



Port Community Information Bulletin # 35-03
Marine Safety Office (813) 228-2189
Tampa, Florida

Effective Date: October 27, 2003
Expiration Date: Until Cancelled

EQUIVALENT COMPLIANCE WITH REVISED MARPOL 73/78 ANNEX IV (SEWAGE)

The U.S. Coast Guard has issued guidance on the issuance of a voluntary Certificate of Equivalency for U.S. flagged inspected and uninspected vessels sailing on international voyages in the sovereign waters of countries signatory to revised MARPOL 73/78 Annex IV (Sewage). This guidance may be found at <http://www.uscg.mil/hq/g-m/moc/docs.htm>.

On September 27, 2003, revised Annex IV (Sewage) of the International Convention for the Prevention of Pollution from ships, (MARPOL 73/78 Annex IV), will enter into force internationally. This annex applies to all new vessels built on or after 27 SEP 03 which are 400 gross tons and above, and vessels under 400 tons which are certified to carry more than 15 passengers. Existing ships need not comply until 27 SEP 08, but should begin to address compliance issues well in advance of compliance dates to ensure full compliance.

U.S. Flagged Vessels:

Although MARPOL 73/78 Annex IV has not been ratified by the U.S., U.S. flagged vessels on international voyages and sailing in the waters of countries that have adopted MARPOL 73/78 Annex IV will be subject to port state control boardings. Compliance with MARPOL 73/78 Annex IV requirements may need to be demonstrated even though they are not required to do so while engaged in domestic operations.

The U.S. considers Coast Guard approved Marine Sanitation Devices (MSD) to offer equivalent sewage pollution prevention to MARPOL 73/78 Annex IV. Therefore, any vessel with an installed and operational Coast Guard approved MSD which meets the criteria of 33 Code of Federal Regulations (CFR) Part 159 will be eligible to receive equivalency documentation from a cognizant Officer in Charge, Marine Inspections (OCMI). Failure to obtain a Certificate of Equivalency could result in a Port State Detention in a foreign port.

Foreign Flagged Vessels:

Since the United States has not ratified MARPOL 73/78 Annex IV, the Coast Guard will not enforce its provisions aboard foreign vessels. Foreign vessels must still meet the requirements of 33 CFR Part 159. Since the U.S. considers MARPOL 73/78 Annex IV equivalent to 33 CFR Part 159, Port State Control officers will accept foreign vessels that comply with MARPOL 73/78 Annex IV.

J. M. FARLEY
Captain, U.S. Coast Guard
Captain of the Port