



BERMUDA MERCHANT SHIPPING GUIDANCE NOTICE

Ship Recycling and Inventory of Hazardous Materials

2020-12

Application

Ship Owners, Managers, Masters and Officers of Bermuda Registered ships

Summary

This notice is to inform Owners and Managers of Bermuda registered ships that from 31st December 2020 all ships of 500GT or more calling at EU ports will need to comply with EU ship recycling regulations.

As Bermuda is not an EU Flag the majority of these regulations do not apply, however Bermuda flagged ships calling into EU ports after the above date will require an inventory of hazardous materials (IHM) and a statement of compliance following verification of the inventory of hazardous materials.

References

EU Ship Recycling Regulations – EU Regulation No. 1257/2013

The Hong Kong Convention for the Safe and Environmentally Sound Recycling of Ships (2009)

Resolution MEPC.269(68) - 2015 Guidelines for the Development of the Inventory of Hazardous Materials

MSC/Circ.1045 – Guidelines for the Maintenance and Monitoring of On-Board Materials Containing Asbestos

MSC.1/Circ.1374 – Information on Prohibiting the use of Asbestos on Board Ships

MSC.1/Circ.1379 – Unified Interpretation of SOLAS Regulation II-1/3-5

MSC.1/Circ.1426 – Unified Interpretation of SOLAS Regulation II-1/3-5

This Notice was issued on 6th October 2020.

1. Introduction

(1) From 31st December 2020 all ships of 500GT or more calling at EU ports will need to take actions to comply with EU ship recycling regulations as stated in EU Regulation No. 1257/2013.

(2) The aim of these regulations is to expedite ratification of the 2009 Hong Kong Convention for the Safe and Environmentally Sound Recycling of Ships.

(3) Bermuda is not an EU Flag therefore the majority of the EU requirements do not apply to Bermuda flagged ships, however the following is required by all ships entering an EU port after 31st December 2020:

- a. An Inventory of Hazardous Materials (IHM) specific to each ship is required to be compiled in accordance with MEPC.269(68) and maintained and updated throughout the life of the vessel (e.g. following dry dockings and shipyard repairs).
- b. A Statement of Compliance issued to the ship by a Bermuda approved Classification Society, after verification of the IHM.

2. Inventory of Hazardous Materials - Asbestos

(1) Where the IHM reveals Asbestos Containing Materials (ACMs) on board the correct course of action depends on whether or not the ACM complies with SOLAS regulations:

- a. Ships constructed before 1st July 2002 are permitted to have ACMs anywhere on board, provided that they do not pose a risk to crew health.
- b. Ships constructed between 1st July 2002 and 31st December 2010 are only permitted new installation of ACM's for specific purposes (vanes, joints and insulation).
- c. From 1st January 2011 new installations of ACM's anywhere on the ship are prohibited without exception, for all ship types.

(2) If the ACM was installed in compliance with the above requirements then it is not necessary for it to be removed provided that it is not damaged and does not pose a risk to health. However, the ACM should be managed and protected from damage. The crew should be made aware of the dangers of asbestos, its location and how to safely deal with asbestos if disturbance of the ACM cannot be avoided.

- a. In such cases there is no requirement to inform Bermuda and no exemption from Flag is required.

(3) If the ACM was not installed in compliance with the above regulations it should be removed. The removal should be undertaken by a professional asbestos removal company (not crew) within a period of 3 years from the date that the contravention was discovered.

- a. In such cases Bermuda should be informed and provided with details of the management and removal of the ACM.
- b. Once this has been agreed, a Flag exemption will be issued to the ship.