



**PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS**  
**(HEADQUARTERS, PHILIPPINE COAST GUARD)**  
139 25th Street, Port Area  
Manila

HPCG/CG9

**MEMORANDUM CIRCULAR**  
**NUMBER NR . . . . .**

**RULES AND REGULATIONS ON PREVENTION, CONTAINMENT,**  
**ABATEMENT AND CONTROL OF OIL MARINE POLLUTION BY OIL**  
**TANKERS AND PROVIDING PENALTIES THEREOF**

**AUTHORITY**

1. Republic Act No. 9993: The Philippine Coast Guard Law of 2009 and Its Implementing Rules and Regulations;
2. Republic Act No. 9483: Oil Pollution Compensation Act of 2007 and Its Implementing Rules and Regulations;
3. Republic Act No. 9275: Philippine Clean Water Act of 2004 and Its Implementing Rules and Regulations;
4. Republic Act No. 8550: The Philippine Fisheries Code of 1998; as amended by RA 10654;
- 4.5. Presidential Decree No. 979: Marine Pollution Decree of 1976; and
- 5.6. Presidential Decree No. 602: National Oil Pollution Operations Center Decree.

**REFERENCES**

1. Republic Act No. 7586: National Integrated Protected Areas System Act of 1992 (NIPAS Act);
2. Presidential Decree No. 1152: Environmental Code of the Philippines;
3. National Oil Spill Contingency Plan (NOSOP);
4. Annex I of the International Convention for the Prevention of Pollution from Ships, MARPOL 73/78;
5. International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC);
6. International Convention on Civil Liability for Oil Pollution Damage (CLC);

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- 6.7. International Oil Pollution Compensation Fund 1992;
- 7.8. International Safety Guides for Oil Tankers and Terminals (ISGOTT); and
8. Supreme Court Administrative Matter No. 09-6-8-C (Rules of Procedure for Environmental Cases).
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## REGULATION 1 PURPOSE

To establish the policy and provide the rules and regulations for an effective prevention, containment, abatement and control of oil marine pollution by Oil Tanker within the Philippine maritime jurisdiction in accordance with the abovementioned laws and to provide penalties for violations thereof.

## REGULATION 2 SCOPE

This Memorandum Circular, unless expressly provided otherwise, shall apply to all Philippine registered Oil Tankers either sea-going International Trade or operating domestically within the Philippine maritime jurisdiction including ports, coastlines, lakes and their tributaries.

The Port State Control inspection regime shall apply to all foreign vessels operating within the Philippine maritime jurisdiction. Further, these foreign vessels shall be covered by the whole regulations of the International Convention on the prevention of Pollution from Ships, as amended (MARPOL 73/78) and relevant provisions of National laws rules and regulations including this Memorandum Circular.

The Port State Control inspection regime shall apply to all foreign vessels operating within the Philippine maritime jurisdiction. Further, these foreign vessels shall be covered by (by the whole) International Convention on Marine Pollution 73/78 as amended and relevant provisions of National laws rules and regulations including this Memorandum Circular.

The Port State Control inspection regime shall apply to all foreign vessels operating within the Philippine maritime jurisdiction. Further, these foreign vessels shall be covered by the whole regulations of the International Convention on the prevention of Pollution from Ships, as amended (MARPOL 73/78) and relevant provisions of National laws rules and regulations including this Memorandum Circular.

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## REGULATION 3 EXEMPTIONS

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Naval warships and government-owned vessels not used for commercial purposes are exempted from the provisions prescribed in this Circular. However, these vessels should take appropriate measures to prevent discharges of oil and other matters that may cause marine pollution and should report all marine pollution incidents to the Philippine Coast Guard.

#### REGULATION 4 DEFINITION OF TERMS

For the purpose of this circular, the following terms shall be defined as:

1. **1992 Civil Liability Convention**— means the 1992 International Convention on Civil Liability for Oil Pollution Damage
2. **Aquatic Pollution** – the introduction by human or machine, directly or indirectly of substances or energy to the aquatic environment which result or is likely to result in such deleterious effects as to harm living and non-living aquatic resources, pose potential and/or real hazard to human health, hindrance to aquatic activities such as fishing and navigation, including dumping/disposal of waste and other radioactive, noxious or harmful liquid, gaseous or solid substances from any water, land or air transport or other human-made structure.
3. **Black Products** - refers to petroleum products including but is not limited to crude oil, fuel oil, heavy diesel and lubricating oil;
4. **Claims**- a demand made in writing to compensate pollution damage and to include prevention, protection, clean-up and rehabilitation cost resulting from oil spill;
5. **Consequential Loss** – loss incurred as a result of being unable to use business property or equipment;
6. **Crude Oil**—means any liquid hydrocarbon mixture occurring naturally in the earth whether or not treated to render it suitable for transportation and includes:
  - 6.1 Crude oil from which certain distillate fractions may have been removed; and
  - 6.2 Crude oil to which certain distillate fractions may have been added
7. **Deficiency** – a condition found not to be in compliance with the requirements of the relevant marine environmental protection (MEP) regulations;
8. Delivered on or before 31 December 1979. – Oil Tanker of 150 GT and above delivered on or before 31 December 1979 means a ship:

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- 8.1 for which the building contract is placed after 31 December 1975; or
- 8.2 in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction on or before 30 June 1976; or
- 8.3 the delivery of which is on before 31 December 1979; or
- 8.4 which has undergone a major conversion:

- 8.4.1 for which the contract is placed after 31 December 1975; or
- 8.4.2 in the absence of contract the construction work of which is begun on or before 30 June 1976; or
- 8.4.3 which is completed on or before 31 December 1979.

**9. Delivered on or after 1 January 2010** - Oil Tanker of 150 GT and above delivered on or after 1 January 2010 which has installed a sea chest that is permanently connected to the cargo pipeline system shall be equipped with both a sea chest valve and an inboard isolation valve.

- 9.1 For which the building contract is placed on or after 1 January 2007; on
- 9.2 In the absence of building contract, the keel of which is laid or which is at a similar stage of construction on or after 1 July 2007; or
- 9.3 the delivery of which is on or after 1 January 2010; or
- 9.4 which has undergone a major conversion ;
- 9.4.1 for which the contract is placed on or after 1 January 2007
- 9.4.2 in the absence of a contract, the construction work of which is begun on or after 1 July 2007; or
- 9.4.3 which is completed on or after 1 January 2010.

**10. Delivered after 1 June 1982** - Every crude Oil Tanker of 20,000 tons deadweight and above delivered after 1 June 1982 shall be provided with segregated ballast tanks means ship:

- 10.1 for which the building contract is placed after 1 June 1979; or
- 10.2 in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction after 1 January 1980; or
- 10.3 the delivery of which is after 1 June 1982 which has undergone a major conversion:
- 10.3.1 for which the contract is placed after 1 June 1979, or
- 10.3.2 in the absence of a contract, the construction work of which is begun after 1 January 1980; or
- 10.3.3 which is completed after 1 June 1982.

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10.4 Every Oil Tanker of 70,000 tons deadweight and above delivered after 31 December 1979 means a ship:

10.4.1 for which the building contract is placed after 31 December 1975; or

10.4.2 in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction after 30 June 1976; or

10.4.3 the delivery of which is after 31 December 1979; or

10.4.4 which has undergone a major conversion:

10.4.4.1 for which the contract is placed after 31 December 1975; or

10.4.4.1 in the absence of the contract, the construction work of which is begun after 30 June 1976; or

10.4.4.2 which is completed after 31 December 1979; or

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8.11. **Discharge**— means any release of harmful substances or effluents containing such substances howsoever caused from a ship or facility and includes any escape, disposal, spilling, leaking, pumping, emitting or emptying;

12. **Effluent**- discharge from vessels and other known sources which is passed into a body of water or land, or wastewater flowing out of a domestic, commercial, industrial and recreational facilities;

13. **Existing Ship**-means a ship which is not a new ship.

(a) Major conversion means a conversion of an existing ship:

(i) which substantially alters the dimensions or carrying capacity of the ship; or

(i) which changes the type of the ship; or

(ii) which changes the type of the ship; or

(iii) the intent of which in the opinion of the Administration is substantially to prolong its life; or

(iii) the intent of which in the opinion of the Administration is substantially to prolong its life; or

(iv) which otherwise so alters the ship that, if it were a new ship, it would become subject to relevant provisions of the present Convention not applicable to it as an existing ship.

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9.14. **Facilities**- shall include power plants, shipyards, oil refineries, oil depots, terminals, ports jetties, oil rigs either fixed or floating platforms, cargo terminals, ferry terminal facilities and other establishments capable of causing oil pollution within Philippine maritime jurisdiction;

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~~40-15.~~ **Initial Oil Spill Response** – pertains to the immediate response required to prevent or mitigate further damage of oil pollution in the affected area.

~~44-16.~~ **In rem** – Latin term which means “against a thing,” pertains to legal action directed toward the property rather than toward a particular person;

~~42-17.~~ **Lien** – a right to keep possession of property belonging to another person until a debt owned by that person is discharged;

~~43-18.~~ **Marine Protected Area-** a water area within the Philippine maritime jurisdiction declared under existing laws as marine parks, marine sanctuaries including but not limited to reefs, shoals, mangroves, atolls such as Tubattaha Reefs, Verde Island Passage, Sulu Sulawesi water area and other areas to be declared as such;

~~19.~~ **MARINA** – means Maritime Industry Authority;

## 20. New Ships/Tankers

~~20.1~~ for which the building contract is placed after 31 December 1975; or

~~20.2~~ in the absence of a building contract, the keel of which is laid or

~~20.3~~ which is at similar stage of construction after 30 June 1976; or

~~20.4~~ the delivery of which is after 31 December 1979; or

~~20.5~~ which has undergone a major conversion;

~~(i)~~ for which the contract is placed after 31 December

~~(ii)~~ In the absence of a contract, the construction work of which is begun after 30 June 1976; or

~~(iii)~~ which is completed after 31 December 1979.

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~~45-21.~~ **Oil-** petroleum in any form including crude oil, fuel oil, sludge, oil refuses refined products(except petrochemicals which are subject to the provisions of Annex II of MARPOL 73/78), oil mixed in dredge spoils, and substances listed in the *Annex 1* of this Circular;

~~22.~~ **Oil Marine Pollution** – release or escape of oil into the marine areas from water to shore and vice versa, from ships, Oil Tankers, offshore sources, coastal facilities and other human activities which impaired the marine environment.

## ~~46.~~ **Oil Spill Contingency Plan (OSCP)**

~~47-24.~~ **Oil Spill Dispersant-** any chemical substance or a combination of substances that breaks oil into particles such that it facilitates the dispersion, evaporation and biodegradation of the oil;

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~~18-25.~~ **Oil Spill Response (OSR)**- any oil spill response operation or activity for prevention, containment, abatement and control of oil pollution in Philippine maritime jurisdiction;

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~~19-26.~~ **Oil Spill Prevention and Response Organization (OSPROOSRO)**- an entity duly accredited by the PCG authorized to provide oil spill prevention and response services in the event of oil spill within the Philippine maritime jurisdiction;

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~~20-27.~~ **Oil Tanker**- a ship constructed or adapted primarily to carry oil in bulk in cargo spaces and includes combination carriers, any Noxious Liquid Substance (NLS) Oil Tanker as defined in Annex II MARPOL 73/78 and gas carrier as defined in SOLAS 74 when it is carrying a cargo or part cargo of oil in bulk.

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~~21-28.~~ **Oily mixture**-a mixture with any oil content;

~~22-29.~~ **Owner** – means the person registered as the owner of the vessel or Oil Tanker or, in the absence of registration, the person or persons owning the Ship. However, in case of a Ship owned by a State and operated by a company which in that State is registered as the Ship's operator, "Owner" shall mean such company

~~23-30.~~ **PCG**- shall mean the Philippine Coast Guard.

~~24-31.~~ **Philippine Maritime Jurisdiction (Philippine Waters)**- include all of water within the Philippine territory such as lakes, rivers, streams, creeks, 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, the territorial sea, the sea beds, the insular shelves, and all other waters over which the Philippines has sovereignty and jurisdiction including the 200-nautical miles Exclusive Economic Zone and the continental shelf.

~~25-32.~~ **Persistent Oil**- oil which are normally classified as persistent include oils, fuel oils, heavy diesel and lubricating oils;

~~26-33.~~ **Pollution damage**- means:

~~28.1-~~

~~28.2-~~ Loss or damage caused outside the ship by contamination resulting from the escape or discharge of oil from the ship, wherever such escape or discharge may occur, provided that compensation for impairment of the environment other than loss of profit from such impairment shall be limited to costs of reasonable measures of reinstatement actually undertaken or to be undertaken;

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~~28.333.2~~ The costs of preventive measures and further loss or damage by preventive measure.

~~27.34.~~ **Precautionary Principle** – a principle of law which states that when activities may lead to threats of serious and irreversible damage to the environment that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that threat.

~~28.35.~~ **Preventive Detention** – preventive measure taken by the Marine Environmental Protection (MEP) Officer when the condition of the ship does not correspond substantially with the applicable MEP laws/regulations to ensure that the ship will not sail until it can proceed to sea without presenting danger to the ship or person on board or without presenting any threat of harm to the marine environment;

~~29.36.~~ **Preventive Measure** – means any reasonable measures taken by any person after an incident has occurred to prevent or minimize pollution damage.

~~30.37.~~ **Prima Facie Evidence** – evidence sufficient in law to raise a presumption fact or establish the fact in question unless rebutted.

~~31.38.~~ **Produced Water**– water that is produced along with the oil and gas during extraction from oil wells;

~~32.39.~~ **Polluter Pays Principle** – a general principle of international law which states that the costs of environmental control fall primarily on the polluters.

~~33.40.~~ **Pure Economic Loss** – financial damage suffered as the result of the negligent act of another party which is not accompanied by any physical damage to a person or property;

~~34.41.~~ **Response Operation** – the execution of oil spill response measures including but not limited to assessment of the incident, skimming, dispersing, shoreline protection and shoreline cleaning. The duration of each response operation shall depend on the circumstances of the oil incident to be determined by the Commander of the concerned Coast Guard District for Tier I and Tier II Spill upon consultation with the Marine Environmental Protection Command (MEPCOM), Local Government Unit/s (LGU/s) and other concerned government agencies. In Tier III Spill the Commandant, Philippine Coast Guard with the recommendation of CMEPCOM upon consultation with the concerned LGU/s, Coast Guard District and other government agencies shall determine the duration of the response and termination operation;

~~35.42.~~ **Special area**- a sea area within the Philippine maritime jurisdiction where recognized technical reasons in relation to its ~~oceanographical~~ oceanographically and ecological condition and to the particular character of its traffic the adoption of special mandatory methods



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for the prevention of sea pollution by oil is required or any other sea area as may be defined by existing law;

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~~36-43.~~ **Threat of Oil Spill** – when no actual discharge of oil has occurred but is a probability that one could due to damage, failure or breakdown which affects the safety of the ship or failure or breakdown of machinery which results in impairment of the safety of navigation.

~~37.~~ **44. Tier Level/ Classification-** shall be based on the following criteria:

- 40.1 Tier I Spill- a discharge of less than 10,000 (10 m<sup>3</sup>) liters of oil;
- 40.2 Tier II Spill- a discharge of 10,000 to 1,000,000 (1000 m<sup>3</sup>) liters of oil;
- 40.3 Tier III Spill- a discharge of more than 1,000,000 (1000 m<sup>3</sup>) liters of oil;

However, in the determination of initial tier level/ classification response, due consideration shall be taken based on the Environmental Impact of the oil spill as an initial assessment in accordance with Net Environmental Benefit Analysis (NEBA) by the PCG.

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~~38-45.~~ **Vessel**– means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air cushion vehicles, submersibles, floating craft and fixed or floating platforms, may be used synonymously with ship;

## REGULATION 5 POLICIES

1. The “*precautionary principle*” and the “*polluter pays principle*” as embodied in applicable laws and international conventions are to be fully adopted in the application, enforcement and interpretation of any of the provisions in this Circular, as well as in any dispute or adjudication arising from or in connection with this Circular.
2. All Oil Tanker including power barges are required to prevent and control pollution of the marine environment by oil and the minimization of accidental discharge of such substance, likewise the same are strictly accountable for any and all liabilities arising from oil marine pollution.
3. The PCG shall conduct inspections of all Philippine flagged Oil Tanker entering or within the territory of the Philippines, to determine compliance of pertinent national laws and PCG MEP rules and regulations. Provided, that such inspections shall not cause undue delay to the vessel.
4. The PCG shall conduct Port State Control Inspections of all foreign oil tankers ships entering or within the territory of the Philippines, to determine compliance to International Convention for the Prevention of Pollution from

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Ships 73/78 as amended and pertinent national laws and PCG MEP rules and regulations. Provided, that such inspections shall not cause undue delay to the Ships.

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5. All bunkering/transferring operations shall be carried out in accordance with the International Safety Guide for Oil Tankers and Terminals (ISGOTT).
6. Oil Tankers covered under this circular shall report the oil spill incident immediately or within ~~three (3)~~ one (1) hours to the nearest PCG unit from its occurrence.
7. All certificates, documents and contracts required by this Circular and other PCG rules and regulations shall be onboard. The PCG Accreditation Certificate of Oily Water Separator should be presented upon inspection of the Oil Tanker on its original form. Presentation of PCG accreditation certificate or PCG units' authenticated copies thereof shall constitute compliance of the requirements of this circular.
8. All vessels/oil tankers exempted from complying with the provisions under this Circular are encouraged to undertake necessary measures to prevent damage from oil marine pollution and ensure the protection of marine environment from harmful effects.
9. The oil tanker Master shall maintain an Inspection Record Book (which shall serve as a permanent record of all deficiencies discovered in the course of every inspection. (See Annex 9)
10. A record book which the master intends to utilize as the vessel/oil tanker's ~~vessel's~~ Inspection Record Book shall be submitted to the PCG. All entries in the registered record book shall be in chronological order and no page therein shall be removed, deleted or erased. Any correction in the entry therein shall be countersigned by the person making the correction;
- ~~11. No registration of Inspection Record Book shall be made unless a fee of Php 500 is fully paid. Such registration shall be valid for three years.~~
- 12.11. In pursuit of effective regulatory framework for the prevention, abatement, containment and control of oil marine pollution, the role of the private sector and the market-driven forces are hereby recognized and affirmed.

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## REGULATION 6

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## PROHIBITION

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### 1. PROHIBITED ACTS

It shall be unlawful for any person or entity, including Oil Tanker (regardless of tonnage) and facilities engaged in cargo and ferry transport, to:

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1.1 Discharge of oil or oily mixture from machinery space bilges of oil tankers including but not limited to tank cleaning, deck washing, crude oil washing and any other ships when mixed with cargo oil residue or when transferred to slop tanks;

1.2 Discharge from cargo pump room bilges of Oil Tanker;

1.3 Discharge into the sea of oil or oily mixture from an Oil Tanker while in a special area;

### 2. EXCEPTIONS

2.1 The discharge into the sea of oil or oily mixture is necessary for the purpose of securing the safety of a ship or saving life at sea; or

2.2 The discharge into the sea of oil or oily mixture resulting from damage to an oil tanker ship or its equipment; *Provided*, that all reasonable precautions have been taken after the occurrence of the damage or discovery of the discharge for the purpose of preventing or minimizing the discharge; and except if the owner or the master acted either with intent to cause damage, or recklessly and with knowledge that damage would probably result; or

2.3 Any discharge into the sea of oil or oily mixture from oil tanker shall be prohibited except when all of the following conditions are satisfied:

2.3.1 The Oil Tanker is not within a special area;

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2.3.2 The Oil Tanker is more than 50 nautical miles from the nearest land;

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2.3.3 The Oil Tanker is proceeding en route;

2.3.4 The instantaneous rate of discharge of oil content does not exceed (30) liters per nautical mile;

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2.3.5 The total quantity of oil discharge into the sea does not exceed for existing Oil Tanker 1/15,000 or 15 ppm of the total quantity of the particular cargo of which the residue formed a part; and

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- 2.3.6 The Oil Tanker has in operation an oil discharge monitoring and control system, oil water separator and a slop tank arrangement.

3. Upon the oil tanker's arrival at port, the exceptions provided in subparagraph (2.1) and (2.2) above.
4. The oil residues which cannot be discharged into the sea in compliance with paragraphs (1) and (2) shall be retained on board for subsequent discharge to reception facilities.
5. In instances where the discharge of oil or oily mixture is allowed under this Circular, irrespective of volume, the owner and/or master or any person in charge of the oil tanker ship shall immediately notify (or within one (1) hour) the nearest PCG unit.

## REGULATION 7

### MARINE ENVIRONMENTAL PROTECTION (MEP) REQUIREMENTS

1. All oil tankers shall ensure that any oil mixture discharged into the open sea shall have an oil content of not more than 15 parts per million (ppm). Effluent discharges in ports and harbors to include other navigable lakes and rivers shall not exceed the water quality standards.

#### For OIL TANKERS

equipment or filtering system duly approved by the PCG to ensure that any oil mixture discharged into the open sea after passing through the separator or filtering system shall have an oil content of not more than 15 parts per million (ppm). Effluent discharges in ports and harbors to include other navigable lakes and rivers shall not exceed the water quality standards.

- 4-2. Oil Tanker of 50 GT and above shall be fitted with an oil-water separating equipment or filtering system duly approved by the PCG to ensure that any oil mixture discharged into the open sea after passing through the separator or filtering system shall have an oil content of not more than 15 parts per million (ppm). Effluent discharges in ports and harbors to include other navigable lakes and rivers shall not exceed the water quality standards.
- 2-3. Oil Tanker of 150 GT and above delivered on or before 31 December shall be provided with slop tank arrangements or combination of slop tank that have an adequate capacity necessary to retain the slop generated by tank washings, oil residues and dirty ballast residues.
- 3-4. Oil Tanker of 150 GT and above delivered on or after 1 January 2010 has installed a sea chest that is permanently connected to the cargo pipeline system shall be equipped with both a sea chest valve and an inboard isolation valve.

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- 4-5. Oil Tankers of 150 GT and above shall be fitted, in addition to oil- water separating equipment, with an oil discharge monitoring and control system.
- 5-6. Every crude Oil Tanker of 20,000 tonnes deadweight and above delivered after 1 June 1982 shall be provided with segregated ballast tanks.
- 6-7. Every Oil Tanker of 70,000 tonnes deadweight and above delivered after 31 December 1979 shall be provided with at least two (2) slop tanks.
- 7-8. Every Oil Tanker operating with crude oil washing systems shall be with an Operations and Equipment Manual detailing the system and equipment and specifying operational procedures. If an alteration affecting the crude oil washing system is made, the Operations and Equipment Manual shall be revised accordingly.
- 8-9. All transferring or unloading operations by any Oil Tanker involving but not limited to petroleum products shipments from ship to shore or vice versa and from ship to ship shall notify the PCG prior the conduct of bunkering/transferring operations. (Non compliance)
- 9-10. The contract with an OSRO, a signed copy of which shall be kept onboard, must be valid and subsisting upon entry into Philippine territory and during the entire course of the Oil Tanker's voyage in the Philippine maritime jurisdiction. The form and contents of such contract shall substantially conform to the specifications outlined in Annex 43.
- 10-11. In case of Foreign-registered Oil Tankers, the contract with an OSRO shall be entered through a local agent or Designated Person Ashore (DPA).
- 11-12. Pursuant to R.A. No. 9483, all Oil Tankers carrying more than two (2,000) cubic meters or more of Oil in bulk as cargo shall be required to have a valid certificate of insurance or financial security for pollution damage to be allowed entry into Philippine territory or its exclusive economic zone. With respect to foreign registered ship by a State which is a member to the 1992 Civil Liability Convention, such certificate of insurance or other financial security shall be issued by its Flag-State.
- 12-13. The mandatory insurance to cover liabilities arising from pollution and removal under prevailing MARINA rules and regulations shall be understood to cover cost and expenses for actual oil spill response operations conducted by an OSRO pursuant to the provisions of this Circular.
- 13-14. All other Certificates and/or documents required by other existing PCG Memorandum Circulars which may be applicable in the present circumstances.
- 14-15. Chemical Dispersant to be used during any oil spill shall be duly and approved by the PCG.

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45-16. Use of chemical dispersant during any oil spill shall be approved by the (15 and 16 same)

46-17. All shipping companies shall provide for a system of collection and of all types of waste accumulated aboard ship not withstanding public port reception facilities and Oily Waste Collector duly approved by the PCG.

18. Every oil tanker 50 gross tonnage and above shall carry on board Shipboard Oil Pollution Emergency Plan (SOPEP) and SOPEP requirement approved by the PCG:

#### A. 15 GT and below 50 GT

REQUIRED MARPOL EQUIPMENT	REQUIRED QUANTITY
1) Wooden Scupper Plugs, Various Sizes	Small Wooden Plugs as required according to the number of scupper lips of the ship Large Wooden Plugs as required according to the number of scupper lips of the ship
2) Oil Mops, deck brush with long handle and buckets	1 sets
3) Oil Spill Dispersant	5 pails (16 liters each)
4) Backpack or Mechanized Sprayer	1 Backpack Sprayer
5) Oil Spill Kit 416 (416L Capacity)	1 set
6) Waste Disposal Bag	2 each Yellow Temporary Disposal Bags & Ties 30"x60"x60"
7) Utility Box	48" x 31' x 31.5" Utility Box with wheels
8) Personnel Protective Equipment (PPE)	2 Pairs Nitrile Gloves 2 each Safety Goggles 2 each Tyvek Coveralls Extra Large 2 pairs Latex Boots or Chemical Resistant Boots

#### B. 50 GT but not more than 150 GT

REQUIRED MARPOL EQUIPMENT	REQUIRED QUANTITY
1) Wooden Scupper Plugs, Various Sizes	Small Wooden Plugs as required according to the number of scupper lips of the ship

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	<del>2 each White Oil — Only Sock/Net Boom 8"x20'</del>
<del>8.3) Sorbent Pillows</del>	<del>2 each Red Oil — Only Sorbent Pillows 6"x16"x21"</del> <del>4 each White Oil — Only Sorbent Pillows 8"x18"</del>
<del>79) Waste Disposal Bag</del>	<del>4 each Yellow Temporary Disposal Bags &amp; Ties 30"x6"x60"</del>
<del>840) Utility Box</del>	<del>48" x 31' x 31.5" Utility Box with wheels</del>
<del>944) Personnel Protective Equipment (PPE)</del>	<del>2 Pairs Nitrile Gloves</del> <del>2 each Safety Goggles</del> <del>2 each Tyvek Coveralls Extra Large</del> <del>2 pairs Latex Boots or Chemical Resistant Boots</del>

REQUIRED MARPOL EQUIPMENT	REQUIRED QUANTITY
1) Shall comply with International Safety Guides for Oil Tankers and Terminals (ISGOTT)	
2) 1) Wooden Scupper Plugs, Various Sizes	Small Wooden Plugs as required according to the number of scupper lips of the ship or 6 sets Small Wooden Plugs.  Large Wooden Plugs as required according to the number of scupper lips of the ship or 6 sets Large Wooden Plugs
3) 2) Oil Mops, deck brush with long handle and buckets	6 sets
4) Empty Drum with portable cover	12 drums
5) 3) Oil Spill Dispersant	6 drums
6) 4) Backpack or Mechanized Sprayer	6 Backpack Sprayer
7) Oil Spill Kit 416 (416L Capacity):-	3 sets composed of the items below"
7.1) Sorbent Pads	100 each White Heavy Weight Pads
5) 15"x19"	
7.2) Sorbent Booms	4 each White Oil Only Sock/Net Boom 5"x10' 2 each White Oil Only Sock/Net Boom 8"x20'
7.3) Sorbent Pillows	2 each Red Oil Only Sorbent Pillows 6"x16"x21"

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	4 each White Oil – Only Sorbent Pillows 8"x18"
6) Waste Disposal Bag	4 each Yellow Temporary Disposal Bags & Ties 30"x6"x60"
7) Utility Box	48" x 31' x 31.5" Utility Box with wheels
8) PPE	6 Pairs Nitrile Gloves 6 each Safety Goggles 6 each Tyvek Coveralls Extra Large 6 pairs Latex Boots or Chemical Resistant Boots

**C.E.** 10.000 GT but not more than 20.000 GT

REQUIRED MARPOL EQUIPMENT	REQUIRED QUANTITY
1) Shall comply with International Safety Guides for Oil Tankers and Terminals (ISGOTT)	
2) 1) Wooden Scupper Plugs, Various Sizes	Small Wooden Plugs as required according to the number of scupper lips of the ship or 10 sets Small Wooden Plugs Large Wooden Plugs as required according to the number of scupper lips of the ship or 10 sets Large Wooden Plugs
3) 2) Oil Mops, deck brush with long handle and buckets	10 sets
4) Empty Drum with portable cover	20 drums
5) 3) Oil Spill Dispersant	10 drums
6) 4) Backpack or Mechanized Sprayer	10 Backpack Sprayer
7) Oil Spill Kit 416 (416L Capacity):	5 sets composed of the items below:
7.1) Sorbent Pads	100 each White Heavy Weight Pads 15"x19"
7.2) Sorbent Booms	4 each White Oil Only Sock/Net Boom 5"x10' 2 each White Oil Only Sock/Net Boom 8"x20'
7.3) Sorbent Pillows	2 each Red Oil Only Sorbent Pillows 6"x16"x21"
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	<del>4 each White Oil – Only Sorbent Pillows 8"x18"</del>
8)6) Waste Disposal Bag	4 each Yellow Temporary Disposal Bags & Ties 30"x6"x60"
9)7) Utility Box	48" x 31' x 31.5" Utility Box with wheels
10)8) PPE	10 Pairs Nitrile Gloves
	10 each Safety Goggles
	10 each Tyvek Coveralls Extra Large
	10 pairs Latex Boots or Chemical Resistant Boots

MARPOL EQUIPMENT REQUIRED	REQUIRED QUANTITY
1) Shall comply with International Safety Guides for Oil Tankers and Terminals (ISGOTT)	
2) 1) Wooden Scupper Plugs, Various Sizes	Small Wooden Plugs as required according to the number of scupper lips of the ship or 14 sets Small Wooden Plugs Large Wooden Plugs as required according to the number of scupper lips of the ship or 14 sets Large Wooden Plugs
3) 2) Oil Mops, deck brush with long handle and buckets	14 sets
4) Empty Drum with portable cover	24 drums
5) 3) Oil Spill Dispersant	14 drums
6) 4) Backpack Sprayer	14 Backpack Sprayer
7) 5) Oil Spill Kit 416 (416L Capacity)	7 sets composed of the items below:
7.1) Sorbent Pads	100 each White Heavy Weight Pads 15"x19"
7.2) Sorbent Booms	4 each White Oil - Only Sock/Net Boom 5"x10' 2 each White Oil - Only Sock/Net Boom 8"x20'
7.3) Sorbent Pillows	2 each Red Oil - Only Sorbent Pillows 6"x16"x21" 4 each White Oil - Only Sorbent Pillows 8"x18"

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8) <u>6)</u> Waste Disposal Bag	4 each Yellow Temporary Disposal Bags & Ties 30"x6"x60"
9) <u>7)</u> Utility Box	48" x 31' x 31.5" Utility Box with wheels
<u>840)</u> PPE	14 Pairs Nitrile Gloves
	14 each Safety Goggles
	14 each Tyvek Coveralls Extra Large
	14 pairs Latex Boots or Chemical Resistant Boots

**E. G. New Tanker of 70,000 GT and above**

MARPOL EQUIPMENT REQUIRED	REQUIRED QUANTITY
1) Shall comply with International Safety Guides for Oil Tankers and Terminals (ISGOTT)	
2) 1) Wooden Scupper Plugs, Various Sizes	Small Wooden Plugs as required according to the number of scupper lips of the ship or 20 sets Small Wooden Plugs  Large Wooden Plugs as required according to the number of scupper lips of the ship or 20 sets Large Wooden Plugs
3) 2) Oil Mops, deck brush with long handle and buckets	20 sets
4) Empty Drum with portable cover	40 drums
5) 3) Oil Spill Dispersant	20 drums
6) 4) Backpack Sprayer	20 Backpack Sprayer
7) Oil Spill Kit 416 (416L Capacity):-	10 sets composed of the items below:
5) 7.1) Sorbent Pads	100 each White Heavy Weight Pads 15"x19"
7.2) Sorbent Booms	4 each White Oil Only Sock/Net Boom 5"x10' 2 each White Oil Only Sock/Net Boom 8"x20'
7.3) Sorbent Pillows	2 each Red Oil Only Sorbent Pillows 6"x16"x21" 4 each White Oil Only Sorbent Pillows 8"x18"

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8)6) Waste Disposal Bag	4 each Yellow Temporary Disposal Bags & Ties 30"x6"x60"
9)7) Utility Box	48" x 31' x 31.5" Utility Box with wheels
10)8) PPE	20 Pairs Nitrile Gloves
	20 each Safety Goggles
	20 each Tyvek Coveralls Extra Large
	20 pairs Latex Boots or Chemical Resistant Boots

Requirements	Violation(s)	No. of Offense(s)	Penalty Disposition/ Remarks
Marine Environmental Protection Compliance Certificate (MEPCC)	- Not available on board	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain
Oil Spill Prevention and Response Organization (OSPROOSRO)	- No Contract	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain
Oil Spill Contingency Plan (OSCP)	- No approved OSCP	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain
Oil Spill Responders Training (Personnel)	- No record of training	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain
		1 <sup>st</sup> Offense	- Rectify within 10 calendar days

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Oil Record Book (ORB)	- No approved/ registered ORB or; - Not updated	2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain
Garbage Record Book (GRB)	- No approved/ registered GRB or; - Not updated	1 <sup>st</sup> Offense	Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	in fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain
Garbage Management Plan (GMP)	- No approved/ registered GMP or; - Not updated	1 <sup>st</sup> Offense	Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain

17. ~~Oil Tanker of 50 GT and above shall be fitted with an oil water separating equipment or filtering system duly approved by the PCG to ensure that any oil mixture discharged into the open sea after passing through the separator or filtering system shall have an oil content of not more than 15 parts per million (ppm). Effluent discharges in ports and harbors to include other navigable lakes and rivers shall not exceed the water quality standards.~~

18. ~~Oil Tanker of 150 GT and above delivered on or before 31 December 1979 shall be provided with slop tank arrangements or combination of slop tank that have an adequate capacity necessary to retain the slop generated by tank washings, oil residues and dirty ballast residues.~~

19. ~~Oil Tanker of 150 GT and above delivered on or after 1 January 2010 which has installed a sea chest that is permanently connected to the cargo pipeline system shall be equipped with both a sea chest valve and an inboard isolation valve.~~

20. ~~Oil Tankers of 150 GT and above shall be fitted, in addition to oil water separating equipment, with an oil discharge monitoring and control system.~~

21. ~~Every crude Oil Tanker of 20,000 tonnes deadweight and above delivered after 1 June 1982 shall be provided with segregated ballast tanks.~~

22. ~~Every Oil Tanker of 70,000 tonnes deadweight and above delivered after 31 December 1979 shall be provided with at least two (2) slop tanks.~~

23. ~~Every Oil Tanker operating with crude oil washing systems shall be provided with an Operations and Equipment Manual detailing the system and equipment and~~



~~specifying operational procedures. If an alteration affecting the crude oil washing~~

~~24. All transferring or unloading operations by any Oil Tanker involving but not limited to petroleum products shipments from ship to shore or vice versa and from ship to ship shall notify the PCG prior the conduct of bunkering/transferring operations.~~

~~25. The contract with an OSPRO, a signed copy of which shall be kept onboard, must be valid and subsisting upon entry into Philippine territory and during the entire course of the Oil Tanker's voyage in the Philippine maritime jurisdiction. The form and contents of such contract shall substantially conform to the specifications outlined in~~

~~26. In case of Foreign-registered Oil Tankers, the contract with an OSPRO shall be entered through a local agent or Designated Person Ashore (DPA).~~

~~27. Pursuant to R.A. No. 9483, all Oil Tankers carrying more than two thousand (2,000) cubic meters or more of Oil in bulk as cargo shall be required to have a valid certificate of insurance or financial security for pollution damage to be allowed entry into Philippine territory or its exclusive economic zone. With respect to foreign registered ship by a State which is a member to the 1992 Civil Liability Convention, such certificate of insurance or other financial security shall be issued by its Flag State.~~

~~28. The mandatory insurance to cover liabilities arising from pollution and wreck removal under prevailing MARINA rules and regulations shall be understood to cover cost and expenses for actual oil spill response operations conducted by an OSPRO pursuant to the provisions of this Circular.~~

~~29. All other Certificates and/or documents required by other existing PCG Memorandum Circulars which may be applicable in the present circumstances.~~

~~30. Chemical Dispersant to be used during any oil spill shall be duly accredited and approved by the PCC.~~

~~31. Use of chemical dispersant during any oil spill shall be approved by the PCG.~~

~~32. All shipping companies shall provide for a system of collection and disposal of all types of waste accumulated aboard ship not withstanding public port reception facilities and Oil Waste Collector duly approved by the PCC.~~

Prescribed fees for the following documents shall be subject to an annual increase based on inflation as determined by the National Economic and Development Authority (NEDA) or any appropriate government agency tasked to declare inflation rates:

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Prescribed fees for the following documents shall be subject to ten percent (10%) increase per year:

1. Oil Record Book (ORB Part 1) Registration - Php500.00  
(Machinery space operation)
2. Oil Record Book (ORB Part 2) Registration - Php500.00  
(Cargo / Ballast operation)
3. Vessel/Tanker Inspection Record Book  
3. (VIRB) Registration -  
Php500.00

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(Please refer to the Gov't standard schedule of fees)

## REGULATION 9 POLICY ON OIL SPILL INCIDENT

### 1. GENERAL POLICY

1.1 In case of an oil spill or a threat thereof, the owner and/or master or any person in charge of the oil tanker operating within the jurisdiction of the Philippines or the owners/operators of oil tanker responsible for the oil pollution shall immediately notify within 1 hour to the nearest PCG unit and the appropriate OSPROOSRO, where applicable, giving particulars of the incident. This information shall include the name of ship/s, location, weather condition, type of threat or spill, estimated quantity, type and cargo description of oil spilled, or any other information necessary for initial oil spill response operation. (Can we have a standard format and points of contacts of cp/tel no.?)

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1.2 The spiller shall have the primary responsibility of conducting oil pollution response operation by contracting an OSPROOSRO within 48 hours for Tier levels II and III.

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1.3 The OSPROOSRO shall immediately mobilize, upon due notification, its MARPOL equipment immediately to combat, control and contain the spill in accordance with the International accepted practices with due consideration to its environmental impact based on Net Environmental Benefit Analysis (NEBA).

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1.4 The PCG shall supervise the conduct of oil pollution response and clean-up operations of OSPROOSRO and take necessary action to mitigate further damage to the marine environment and as well as to ensure safety, health, and security of responders.

1.5 (edit numbering)

1.5.1.6 When the spiller refused or failed to take immediate action, or is incapable of taking such immediate action, the Philippine Coast Guard (PCG) shall promptly conduct an initial oil spill and clean-up operation response at the expense of the spiller. The PCG, thru NOCOP, upon conducting the initial response may call upon the services of an OSPROOSRO who shall undertake appropriate oil spill response and

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clean-up operations at the expense of the spiller. The PCG thru NOCOP may call upon the services of more than one OPSRO as the circumstances may warrant.

4.61.7 Pursuant to the "Polluter Pays Principle", the spiller shall be solely for all costs and expenses incurred in any oil spill response operations conducted by an OPSRO, whether such response is conducted pursuant to a contract between the spiller and the OPSRO, or pursuant to a call by the PCG in accordance with the immediately preceding provision.

4.71.8 The oil spill response operations shall be in accordance with the provisions of the existing National Oil Spill Contingency Plan (NOSOP) and District/Station Oil Spill Contingency Plan. (We need to require the district/ stations of their OSC plan)

## REGULATION 109 VIOLATIONS, FINES AND PENALTIES

1. For any violation of prohibited discharges in Regulation 6 herein, the corresponding administrative fines and/or penalties shall be imposed:

- 1.1 Tier I Discharge - not less than Php50,000.00 but not more than Php300,000.00
- 1.2. Tier II Discharge - above Php300,000.00 but not more than Php600,000.00
- 1.3. Tier III Discharge - above Php600,000.00 but not more than Php1,000,000.00 (Please refer to the international models for the admin fines)

Imposition of administrative fines and / or penalties are further explained in Annex 5.

### 2. 15 GT and below 50 GT

Requirements	Violation(s)	No. of Offense(s)	Penalty Disposition/ Remarks
Wooden scupper plugs and various sizes of wooden plugs.	- Not available onboard or	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
	- Incomplete scupper plugs according to the number of scupper lips	2 <sup>nd</sup> Offense	- Admin fine of not less than Php220,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates - Detain
sets of the following: Oil mops, deck		1 <sup>st</sup> Offense	- Rectify within 10 calendar days

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Section 2016		Section 2016	
brush with long handle buckets	- <u>Not available onboard or;</u>		- Rectify within 10 calendar days
	- Incomplete set - <u>Not available onboard</u>	2 <sup>nd</sup> Offense	- Admin fine of not less than Php20,000.00- Admin fine of not less than Php20,000.00
	- Incomplete set - <u>Not available onboard</u>	3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates - Detain
Oil Dispersant (1 drum/210liters each)	- <u>Not available onboard or;</u>	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
	- Incomplete set <u>or</u>	2 <sup>nd</sup> Offense	- Admin fine of not less than Php20,000.00
	- <u>Not labeled</u>	3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates - Detain
1 - Backpack or Mechanized Sprayer	- <u>Not available onboard or;</u>	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
	- Incomplete set	2 <sup>nd</sup> Offense	- Admin fine of not less than Php20,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates - Detain
1 – set Oil Spill kit 416 (416L capacity)	- <u>Not available onboard or;</u>	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
	- Not enough <u>as required or;</u>	2 <sup>nd</sup> Offense	- Admin fine of not less than Php20,000.00
	- Incomplete set	3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates – Detain
Waste Disposal Bag	- <u>Not available onboard or;</u>	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
	- Incomplete set	2 <sup>nd</sup> Offense	- Admin fine of not less than Php20,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates - Detain
Utility Box	- <u>Not available onboard</u>	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php20,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
2 pairs -Personnel Protective Equipment	- <u>Not available onboard or;</u>	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php20,000.00



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	- Not enough as required or; - Incomplete set	3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates -- Detain
Waste Disposal Bag	- Not available onboard or; - Incomplete set	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php250,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates -- Detain
Utility Box	- Not available onboard	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php20,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates -- Detain
2 pairs -Personnel Protective Equipment	- Not available onboard or; - Incomplete set	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php250,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates -- Detain
Oil Record Book (ORB)	- Not available onboard or; - Incomplete set	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php10,000.00
		3 <sup>rd</sup> Offense	- Detain/Suspension of MEP Certificates -- Detain

(We need to set what are the minor and major deficiencies)

#### 4. 400 GT but not more than 10,000 GT

Requirements	Violation(s)	No. of Offenses(s)	Penalty/Disposition/Remarks
Wooden scupper plugs and various sizes of wooden plugs.	- Not available onboard or; - Incomplete scupper plugs according to the number of scupper lips	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates -- Detain
sets of the following: Oil mops, deck	- Not available onboard or;	1 <sup>st</sup> Offense	- Rectify within 10 calendar days



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Equipment	Requirement	Offense	Penalty
brush with long handle and buckets	- Incomplete set	2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- <u>Detain / Suspension of MEP Certificates</u> - <u>Detain</u>
Oil Dispersant (6 drums/210 liters each)	- Not available onboard <u>or</u> ;	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
	- Incomplete set <u>or</u> ;	2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
	- Not labeled	3 <sup>rd</sup> Offense	- <u>Detain / Suspension of MEP Certificates</u> - <u>Detain</u>
6 - Backpack or Mechanized Sprayer	- Not available onboard <u>or</u> ;	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
	- Incomplete set	2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- <u>Detain / Suspension of MEP Certificates</u> - <u>Detain</u>
3 - sets Oil Spill kit 416 (416L capacity)	- Not available onboard <u>or</u> ;	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
	- Incomplete set	2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- <u>Detain / Suspension of MEP Certificates</u> - <u>Detain</u>
Waste Disposal Bag	- Not available onboard <u>or</u> ;	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
	- Incomplete set	2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- <u>Detain / Suspension of MEP Certificates</u> - <u>Detain</u>
<u>Utility Box</u>	- <u>Not available onboard</u>	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- <u>Detain / Suspension of MEP Certificates</u>
6 pairs -Personnel Protective Equipment	- Not available onboard <u>or</u> ;	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00

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~~Draft as of 14 June 2016~~

### 3<sup>rd</sup> Offense

## Oil Record Book (ORB)

~~A. 50 GT but not more than 150 GT~~



~~09 June 2016~~

Section 2016			
2 Backpack Sprayer	<ul style="list-style-type: none"> <li>Not available onboard</li> <li>Not enough backpack sprayer</li> <li>Not enough backpack sprayer</li> </ul>	Admin fine of not less than Php50,000.00	<ul style="list-style-type: none"> <li>Detainable</li> <li>Rectify within 10 calendar days</li> </ul>
Oil Spill kit 416 (416L capacity)	<ul style="list-style-type: none"> <li>Not available onboard</li> <li>Not enough</li> <li>Incomplete set</li> <li>Not enough</li> </ul>	Admin fine of not less than Php50,000.00	<ul style="list-style-type: none"> <li>Detainable</li> <li>Rectify within 10 calendar days</li> </ul>
Waste Disposal Bag	<ul style="list-style-type: none"> <li>Not available onboard</li> <li>Not enough</li> <li>Not enough</li> </ul>	Admin fine of not less than Php50,000.00	<ul style="list-style-type: none"> <li>Detainable</li> <li>Rectify within 10 calendar days</li> </ul>
Utility Box	<ul style="list-style-type: none"> <li>Not available onboard</li> </ul>	Admin fine of not less than Php50,000.00	<ul style="list-style-type: none"> <li>Detainable</li> <li>Rectify within 10 calendar days</li> </ul>
2 pairs Personnel Protective Equipment	<ul style="list-style-type: none"> <li>Not available onboard</li> <li>Not enough</li> <li>Incomplete set</li> <li>Not enough</li> </ul>	Admin fine of not less than Php50,000.00	<ul style="list-style-type: none"> <li>Detainable</li> <li>Rectify within 10 calendar days</li> </ul>

~~B. 400 GT and above but not more than 10,000 GT~~

<del>Wooden scupper plugs and various sizes of wooden plugs,</del>	<del>Not available on board,</del> <del>Not enough scupper plugs according to the number of scupper lips,</del>	<del>Admin fine of not less than Php50,000.00</del>	<del>Detainable,</del> <del>Rectify within 10 calendar days,</del>
<del>2 sets of following: Oil mops, deck brush with long</del>	<del>Not available on board,</del> <del>Incomplete set,</del>	<del>Admin fine of not less than</del>	<del>Detainable,</del> <del>Rectify within 10 calendar days,</del>

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**5. 10,000 GT but not more than 20,000 GT**

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10 sets of the following: Oil mops, deck brush with long handle and buckets	<ul style="list-style-type: none"> <li>- Not enough scupper plugs according to the number of scupper lips</li> <li>- Not enough scupper plugs according to the number of scupper lips</li> </ul>	<ul style="list-style-type: none"> <li>1<sup>st</sup> Offense Admin fine of not less than Php50,000.00</li> <li>2<sup>nd</sup> Offense</li> <li>3<sup>rd</sup> Offense</li> </ul>	<ul style="list-style-type: none"> <li>- Rectify within 10 calendar days</li> <li>- Admin fine of not less than Php50,000.00</li> <li>- Detain / Suspension of MEP Certificates</li> </ul>
Oil Dispersant (10 drums/210liters each)	<ul style="list-style-type: none"> <li>- Not available onboard or;</li> <li>- Not enough</li> <li>- Not labeled</li> <li>- Not enough as required or;</li> <li>- Not labeled</li> </ul>	<ul style="list-style-type: none"> <li>1<sup>st</sup> Offense Admin fine of not less than Php50,000.00</li> <li>2<sup>nd</sup> Offense</li> <li>3<sup>rd</sup> Offense</li> </ul>	<ul style="list-style-type: none"> <li>- Rectify within 10 calendar days</li> <li>- Detainable</li> <li>- Rectify within 10 calendar days</li> <li>- Admin fine of not less than Php50,000.00</li> <li>- Detain / Suspension of MEP Certificates</li> </ul>
10 - Backpack or Mechanized Sprayer Backpack Sprayer	<ul style="list-style-type: none"> <li>- Not available onboard or;</li> <li>- Not enough backpack sprayer</li> <li>- Not enough backpack sprayer</li> </ul>	<ul style="list-style-type: none"> <li>1<sup>st</sup> Offense Admin fine of not less than Php50,000.00</li> <li>2<sup>nd</sup> Offense</li> <li>3<sup>rd</sup> Offense</li> </ul>	<ul style="list-style-type: none"> <li>- Rectify within 10 calendar days</li> <li>- Detainable</li> <li>- Rectify within 10 calendar days</li> <li>- Admin fine of not less than Php50,000.00</li> <li>- Detain / Suspension of MEP Certificates</li> </ul>
5 - sets Oil Spill kit 416 (416L capacity)	<ul style="list-style-type: none"> <li>- Not available onboard or;</li> <li>- Not enough</li> <li>- Incomplete set</li> <li>- Not enough as required or;</li> </ul>	<ul style="list-style-type: none"> <li>1<sup>st</sup> Offense Admin fine of not less than Php50,000.00</li> </ul>	<ul style="list-style-type: none"> <li>- Rectify within 10 calendar days</li> <li>- Detainable</li> <li>- Rectify within 10 calendar days</li> </ul>

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		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
	- Incomplete set	3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
Waste Disposal Bag	- Not available onboard or; - Not enough - Not enough	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		Admin fine of not less than Php50,000.00	- Detainable
		2 <sup>nd</sup> Offense	- Rectify within 10 calendar days
		3 <sup>rd</sup> Offense	- Admin fine of not less than Php50,000.00
Utility Box	- Not available onboard	1 <sup>st</sup> Offense	- Detain / Suspension of MEP Certificates
		2 <sup>nd</sup> Offense	- Rectify within 10 calendar days
		3 <sup>rd</sup> Offense	- Admin fine of not less than Php50,000.00
		1 <sup>st</sup> Offense	- Detain / Suspension of MEP Certificates
10 pairs - Personnel Protective Equipment	- Not available onboard or; - Not enough - Incomplete set - Incomplete set - Not enough	2 <sup>nd</sup> Offense	- Rectify within 10 calendar days
		3 <sup>rd</sup> Offense	- Detainable
		Admin fine of not less than Php50,000.00	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
Oil Record Book (ORB)	- Not available onboard or; - Incomplete set	1 <sup>st</sup> Offense	- Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php10,000.00
		3 <sup>rd</sup> Offense	- Detain/Suspension of MEP Certificates

~~C. 10,000 GT and above but not more than 20,000 GT~~

Oil Spill Boom Min. of 1.5 x length overall (fence type)	<del>Not available</del> <del>onboard</del> <del>Not enough as</del> <del>required</del>	<del>Admin fine</del> <del>of not</del> <del>less than</del> <del>Php50,0</del> <del>00.00</del>	<del>Detainable</del> <del>Rectify within 10</del> <del>calendar days</del>
Wooden scupper plugs and various sizes	<del>No scupper plugs</del> <del>onboard</del> <del>Not enough</del> <del>scupper plugs</del>	<del>Admin fine</del> <del>of not</del> <del>less than</del>	<del>Detainable</del> <del>Rectify within 10</del> <del>calendar days</del>



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of wooden plugs,	according to the number of scupper lips,	Php50,0 00.00	
10 sets of following: Oil mops, deck brush with long handle and buckets,	Not available onboard Incomplete set	Admin fine of not less than Php50,0 00.00	Detainable Rectify within 10 calendar days
20 Empty drums with portable cover	Not available onboard Not enough	Admin fine of not less than Php50,000.0 0	Detainable Rectify within 10 calendar days
Oil Dispersant (10 drums/210 liters each)	Not available onboard Not enough Not labeled	Admin fine of not less than Php50,000.0 0	Detainable Rectify within 10 calendar days
10 Backpack or Mechanized Sprayer	Not available onboard Not enough	Admin fine of not less than Php50,000.0 0	Detainable Rectify within 10 calendar days
5 sets Oil Spill kit 416 (116L capacity)	Not available onboard Not enough Incomplete set	Admin fine of not less than Php50,000.0 0	Detainable Rectify within 10 calendar days
Waste Disposal Bag	Not available onboard Not enough	Admin fine of not less than Php50,000.0 0	Detainable Rectify within 10 calendar days
Utility box	Not available onboard	Admin fine of not less than Php50,000.0 0	Detainable Rectify within 10 calendar days
10 pairs Personnel Protective Equipment	Not available onboard Not enough Incomplete set	Admin fine of not less than Php50,000.0 0	Detainable Rectify within 10 calendar days

**D6. New Crude Oil Tanker of 20,000 GT and above**

<u>Requirements</u>	<u>Violation(s)</u>	<u>No. of Offense(s)</u>	<u>Penalty/Disposition/ Remarks</u>
Wooden scupper plugs and various sizes of wooden plugs.	- Not available onboard or; - Not enough scupper plugs according to the number of scupper lips.	1 <sup>st</sup>  <del>Offense Admin fine of not less than</del> Php50,000.00	- Rectify within 10 calendar days. <del>Detainable</del> - Rectify within 10 calendar days.

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		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
	- Not enough scupper plugs according to the number of scupper lips	3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
4420 sets of following: Oil mops, deck brush with long handle and buckets	- Not available onboard or; - Incomplete set - Incomplete set	1 <sup>st</sup> Offense	- Rectify within 10 calendar days- Detainable - Rectify within 10 calendar days
		Admin fine of not less than Php50,000.00	
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
Oil Dispersant (4420 drums/210 liters each)	- Not available onboard or; - Not enough - Not labeled - Not enough as required or; - Not labeled	1 <sup>st</sup> Offense	- Rectify within 10 calendar days- Detainable - Rectify within 10 calendar days
		Admin fine of not less than Php50,000.00	
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
20 14- Backpack or Mechanized Sprayer Backpack Sprayer	- Not available onboard or; - Not enough backpack sprayer - Not enough backpack sprayer	1 <sup>st</sup> Offense	- Rectify within 10 calendar days- Detainable - Rectify within 10 calendar days
		Admin fine of not less than Php50,000.00	
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
10 7 sets Oil Spill kit 416 (416L capacity)	- Not available onboard or; - Not enough - Incomplete - Not enough as required or; - Incomplete set	1 <sup>st</sup> Offense	- Rectify within 10 calendar days- Detainable - Rectify within 10 calendar days
		Admin fine of not less than Php50,000.00	
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates

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Section 207B			
Waste Disposal Bag	<ul style="list-style-type: none"> <li>- Not available onboard or;</li> <li>- Not enough</li> <li>- Not enough as required</li> </ul>	1 <sup>st</sup> Offense Admin fine of not less than Php50,000.00  2 <sup>nd</sup> Offense  3 <sup>rd</sup> Offense	<ul style="list-style-type: none"> <li>- Rectify within 10 calendar days-Detainable</li> <li>- Rectify within 10 calendar days</li> <li>- Admin fine of not less than Php50,000.00</li> <li>- Detain / Suspension of MEP Certificates</li> </ul>
2014 pairs - Personnel Protective Equipment	<ul style="list-style-type: none"> <li>- Not available onboard or;</li> <li>- Not enough</li> <li>- Incomplete set</li> <li>- Not enough as required or;</li> <li>- Incomplete set</li> </ul>	1 <sup>st</sup> Offense Admin fine of not less than Php50,000.00  2 <sup>nd</sup> Offense  3 <sup>rd</sup> Offense	<ul style="list-style-type: none"> <li>- Rectify within 10 calendar days-Detainable</li> <li>- Rectify within 10 calendar days</li> <li>- Admin fine of not less than Php50,000.00</li> <li>- Detain / Suspension of MEP Certificates</li> </ul>
Oil Record Book (ORB)	<ul style="list-style-type: none"> <li>- Not available onboard or;</li> <li>- Incomplete set</li> </ul>	1 <sup>st</sup> Offense  2 <sup>nd</sup> Offense  3 <sup>rd</sup> Offense	<ul style="list-style-type: none"> <li>- Rectify within 10 calendar days</li> <li>- Admin fine of not less than Php10,000.00</li> <li>- Detain/Suspension of MEP Certificates</li> </ul>

#### E7. New Oil Tanker of 70,000 GT and above

<u>Requirements</u>	<u>Violation(s)</u>	<u>No. of Offense(s)</u>	<u>Penalty/Disposition/Remarks</u>
Wooden scupper plugs and various sizes of wooden plugs.	- Not available onboard <u>or</u> ; <del>Not enough</del> scupper plugs according to the number of scupper lips.	1 <sup>st</sup> <u>OffenseAdmin</u> <del>n fine of not less than</del> Php50,000.00	- Rectify within 10 calendar days- Detainable <del>Rectify within 10 calendar days</del>
	- Not enough scupper plugs according to the number of scupper lips.	2 <sup>nd</sup> <u>Offense</u>	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> <u>Offense</u>	- Detain / Suspension of <u>MEP Certificates</u>
20 sets of following: Oil mops, deck brush with long handle and buckets.	- Not available onboard <u>or</u> ; <del>Incomplete set</del> <del>Incomplete set</del>	1 <sup>st</sup> <u>OffenseAdmin</u> <del>n fine of not less than</del> Php50,000.00	- Rectify within 10 calendar days- Detainable <del>Rectify within 10 calendar days</del>



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		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
Oil Dispersant (20 drums/210 liters each)	- Not available onboard or; - Not enough - Not labeled - Not enough as required or;	1 <sup>st</sup> Offense Admin fine of not less than Php50,000.00	- Rectify within 10 calendar days-Detainable - Rectify within 10 calendar days
	- Not labeled	2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
20 Backpack or Mechanized Sprayer	- Not available onboard or; - Not enough backpack sprayer - Not enough backpack sprayer	1 <sup>st</sup> Offense Admin fine of not less than Php50,000.00	- Rectify within 10 calendar days-Detainable - Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
10 sets Oil Spill kit 416 (416L capacity)	- Not available onboard or; - Not enough - Incomplete - Not enough as required or;	1 <sup>st</sup> Offense Admin fine of not less than Php50,000.00	- Rectify within 10 calendar days-Detainable - Rectify within 10 calendar days
	- Incomplete set	2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
Waste Disposal Bag	- Not available onboard or; - Not enough - Not enough as required	1 <sup>st</sup> Offense Admin fine of not less than Php50,000.00	- Rectify within 10 calendar days-Detainable - Rectify within 10 calendar days
		2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
20 pairs - Personnel Protective Equipment	- Not available onboard or; - Not enough - Incomplete set	1 <sup>st</sup> Offense Admin fine of not less than	- Rectify within 10 calendar days-Detainable

CONFIDENTIAL AND LEGALLY PRIVILEGED  
 CONFIDENTIAL AND LEGALLY PRIVILEGED  
 Draft as of 081529 August/July 2016  
 Draft as of 14 June 2016

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Oil Record Book (ORB)	- Not enough as required or;	Php50,000.00	- Rectify within 10 calendar days
	- Incomplete set	2 <sup>nd</sup> Offense	- Admin fine of not less than Php50,000.00
		3 <sup>rd</sup> Offense	- Detain / Suspension of MEP Certificates
		1 <sup>st</sup> Offense	- Rectify within 10 calendar days
	- Not available onboard or	2 <sup>nd</sup> Offense	- Admin fine of not less than Php10,000.00
	- Incomplete set	3 <sup>rd</sup> Offense	- Detain/Suspension of MEP Certificates

8. For any Gross Violation committed against the provisions of this Memo Circular, an additional administrative fine and/or penalty of One Hundred Thousand Pesos (PHP100,000.00) shall be imposed. "Gross Violation" shall consist of the following:

Violation(s)	No. of Offense(s)	Penalty/Disposition/Remarks
Non-compliance of five (5) or more requirements under Regulation 7 (After the 10 calendar days rectification period)	1 <sup>st</sup> Offense	Admin fine of not less than Php100,000.00
	2 <sup>nd</sup> Offense	Detain/Suspension of MEP Certificates
Failure to pay the fines imposed by the Investigation and Adjudication Officer (IAO) as a result of the finality of the investigation and adjudication (Departed Port without payment of Admin fine reckoned from 10 days rectification period)	1 <sup>st</sup> Offense	Admin fine of not less than Php100,000.00
	2 <sup>nd</sup> Offense	- Detain / Suspension of MEP Certificates
	3 <sup>rd</sup> Offense	Suspension/Cancellation of IOPPC/OPPC and relevant MEP Certificates
Non-compliance of two or more requirements under Regulation 7	Admin fee of Php100,000.00/	- Detainable - Rectify within 10 calendar days
Failure of the spiller to report the oil spill incident immediately or within three (3) hours to	TIER I Admin fee of Php100,000.00	Admin fine of not less than Php100,000.00 - Detainable
	TIER II	Admin fine of not less than Php300,000.00

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the PCG unit from its occurrence (Please check reporting to the nearest PCG unit in 1 hour)	TIER III	Admin fine of not less than Php600,000.00
Failure to execute a contract with an <del>OSPRO</del> within 48 hours for the conduct of an oil spill response and clean-up operations	TIER I Admin fee of Php100,000.00	Admin fine of not less than Php100,000.00 – Detainable
	TIER II	Admin fine of not less than Php300,000.00
	TIER III	Admin fine of not less than Php600,000.00
Failure to install, secure and wrap around proper oil spill containment boom, or through an <del>OSPRO</del> , as applicable, when transferring oil of above 50,000 liters from/to a tanker or an oil facility	1 <sup>st</sup> Offense Admin fee of Php100,000.00	Admin fine of not less than Php100,000.00 – Detainable - Rectify within 10 calendar days
	2 <sup>nd</sup> Offense	- Detain / Suspension of MEP Certificates
	3 <sup>rd</sup> Offense	- Suspension/ Cancellation of IOPPC/OPPC and relevant MEP Certificates
Failure of the spiller to undertake oil pollution clean-up operations despite being required and directed by the PCG (effective after 24 hours of written notice) which results in serious injury or loss of life or irreversible water contamination	TIER I Admin fee of Php100,000.00	Admin fine of not less than Php100,000.00
	TIER II	Admin fine of not less than Php300,000.00
	TIER III	Admin fine of not less than Php600,000.00

4. The aforementioned administrative fines and/or penalties ~~under Regulation 9 herein~~ shall be imposed for each day of violation commencing from the date of spill or from the actual date of discharge until the affected areas and the water quality returned to a clean water condition based on standards provided by Republic Act No. 9275 (Clean Water Act) and its implementing rules and regulations. (\*)

9.

10. Clearance of such ship from the port of the Philippines shall be withheld until the administrative fines and penalties are paid and the same shall constitute a lien on such ship which may be recovered in a proceeding *in rem* filed by any concerned (\*\*) person/agency in the proper court which the ship may be found.

(\* "clean water" as concurred by PCG, LGU, other stakeholders [pls provide format as annex])

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(\*\* we need to coordinate with PPA. Please have the corresponding documents as annex to this MC)

11. Any person who refuses, obstructs or hampers the entry of the duly authorized representatives of the Department of Transportation and Communications, the PCG or any authorized (person) under R.A. No. 9483 or the Oil Compensation Act aboard any ship or establishment shall be liable to pay a fine not exceeding Php 100,000.00.

12. Oil Tankers operating without an oily waste separator on non-operating oily waste separator shall be detained until the ship has rectified the deficiency. (part of regulation 10)

13. The aforementioned administrative fines and penalties 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 different effect of such fines. (Part of regulation 8)

14. Oil Tankers which failed to carry out pre-booming requirements during oil transfer operations shall be liable to pay a fine of Php100,000.00.

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15. Any oil tanker covered by this circular found within the Philippine territory or maritime zone without the certificate of insurance or financial security certified by MARINA, as applicable, shall be prevented from loading or unloading its cargo until it is able to produce the appropriate insurance certificate issued by MARINA or in case of foreign vessel a certificate issued by its Flag-State. Violation of this provision shall be imposed to pay a fine of Php 100,000.00.

16. The fines and penalties herein prescribed shall be imposed only after the offender shall have been found liable or responsible for the imputed violations in an administrative investigation. When the offender deliberately failed or refused to pay the required fines or penalties, the ship/tanker involved shall be likewise be detained until upon payment of such fines and penalties. Moreover, in the event that the offender is unable to pay such fine and/or penalties, it shall constitute as lien on the tanker to satisfy the said fines and/or penalties.

17. The above-mentioned fines and penalties are without prejudice to any civil and/or criminal action which may be filed against the violator whenever warranted by the existing laws and regulations such as but not limited to PD 979 (Marine Pollution Decree), RA 9483 (Oil Compensation Act), RA 9275 (Philippine Clean Water Act), and RA 8550 (Philippine Fisheries Code) as amended by RA 10654.

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2. The aforementioned administrative fines and penalties 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;

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3.

Any person who refuses, obstructs or hampers the entry of the duly authorized representatives of the Department of Transportation and Communications, the PCG or any person authorized under R.A. No. 9483 or the Oil Compensation Act aboard any ship or establishment shall be liable to pay a fine not exceeding Php100,000.00.

4. Oil Tankers which failed to carry out pre-booming requirements during oil transfer operations shall be liable to pay a fine of Php100,000.00.

5. Any oil tanker covered by this circular found within the Philippine territory or maritime zone without the certificate of insurance or financial security certified by MARINA, as applicable, shall be prevented from loading or unloading its cargo until it is able to produce the appropriate insurance certificate issued by MARINA or in case of foreign vessel a certificate issued by its Flag State. Violation of this provision shall be imposed to pay a fine of Php 100,000.00.

6. The fines and penalties herein prescribed shall be imposed only after the offender shall have been found liable or responsible for the imputed violations in an administrative investigation. When the offender deliberately failed or refused to pay the required fines or penalties, the ship (tanker) involved shall be likewise be detained until upon payment of such fines and penalties. Moreover, in the event that the offender is unable to pay such fine and/or penalties, it shall constitute as lien on the tanker to satisfy the said fines and/or penalties.

7. The above mentioned fines and penalties are without prejudice to any civil and/or criminal action which may be filed against the violator whenever warranted by the existing laws and regulations such as but not limited to PD 979 (Marine Pollution Decree), RA 9483 (Oil Compensation Act), RA 9275 (Philippine Clean Water Act), and RA 8550 (Philippine Fisheries Code) as amended by RA 10654.

## REGULATION 110 CLAIMS AND COMPENSATION

- Where costs are incurred by the PCG or an ~~OSPROOSRO~~, or any entity duly called upon by the PCG, in responding to an oil spill incident or in the conduct of any oil spill response operation ~~therefor~~therefore, demand for reimbursement shall be made on the spiller and its insurer for marine pollution, as the case may be, giving therein a statement of all expenses incurred. The spiller or its insurer shall be required to make full and complete payment within a period of ten (10) days from the date such demand is made.
- In the event the spiller or the insurer fails or refuses to make complete payment, the PCG or the ~~OSPROOSRO~~, as the case may be, may obtain payment from the

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Oil Pollution Management Fund (OPMF) managed by the MARINA pursuant to R.A. No. 9483, without prejudice to the imposition of applicable administrative penalties and the filing of criminal case by the PCG. The OPMF shall be reimbursed by the spiller or insurer, as the case may be, upon proper determination of the Court.

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3. Compensation for pollution damage suffered by any person other than the PCG shall be governed by R.A. No 9483 and the Rules of Procedure for Environmental Cases. The PCG, through the MEPCOM, shall provide any complainant who claims compensation for pollution damage under, or violation of, R.A. No. 9483 any necessary technical evidence or any assistance, whether testimonial or documentary.

4. All action for compensation under R.A. No. 9483 shall be filed within three (3) years of the date on which the damage occurred but not later than six (6) years of the date of the incident.

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## REGULATION 124 PREVENTIVE DETENTION

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### (A) 1. GENERAL POLICY IN PREVENTIVE DETENTION

6.1

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1.1 Notwithstanding the imposition of administrative fines, and without prejudice to any civil or criminal liability that may be filed upon proper investigation, the PCG shall detain, stop or prevent a ship or vessel from sailing and leaving port when, upon inspection, there exists *prima facie* evidence that such ship or vessel does not substantially comply with the existing PCG rules and regulations.

1.2 In detaining a ship or vessel, the Marine Environmental Protection (MEP) Officer shall first determine whether the deficiencies are serious as to necessitate preventive detention.

1.3 Upon the ship's compliance of the required documents, payment of administrative fines, rectification of deficiencies and cessation of threat to the lives of crew onboard and to the marine environment, as well as upon compliance of the needed requirements as stated in the MEP-IAR the preventive detention shall be immediately lifted. (Pls provide docs/format)

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1.1. Notwithstanding the imposition of administrative fines, and without prejudice

6.2 In detaining an oil tanker, the Marine Environmental Protection (MEP) Officer shall first determine whether the deficiencies are serious as to



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necessitate preventive detention. A combination of deficiencies of a less

1.2. —

6.3 — Upon the ship's compliance of the required documents, payment of administrative fines, rectification of deficiencies and cessation of threat to the lives of crew onboard and to the marine environment, as well as upon compliance of the needed requirements as stated in the MEP-IAR the preventive detention shall be immediately lifted.

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## **(B) 2. IMMEDIATE ISSUANCE OF NOTICE OF PREVENTIVE DETENTION IN DEFICIENCIES THAT POSE SERIOUS THREAT TO THE MARINE ENVIRONMENT**

2.1. When the deficiencies shall pose a serious threat to the marine environment, a Notice of Preventive Detention shall be immediately issued. The MEP Officer shall issue the corresponding MEP Inspection/ Apprehension Report (IAR) together with the recommendation to the Station/Sub-Station Commander of the issuance of the Notice of Preventive Detention (See **Annex 6**) with corresponding Notice of Hearing (See **Annex 7**).

2.2. The investigation proceeding of the IAO shall forthwith proceed within twenty-four (24) hours upon the issuance of the notice of preventive detention and the case shall be decided within ten (10) days from the issuance of said notice. Failure to comply with the notice of preventive detention shall cause the ship or vessel to be classified as black-listed and the recommendation for the cancellation of the franchise of the ship shall forthwith be forwarded to MARINA. PCG MEP certificates issued to the ship or vessel shall also be cancelled.

2.3. The lifting of the preventive detention shall not suspend nor prevent the investigation proceeding conducted by the IAO in the proceeding rules for the determination of the administrative liability arising from the violations or deficiencies.

## **3. ISSUANCE OF NOTICE OF PREVENTIVE DETENTION WHEN DEFICIENCIES DO NOT POSE A SERIOUS THREAT TO THE MARINE ENVIRONMENT**

3.1 When the deficiencies shall not pose a serious threat to the marine environment, the MEP Officer shall allow the ship to sail to the next port of call but shall forthwith give a MEP-IAR to the competent authority of said port of call with the recommendation that the deficiencies stated therein shall be rectified within the period stated in the report before the ship could be allowed to sail back at sea.

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3.2 After the lapse of the rectification period specified in the MEP-IAR, the MEP Officer (of the next port of call) shall conduct a follow-up inspection of the ship to determine whether the cited violations have been rectified. In the event of non-compliance, such failure to rectify will cause the imposition of the prescribed fine/s. Despite the payment of fines, the ship must rectify the violations committed. Should the ship fail to rectify, such will cause the issuance of a Notice of Preventive Detention. The MEP Officer shall notify the Ship Owner, the MARINA and the Philippine Ports Authority of such detention. [format]

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3.3 The MEP-IAR issued by the MEP Officer and the Notice of Preventive Detention issued by the Station/Sub-Station Commander shall be simultaneously forwarded to the Investigation and Adjudication Officer (IAO) who shall immediately conduct an investigation proceeding for said violations and/or non-compliance therewith upon receipt of such report.

3.4 The investigation proceeding of the IAO shall forthwith proceed within twenty-four (24) hours upon the issuance of the Notice of Preventive Detention and the case shall be decided within ten (10) days from the issuance of said notice. Failure to comply with the notice of preventive detention shall cause the ship or vessel to be classified as black-listed and the recommendation for the cancellation of the franchise of the ship shall forthwith be forwarded to MARINA. PCG MEP certificates issued to the ship or vessel shall also be cancelled.

3.5 The lifting of the preventive detention shall not suspend nor prevent the investigation proceeding conducted by the IAO in the proceeding rules for the determination of the administrative liability arising from the violations or deficiencies.

~~2.1. When the deficiencies shall pose a serious threat to the marine environment, a Notice of Preventive Detention shall be immediately issued. The MEP Officer shall issue the corresponding MEP Inspection/ Apprehension Report (IAR) together with the recommendation to the Station/Sub-Station Commander of the issuance of the Notice of Preventive Detention (See Annex 6) with corresponding Notice of Hearing (See Annex 7).~~

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~~2.2. The investigation proceeding of the IAO shall forthwith proceed within twenty-four (24) hours upon the issuance of the notice of preventive detention and the case shall be decided within ten (10) days from the issuance of said notice. Failure to comply with the notice of preventive detention shall cause the oil tanker to be classified as black-listed and the recommendation for the cancellation of the franchise of the ship shall forthwith be forwarded to MARINA.~~

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~~2.3. The lifting of the preventive detention shall not suspend nor prevent the investigation proceeding conducted by the IAO in the proceeding rules~~

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for the determination of the administrative liability arising from the violations or deficiencies.

**(C) ISSUANCE OF NOTICE OF PREVENTIVE DETENTION WHEN DEFICIENCIES DO NOT POSE A SERIOUS THREAT TO THE MARINE ENVIRONMENT**

3.1. When the deficiencies shall not pose a serious threat to the marine environment, the MEP Officer shall allow the ship to sail to the next port of call but shall forthwith give a MEP-IAR to the competent authority of said port of call with the recommendation that the deficiencies stated therein shall be rectified within the period stated in the report before the ship could be allowed to sail back at sea.

3.2. After the lapse of the rectification period specified in the MEP-IAR, the MEP Officer shall conduct a follow up inspection of the ship to determine whether the cited violations have been rectified. In the event of non-compliance, such failure to rectify will cause the issuance of a Notice of Preventive Detention. The MEP Officer shall notify the Ship Owner, the MARINA and the Philippine Ports Authority of such detention.

3.3. The MEP-IAR issued by the MEP Officer and the Notice of Preventive Detention issued by the Station/Sub Station Commander shall be simultaneously forwarded to the Investigation and Adjudication Officer (IAO) who shall immediately conduct an investigation proceeding for said violations and/or non-compliance therewith upon receipt of such report.

3.4. The investigation proceeding of the IAO shall forthwith proceed within twenty-four (24) hours upon the issuance of the Notice of Preventive Detention and the case shall be decided within ten (10) days from the issuance of said notice. Failure to comply with the notice of preventive detention shall cause the oil tanker to be classified as black-listed and the recommendation for the cancellation of the franchise of the ship shall forthwith be forwarded to MARINA.

3.5. The lifting of the preventive detention shall not suspend nor prevent the investigation proceeding conducted by the IAO in the proceeding rules for the determination of the administrative liability arising from the violations or deficiencies.

**REGULATION 132  
INVESTIGATION AND ADJUDICATION**

1. The investigation and adjudication of marine pollution cases and violation of any provision in this Circular shall be conducted by the PCG through its designated Investigation and Adjudication Officer (IAO). The Rules of Procedure for the Investigation and Adjudication are provided in **Annex 89**.

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2. The Coast Guard District Commanders within his area of jurisdiction, except in cases of Tier III oil spill incident which shall be within the jurisdiction of the Commander, MEPCOM, shall designate an Investigation and Adjudication Officer for Marine Environmental Protection and Pollution Cases. The designated IAO shall have the sole and exclusive jurisdiction over all cases involving violations of marine environmental protection and pollution laws, rules and regulations, including the imposition of administrative sanctions, except as may be provided by this Circular and by law.
3. To determine the liability of the spiller subject to the exempting circumstances and the rules on the limitation of liability set forth in R.A. No. 9483 for purpose of filing the appropriate action before the Regional Trial Court, the PCG shall simultaneously conduct an investigation *motu proprio* or through written undertaking of a complainant during the clean-up operation response.
4. Upon investigation and based on findings therewith, the PCG shall impose the appropriate administrative fines and penalties and shall file any appropriate action against the violator with the Regional Trial Court (RTC). An action for compensation shall be in accordance with Chapter VI of R.A. No. 9483 and Administrative Matter No. 09-6-8-C governing the Rules of Procedure for Environmental Cases, ~~included in Annex 10.~~

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#### **REGULATION 143 REPEALING CLAUSE**

Memorandum Circular No. 01-2005 dated 07 October 2005 and other existing PCG Circulars, Rules and Regulations Orders or Decisions which are inconsistent with this Circular are hereby repealed or modified accordingly.

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#### **REGULATION 154 SEPARABILITY CLAUSE**

Should any provision or part of this Circular be declared by competent Authority to be invalid or unconstitutional, the remaining provisions or parts hereof shall remain in full force and effect and shall continue to be valid and effective.

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#### **REGULATION 165 EFFECTIVITY AND TRANSITORY PROVISIONS**

1. The implementation and enforcement of the rules on the requirement to secure a contract with an ~~OSPROOSRO~~ for the provision of standby oil spill response and clean-up operations and the installation of preventive measures shall be undertaken in phases in accordance with the following schedule:

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PHASE	SEGMENT/INDUSTRY	GEOGRAPHICAL AREA	DATE OF ENFORCEMENT
1	<del>Oil Depots and</del> Oil Tanker transfer activities	Luzon, Visayas and Mindanao	180 days upon effectivity of this Circular
2	Oil Tanker <del>and Terminals</del> transfer activities	Luzon	180 days upon effectivity of this Circular
3	Oil Tanker <del>and Terminals</del> transfer activities	Visayas and Mindanao	270 days upon effectivity of this Circular

(1,2,3 segment/ activities are the same. Pls reconcile with Geo. Area and date of enforcement)

- 2- 2- All other provisions of this Memorandum Circular shall take effect thirty (30) days upon publication in a newspaper of general circulation

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## ANNEX 1

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### LIST OF OIL

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#### Asphalt Solutions

Blending Stocks  
Roofers Flux  
Straight Run Residue

#### Gasoline Blending Stocks

Alkylates - fuel  
Reformates  
Polymer - fuel

#### Oils

#### Gasolines

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Clarified	Casinghead (natural)
Crude Oil	Automotive
Mixtures containing Crude Oil	Aviation
Diesel Oil	Straight Run
Fuel Oil No. 4	Fuel Oil No.1 (Kerosene)
Fuel Oil No. 5	Fuel Oil No.1-D
Fuel Oil No. 6	Fuel Oil No.2
Residual Fuel Oil	Fuel Oil No. 2-D
Road Oil	
Transformer Oil	

#### Aromatic Oil (excluding Vegetable Oil)

#### Jet Fuels

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#### Lubricating Oils and Blending Stock

#### JP – 1 (Kerosene)

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#### Mineral Oil

#### JP – 3

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#### Motor Oil

#### JP – 4

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#### Penetrating Oil

#### JP – 5 (Kerosene, Heavy)

#### Spindle Oil

#### Turbo Fuel

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#### Turbine Oil

#### Kerosene

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#### Mineral Spirit

#### Distillates

#### Naptha

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#### Straight Run

#### Solvent

#### Straight Run – Flashed Feed Stocks

#### Petroleum

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#### Solvent



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~~Flasher Feed Stocks~~ Heartcut Distillate Oil  
Gas Oil Petroleum  
Heartcut Distillate Oil  
Gas Oil

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## ANNEX 2

### REQUIRED DOCUMENTS FOR THE CONDUCT OF BUNKERING/TRANSFERRING OPERATIONS

#### Foreign-registered Vessels:

1. Entry Permit
2. Notice of Arrival
3. Bill of Lading
4. Cargo Manifest
5. Vessel Tank Inspection Report (prior loading at Port of Origin)
6. Vessel Tank Inspection Report (after completion of loading at Port of Origin)
7. Bureau of Custom Bunkering Permit
8. Material Safety Data Sheet (MSDS)

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#### Domestic-registered Vessels:

1. Coasting/Cargo Manifest
2. Notice of Arrival
3. Master's Oath of Safety Departure (MOSD)
4. Material Safety Data Sheet (MSDS) as Cargo
5. Bill of Lading
6. ATRIG Authority to Release Imported Goods (BIR Tax)
7. Material Safety Data Sheet (MSDS)

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ANNEX 3

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OIL RECORD BOOK

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PART 1 - Machinery Space Operations

(All Ships)

Name of Ship:

Distinctive number of letters:

Gross tonnage:

Period from: \_\_\_\_\_ To: \_\_\_\_\_

LIST OF ITEMS TO BE RECORDED

(A) BALLASTING OR CLEANING OF OIL FUEL TANKS

1. Identity of tank(s) ballasted.
2. Whether cleaned since they last contained oil and, if not, type of oil previously carried.
3. Position of ship at start of cleaning.
4. Position of ship at start of ballasting.

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**(B) DISCHARGE OF DIRTY BALLAST OR CLEANING WATER FROM  
OIL FUEL TANKS REFERRED TO UNDER SECTION (A)**

1. Identity of tank(s).
2. Position of ship at start of discharge.
3. Position of ship on completion of discharge.
4. Ship's speed(s) during discharge.
5. Method of discharge.
  - a. Through 100 parts per minute equipment.
  - b. Through 15 parts per minute equipment.
  - c. To reception facilities.

6. Quantity discharge.

**(C) DISPOSAL OF OIL RESIDUES (SLUDGE)**

1. Quantity of residue retained on board for disposal.
2. Methods of disposal of residue:

- a. To reception facilities (identity port).
- b. Mixed with bunkers;
- c. Transferred to another (other) tank(s) (identity tank(s));
- d. Other method (state which).

**(D) NON-AUTOMATIC DISCHARGE OVERBOARD OR DISPOSAL  
OTHERWISE OF BILGE WATER WHICH HAS ACCUMULATED IN  
MACHINERY SPACES**

1. Quantity discharged.
2. Time of discharge.
3. Method of discharged or disposal:

- a. Through 100 parts per min equipment
- b. Through 15 parts per minute equipment;
- c. To reception facilities (identity port);
- d. To slop or collecting tank (identity tank).

**(E) AUTOMATIC DISCHARGE OVERBOARD OR DISPOSAL  
OTHERWISE OF BILGE WATER WHICH HAS ACCUMULATED IN  
MACHINERY SPACES**

1. Time when the system has been put into automatic mode of  
operation for discharge overboard.

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2. Time when the system has been put into automatic mode of operation for transfer of bilge water to collecting (slop) tank (identity tank).
3. Time when the system has been put to manual operation.
4. Method of discharge overboard:

- a. Through 100 parts per minute equipment;
- b. Through 15 parts per minute equipment.

#### **(F) CONDITION OF OIL DISCHARGE MONITORING AND CONTROL SYSTEM**

1. Time of system failure.
2. Time when system has been made operational.
3. Reasons for failure.

#### **(G) ACCIDENTAL OR OTHER EXCEPTIONAL DISCHARGES OF OIL**

1. Time of occurrence.
2. Place or position of ship at time of occurrence.
3. Approximate quantity and type of oil.
4. Circumstances of discharge or escape, the reasons therefore general remarks.

#### **(H) ADDITIONAL OPERATIONAL PROCEDURES AND GENERAL REMARKS**

NAME OF SHIP:

DISTINCTIVE NUMBER  
OR LETTER:

CARGO/BALLAST OPERATIONS (OIL TANKERS) \*/MACHINERY SPACE  
OPERATIONS (ALL SHIPS)\*

<u>Date</u>	<u>Code</u> <u>(letter)</u>	<u>Item</u> <u>(number)</u>	<u>Record of operations/signature of</u> <u>officer in charge</u>
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**Signature of Master**

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## RULES FOR THE ACCREDITATION OF OIL SPILL PREVENTION AND RESPONSE ORGANIZATION (OSPROOSRO)

Republic Act No. 9993 and its Implementing Rules and Regulations empowers the PCG to prescribe, promulgate and enforce regulations for the prevention and control of marine pollution by accreditation of companies/entities engaged in Marine Environment Protection related activities including but not limited to Oil Spill Prevention and Response Organization (OSPRO).

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The purpose of these rules is to prescribe the rules and procedures for the accreditation of Oil Spill Prevention and Response Organization (OSPROOSRO).

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Consistent with the Precautionary Principle and the Polluter Pays Principle, the rules prescribed herein shall be interpreted liberally in favor of marine environmental protection.

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#### **RULE IV SCOPE**

These rules shall apply to all Oil Spill Prevention and Response Organizations\*  
(OSPROOSRO) within the territorial jurisdiction of the Philippines.

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#### **RULE V DEFINITION OF TERMS**

For the purposes of the rules and procedures prescribed herein, the terms defined in Section VI of Memorandum Circular No. are fully adopted.

#### **RULE VI TYPES OF ACCREDITATION**

A. The accreditation of an OSPROOSRO shall be classified according to the capacity to respond to oil spills on the basis of their service response times and pollution cleaning-up capability, as follows:

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(1) Accreditation for Tier I Spill Response – the OSPROOSRO possesses the capability and capacity, including equipment and personnel, to respond to and conduct complete and immediate oil spill response operations for Tier 1 Spills anywhere in the Philippine Maritime Jurisdiction within twelve (12) hours upon notification by the spiller or the PCG of an oil spill incident;

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(2) Accreditation for Tier II Spill Response – the OSPROOSRO possesses the capability and capacity, including equipment and personnel, to respond to and conduct complete and immediate oil spill response operations for Tier II Spills anywhere in the Philippine Maritime Jurisdiction within twelve (12) hours; and

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(3) Accreditation for Tier III Spill Response – the OSPROOSRO possesses the capability and capacity, including equipment and personnel, to respond to and conduct complete and immediate oil spill response operations for Tier III Spills anywhere in the Philippine Maritime Jurisdiction within twelve (12) hours.

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B. An Accreditation for Tier II Spill Response necessarily includes an Accreditation for Tier I Spill Response, and an Accreditation for Tier III Response carries an Accreditation for Tier I and Tier II Oil Spill Response. However, nothing in this Section shall preclude the PCG to call upon the services of any accredited OSPROOSRO from responding to an oil spill incident regardless of Tier.

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#### **RULE VII REQUIREMENTS**

##### **A. GENERAL REQUIREMENTS**

##### **(1) Legal Documents**



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- i. Certificate of Registration issued by the Security and Exchange Commission (SEC);
- ii. Articles of Incorporation and By-Laws;
- iii. Company Profile;
- iv. Certificate of vessel registration by MARINA under the name of the person or entity applying for accreditation;
- v. Oil Spill Response Plan as provided herein;
- vi. Oily Debris and Oily Waste Management and Disposal Plan; and
- vii. A valid Secretary's Certificate authorizing an officer, representative or agent to apply for accreditation on a juridical entity's behalf.

## **(2) Financial Documents**

- i. Valid permits and registrations from Local Government Units;
- ii. Audited financial statement received by the Bureau of Internal Revenue (BIR) or its duly authorized Revenue District Offices (RDOs) for the immediately preceding year;
- iii. Latest General Information Sheet duly filed with and received by the SEC;
- iv. SEC approved capitalization of not less than PHP 50,000,000.00 with proof of fund certified and authenticated by a Universal or Commercial Bank. Minimum 75% of the PHP 50,000,000.00 must be allocated and invested on relevant assets, equipment, tools and resources used in marine environment protection and oil spill response;
- v. In case of joint venture with a foreign corporation or entity, a duly authorized statement from the potential joint venture partners stating that they will enter and abide by the provisions of the oil spill response regulations. The joint venture partner must have proven track record, competency, organization and appropriate tools, equipment and assets for marine environment protection and oil spill response within the territorial jurisdiction of the Philippines or overseas.

## **(3) Administrative Documents**

- i. Organizational Chart;

ii. List of Personnel, Designation, Qualification/Certificate of Competency, Experience Data and Training Profile:

i. List of minimum MARPOL/HNS Equipment units, which are owned, leased, and purchased must be supported by certification of availability of equipment from less or/vendor for the duration of response:

<u>Equipment/Units</u>	<u>Description/ Specifications</u>	<u>Number</u>
<u>Oil Spill Response Team</u>	<u>Certified Oil Spill Responders</u>	<u>50</u>
<u>Oil Spill Containment Boom</u>	<u>600 mm</u>	<u>≥ 400</u>
	<u>900 mm</u>	<u>≥ 400</u>
	<u>1500 mm</u>	<u>≥ 200</u>
<u>Shore line Protection Boom</u>	<u>600 mm</u>	<u>≥ 100</u>
<u>Automatic Inflation Boom</u>	<u>≥ 1100 mm</u>	
<u>Fire Proof Oil Containment Boom</u>	<u>600 mm</u>	
<u>Oil Absorbent Rope</u>		<u>≥ 400</u>
<u>Oil Absorbent Pads</u>		<u>≥ 5</u>
<u>Portable Spraying Device (Cold Water)</u>	<u>Spray Rate</u>	<u>≥ 2</u>
	<u>&gt;18 L / min</u>	
	<u>Pressure &gt; 8 mpa</u>	
<u>Portable Cleaning device ( hot water)</u>	<u>&gt;80 °C.</u>	<u>≥ 1</u>
	<u>Spray Rate</u>	
	<u>&gt;18 L / min.</u>	
<u>On –board or Portable Spraying device</u>	<u>Pressure&gt; 8mpa</u>	
	<u>Spray Rate</u>	
	<u>135 L / min</u>	
<u>Oil Skimmer ( including Genset Power Station)</u>	<u>Spray Rate</u>	
	<u>High Viscosity</u>	
	<u>Capacity (100 m3/ H)</u>	
<u>On-board Spraying Device</u>	<u>(&gt;18 L/min)</u>	
	<u>≥135 L/min</u>	
	<u>Moderate Viscosity</u>	
	<u>Capacity (60 m3 / H)</u>	<u>1 set &gt; 60 m3/H</u>
<u>Mechanical Pump</u>	<u>Capacity (discharge rate for high viscosity &gt; 150 m3 /H)</u>	
<u>Oil Dispersant Chemical</u>		<u>≥ 2</u>

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<u>Jumbo bags</u>	<u>≥50 kgs capacity</u>	<u>≥ 200</u>
<u>Personal Protective equipment</u>		<u>≥ 50</u>
<u>Speed Boa, Fiberglass&gt; 4m</u>	<u>30hp 2- stroke engine</u>	<u>≥ 2</u>
<u>Oil Spill Respond Vessels</u>	<u>≥ 300 DWT, ≥ 210 knots speed, up to 20 nautical miles</u>	<u>≥ 1</u>
<u>Auxillary barge / boat</u>		<u>≥ 1</u>

#### b. For Tier II Spill Accreditation

<u>Equipment/Units</u>	<u>Description/ Specifications</u>	<u>Number</u>
<u>Oil Spill Response Team</u>	<u>Certified Oil Spill Responders</u>	<u>100</u>
<u>Oil Spill Containment Boom</u>	<u>600 mm</u>	<u>≥ 800</u>
	<u>900 mm</u>	<u>≥ 800</u>
	<u>1500 mm</u>	<u>≥ 400</u>
<u>Shore Line Protection Boom</u>	<u>600 mm</u>	<u>≥ 200</u>
<u>Automatic Inflation Boom</u>	<u>≥ 1100 mm</u>	<u>≥ 200</u>
<u>Fire Proof Oil Containment Boom</u>	<u>600 mm</u>	<u>≥ 200</u>
<u>Oil Absorbent Rope</u>		<u>≥ 800</u>
<u>Oil Absorbent Pads</u>		<u>≥ 10</u>
<u>Portable Spraying Device (Cold Water)</u>	<u>Spray Rate</u> <u>≥18 L / min</u>	<u>≥ 4</u>
	<u>Pressure &gt; 8 mpa</u>	
<u>Portable Cleaning device ( hot water)</u>	<u>≥80 °C.</u>	<u>≥ 2</u>
	<u>Spray Rate</u> <u>&gt;18 L / min.</u>	
	<u>Pressure&gt; 8mpa</u>	
<u>On –board or Portable Spraying device</u>	<u>Spray Rate</u> <u>135 L / min</u>	<u>≥ 1</u>
<u>Oil Skimmer ( including Genset Power Station)</u>	<u>High Viscosity Capacity (100 m3/ H)</u>	<u>≥ 1</u>
	<u>Low Moderate Viscosity Capacity (60 m3 / H)</u>	<u>2 sets &gt; 60 m3/H</u>
<u>Mechanical Pump</u>	<u>Capacity (discharge rate for high viscosity &gt; 150 m3 /H)</u>	<u>≥ 1</u>
<u>Oil Dispersant Chemical</u>		<u>≥ 10</u>
<u>Jumbo bags</u>	<u>≥50 kqs capacity</u>	<u>≥ 400</u>
<u>Personal Protective equipment</u>		<u>≥ 100</u>
<u>Speed Boa, Fiberglass&gt; 4m</u>	<u>30hp 2- stroke engine</u>	<u>≥ 3</u>

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Auxillary barge / boat	≥ 2
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ii. Proof of purchase or lease must be supported by purchase agreement, lease contract, invoice, delivery receipt and other relevant documents which shows, amongst others, the brand, model / type, size or dimensions, quantity and date of manufacture of the OSR tools and equipment.

iii. Equipment that is not in accordance with the above-mentioned list will not be considered in assessing the Applicant's oil spill response and clean-up capacity for the purpose of accreditation.

iv. Agreement with International OSPROOSRO

Any domestic entity seeking accreditation as an OSPROOSRO may submit any agreement of partnership and cooperation with an internationally established OSPROOSRO with a track record of at least ten (10) years, whether through a joint venture, parent-subsidary relationship, or any other arrangement. Such Agreement must be legally certified, notarized and, where applicable, authenticated by the consular office of the Republic of the Philippines where the international OSPROOSRO is domiciled. The agreement shall contain all necessary information on the extent of the partnership and cooperation, as well as all the services to be extended to the domestic entity by the international OSPROOSRO.

If upon verification and validation, the PCG is satisfied with the competence, technical expertise, capability and track record of the international OSPROOSRO, the agreement shall be favorably considered to support and supplement the application for accreditation of the domestic entity, and shall be considered in the overall assessment of the type of accreditation for which it is eligible. Nothing in this provision, however, shall be construed to exempt the domestic entity seeking OSPROOSRO accreditation from complying with the minimum requirements set forth under paragraph (A)(4)(i) of this Rule.

## **B. OIL SPILL RESPONSE PLAN**

(1) In addition to the foregoing requirements, an OSPROOSRO shall submit an Oil Spill Response Plan which shall demonstrate its capability to comply with the requirements relating to the procedures, equipment and resources prescribed in Section VI(C) herein. An OSPROOSRO's Oil Spill Response Plan shall include the following information:

(a) The name and address of the OSPROOSRO and its geographical area of coverage;

(b) The designated Contact Person to be notified by the PCG or spiller in the event or threat of an oil spill, including all relevant contact details, address



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(c) The total quantity of oil in respect of which the ~~OSPROOSRO~~ is to be certified in accordance with the tiered response capabilities set out in section 2.

(d) The name of each person included in the personnel who has received basic oil spill response training or any other training in relation to an oil spill;

(e) A description of the training that the ~~OSPROOSRO~~ provides to its personnel in preparation for the responsibilities that they will undertake in response to an oil-spill, whether pursuant to a contract or upon a call by the PCG;

(f) A description of the oil spill exercise program established to evaluate the effectiveness of all aspects of the procedures, equipment and resources that are identified in the plan, including exercises to be coordinated with ships, oil handling facilities or the PCG, as the case may be;

(g) A list of the types and quantity of equipment for use at its geographical area of coverage in respect of a Tier I oil spill response capability referred to in Section VI(A)(4) hereof, including the procedure and measures to be undertaken for the maintenance thereof;

(h) A description of the measures that the ~~OSPROOSRO~~ will take in response to an oil spill to protect and treat areas of an environment affected by an oil spill, emphasizing those measures suited for special areas and those protected under the NIPAS Act;

(i) A description of the treatment and recovery procedures that will be implemented in response to an oil spill;

(j) A description of the procedures that will be implemented for notifying the persons referred to in paragraph (d) in the event of an oil spill;

(k) A description of the measures that the ~~OSPROOSRO~~ will take, in conformity with applicable law, rules and regulations relating to health and safety, to protect the health and safety of its personnel, of volunteers and of other individuals who are involved, at the request of the ~~OSPROOSRO~~, in a response to an oil spill; and

(l) A description of procedures for the updating of the response plan.

(2) An ~~OSPROOSRO~~'s Response Plan must take into account any contingency plan for its geographical area that may be issued by the PCG.

### C. OIL SPILL PROCEDURES, EQUIPMENT AND RESOURCES

(1) The procedures to be implemented with respect to a spill of a specified quantity of oil in a geographical area shall include the following specifications:

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- (a) The equipment and resources relating to an oil spill response capability are deployed within twelve (12) hours after the notification of the oil spill by the spiller or the call from the PCG, as the case may be;
- (b) The number of meters of shoreline that are treated in a day is at least 500 meters;
- (c) The maximum number of days required to complete on-water recovery operations shall be ten (10) operational days after the day on which the equipment is first deployed in the affected operating environments;
- (d) The oil spill response operations shall be managed in coordination with the PCG, LGUs, the DENR and other concerned agencies pursuant to the NOSCOR;
- (e) When determined by the PCG to be necessary for an effective and complete oil spill and clean-up response, strategies for simultaneous response shall be employed in all affected operating environments, including, but not limited to, the calling of other OSPPROOSROs to conduct oil spill response operations; and
- (f) Equipment and resources shall be provided to the persons managing the response operation.
- (g) Oil collected in the course of the response operations shall be disposed of in accordance with existing law and regulations.
- (2) The equipment and resources for use with respect to a spill of a specified quantity of oil include the following:
  - (a) Equipment that is appropriate for responding to the oil spill; and
  - (b) Equipment for sufficient primary temporary storage capacity to maintain recovery operations of oil or oily-water waste continuously during a 24-hour period and a sufficient secondary temporary storage capacity.

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## **RULE VIII APPLICATION PROCESS**

- (a) The Applicant shall submit an accomplished and verified Application Form (obtained from MEPCIS either in its office or through the PCG website) with the Director, National Operations Center for Oil Pollution (DNOCOP), Farola Compound, Binondo, Manila. The information in the Application Form must be clear, concise, factual, complete. The application must contain information about the Applicant's equipment and personnel inventory and shall include all necessary documents required herein. Incomplete applications will not be processed and will be returned to the applicant immediately with an explanation of the deficiency.
- (b) OSPPROOSRO applicant should utilize DENR accredited transporter and treater for oil spill debris and waste disposal.

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(c) The application shall be subject to the following fees:

Application Fee	PhP2,500.00
Surveyors Fee	Php5,100.00
Accreditation Certificate	Php500.00
Laboratory Fee	Php4,000.00
Stamp	Php150.00
Dry Seal	Php50.00
Authentication of Documents	Php200.00

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(d) Upon receipt of the application and payment of the fees, the DNOCOP or his duly authorized representative shall, after being satisfied upon review that the application is complete, conduct inspection and validation of the resources and equipment identified in the application and submit to Commander, Marine Environmental Protection Command (CMEPCOM) the result of such inspection and his recommendations thereon.

(e) If the application is found to be unsatisfactory, CMEPCOM shall return the application to the Applicant with an explanation of the reasons why the application is rejected and provide recommendations therefor, if necessary. The Applicant shall be given a period of thirty (30) days to undertake measures to fulfill the recommendations, if any, or rectify the deficiencies.

(f) If the application is found to be satisfactory, CMEPCOM shall recommend to the Commandant, PCG (CPCG) the issuance of a Certificate of Accreditation in favor of the ~~OSPROOSRO~~, stating therein the name and style of the ~~OSPROOSRO~~, its complete and current address, full name of the authorized representative, and all relevant contact details. The Certificate shall contain the conditions prescribed in the immediately proceeding Section.

## RULE IX CONDITIONS UNDER THE ACCREDITATION

A. The Certificate of Accreditation shall be valid for a period of three (3) years and subject to the following conditions:

- a. That the ~~OSPROOSRO~~ shall maintain all its equipment in good operating conditions, conducting thereon all necessary specified preventive maintenance and proper storage or warehousing, and that its personnel are sufficiently trained and possessed of the capacity to conduct immediate and complete oil spill response operations;
- b. That the ~~OSPROOSRO~~ shall immediately respond to any oil spill incident upon call by the PCG to conduct or supplement oil spill response operations; Provided, that an ~~OSPROOSRO~~ engaged in a current oil spill response operations shall be exempted from responding to the PCG's call;

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c. That the ~~OSPROOSRO~~ shall submit the following documents within thirty (30) days of the expiration of a period of twelve (12) months commencing from the date of its accreditation:

i. A report (format) of all oil spill response operations that the ~~OSPROOSRO~~ conducted in the past twelve months, specifying the entity or entities involved, the measures undertaken, inventory of actual tools, equipment and resources used and involved during each of the oil spill response incidents, the cost of the operations for each oil spill response incident, and all other relevant information in relation to the oil spill;

ii. An updated inventory (format) of the ~~OSPROOSRO~~ facilities, equipment, and personnel equipped for emergency response to pollution from ships; and

iii. All contracts for oil spill response operations entered into by the ~~OSPROOSRO~~ and ships, vessels of any other entities entered into during the past twelve (12) months.

d. That the ~~OSPROOSRO~~ shall conduct semi-annual oil spill response drills and exercises involving its personnel and equipment under the supervision of the PCG;

e. That the ~~OSPROOSRO~~ shall allow unimpeded and full access to its offices, storage facilities, equipment, records and documents for random inspection by authorized officials of the PCG for the purpose of determining whether all pertinent laws, rules and regulations are being complied with;

f. That the ~~OSPROOSRO~~ shall submit, at the end of every calendar year, a copy of its General Information Sheet and Audited Financial Statement for the immediately preceding year as filed and registered with the SEC;

g. That the ~~OSPROOSRO~~ shall notify the PCG of any changes to its corporate structure and ownership, address, authorized representative, contact details, or its capacity to respond to or conduct oil spill response operations for which it is accredited;

h. That the ~~OSPROOSRO~~ shall participate in any consultation procedures conducted by the PCG or any of its offices in relation to Memorandum Circular No. \_\_\_\_\_, including but not limited to the updating of the prescribed rates for oil spill response operations, the prescribed provisions of the Model Contract, and the revisions to or updating of the NOS COP;

i. That the ~~OSPROOSRO~~ shall hold the PCG and its officials free and harmless of any liability arising from the conduct of any oil spill response operations, the liability therefor is understood as falling on the polluter or

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spiller pursuant to R.A. No. 9483 or the Oil Pollution Compensation Act of 2007;

j. That the ~~OSPROOSRO~~ shall assist the PCG in the prosecution of claims for pollution damage arising from oil spills for which it conducted oil spill response operations by providing all necessary testimonial, documentary or object evidence; and

k. That any breach in the conditions set forth in the Certificate of Accreditation or any violation of Memorandum Circular No. \_\_\_\_\_ shall cause the suspension or revocation of the ~~OSPROOSRO~~'s accreditation, without prejudice to any administrative, civil or criminal liability that may be imposed under applicable law, rules and regulations.

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## **ANNEX 5**

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### **RULES FOR THE IMPOSITION OF ADMINISTRATIVE FINES AND/OR PENALTIES**

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Violation of any provision stated in Section VIII and IX shall be imposed with the following corresponding administrative fines and/or penalties:

- A. Tier I Discharge - not less than Php50,000.00 but not more than  
Php300,000.00

Php50,000.00 is the minimum penalty for discharges between 1 to 100 liters. For discharges of more than 100 liters, violators will pay the minimum penalty of P50,000.00 plus a Php25.00 penalty for each succeeding liter. This is further explicated in the formula:

Spill >100L = minimum penalty + (n x 25) n = volume of spilled oil in  
liters if and only if, n is >100



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<u>Volume of Spilled Oil(in liters)</u>	<u>Penalty</u>	<u>Volume of Spilled Oil (in liters)</u>	<u>Penalty</u>
<u>101</u>	<u>Php50,025.00</u>	<u>9,995</u>	<u>Php297,375.00</u>
<u>102</u>	<u>Php50,050.00</u>	<u>9,996</u>	<u>Php297,400.00</u>
<u>103</u>	<u>Php50,075.00</u>	<u>9,997</u>	<u>Php297,425.00</u>
<u>104</u>	<u>Php50,100.00</u>	<u>9,998</u>	<u>Php297,450.00</u>
<u>105</u>	<u>Php50,125.00</u>	<u>9,999</u>	<u>Php297,475.00</u>
<u>106</u>	<u>Php50,150.00</u>	<u>10,000</u>	<u>Php297,500.00</u>

**B. Tier II Discharge - above P300,000.00 but not more than P600,000.00**

<u>Volume of Spilled Oil (in liters)</u>	<u>Penalty</u>
<u>10,001 – 100,000</u>	<u>Php300,000.00</u>
<u>100,001 – 250,000</u>	<u>Php375,000.00</u>
<u>251,000 – 500,000</u>	<u>Php450,000.00</u>
<u>500,001 – 750,000</u>	<u>Php525,000.00</u>
<u>750,001 -1,000,000</u>	<u>Php600,000.00</u>

C. Tier III Discharge - above P600,000.00 but not more than P1,000,000.00

<u>Volume of Spilled Oil (in liters)</u>	<u>Penalty</u>
<u>1,000,000,000</u>	<u>Php600,000.00</u>
<u>1,000,000,001 and more</u>	<u>Php1,000,000.00</u>

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PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS  
(Headquarters Philippine Coast Guard)  
139 25<sup>th</sup> Street, Port Area  
1018 Manila

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ANNEX 6

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NOTICE OF PREVENTIVE DETENTION

Date  
MARINA/ PPA/ SHIPOWNER  
Director  
Office Address  
Fax no.  
E-mail

To \_\_\_\_\_:

09 June 2016

(Insert ship's name) – Preventive Detention of Ship

The Philippine Coast Guard Marine Environmental Protection (MEP) Enforcement Inspection Officer has carried out inspection to the abovementioned ship at \_\_\_\_\_ on \_\_\_\_\_. The ship shall be detained at \_\_\_\_\_ due to the following deficiencies which endanger the marine environment:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

Enclosed herewith a copy of Marine Pollution Inspection/ Apprehension ReportMarine Pollution Inspection/ Apprehension ReportMarine Pollution Inspection/ Apprehension Reportof which might be useful for your reference. For further inquiries, please contact Coast Guard Station/Sub-Station at \_\_\_\_\_.

Very truly yours,

(Signature above Printed Name)  
Station/Sub-Station Commander

(do we allow sub station commander to sign this docs?)



**PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS**  
**Headquarters Philippine Coast Guard**  
**139 25<sup>th</sup> Street, Port Area**  
**1018 Manila**

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**ANNEX 7**

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**NOTICE OF ADMINISTRATIVE CASE/HEARING**

Date

SHIPOWNER  
Office Address  
Fax no.  
E-mail

To \_\_\_\_\_:

\_\_\_\_\_  
Pursuant to Republic Act No. 9993, Presidential Decree No. 979 and MARPOL 73/78, as implemented by the Philippine Coast Guard Memorandum No. \_\_\_\_\_ dated \_\_\_\_\_, the MEP Officer finds you *prima facie* liable for the violation/s mentioned in the Marine Pollution Inspection/ Apprehension Report. Consequently, you shall be charged before the Investigation and Adjudication Officer (IAO) \_\_\_\_\_. You are given a period of \_\_\_\_\_ from receipt hereof to submit evidence and/or appear before the IAO. Failure to do so shall be construed as a waiver of your right to be heard and the case will be decided accordingly.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Designation

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## **ANNEX 8**

### **RULES OF PROCEDURE BEFORE THE INVESTIGATION AND ADJUDICATION OFFICER (IAO) FOR MARINE ENVIRONMENTAL PROTECTION AND POLLUTION CASES**

#### **RULE I**

##### **TITLE AND CONSTRUCTION**

SECTION 1. Title - These Rules shall be known as the Rules of Procedure for Marine Environmental Protection and Pollution Cases and shall govern the procedure before the Investigation and Adjudication Officer (IAO) of the Philippine Coast Guard.

SECTION 2. Scope - These Rules shall apply to all marine environmental protection and pollution cases brought before the Investigation and Adjudication Officer.

SECTION 3. - Construction - These Rules shall be liberally construed in order to promote public interest and to assist the parties in obtaining just, speedy and inexpensive determination of action or proceedings. Formal requirements shall not affect the intrinsic validity of the proceedings, provided that the information and facts alleged therein are clearly indicated for the judicious disposition of the case.

SECTION 4. - Nature of Proceedings - Subject to the basic requirements of due process, proceedings before the IAO shall be summary in nature and need not necessarily adhere to or follow the technical rules of evidence obtaining in courts of law. The Rules of Court shall not apply in said proceedings, except in suppletory character and only whenever applicable.

#### **RULE II**

##### **JURISDICTION AND VENUE**

SECTION 1. Jurisdiction - The Investigation and Adjudication Officer (IAO) shall have the sole and exclusive jurisdiction over all cases involving violations of marine environmental protection and pollution laws, rules and regulations, including the imposition of administrative sanctions, except as may be provided by law.

SECTION 2. Transfer of Venue - The Commandant, Philippine Coast Guard may allow the transfer of venue of the investigation from one district to another when he deems this course of action to be more expeditious, advantageous and in the interest of justice.

#### **RULE III**

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## INVESTIGATION

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SECTION 1. *Investigation, How Initiated* - Administrative investigation may be commenced by:

- a. The Command, *motu proprio*:
- b. Marine Pollution Inspection/ Apprehension Report ~~Marine Pollution Inspection/ Apprehension Report~~ Marine Pollution Inspection/ Apprehension Report accomplished by the Philippine Coast Guard units;
- c. By filing of marine protest; and
- d. Sworn complaint of any person.

SECTION 2. *Marine Pollution Inspection/ Apprehension Report* ~~Marine Pollution Inspection/ Apprehension Report~~ Even without formal complaint, an action may be initiated on the basis of inspection or monitoring report that the condition and/or activities of the vessel which include but not limited to discharge of oil, hazardous and noxious substances, sewage, garbage or waste constitutes an immediate threat of harm to marine environment and/or violation of the existing MEP rules and regulations.

The MEP Officer shall include in the Marine Pollution Inspection/ Apprehension Report ~~Marine Pollution Inspection/ Apprehension Report~~ a Notice of Preventive Detention issued by the Station/Sub-Station Commander upon the recommendation of the MEP Officer when there is a *prima facie* evidence that the ship does not substantially comply with the existing PCG rules and regulations or committed detainable violation during the inspection. Said notice of detention shall be simultaneously forwarded to Investigation and Adjudication Officer (IAO) who shall immediately conduct an investigation proceeding for said violations and/or non-compliance upon receipt of such report. The MEP Officer shall notify MARINA, Philippine Ports Authority and the Ship owner of the detention of the vessel.

The investigation proceeding of the IAO shall forthwith proceed within twenty-four (24) hours upon the issuance of the notice of preventive detention and the case shall be decided within ten (10) days from the issuance of said notice.

SECTION 3. *Marine Protest* – It is a declaration under oath by the master of the vessel of the circumstances attending the damage or loss of his vessel, and intended to show that the loss accrued by the perils of the sea. It shall be the primary evidence in the investigation of accident involving the vessel by a Hearing Officer or any investigation. It can be the basis of an action even without formal complaint.

SECTION 4. *Who may be Parties* – Any person who has an interest in the subject of the action may be a party to the case before the IAO.

The party initiating the action shall be called the “Complainant” and the party against whom a complaint is filed shall be called the “Respondent”.



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SECTION 5. Forms and Contents of Complaint – The complaint shall be in writing and drawn in clear and concise language whether in Filipino or English specifying the full names and addresses of the complainants, respondents and witnesses if any. It shall state the ultimate facts constituting the cause of action or specific violation of law or rules and regulations as well as other information pertinent thereto. It shall also specify the remedy or relief sought.

SECTION 6. Summons - Summons and/or complaint shall be served personally upon the parties. If the receipt of the summons and/or complaint is refused, tendering it to him shall make service. When the parties cannot be personally served with summons, service shall be made by registered mail or by publication, as the case may be.

SECTION 7. Withdrawal of Complaint – In case of withdrawal of complaint filed by any person, it shall not result in the automatic dismissal of the case. The IAO may *motu proprio* pursue the same if he deems it necessary in the interest of justice, public welfare and safety.

SECTION 8. Notice of Hearing - The parties and their witnesses shall be notified through subpoena of the scheduled hearing/investigation at least five (5) days before the date thereof, specifying the time and place of hearing. Provided, however, that the service of a Marine Pollution Inspection/ Apprehension Report Marine Pollution Inspection/ Apprehension Report shall be considered as sufficient notice in which the respondent shall appear before the Investigation and Adjudication Officer within ten (10) days after receipt thereof.

In case the Marine Pollution Inspection/ Apprehension Report Marine Pollution Inspection/ Apprehension Report is issued with Notice of Preventive Detention, it shall be accompanied by a Notice of Hearing, said hearing shall be conducted within twenty four (24) hours from the issuance of said order.

#### RULE IV

#### HEARING

SECTION 1. Conduct of Investigation – In any investigation commenced pursuant to Sec. 1, Rule III hereof except those pertaining to detainable violations, the parties shall be given the opportunity to present their case or defense by way of submitting affidavits and other supporting evidence on the date, time and place of investigation specified in the notice of investigation/hearing or within ten (10) days after receipt of the Marine Pollution Inspection/ Apprehension Report. Affidavits submitted by the parties shall constitute their direct testimonies. After the reglementary period has prescribed, the IAO can take action on the basis of the evidence on record.

SECTION 2. Clarificatory Questions - When in the discretion of the IAO there are matters that need to be clarified, he may set the administrative case for hearing. Clarificatory questions raised by any of the parties shall be submitted to the IAO who shall propound the question to the witness.

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SECTION 3. *Submission of Position Paper* – The IAO shall require the respondent to submit its verified position paper accompanied by all supporting documents and affidavits of witnesses within ten (10) days from receipt of notice. The Affidavits shall state only facts of direct personal knowledge of the affiants and shall show their competence to testify on the matters stated therein.

The respondent shall furnish the complainant a copy of its position paper together with the supporting documents and affidavits submitted by it.

SECTION 4. *Failure to Submit Position Paper* – Should the respondent failed to submit its verified position paper within the period provided despite due notice, he shall be considered in default and the case shall be resolved on the basis of the evidence on record.

SECTION 5. *Expert Witness* - Government expert witnesses, such as doctors of medicine, handwriting experts, and chemist, among others, need not be summoned to testify on their reports. Their affidavits will be accepted based on their credentials and upon their official certification.

SECTION 6. *Appearance and Admission of Violation* - On or before the date of investigation/hearing, the respondent may admit the charge(s) to the Investigation and Adjudication Officer. This admission shall be made on record. Thereafter, a Report shall be made immediately stating the admission and recommending the imposition of the appropriate administrative sanctions and the case shall be considered terminated.

SECTION 7. *Subpoena and Subpoena Duces Tecum* – If the attendance of a witness or the production of books, papers, documents and other pertinent data is necessary, any party may request the issuance of the necessary subpoena or subpoena duces tecum at least five (5) days prior to the scheduled hearing. The IAO or Hearing Officer shall issue the subpoena or subpoena duces tecum upon showing of general relevance.

SECTION 8. *More Detailed Inspection* – Whenever essential to the determination of the issues surrounding the case, the IAO may direct the conduct at any time of a more detailed inspection.

SECTION 9. *Intervention by an Interested Party* – any party who claims to have an interest or maybe adversely affected by the proceedings, may file a motion for intervention stating concisely the grounds relied upon and the remedy sought, serving copies of the same on the complainant and the respondent. The motion may be filed at any time before the case is deemed submitted for decision. The IAO has the discretion to allow or disallow the intervention.

SECTION 10. *Consolidation of Cases* – When there are two (2) or more cases pending before the IAO involving the same respondent and issues, the cases subsequently filed shall be consolidated with the one first filed to avoid unnecessary cost and delay.

## RULE V

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## **ORDERS, RESOLUTIONS AND DECISIONS**

SECTION 1. *Decision/Judgment* - After due investigation, the IAO shall render a decision not later than thirty (30) days from the time it is submitted for decision. The parties shall be notified of the decision by personal service or registered mail, as the case may be. However in cases involving detainable violations, the case shall be decided within ten (10) days from receipt of the notice of preventive detention.

Every order or resolution of the IAO shall be in writing and under its seal, signed by him and shall clearly and distinctly state the facts and the law on which it is based.

SECTION 2. *Finality of Decision/Judgment* - Decisions of the IAO shall be final and executory within fifteen (15) days from receipt of a copy thereof, unless a motion for reconsideration is filed or an appeal is perfected within said period.

### **RULE VI**

#### **MOTION FOR RECONSIDERATION**

SECTION 1. *Motion for Reconsideration* - A motion for reconsideration may be filed before the IAO specifically indicating the grounds therefore, with proof of service of copies to the other parties within 15 days from receipt of the decision of the IAO.

SECTION 2. *Filing* - Only one motion for reconsideration of an order or decision of the IAO shall be allowed. The IAO shall decide the motion for reconsideration within fifteen (15) days from submission. The filing of a motion for reconsideration shall suspend the running of the period to appeal.

### **RULE VII**

#### **APPEAL**

SECTION 1. *Appeal* - An appeal from a judgment or final order of the Investigation and Adjudication Officer (IAO) may be taken to the Office of the Commandant, PCG. The appeal is taken by filing a notice of appeal with the IAO within fifteen (15) days from receipt of the decision of the IAO or within the remaining period from the filing of the motion for reconsideration upon receipt of the decision on the said motion as the case may be.

SECTION 2. *Contents of Notice of Appeal* - A Notice of Appeal shall specify and designate the errors of judgment of the decision, or part thereof appealed from. The Investigation and Adjudication Officer, shall, within five (5) days upon receipt of the Notice of Appeal and perfection thereof, transmit the record to the proper reviewing authority.

SECTION 3. *Appeal by One of Several Respondents* - When there are several respondents in a case, any one or all of them may appeal, but any respondent who does not join the appeal shall not be prejudiced thereby, except when there is manifest error in the appealed decision.

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SECTION 4. *Withdrawal of Appeal* - Notwithstanding the perfection of the appeal, the Commandant, Philippine Coast Guard may allow withdrawal of the same at any time before the decision of the case is rendered, in which case the appealed decision shall stand as though no appeal had been filed.

SECTION 5. *Decision on Appeal Cases* - The proper reviewing authority shall decide the appealed case on the basis of the entire record of the investigation before the Investigation and Adjudication Officer. The parties shall be notified of the decision by personal service or by registered mail, as the case may be.

The decision of the Commandant, PCG shall be final and unappealable.

#### **RULE VIII**

##### **ADMINISTRATIVE SANCTIONS, CIVIL AND CRIMINAL ACTIONS**

SECTION 1. *Administrative Sanctions* – The IAO shall impose the administrative sanctions and fines under the existing rules and regulations of the Philippine Coast Guard.

SECTION 2. *Civil and Criminal Actions* - The institution of an action under these Rules shall be without prejudice to and shall not bar any civil or criminal action for violation of the penal and civil provisions of all related environmental laws. If the violator is a juridical person, the criminal case shall be filed against the owners, proprietors and/or their agents responsible for the violation.

#### **RULE IX**

##### **MISCELLANEOUS PROVISIONS**

SECTION 1. *Separability Clause* – If any section or provision of these rules of procedure or part thereof, is declared unconstitutional or invalid, the other sections or provisions thereof which are not affected shall continue in full force and effect.

SECTION 2. *Repealing Clause* - The Rules of Procedure Governing the IAO for Marine Environmental Protection and Pollution Cases, which form part of Annex III of HPCG Memorandum Circular No. 01-2001 (dated 01 August 2001) is hereby repealed.

SECTION 3. *Effectivity Clause* – These Rules shall take effect fifteen (15) days after publication in a newspaper of general circulation in the Philippines.

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**ANNEX 9**

Booklet No. 100001

**INSPECTION RECORD BOOK**  
**(Oil Tanker of 15 GT and below 50 GT)**

**NAME OF VESSEL:** \_\_\_\_\_

**PARTICULARS:**

<u>TYPE OF VESSEL:</u>	<u>HOMEPORT:</u>
<u>NAME OF OWNER/ OPERATOR:</u>	<u>BUSINESS ADDRESS:</u>
<u>TRADING:</u>	<u>L.O.A. (in meters):</u>
<u>BREADTH (in meters):</u>	<u>DEPTH (in meters):</u>
<u>DRAUGHT (in meters):</u>	<u>GROSS TONNAGE:</u>
<u>NET TONNAGE:</u>	<u>DEADWEIGHT:</u>
<u>MAKE/TYPE OF ENGINE:</u>	<u>HORSE POWER:</u>
<u>SPEED (Cruising/Maximum)</u>	<u>No. of DECK:</u>
<u>No. of MAST:</u>	<u>No. of Officers/Crew</u>
<u>No. of Authorized Passenger:</u>	<u>Built at:</u>
<u>MATERIALS:</u>	<u>Date of Last Dry-docking:</u>

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Commander, Marine Environmental Protection Command

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#### A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

Details of Ship Certificates/Statutory Documents (No. Valid/Expired)		
	<u>Date of Issue</u>	<u>Expiry Date</u>
1.		
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**D. Date/Time of Inspection:** (day/time) (month) (year)

**E. Place of Inspection: CGS/CGSS:**

F. Received by: \_\_\_\_\_ G. Inspected by: \_\_\_\_\_

<b>Name and Signature of Master of Vessel</b>	<b>Rank/Name and Signature of</b>
<b>Officer-In-</b>	
<b>Or Representative</b>	<b>Charge/Chief MEP Inspector</b>

**Charge/Chief MEP Inspector.**

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## Part II

### Records of Drills

#### A. Nature of Emergency Situation/Evolution (check the appropriate drill conducted):

\_\_\_\_\_ Abandon ship Drill;  
\_\_\_\_\_ Fire in Port Drill / \_\_\_\_\_ At Sea Drill;  
\_\_\_\_\_ Collision at Port Drill / \_\_\_\_\_ At Sea Drill;  
\_\_\_\_\_ Emergency Steering Casualty Drill;  
\_\_\_\_\_ Man Overboard Drill.  
\_\_\_\_\_ Marine Environmental Response and Readiness Evaluation  
\_\_\_\_\_ Others \_\_\_\_\_

#### B. Place of Drill/Vicinity of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (Name of nearest shoreline/Locality)  
\_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ (Latitude) \_\_\_\_\_ (Longitude)

#### C. Date/Time conducted:

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ (Month/Year)

#### D. Last Port of Call:

\_\_\_\_\_  
\_\_\_\_\_

#### E. Date/Time of Departure:

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ (Month/Year)

#### F. Next Port of Call:

\_\_\_\_\_  
\_\_\_\_\_

#### G. Date/Time of Arrival:

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ (Month/Year)

H. Duty Officer of the Watch (OOW): I. Master of the Vessel

\_\_\_\_\_  
Name and Signature of OOW  
License No.

\_\_\_\_\_  
Name and Signature  
License No.

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09 June 2016

Booklet No. 100001

Part III

Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI

A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

	Date of Issue	Expiry Date
1.		
2.		
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16.		

B. Nature of Deficiency(ies)

C. Actions Taken (Please indicate)


D. Date/Time of Inspection:

(day/time) (month) (year)

E. Place of Inspection: CGS/CGSS:

F. Received by:

G. Inspected by:

Name and Signature of Master of Vessel

Rank/Name and Signature of

Officer-In-

Or Representative

Charge/Chief MEP Inspector

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Booklet No. 100001

Part IV

Record of Violations/Deficiencies in the conduct of

A. Nature of Emergency Drill /Evolutions B. Rate attained during Evaluation

	1 <sup>st</sup> Drill (Date: )	2 <sup>nd</sup> Drill (Date: )
1. Abandon ship Drill		
2. Fire in Port or At Sea Drill		
3. Collision at Port or At Sea Drill		
4. Emergency Steering Casualty Drill		
5. Man Overboard Drill		
6. Marine Environmental Response and Readiness Evaluation		

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C. Date/Time of Inspection: (day/time) (month) (year)

D. 1<sup>st</sup> 2<sup>nd</sup> Drill for 201 . (ERE/MERRE should be conducted every six (6) months, unless there are clear grounds to believe that the officers or crew are not familiar with essential shipboard procedures relating to the safety of the ship or prevention of the pollution).

E. Place of Inspection/Evaluation: CGS/CGSS:

F. Received by: G. Inspected/Evaluated by:

Name and Signature of Master of Vessel Rank/Name and Signature of Officer-In-Charge/Chief MEP Inspector  
Or Representative

09 June 2016

Booklet No. 200001

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**INSPECTION RECORD BOOK**  
**(Oil Tanker of 50 GT but not more than 150 GT)**

**NAME OF VESSEL:** \_\_\_\_\_

**PARTICULARS:**

<u>TYPE OF VESSEL:</u>	<u>HOMEPORT:</u>
<u>NAME OF OWNER/ OPERATOR:</u>	<u>BUSINESS ADDRESS:</u>
<u>TRADING:</u>	<u>L.O.A. (in meters):</u>
<u>BREADTH (in meters):</u>	<u>DEPTH (in meters):</u>
<u>DRAUGHT (in meters):</u>	<u>GROSS TONNAGE:</u>
<u>NET TONNAGE:</u>	<u>DEADWEIGHT:</u>
<u>MAKE/TYPE OF ENGINE:</u>	<u>HORSE POWER:</u>
<u>SPEED (Cruising/Maximum):</u>	<u>No. of DECK:</u>
<u>No. of MAST:</u>	<u>No. of Officers/Crew:</u>
<u>No. of Authorized Passenger:</u>	<u>Built at:</u>
<u>MATERIALS:</u>	<u>Date of Last Dry-docking:</u>

This Oil Tanker Inspection Record Book was issued on \_\_\_\_\_ day of \_\_\_\_\_ month 20\_\_\_\_.

\_\_\_\_\_  
Commander, Marine Environmental Protection Command

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Booklet No. 200001

Part I

Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI

A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

	Date of Issue	Expiry Date
1.		
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B. Nature of Deficiency(ies)

C. Actions Taken (Please indicate)


E. Date/Time of Inspection: (day/time) (month) (year)

E. Place of Inspection: CGS/CGSS:

F. Received by: G. Inspected by:

Name and Signature of Master of Vessel

Rank/Name and Signature of

Officer-In-  
Or Representative

Charge/Chief MEP Inspector

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## Part II

### Records of Drills

#### A. Nature of Emergency Situation/Evolution (check the appropriate drill conducted):

Abandon ship Drill;  
Fire in Port Drill / At Sea Drill;  
Collision at Port Drill / At Sea Drill;  
Emergency Steering Casualty Drill;  
Man Overboard Drill.  
Marine Environmental Response and Readiness Evaluation  
Others

#### B. Place of Drill/Vicinity of:

(Name of nearest shoreline/Locality)  
/ (Latitude) / (Longitude)

#### C. Date/Time conducted:

/ / (Date) (Time) / (Month/Year)

#### D. Last Port of Call:

#### E. Date/Time of Departure:

/ / (Date) (Time) / (Month/Year)

#### F. Next Port of Call:

#### G. Date/Time of Arrival:

/ / (Date) (Time) / (Month/Year)

H. Duty Officer of the Watch (OOW): I. Master of the Vessel

Name and Signature of OOW  
License No.

Name and Signature  
License No.

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Booklet No. 200001

**Part III**

**Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI**

**A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)**

	Date of Issue	Expiry Date
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**B. Nature of Deficiency(ies)**

**C. Actions Taken (Please indicate)**


**D. Date/Time of Inspection:**

(day/time) (month) (year)

**E. Place of Inspection: CGS/CGSS:**

**F. Received by:**

**G. Inspected by:**

Name and Signature of Master of Vessel  
Officer-In-  
Or Representative

Rank/Name and Signature of  
Charge/Chief MEP Inspector

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**Part IV**

**Record of Violations/Deficiencies in the conduct of**

**A. Nature of Emergency**      **B. Rate attained during Evaluation**  
**Drill /Evolutions**

	<b>1<sup>st</sup> Drill</b> <b>(Date: )</b>	<b>2<sup>nd</sup> Drill</b> <b>(Date: )</b>
1. Abandon ship Drill		
2. Fire in Port or At Sea Drill		
3. Collision at Port or At Sea Drill		
4. Emergency Steering Casualty Drill		
5. Man Overboard Drill		
6. Marine Environmental Response and Readiness Evaluation		

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**C. Date/Time of Inspection:** (day/time) (month) (year)

**D. 1<sup>st</sup> 2<sup>nd</sup> Drill for 201 . (ERE/MERRE should be conducted every six (6) months, unless there are clear grounds to believe that the officers or crew are not familiar with essential shipboard procedures relating to the safety of the ship or prevention of the pollution).**

**E. Place of Inspection/Evaluation: CGS/CGSS:**

**F. Received by:**      **G. Inspected/Evaluated by:**

**Name and Signature of Master of Vessel**      **Rank/Name and Signature of Officer-In-Or Representative**  
**Charge/Chief MEP Inspector**

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**INSPECTION RECORD BOOK**  
**(Oil Tanker of 150 GT but not more than 400 GT)**

**NAME OF VESSEL:** \_\_\_\_\_

**PARTICULARS:**

<u>TYPE OF VESSEL:</u>	<u>HOMEPORT:</u>
<u>NAME OF OWNER/ OPERATOR:</u>	<u>BUSINESS ADDRESS:</u>
<u>TRADING:</u>	<u>L.O.A. (in meters):</u>
<u>BREADTH (in meters):</u>	<u>DEPTH (in meters):</u>
<u>DRAUGHT (in meters):</u>	<u>GROSS TONNAGE:</u>
<u>NET TONNAGE:</u>	<u>DEADWEIGHT:</u>
<u>MAKE/TYPE OF ENGINE:</u>	<u>HORSE POWER:</u>
<u>SPEED (Cruising/Maximum):</u>	<u>No. of DECK:</u>
<u>No. of MAST:</u>	<u>No. of Officers/Crew:</u>
<u>No. of Authorized Passenger:</u>	<u>Built at:</u>
<u>MATERIALS:</u>	<u>Date of Last Dry-docking:</u>

This Oil Tanker Inspection Record Book was issued on \_\_\_\_\_ day of \_\_\_\_\_ month 20\_\_\_\_.

\_\_\_\_\_  
Commander, Marine Environmental Protection Command

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Booklet No. 300001

Part I

Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI

A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

	Date of Issue	Expiry Date
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		

B. Nature of Deficiency(ies)

C. Actions Taken (Please indicate)


F. Date/Time of Inspection: (day/time) (month) (year)

E. Place of Inspection: CGS/CGSS:

F. Received by: G. Inspected by:

Name and Signature of Master of Vessel Rank/Name and Signature of  
Officer-In- Charge/Chief MEP Inspector  
Or Representative

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## Part II

### Records of Drills

#### A. Nature of Emergency Situation/Evolution (check the appropriate drill conducted):

\_\_\_\_\_ Abandon ship Drill;  
\_\_\_\_\_ Fire in Port Drill / \_\_\_\_\_ At Sea Drill;  
\_\_\_\_\_ Collision at Port Drill / \_\_\_\_\_ At Sea Drill;  
\_\_\_\_\_ Emergency Steering Casualty Drill;  
\_\_\_\_\_ Man Overboard Drill.  
\_\_\_\_\_ Marine Environmental Response and Readiness Evaluation  
\_\_\_\_\_ Others \_\_\_\_\_

#### B. Place of Drill/Vicinity of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (Name of nearest shoreline/Locality)  
\_\_\_\_\_  
\_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ (Latitude) \_\_\_\_\_ (Longitude)

#### C. Date/Time conducted:

\_\_\_\_\_  
\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ (Month/Year)

#### D. Last Port of Call:

\_\_\_\_\_  
\_\_\_\_\_

#### E. Date/Time of Departure:

\_\_\_\_\_  
\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ (Month/Year)

#### F. Next Port of Call:

\_\_\_\_\_  
\_\_\_\_\_

#### G. Date/Time of Arrival:

\_\_\_\_\_  
\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ (Month/Year)

H. Duty Officer of the Watch (OOW): I. Master of the Vessel

\_\_\_\_\_  
Name and Signature of OOW  
License No.

\_\_\_\_\_  
Name and Signature  
License No.

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Booklet No. 300001

Part III

Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI

A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

	Date of Issue	Expiry Date
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
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11.		
12.		
13.		
14.		
15.		
16.		

B. Nature of Deficiency(ies)

C. Actions Taken (Please indicate)


D. Date/Time of Inspection:

(day/time) (month) (year)

E. Place of Inspection: CGS/CGSS:

F. Received by:

G. Inspected by:

Name and Signature of Master of Vessel

Rank/Name and Signature of

Officer-In-

Or Representative

Charge/Chief MEP Inspector

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Booklet No. 300001

Part IV

Record of Violations/Deficiencies in the conduct of

A. Nature of Emergency Drill /Evolutions B. Rate attained during Evaluation

	1 <sup>st</sup> Drill (Date: )	2 <sup>nd</sup> Drill (Date: )
1. Abandon ship Drill		
2. Fire in Port or At Sea Drill		
3. Collision at Port or At Sea Drill		
4. Emergency Steering Casualty Drill		
5. Man Overboard Drill		
6. Marine Environmental Response and Readiness Evaluation		

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C. Date/Time of Inspection: (day/time) (month) (year)

D. 1<sup>st</sup> 2<sup>nd</sup> Drill for 201 . (ERE/MERRE should be conducted every six (6) months, unless there are clear grounds to believe that the officers or crew are not familiar with essential shipboard procedures relating to the safety of the ship or prevention of the pollution).

E. Place of Inspection/Evaluation: CGS/CGSS:

F. Received by:

G. Inspected/Evaluated by:

Name and Signature of Master of Vessel  
Officer-In-  
Or Representative

Rank/Name and Signature of  
Charge/Chief MEP Inspector

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**INSPECTION RECORD BOOK**  
**(Oil Tanker of 400 GT but not more than 10,000 GT)**

**NAME OF VESSEL:** \_\_\_\_\_

**PARTICULARS:**

<u>TYPE OF VESSEL:</u>	<u>HOMEPORT:</u>
<u>NAME OF OWNER/ OPERATOR:</u>	<u>BUSINESS ADDRESS:</u>
<u>TRADING:</u>	<u>L.O.A. (in meters):</u>
<u>BREADTH (in meters):</u>	<u>DEPTH (in meters):</u>
<u>DRAUGHT (in meters):</u>	<u>GROSS TONNAGE:</u>
<u>NET TONNAGE:</u>	<u>DEADWEIGHT:</u>
<u>MAKE/TYPE OF ENGINE:</u>	<u>HORSE POWER:</u>
<u>SPEED (Cruising/Maximum):</u>	<u>No. of DECK:</u>
<u>No. of MAST:</u>	<u>No. of Officers/Crew:</u>
<u>No. of Authorized Passenger:</u>	<u>Built at:</u>
<u>MATERIALS:</u>	<u>Date of Last Dry-docking:</u>

This Oil Tanker Inspection Record Book was issued on \_\_\_\_\_ day of \_\_\_\_\_ month 20\_\_\_\_.

\_\_\_\_\_  
Commander, Marine Environmental Protection Command

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Booklet No. 400001

Part I

Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI

A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

	Date of Issue	Expiry Date
1.		
2.		
3.		
4.		
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16.		
17.		
18.		

B. Nature of Deficiency(ies)

C. Actions Taken (Please indicate)


G. Date/Time of Inspection: (day/time) (month) (year)

E. Place of Inspection: CGS/CGSS:

F. Received by: G. Inspected by:

Name and Signature of Master of Vessel Rank/Name and Signature of  
Officer-In- Charge/Chief MEP Inspector  
Or Representative

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## Part II

### Records of Drills

#### A. Nature of Emergency Situation/Evolution (check the appropriate drill conducted):

Abandon ship Drill;  
Fire in Port Drill / At Sea Drill;  
Collision at Port Drill / At Sea Drill;  
Emergency Steering Casualty Drill;  
Man Overboard Drill.  
Marine Environmental Response and Readiness Evaluation  
Others

#### B. Place of Drill/Vicinity of:

(Name of nearest shoreline/Locality)  
(Latitude) (Longitude)

#### C. Date/Time conducted:

(Date) (Time) (Month/Year)

#### D. Last Port of Call:

#### E. Date/Time of Departure:

(Date) (Time) (Month/Year)

#### F. Next Port of Call:

#### G. Date/Time of Arrival:

(Date) (Time) (Month/Year)

H. Duty Officer of the Watch (OOW): I. Master of the Vessel

Name and Signature of OOW  
License No.

Name and Signature  
License No.

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09 June 2016

Booklet No. 400001

Part III

Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI

A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

	Date of Issue	Expiry Date
1.		
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14.		
15.		
16.		

B. Nature of Deficiency(ies)

C. Actions Taken (Please indicate)


D. Date/Time of Inspection:

(day/time) (month) (year)

E. Place of Inspection: CGS/CGSS:

F. Received by:

G. Inspected by:

Name and Signature of Master of Vessel  
Officer-In-  
Or Representative

Rank/Name and Signature of  
Charge/Chief MEP Inspector

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Booklet No. 400001

Part IV

Record of Violations/Deficiencies of:

A. Nature of Emergency Drill /Evolutions B. Rate attained during Evaluation

	1 <sup>st</sup> Drill (Date: )	2 <sup>nd</sup> Drill (Date: )
1. Abandon ship Drill		
2. Fire in Port or At Sea Drill		
3. Collision at Port or At Sea Drill		
4. Emergency Steering Casualty Drill		
5. Man Overboard Drill		
6. Marine Environmental Response and Readiness Evaluation		

C. Date/Time of Inspection: (day/time) (month) (year)

D. 1<sup>st</sup> 2<sup>nd</sup> Drill for 20 . (ERE/MERRE should be conducted every six (6) months, unless there are clear grounds to believe that the officers or crew are not familiar with essential shipboard procedures relating to the safety of the ship or prevention of the pollution).

E. Place of Inspection/Evaluation: CGS/CGSS:

F. Received by: G. Inspected/Evaluated by:

Name and Signature of Master of Vessel Rank/Name and Signature of Officer-In-Charge/Chief MEP Inspector  
Or Representative

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**INSPECTION RECORD BOOK**  
**(Oil Tanker of 10,000 GT but not more than 20,000 GT)**

**NAME OF VESSEL:** \_\_\_\_\_

**PARTICULARS:**

<u>TYPE OF VESSEL:</u>	<u>HOMEPORT:</u>
<u>NAME OF OWNER/ OPERATOR:</u>	<u>BUSINESS ADDRESS:</u>
<u>TRADING:</u>	<u>L.O.A. (in meters):</u>
<u>BREADTH (in meters):</u>	<u>DEPTH (in meters):</u>
<u>DRAUGHT (in meters):</u>	<u>GROSS TONNAGE:</u>
<u>NET TONNAGE:</u>	<u>DEADWEIGHT:</u>
<u>MAKE/TYPE OF ENGINE:</u>	<u>HORSE POWER:</u>
<u>SPEED (Cruising/Maximum):</u>	<u>No. of DECK:</u>
<u>No. of MAST:</u>	<u>No. of Officers/Crew:</u>
<u>No. of Authorized Passenger:</u>	<u>Built at:</u>
<u>MATERIALS:</u>	<u>Date of Last Dry-docking:</u>

This Oil Tanker Inspection Record Book was issued on \_\_\_\_\_ day of \_\_\_\_\_ month  
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Commander, Marine Environmental Protection Command

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09 June 2016

Booklet No. 500001

Part I

Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI

A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

	Date of Issue	Expiry Date
1.		
2.		
3.		
4.		
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16.		
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18.		

B. Nature of Deficiency(ies)

C. Actions Taken (Please indicate)


H. Date/Time of Inspection: (day/time) (month) (year)

E. Place of Inspection: CGS/CGSS:

F. Received by: G. Inspected by:

Name and Signature of Master of Vessel Rank/Name and Signature of  
Officer-In- Charge/Chief MEP Inspector  
Or Representative

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09 June 2016

Booklet No. 500001

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**Part II**

**Records of Emergency Drills**

**A. Nature of Emergency Situation/Evolution (check the appropriate drill conducted):**

\_\_\_\_\_ Abandon ship Drill;  
\_\_\_\_\_ Fire in Port Drill / \_\_\_\_\_ At Sea Drill;  
\_\_\_\_\_ Collision at Port Drill / \_\_\_\_\_ At Sea Drill;  
\_\_\_\_\_ Emergency Steering Casualty Drill;  
\_\_\_\_\_ Man Overboard Drill.  
\_\_\_\_\_ Marine Environmental Response and Readiness Evaluation  
\_\_\_\_\_ Others \_\_\_\_\_

**B. Place of Drill/Vicinity of:**

\_\_\_\_\_  
\_\_\_\_\_  
(Name of nearest shoreline/Locality)  
\_\_\_\_\_  
(Latitude) / (Longitude)

**C. Date/Time conducted:**

\_\_\_\_\_  
(Date) / (Time) / (Month/Year)

**D. Last Port of Call:**

\_\_\_\_\_  
\_\_\_\_\_

**E. Date/Time of Departure:**

\_\_\_\_\_  
(Date) / (Time) / (Month/Year)

**F. Next Port of Call:**

\_\_\_\_\_

**G. Date/Time of Arrival:**

\_\_\_\_\_  
(Date) / (Time) / (Month/Year)

**H. Duty Officer of the Watch (OOW):** **I. Master of the Vessel**

\_\_\_\_\_  
Name and Signature of OOW  
License No.

\_\_\_\_\_  
Name and Signature  
License No.

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09 June 2016

Booklet No. 500001

Part III

Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI

A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

	Date of Issue	Expiry Date
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16.		

B. Nature of Deficiency(ies)

C. Actions Taken (Please indicate)


D. Date/Time of Inspection:

(day/time) (month) (year)

E. Place of Inspection: CGS/CGSS:

F. Received by:

G. Inspected by:

Name and Signature of Master of Vessel  
Officer-In-  
Or Representative

Rank/Name and Signature of  
Charge/Chief MEP Inspector

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Booklet No. 500001

Part IV

Record of Violations/Deficiencies in the conduct of:

A. Nature of Emergency      B. Rate attained during Evaluation  
Drill /Evolutions

	1 <sup>st</sup> Drill (Date: )	2 <sup>nd</sup> Drill (Date: )
1. Abandon ship Drill		
2. Fire in Port or At Sea Drill		
3. Collision at Port or At Sea Drill		
4. Emergency Steering Casualty Drill		
5. Man Overboard Drill		
6. Marine Environmental Response and Readiness Evaluation		

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C. Date/Time of Inspection: (day/time) (month) (year)

D. 1<sup>st</sup> 2<sup>nd</sup> Drill for 201 . (ERE/MERRE should be conducted every six (6) months, unless there are clear grounds to believe that the officers or crew are not familiar with essential shipboard procedures relating to the safety of the ship or prevention of the pollution).

E. Place of Inspection/Evaluation: CGS/CGSS:

F. Received by: G. Inspected/Evaluated by:

Name and Signature of Master of Vessel      Rank/Name and Signature of  
Officer-In-  
Or Representative      Charge/Chief MEP Inspector

09 June 2016

Book No. 600001

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**INSPECTION RECORD BOOK**  
**(New Crude Oil Tanker 20,000 GT above)**

**NAME OF VESSEL:** \_\_\_\_\_

**PARTICULARS:**

<u>TYPE OF VESSEL:</u>	<u>HOMEPORT:</u>
<u>NAME OF OWNER/ OPERATOR:</u>	<u>BUSINESS ADDRESS:</u>
<u>TRADING:</u>	<u>L.O.A. (in meters):</u>
<u>BREADTH (in meters):</u>	<u>DEPTH (in meters):</u>
<u>DRAUGHT (in meters):</u>	<u>GROSS TONNAGE:</u>
<u>NET TONNAGE:</u>	<u>DEADWEIGHT:</u>
<u>MAKE/TYPE OF ENGINE:</u>	<u>HORSE POWER:</u>
<u>SPEED (Cruising/Maximum)</u>	<u>No. of DECK:</u>
<u>No. of MAST:</u>	<u>No. of Officers/Crew</u>
<u>No. of Authorized Passenger:</u>	<u>Built at:</u>
<u>MATERIALS:</u>	<u>Date of Last Dry-docking:</u>

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This Oil Tanker Inspection Record Book was issued on \_\_\_\_\_ day of \_\_\_\_\_ month  
20\_\_\_\_.

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Commander, Marine Environmental Protection Command

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09 June 2016

Booklet No. 600001

Part I

Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI

A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

	Date of Issue	Expiry Date
1.		
2.		
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15.		
16.		
17.		
18.		

B. Nature of Deficiency(ies)

C. Actions Taken (Please indicate)


I. Date/Time of Inspection: (day/time) (month) (year)

E. Place of Inspection: CGS/CGSS:

F. Received by: G. Inspected by:

Name and Signature of Master of Vessel

Rank/Name and Signature of

Officer-In-  
Or Representative

Charge/Chief MEP Inspector

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## Part II

### Records of Drills

#### A. Nature of Emergency Situation/Evolution (check the appropriate drill conducted):

\_\_\_\_\_ Abandon ship Drill;  
\_\_\_\_\_ Fire in Port Drill / \_\_\_\_\_ At Sea Drill;  
\_\_\_\_\_ Collision at Port Drill / \_\_\_\_\_ At Sea Drill;  
\_\_\_\_\_ Emergency Steering Casualty Drill;  
\_\_\_\_\_ Man Overboard Drill.  
\_\_\_\_\_ Marine Environmental Response and Readiness Evaluation  
\_\_\_\_\_ Others \_\_\_\_\_

#### B. Place of Drill/Vicinity of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (Name of nearest shoreline/Locality)  
\_\_\_\_\_  
\_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ (Latitude) \_\_\_\_\_ (Longitude)

#### C. Date/Time conducted:

\_\_\_\_\_  
\_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ (Month/Year)

#### D. Last Port of Call:

\_\_\_\_\_  
\_\_\_\_\_

#### E. Date/Time of Departure:

\_\_\_\_\_  
\_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ (Month/Year)

#### F. Next Port of Call:

\_\_\_\_\_

#### G. Date/Time of Arrival:

\_\_\_\_\_  
\_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ (Month/Year)

H. Duty Officer of the Watch (OOW): I. Master of the Vessel

\_\_\_\_\_  
Name and Signature of OOW

\_\_\_\_\_  
Name and Signature

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09 June 2016

Booklet No. 600001

Part III

Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI

A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

	Date of Issue	Expiry Date
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15.		
16.		

B. Nature of Deficiency(ies)

C. Actions Taken (Please indicate)


D. Date/Time of Inspection:

(day/time) (month) (year)

E. Place of Inspection: CGS/CGSS:

F. Received by:

G. Inspected by:

Name and Signature of Master of Vessel

Rank/Name and Signature of

Officer-In-  
Or Representative

Charge/Chief MEP Inspector

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09 June 2016

Booklet No. 600001

Part IV

Record of Violations/Deficiencies in the conduct of

A. Nature of Emergency Drill /Evolutions B. Rate attained during Evaluation

	1 <sup>st</sup> Drill (Date: )	2 <sup>nd</sup> Drill (Date: )
1. Abandon ship Drill		
2. Fire in Port or At Sea Drill		
3. Collision at Port or At Sea Drill		
4. Emergency Steering Casualty Drill		
5. Man Overboard Drill		
6. Marine Environmental Response and Readiness Evaluation		

C. Date/Time of Inspection: (day/time) (month) (year)

D. 1<sup>st</sup> 2<sup>nd</sup> Drill for 201 . (ERE/MERRE should be conducted every six (6) months, unless there are clear grounds to believe that the officers or crew are not familiar with essential shipboard procedures relating to the safety of the ship or prevention of the pollution).

E. Place of Inspection/Evaluation: CGS/CGSS:

F. Received by: G. Inspected/Evaluated by:

Name and Signature of Master of Vessel Rank/Name and Signature of Officer-In- Charge/Chief MEP Inspector  
Or Representative



09 June 2016

Book No. 700001

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**INSPECTION RECORD BOOK**  
**(New Oil Tanker of 70,000 GT and above)**

**NAME OF VESSEL:** \_\_\_\_\_

**PARTICULARS:**

<u>TYPE OF VESSEL:</u>	<u>HOMEPORT:</u>
<u>NAME OF OWNER/ OPERATOR:</u>	<u>BUSINESS ADDRESS:</u>
<u>TRADING:</u>	<u>L.O.A. (in meters):</u>
<u>BREADTH (in meters):</u>	<u>DEPTH (in meters):</u>
<u>DRAUGHT (in meters):</u>	<u>GROSS TONNAGE:</u>
<u>NET TONNAGE:</u>	<u>DEADWEIGHT:</u>
<u>MAKE/TYPER OF ENGINE:</u>	<u>HORSE POWER:</u>
<u>SPEED (Cruising/Maximum)</u>	<u>No. of DECK:</u>
<u>No. of MAST:</u>	<u>No. of Officers/Crew</u>
<u>No. of Authorized Passenger:</u>	<u>Built at:</u>
<u>MATERIALS:</u>	<u>Date of Last Dry-docking:</u>

This Oil Tanker Inspection Record Book was issued on \_\_\_\_\_ day of \_\_\_\_\_ month  
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Commander, Marine Environmental Protection Command

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Booklet No. 700001

Part I

Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI

A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

	Date of Issue	Expiry Date
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18.		

B. Nature of Deficiency(ies)

C. Actions Taken (Please indicate)


J. Date/Time of Inspection: (day/time) (month) (year)

E. Place of Inspection: CGS/CGSS:

F. Received by: G. Inspected by:

Name and Signature of Master of Vessel Rank/Name and Signature of  
Officer-In- Charge/Chief MEP Inspector  
Or Representative

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**Part II**

**Records of Emergency Drills**

**A. Nature of Emergency Situation/Evolution (check the appropriate drill conducted):**

Abandon ship Drill;  
Fire in Port Drill / At Sea Drill;  
Collision at Port Drill / At Sea Drill;  
Emergency Steering Casualty Drill;  
Man Overboard Drill.  
Marine Environmental Response and Readiness Evaluation  
Others

**B. Place of Drill/Vicinity of:**

(Name of nearest shoreline/Locality)  
/ (Latitude) (Longitude)

**C. Date/Time conducted:**

/ (Date) (Time) / (Month/Year)

**D. Last Port of Call:**

**E. Date/Time of Departure:**

/ (Date) (Time) / (Month/Year)

**F. Next Port of Call:**

**G. Date/Time of Arrival:**

/ (Date) (Time) / (Month/Year)

**H. Duty Officer of the Watch (OOW):** **I. Master of the Vessel**

Name and Signature of OOW

Name and Signature

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Part III

Record of Violations/Deficiencies in the conduct of MDSD/PDI/CMI

A. Details of Ship Certificates/Statutory Documents (Not Valid/Expired)

	Date of Issue	Expiry Date
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		

B. Nature of Deficiency(ies)

C. Actions Taken (Please indicate)


D. Date/Time of Inspection:

(day/time) (month) (year)

E. Place of Inspection: CGS/CGSS:

F. Received by:

G. Inspected by:

Name and Signature of Master of Vessel  
Officer-In-  
Or Representative

Rank/Name and Signature of  
Charge/Chief MEP Inspector

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Part IV

Record of Violations/Deficiencies in the conduct of

A. Nature of Emergency Drill /Evolutions B. Rate attained during Evaluation

	1 <sup>st</sup> Drill (Date: )	2 <sup>nd</sup> Drill (Date: )
1. Abandon ship Drill		
2. Fire in Port or At Sea Drill		
3. Collision at Port or At Sea Drill		
4. Emergency Steering Casualty Drill		
5. Man Overboard Drill		
6. Marine Environmental Response and Readiness Evaluation		

C. Date/Time of Inspection: (day/time) (month) (year)

D. 1<sup>st</sup> 2<sup>nd</sup> Drill for 201 . (ERE/MERRE should be conducted every six (6) months, unless there are clear grounds to believe that the officers or crew are not familiar with essential shipboard procedures relating to the safety of the ship or prevention of the pollution).

E. Place of Inspection/Evaluation: CGS/CGSS:

F. Received by: G. Inspected/Evaluated by:

Name and Signature of Master of Vessel Rank/Name and Signature of Officer-In-Charge/Chief MEP Inspector  
Or Representative

LEDGER:

Comment from CG-9  
Comment from CGDNM Stakeholders  
Comment from CGDCV Stakeholders

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