



PUNONG HIMPILAN TANOD BAYBAYIN NG PILIPINAS

Headquarters Philippine Coast Guard)

139 25th Street, Port Area

1018 Manila

19 December 2014

HPCG/CG-9

MEMORANDUM CIRCULAR

NUMBER 08-14

**RULES AND REGULATIONS FOR TANK CLEANING OPERATIONS
AND THE COLLECTION AND DISPOSAL OF DILUTED OIL
AND OTHER SUBSTANCES**

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 of 1972
- D. Presidential Decree No. 979: Marine Pollution Decree of 1976

SECTION II REFERENCES

- A. Republic Act No. 9275: Philippine Clean Water Act of 2004,
- B. R.A. 6969: An act to control toxic substances and Hazardous and nuclear wastes, providing penalties for violations thereof, and for other purposes
- C. Annex I and II of the International Convention for the Prevention of Pollution from Ship, MARPOL 73/78

SECTION III SCOPE

This Memorandum Circular shall apply to all tank cleaning operations and the collection and disposal of diluted oil within the territorial jurisdiction of the Philippines.

SECTION IV DEFINITION OF TERMS

- A. **Gas Free** - a condition where sufficient air is allowed into a tank, compartment or container thereby reducing the level of any flammable, toxic or inert gases to that required for specific purposes.
- B. **Master of the vessel** – refers to the captain/skipper of the ship.
- C. **Oil** - petroleum in any form including crude oil, fuel oil, sludge, oil refuses and refined products, except petrochemicals which are subject to the provisions of Annex II of MARPOL 73/78
- D. **Oil Mixture** - a combination of substances mixed with oil.
- E. **Oil Tanker** - a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes combination carriers when carrying cargo or part of oil in bulk.
- F. **Reception Facility** - a physical system ashore or afloat used for receiving discharges of oil.
- G. **Tank Cleaning Operations** - methods of removing from the tankers the residue from her previous cargo.

SECTION V REQUIREMENTS

- A. All vessels intended for tank cleaning shall be provided on board with at least a minimum of two (2) drums (210 liters per drum) of chemical oil dispersant duly accredited by the PCG.
- B. Tank cleaning operations shall be conducted with the proper clearance from the MEPCOM, PCG. A clearance is required for every tank cleaning operation.
- C. Tank cleaning operations shall be undertaken by contractors duly accredited by the PCG.
- D. The master/contractor and shipyard superintendent shall submit a written certification that the tank is gas free and devoid of toxic substances prior tank cleaning operation.
- E. Ship personnel shall maintain a close watch against the escape of oil before, during, and after tank cleaning operation. The master of the vessel shall be responsible for any oil spill.
- F. The master of the vessel shall designate restricted areas aboard ship where smoking or open light is prohibited. These areas shall be easily identified and properly marked.

- G. Periodic gas tests shall be undertaken by the contractor and continuously maintained whenever tank-cleaning operations are on-going.
- H. Owners of refineries and other power plant establishments shall be responsible for the safe disposal of diluted oil, chemicals and other harmful substances to avoid their spill, particularly to any body of water.

SECTION VI RESPONSIBILITIES

A. Owner/Master/Local Agent of the vessel:

- 1) Ensure observance and compliance with the requirements for tank cleaning operations and collection and disposal of diluted oil and other substance as provided in this circular
- 2) Supervise the effective tank cleaning operations.

B. Operator/Contractor:

- 1) Ensure the effective and safe conduct of tank cleaning operations.
- 2) Observe all rules and regulations pertaining to marine pollution.
- 3) The contractor shall furnish the PCG with relevant information (in a format as shown in Annex A) each time a tank cleaning operation is undertaken.

C. Oil Wastes Collectors:

- 1) Oil Waste Collectors shall be accredited by the Philippine Coast Guard.
- 2) Collection of oil wastes shall be supervised by MEPCOM.
- 3) Oil wastes shall be disposed of by depositing it to a EMB-DENR accredited reception facility or PCG approved dumping areas.
- 4) Shall secure permit from EMB for land disposal

SECTION VII ACCREDITATION

Procedures for Accreditation of Tank Cleaning Contractors/Collectors of Diluted Oil and Other Related Harmful Substances

A. Request for accreditation of tank cleaning contractors shall be filed with MEPCOM, PCG.

B. Applications for accreditation shall require the following documents:

- 1) Articles of Incorporation in case of Corporations
- 2) List of Equipment/reception facilities for oily waste/sludge
- 3) List of qualified personnel to conduct Tank Cleaning Operation (attach certificates or any proof of training taken to qualify to perform tank cleaning operation)
- 4) List of personal protective equipment (PPE) available for personnel who conducts tank cleaning
- 5) Copy of the contract with the vessel's owner/agent

- 6) Plan for the conduct of tank cleaning activity
- 7) Emergency plan in case of injury/accident

- 1) Wastes Disposal Plan
- 2) Contract of the company for proper disposal

C. Accreditation certificates shall be valid for a period of one (1) year. Accredited contractors may file an application for its renewal three (3) months prior expiration of the above-mentioned period.

SECTION VIII FEES

Prescribed fees for the following documents shall be subject to ten percent (10%) increase per year:

A. Inspection/Testing of equipment	-	P 5,000.00
B. Accreditation Certificate	-	P 3,000.00
C. Tank Cleaning Permit	-	P 2,000.00

SECTION IX FINES AND PENALTIES

- A. The Owner/Master/Local Agent of the vessel and the operator/contractor shall be held liable for any violation of this Circular.
- B. Any contractor undertaking tank cleaning operations and/or involved in the collection and disposal of diluted oil and other related substances within Philippine maritime jurisdiction without the proper accreditation certificate from the PCG shall be held administratively liable and the violators shall be subject to a fine of Fifty Thousand Pesos (Php 50, 000.00).
- C. Ship owners, who through the master or agent fails to secure Tank Cleaning Permit from MEPCOM, PCG or shall allow tank cleaning operations to be conducted by any contractor without the required accreditation certificate from the PCG shall be held administratively liable and shall be subject to a fine of Fifty Thousand Pesos (Php 50,000.00).
- D. Late renewal of the certificate to the allowable period as prescribe in Section VII para C shall be subject to a fine of ten thousand pesos (Php10,000.00).
- E. The aforementioned administrative fines and penalties shall automatically be increased by ten percent (10%) every three (3) years from the effectivity of this Memorandum Circular to compensate for inflation and to maintain the deterrent effect of such fines;
- F. 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 X REPEALING CLAUSE

Memorandum Circular No. **03-2005** dated **14 October 2005** is hereby repealed.

SECTION XI EFFECTIVITY

This Memorandum Circular shall take effect fifteen (15) days after its publication in the Official Gazette or in the newspaper of national circulation in the Philippines.


RODOLFO D ISORENA
VADM PCG
Commandant, PCG

Approved by:


JOSEPH EMILIO AGUINALDO ABAYA
Secretary, DOTC



DOTC-OSEC OUTGOING 15-00075

Note: Published in the Official Gazette on _____

Philippine Coast Guard
MARINE ENVIRONMENTAL PROTECTION COMMAND
Farola Compound, Binondo
Manila

**APPLICATION FOR CLEARANCE TO CONDUCT TANK
CLEANING OPERATIONS**

Name of Vessel:	Address & Tel No:
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Kind of License and No:	Issued at:	Issued on:
		Expires on:

CSFL/SCSFL:	CSFL/SCSFL No:	Issued on:
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Gross Tonnage:	Net Tonnage:
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Owner/Operator/Master:	Address:
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Marine Pollution Equipment Materials

- | | |
|--|--|
| <input type="radio"/> Reception Facility
<input type="radio"/> Oil Spill Booms
<input type="radio"/> Oil Skimmer | <input type="radio"/> Oil Water Separator
<input type="radio"/> Oily Water Separator
<input type="radio"/> Chemical Oil Dispersant |
|--|--|

Particulars of Request

Dates of Tank Cleaning:	Requested Tank Cleaning Site:
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Last Port of Call:	Description of Previous Cargo:
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Name and Address of Tank Cleaning Contractor:	Accreditation No. of Contractor and Date Granted:
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Number of personnel involved (with training or without):	List of equipment to be used:
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Duration of tank cleaning (man hours) and estimated time to commence work:	Number of tanks to be cleared:
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Short description of method of tank cleaning:	Disposal system:
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Short description of emergency procedures (in case of fire or casualties etc.):

Certification

The undersigned hereby certifies [a] that the contents of this application form is correct to the best of my/our knowledge; and [b] that I/we bind myself/ourselves to comply with existing regulations in connection with our request.

Date

Owner/Operator/Master/
Representative

**DO NOT WRITE BELOW
FOR AUTHORIZED PCG PERSONNEL ONLY**

Form Control No:	Date of Application:
Recommendation: <input type="radio"/> Approved <input type="radio"/> Disapproved Reason(s) <input type="radio"/> Hazardous to human health, marine life and other resources <input type="radio"/> May damage amenities or interfere with other legitimate uses of the sea <input type="radio"/> Others _____ _____ _____	Name and signature of POIC, MEPLEU/ Authorized Representative:
Recommendation: <input type="radio"/> Approved <input type="radio"/> Disapproved Reason(s) <input type="radio"/> Hazardous to human health, marine life and other resources <input type="radio"/> May damage amenities or interfere with other legitimate uses of the sea <input type="radio"/> Others _____ _____ _____	Name and signature of CMEPLEU/Authorized Representative:

Philippine Coast Guard
MARINE ENVIRONMENTAL PROTECTION COMMAND
 Farola Compound, Binondo
 Manila

APPLICATION FOR ACCREDITATION AS TANK CLEANING CONTRACTOR

Name of Contractor:		Address & Tel No:	
Kind of License and No:	Issued at:	Issued on:	
		Expires on:	
Owner/Operator:		Address:	
<input type="radio"/> New Applicant <input type="radio"/> For Renewal		For Renewal Only:	
		Accreditation No.	
		Issued On:	Expires On:

Documents to Support Request

<input type="radio"/> Articles of Incorporation <input type="radio"/> List of Equipment <input type="radio"/> List of Qualified Personnel to conduct tank cleaning operations	<input type="radio"/> Other Documents: _____ _____ _____
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Certification

The undersigned hereby certifies [a] that the contents of this application form is correct to the best of my/our knowledge; and [b] that I/we bind myself/ourselves to comply with existing regulations in connection with our request for accreditation.

_____ Date

_____ Owner/Operator/Master/
Representative

**DO NOT WRITE BELOW
FOR AUTHORIZED PCG PERSONNEL ONLY**

Form Control No:	Date of Application:
Recommendation: <input type="radio"/> Approved <input type="radio"/> Disapproved Reason(s) <input type="radio"/> Failed to meet prescribed requirements <input type="radio"/> Others _____	Name and signature of MEPLU /Authorized Representative:
Recommendation: <input type="radio"/> Approved <input type="radio"/> Disapproved Reason(s) <input type="radio"/> Failed to meet prescribed requirements <input type="radio"/> Others _____	Name and signature of CMEPCOM/Authorized Representative:

Philippine Coast Guard
MARINE ENVIRONMENTAL PROTECTION COMMAND
Farola Compound, Binondo
Manila

**PERMIT TO CONDUCT TANK
CLEANING OPERATIONS**

Name of Vessel:		Address & Tel No:	
Kind of License and No:	Issued at:	Issued on:	
		Expires on:	
Gross Tonnage:		Net Tonnage:	
Owner/Operator/Master:		Address:	
Dates of Tank Cleaning:		Tank Cleaning Site:	
Last Port of Call:		Description of Previous Cargo:	
Name and Address of Tank Cleaning Contractor:		Accreditation No. Of Contractor and Date Granted:	
Number of personnel involved (with training or without):		List of equipment to be used	
Duration of tank cleaning (man hours) and estimated time to commence work:		Number of tanks to be cleared	
Short description of method of tank cleaning:		Disposal system:	
Short description of emergency procedures (<i>in case of fire or casualties etc.</i>):			
<p>IMPORTANT: This Special Permit is non-transferable and is subject to Grantee's compliance with HPCG Memorandum Circular No. 08-2014 dated 19 December 2014 and existing regulations. Any violation of the terms and conditions set forth above shall constitute sufficient ground for the automatic revocation of the privilege to dump/discharge waste and/or other matter, without prejudice to the imposition of appropriate sanctions.</p>			
SPECIAL PERMIT NO:		Issued on:	Expires on:
Issued At:		Name and signature of Commander, MEPLU or Authorized Representative	

Philippine Coast Guard
MARINE ENVIRONMENTAL PROTECTION COMMAND
 Farola Compound, Binondo
 Manila

**ACCREDITATION CERTIFICATE AS TANK
 CLEANING CONTRACTOR**

Name of Contractor:		Address & Tel No:	
Kind of License and No:	Issued at:	Issued on:	
		Expires on:	
Owner/Operator:		Address:	
<p>IMPORTANT: This Special Permit is non-transferable and is subject to Grantee's compliance with HPCG Memorandum Circular No. 08-2014 dated 19 December 2014 and existing regulations. Any violation of the terms and conditions set forth above shall constitute sufficient ground for the automatic revocation of the privilege to dump/discharge waste and/or other matter, without prejudice to the imposition of appropriate sanctions.</p>			
ACCREDITATION NO:		Issued on:	Expires on:
Issued At:		Commandant, Philippine Coast Guard/ Authorized Representative:	