

**COMMISSION IMPLEMENTING DECISION (EU) 2015/2398****of 17 December 2015****on information and documentation related to an application for a facility located in a third country for inclusion in the European List of ship recycling facilities****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC <sup>(1)</sup>, and in particular Article 15(3) thereof,

Whereas:

- (1) Regulation (EU) No 1257/2013, in particular in its Title III, lays down requirements for ship recycling facilities wishing to recycle ships flying the flag of a Member State of the European Union and thereby applying for inclusion in the European List of ship recycling facilities.
- (2) Article 15(2) of Regulation (EU) No 1257/2013 lists information and documentation to be provided by ship recycling companies as part of their application files for ship recycling facilities located in a third country for inclusion on the European List. Furthermore, Article 16(2) lists information to be published in the Official Journal about the ship recycling facility to be included in the European List.
- (3) Contrary to other Implementing Acts to be adopted under the Ship Recycling Regulation, there is no directly equivalent template available from the Hong Kong Convention for the safe and environmentally sound recycling of ship of 2009. The format given in Annex therefore comprises relevant extracts from Hong Kong Convention Appendix 5 ('Document of Authorization of Ship Recycling' — DASR) and from the relevant IMO guidelines related to ship recycling facilities and adds information and documentation requirements added in the Ship Recycling Regulation (as listed in Articles 15(2) and 16(2) of the Regulation).
- (4) Stakeholders were consulted in writing on the contents of the Decision. The Annex takes comments made into account.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Ship Recycling Regulation Committee established under Article 25 of Regulation (EU) No 1257/2013,

HAS ADOPTED THIS DECISION:

*Article 1*

The information and documentation required to identify a ship-recycling facility located in a third country applying for inclusion in the European List of ship recycling facilities shall be submitted in the format provided in the Annex.

*Article 2*This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 17 December 2015.

*For the Commission**The President*

Jean-Claude JUNCKER

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<sup>(1)</sup> OJ L 330, 10.12.2013, p. 1.

## ANNEX

## PART 1

**Identification of the ship recycling facility**

Name of ship recycling facility	
Distinctive Recycling Company identity No.	
Full address of ship recycling facility	
Primary contact person	
Phone number	
Email address	
Name, address, and contact information of ownership company	
Working language(s)	

## PART 2

**Additional information**

Method(s) of recycling <sup>(1)</sup>	
Type(s) of ships that can be recycled	
Procedure for approval of the ship recycling plan <sup>(2)</sup>	
Number of employees <sup>(3)</sup>	
Maximum ship recycling output achieved on a given year in the past 10 years (in LDT) <sup>(4)</sup>	

Description of the ship recycling facility (layout, water-depth, accessibility, etc.)	
<p>(<sup>1</sup>) See e.g. paragraph 3 in Section 3.4.1 of IMO guidelines, Resolution MEPC.210(63), page 24.</p> <p>(<sup>2</sup>) This concerns the procedure referred to in Article 7(3) and Article 15(2)(b) of the Ship Recycling Regulation.</p> <p>(<sup>3</sup>) At the time of application.</p> <p>(<sup>4</sup>) The figure should be documented, e.g. via official confirmations of completion of recycling of ships recycled that year, indicating LDT of the ships. As per Article 32 of the EU SRR, the figure is calculated as 'the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility. The maximum annual ship recycling output is determined by selecting the highest value occurring in the preceding 10-year period for each ship recycling facility, or, in the case of a newly authorised ship recycling facility, the highest annual value achieved at that facility'.</p>	
Heavy equipment	
Heavy-lifting machines	<p>e.g. Jib crane: 60 tonnes</p> <hr/> <p>e.g. Mobile crane: 35 tonnes × 1, 27 tonnes × 1</p> <hr/> <p>e.g. Hydraulic backhoe: SH400, ZX330, SK220, ZX200 with Shear, Magnet</p> <hr/> <p>e.g. Hydraulic shear: 600 tonnes × 1</p> <hr/> <p>e.g. Weight bridge: 50 tonnes</p> <hr/> <hr/> <hr/> <hr/>
Boat	e.g. Gross tonnage: 5 tonnes, Power: 240 HP
Shear	e.g. Capacity: 600 tonnes

Other equipment	
O <sub>2</sub> supply	e.g. Liquid O <sub>2</sub> supply system: 10 m <sup>3</sup>
Gas supply	e.g. LPG bottles
Compressed air	
Fire extinguishers	e.g. Portable fire extinguisher capacity
Waste oil treatment	e.g. Oil water separation tank Tank capacity: abt. 20 tonnes
Wastes storage	e.g. Container for asbestos: 2
Incinerator(s)	e.g. none
Electric power supply	e.g. Substation
Location of the facility (!)	
Division and classification of the location	e.g. urbanisation control area
Area of the facility (in sqm)	
Area of pavement	

Location of the facility <sup>(1)</sup>	
Peripheral environment	e.g. factories: former quarry, two marinas in the vicinity, vulnerable environmental zones
	e.g. Housing: private houses at the entrance and 200 m from entrance

<sup>(1)</sup> A map of the boundary of the ship recycling facility and the location of Ship Recycling operations within it is attached as per Article 15(2)(e) of the Regulation.

Workers' certificates/licences <sup>(1)</sup>	
Certificate/licence	Number of personnel/qualifications <sup>(2)</sup>
1) Manager of asbestos handling	
2) Manager of PCB handling	
3) Designated chemicals handling	
4) Asbestos handling class	
5) Gas cutting	
6) Welding	
7) Zinc handling	
8) Lifting	

Workers' certificates/licences <sup>(1)</sup>	
Certificate/licence	Number of personnel/qualifications <sup>(2)</sup>
9) Heavy lift machines	
10) Seafarer	
11) Diver	
12) Removal of Hazardous Materials (Material A)	
(Material B)	
(Material C)	
(Material D)	
(Material E)	
(Material F)	
(Material G)	
(Material H)	
(Material I)	
(Material J)	
(Material K)	

<sup>(1)</sup> Please note that it is only necessary to fill in corresponding lines in the table with regard to those hazardous materials the ship recycling facility is authorised to remove.

<sup>(2)</sup> Please note that the ship recycling company must at all times be in a position to provide evidence of the competence of each member of personnel authorised to carry out the removal of hazardous materials to the European Commission or agents acting on its behalf.

### PART 3

#### Identification of the permit, license and authorisation granted by the competent authority/-ies to conduct ship recycling

As per Article 15(2)(a) of Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling, the ship recycling company shall provide a copy of the document(s) issued by its competent authorities to conduct the ship recycling <sup>(1)</sup> and, where relevant, the permit, license or authorisation granted by the competent authorities to all its contractors and sub-contractors directly involved in the process of ship recycling.

<sup>(1)</sup> If the respective competent authority/-ies does/do not issue a specific permit, license or authorisation to conduct ship recycling, the applicant shall clearly state this in his application and submit other relevant permits, licenses or authorisations relating to the activities of the company.

Permit, license or authorisation document(s) attached to the application file <sup>(1)</sup>:

Name of the document	Country of issuance	Issuing Competent Authority	Issued on (date)	Valid until (date or indefinite)	Beneficiary entity <sup>(1)</sup>

<sup>(1)</sup> Name of the ship recycling company and/or its contractor/sub-contractor concerned by the document.

#### PART 4

##### Capability and limitations of the ship recycling facility

###### 4.1. Ship recycling capacity

The ship recycling facility is authorised to accept a ship for recycling subject to the following size limitations:

Maximum capacity of ship to be recycled	Other limitations
DWT	
GT	
LDT	
Length	
Breadth	
Width	
Depth	

<sup>(1)</sup> Please list in the table and attach a copy of all permits, license or authorisations granted by the competent authorities.

4.2. *Safe and environmentally sound management of hazardous materials*

The ship recycling facility is authorised to accept a ship for recycling that contains hazardous materials as specified in the following table subject to the conditions noted below:

Management of hazardous materials <sup>(1)</sup>	Descriptions of the management steps <sup>(2)</sup>
1) Asbestos	Removal Storage Waste treatment
Management of hazardous materials	Descriptions of the management steps
2) Ozone-depleting substances	Removal Storage Waste treatment
Heavy metals: 3) Tinorganic anti-fouling compounds and system 4) Cadmium and Cadmium Compounds 5) Hexavalent Chromium and Hexavalent Chromium Compounds 6) Lead and Lead Compounds 7) Mercury and Mercury Compounds	Removal Storage Waste treatment
Flame retardants: 8) Polybrominated Diphenyl Ethers (PBDEs) 9) Hexabromocyclododecane (HBCDD) 10) Polybrominated Biphenyl (PBBs)	Removal Storage Waste treatment
11) Radioactive substances	Removal Storage Waste treatment

Management of hazardous materials	Descriptions of the management steps
Other Persistent Organic Pollutants (POPs) 12) Polychlorinated biphenyls (PCB) 13) Perfluorooctane sulfonic acid (PFOS) 14) Polychlorinated Naphthalenes (more than 3 chlorine atoms) 15) Certain Short-Chain Chlorinated Paraffins (SCCP) (Alkanes, C10-C13, chloro)	Removal  Storage  Waste treatment
16) Hazardous liquids, residues and sediments	Removal  Storage  Waste treatment
17) Paints and coatings that are highly flammable and/or lead to toxic release	Removal  Storage  Waste treatment
18) Other Hazardous Materials not listed above and that are not part of the ship structure (specify)	Removal  Storage  Waste treatment

(<sup>1</sup>) For the management of each item, the national and/or international requirements should be identified for reference. Any limitations imposed under the authorisation granted by the competent authority/-ies of the country where the facility is located should be mentioned. The hazardous materials may be present in parts of the ship or equipment (e.g. in paint or as plastic additives) or in chemical mixtures (e.g. cooling fluids).

(<sup>2</sup>) As per Article 15(2)(f)(ii) of the Regulation, please 1) indicate which management process will be applied, 2) indicate the location where the activity takes place (either within the facility or at a downstream waste management facility — in the latter case, information should also be provided, including the facility name and contact information) and 3) provide evidence that the applied process will be carried out without endangering human health and in an environmentally sound manner.

## PART 5

### Statement concerning the recycling of EU Member States flag ships

#### RECYCLING OF SHIPS FLYING THE FLAG OF A MEMBER STATE OF THE EUROPEAN UNION

Hereby, (*name*) ....., on behalf of .....,  
(*company*) ..... (hereafter 'the company') (<sup>1</sup>) confirms that the company will accept ships

(<sup>1</sup>) Name of the ship recycling company.

flying the flag of EU Member States for recycling only in accordance with the requirements laid out in Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling. Furthermore, the company will:

- (a) prior to any recycling of the ship:
- send the ship recycling plan, approved by the competent authority according to the procedure applicable <sup>(1)</sup>, to the ship owner and the administration or a recognised organisation authorised by it;
  - report to the administration that the ship recycling facility is ready in every respect to start the recycling of the ship;
- (b) when the total or partial recycling of a ship is completed in accordance with this Regulation, within 14 days of the date of the total or partial recycling in accordance with the ship recycling plan, send a statement of completion to the administration which issued the ready for recycling certificate for the ship. The statement of completion will include a report on incidents and accidents damaging human health and/or the environment, if any.

.....

Place ..... Date .....

Signature:

NB: The statement does not imply that the facility may not accept ships flying the flag of a third country.

## PART 6

### Statement concerning waste recovery and disposal operations

#### WASTE RECOVERY AND DISPOSAL OPERATIONS

Further to the 2009 Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, Regulation (EU) No 1257/2013 of the European Parliament and of the Council on ship recycling aims to prevent, reduce, minimise and, to the extent practicable, eliminate accidents, injuries and other adverse effects on human health and the environment caused by ship recycling. Article 15(5) of the Regulation requires that the ship recycling company must be able to demonstrate that the waste management facility which receives the waste will be operated in accordance with human health and environmental protection standards that are broadly equivalent to relevant international and European Union standards.

Hereby, *(name)* ....., on behalf of ....., *(company)* ..... (hereafter 'the company') <sup>(2)</sup> confirms to the best of its knowledge that the waste management facility or facilities receiving the waste from the ship recycling facility is (are):

- (a) authorised by its competent national authorities to deal with the waste it receives;
- (b) operated in accordance with human health and environmental protection standards that are broadly equivalent to relevant international and European Union standards;

Along with this statement, the company provides a copy of all relevant documents obtained by the waste management facility or facilities (see Part 2).

Place ..... Date .....

Signature:

<sup>(1)</sup> The procedure is described in Article 7(3) of the Ship Recycling Regulation.

<sup>(2)</sup> Name of the ship recycling company.

**PART 7****Ship Recycling Facility Plan**

## SHIP RECYCLING FACILITY PLAN

In accordance with Article 15(2)(g) of Regulation (EU) No 1257/2013 of the European Parliament and of the Council on ship recycling of 20 November 2013, the ship recycling company is required to confirm that it has adopted a ship recycling facility plan, taking into account the relevant IMO guidelines.

I (*name*) ....., declare that a Ship Recycling Facility Plan was adopted by (*company*) ..... <sup>(1)</sup>. A copy of the Ship Recycling Facility Plan is attached to the application file.

Place ..... Date .....

Signature:

**PART 8****Safe-for-hot work and Safe-for-entry criteria**

As per Article 15(2)(d), the ship recycling company provides evidence that the ship recycling facility is capable of establishing, maintaining and monitoring of the safe-for-hot work and safe-for-entry criteria throughout the ship recycling process.

	Evidence attached to the application file <sup>(1)</sup>
Safe-for-hot work	
Safe-for-entry conditions	

<sup>(1)</sup> Refer to the relevant extracts of the Ship Recycling Facility Plan attached to this application.

<sup>(1)</sup> Name of the ship recycling company.