

DfT Regulatory Triage Assessment

Title of regulatory proposal	Transposition of Directive (EU) 2015/2087 amending Annex II to Directive 2000/59/EC on port reception facilities for ship-generated waste and cargo residues
DfT RTA number	DfTRTA00089
Lead DfT directorate/Agency	MCA
Expected date of implementation	09/12/2016
Origin	EU
Date	04/04/16
Lead Policy	Lorraine Weller
Lead Economist	Shafiq Pandor
Departmental Triage Assessment	Low-cost regulation (fast track)

Rationale for intervention and intended effects

Marine debris has significantly reduced over the last few years following the introduction of International and EU legislation. However research shows approximately 4.1 per cent still comes from shipping. The International Maritime Organization (IMO) has reviewed its International Convention for the Prevention of Pollution from Ships (MARPOL) Annex V- Garbage to see if it could further reduce shipping's contribution to marine debris; MARPOL Annex V – Garbage has since been revised.

In line with international requirements the EU published its first Directive to harmonise port waste reception facilities (PRF) in 2000. Subsequently, the waste notification form set out in this Directive has been amended to realign with the MARPOL Annex V – Garbage categories.

The existing UK PRF waste notification form does not reflect the most up-to-date EU requirements and therefore requires revising. Aligning UK national legislation with the international and EU requirements will allow the UK as both Port and Flag state to enforce the requirements.

Viable policy options (including alternatives to regulation)

Alternatives to regulation is not an option. Article 13 of the 2000 Directive requires member states to enforce the notification requirements through effective, proportionate and dissuasive sanctions, therefore any changes should be reflected in national law. The intention is to make a simple amending statutory instrument which copies out the Annex in the 2015 Directive and sets out the format of the waste notification form.

Initial assessment of business impact

The waste notification form is being amended to include:

- the use of 'm³' for quantifying waste (this is current practice and therefore has no impact on business).
- aligning terminology for Waste Oils with those in MARPOL.
- expanding the breakdown of Garbage into seven rather than four categories.
- recording information on quantities on types of waste delivered at the previous port (this is a simple copying exercise from the previous waste notification form).

The changes will apply to all UK vessels with the exception of fishing vessels and recreational craft.

DfT Maritime Statistics have provided data for the years 2010 – 2014 relating to the number of arrivals at UK ports by UK ships that are required to complete the waste notification form. In 2014 the highest number of ship arrivals was recorded at **33,297** vessels.

The main costs relate to the obligation of the master of each vessel to complete the waste notification form. Following stakeholder engagement it can be assumed that it will take between 5 and 10 minutes to complete the additional columns on the waste notification form. The average Masters wages are estimated to be £15.82 per hour, taken from ONS data, with a 30% uplift for non-wage costs.

Table 1 provides analysis on the estimated costs; low, high and best estimate.

Table 1: Annual form completion costs

	2010	2011	2012	2013	2014
Number of Arrivals	29,226	28,975	30,650	30,298	33,297
Low (5 mins)	£50,088	£49,658	£52,529	£51,926	£57,066
High (10 mins)	£100,177	£99,317	£105,058	£103,851	£114,131
Sensitivity (30 mins)	£300,531	£297,950	£315,174	£311,554	£342,393

The changes which are implemented through the amending Directive are considered to be ongoing costs to industry. The Maritime & Coastguard Agency will be uploading a web-based waste notification form for use by master and agents in lines with the CERS requirements. There are potential minimal costs associated with revising the waste notification systems used in Ports and Terminals; this is being done as part of an overall update of existing systems under the Consolidated European Reporting System (CERS).

A stakeholder engagement exercise highlighted that the majority of the UK maritime industry were already familiar with the revised terminology and were prepared for these amendments from MARPOL Annex V – Garbage. The amendments to the waste notification form are minor changes that minimal impact on the system already in use. Therefore the familiarisation costs are

viewed as negligible.

One-in, Three-out status

The proposal is a non-qualifying regulatory provision and therefore out of scope of One-in, Three-out in accordance with 1.1.10 of the Better Regulation Framework Manual, because it implements an EU Directive and does not gold plate.

Rationale for Triage rating

This measure is considered a low cost regulatory measure and qualifies under the Fast Track route.

In our high scenario, we estimate the costs of the proposal to be £0.1 million per annum. Even assuming a three-fold increase in the time taken to fill out the form, would still leave costs firmly below £1 million per annum.

Confirmation that the proposed measure is suitable for Fast Track

*Please note that sign-off has now **replaced RPC clearance** and must be G6 and above.*

Policy sign-off:

Signature: Katy Ware

Date: 8th April 2016

Economist sign-off:

Signature: Jonathan Saks

Date: 8th April 2016

Better Regulation Unit sign-off:

Signature:
Chris Simon

Date:
12/04/2016