

MARINA CIRCULAR NO. 01
Series of 2007-

SUBJECT : RULES TO IMPLEMENT DOUBLE HULL REQUIREMENT UNDER MARPOL 73/78, ANNEX I, AS AMENDED, ON OIL TANKERS OPERATING IN PHILIPPINE DOMESTIC WATERS

Pursuant to Sec. 10 (6) and 10 (7) of R.A. No. 9295, in conjunction with Chapter XVI of the PMMRR 97, and Annex 2 of RESOLUTION MEPC. 117(52), the following rules are hereby adopted.

I. OBJECTIVE:

To prescribe measures that will foster the prevention of oil pollution in the event of collision or stranding from oil tankers operating in Philippine domestic waters.

II. DEFINITION OF TERMS:

For the purpose of this circular, the following definitions are used:

1. **Administration** – shall mean the Maritime Industry Authority.
2. **Ship** – a general term for all craft or artificial contrivance capable of floating in water, designed to be used or capable of being used as a means of water transportation utilizing its own motive powers or that of others.
3. **Double Bottom** – general term for all waterlight spaces contained between the outside bottom plating, the tank top, and the margin plates. The double bottom is subdivided into number of compartments called “tanks” which may contain water ballast, oil fuel, boiler feed water or drinking water according to requirements.
4. **Double Hull Ships** – ship constructed with wing tanks or spaces that extend for the full depth of the ship’s side and arranged such that the cargo tanks are located inboard of the moulded line of the side shell plating and has a double bottom tank.
5. **Oil Tanker** – a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes combination carriers, any “NLS tanker” as defined in Annex II of the present MARPOL Convention and any gas carrier as defined in Regulation 8.20 of Chapter II-1 of SOLAS '74 (as amended), when carrying a cargo or part cargo of oil in bulk.
6. **Heavy Grade Oil** –
 - crude oils having a density at 15°C higher than 900kg/m³;

- fuel oils having either a density at 15°C higher than 900kg/ m³ or a kinematic viscosity at 50°C higher than 180 mm²/s; or
 - bitumen, tar and their emulsions.
7. **MARPOL 73/78** – The International Convention for the Prevention of Pollution from ships, as amended.
 8. **RESOLUTION MEPC. 117(52)** - amendments to the annex of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 (Revised Annex I of MARPOL 73/78 ADOPTED ON 15 October 2004 and shall enter into force on 01 January 2007 upon its acceptance in accordance with paragraph 2 of the resolution).
 - a. **Regulation 19 of MARPOL.** A new regulation and applies to new oil tankers of 600 dwt and above delivered on or after 06 July 1996, as defined in regulation 1.28.6;
 - b. **Regulation 20 of MARPOL.** Double hull and Double bottom requirements for oil tankers delivered before 06 July 1996;
 - c. **Regulation 21 of MARPOL.** Prevention of oil pollution from oil tankers carrying heavy grade oil as cargo.
 - Apply to oil tankers of 600 tons deadweight and above carrying heavy grade oil as cargo regardless of the delivery date.
 9. **Single Bottom** - A vessel which has no inner bottom or tank top.
 10. **Single Hull** – A vessel with no wing tanks and/or no double bottom tanks.

III. **COVERAGE:**

The policy herein adopted shall apply to the following categories of oil tankers operating in Philippine domestic waters;

Category 1: Oil tankers of 20,000 tons deadweight and above carrying crude oil, fuel oil, heavy diesel oil or lubricating oil as cargo, and of 30,000 tons deadweight and above carrying other oils;

Category 2: Oil tankers of 5,000 tons deadweight and above carrying crude oil, fuel oil, heavy diesel oil or lubricating oil as cargo, but less than the tonnages specified for Category I tankers; and

Category 3: Oil tankers less than 5,000 tons deadweight carrying crude oil, fuel oil, heavy diesel oil or lubricating oil as cargo.

IV. POLICY GUIDELINES:

1. Oil tankers including tankers below 600 tons dwt. shall be double hulled by April 2008. All provisions of MARPOL 73/78 under Regs. 19.3, 19.4, 19.7 and Reg. 21.4.2 shall apply.
2. Provisions of MARPOL 73/78, as amended, particularly Regulations 19, 20 and 21 [RESOLUTION MEPC. 117 (52)], when inconsistent with this Circular, shall not apply.
3. Cargo tanks of category 1 and 2 oil tankers covered by this circular shall be protected by double bottom tank or spaces such that the distance between the bottom of the cargo tanks and the moulded line of the bottom shell plating is not less than 1 meter and wing tanks or spaces that extend for the full dept of the ship's side or from the top of the double bottom to the uppermost deck with a minimum width of 1 meter.
4. Category 3 oil tankers covered by this circular shall at least be fitted with double bottom tanks or spaces such that the distance between the bottom of the cargo tanks and the moulded line of the bottom shell plating is not less than 0.76 meter and shall be provided with wing tanks with a minimum width of 0.76 meter.
5. Category 1 and 2 oil tankers covered by this circular carrying heavy grade oil as cargo shall be double-hulled, complying with the given specifications in paragraph 3.
6. Category 3 oil tankers covered by this circular carrying heavy grade oil as cargo shall be fitted with both double bottom tank and wing tanks complying with the given specifications in paragraph 4.

V. SANCTIONS AND PENALTIES:

1. All safety Certificates of tankers covered hereunder not complying with this Circular shall be immediately suspended for sixty (60) days prior to hearing, without prejudice to the issuance of a Cease and Desist Order (CDO).
2. If, after due process, it is determined that the company/ ship has willfully violated the provisions of this Circular, the ship shall be delisted from the Philippine registry and their authority to operate canceled/revoked immediately.
3. In addition, should the same oil tankers continue to operate without complying with the herein rules, they shall be imposed a penalty of P 50,000.00 for each day of operation, without prejudice to the imposition of applicable claims and liabilities in cases where the ship is involved in a maritime incident/accident.

VI. REPEALING CLAUSE:

Any provision of existing MARINA Circulars, rules and regulation, Orders or Decisions which are inconsistent with this Circular are hereby repealed or modified accordingly.

VII. EFFECTIVITY:

This Circular shall take effect immediately after fifteen (15) days from publication in a newspaper of national circulation.

BY AUTHORITY OF THE BOARD:

(Sgd.) VICENTE T. SUAZO, JR.
Administrator

SECRETARY'S CERTIFICATE

This is to certify that MARINA Circular No. 2007-001 was approved by the MARINA Board of Directors during its 175th Regular Meeting on 18 September 2006.

(Sgd.) ATTY. VIRGILIO B. CALAG
Corporate Board Secretary

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