

REGULATION No 15 OF 28 SEPTEMBER 2004  
ON THE DELIVERY AND RECEPTION OF SHIP-GENERATED  
WASTE AND CARGO RESIDUES

*State Gazette (SG) No 94 of 22 October 2004, as amended in  
SG No 103 of 7 December 2007 as amended in SG No 28 of 14 April 2009*

**Section I. General provisions**

Article 1 (1) (Amended in SG No 103/2007): This Regulation defines the conditions and procedures for the delivery and reception of ship-generated waste and cargo residues from all ships, including fishing vessels and sports and recreational craft authorised to carry up to 12 people which call at, or operate in, seaports of the Republic of Bulgaria, irrespective of their flag.

(2) This Regulation shall not apply to warships, border-guard and police vessels, ships of state, or floating defence facilities calling at seaports of the Republic of Bulgaria, except when they are used for commercial purposes.

Article 2 The Maritime Administration Executive Agency (MAEA) shall monitor compliance with this Regulation through its territorial agencies.

**Section II. Notification of, and procedures for, the delivery of ship-generated waste and cargo residues.**

Article 3 (1) The master of each ship visiting a Bulgarian seaport shall send to the Director of the relevant territorial MAEA Directorate information (Appendix 1) on the type and volume of ship-generated waste on board his ship.

(2) The information referred to in paragraph 1 shall be provided:

1. at least 24 hours prior to the ship's arrival in port, if the port of call is known in advance;

2. as soon as possible after the port of call becomes known, if the period concerned is less than 24 hours;

3. upon departure from the port of departure, if the duration of the ship's voyage to the port of call is less than 24 hours.

(3) A copy of the information specified in paragraph 1 shall be sent by the master of the ship to the port operator via the ship's agent;

(4) Paragraph 1 shall not apply to fishing vessels or sports and recreational craft authorised to carry up to 12 people.

Article 4 The master of each ship under Bulgarian flag shall, when calling at ports of an EU Member State, send the information referred to in

Article 3(1) to the relevant competent authorities within the period specified in Article 3(2).

Article 5 The master of each ship under Bulgarian flag shall keep on board the information under Article 3(1) at least until the ship reaches the next port of call, so that this information could be handed over to the competent authorities at request.

Article 6 (1) (\*) The master of a ship calling at a Bulgarian seaport shall ensure that ship-generated waste and cargo residues are delivered prior to departure.

(2) (Amended in SG No 103/2007) The master of a ship visiting a Bulgarian seaport shall ensure that waste is separated by type, in compliance with the requirements and categories specified in MARPOL 73/78.

Article 7 (\*) In order to obtain a certificate of departure for a ship leaving a Bulgarian seaport, the master of the ship shall submit to the inspectors of the relevant MAEA territorial directorate information on the type and volume of the ship-generated waste delivered and the cargo residues.

Article 8 (Amended in SG No 103/2007) (1) MAEA inspectors may permit a ship to leave a port without fulfilling the conditions laid down in Article 6(1) only if the ship has sufficient capacity for storing on board the existing waste and the waste that will be generated until the next port of call, if the latter is in an EU Member State.

(2) Permission under paragraph 1 shall not be granted if the next port of call is unknown or does not have storage facilities for ship-generated waste.

Article 9 (Amended in SG No 103/2007) (1) Exemption from the obligation to deliver ship-generated waste shall be granted to ships:

1. which operate a regular shipping route and
2. whose owner has a contract with a port operator to submit ship-generated waste in any of the ports on the above route passing through an EU Member State, and pays levies for that service to the port or to the operator.

(2) In order to obtain an exemption under paragraph 1, the ship owner shall supply the following documentation to the MAEA:

1. Application for exemption
2. Proof of operating the shipping route, such as a schedule of calls at ports, contracts with the ports along the route for a regular berth, conditions for receiving the ship on arrival, etc.
3. A copy, certified and legalised by a notary and duly translated, of a contract with a port operator in any of the other ports along the route in an EU Member State where ship-generated waste will be delivered.
4. Documentation confirming the exemption, or refusal of exemption, in any of the other ports along the route.

(3) When submitting the application, the ship owner shall undertake to allow MAEA inspectors access to the ship to verify the circumstances

declared. Verification shall take place in a Bulgarian port.

(4) A regular shipping route as referred to in paragraph 1(1) is one along which ships travel on a scheduled basis and visit the ports on the route regularly and periodically.

(5) If, upon checking the documentation in accordance with paragraph 2, and the ship in accordance with paragraph 3, it becomes clear that the ship meets the requirements for exemption set out in paragraph 1, the Executive Director of the MAEA shall, within 14 days following receipt of the application for exemption, issue an order exempting the ship from the obligation to deliver ship-generated waste.

(6) The duration of an exemption granted under paragraph 5 shall be two years, but shall not exceed the term stipulated in the contract referred to in paragraph 2(3).

(7) If, upon checking the documentation in accordance with paragraph 2, and the ship in accordance with paragraph 3, it becomes clear that the ship does not meet the requirements for exemption set out in paragraph 1, the Executive Director of the MAEA shall, within 14 days following receipt of the application for exemption, issue an order refusing exemption for the ship from the obligation to deliver waste.

(8) In the case of any change of circumstances under paragraph 1 due to causes other than *force majeure*, asylum, concealment, emergency repairs or others issues related to ship safety, the exemption shall become invalid.

(9) If a ship which has received permission not to deliver its waste has to be temporarily replaced by another ship owing to damage, maintenance requirements, planned repairs, or for other reasons, the exemption shall apply to the replacement ship for the duration of replacement, following due information to the MAEA and checks on the ship carried out by the MAEA inspectors under paragraph 3.

(10) At the beginning of each quarter, the MAEA shall submit to the Minister for Transport information on the orders issued under paragraph 5 in the previous quarter.

Article 10 (1) The Director of the relevant territorial MAEA Directorate shall inform the competent authorities of the next port of call of a ship, where this is in an EU Member State, of the action to be taken if it has been established that the ship has departed from a seaport in the Republic of Bulgaria without complying with the requirements of Article 6(1) and in the absence of the circumstances described in Article 8(1).

(2) (\*) Every quarter, the Directors of the MAEA Territorial Directorates shall submit to the relevant Regional Environmental and Water Inspectorate a statistical summary concerning the type and volume of ship-generated waste (Appendix 3).

### **Section III Conditions for collection and transportation of ship-generated waste and cargo residues.**

Article 11 (\*) The collection, transportation, storage and decontamination of ship-generated waste and cargo residues shall be carried out by natural and legal persons to whom permits have been issued pursuant to the Waste Management Act.

Article 12 (\*) The collection and transportation of all types of ship-generated waste shall be carried out while the ship is moored off a port or at the quayside; the collection of cargo residues shall be carried out at the quayside.

Article 13 (\*) (1) Waste oils resulting from the routine operation of a ship shall be collected and transported:

1. by special-purpose floating craft equipped with special technical devices, skimming equipment, etc. for identifying and cleaning port waters in the case of oil leakages during the process of delivery and transportation of waste oils;

2. by road tankers situated on land.

(2) The collection and transportation of waste oils resulting from the routine operation of a ship in ports used for public transport of regional significance can also be carried out using air-tight tanks and other suitable ship-borne receptacles.

(3) Cargo residues from oil tankers and chemical tankers shall be collected as described in paragraph 1.

(4) Sluice water containing oil products shall be delivered as specified in paragraph 1 or to terminals along the ship's route that process liquid oil products and chemicals .

(5) Actions to identify and clean polluted water shall be taken following approval by the MAEA and in accordance with the emergency plans prepared by the persons stipulated in Article 11.

(6) In cases specified the binding rules concerning the areas of individual ports, ship-generated waste and cargo residues shall be delivered and stored in accordance with a specially prepared technological scheme, approved in advance by the MAEA.

Article 14 (\*) Ships' sewage shall be collected and transported by:

1. Special-purpose floating craft;
2. Sewage tankers situated on land.

Article 15 (\*) (1) Ships domestic waste shall be collected and transported by:

1. Special-purpose floating craft;
2. Special-purpose trucks on land.

(2) Ships' masters shall ensure separate collection and delivery of domestic waste in air-tight plastic bags or tanks to prevent accidental scattering on the pier and in port waters. Waste from ships' pharmacies must be collected separately in clearly labelled plastic bags.

(3) Ships' domestic waste in port used for public transport of regional importance can be collected in specially labelled containers, separately for the different types of waste. Waste from ships' pharmacies must be collected in specially marked containers.

Article 16 (\*) Ships' waste resulting from the routine operation of a ship shall be collected and transported under the conditions specified in Article 15.

Article 17 (\*) The seaworthiness of the special-purpose floating craft and related technical equipment referred to in Article 13(1)(1) and (2), Article 14(1)(1) and Article 15(1)(1) shall be verified by the MAEA pursuant to Regulation No 11 concerning the checks on ships and ship-owners (SG No 52/2004).

Article 18 (Cargo residues defined as pollutants under the IMDG Code shall be collected and delivered solely in specially designated containers or other suitable receptacles on port lands.

#### **Section IV Inspection of ships calling at Bulgarian ports (Title changed in SG No 103/2007)**

Article 19 (1) (Amended in SG No 103/2007) Checks on compliance with the requirements of this Regulation shall be carried out by marine environment inspectors or by port-State control inspectors of the MAEA.

(2) (Amended in SG No 103/2007). MAEA inspectors shall make checks on at least 25% of all ships calling at, or operating in, Bulgarian seaports. Ships, including fishing vessels and sports and recreational craft authorised to carry up to 12 people, are subject to inspection irrespective of whether or not they have disposed of ship-generated waste or cargo residues in a manner compliant with the articles of this Regulation.

(3) (New, SG No 103/2007) MAEA inspectors shall make sure, as far as is reasonable and possible, that ships specified in Article 1(2) deliver ship-generated waste and cargo residues in a manner compliant with the provisions of this Regulation.

(4) (New, SG No 103/2007) Where MAEA inspectors have identified a breach of the requirements of this Regulation, the ship shall not be issued with a certificate of departure from port until the requirements have been fully met.

Article 20 (1) (Amended in SG No 103/2007) Inspections under

20  
Article 19(1) shall be mandatory and non-mandatory.

(2) (Amended in SG No 103/2007)

The following ships shall be given mandatory inspections:

1. Ships that have not supplied the information required by Article 3(1);

2. Ships for which information has been supplied by foreign competent authorities to the effect that they have departed from previous ports without complying with the conditions of Article 6(1) and Article 8(1);

3. Amended in SG No 103/2007) Non-mandatory inspections shall be carried out on all remaining ships until the relative share of inspected ships stipulated in Article 19(2) is reached.

### **Additional provisions**

§ 1. Pursuant to this Regulation

1. (Amended in SG No 103/2007) "Ship-generated waste" means all waste, including sewage, and residues other than cargo residues, which are generated during the service of a ship and fall under the scope of Annexes I, IV and V to Marpol 73/78 and cargo-associated waste as defined in the Guidelines for the implementation of Annex V to Marpol 73/78.

2. (Amended in SG No 103/2007) "Cargo residues" means the remnants of any cargo material on board in cargo holds or tanks which remain after unloading procedures and cleaning operations are completed and shall include loading/unloading excesses and spillage.

3. "Port-reception facilities" means any facility, whether fixed, mobile or floating, and capable of receiving ship-generated waste and cargo residues.

4. "Special-purpose floating craft" means tankers, cutters, self-propelled or non self-propelled barges and oil-collecting tankers provided with the documentation required by Article 86 of the Merchant Maritime Code.

5. "Waste oils resulting from the routine operation of a ship" means lubricants, fuel residues, oil residues and bilge water.

6. "Oil tanker cargo residues" means dirty ballast and sluice water from the washing of an oil tanker's cargo tanks.

7. "Chemical waste from chemical tankers" means sluice water generated on board by the washing of the holds of chemical tankers.

8. "Ships' sewage" means sewage and drainage water on board generated from toilet facilities, urinals, medical premises and livestock premises, during the routine operation of a ship.

9. "Ships' domestic waste" means food, medical and packaging waste including plastic boxes, cans, glass bottles, food containers, food leftovers, paper and cardboard.

10. "Ships' waste resulting from the routine operation of a ship" means

a) oily rags, engine maintenance waste, soot, machinery deposits, packaging materials (paper, plastics, metal and glass bottles, ash and fire-resistant materials, rust, dyes etc.

b) material used on board to stack and manipulate cargo, as well as auxiliary materials such as shoring, pallets, lashing and packing materials, plywood, paper, cardboard, wire, and steel strapping, etc.,

c) mixed waste such as livestock waste, fishing nets, deposits in ship furnaces and boilers etc.

11. (New, SG No 103/2007) "Scheduled voyage" means a voyage between specified ports or terminals for which a ship has a precise timetable with published dates of departure and arrival.

12. (New, SG No 103/2007) "Regular calls at ports on the route" means calls where a ship sails between scheduled ports or terminals without calling at other ports and terminals (except in cases of damage, emergency, accident or need for maintenance, or for other safety-related reasons).

13. (New, SG No 103/2007) "Periodic calls at ports on the route" means calls where a ship calls at each scheduled port at least once in two weeks.

14. (New, SG No 103/2007) "MARPOL 73/78" means the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and all subsequent amendments thereto, that have entered into force in the Republic of Bulgaria.

§ 1a (New, SG No 103/2007) The delivery of ship-generated waste and cargo residues shall be considered to constitute free movement within the meaning of Article 79 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992), as amended by: Regulation (EC) No 82/97 of the European Parliament and of the Council of 19 December 1996 (OJ L 17, 21.01.1997); Regulation (EC) No 955/1999 of the European Parliament and of the Council of 13 April 1999 (OJ L 119, 07.05.1999); Regulation (EC) No 2700/2000 of the European Parliament and of the Council of 16 November 2000 (OJ L 311, 12.12.2000); Regulation (EC) No 648/2005 of the European Parliament and of the Council of 13 April 2005 (OJ L 117, 04.05.2005) and Council Regulation (EC) No 1791/2006 of 20 November 2006 (OJ L 363, 20.12.2006). The lodging of a summary declaration in accordance with Article 45 of the Community Customs Code shall not be required.

§ 1b (New, SG No 103/2007) This Regulation transposes Directive 2000/59/EC of the European Parliament and of the Council on port reception facilities for ship-generated waste and cargo residues.

## Transitional and final provisions

§ 2. This Regulation is issued pursuant to Article 371 of the Merchant Shipping Code.

§ 3. Article 8(2) shall enter into force on 1 January 2007.

§4. (Amended in SG No 103/2007) The provisions of Article 6(1), Article 8, Article 10(2) and Articles 11-17 shall apply *mutatis mutandis* to ships calling at ports along the inland waterways of the Republic of Bulgaria.

Additional regulations to the REGULATION AMENDING  
REGULATION No 15/2004 ON THE DELIVERY AND RECEPTION OF  
SHIP-GENERATED WASTE AND CARGO RESIDUES

(PUBL. SG No 103/2007)

§8 Throughout the text, the word "check" shall be replaced by "inspection".

## **Transitional provisions**

### **TO THE REGULATION FOR AMENDING OF REGULATION No 15 OF 28 SEPTEMBER 2004 ON THE DELIVERY AND RECEPTION OF SHIP- GENERATED WASTE AND CARGO RESIDUES (PUBL. SG No 28/2009, entry into force 01 June 2009)**

§ 2. This Regulation introduces the requirements of Commission Directive 2007/71/EC of 13 December 2007 amending Annex II of Directive 2000/59/EC of the European Parliament and of the Council on port reception facilities for ship-generated waste and cargo residues.

§ 3. This Regulation shall enter into force on 01 June 2009.

*Annex I to Article 3 (1)  
(Amended in SG No 103/2007,  
Amended SG No 28/2009,  
Entry into force on 01 June 2009)*

INFORMATION TO BE NOTIFIED BEFORE ENTRY INTO THE PORT OF:

.....  
Информация, която се съобщава преди влизане в пристанището

.....

.....  
(Port of destination as referred to in Article 6 of Directive 2000/59/EC)  
(Пристанище на местоназначение, както е посочено в член 6 от Директива 2000/59/ЕО)

1. NAME, CALL SIGN AND, WHERE APPROPRIATE, IMO IDENTIFICATION NUMBER OF THE SHIP: .....

Име, позивна и ако е целесъобразно, ИМО идентификационен номер на кораба:

.....

.....

2. FLAG STATE: .....

Държава на знамето:

3. ESTIMATED TIME OF ARRIVAL (ETA): .....

Очаквано време на пристигане

4. ESTIMATED TIME OF DEPARTURE (ETD):

.....

Очаквано време на заминаване

5. PREVIOUS PORT OF CALL: .....

Предишно пристанище

6. NEXT PORT OF CALL: .....

Следващо пристанище

7. LAST PORT AND DATE WHEN SHIP-GENERATED WASTE WAS DELIVERED:

.....

Последно пристанище и дата на депониране на отпадъци от експлоатацията на корабите:

8. ARE YOU DELIVERING (tick appropriate box):

Депонирате ли (отбележете съответната клетка)

all

some

none

всички

някакви

никакви

of your waste into a port reception facilities?

отпадъци в пристанищни приемни съоръжения?

9. Type and amount of waste and residues to be delivered and/or remaining on board, and percentage of maximum storage capacity:

Тип и количество на отпадъците и остатъците, които ще бъдат депонирани и/или ще останат на борда, и процент на максималния капацитет на съхранение:

1. If delivering all waste, complete second column as appropriate.

Ако предавате всички отпадъци, попълнете втората колона.

2. If delivering some or no waste, complete all columns.

Ако предавате някои или никакви отпадъци, попълнете всички колони.

Type Вид	Waste to be delivered, m(3) Отпадъци за предаване, m(3)	Maximum dedicated storage capacity, m(3) Капацитет за съхранение на отпадъци, m(3)	Amount of waste retained on board, m(3) Количество на отпадъците, оставащи на борда, m(3)	Port at which remaining waste will be delivered Пристанище, на което ще бъдат преддени оставащите отпадъци	Estimated amount of waste to be generated between notification and next port of call, m(3) Приблизително количество на отпадъците, генерирани до следващото пристанище, m(3)
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1. Waste oils:

Нефтосъдържащи  
отпадъци:

Sludge

Слъдж

Bilge water

Сантинни води

Other (specify)

"Други" "(да се  
уточни)"

2. Garbage:

Битови корабни  
отпадъци:

Food waste

Хранителни  
отпадъци

Plastic

Пластмасови  
отпадъци

Other

Други

3. Cargo associated  
waste (specify):

Отпадъци, свързани  
с товара "(да се  
уточни)"

4. Cargo residues(1)  
(specify):

Остатъци от  
корабни товари

"(да се уточни)"

5. Sewage (m(3):

Отпадъчни води

(1) May be estimates

Приблизително

Notes:

Бележки:

1. This information may be used for port State control and other inspection purposes.

Информацията може да бъде използвана при проверки по държавен пристанищен контрол и за други проверки.

2. This form to be completed and submitted to the Bulgarian Maritime Administration.

Формулярът се попълва и подава до Изпълнителна агенция "Морска администрация".

3. This form is to be completed unless the ship is covered by an exemption in accordance with Article 9 of Directive 2000/59/EC.

Този формуляр трябва да бъде попълван, освен в случаите, в които корабът подлежи на изключение в съответствие с член 9 от Директива 2000/59/ЕО.

I confirm that the above details are accurate and correct and there is sufficient dedicated onboard

Потвърждавам, че подадената информация е точна и пълна и корабът разполага с достатъчно

capacity to store all waste generated between notification and the next port at which waste will be delivered.

капацитет да съхранява отпадъците, резултат от нормална корабоплавателна дейност до следващо пристанище, където ще бъдат предадени.

Date .....

Дата

Time .....

Час

Signature

Подпис

[1] Отпадъчните води могат да бъдат изхвърляни в морето в съответствие с правило 11 от приложение IV към Марпол 73/78. Съответните клетки не трябва да се попълват, ако се планира изхвърлянето на отпадъчни води да стане със съответното разрешение.

[2] Може да се посочи приблизителна оценка.

Annex 2, relating to Article 7

Приложение № 2 към чл. 7

DECLARATION  
*Декларация*  
FOR WASTE DELIVERED AT THE PORT OF .....

Name of the ship: .....

*Име на кораба*

IMO number: .....

*ИМО номер*

Flag State: .....

*Държава на знамето*

Port of registry .....

*Пристанището на регистрация*

DATE	TYPE OF WASTE	QUANTITY	NAME OF THE OPERATOR TO WHOM WASTE DELIVERED
<i>Дата</i>	<i>Вид на отпадъците</i>	<i>m3/bags/kg</i> <i>Количество</i> <i>м3/местимости/кг</i>	<i>Име на оператора, на когото са предадени отпадъците</i>

I, the undersigned Master of

.....  
*Аз, долуподписаният, капитан на*

.....  
herewith declare that above mentioned information is identical with the original receipts for waste disposal at the port of

.....  
*с настоящото декларирам, че информацията по-горе е еднаква с оригиналните фактури за отпадъците, предадени в пристанище*

/ .....

\_\_\_\_\_/\_\_\_\_\_  
Name  
Име

\_\_\_\_\_/\_\_\_\_\_  
signature & ship's stamp  
подпис и печат на кораба

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Дата

