



NSRP ENVIRONMENTAL PANEL MEETING- NORFOLK, VA
15 JUNE 2011



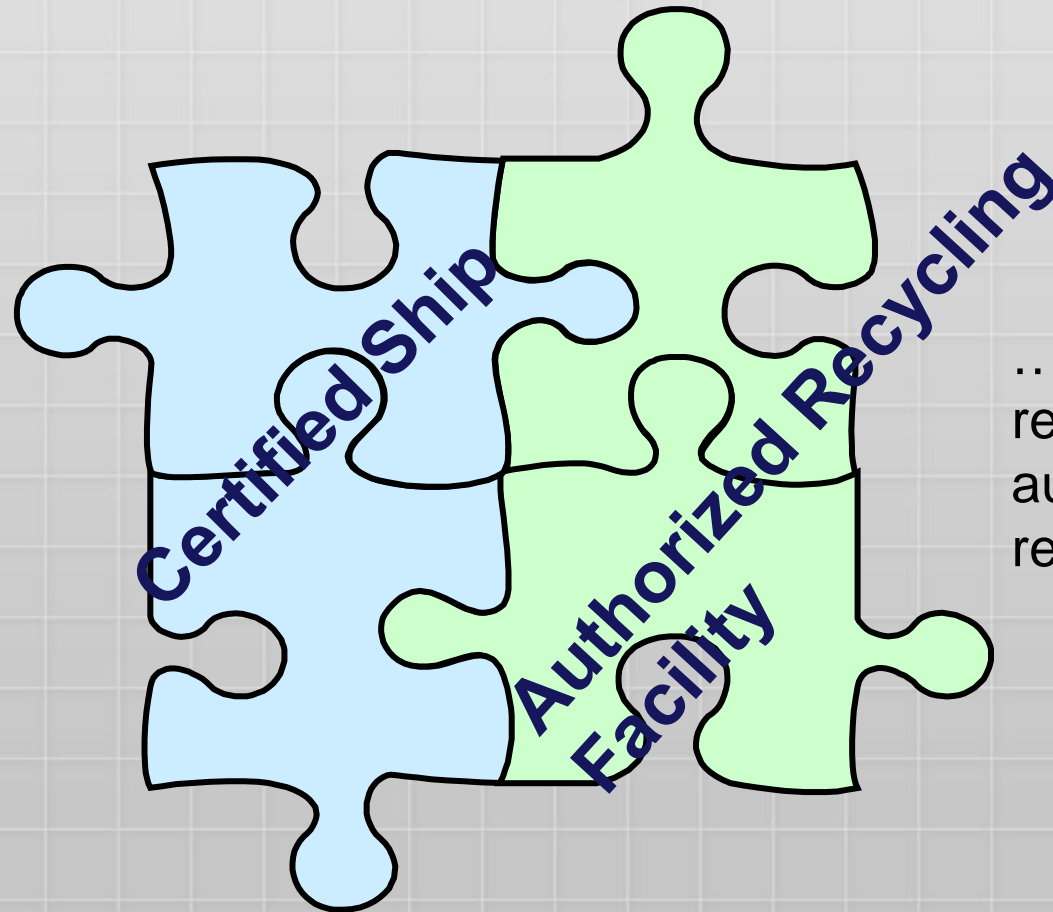
Hong Kong Convention

- **Background and Development**
 - **Nov 1992 the issue of ship recycling is first brought to the attention of the International Maritime Organization (IMO)**
 - **Between Mar 1992 and Dec 2003 IMO develops and adopts recommended guidelines for ship recycling**
 - **Dec 2005 IMO committee adopts a resolution to develop a legally-binding instrument on ship recycling**
 - **May 2009 the International Convention on the safe and environmentally sound ship recycling is adopted at a Diplomatic Conference in Hong Kong**



Hong Kong Convention

A ship designed, constructed, operated and prepared for recycling in accordance with the convention...



...should find a recycling facility authorized to recycle that ship



Hong Kong Convention Applicability

- **Ships 500 GT and greater**
- **Ships operating at any time in international waters**
- **Definition of Ship:**
 - a vessel of any type whatsoever operating or having operated in the marine environment and includes submersibles, floating craft, floating platforms, self elevating platforms, Floating Storage Units (FSUs), and Floating Production Storage and Offloading Units (FPSOs), including a vessel stripped of equipment or being towed.**
- **Does not apply to warships, naval auxiliary, or other ships owned/operated by Govt in non-commercial service**



Entry Into Force provisions

- **Not less than 15 states have either signed the HKC without reservation to ratification or have deposited the requisite instrument of ratification**
- **The combined merchant fleet of the above states must not be less than 40 percent of the gross tonnage of the world merchant shipping**
- **AND**
- **The combined maximum annual ship recycling volume in the past 10 years must not be less than 3 percent of the gross tonnage of the world merchant shipping of the same states**



Hong Kong Convention Structure

- **21 Articles establish the main legal mechanisms**
- **25 Regulations contain technical requirements, divided into four sections:**
 - **General (Regs 1-3)**
 - **Requirements for Ships (Regs 4-14)**
 - **Part A – design, construction, operation and maintenance of ships**
 - **Part B – preparation for ship recycling**
 - **Part C – surveys and certification**
 - **Requirements for Ship Recycling Facilities (Regs 15-23)**
 - **Reporting Requirements (Regs 24-25)**
- **7 Appendices containing various forms**



Hong Kong Convention Articles

- **Article 1 – General Obligations**
- **Article 2 – Definitions**
- **Article 3 – Application**
- **Article 4 – Controls Related to Ship Recycling**
- **Article 5 – Survey and Certification of Ships**
- **Article 6 – Authorization of Ship Recycling Facilities**
- **Article 7 – Exchange of Information**
- **Article 8 – Inspection of Ships**
- **Article 9 – Detection of Violations**
- **Article 10 – Violations**
- **Article 11 – Undue Delay or Detention of Ships**



Hong Kong Convention Articles

- **Article 12 – Communication of Information**
- **Article 13 – Technical Assistance and Cooperation**
- **Article 14 – Dispute Settlement**
- **Article 15 – Relationship w/ International Law and other International Agreements**
- **Article 16 – Signature, Ratification, Acceptance, Approval and Accession**
- **Article 17 – Entry Into Force**
- **Article 18 – Amendments**
- **Article 19 – Denunciation**
- **Article 20 – Depositary**
- **Article 21 – Languages**



Hong Kong Convention Regulations

- **Reg 1 – Definitions**
- **Reg 2 – General Applicability**
- **Reg 3 – Relationship w/ other standards, recommendations, and guidance**
- **Reg 4 – Control of Ships Hazardous Materials**
- **Reg 5 – Inventory of Hazardous Materials**
- **Reg 6 – Procedures for Proposing Amendments to Appendices 1 and 2**
- **Reg 7 – Technical Groups**
- **Reg 8 – General Requirements**
- **Reg 9 – Ship Recycling Plan**
- **Reg 10 – Surveys**



Hong Kong Convention Regulations

- **Reg 11 – Issuance and Endorsement of Certificates**
- **Reg 12 – Issuance or Endorsement of a Certificate by Another Party**
- **Reg 13 – Form of the Certificates**
- **Reg 14 – Duration and Validity of the Certificates**
- **Reg 15 – Controls on Ship Recycling Facilities**
- **Reg 16 – Authorization of Ship Recycling Facilities**
- **Reg 17 – General Requirements**
- **Reg 18 – Ship Recycling Facility Plan**
- **Reg 19 – Prevention of Adverse Effects to Human Health and the Environment**



Hong Kong Convention Regulations

- **Reg 20 – Safe and Environmentally Sound Management of Hazardous Materials**
- **Reg 21 – Emergency Preparedness and Response**
- **Reg 22 – Worker Safety and Training**
- **Reg 23 – Reporting on Incidents, Accidents, Occupational Diseases and Chronic Effects**
- **Reg 24 – Initial Notification and Reporting Requirements**
- **Reg 25 – Reporting Upon Completion**



Requirements for Ships

- **Each ship must carry a valid Inventory of Hazardous Materials (surveys every 5 years)**
- **Port State Control mechanisms may inspect ships to determine compliance with HKC**
- **Ship owners must “prepare” a ship for recycling: final survey, minimize amount of waste on-board, assist in preparation of SRP, approval/readiness process/documentation**



Requirements for Ships

- **Banned Hazardous Materials:**
 - **Asbestos**
 - **PCBs**
 - **ODS**
 - **Anti-fouling compounds/systems (under AFS Convention)**



Requirements for Ships

- **Inventory of Hazardous Materials:**
 - **All of the Above Banned Substances**
 - **Cadmium & Cadmium Compounds**
 - **Hexavalent Chromium & Hex Chromium Compounds**
 - **Lead & Lead Compounds**
 - **Mercury & Mercury Compounds**
 - **Polybrominated Biphenyls (PBBs)**
 - **Polybrominated Diphenyl Ethers (PBDEs)**
 - **Polychlorinated Naphthalenes (>3 chlorine atoms)**
 - **Radioactive Substances**
 - **Shortchain Chlorinated Paraffins (alkanes, C10-13, etc)**



Requirements for Recycling Facilities

- **Facility must be authorized by the Competent Authority**
 - **CA must have mechanisms for approval process**
 - **Facility must prepare Management Plan: includes training, emergency preparedness/response, monitoring and recordkeeping, reporting of environmental accidents and safety incidents, procedures for hazmat abatement, appropriate waste disposal, procedures for ship dismantling**
- **Facility must only recycle Party ships**
- **Prepare Ship-specific Recycling Plan for each ship**
- **Submit Notice of Intent, Statement of Completion**



Requirements for Flag States

- **Verify Inventory of Hazardous Materials**
- **Issue Certificate of IHM**
- **Conduct Final Survey of Vessel**
- **Issue International Ready for Recycling Certificate**
- **Nominate Surveyors to act on behalf of the Party**
- **Prepare list of ships recycled in jurisdiction annually**
- **Receives notification of Intent to recycle a ship**
- **Receives copy of approved Ship Recycling Plan**
- **Receives copy of Statement of Completion of recycling**
- **Implements Port State Controls on vessels for IHM and IRRC**



Hong Kong Convention Guidelines

- **Development of the Inventory of Hazardous Materials (adopted Mar 2010)**
- **Safe and Environmentally Sound Ship Recycling (aka “Facility Guidelines”)**
- **Development of the Ship Recycling Plan**
- **Authorization of Ship Recycling Facilities**
- **Survey and Certification (not yet drafted)**
- **Inspection of Ships (not yet drafted)**



QUESTIONS??



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