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20 October 2003

**CONVENTION ON THE PREVENTION OF MARINE POLLUTION
BY DUMPING OF WASTES AND OTHER MATTER, 1972
(LONDON CONVENTION 1972)**

Reporting on activities in 2002 related to disposal at sea of wastes or other matter

INVITATION

1 This is an invitation to Contracting Parties to the London Convention 1972 to report, preferably before **1 January 2004**, on their activities covered by this Convention, i.e., activities related to waste disposal at sea in **2002**. Those Contracting Parties that have already provided this information, need not respond to this circular letter.

INTRODUCTION AND BACKGROUND

2 In accordance with Article VI(4) of the Convention permits issued for dumping at sea have to be notified to the Secretariat. The same applies for the information on amounts of wastes actually dumped and the sites where dumping has been carried out. In addition, the results of monitoring studies carried out for the purpose of the Convention should be reported, particularly where an impact hypothesis approach has been used in accordance with the "Guidelines for the Assessment of Wastes or Other Matter that May be Considered for Dumping" (LC 19/10, annex 2), or any of the "Specific Guidelines" developed since then (LC/SG 24/11, annexes 3 to 10).

3 In order to assess, on a global level, the overall activities in this field the Consultative Meeting requested Contracting Parties that do **not** dispose wastes at sea to send the Secretariat a "NIL" report, by way of confirmation that no dumping has been carried out. Given the fact that, over the years, less than half of the Contracting Parties responded to the above requirements, the Secretariat urges Contracting Parties to whom this applies, to submit such notifications.

4 Contracting Parties are advised that in cases where wastes, including dredged material, are loaded for disposal at sea in the territory of a Non-Contracting Party by a ship flying the flag of a Contracting Party, then a permit would have to be issued by the responsible authority of the flag State in accordance with Article VII(1)(a) of the Convention.

5 In a number of cases, the disposal at sea of dredged material or sewage sludge is being carried out by national or federal authorities without the issue of a license, as such administrations are themselves the licensees. The Consultative Meeting has pointed out that, also in these cases, the provision of the relevant information would assist the Secretariat in preparing complete statistical records concerning dumping at sea.

6 On a number of occasions, reports have been received from Contracting Parties stating that "no dumping is carried out beyond territorial waters". Dumping in internal waters of States does not fall under the provisions of the London Convention 1972. However, it was pointed out at the Eleventh Consultative Meeting (1988) that although the reporting of dumping dredged material in internal waters is not required, such data would form a useful addition to the records. Contracting Parties are therefore invited to provide such information on a voluntary basis.

7 The lack of response by so many Contracting Parties to the notification requirements has resulted in a continuous lack of confidence concerning the control and enforcement procedures of the Convention. The Consultative Meeting has acknowledged that the situation can only be improved if those Contracting Parties, which have not yet notified the Secretariat of their waste disposal activities or "NIL" activities, or which have reported on only part of their activities, provide the relevant information to the Secretariat, preferably covering the entire period since becoming a Contracting Party to the Convention.

8 It is emphasized that data submitted "in confidence" would be evaluated and summarized by the Secretariat and that in such cases the respective summaries would not be released without prior approval of the originator of the information concerned.

9 Contracting Parties are advised that in view of the entry into force as of 20 February 1994 of the 1993 amendments to Annexes I and II to the London Convention 1972, permits issued since that date will have to be in accordance with the new waste categories under these amendments. As sea disposal of industrial waste is prohibited from 1 January 1996 onwards pursuant to these amendments, the reports for 2002 should correspond with this prohibition. Consequently, when reporting on the dumping permits issued in 2002, Contracting Parties are requested to make a distinction according to the following waste categories (see Annex I(11) to the Convention):

- 1 dredged material;
- 2 sewage sludge;
- 3 fish waste, or organic materials resulting from industrial fish processing operations;
- 4 vessels and platforms or other man-made structures at sea, provided that material capable of creating floating debris, or otherwise contributing to pollution of the marine environment, has been removed to the maximum extent;
- 5 uncontaminated inert geological materials, the chemical constituents of which are unlikely to be released into the marine environment; and
- 6 uncontaminated organic materials of natural origin.

10 Article VII(4) of the London Convention 1972 provides that: *"This Convention shall not apply to those vessels and aircraft entitled to sovereign immunity under international law. However, each Party shall ensure by the adoption of appropriate measures that such vessels and aircraft owned or operated by it act in a manner consistent with the object and purpose of this Convention, and shall inform the organization accordingly"*.

11 Contracting Parties are requested to report to the Secretariat the measures they have taken in accordance with this Article and to report on quantities and nature of wastes disposed of at sea by vessels and aircraft entitled to sovereign immunity.

Distinction between General and Special Permits

12 Pursuant to Article IV(1)(b) of the London Convention 1972 a **prior special permit** is required when wastes or other matter listed in Annex II are dumped, while pursuant to Article IV(1)(c) a **prior general permit** is required for dumping of all other wastes not listed in Annexes I and II.

SIMPLIFIED REPORTING FORMATS

13 In 2002, the reporting format for the annual dumping reports by Contracting Parties under Article VI(4) of the Convention was simplified, as this might increase the return rate of such reports. This reporting format is set out below.

Notification of General Permits issued

14 The Contracting Parties should send to IMO, either directly or through a Secretariat established under a regional agreement, by 1 November in each year¹ a report of the **General Permits** issued in the previous calendar year.

15 These reports should provide information on the following items:

- 1 Name of Country;
- 2 Year Permit(s) issued (and reference number if appropriate);
- 3 Approved dumping site(s);
- 4 Nature and quantity (tonnes) of waste dumped; and
- 5 Dumping method used.

Additionally, information should be provided, whether or not field-monitoring activities were carried out, that are associated with the dumping operations mentioned in these reports (see further attachment 2 to this circular letter).

16 The Scientific Group agreed that information on these 5 items should be regarded as the minimum reporting requirement for general permits issued, but more information would be welcomed². Delegations attending meetings under the London Convention should be prepared, when asked, to provide additional information on the permits issued by their Administration.

Notification of Special Permits issued

17 **Special permits** should be notified directly to the Secretariat of the London Convention 1972 immediately after they have been issued.

¹ Due to the late distribution of this circular letter, the deadline for submission of the annual report covering dumping activities carried out in 2002 is extended to 1 January 2004.

² Permit issuance authorities would be free to collect the data on general permits issued using the extended format as set out in paragraph 18 below, or use any other format in accordance with its national requirements, as long as the 5 items listed in paragraph 15 are included.

18 Such notifications should provide information on the following items:

- .1 Issuing Authority.
- .2 Permit start date/Permit expiry date.
- .3 Country of origin of wastes or other matter and port of loading.
- .4 Detailed specification of waste or other matter and description of the process from which the waste or other matter is derived.
- .5 Form in which waste or other matter is presented for disposal, i.e., solid, liquid or sludge (in case of liquids or sludges include weight per cent of insoluble compounds).
- .6 Total quantity (in metric tonnes³) of waste or other matter covered.
- .7 Expected frequency of dumping.
- .8 Chemical composition of waste or other matter (this should be sufficiently detailed to provide adequate information, in particular with regard to the concentration of substances listed in Annexes I and II to the Convention; concentrations in mass per mass units⁴).
- .9 Properties of waste or other matter:
 - solubility;
 - relative density (specific gravity);
 - pH.
- .10 Method of packaging.
- .11 Method of release.
- .12 Procedure and site for subsequent tank washing.
- .13 Approved dumping site:
 - geographical position (latitude and longitude);
 - depth of water;
 - distance from nearest coast.
- .14 Monitoring requirements and plans.
- .15 Additional information with regard to the factors listed in Annex III of the Convention, in particular on the toxicity of waste or other matter (type of toxicity test, e.g. 96-hr LC₅₀, test species used). In case of chemical waste provide any information available on the biodegradability of the waste.

19 Examples of information to be provided using this 15-item format are given in attachment 1 to this circular letter.

20 The reasons for retaining the 15-item format for **special permits** was that such permits were, upon receipt by the Secretariat, distributed to focal points in the national administration of all Contracting Parties. With this extended format bilateral consultations would be easier between Parties that might be affected by the proposed dumping operation.

21 In the near future, this circular letter and the reporting formats will be put on the London Convention Web-site (<http://www.londonconvention.org>). Submissions of notification reports by e-mail are most welcome and should be addressed to rcoenen@imo.org

³ Preferably in metric tonnes; if given in cubic metres, additional information on relative density (specific gravity) should be provided under item .9 on this list

⁴ Indicate whether on dry-weight or wet-weight basis.

ATTACHMENTS

- 1 Examples of the notification report for **special permits** issued.
- 2 Reporting of Monitoring Activities Carried out in Accordance with Article VI(1)(d) of the London Convention 1972:
 - .1 Form of report for the acquisition of data on monitoring of dumping sites as adopted by the Fourth Consultative Meeting (LDC IV/12, annex 7);
 - .2 Alternative notification procedures concerning monitoring activities carried out by Contracting Parties to the London Convention 1972.

ATTACHMENT 1**EXAMPLES OF THE NOTIFICATION REPORT FOR SPECIAL PERMITS ISSUED**

The following examples are provided:

1 Dredged Materials**Item of format**

- .1 (Issuing authority)
- .2 (15.1.02 - 31.12.02)
- .3 (Port of loading)
- .4 Dredgings from (source: estuary, harbour, etc.)
- .5 Silt and clay, 60% solids content (weight)
- .6 50,000 m³
- .7 once per week
- .8 levels of contaminants present in solids, e.g., Oil: 200 ppm; Hg: 1 ppm; Cd: 2 ppm; cu: 50 ppm; Pb: 100 ppm; Zn: 150 ppm; Cr: 50 ppm. (concentrations on dry weight basis)
- .9 - 60% insoluble
- 1.5 g/cm³
- pH 7
- .10 Not applicable
- .11 Immediate release from barge through bottom opening doors
- .12 Not applicable
- .13 (approved dumping site)
- .14 (additional information)

2 Sewage sludge**Item of format**

- .1 (Issuing authority)
- .2 (15.1.02 - 31.12.02)
- .3 (Port of loading)
- .4 Primary/digested sewage from (source: town, city)
- .5 sludges, 9% (weight) solids content
- .6 300,000 t
- .7 Three times per week
- .8 5% organic solids
4% non organic solids
Levels of components, e.g. Oil: 50 ppm; Cd: 0.1 ppm; Hg: 0.1 ppm; Zn: 100 ppm; Cu: 50 ppm; Cr: 50 ppm; Ni: 10 ppm; Pb: 40 ppm; N: 0.21%; P: 500 ppm
(concentrations on wet weight basis)
- .9 - 4% insoluble solids
- 1.01 g/cm³
- pH 6
- .10 Not applicable

- .11 Release at 1000 tonnes/hr from bottom of moving vessel
(capacity 2000 tonnes)
- .12 Not applicable
- .13 (approved dumping site)
- .14 (additional information)

3 Containers, scrap metal and other bulky wastes (e.g. wrecks) covered by Annex II, section B

Item of format

- .1 (Issuing authority)
- .2 (1.8.02 - 31.8.02)
- .3 Identity in the case of ships or aircraft
- .4 Specification of material (e.g. wooden hull, steel hull in the case of ships)
- .5 Not applicable
- .6 Dimensions
- .7 Frequency of dumping (e.g. one dumping only)
- .8 - .12 Not applicable
- .13 (approved dumping site)
- .14 Associated residues of contents of containers of any sort (including in the case of ships or aircraft, cargoes, fuel, etc.); precautions required to prevent pollution by such associated materials; measures taken to ensure wastes will sink and remain in place.

ATTACHMENT 2**REPORTING OF MONITORING ACTIVITIES CARRIED OUT IN ACCORDANCE WITH ARTICLE VI(1)(d) OF THE LONDON CONVENTION 1972**

- 1 Form of report for the acquisition of data on monitoring of dumping sites as adopted by the Fourth Consultative Meeting (LDC IV/12, annex 7)**
- 1.1 Monitored Area:
 - co-ordinates of the dumping area (geographical co-ordinates)
 - area map with station locations
- 1.2 Data on discharged wastes
- 1.3 Technical data on the method of dumping (depth, initial dilution, etc.)
- 1.4 Hydrographical data about the area (general direction of current flow etc. data from Annex III to the Convention)
- 1.5 Monitoring data:
 - Station locations
 - Monitored compartment: (water; sediments; living matter)
 - Frequency and duration
 - Parameters measured in each compartment (with reference to the analysis methods used)
 - General biological parameters (primary productivity etc.)
- 1.6 Laboratories and organizations responsible for analyzing, sampling, data storage etc.
- 1.7 Information on intercalibration and quality control of results; if so, within what framework (ICES, IAEA etc.)
- 1.8 General conclusions resulting from monitoring
- 1.9 Contact addresses for further information
- 1.10 Any details of publications (title, number, year)

2 Alternative notification procedures concerning monitoring activities carried out by Contracting Parties to the London Convention

Information category	Special data required	Reporting frequency and format
Summary Assessment Report	.1 Outline of assessment procedures carried out in accordance with Chapter 8 (Monitoring) of the applicable “Specific Guidelines” contained in document LC/SG 24/11, Annexes 3 – 10)	Period, depending on level and nature of dumping activities, and past reporting
	.2 Special provisions of permits, including monitoring requirements by activity or site	No prescribed format
	.3 Major findings and conclusions from assessment and monitoring programmes required in accordance with Article VI(1)(d) of the Convention	No prescribed format
Annotated bibliography of detailed dumpsite assessment reports, monitoring results, and related information	.1 citations .2 brief summaries of contents .3 availability and source of documentation	To be submitted to the Secretariat for distribution to all Contracting Parties in accordance with Article XIV(3)(d) of the Convention