

NOTE: For comments, Office of Deputy Chief of Coast Guard Staff for Marine Environmental Protection, CG-9 can be reached at email add: cg9@coastguard.gov.ph



PAMBANSANG PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS
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139 25th Street, Port Area
1018 Manila

___ November 2024

NHQ-PCG/CG-9

MEMORANDUM CIRCULAR
NUMBER

**REGULATIONS FOR THE PREVENTION OF POLLUTION
BY GARBAGE FROM SHIPS**

SECTION I AUTHORITY

- A. Republic Act No. 9993: The Philippine Coast Guard Law of 2009 and its Implementing Rules and Regulation
- B. Presidential Decree No. 602: National Oil Pollution Operations Center Decree
- C. Presidential Decree No. 979: Marine Pollution Decree of 1976

SECTION II REFERENCE

- A. MARPOL 73/78 Annex V: Regulations for the Prevention of Pollution by Garbage from Ships
- B. Republic Act No. 9275: Philippine Clean Water Act of 2004
- C. Presidential Decree No. 857: Revised Charter of the Philippines Ports Authority created under Presidential Decree No. 505
- D. Resolution MEPC 201(62): (Revised MARPOL Annex V)

- E. Resolution MEPC 220(63): 2012 Guidelines for the Development of Garbage Management Plans
- F. Resolution MEPC 277(70): (HME substances and Form of Garbage Record Book)
- G. Resolution MEPC 295(71): 2017 Guidelines for the Implementation of MARPOL Annex V

SECTION III PURPOSE

The purpose of this Memorandum Circular is to provide implementing rules and regulations to prevent pollution by garbage from different offshore sources, such as but not limited to ships, fixed or floating platforms, offshore platforms and other floating crafts and facilities operating within the Philippine maritime jurisdiction and prescribing fines and penalties thereof.

This Memorandum Circular shall also prescribe guidelines for the proper collection and disposal of garbage including the accreditation of garbage or solid waste collectors.

SECTION IV SCOPE

This Memorandum Circular shall apply to:

- A. All vessels, small crafts, fixed or floating platforms, offshore platforms and other floating crafts and facilities operating within the Philippine maritime jurisdiction.
- B. Garbage or Solid Waste Collectors.

SECTION V DEFINITION OF TERMS

(For the Definition of Terms, See **Annex A**)

SECTION VI GENERAL PROVISIONS

- A. PROHIBITIONS:** It shall be unlawful for any person to discharge any of the following into any body of water within the Philippine maritime jurisdiction:
- a. All plastics, including but not limited to synthetic ropes, synthetic fishing nets, fishing gears, plastic garbage bags, and incinerator ashes from plastic products which may contain toxic and heavy metal residues;
 - b. All other garbages, including but not limited to paper products, rags, glass, metal, bottles, crockery, dunnage, lining and packing materials;
 - c. The discharge into the sea of cooking oil is strictly prohibited.

B. EXCEPTIONS: The prohibitions in the preceding paragraph shall not apply to the following instances:

- a. The discharge of garbage from a ship necessary for the purpose of securing the safety of the ship and those on board or saving life at sea;
- b. The accidental loss of garbage resulting from damage to a ship or its equipment, provided that all reasonable precautions have been taken before and after the occurrence of the damage, to prevent or minimize the accidental loss;
- c. The accidental loss of fishing gear from a ship, provided that all reasonable precautions have been taken to prevent such loss;
- d. The discharge of fishing gear from a ship for the protection of the marine environment or for the safety of the ship and crew;
- e. The discharge into the sea of cleaning agents or additives contained in cargo hold, deck and external surfaces wash water, provided that these substances are proven to be not harmful to the marine environment.
- f. The discharge of garbage into the sea while en route, and as far as practicable from the nearest land, but not less than:
 - i. Four (4) nautical miles seaward from the shore for food wastes which have been passed through a comminutor or grinder. Such comminuted or ground food wastes shall be capable of passing through a screen with openings no greater than 25 mm;
 - ii. 12 nautical miles seaward from the shore, except within archipelagic waters for untreated food wastes in accordance with the immediately preceding subparagraph;
 - iii. 12 nautical miles seaward from the shore for cargo residues that cannot be recovered using commonly available methods for unloading. These cargo residues shall not contain any substances classified as harmful to the marine environment.
 - iv. For animal carcasses, the discharge shall occur as far as practicable from the nearest land.

C. GUIDELINES:

1. Ship Owner/ Operator:

- a. Reduce waste generation by minimizing the amount of possible garbage brought onboard the ship.

- b. Replace disposable plastic sheeting used for cargo protection with permanent, reusable covering materials.
- c. Adapt storage systems and methods that shall promote the re-use of covering, dunnage, shoring and packing materials.
- d. For food wastes, utilize comminutors or grinders capable of passing through a screen with an opening not greater than twenty-five (25) millimeters before disposal.
- e. For passenger vessels, ensure that a briefing is conducted on the proper garbage disposal prior to every departure.
- f. Ensure that garbage generated by the ship, small crafts, fixed or floating platforms, offshore platforms and other floating crafts and facilities should be properly disposed of at the port reception facility and collected by the port reception facility operator or by PCG-accredited garbage or solid waste collector.
- g. Develop a garbage management plan and submit the same to the Marine Environmental Protection Command (MEPCOM) for approval. Once approved, the plan shall be incorporated into the crew and vessels documents for inspection.
- h. Maintain adequate and appropriate color-coded garbage receptacle on board for waste segregation as prescribed in the Garbage Management Plan.
- i. Designate person/s in charge of implementing the Garbage Management Plan.
- j. Maintain a Garbage Record Book duly registered by MEPCOM which shall be kept on board at all times.
- k. Display a Garbage Disposal Regulation Placard which will notify the crew or passengers of the proper disposal of garbage. These placards should be placed in conspicuous areas and shall be written in english and native language.

2. Garbage Record Book

- a. All vessels shall have a Garbage Record Book, duly registered at MEPCOM, maintained and kept on board at all times.
- b. Entries in the Garbage Record Book shall be made in accordance with **Annex C** of this Circular;
- c. Each discharge into the sea or to a reception facility, or a completed incineration, shall be promptly recorded in the Garbage Record Book and

signed for on the date of the discharge or incineration by the officer in charge. Each completed page of the Garbage Record Book shall be signed by the master of the ship. The entries in the Garbage Record Book shall be written in English.

- d. All garbage disposed to Port Reception Facilities / Accredited Garbage or Solid Waste Collectors shall be covered by a receipt issued by the same and must be recorded in the Garbage Record Book.

3. Garbage Management Plan

- a. Every ship of 100 gross tonnage and above, as well as small crafts certified to carry fifteen (15) passengers and above, along with fixed or floating platforms and other floating crafts and facilities shall carry a garbage management plan which the crew shall follow. This plan shall provide written procedures in English for minimizing, collecting, storing, processing and disposing of garbage, including the use of the equipment on board.
- b. All Garbage Management Plan shall be registered with and approved by the PCG through MEPCOM.

SECTION VII GARBAGE or SOLID WASTE COLLECTORS

- A. Garbage or Solid Waste Collectors shall be accredited by the PCG through MEPCOM.
- B. Accredited Garbage or Solid Waste Collectors must own or lease the following:
 - 1. Vehicles and equipments designed to haul and transport garbage from ships with certification from DENR.
 - 2. Vessels designed for seaborne collection and transport of garbage from ships;
 - 3. Storage and treatment facility duly permitted by the DENR to operate as such.
 - 4. In addition, each company must have a minimum of at least ten (10) personnel who have successfully completed DENR-prescribed seminars and training programs on garbage collection and treatment.

SECTION VIII PROCEDURE FOR THE ACCREDITATION OF GARBAGE or SOLID WASTE COLLECTORS

- A. Applications for accreditation of garbage or solid waste collectors must be accompanied by documents enumerated under **Annex B** of this Circular.

- B. The concerned MEPERG will conduct an inspection to ensure compliance with all requirements and render an After-Inspection-Report.
- C. Upon satisfaction with the inspection results, the concerned MEPERG will recommend the application to MEP AcCeS for processing of garbage or solid waste collector accreditation certificate.
- D. MEP AcCeS personnel will assess the application and confirm compliance with the requirements listed under **Annex B**.
- E. If the inspection results are unsatisfactory, the concerned MEPERG will advise the applying entity to ensure all necessary documents are compliant with the requirements under **Annex B** and further request for a re-inspection.
- F. Upon approval, MEP AcCeS notifies the garbage or solid waste collector via email regarding the order of payment for accreditation.
- G. The garbage or solid waste collector must make the payment as instructed by MEP AcCeS to proceed with accreditation.
- H. Upon payment confirmation, MEP AcCeS will forward the application to C, MEPCOM for approval of a certificate of accreditation.
- I. After approval of the certificate of accreditation, MEP AcCeS shall notify the garbage and solid waste collector of the schedule of release of certificate of accreditation.
- J. The certificate of accreditation shall be valid for one (1) year from the date of issue and renewed three (3) months before the expiration date.

SECTION IX FEES

- A.
- B. The PCG-prescribed fees for the registration of Garbage Record Book and Garbage Management Plan as well as the processing and issuance of Certificate of Accreditation for garbage or solid waste collectors is attached hereto as **Annex D**.
- C. PCG-prescribed fees will be subject to ten percent (10%) increase after three (3) years from effectivity, and for every three (3) years thereafter.

SECTION X FINES AND PENALTIES

- A. The sum of **One Hundred Thousand Pesos (₱ 100,000.00)** is set as the amount of fine per violation against any person who shall be found violating the provisions of Section VI and Section VII of this Circular.
- B. The aforementioned administrative fine and penalties herein shall automatically be increased by ten percent (10%) every three (3) years from

the effectivity of this Memorandum Circular to compensate for inflation and to maintain the deterrent effect of such fines.

- C. Any person committing the same violation for the second time will be penalized with a maximum of five hundred thousand pesos (₱ 500,000.00) per day for each day of violation during which the omission and/or contamination continues, the revocation of accreditation certificate and non-renewal of accreditation.
- D. The imposition of administrative penalties mentioned in this Section shall be a cause for the non-issuance of departure clearance for the vessel.
- E. The imposition of administrative penalties mentioned in this Section shall be without prejudice to other sanctions that may be imposed for violation of any law, rule or regulation arising from the same act.

SECTION XI REPEALING CLAUSE

HPCG/CG-9 Memorandum Circular No. 07-14 dated 19 December 2014 is hereby repealed.

SECTION XII EFFECTIVITY

This Memorandum-Circular shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

ADMIRAL RONNIE GIL L GAVAN PCG
Commandant, Philippine Coast Guard

Approved by:

JAIME J BAUTISTA
Secretary, DOTr

ANNEX A

DEFINITION OF TERMS

- A. **Animal Carcasses** - means the bodies of any animals that are carried on board as cargo and that die or are euthanized during the voyage.
- A. **Archipelagic Waters** – The archipelagic waters of the Philippines shall refer to the waters on the landward side of the archipelagic straight baselines of the territorial sea of the Philippine archipelago not constituting internal waters.
- B. **Cargo Residues** - remnants of any cargo material on board that cannot be placed in proper holds or which remains in cargo holds or elsewhere after unloading procedures have been completed.
- C. **Cooking Oil** – means any type of edible oil or animal fat used or intended to be used for the preparation or cooking of food, but does not include the food itself that is prepared using these oils.
- D. **En route** - means that the ship is underway or on course at sea or in the process of traveling from one location to another.
- E. **Food Wastes** - any spoiled or unspoiled food substances and includes fruits, vegetables, dairy products, poultry, meat products and food scraps generated aboard ship.
- F. **Fishing Gear** - means any physical device or part thereof or combination of items that may be placed on or in the water or on the sea-bed with the intended purpose of capturing, or controlling for subsequent capture or harvesting, marine or freshwater organisms.
- G. **Fixed or Floating Platforms** - means fixed or floating structures located at sea which are engaged in the exploration, exploitation or associated offshore processing of sea-bed mineral resources.
- H. **Offshore Platforms** - means any fixed or floating structures located at sea.
- I. **Floating Facilities** – a floating structure (a floating dock, a floating storage unit, a floating restaurant, a floating power plant, a pontoon bridge, a pontoon marina, etc.)
- J. **Garbage** - means all kinds of food wastes, domestic wastes and operational wastes, all plastics, cargo residues, incinerator ashes, cooking oil, and animal carcasses generated during the normal operation of the ship and liable to be disposed of continuously or periodically except those substances which are defined or listed in other Annexes to the present Convention. Garbage does not include fresh fish and parts thereof generated as a result of fishing activities undertaken during the voyage, or as a result of aquaculture activities which involve the transport of fish including shellfish for placement in the aquaculture

facility and the transport of harvested fish including shellfish from such facilities to shore for processing.

- K. **Incinerator ashes** - means ash and clinkers resulting from shipboard incinerators used for the incineration of garbage.
- L. **Maintenance Waste** - any matter collected by the engine and deck department while maintaining and operating the vessel, such as soot, machinery, deposits, scraped paint, deck sweeping, wiping waste and rags, etc.
- M. **Nearest Land** – means 12 nautical miles from the country's baseline.
- N. **Operational Waste** - means all solid wastes that are collected on board during normal maintenance or operations of a ship, or used for cargo stowage and handling. Operational wastes also include cleaning agents and additives contained in cargo hold and external wash water. Operational wastes does not include grey water, bilge water, or other similar discharges essential to the operation of a ship.
- O. **Plastic** - means all garbage that consists of or includes plastic in any form, including synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products.
- P. **Philippine Maritime Jurisdiction** - include all bodies of water within the Philippine territory such as lakes, rivers, streams, creek, brooks, ponds, swamps, lagoons, gulfs, bays and seas and other bodies of water now existing or which may hereafter exist in the provinces, cities, municipalities and barangays and the waters around, between and connecting the islands of the archipelago regardless of their breadth and dimensions, includes the territorial sea, the sea beds, and insular shelves, and all other waters over which the Philippine has sovereignty and jurisdiction, including the 200-nautical miles Exclusive Economic Zone and the continental shelf.
- Q. **Reception Facility** - refers to port reception facility provided by the Port Authorities or a mobile disposal reception service provided by, or approved contract with or a permit issued by the Port Authorities or Department of Environment and Natural Resources (DENR) Environmental Management Bureau (EMB), as the case may be.
- R. **Operator** – shall refer to the owner or company authorized to establish and operate the reception and treatment facilities and to render related services as may be authorized.

ANNEX B

REQUIREMENTS FOR GARBAGE OR SOLID WASTE ACCREDITATION

- i. Letter Request addressed to Commander, MEPCOM;
- ii. Articles of Incorporation for corporate applicants and DTI Registration for Sole proprietorship with accompanying documents such as Company Profile, and Business Permits)
- iii. List of Equipment used during operation
- iv. List of Qualified personnel to conduct such operation with corresponding certificate of training (Training as required under RA 9003, DENR guidelines and/or PCG equivalent marine waste management training)
- v. Emergency Plan in case of injury, accidents or spillage
- vi. Plan for the conduct of operation
- vii. Environmental Compliance Certificate (ECC) / CNC Certificate of Non-Coverage
- viii. Transporter Registration Certificate from DENR-EMB
- ix. Treatment, Storage and Disposal (TSD) Certificate
- x. Certification/Permits/Contract of Sanitary Landfill /Dump Site
- xi. Land base Inspection Report (MEPERG)
- xii. Certified true copy of old certificate (for renewal)

ANNEX C

The Garbage Record Books are divided into Part I and Part II. Part I is used by all ships, but Part II is only required for ships that carry solid bulk cargoes.

Part I covers discharges of:

1. Plastics
2. Food wastes
3. Domestic wastes
4. Cooking oil
5. Incinerator ashes
6. Operational wastes
7. Animal carcass(es)
8. Fishing gear
9. Electronic Waste

Part II covers discharges of:

1. Cargo residues (Non-Harmful to the Marine Environment)
2. Cargo residues (Harmful to the Marine Environment).

RECORD OF GARBAGE DISCHARGES

Ship's name: _____

Distinctive No., or letters: _____

IMO No.: _____

Garbage categories:

- A. Plastics
- B. Food wastes
- C. Domestic wastes (e.g. paper products, rags, glass, metal, bottles, crockery, etc.)
- D. Cooking oil
- E. Incinerator Ashes
- F. Operational wastes
- G. Animal carcass(es)
- H. Fishing gear
- I. Electronic Waste
- J. Cargo Residues (Non-Harmful to the Marine Environment)
- K. Cargo Residues (Harmful to the Marine Environment)

NEW TABLE FORMAT

Date / Time	Position of ship (latitude/ longitude), if discharged (comminuted) at sea, Name of Port if discharged ashore or Name of Ship if discharged into another ship	Category	Estimated amount discharged			Estimated amount	Remarks: start and stop position of ship if discharge into the sea	Certification / Signature
			At Sea (m ³)	To Reception Facility (m ³)	To Ship (m ³)	Incinerated (m ³)		
/ / :								
/ / :								
/ / :								
/ / :								
/ / :								
/ / :								
/ / :								
/ / :								


Master's Name and Signature: _____ Date: _____

ANNEX D

Please refer to the Memorandum from MEPCOM to all concerned Stakeholders dated 10 Feb 2023:

Subject: Increase Fees on MEP Services and Fines and Penalties for MEP Violation

Should you need further clarifications, you may reach the MEP AcCeS Office thru: Mobile Nr: 0917-146-7304 or email at mepacservice@gmail.com


Philippine Coast Guard
HEADQUARTERS MARINE ENVIRONMENTAL PROTECTION COMMAND
Coast Guard Base Farola, Muelle dela Industria
Binondo, Manila

HMEPCOM

MEMORANDUM

To: All CONCERNED STAKEHOLDERS

Subj: Increase of fees on MEP Services and Fines and Penalties for MEP Violations

Ref: All HPCG Memorandum Circulars related to Marine Environmental Protection


Date: 10 February 2023


1. The Marine Environmental Protection Command (MEPCOM) as the primary unit of the Philippine Coast Guard mandated to protect, conserve, and preserve a healthful and well-balanced marine environment and resources of the country offers twenty-three (23) MEP frontline services to shipping line companies, private entities, and waste collectors to prevent and mitigate any possible pollution at sea.

2. In compliance to the existing Memorandum Circulars of the PCG in relation to MEP, this Command will impose the adjusted rates on Fees to the services offered to all the stakeholders. Further, corresponding increase on fines and penalties will also be imposed to any committed MEP violations effective **01 March 2023**. Please see attached table for your reference.


3. Should you need clarifications, you may reach the MEP AcCeS Office through mobile number 0917-1467-304 or e-mail mepacservice@gmail.com.

4. For information and widest dissemination.


CG RADM ROBERT W. PATRIMONIO
Commander, MEPCOM


Philippine Coast Guard
HEADQUARTERS MARINE ENVIRONMENTAL PROTECTION COMMAND
Coast Guard Base Farola, Muelle dela Industria
Binondo, Manila

Name of Certificate and Services	Fees based on MC	Fees on 2022	Fees on 2023	Fees on 2024	Fees on 2025	Remarks
IOPPC/OPPC	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	No increase as per MC
ISPPC/SPPC						10 percent increase per year
	5,000.00	9,744.00	10,718.00	11,790.00	12,969.00	No increase as per MC
OWS, OSRE, OSM, OSD, STP, HT Accreditation Fee	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	No increase as per MC
TCC, OWC, SWC, SGWC Accreditation Fee	3,000.00	5,846.00	6,431.00	7,074.00	7,781.00	10 percent increase per year
OWS Testing Fee	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	No increase as per MC
OSD Testing Fee	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	No increase as per MC
Certificate Fee	300.00	300.00	300.00	300.00	300.00	No increase as per MC
Inspection Fee						10 percent increase per year
	5,000.00	9,744.00	10,718.00	11,790.00	12,969.00	No increase as per MC
MARPOL Surveyor	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	No increase as per MC
ORB Part I & II	240.00	240.00	240.00	240.00	240.00	No increase as per MC
CRB	240.00	240.00	240.00	240.00	240.00	No increase as per MC
GRB Part I & II						10 percent increase per year
	500.00	974.00	1072.00	1179.00	1297.00	10 percent increase per year
GMP						10 percent increase per year
	2,000.00	3,897.00	4,287.00	4,716.00	5,187.00	10 percent increase per year
SOPEP/SMPEP						10 percent increase per year
	1,000.00	1,949.00	2,144.00	2,358.00	2,594.00	No increase as per MC
OSCP	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	No increase as per MC


Philippine Coast Guard
HEADQUARTERS MARINE ENVIRONMENTAL PROTECTION COMMAND
Coast Guard Base Farola, Muelle dela Industria
Binondo, Manila

Violations/Penalties	Fees based on MC	Fees on 2022	Fees on 2023	Fees on 2024	Fees on 2025	Remarks
Memorandum Circular 01-2005						
Sec 7 (a.1.)	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	No increase
Sec 7 (a.2.)	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	No increase
Sec 7 (a.3.)	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	No increase
Sec 7 (a.4.)	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	No increase
Memorandum Circular 04-2005						
Sec 7 a.	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	No increase
Sec 7 b.	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	No increase
Memorandum Circular 06-2005						
Sec IX	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	No increase
Memorandum Circular 07-2014						
Sec IX	50,000.00	60,500.00	60,500.00	66,550.00	66,550.00	10 percent increase every 3 years
Memorandum Circular 08-2014						
Sec IX. b.	50,000.00	60,500.00	60,500.00	66,550.00	66,550.00	10 percent increase every 3 years
Sec IX. c.	50,000.00	60,500.00	60,500.00	66,550.00	66,550.00	10 percent increase every 3 years
Sec IX. d.	10,000.00	12,100.00	12,100.00	13,310.00	13,310.00	10 percent increase every 3 years

Memorandum Circular 09-2014

Sec X. A.	20,000.00	24,200.00	24,200.00	26,620.00	26,620.00	10 percent increase every 3 years
Sec X. B.	20,000.00	24,200.00	24,200.00	26,620.00	26,620.00	10 percent increase every 3 years
Sec X. C.	50,000.00	60,500.00	60,500.00	66,550.00	66,550.00	10 percent increase every 3 years
Sec X. D.	50,000.00	60,500.00	60,500.00	66,550.00	66,550.00	10 percent increase every 3 years
Memorandum Circular 10-2014						
Sec XI (A.1-4)	100,000.00	121,000.00	121,000.00	133,100.00	133,100.00	10 percent increase every 3 years