



PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS

(Headquarters, Philippine Coast Guard)
139 25th Street, Port Area
Manila

19 December 2014

HPCG/CG-9

MEMORANDUM CIRCULAR

NUMBER 09-14

**SHIPBOARD OIL POLLUTION EMERGENCY PLAN
FOR PHILIPPINE REGISTERED VESSELS**

SECTION I AUTHORITY

- A. Republic Act 9993: The Philippine Coast Guard Law of 2009 and its Implementing Rules and Regulations
- B. Presidential Decree No. 600: Marine Pollution Decree of 1974
- C. Presidential Decree No. 602: National Oil Pollution Operations Center Decree
- D. Presidential Decree No. 979: Marine Pollution Decree of 1976

SECTION II REFERENCE

Regulation 37 of Annex I of the International Convention for the Prevention of Pollution from Ship, MARPOL 73/78

SECTION III PURPOSE

This Memorandum Circular shall provide implementing guidelines for the development of a Shipboard Oil Pollution Emergency Plan (SOPEP).

SECTION IV SCOPE

This Memorandum Circular shall apply to all Philippine registered oil tankers and ships other than oil tankers engaged in international or domestic trade.

SECTION V DEFINITION OF TERMS:

For the purpose of this circular, the following terms shall be defined as:

- A. **CMEPCOM** - means Commander, Marine Environmental Protection Command
- B. **Incident** - an event involving the actual or probable discharge into the sea of any harmful substance, or effluents containing such substance.
- C. **MEPCOM** - means Marine Environmental Protection Command
- D. **MEPU** - means Marine Environmental Protection Units
- E. **MERRE** - means Marine Environmental Response and Readiness Evaluation (MERRE)
- F. **Oil Tanker** - a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes combination carriers or any “chemical tanker” constructed or adapted primarily to carry cargo of noxious liquid substances in bulk or when it is carrying cargo other than noxious liquid substances but part of it is oil in bulk.
- G. **Ship** - vessel other than an oil tanker of any type operating in the marine environment and includes floating crafts and fixed or floating platforms.
- H. **SOPEP** – refers to the Shipboard Oil Pollution Emergency Plan required in this circular and Regulation 26, Annex 1 of MARPOL 73/78.

SECTION VI POLICY

- A. All domestic oil tankers regardless of gross tonnages engaged in coastwise trade shall carry on board a Shipboard Oil Pollution Emergency Plan (SOPEP) duly approved by the PCG.
- B. All domestic ships regardless of tonnage operating in the Philippine marine environment shall carry on board a Shipboard Oil Pollution Emergency Plan (SOPEP) approved by the PCG.
- C. All Oil tankers of 150 gross tonnage and above and every ship other than oil tanker of 400 gross tonnage and above engaged in international trade shall carry on board a Shipboard Oil Pollution Emergency Plan (SOPEP) approved by the PCG.

SECTION VII GENERAL REQUIREMENTS

A. Ship Operators/Oil Tanker Operators/Ships:

SOPEP of every ship shall contain at least the following items:

- (1) Procedures to be observed by the master or other persons having charge of the ship in case of an oil pollution incident.
- (2) List of authorities or persons to contact in the event of an oil pollution incident.
- (3) Detailed description of actions to be taken immediately by persons on board in order to reduce or control the discharge of oil as a result of the incident.
- (4) Procedures and point of contact on the ship for purposes of coordinating shipboard activities with national and local authorities in combating pollution.
- (5) Necessary assistance to the master in meeting the demands of a major discharge should it be involved in one.
- (6) Provisions on:
 - a. Coastal State report on actual and probable discharge
 - b. List of persons to contact in the port and ships.
 - c. Coastal State contacts in agencies or officials of administration responsible for receiving and processing reports
 - d. Steps to control discharge during operational spills through onboard resources or hiring clean-up company
 - e. Priority actions in shipboard emergencies
 - f. Ship's lay-out and plans appendices
 - g. National and local coordination entities and their roles in case of emergencies falling within their jurisdiction
 - h. Ensure the availability of the plan for inspection and evaluation at all times
 - i. Conduct regular drills/exercises with the presence of PCG MARPOL Inspectors/evaluators in every six (6) months from date of approval and periodic review of the plan at least yearly to keep up with changes in local laws and policies
 - j. Oil spill drills must be reflected in the SOPEP entry log
 - k. Evaluation and changes to the plan shall be done after an incident to suit the current condition

SECTION VIII PROCEDURE FOR THE SUBMISSION AND APPROVAL OF A SOPEP

- A. Ship operators/tanker operators shall have a copy of the proposed Plan in writing to the Commander, MEPCOM or Area Commander as the case may be for evaluation and approval prior to its implementation aboardship (Annex I – Format of a Shipboard Oil Pollution Emergency Plan).
- B. Prior approval of the proposed Plan, the MEPU concerned shall conduct ocular inspection on board to check MARPOL equipment /documents.

- C. The MEPU shall conduct MERRE on board to assess and evaluate the ship/s readiness and capability in combating oil spill prior approval of SOPEP and every year thereafter.
- D. The MEPU Commander shall submit MERRE after evaluation report to Headquarters, MEPCOM.
- E. The proposed Plan shall be forwarded to CMEPCOM with attached copy of MERRE Report from MEPU Commander for approval.
- F. No alteration or revision on the plan shall be made without the approval of the PCG.
- G. The Plan shall be effective for a period of three (3) years from the date of its approval and shall be renewed three (3) months prior to the expiration by observing the procedure prescribed in this Circular. The existing Plan shall remain effective until the approval of the proposed modified Plan.
- H. The Plan shall cease to be valid if significant alterations or revisions are made without the approval of the PCG.

SECTION IX REGISTRATION FEE

Registration Fee of SOPEP shall be One Thousand Pesos (Php1,000.00) and such fee shall be subjected to ten percent (10%) increase per year.

SECTION X FINES AND PENALTIES

- A. Ship operators/oil tanker operators through the master or agent, whose vessels have been found to have no SOPEP on board, shall be administratively liable and shall be subject to a fine of Twenty Thousand Pesos (Php20, 000.00).
- B. Failure to notify PCG to conduct scheduled periodic oil spill drill shall be subject to a fine of Twenty Thousand Pesos (Php20,000.00).
- C. Unauthorized alteration of SOPEP shall be subject to a fine of Fifty Thousand Pesos (Php50,000.00). Further, photocopied SOPEP shall constitute alteration and shall be fined the same amount of Fifty Thousand Pesos (Php50,000.00).
- D. Expired and or late renewal of the SOPEP shall be subjected to a fine of Fifty Thousand Pesos (Php P50,000.00)
- E. Falsification by private individual and use of falsified documents shall be penalized under the provision of Article 72 of the Philippine Revised Penal Code.

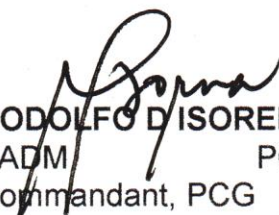
- F. The Ship operator and oil tanker operators shall reimburse the master/agent the amount defrayed by the latter in payment of the administrative penalty. In case of inability of the master/agent to pay the penalty, the Ships owner shall be subsidiary liable. The administrative penalty mentioned in the preceding paragraphs is without prejudice to other sanctions that the PCG may impose for violation of other rules and regulations arising from the same incident.
- G. The fines prescribed in this Section shall be increased by at least ten percent (10%) every three years to compensate for inflation and to maintain the deterrent function of such fines
- H. The imposition of administrative penalty mentioned in the preceding paragraph shall be without prejudice to other sanctions that may be imposed for violation of any law, rule or regulation arising from the same act.

SECTION XI REPEALING CLAUSE

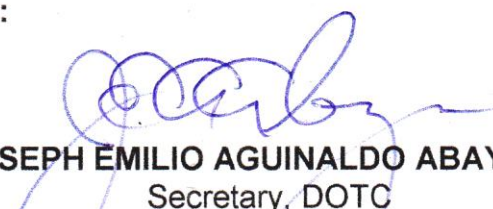
Memorandum Circular No. 05-2005 dated 25 October 2005 is hereby repealed.

SECTION XII EFFECTIVITY CLAUSE

This Memorandum Circular shall take effect fifteen (15) days after its publication once in a newspaper of general circulation.


RODOLFO D ISORENA
VADM PCG
Commandant, PCG

Approved by:


JOSEPH EMILIO AGUINALDO ABAYA
Secretary, DOTC



DOTC-OSEC OUTGOING 15-00076

Note: Published in the Philippine Star on 18 February 2015

ANNEX I

FORMAT OF A SHIPBOARD OIL POLLUTION EMERGENCY PLAN

INDEX OF SECTIONS

<u>Section</u>	<u>Title</u>
1.....	Preamble
2.....	Reporting Requirements
	• 2.1 When to Report
	• 2.2 Information Required
	• 2.3 Contact Persons
3.....	Steps to Control Discharge
	• 3.1 Operational Spills
	• 3.2 Spills Resulting from Casualties
4.....	National and Local Coordination
5.....	Additional Information

Appendices

INTRODUCTION

1. This Plan was prepared in accordance with the provisions of Regulation 26 of Annex I of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto.
2. The purpose of the Plan is to provide assistance to the master and officers on board the ship with respect to the steps to be taken during a pollution incident or whenever there is a threat of such incident.
3. The Plan contains all information and operational instructions required by the Regulation. The appendices contain the names and contact numbers of all contact persons referred to in the Plan, and other reference materials that may be helpful in the event of an oil pollution incident.
4. This Plan has been approved by the Philippine Coast Guard and, except as provided below, no alteration or revision thereof shall be valid unless duly approved by the PCG.
5. The appendices need not be approved by the Philippine Coast Guard. The appendices shall be maintained and updated by the owners, operators and manager.

SECTION 1: PREAMBLE

1. This Section contains an explanation of the purpose and use of the plan and indicates how the shipboard plan relates to other shore-based plans.
2. This Section includes information relating to the following:

2.1 Time to Report

This section shall contain information on the time to report actual and/or probable discharges.

2.2 Information required

This section contains information required for the initial report and supplementary or follow-up reports. The reporting format reporting format is illustrated in Table 1.

SS (BRIEF DETAILS OF WEATHER AND SEA CONDITIONS)			
Wind		Swell	
Direction:	Speed:	Direction:	Height:
TT (CONTACT NUMBERS OF SHIP'S OWNER/OPERATOR/AGENT)			
UU(SHIP SIZE AND TYPE)			
Length:	Breadth:	Draught:	Type:
XX(ADDITIONAL INFORMATION)			
Brief Details of the Incident		Need for Assistance	
Actions Taken		No. of Crew & Details of Injuries	
Details From P&I CLUB & Local Correspondent		Other Information:	
<p><u>Footnote:</u> The alphabetical reference letters in the above format are based on the “General principles for ship reporting requirements, including guidelines for reporting incidents involving dangerous goods, harmful substances, and/or marine pollutants” adopted by the International Maritime Organization in Resolution A.648 (16). The letters do not necessarily follow the complete alphabetical sequence as certain letters are used to designate information required for other standard reporting formats, e.g. those used to transmit route information.</p>			

2.3 Contact Persons

This section shall refer the Plan user to Appendices separately listing contacts for the following:

- Coastal state contacts
- port contacts
- ship interest contacts

SECTION 3: PROCEDURE TO OBSERVE IN CONTROLLING A DISCHARGE

3. This section shall ensure that the provisions of Regulation 26 of Annex 1 of MARPOL 73/78 regarding procedures to be observed in controlling a discharge are complied with and shall include information relating to the following:

3.1 Operational Spills

This section shall contain ship-specific information concerning measures to be taken in response to an operational spill. As a minimum requirement, procedures to address spills resulting from pipe leakage, tank overflow and hull leakage shall be included.

3.2 Spills resulting from casualties

This section shall contain ship-specific and company specific information concerning actions to take in addressing the following casualty scenarios: grounding, fire/explosion, collision, hull failure, and excessive list among others. This section shall also provide information on priority actions to be taken.

Information shall be given in the form of a checklist whenever applicable. Information relating to response activities and personnel responsibilities shall be presented in a similar format as given in Table II below:

TABLE 2

Operational Spill Type	Action to be taken	Designated Crew Member (State rank/rating only)

Where appropriate this section shall provide a list of information required for making damage stability and damage longitudinal strength assessments.

SECTION 4: NATIONAL AND LOCAL COORDINATION

4. This section shall contain information which may be helpful in assisting the master in initiating actions by coastal state and local government. Dependent on the ship's trade, this section shall include information that will assist the master in responding to the incident in case the response organized by shore authorities is inadequate.

SECTION 5: ADDITIONAL INFORMATION

5. This section shall contain additional information included in the Plan at the owner's discretion:
 - 5.1 Plan review procedures
 - 5.2 Training and drill procedures
 - 5.3 Record-keeping procedures
 - 5.4 Public affairs policy of the owners/operators
 - 5.5 Others

APPENDICES

The following appendices shall be attached to the Plan, as a minimum requirement:

- a. List of coastal State contacts
- b. List of port contacts as appropriate
- c. List of ship interest contacts
- d. Ship's plan and drawings

Additionally the following information may be attached:

- a. Summary flowchart (consideration shall be given to adapting the flowchart for bulkhead display on board.
- b. Information relevant to the roles and responsibilities of national and local authorities
- c. Other reference materials.

TABLE 1**SHIPBOARD OIL POLLUTION EMERGENCY CONTACTS**

SHIP INTEREST CONTACTS			
I. Owner/Operator Contacts			
Name of Institution/ Representative	Address	Means of Communication	Remarks
		Phone	
		Fax	
		Mobile	
		Telex	
		E-mail	
		INMARSAT	
B. Other Ship Interest Contacts			
Name of Institution/ Representative	Address	Means of Communication	Remarks
1. Charter		Phone	
		Fax	
		Mobile	
		Telex	
		E-mail	
		INMARSAT	
2. Local Agent		Phone	
		Fax	
		Mobile	
		Telex	
		E-mail	
		INMARSAT	
3.		Phone	
		Fax	
		Mobile	
		Telex	
		E-mail	
		INMARSAT	

SAMPLE FORMAT FOR INITIAL NOTIFICATION

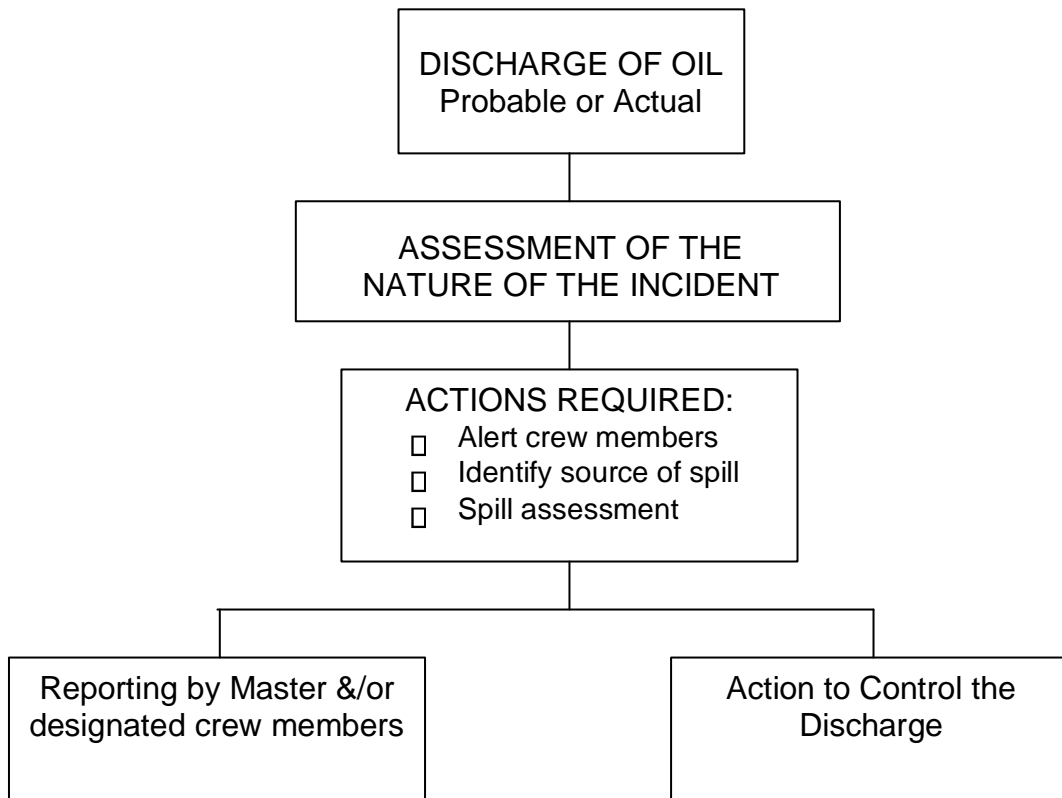
AA (SHIP NAME, CALL, SIGN, FLAG) <div style="text-align: center; margin-top: 10px;"> <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 30px; height: 30px;"></td> <td style="width: 30px; height: 30px;"></td> <td style="width: 30px; height: 30px;"></td> <td style="width: 30px; height: 30px;"></td> <td style="width: 30px; height: 30px;"></td> <td style="width: 30px; height: 30px;"></td> </tr> </table> D D H H M M </div>																		
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<u>LL (INTENDED TRACK)</u>																		
<u>MM (RADIO STATIONS (S) GUARDED)</u>																		
NN (DATE AND TIME OF NEXT REPORT, UTC) <table border="1" style="margin: 10px auto; border-collapse: collapse;"> <tr> <td style="width: 30px; height: 30px; text-align: center;">D</td> <td style="width: 30px; height: 30px; text-align: center;">D</td> <td style="width: 30px; height: 30px; text-align: center;">H</td> <td style="width: 30px; height: 30px; text-align: center;">H</td> <td style="width: 30px; height: 30px; text-align: center;">M</td> <td style="width: 30px; height: 30px; text-align: center;">M</td> </tr> </table>		D	D	H	H	M	M											
D	D	H	H	M	M													
PP (TYPE AND QUALITY OF CARGO/BUNKERS ON BOARD)																		
QQ (BRIEF DEATILS OF DEFECTS/DEFICIENCES/DAMAGE)																		

RR (BRIEF DETAILS OF THE POLLUTION, INCLUDING AN ESTIMATE OF THE QUANTITY LOST)

ANNEX II

SHIPBOARD OIL POLLUTION EMERGENCY PLAN-SUMMARY FLOWCHART

This section shall contain a chart outlining the course of action that shipboard personnel are required to observe in responding to an oil pollution emergency based on the guidelines published by the PCG. The diagram need not be exhaustive and shall not be used as a sole reference in response. Consideration shall be given for the inclusion of specific references to the Plan. The steps are designed to assist ship personnel in actions to stop or minimize the discharge of oil and mitigate its effects. These steps fall into two main categories namely, reporting and action.



TIME TO REPORT

- All probable and actual spills

MODES OF REPORTING

- By the most expeditious means through coastal radio station
- Designated ship movement reporting station
- Rescue Coordination Center (at sea)
- Through the most expeditious and accessible means to local authorities

CONTACT PERSONS

- Nearest coastal State
- Harbor and terminal operators (in port)
- Shipowner's managers, P & I insurer
- Head Charterer; cargo owner
- Refer to contact lists

MATTERS TO BE REPORTED

- Initial Report
- Follow-up reports
- Characteristics of oil spilled
- Cargo/ballast/bunker dispositions
- Weather and sea conditions
- Slick movement
- Assistance required
 - Salvage
 - Lightening capacity
 - Mechanical equipment
 - External strike team
 - Chemical dispersant/degreasant

Measures to take in order to minimize the escape of oil and threat to the marine environment:

NAVIGATIONAL MEASURES	SEAMAN MEASURES
<ul style="list-style-type: none"> • Alter course/ position and/or speed • Change of list and/or trim • Anchoring • Setting aground • Initiate towage • Assess safe haven requirements • Weather/tides/swell forecasting • Slick monitoring • Record of events and communication taken 	<ul style="list-style-type: none"> • Safety assessment and precaution • Advice on priority counter measures preventive measures • Damage stability and stress considerations • Ballasting/ de-ballasting • Internal cargo transfer operations • Emergency ship-to-ship transfer of cargo • Set up shipboard response for: <ul style="list-style-type: none"> ➤ Leak sealing ➤ Fire fighting ➤ Handling of shipboard response equipment (if available) ➤ Etc.

STEPS TO INITIATE EXTERNAL RESPONSE

- Refer to coastal Port State listing for local assistance
- Refer to ship interest contact list
- External clean-up resources required
- Continued monitoring of activities