signs?	
13	Are the engines, generators, any kind of pumps, electric motors placed on an impermeable (cement) floor?	
14	Is there a parking lot for work machines (crane, fork-lift, etc.) and equipment?	
15	Is there sufficient illumination of the working field at the yard? Are regulations, instructions and warnings posted on the relevant locations?	
16	Is there a warehouse to store solid hazardous materials?	
17	Are there any signs and warnings for the solid hazardous material warehouse?	
18	Does the LPG storage station comply with the standards? Does it have proper warning signs?	
19	Does the oxygen storage station comply with the standards? Does it have warning signs?	
20	Are the LPG and liquid oxygen tanks marked in line with the determined standards?	
21	Are there tanks for the lubrication oils and diesel used in the facility? Do these have overflow valves? Are they appropriately painted and marked? Are they earthed?	

No.	Criteria	Assessment/Comments
22	Is the primary and secondary dismantling areas' concrete ground in a proper condition? Is this concrete ground connected to a drainage system which leads to a storage pit?	
23	Are the winch stations made of concrete or steel? Are there any steel grids to protect against blows and strikes?	
24	Are there any sound and light warnings on the winch stations?	
25	Is the electrical installation of the winch station safe? Are the plugs' voltages indicated?	
26	Do the facility trucks have rear-view mirrors, and back gear sirens?	
27	Do the sirens of cranes and other work machines work?	
28	Are wireless handheld voice communication devices used by the workers during operation?	
29	Do the lifting equipment and hoisting tools comply with the relevant standards? Are they checked periodically?	
30	Are the grounds in the facility where physical ship dismantling carried out covered with appropriate material to prevent dust and sinking of the materials?	
31	Is there suitable and necessary equipment ready to interfere with possible leaks from land or from ship to sea, in spite of preventive measures, during dismantling?	

No.	Criteria	Assessment/Comments
32	Are the fire prevention and fire-fighting measures sufficient to reach the whole yard and the ship(s)?	
33	Is there any fire and oil pollution response [intervention] room equipped with proper tools, close enough to the fire station?	
34	Is there a fire-fighting foam tank?	
35	Are there storage tanks for the waste oils and bilge waters? Do they have overflow valves? Are these appropriately painted and marked? Are they earthed?	
36	Is the record of the wastes that are delivered to subcontractors kept properly? Is there any non-delivered waste?	
37	Is there a sound method for sampling and analyzing the seawater? Are samples taken from seawater analysed properly?	
38	Are the materials used at points where hazardous materials are accepted and delivered, durable against the related wastes?	
39	Concerning waste waters and liquids, are the national and international regulations' requirements met?	
40	Are the workers using the relevant PPEs? (Hard hats, safety boots, overalls, masks)	
41	Are work safety equipment issued against workers' signatures?	
42	Are the workers and the personnel dealing directly with dismantling properly trained?	

No.	Criteria	Assessment/Comments
43	Are there appropriate warning signs for safety and health where necessary?	
44	Are there first aid kits available when necessary? Is there a first aid room?	
45	Is there protective equipment to enable the workers to dismantle and carry the wastes and hazardous materials in an environmentally sound way?	
46	Are the workers appropriately trained and authorized for the removal of asbestos and materials containing asbestos in compliance with applicable national and international requirements?	
47	Is there sufficient floating oil barrier by the seaside and rolled on a spool?	

* * *

APPENDIX 2

FORM OF THE AUTHORIZATION OF SHIP RECYCLING FACILITIES

**Document of Authorization to conduct Ship Recycling (DASR) in accordance with
the requirements of the Hong Kong International Convention for the Safe
and Environmentally Sound Recycling of Ships, 2009**

Issued under the provision of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(Name of the State)

By
(Full designation of the Competent Authority under the Convention)

Name of Ship Recycling Facility	
Distinctive Recycling Company identity No.	
Full address of Ship Recycling Facility	
Primary contact person	
Telephone number	
E-mail address	
Name, address, and contact information of ownership company	
Working language(s)	

This is to verify that the Ship Recycling Facility has implemented management systems, procedures and techniques in accordance with Chapters 3 and 4 of the Annex to the Convention.

This authorization is valid until and is subject to the limitations identified in the attached supplement.

This authorization is subject to amendment, suspension, withdrawal, or periodic renewal in accordance with regulation 16 of the Annex to the Convention.

Issued at
(Place of issue of the authorization)

(dd/mm/yyyy)
(Date of issue) (Signature of duly authorized official issuing the authorization)

.....
(Typed name and title of duly authorized official issuing the authorization)

(Seal or stamp of the authority, as appropriate)

SUPPLEMENT TO:

**Document of Authorization to undertake Ship Recycling (DASR) in accordance with
the Hong Kong International Convention for the Safe and Environmentally Sound
Recycling of Ships, 2009**

Notes:

- 1 This record shall be permanently attached to the DASR. The DASR shall be available at the Ship Recycling Facility at all times.
- 2 All procedures, plans and other documents produced by the Ship Recycling Facility and required under the terms to which the DASR has been issued shall be available in the working language of the Ship Recycling Facility and in either English, French or Spanish.
- 3 The authorization is subject to the limitations defined by this supplement.

1 GENERAL TERMS

1.1 Requirements of the Convention

The Ship Recycling Facility meets the requirements that it be designed, constructed, and operated in a safe and environmentally sound manner in accordance with the Convention, including meeting the relevant requirements of:

- Regulation 16 – Authorization of Ship Recycling Facilities
- Regulation 17 – General requirements
- Regulation 18 – Ship Recycling Facility Plan
- Regulation 19 – Prevention of adverse effects to human health and the environment
- Regulation 20 – Safe and environmentally sound management of Hazardous Materials
- Regulation 21 – Emergency preparedness and response
- Regulation 22 – Worker safety and training
- Regulation 23 – Reporting on incidents, accidents, occupational diseases and chronic effects
- Regulation 24 – Initial notification and reporting requirements
- Regulation 25 – Reporting upon completion

These requirements are imposed on the Ship Recycling Facility by way of

.....
(Identify the permit, licence, authorization, legal standards, or other mechanism that applies)

Ship Recycling Facility Plan identification/verification number:

1.2 Acceptance of ships

For ships to which the Convention applies and ships treated similarly pursuant to Article 3.4 of the Convention, the Ship Recycling Facility can only accept a ship for recycling in accordance with regulation 17 of the Annex to the Convention.

1.3 Safe-for-hot work and Safe-for-entry conditions

The Ship Recycling Facility is capable of establishing, maintaining and monitoring Safe-for-hot work and Safe-for-entry conditions throughout the Ship Recycling process.

1.4 Management of Hazardous Materials

The Ship Recycling Facility is designed, constructed, operated, and required to ensure that all Hazardous Materials' management shall be safe and environmentally sound in compliance with the Convention and with all relevant local or national regulations/requirements.

1.5 Map and location of Ship Recycling operations

A map of the boundary of the Ship Recycling Facility and the location of Ship Recycling operations within it, is attached.

2 CAPABILITY OF SHIP RECYCLING FACILITY

2.1 Size of ships

The Ship Recycling Facility is authorized to accept a ship for recycling subject to the following size limitations:

Maximum Size		Other Limitations
Length		
Breadth		
Lightweight		

2.2 Safe and Environmentally Sound Management of Hazardous Materials

The Ship Recycling Facility is authorized to accept a ship for recycling that contains Hazardous Materials as specified in the following table subject to the conditions noted below:

Hazardous Material(* 4)	Management of Hazardous Materials			Authorization/Limitations
	Removal	Storage	Process (* 1)	
	Y/N (* 2)	Y/N	Y/N (* 3)	
Asbestos				
Ozone-depleting substances				
Polychlorinated biphenyls (PCB)				
Anti-fouling compounds and systems				
Cadmium and Cadmium Compounds				
Hexavalent Chromium and Hexavalent Chromium Compounds				
Lead and Lead Compounds				
Mercury and Mercury Compounds				
Polybrominated Biphenyl (PBBs)				
Polybrominated Diphenyl Ethers (PBDEs)				
Polychlorinated Naphthalenes (more than 3 chlorine atoms)				
Radioactive substances				
Certain Shortchain Chlorinated Paraffins (Alkanes, C10-C13, chloro)				
Hazardous liquids, residues and sediments				
Paints and coatings that are highly flammable and/or lead to toxic release				
Other Hazardous Materials not listed above and that are not a part of the ship structure (specify)				

- Notes: *1 Process means the processing of Hazardous Materials in the Ship Recycling Facility, such as:
- a. incineration of Hazardous Materials;
 - b. reclamation of Hazardous Materials; and
 - c. treatment of oily residues.
- *2 If Yes (Y), indicate in the Ship Recycling Facility Plan the responsible personnel authorized to carry out the removal, with the certificate number or other relevant information.
- *3 If No (N), describe in the Ship Recycling Plan where the Hazardous Materials are to be processed/disposed.
- *4 These Hazardous Materials are specified in Appendices 1 and 2 and regulation 20 of the Convention.
- _____