



STATUTORY INSTRUMENTS.

S.I. No. 578 of 2016



SEA POLLUTION (PREVENTION OF OIL POLLUTION)
(AMENDMENT) (NO.2) REGULATIONS 2016

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I, SHANE ROSS, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by sections 10, 12, 14, 15 and 17 of the Sea Pollution Act 1991 (No. 27 of 1991) and the Maritime Transport, Safety and Security (Transfer of Departmental Administration and Ministerial Functions) Order 2005 (S.I. No. 842 of 2005) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)), hereby make the following regulations:

1. (1) These Regulations may be cited as the Sea Pollution (Prevention of Oil Pollution) (Amendment) (No. 2) Regulations 2016.

(2) These Regulations come into operation on 1 January 2017.

2. In these Regulations, “Principal Regulations” means the Sea Pollution (Prevention of Oil Pollution) Regulations 2007 (S.I. No. 788 of 2007).

3. Regulation 2 of the Principal Regulations is amended in paragraph (1) by the substitution of the following definition for the definition of “oil residue (sludge tank)”:

“ ‘oil residue (sludge) tank’ means a tank which holds oil residue (sludge) from which sludge may be disposed directly through the standard discharge connection or any other approved means of disposal;”.

4. Regulation 12 of the Principal Regulations is amended by—

(a) the substitution of the following paragraphs for paragraphs (1) to (3):

“(1) This Regulation applies to ships of 400 gross tonnage and above.

(2) Oil residue (sludge) may be disposed of by a ship to which this Regulation applies directly from its oil residue (sludge) tank or, where there is more than one, each of its oil residue (sludge) tanks to reception facilities through the standard discharge connection referred to in Regulation 14, or to any other approved means of disposal of oil residue (sludge), such as an incinerator, auxiliary boiler suitable for burning oil residue (sludge) or other acceptable means which shall be indicated in item 3.2 of Form A or Form B, as appropriate, of the Supplement to the International Oil Pollution Prevention Certificate set out in Schedule 2.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 6th December, 2016.*

(3) Subject to paragraph (4), a ship to which this Regulation applies shall be provided with one, or more than one, oil residue (sludge) tank and every oil residue (sludge) tank shall—

- (a) be of adequate capacity, having regard to the type of machinery and length of voyage, to receive the oil residue (sludge) which cannot be dealt with otherwise in accordance with the requirements of these Regulations,
- (b) be provided with a designated pump that is capable of taking suction from the oil residue (sludge) tank for disposal of oil residue (sludge) by means as described in paragraph (2),
- (c) have no discharge connections to the bilge system, oily bilge water holding tank, tank top or oily water separators except in the following cases:
 - (i) the tank may be fitted with drains, with manually operated self-closing valves and arrangements for subsequent visual monitoring of the settled water, that lead to an oily bilge water holding tank or bilge well, or an alternative arrangement, provided such arrangement does not connect directly to the bilge discharge piping system;
 - (ii) the sludge tank discharge piping and bilge-water piping may be connected to a common piping leading to the standard discharge connection referred to in Regulation 14 provided that the connection of both systems to such common piping does not allow for the transfer of sludge to the bilge system,
- (d) not be arranged with any piping that has direct connection overboard, other than the standard discharge connection referred to in Regulation 14, and
- (e) be designed and constructed so as to facilitate its cleaning and the discharge of residues to reception facilities.”,

and

(b) the insertion of the following paragraph after paragraph (3):

“(4) (a) A ship to which this Regulation applies which is constructed before 1 January 2017 shall not be required to comply with paragraph (3)(c) until the first renewal survey carried out in respect of the ship on or after 1 January 2017.

(b) A ship delivered on or before 31 December 1979 to which this Regulation applies shall comply with paragraph (3)(e) insofar as is reasonable and practicable.”.



GIVEN under my Official Seal,
1 December 2016.

SHANE ROSS,
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend the Sea Pollution (Prevention of Oil Pollution) Regulations 2007 (S.I. No. 788 of 2007).

The purpose of these Regulations is to update and revise the requirements concerning tanks for oil residues (sludge), expanding on the requirements for discharge connections and piping to ensure that oil residues are disposed of properly.

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