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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B.—14/2008.

THE MARINE POLLUTION PREVENTION ACT, No. 35 OF 2008

REGULATION made by the Minister under Section 51 read with section 40 of the Marine Pollution Prevention Act, No. 35 of 2008 and in accordance with the direction of the Cabinet of Ministers.

ANURA PRIYADARSHANA YAPA,
Minister of Environment.

Colombo,
26th May, 2011.

Regulations

1. These regulations may be cited as the Offshore Exploration for and Exploitation of Natural Resources including Petroleum (Marine Environment Protection) Regulation No. 1 of 2011. These regulations shall be deemed to have come into effect from the 26th day of May 2011.

PART I

REQUIREMENTS FOR THE GRANTING OF A MARINE ENVIRONMENT PROTECTION LICENSE

2. These regulations shall apply to any person engaged in offshore exploration for and exploitation of natural resources including petroleum in the exploration block assigned to such person in terms of the Agreement entered into by such person with the State.

3. (1) Any person who makes an application to the Petroleum Resources Development Committee established under section 5 of Petroleum Resources Act, No. 26 of 2003, shall be required to submit to the Marine Environment Protection Authority (hereinafter referred to as the “Authority”) prior to the commencement of any petroleum activity, a detailed account of the steps to be taken by him to mitigate, control or manage the discharge of any pollutant in accordance with a plan (hereinafter referred to as the Discharge Management Plan) and an Environment Impact Assessment (EIA).

(2) The Environment Impact Assessment (EIA) shall be carried out by a classification society approved by the Authority.

4. The Discharge Management Plan shall conform to the requirements specified in the First Schedule hereto and shall consist of a plan for marine environment protection including, a plan for environmental monitoring, a plan for prevention of an oil spill, a plan for storage, transportation, cleaning, refining and locating oil extracts and the procedure for rehabilitation of the area after completion of the exploration for exploitation of natural resources including petroleum and a completed chemical data sheet acceptable to the Authority which shall be in the form set out in the Second Schedule hereto.

5. Every fixed or mobile platform shall contain the following :-

- (a) oil water separators approved by the Authority ;
- (b) the monitoring devices approved by the Authority as specified in the Discharge Management Plan as mentioned in the First Schedule hereto ;
- (c) equipment required for treatment of oil polluted water and the oil content of the discharged water after treatment through such equipment ;
- (d) facilities for recovering residual and waste oil ;
- (e) grinder or comminuter with a screen with openings not larger than twenty five millimeters ; and
- (f) monitoring devices for discharge.

6. (1) Every equipment or a sample of such equipment specified above when relevant shall be examined and approved by a competent officer of the Authority authorized in writing by the Authority (hereinafter referred to as the "Authorized Officer").

(2) Such competent officer on being satisfied with the condition and the technical specification of such equipment, shall make his observations and the recommendations for the utilization of such equipment for such period as may be specified by the Authority.

7. Any person in charge of the exploration for or exploitation of natural resources including Petroleum who enters into an agreement with the State to explore for or exploit natural resources including petroleum shall maintain or cause to be maintained, as the case may be, on the platform whether fixed or mobile, an oil record book and a garbage record book, as specified in the Third Schedule hereto.

8. It shall be the duty of the person in charge of the mobile or fixed platform to maintain the antipollution record book consisting of the following details :-

- (a) anti pollution equipment installed and maintained for the purpose of recording the discharge of oil ;
- (b) the treatment to be undertaken and the manner of discharge of oil-polluted water ;
- (c) oil pollution accident involving oil, oil leakage, blow out and their disposition ;
- (d) the utilization of chemical dispersants ; and
- (e) any other detail required by the Authority.

9. (1) Any Authorized Officer may at any reasonable time of the day after giving due notice to the person in charge and obtaining his written consent, enter and inspect any site where exploration for or exploitation of natural resources including petroleum are being conducted and carried out and conduct such investigations or surveys thereon as may be necessary including the following :-

- (a) collect various types of samples to verify the properties ;
- (b) inspect the provision, installation and working of the antipollution equipment, and material utilized for the purpose ;

- (c) inspect all the records and materials required to be maintained in terms of these regulations ;
- (d) inspect antipollution record book, Discharge Management Plan, oil record book and garbage record book ;
and
- (e) make extracts or copies of the documents and records if and when required.

(2) The Authorized Officer may require the person in charge of the exploration for or exploitation of natural resources including petroleum to certify any copy or extract of a document maintained by such person as a true copy of the original.

(3) The Authorized Officer shall require the person in charge of the exploration for or exploitation of natural resources including petroleum to furnish him with a detailed account of any oil spill with necessary documents. Such person shall comply with such request without delay and furnish same to the Authorized Officer with accurate details.

10. (1) No person shall operate or be in charge of, an exploration for or exploitation of natural resources including petroleum without a Discharge Management Plan having the contents specified in the First Schedule hereto and duly approved by the Authority.

(2) Every application for approval of a Discharge Management Plan —

- (i) shall be made two months prior to the commencement of exploration for or exploitation of natural resources including petroleum or two months prior to the expiration of the existing approval ;
- (ii) shall contain the name of the person in charge of exploration, for or exploitation of natural resources including petroleum address, telephone number, e-mail address (if any) and the fax number (if any).

(3) The Authorized Officer may within fifteen days from the date of receipt of the application if necessary call for additional information prior to the grant of approval to such Discharge Management Plan.

11. The Authority may approve the Discharge Management Plan on being satisfied that the contents are in accordance with the First Schedule.

PART II

MARINE ENVIRONMENT PROTECTION LICENSE FOR EXPLORATION FOR OR EXPLOITATION OF NATURAL RESOURCES INCLUDING PETROLEUM

12. No person shall engage in, or cause any other person to be engaged in, exploration for or exploitation of natural resources including petroleum within the territorial waters of Sri Lanka or any maritime zone declared under the Maritime Zones Law, No. 22 of 1976 except in accordance with the terms and conditions, of a Marine Environment Protection license (hereinafter referred to as “the license”) issued by the Authority in the form specified in the Fourth Schedule hereto.

13. Every application for the license under regulation 12 shall be made in the form specified in the Fifth Schedule hereto, to the Authority and shall be accompanied by the fee specified in the Sixth Schedule hereto.

14. (1) The Authority may issue the license in the form specified in the Fourth Schedule hereto to any person who makes an application in terms of regulation 13 within fourteen days from the date of receipt of the application, on being satisfied that the following requirements have been complied with :-

- (a) the contents of the Discharge Management Plan is in accordance with the requirements specified in the First Schedule hereto and approval thereto obtained under regulation 11 ;
- (b) the payment of the required fee ;

- (c) the provisions of regulation 3 is adhered to ;
- (d) adequate security or Insurance cover to the satisfaction of the Authority, to defray unforeseen damages ;
- (e) letter of confirmation issued by the Director General of Petroleum Resources Development Secretariat confirming the identity of the applicant for the license.

(2) The Authority may either issue the license or refuse to issue the license for reasons to be recorded in it.

(3) The license issued under paragraph (2) above shall be valid for a period of two years from the date of issuance of such license.

(4) The person in charge of the exploration for or exploitation of natural resources including petroleum within the territorial waters of Sri Lanka or any other maritime zone declared under the Maritime Zones Law, No. 22 of 1976 shall maintain financial security or an insurance cover sufficient to meet any contingency due to an oil spill.

(5) Every license issued shall —

- (a) be in such form as specified in the Fourth Schedule hereto ;
- (b) unless it is cancelled earlier, be in force for a period of two years from the date of issue of the license ;
- (c) be subject to such terms and conditions as may be specified on the reverse of the license.

(6) The license shall be renewable on an application made to the Authority not less than thirty days before the expiry of such license.

(7) The Authority shall renew the license if the Authority is satisfied that —

- (i) the licensee has observed the provisions of the regulation and the terms and conditions of the license if any ;
- (ii) there is no threat to the sustainability of aquatic resources as a result of renewing the license ; and
- (iii) the licensee has paid the fee specified in the Sixth Schedule hereto for the renewal of the license.

(8) The Authority shall cancel the license granted by it under this Part if it is proved to the satisfaction of the Authority that the licensee :-

- (a) has contravened any provision of these regulations or any term or condition of such license ; or
- (b) has been convicted of an offence under the Marine Pollution Prevention Act, No. 35 of 2008.

(9) (a) Where the Authority, refuses to grant or renew a license or cancels a license it shall communicate such decision and the reasons therefor, within fourteen days of the decision, in writing, to the applicant or the licensee as the case may be, by registered post.

(b) Any such decision shall be deemed to have been communicated to the applicant or the licensee as the case may be, after the expiry of a period of fourteen days reckoned from the date of dispatch of such communication by registered post to the usual place of business or residence of such applicant or licensee, as the case may be.

(10) (a) The applicant or the licensee, as the case may be, who is aggrieved by a decision communicated to him under this regulation, may appeal against such decision to the Secretary to the Ministry of the Minister in charge of the subject of Marine Environment Protection in writing, within thirty days from the date on which the decision is communicated to him.

(b) The Secretary may either —

- (i) allow the appeal and direct the Authority to grant, renew, or revoke the cancellation of the license, or
- (ii) disallow the appeal.

(c) The Authority shall comply with any direction issued to it in pursuant to the decision under sub paragraph (b) of paragraph (10) of this regulation by the Secretary.

(d) When an application for the license or the renewal of the license is refused under any of the preceding provisions of this regulation, the Authority shall refund to the applicant, the fee accompanying such application after deducting the expenditure incurred for processing the application.

(e) The decision of the Secretary under subparagraph (b) above shall be final.

(11) (a) No license granted under this regulation shall be transferable except with the prior written approval of the Authority, which shall be endorsed upon such license.

(b) Where the transfer of a license becomes necessary, such requirement shall be made in writing to the Authority indicating the reasons for such request.

(12) No person whose license has been cancelled shall be entitled to have a license issued to any other person transferred to him.

(13) The person in charge of the exploration for or exploitation of natural resources including petroleum shall submit the approved Discharge Management Plan with the license issued under this regulation, to the Authorized Officer at all times.

(14) No alteration or modification to the approved Discharge Management Plan shall be made without the prior written approval of the Authority. Such changes may be considered under the following circumstances :-

- (a) to change the use or layout of the installation in a manner that would decrease the risk of the spill of oil or any other harmful substance ;
- (b) to utilize any harmful substance not specified in the Discharge Management Plan :

Provided however any modification relating to reassignment of personnel and their responsibilities may not require written approval :

Provided further such modification made to the Discharge Management Plan requires to be notified to the Authority under registered cover and the Authority shall maintain a record of every such notification.

(15) Any person in charge of an offshore installation shall take necessary steps approved by the Authority to ensure the dispersed oil content of production water, displacement water or offshore processing drainage discharged from a offshore installation :-

- (a) is measured —
 - (i) in accordance with a method specified in the Discharge Management Plan approved by the Authority ;
 - (ii) approximately in twelve hour intervals at least twice daily ;
- (b) does not exceed fifty milligrammes per litre ; and
- (c) is averaged less than thirty milligrammes per litre in every calendar month.

(16) If the person in charge of an offshore installation is unable to comply with the provisions of subparagraph (15) of this regulation, the Authority may authorize the discharge and require the owner to adopt additional measures approved by the Authority in order to prevent the pollution of the marine environment.

(17) The Authority may permit the person in charge of the installation to discharge volume exceeding fifty milligrammes per litre, if he considers it necessary for technical or safety reasons.

15. (1) Where the dispersed oil content of production water, displacement water or offshore processing drainage exceeds —

- (a) fifty milligrammes per litre but does not exceed hundred milligrammes per litre, the person in charge of the installation shall inform such excess to the Authority forthwith ;
- (b) hundred milligrammes per litre, the person in charge of the installation shall inform the excess as an oil spill to the Authority in the manner specified in regulation 24.

(2) The Authority shall direct at any time the person in charge of an offshore installation to measure the dispersed oil content of a production water, displacement water, off shore processing drainage of an installation without any delay and make available such details to the Authority or any Authorized Officer.

16. No person in charge of fixed or mobile platform shall utilize drilling fluid other than water based or synthetic based drilling fluid —

- (i) without the approval of the Authorized Officer in terms of the approved Discharge Management Plan ;
- (ii) except in accordance with the Discharge Management Plan :

Provided however due to prevalent circumstances oil based drilling may be used with the prior written approval obtained from the Authority.

17. Subject to regulation 20, the person in charge of the installation may discharge from the fixed or mobile platform oil or any oily mixture that drains from the space in the machinery, oil tanks or any part of the installation if —

- (a) the oil content of the discharge mixture without dilution does not exceed fifteen parts per million ;
- (b) the installation has oil filtering equipment fixed or attached thereto.

18. Subject to regulation 22 the person in charge of the mobile platform or the fixed platform shall take steps to ensure that any oil residue -

- (a) is retained on board ;
- (b) is offloaded as cargo, or
- (c) which cannot be discharged to the sea is discharged to a reception facility

in accordance with measures approved by the Authority.

19. (1) The person in charge of the fixed or mobile platform shall cause to be fitted to such platform with an oil filtering equipment :-

- (a) of a design approved by the Authority ;

(b) to ensure any oily mixture -

- (i) that drains from the space of the machinery, oil tanks and other parts of the installation ; and
- (ii) that discharge into the sea,

has an oil content not exceeding fifteen parts per million after passing through the equipment.

(2) In an offshore installation having ten thousand gross tons or more, the oil filtering equipment specified in paragraph (1) of this regulation shall be fitted with -

- (a) an alarm to indicate ; and
- (b) a system to automatically prevent any discharge of the oil content of the effluent where it exceeds fifteen parts per million.

(3) The requirements of paragraphs (1) and (2) of the regulation shall not apply if -

- (a) the Authorized Officer is satisfied with regard to available storing facility on the fixed or mobile platform and the available facility to discharge oil to a place other than the sea ;
- (b) oily mixtures are stored in a manner approved by the Authority.

20. The owner of an offshore installation shall take steps to ensure that such installation is fitted with a tank -

- (i) sufficient to hold all the oily residue ;
- (ii) constructed in a manner where such tank could be cleaned and emptied at a reception facility.

OIL RECORD BOOK

21. The owner or operator of any installation shall take steps to maintain an Oil Record Book and Garbage Record Book in the forms specified in the Third Schedule hereto.

22. (1) The owner or operator of an offshore installation shall take steps to maintain an Oil Record Book specifying details on each occasion on which the following takes place -

- (i) ballasting or cleaning of oil fuel tanks ;
- (ii) discharge of dirty ballast or cleaning water from oil fuel tank ;
- (iii) discharge overboard of polluted oily water or other disposal that has accumulated within spaces of machinery or other parts of the installation ;
- (iv) loading of oil ;
- (v) internal transfer of oil ;
- (vi) unloading of oil ;
- (vii) ballasting of oil storage tanks ;
- (viii) cleaning of oil storage tanks ;
- (ix) discharge of dirty ballast or cleaning water from oil storage tanks ;

- (x) the dispersed oil content of production water, displacement water or offshore processing drainage -
- (i) is measured ;
 - (ii) exceeds fifty milligrammes per litre ; or
 - (iii) averages more than thirty milligrammes per litre in any calendar month.

and the entry shall include the dispersed oil content in milligrammes per litre ;

- (xi) disposal of oily residues (sludge).

(2) The owner of any installation shall cause to be recorded in the oil record book, the daily volume in litres of discharged production water, displacement water or offshore processing drainage.

(3) The owner shall cause a statement to be made in the oil record book of the installation of the circumstances of and the reasons for -

- (a) any discharge of oil or oily mixture into the sea for the purpose of -
 - (i) securing the safety of the offshore installation ; or
 - (ii) saving life at sea ;
- (b) any escape of oil or oily mixture into the sea resulting from -
 - (i) damage to the offshore installation or its equipment ; or
 - (ii) any other accidental or exceptional occurrence ;
- (c) any discharge into the sea of substances containing oil when being used for the purpose of combating specific pollution incidents.

(4) Every entry or statement, required to be made in the oil record book of the installation shall be -

- (i) fully recorded without delay ;
- (ii) signed by the person or person in charge of the exploration for or exploitation of natural resources including petroleum.

(5) Every completed page of the oil record book shall be signed by the person on board the offshore installation who has overall responsibility for its operation.

(6) The owner or the person in charge of the installation shall take steps to keep the oil record book -

- (a) on board the offshore installation, except in the case of an unmanned offshore installation under tow ; and
- (b) in such place as to be readily available for inspection at all reasonable times.

(7) The owner shall send a certified copy of every completed page of the oil record book of the installation to the Authority within fifteen working days of the date of completion of the entries of the oil record book.

(8) The owner or person in charge of the installation shall preserve the oil record book for a period of three years after the last entry is made on it.

(9) The owner or operator of an offshore installation shall take steps to maintain a garbage record book specifying each occasion on which the disposal of garbage requires to be indicated as specified in the Third Schedule hereto.

REPORTING OF SPILLS

23. (1) Where any marine oil spill occurs, the owner of an offshore installation shall report the spill by the fastest means of communication available and with the highest possible priority to the officer designated for the purpose by the Authority under section 8 of the Marine Pollution Prevention Act, No. 35 of 2008 (hereinafter referred to as the “officer designated”) and where the spill occurs beyond the territorial limits of Authority such communication should follow immediately by written communication in the form specified in the Seventh Schedule hereto using the procedures outlined in the Discharge Management Plan.

(2) Any spill of a harmful substance other than oil occurs, the owner of a controlled offshore installation shall report the spill by the fastest means of communication available and with the highest possible priority to the officer designated by the Authority for the purpose followed immediately by a written communication, adopting the procedures outlined in the Discharge Management Plan.

(3) If the person responsible for implementing the emergency response procedure considers that any marine oil spill cannot be contained or cleaned up using the resources available to that person, he shall report such fact by the fastest means of communication available and with the highest possible priority to the officer designated followed immediately by written communication, using the procedures outlined in the Discharge Management Plan.

ACCIDENT REPORTING

24. (1) The owner of an offshore installation shall report to the Authority immediately any accident or defect which substantially affects the suitability of the installation or the efficiency or competences of the equipment utilized for the purpose specified.

(2) The owner shall submit or caused to be submitted, a report required under paragraph (1) in detail, as soon as possible to the Authorized Officer of the Authority.

(3) On receipt of a report under paragraph (2) of this regulation the Authorized Officer may require the installation to be surveyed to ensure compliance with the requirements of these regulations and the International Oil Pollution Prevention Certificate relating to the installations.

PART III

INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

25. (1) The owner of an offshore installation shall maintain a valid International Oil Pollution Prevention Certificate in the form specified in the Eighth Schedule hereto in respect of the installation -

- (a) issued or renewed in accordance with relevant laws ; or
- (b) issued by or on behalf of a state party to MARPOL Convention, other than Sri Lanka and recognized by Authority as a marine environment protection document.

(2) The owner shall ensure that the International Oil Pollution Prevention Certificate held in respect of the installation is -

- (a) kept on board the installation at all times ; and
- (b) made readily available for inspection by the Authorized Officer.

26. (1) The owner of an offshore installation shall require a surveyor approved by Director of Merchant Shipping to carry out the following surveys -

- (a) an initial survey before the International Oil Pollution Prevention Certificate is issued for the first time ;
- (b) renewal of surveys at every five year interval or any such lesser period specified by the Authority ;

- (c) an annual survey within three months before or after every renewal date of the International Oil Pollution Prevention Certificate ; and
- (d) an intermediate survey within three months before or after either the second or third renewal date of the International Oil Pollution Prevention Certificate, in place of the respective annual survey.

(2) Initial and renewal surveys shall be carried out to ensure that the structure, equipment, systems, piping, fittings, arrangements, record books, emergency response procedures and material are in compliance with the requirements of this Part.

(3) Annual surveys shall be carried out to ensure that the structure, equipment, systems, piping, fittings, arrangements, record books, emergency response procedures and material -

- (a) have been properly maintained ;
- (b) have not been altered without the approval of the Authority ; and
- (c) remains satisfactory for service in order to control and reduce pollution.

(4) Intermediate surveys shall be carried out to ensure that -

- (a) the equipment and associated pump and piping systems, including oil discharge monitoring and control systems, oil water separating equipment and oil filtering systems are in good working order and comply with the requirements of this Part ; and
- (b) the structure, equipment, systems, piping, fittings, arrangements, record books, emergency response procedures and material have not been altered without the approval of the Authority.

27. (1) If the owner applies for the issuance, renewal or an endorsement of an International Oil Pollution Prevention Certificate in respect of the installation, and the Authority or the Authorized Officer is satisfied that the offshore installation -

- (a) meets the requirements of this Part ; and
- (b) has undergone an initial survey, a renewal survey, an annual survey or an intermediate survey in accordance with provisions of regulation 26 and to the satisfaction of the surveyor,

he shall issue, renew or endorse the International Oil Pollution Prevention Certificate in accordance with the provisions of this regulation.

(2) An International Oil Pollution Prevention Certificate together with a supplement —

- (a) shall be in the form specified in the Eighth Schedule hereto ;
- (b) may be issued for a period not exceeding three years ; and
- (c) is subject to the following conditions —
 - (i) no significant alterations shall be made in the structure, equipment, systems, fittings, arrangements and material of the installation without the approval of the Authority and that of the surveyor, except the direct replacement of such equipment and fittings ;
 - (ii) completion of the surveys required under regulation 26 to the satisfaction of the surveyor ;
 - (iii) the installation has on board the oil record book required to be kept under regulation 21 ; and
 - (iv) the installation has on board an approved Discharge Management Plan.

28. A surveyor may give his approval for the issuance, renewal or endorsement of an International Oil Pollution Prevention Certificate —

- (a) without being subject to any condition ; or
- (b) subject to such conditions as the surveyor deems fit in the interest of maritime safety and marine environment protection.

29. (1) Where a surveyor, who has carried out a renewal or annual survey of an offshore installation, determines that the condition of the equipment of the offshore installation —

- (a) fails to meet substantially with requirements the International Oil Pollution Prevention Certificate warrants of the installation ; or
- (b) presents an unreasonable threat of harm to the marine environment, the surveyor shall —
 - (i) immediately instruct the owner of the offshore installation to take corrective measures ; and
 - (ii) notify the Authorized Officer of the corrective measures required to be taken.

(2) If the corrective measures required under paragraph (1) are not taken, the Authorized Officer may, in accordance with the provisions of these regulations, suspend or impose conditions on the International Oil Pollution Prevention Certificate of the installation.

30. (1) The owner of an offshore installation shall take steps to ensure equipment of the installation is maintained in a condition that —

- (a) complies with the provisions of this Part ;
- (b) corresponds substantially with requirements of the International Oil Pollution Prevention Certificate warrants ; and
- (c) it does not present an unreasonable threat of harm to the marine environment.

(2) The owner of an offshore installation shall take steps to ensure that no change is made to any structure, equipment, systems, fittings, arrangements or material of installation covered by a survey, without the approval of a surveyor, except the direct replacement of such equipment and fittings.

PART IV

GENERAL

31. In giving effect to the provisions of these regulations, the Authority shall in the national interest and for the purpose of ensuring proper implementation, act in consultation with the Petroleum Resources Development Secretariat.

32. (1) There shall be a Risk Assessment Committee (hereinafter referred to as the “Committee”) consisting of the following officers —

- (i) General Manager of the Marine Environment Protection Authority established by the Marine Pollution Prevention Act, No. 35 of 2008 ;
- (ii) senior member of the National Aquatic Resources Research and Development Agency nominated by the Director General of National Aquatic Resources Research and Development Agency ;
- (iii) senior member of Department of Fisheries and Aquatic Resources nominated by Director General of the Department of Fisheries and Aquatic Resources.
- (iv) Director General of Petroleum Resources Development Secretariat or a representative nominated by him in writing.

(2) No person shall use any dispersant within the territorial waters of Sri Lanka or any maritime zone declared under the Maritime Zones Law, No. 22 of 1976 without the prior written approval of the Authority in the manner specified herein ;

Provided however no such approval shall be required in a situation of force majeure.

(3) Every application for approval of a substance utilized to disperse any oil spill shall be in the form specified in the Ninth Schedule and be made to the Authority, in accordance with the requirements specified in paragraph (4).

(4) Every application for approval of a substance shall be accompanied with —

- (a) test results, supporting data and certification, as required by Authority ;
- (b) details of the formula used in the preparation of the substance including -
 - (i) percentage in terms of weight of each component of the total formula ;
 - (ii) percentage of aromatics ;
 - (iii) chemical name (if any) of each component ;
 - (iv) function of each component ;
 - (v) a material safety data sheet.
- (c) details of the recommended application procedures, concentrations and conditions for use ;
- (d) details of recommended handling and storage procedures and any precautions to be taken by the persons handling the substance;
- (e) the name and contact details of the manufacturer of the substance; and
- (f) a warranty from the manufacturer of the substance that each subsequent batch of the product will comply with the specifications of chemical dispersant or the demulsifier specifications set out in regulation 38, as applicable.

(5) On receipt of an application, the Authority shall forward such application to the Committee formed under this regulation within three days from the date of receipt of such application, to submit their recommendation and the reasons for such recommendation.

(6) The committee shall, on receipt of an application of a chemical dispersant or demulsifier forwarded by the Authority, require the applicant to supply -

- (a) detailed account of specified information set out in the initial application;
- (b) additional information if necessary; and
- (c) a sample of the substance for testing, at the applicant's expense

33. (1) The Committee shall -

- (a) assess and make recommendations relating to any application for approval of a substance; and
- (b) submit its recommendations to the Authority within twenty one working days of the receipt of the application;

(2) On receipt of the recommendations where the Authority or any officer generally or specially authorized by the Authority in writing decides to approve a substance based on the recommendations made by the Committee, the Authority or such person respectively shall cause a notice to be published in the *Gazette* as soon as possible -

- (i) stating the name of the product of the substance;
- (ii) stating the name of the manufacturer of the substance; and
- (iii) setting out any conditions which the Committee has recommended under paragraph (1) of regulation 34 including the date of the approval.

(3) The Authority or any officer generally or specially authorized in writing shall cause the decision to be intimated to the applicant within three days of such decision.

34.(1) In recommending a substance the Committee may specify conditions -

- (a) as to the specific purposes for which, and circumstances in which, the approved substance may be used;
- (b) as to the period for which the approval is valid;
- (c) requiring that each batch of the approved substance complies, in the case of a dispersant, with the dispersant specifications set out in regulation 39 or, in the case of a demulsifier, with the demulsifier specifications set out in regulation 40; and
- (d) relating to the manner of using the approved substance.

(2) An approved substance shall accompany -

- (a) a material safety data sheet; and
- (b) instructions from the manufacturer relating to the safe handling and usage of these substances.

(3) A person who supplies an approved substance shall supply the substance in one or more containers or bulk carriers that are -

- (a) clean and dry;
- (b) suitable for the substance; and
- (c) marked with the :
 - (i) name of the manufacturer;
 - (ii) name of the substance;
 - (iii) type of the substance;
 - (iv) dispatch date from the supplier;
 - (v) the expiry date of the substance;
 - (vi) any relevant safety warnings in compliance with the labeling requirements; and
 - (vii) details of any controls or requirements imposed under paragraph (2) of regulation 34.

35. No person shall use any approved substance near water intakes to power stations, de-salination plants and processing plants, salt marshes, coral reefs, shellfish beds, fish hatcheries, any stagnant waters without good dilution factor.

36. The Authority may at any time require the manufacturer of an approved substance to submit a particular consignment of any substance to any of the relevant tests specified in regulation 39 or regulation 40, to ensure that the substance continues to remain in conformity with the appropriate specifications.

37. (1) The Authority may withdraw its approval for an approved substance where it is satisfied that -

- (a) one or more samples of the approved substance fails to conform to the specifications warranted by the manufacturer or chemical formula of the substance given in the application for approval;
- (b) any conditions imposed under paragraph (2) of regulation 33 relating to the approval of the substance are not being adhered to;
- (c) the substance is not being supplied as required under paragraph (2) of Regulation 33;
- (d) the approved substance is not submitted for testing as required under Regulation 36; or
- (e) evidence shows that the substance is harmful to the marine environment.

(2) Where there is a disagreement relating to the approval of the substance the Authority shall have the final decision.

38. The Authority shall not approve a substance unless the applicant of such substance -

- (i) complies with any applicable controls on its importation, manufacturing and use under relevant law of the country of exportation and laws of Sri Lanka in relation to hazardous substances and undergoes any assessment required by the Authority;
- (ii) complies in the case of a dispersant with the specifications set out in Regulation 39 or in the case of a demulsifier with the specifications set out in Regulation 40 by virtue of —
 - (a) a certificate or approval issued by the Authority for the dispersant or demulsifier confirming that it meets or exceeds the requirements for such dispersant or demulsifier,
 - (b) certificate issued for the dispersant or demulsifier in a foreign country confirming that the dispersant or demulsifier meets or exceeds the specification for such dispersant or demulsifier,
 - (c) a new assessment against the applicable specifications.

39. (1) Every dispersant approved as an approved substance shall be categorized as conforming to one of the following:

- (a) (i) with a conventional hydrocarbon base;
- (ii) with water dilutable concentration;
- (iii) undiluted from the ships using appropriate equipment;
- (b) comply with the relevant tests approved for each category specified in Paragraph (a);
- (c) comply with internationally recognized marine ecological toxicity test using organisms prevalent in the Sri Lankan environment, undertaken by a laboratory with competence in toxicity testing;
- (d) substance devoid of benzene, chlorinated hydrocarbons, phenols, caustic alkali, free mineral acids, or compounds which may expose the user to toxicological hazards during normal spraying or handling.

(2) Tests specified under this section shall comprise -.

- (a) copy of the results of tests supporting the data ; and the substance is not being supplied as required under paragraph (2) of Regulation 33;
- (b) for the purpose of marine ecological toxicity tests —
 - (i) the tests applied for the purpose, and
 - (ii) details of the laboratory that conducted the tests and the previous experience in conducting such tests ;
- (c) Certificate issued by the relevant officer confirming —
 - (i) that the relevant product sample submitted for testing was original from the manufacturer, and
 - (ii) that the testing was done by the testing laboratory using practices acceptable to the Authority and that the results were genuine and accurate.

40. Every demulsifier approved as an approved substance shall —

- (i) comply with the tests approved by the Authority;
- (ii) comply with internationally recognized marine ecological toxicity tests using organisms relevant to the Sri Lankan environment, undertaken by a laboratory with previous toxicity testing;
- (iii) be a substance devoid of benzene, chlorinated hydrocarbon, phenols caustic alkali, free mineral acid, or compounds which may expose the user to toxicological hazards during normal spraying or handling.

41. Any person aggrieved by the decision of the Authority may appeal to the Secretary to the Ministry of the Minister-in-charge of the subject of Marine Environment Protection within two weeks from the date of receipt of the decision of the Authority and such decision shall be final.

42. Any person involved in the exploration for or exploitation of natural resources including Petroleum shall insure such project or obtain any other financial guarantee approved by the Authority taking into consideration the geographical location, and the size of the oil field.

(43) (a) Where offshore exploration or exploitation requires the use of explosives including dynamite or any other operation harmful to fish or any living being in the sea or fishing grounds effective measures shall be taken to avoid spawning, breeding and fishing seasons.

(b) The Authority shall forty eight hours prior to the use of explosives give sufficient publicity by fixing notices in the surrounding areas, addressing by public address systems and by publication of a notice in any widely circulated daily newspaper in all three languages of such use.

44. Any person engaged in exploration for or exploitation of oil shall take necessary steps to maintain oil storage installations and pipe lines in good condition as specified in international standards acceptable to the Authority in order to prevent oil seepage, leakage and corrosion.

45. Any person authorized in writing by the Authority may board or visit a mobile or fixed platform of an offshore installation or any other related installation for the purpose of monitoring and inspection including —

- (a) collecting samples;
- (b) inspecting the operation and use of antipollution equipment installation and material;
- (c) verifying the certificates and records required to be maintained under this Act and the regulations made thereunder;
- (d) perusing the Oil Record Book and Garbage Record Book;
- (e) obtaining extracts or certified copies of any relevant document records or relevant folios of a record book;
- (f) conducting inquiries regarding oil spill or pollution accident.

46. The owner or operator of the fixed or mobile platform of an offshore installation which is —

- (a) within the Exclusive Economic Zone of Sri Lanka, or
- (b) over the Continental Shelf of Sri Lanka,

shall not discharge any garbage other than in accordance with the conditions or restrictions stipulated in Annex V of the MARPOL convention 73/78.

47. (1) Any person adversely affected by the discharge of oil or oil spill from a fixed or mobile platform of an offshore installation may make an application to the Authority to recover expenses incurred in the elimination of pollutant from the owner or operator of such mobile or fixed platform.

(2) Any person making a claim under Sub-section (1) shall submit to the Authority a statement consisting of the following —

- (a) the time, place and the object involved;
- (b) the manpower, machines, tools, vessels and material used in clean up operation;
- (c) the quantities, unit price and their method of calculation;
- (d) the administrative expenses, transportation expenses, and expenses involved in organizing such clean up operation;
- (e) the effect of such clean up and any relevant information;
- (f) the relevant documentary evidence.

48. In this regulation unless the context otherwise requires —

“Ballasting” includes for the purpose of these regulations a process by which water is pumped into the tanks of a ship in order to achieve the stability when the cargo of that ship is unloaded;

“Classification Society” has the same meaning as in the Marine Pollution Prevention Authority Act, No. 35 of 2008;

“Demulsifier” means any substance used or intended to be used for the demulsification of an oil spill in the sea;

“Director of Merchant Shipping” means the Director General of Merchant Shipping specified in Section 3 of the Merchant Shipping Act, No. 52 of 1971 as amended by Merchant Shipping (Change of Designation) Act, No. 3 of 2006;

“Discharge” includes any release, disposal, spilling, leaking, pumping, emitting or emptying from a ship or offshore installation, but does not include —

- (a) dumping in accordance with a licence issued by the Authority, or
- (b) release of harmful substances for the purposes of legitimate scientific research into pollution abatement and control;

“Dispersant” means any substance used or intended to be used for the dispersal or emulsification of an oil spill in the sea;

“Displacement water discharges” means water separated from discharged oil from storage cells, whilst produced fluids are being routed to the cells and includes small amounts of produced water derived, and settled from the produced fluids, small amount of sea water added to the cells to inhibit the development of sulphate reducing bacteria;

“Exploration Block” has the same meaning as in the Petroleum Resources Act, No. 26 of 2003;

“Hazardous Drainage System Discharges” means discharge of drainage water from process areas that could be contaminated with oil, *i.e.* drainage *via* atmospheric drains located in hazardous areas excluding machinery space discharges;

“Marpol” means the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and includes any subsequent protocol, amendment or revision of that convention accepted or ratified by Sri Lanka;

“Offshore installation” has the same meaning as in the Marine Pollution Prevention Act, No. 35 of 2008;

“Oil” has the same meaning as in the Marine Pollution Prevention Act, No. 35 of 2008;

“Oil spill” means any actual or probable release, discharge or escape of oil;

“Oily mixture” has the same meaning as in the Marine Pollution Prevention Act, No. 35 of 2008;

“Owner”, in relation to an offshore installation, includes —

- (a) any person having a right, privilege or license to explore for or exploit petroleum or natural resources in connection with which the installation is being, has been or is to be used,
- (b) any manager, lessee, licensee or operator of the installation,
- (c) any agent or employee of the owner, manager, lessee, licensee or operator of the installation, and
- (d) any person in charge of any operations connected with the installation;

“Petroleum activity” means -

- (a) any activity relating to petroleum exploration, exploitation or development which may have an impact on environment,
- (b) any operation or work carried out by contractor or operator in adjacent area or of a development block; and
- (c) includes the following —
 - (i) seismic or other surveys,
 - (ii) drilling,
 - (iii) construction and installation of a facility,
 - (iv) operation of a facility,
 - (v) significant modification of a facility,
 - (vi) decommissioning, dismantling or removing of a facility,
 - (vii) construction and installation of a pipe line,
 - (viii) operation of a pipe line,
 - (ix) significant modification of a pipe line,
 - (x) decommissioning, dismantling or removing of a pipe line,
 - (xi) storage, processing or transporting of petroleum ;

“Pollution” has the same meaning as in the Marine Pollution Prevention Act, No. 35 of 2008 ;

“Produced water” means water gained from host discharging installation or from production at facilities tied back to the host discharging installation and includes formation water, condensed water and re-produced condensed water and reproduced injection water. It may also be mixed with water displaced from storage cells, drainage water, water used to back-wash sand from the production train, water used to remove contaminants such as salt and methanol from the produced hydrocarbons, and other distinct discharge streams containing oil, providing all the constituent discharge streams are routed through a common production and treatment process;

“Substance” means a dispersant or a demulsifier ;

“Territorial waters of Sri Lanka” shall have the same meaning as in the Constitution of the Democratic Socialist Republic of Sri Lanka.

(Regulations 4, 5, 10 and 14)

THE FIRST SCHEDULE

CONTENTS OF A DISCHARGE MANAGEMENT PLAN

1. Risk identification, assessment and prevention —

(1) Every Discharge Management Plan shall include —

- (a) details of the location of the offshore installation and of the field to which the application relates;
- (b) up to date and accurate drawings or plans showing —
 - (i) the general arrangement of the installation, in particular, the places and systems associated with the storage or transfer of fuels including tank capacity, filling arrangements, isolation valves and drainage systems highlighting the critical isolation points,
 - (ii) those areas or parts of the installation identified as presenting the greatest risk of a marine oil spill, and
 - (iii) locations in the vicinity of the installation identified as a risk of environmental damage should a marine oil spill occur;

- (c) details of the proposed operations at the installation;
- (d) particulars of every type of oil stored at the installation including characteristics, specifications, material safety data sheets and the maximum volume for each type of oil to be held on site;
- (e) information on the nature and effectiveness of dispersants on individual oil;
- (f) information on the likely fate of spilled oil including characteristics due to effect of weather and the likely movement of any oil spilled from the installation;
- (g) a detailed description of all the processes and activities which present a risk of pollution from an oil spill, with a list of specific procedures to reduce the risk of an oil spill; and
- (h) a detailed description of those areas identified as at risk of environmental damage as a result of an oil spill including possible social, cultural and economic implications,

(2) The Discharge Management Plan of an offshore installation shall include, in respect of every harmful substance to be used on the installation —

- (a) particulars of the substance;
- (b) such details as the Authorized Officer may require of any or all the degradation and transformation products of the substance (that may arise as a result of the operation for which the harmful substance is used);
- (c) the maximum volumes of the substance that can be stored on the installation and the method of storage;
- (d) the purpose of the substance;
- (e) the maximum concentration of the substance to be used in combination with any other substance;
- (f) the maximum amounts of the substance to be used in specific period;
- (g) a completed chemical data sheet -
 - (i) in a form acceptable to the Authority, and
 - (ii) containing at least the information set out in the Second Schedule;
- (h) a detailed description of those processes and activities that present a risk of accidental discharge of the substance and a list of actions to be taken and procedures in place to reduce the risk of a spill,

(3) The Discharge Management Plan for an offshore installation shall specify the manner of managing production water, displacement water, offshore processing drainage and any other water emanating from the well product, including —

- (a) selection of the least hazardous chemicals to minimize the toxicity of that water;
- (b) the options to be used to reduce the volume of production water discharged to the marine environment;
- (c) the method to be used to monitor the concentration of dispersed oil in production water; and
- (d) the procedure by which dispersed oil content, which exceeds the limits laid down in Paragraph 15 of Regulation 14 is to be recorded in the Oil Record Book.

2. Emergency response procedures for spills of oil and harmful substance —

(1) Every Discharge Management Plan shall contain emergency response procedure for oil spills,

(2) The Discharge Management Plan of a controlled offshore installation shall also contain emergency response procedures for spills of harmful substances.

(3) Emergency response procedures shall include —

- (a) guidance to ensure the safety of personnel,
- (b) information to help personnel at the installation to deal with a spill by detailing the actions necessary to stop, minimize or mitigate the effects of a spill, including procedures for —
 - (i) determining what action to take in response to a spill;
 - (ii) preventing escalation of the spill;
 - (iii) stopping the discharge at its source, if possible;

- (iv) identifying the safety the environmental consequences of any remedial action ; and
 - (v) determining whether the spill can be contained or cleaned up using the resources available to the owner or any other person responsible for implementing the emergency response procedures.
- (c) details of the response options shall be available to the installation;
- (d) the procedure by which spills are to be reported in accordance with regulation 23;
- (e) the procedure by which spills that the person responsible form implementing the emergency response procedures considers that any marine oil spill cannot be contained or cleaned up using the resources available to him, are to be reported in accordance with regulation 23;
- a list of 24 hour contact information, including that of -
- (i) the owner or the owner's representative;
 - (ii) Authorized Agent;
 - (iii) any organization to be contacted to respond to spills at the installation;
 - (iv) the person responsible for implementing the plan;
 - (v) the person coordinating response activities;
 - (vi) off-duty personnel with responsibilities for dealing with spills; and
 - (vii) all other persons who have interests in the vicinity of the installation that are likely to be affected by a spill from the installation.
- (f) the organizational response structure for the installation, including duties of all personnel responsible for dealing with spill ; and
- (g) an inventory of response equipment held on the installation and personnel responsibilities for the deployment, survey and maintenance of that equipment.

(Regulation 4)

THE SECOND SCHEDULE

CONTENTS OF A CHEMICAL DATA SHEET

A Chemical Data Sheet must contain the following information, in respect of every harmful substance -

(1) names -

chemical name;
trade name (s), and
alternative name (s);

(2) identification numbers -

- (a) United Nations number;
- (b) Chemical Abstract Services registry number; and
- (c) GESAMP Working Group on the Evaluation of the Hazards of Harmful Substance Carried by Ships.

(3) Chemical properties -

- (a) physical state; and
- (b) water reactivity;

(4) Physical properties -

- (a) density at 20^o C;
- (b) flash point;
- (c) boiling point;
- (d) melting (pour) point; and
- (e) water solubility;

(5) composition

- (a) name of component (s); and
- (b) proportion of component (s) as a percentage of the total substance;

(6) marine pollution properties -

- (a) acute toxicity as measured by a method acceptable to the Authority;
- (b) chronic toxicity as measured by a method acceptable to the Authority;
- (c) biodegradation as measured by a method acceptable to the Authority; and
- (d) bioaccumulation as measured by a method acceptable to the Authority.

(Regulation 7, 21 and 22)

THE THIRD SCHEDULE

OIL RECORD BOOK AND GARBAGE RECORD BOOK

Oil Record Book

Name of Ship/Offshore installation

Distinctive number of letters

Ballast Operations/machinery space operation

<i>Date</i>	<i>Code letter</i>	<i>Item (Number)</i>	<i>Record of Operations/ signature of office in charge</i>

Signature of master or Officer in charge

Garbage Record Book

- (a) garbage discharge operation;
- (b) completed incineration of garbage generated during the normal operation of any petroleum activity on an off shore installation;
- (c) the Garbage Record Book shall contain the following details-

- (i) the date and time of the disposal of garbage or incineration;
- (ii) the possession of the installation at the time of disposal of garbage or incineration;
- (iii) description of the garbage discharged or incinerated;
- (iv) the estimated amount of the garbage discharged or incinerated;
- (v) the signature of the officer in charge of the garbage or incineration.

Name of the Installation Distinctive No. of letters:

Garbage Categories;

- Cat: 1. Plastic.
- Cat: 2. Floating dunnage, lining or packing materials.
- Cat: 3. Ground paper products, rags, glass, metal, bottles, crockery, etc.
- Cat: 4. Paper products, rags, glass, metal, bottles, crockery, etc.
- Cat: 5. Food waste.
- Cat: 6. Incinerator ash except from plastic products which any contain toxic or heavy metal residues.

Date/Time	Position of the ship	Estimated amount of discharge in the sea (m3)					Estimated amount discharged to reception facilities or to other ships (m3)		Estimated amount incinerated (m3)	Certification /Signature
		Cat: 2	Cat:3	Cat:4	Cat:5	Cat:6	1 Cat:	Other		

(Regulation 12 and 14)

THE FOURTH SCHEDULE

FORM OF THE MARINE ENVIRONMENT PROTECTION LICENSE

Marine Pollution Prevention Act, No. 35 of 2008

Marine Environment Protection License for exploration for and Exploitation of Petroleum or Natural Resources under regulation 14.

Mr./Ms of is/are hereby authorized to in accordance with criteria specified by the Marine Environment Protection Regulation no

This license shall be in force fromtounless it is cancelled or suspended.

This license is subject to the general terms and conditions mentioned overleaf and additional terms and conditions stated below.

- 1.
- 2.
- 3.
- 4.

Date:

Authorized Officer,
 Marine Environment Protection Authority.

General Terms and Conditions

1. Terms and Conditions

1. This license is not transferable.
2. This license shall comply with the provisions of these regulations relating to shore Exploration for and Exploitation of Petroleum or Natural Resources (Marine Environment Protection)
3. It shall be lawful for the Authority to suspend or cancel this license if it is satisfied that the license -
 - (a) has been consistently failing in carrying out any of the functions and duties required to be performed by the regulations;
 - (b) has contravened any one or more of the provisions of the offshore exploration for and exploitation of petroleum resources (Marine Environment Protection) Regulation No. of

(Regulation 13)

THE FIFTH SCHEDULE

Application for Marine Environment Protection License with respect to activities in Exploration for and Exploitation of Natural Resources including Petroleum Marine Pollution Prevention Act, No. 35 of 2008

Form of Application for Marine Environment Protection License with respect to activities in Exploration for and Exploitation of Natural Resources including Petroleum

Application No. :
 Date :

Section A

<i>Part I</i>	<i>Contact details</i>
1. Give details of the person to be treated as first point of contact about this application. Usually this contact will be the proposed operator.	
(a) Name of company :	
(b) Name of contact :	
(c) Contact address :	
(d) Telephone number :	
(e) Mobile number :	
(f) Fax number :	
(g) E-mail address :	

<i>Part 2</i>		<i>License contact</i>
Contact details, if different from Part 1 (b)		
(a)	Name of contact	
(b)	Contact address	
(c)	Telephone number	
(d)	Mobile number	
(e)	Fax number	
(f)	E-mail address	

<i>Part 3</i>	<i>Extension</i>
If applied for an extension of an existing license the license number should be stated here. If not, enter "New license".	

Section B

<i>Part 1</i>	<i>Authorization required for (activity/activities)</i>
(a)	
(b)	
(c)	
(d)	
(e)	

<i>Part 2</i>	<i>Details of activity</i>
(a) Proposed duration :	
(b) Location:	

	<i>Block no</i>	<i>Field/name</i>	<i>Latitude</i>	<i>Longitude</i>	<i>remarks</i>

<i>Part 3</i>	<i>Installation/facility/pipeline details</i>
(a) Name of Discharging installation/facility	
(b) Type of installation facility	
Location :	

	<i>Block no</i>	<i>Field/name</i>	<i>Latitude</i>	<i>Longitude</i>	<i>remarks</i>

<i>Part 4</i>		<i>Operator (if the applicant is not the operator please provide details)</i>		
Name of Operator if different from applicant	Operator's contact with applicant	Company position	Telephone no and contact address	Email address

<i>Part 5</i>	<i>Insurance cover details</i>

<i>Part 6</i>	<i>Copies of the report to be submitted with the application, [Mark with Yes or No].</i>	
(a)	Discharge Management Plan (if necessary)	Yes/No
(b)	Environment Impact Assessment Report (EIA Report)	Yes/No
(c)	A copy of insurance policy	Yes/No
(d)	Letter of confirmation issued by the Director General of Petroleum Resources Development Secretariat	Yes/No

I hereby certify that the particulars furnished by me in this application are true and correct. I am aware that if any particulars herein are found to be false or incorrect, my application will be refused and the license if issued will be cancelled.

.....
 Signature of Applicant

Company seal:

Date:

For Official Use Only

Application No of the License

Activity.....

1. Date of receipt of application :
2. Reference Plans, Reports and other documents received :
3. If any additional information was required, details of such requests :
4. If the observation of any other Agency was requested, details of such requests :
5. Whether a License is granted : Yes/No
6. If a License is granted :
 - (a) No. of the License :
 - (b) Date of License :
 - (c) Validity period :
 - (d) Date of expiry :
 - (e) Conditions attached (if any)
7. Reasons for refusal, if license is refused:

.....,
 Designation and Signature of the authorized officer.

Date:,

(Regulation 13 and 14)

THE SIXTH SCHEDULE

MARINE ENVIRONMENT PROTECTION LICENSE FEE

Application fee - US\$ 100.00

License fee (US\$)

<i>Activity</i>	<i>License Fee (US\$)</i>
Seismic or other surveys	1000 (US\$)
Drilling	10000 (US\$) per well
License for any other development activity for which a license is issued by the Petroleum Resources Development Committee	25000 (US\$)

(Regulation 23)

THE SEVENTH SCHEDULE

INFORMATION WHEN REPORTING OIL SPILL

1. (a) Location of the spill :
(b) Coordinates by latitudes and longitudes :
2. Type of facility involved :
3. Oil type / estimated quantity :
4. Source of spill :
5. Resource at risk :
6. Contact details :
7. Contact at incident site :
8. The circumstances of the spill :
9. Any action taken or proposed to be taken in relation to be spill incident :

(Regulation 25 and 27)

EIGHTH SCHEDULE

FORM OF THE INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

(Note: This Certificate shall be supplemented by a Record of Construction and Equipment)

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and as amended by resolution MEPC 39(29), (hereinafter referred to as “the Convention”) under the authority of the Government of:

.....
(full designation of the country)

by
(full designation of the competent person or organization Authorized under the provisions of the Convention)

Particulars of ship

Name of ship	Distinctive Number of Letters	Port of Registry	Gross Tonnage

Type of ship*

- (a) Oil tanker
- (b) Ship other than an oil tanker with cargo tanks coming under Regulation 2(2) of Annex I of the Convention
- (c) Ship other than any of the above

This is to certify:

1. That has been surveyed in accordance with regulation 4 of Annex 1 of the Convention.
2. That the survey shows that the structure, equipment, systems, fittings, arrangement and material of the ship and the condition thereof are in all respects satisfactory and that the ship complies with the applicable requirements of Annex 1 of the Convention.

This certificate is valid until surveys in accordance with regulation 4 of Annex 1 of the Convention.

Issued at
(Place of issue of certificate)

.....
(Date of issue)

.....
(Signature of duly authorized official issuing the certificate)

Name :

[Seal or stamp of the authority, as appropriate]

ENDORSEMENT FOR ANNUAL AND INTERMEDIATE SURVEYS

This is to Certify that at a survey required by regulation of the Convention, the ship was found to comply with the relevant provisions of the Convention.

Annual survey* : Signed
(Signature of duly authorized official)
Place
Date

[*Seal or stamp of the authority, as appropriate)

Annual/Intermediate* survey : Signed
(Signature of duly authorized official)
Place
Date

[*Seal or stamp of the authority, as appropriate)

Annual /Intermediate* survey : Signed
(Signature of duly authorized official)
Place
Date

[*Seal or stamp of the authority, as appropriate)

Annual survey* : Signed
(Signature of duly authorized official)
Name :
Place
Date

[*Seal or stamp of the authority, as appropriate)

THE NINTH SCHEDULE

Application - 01

**Application for approval of Oil Spill Dispersant Substances for the purpose of
treating oil on the surface of the sea**

(Please use **Block Letters** and Black **INK**)

Section A : Applicant's detail

1. Name:

Title:

Initials :

Surname :

Company Name & full postal address:

Telephone Non (including national dialing code):

Fax No. (including national dialing code):

E-Mail Address:

2. Name of product for which you are seeking approval:

Section B : Manufacturer detail

3. Name:

Title:

Initials

Surname:

Company Name & full postal address:

Telephone No. (including national dialing code):

Fax No. (including national dialing code):

E - Mail Address:

4. Name and address of plant where product manufactured:

Section C : Product Detail

5. Please indicate by ticking the appropriate box, the type of product:

Type 1 dispersant (conventional solvent base)

Type 2 dispersant (water dialutable concentrate)

Type 3 dispersant (concentrate)

Other

If other please state which:

6. (a) Composition of the product: (Please indicate the proportion, function, concentration, source and chemical and physical description of each component. The licensing Authority will regard all but the chemical names of the component in confidence unless you indicate otherwise)

Proportion:

Function:

Concentration:

Chemical Description:

	<i>Product One</i>	<i>Product Two</i>	<i>Product Three</i>	<i>Product Four</i>
Chemical Name				
Chemical Formula				
Chemical Family				

Physical Characteristics:

	<i>Product One</i>	<i>Product Two</i>	<i>Product Three</i>	<i>Product Four</i>
Appearance				
Dynamic viscosity				
Flash point				
Cloud point				
Efficiency index				
Toxicity				

(b) Recommended rate:
 (Product: Oil ratio)

(c) Method of usage:

7. Is the product imported from foreign country?

Yes:

No:

If yes please give:

(a) Name of the manufacturer's product:

(b) Name of the country:

(c) Reference number of approval:

8. Storage Instructions

Electrostatic Accumulation Hazard:

Storage Temperature(F)

Storage Pressure (mmHg)

Loading Temperature (F)

Loading Viscosity (cSt @ F)

Nature of Hazard

Eye Contact:

Skin Contact:

Inhalation:

Ingestion:

First Aid

Eye Contact:

Skin Contact:

Inhalation:

Ingestion:

Workplace Exposure Limits

Permissible Exposure Limits:

Limit Values:

Precautions

Personal Protection:

Ventilation:

Chronic Effects:

Fire & Explosion Hazard

General Hazard:

Fire Fighting:

Decomposition Products under Fire Conditions:

Spill Control Procedure

Land Spill

Water Spill

Notes

Typical Physical & Chemical Properties

Specify Gravity (@ f):

Vapour Pressure (mmHg @ F):

Density;

Solubility in Water:

Viscosity (cSt @ F):

Specify Gravity of Vapour @ 1 atm Air + 1)

Freezing / Melting Point/Range (F):

Evaporation Rate (n-Bu Acetate = 1):

Boiling Point/Range (F):

Shelf Life:

Reactivity Data

Conditions to avoid instability:

Conditions to avoid hazardous polymerization:

Materials & conditions to avoid incompatibility:

Hazardous decomposition products:

Application - 02

Application for standing approval of substances produced for the purpose of treating oil on the surface of the sea

(Urgent Purposes only)

1. General information of the agency:

1.1 Name of the agency:

1.2 Address:

1.3 Contact person:

1.4 Contact Tel:

Fax:

E-mail:

2. What is the nature of your business/industry?

3. Do you have an oil spill contingency plan?

Yes:

No:

If No how do you propose to deal with an oil spill emergency?

4. Do you have Oil Spill Dispersants (OSD)?

Yes:

No:

If Yes give the details of OSD using the formats 4.1, 4.2, 4.3, 4.4 and 4.5

4:1 General Information

	Product One (01)	Product Two (02)	Product Three (03)	Product Four (04)
Product Name				
Name and address and telephone number of manufacturer or importer or rebrander				
Quantity available				
Date of manufacture, and expiry date				

4:2 Chemical Characteristics

	Product One (01)	Product Two (02)	Product Three (03)	Product Four (04)
Chemical Name				
Chemical Formula				
Chemical Family				

4:3 Physical Characteristics

	Product One (01)	Product Two (02)	Product Three (03)	Product Four (04)
Appearance				
Dynamic viscosity				
Flash point				
Cloud point				
Efficiency index				
Toxicity				

4:4 Storage Instruction

	Product One (01)	Product Two (02)	Product Three (03)	Product Four (04)
Storage Temperature				
Storage Pressure				
Loading Temperature				
Loading Viscosity				

4:5 Method of Usage

	Product One (01)	Product Two (02)	Product Three (03)	Product Four (04)
Proportion				
Function				
Concentration				
Recommended Rate (Product : Oil)				

5. Do you have personnel assigned to the usage of OSD

Yes:

No:

5:1 If Yes; Number of personnel:

5:2 Have you given them training on the OSD usage?

Yes:

No:

6. Did you experience any oil spill incidents during the last fifteen (15) years?

Yes:

No:

6:1 If Yes, How did you respond?

Using mechanical methods
 Using Chemicals
 Beach Cleaning
 Burning

7. If dispersants were used were they used as a

Primary response tool
 Secondary response tool
 Optional response tool

(Tick the appropriate box)

7:1 If dispersants were used give details

	Incident one	Incident Two	Incident Three	Incident Four
Type of dispersant used * (Type 1, Type 2 or Type 3)				
Amount Used				
Method of Applications				

- * Type 1 - Dispersant (conventional solvent base)
- * Type 2 - Dispersant (water miscible concentrate)
- * Type 3 - Dispersant (concentrate)

I declare that to the best of my knowledge and belief the information given in this form is correct.

Signature:.....

Date:.....

06 - 449