



Marine Safety Information Bulletin 07-14 April 7, 2014

MARPOL Reception Facility Inadequacies

In recent months, the Coast Guard has received complaints that certain waterfront facilities within the Marine Safety Unit Port Arthur area of responsibility are not in compliance with their Certificates of Adequacy per Title 33, Code of Federal Regulations (CFR), Part 158.

A Certificate of Adequacy is required, per Title 33, CFR, Part 158 and the International Convention for the Prevention of Pollution from Ships 73/78 (MARPOL), for ports or terminals used by oceangoing tankers, other oceangoing ships of 400 gross tons or more carrying oily mixtures, and by oceangoing ships carrying NLS residue.

In addition, we have received complaints alleging that certain facilities are charging an unreasonable price to remove MARPOL residues/waste from vessels, thereby causing a disincentive to use the services.

Reception facilities are reminded that as long as vessels provide 24-hour notice, the facilities are obligated to provide MARPOL reception services at a reasonable cost. Per the International Maritime Organization's Marine Environmental Protection Committee *GUIDE TO GOOD PRACTICE FOR PORT RECEPTION FACILITY PROVIDERS AND USERS (MEPC.1/Circ.671)*, Section 25, "reception facility services should be provided at a reasonable cost" and "not provide mariners with a disincentive to use them." Further, "where shipping companies encounter inadequate reception facilities, those allegations should be reported accurately and in a timely manner via the ship's Flag State to the Organization [IMO]" as well as to "appropriate Port State authorities or port operators, using the suggested format per Appendix 1" of MEPC.1/Circ.671.

Owners, operators, and persons in charge of waterfront facilities, to which these regulations apply, are reminded to carefully review their operating procedures, and submit any necessary amendments to ensure they meet the conditions of their Certificates of Adequacy.

Violators of these regulations are liable for civil penalties of up to \$40,000 per day, per violation, with each day of a continuing violation constituting a separate violation. Knowingly violating the regulations may result in fines for each violation of up to \$50,000, imprisonment for up to five years, or both. Non-compliance may also result in the revocation of a facility's Certificate of Adequacy, resulting in termination of the facility's marine operations.

If you have any questions or concerns regarding this matter, please contact my Facilities Division Chief, Lieutenant Junior Grade Akaninyene Inyang at (409) 719-5095, or e-mail him at akaninyene.a.inyang@uscg.mil.



**G. J. PAITL
Captain, U.S. Coast Guard
Captain of the Port**