



## NEWLYN PIER & HARBOUR COMMISSIONERS

### NEWLYN HARBOUR WASTE MANAGEMENT PLAN

#### **INTRODUCTION**

1. This Waste Management Plan has been adopted by the Statutory Harbour Authority for the management of Newlyn Harbour "The Newlyn Pier and harbour Commissioners". The provisions for this management are laid out within the overall Port Waste Management Plan in compliance with the SI 2003/1809 and MGN 387.

##### 1.1 Jurisdiction

The area covered under the Waste Management Plan extends to those limits of the Harbour Commissioners as set out in the Newlyn Pier & Harbour Order Confirmation (No.1) Act 1906.

##### 1.2 Vessel Traffic

The vessels using Newlyn Harbour include coasters, fishing vessels, pleasure craft and day sailors etc.

##### 1.3 Harbour Authorities General Duties

The Harbour Authority's general duties are those of byelaw enforcement, provision of facilities and the maintenance, management and improvement of the Port.

In general this includes:-

- a) Provision of berthing for various craft;
- b) Dredging to maintain charted depths;
- c) Provision of navigation marks, buoys, beacons and lights;
- d) Byelaw enforcement;
- e) Provision of harbour radio station;
- f) Provision of potable water supply;
- g) Provision of facilities for fishing vessels to unload and sell their catches;
- h) Provision of vehicle parking facilities; and
- i) Provision of Dry Maintenance Facilities.

##### 1.4 Third Party Operators

Within the areas of jurisdiction of the Harbour Authority, there are a number of third party operators who carry out various repairs to vessels both afloat and ashore.

#### **2. LEGISLATIVE REQUIREMENTS**

- 2.1 International Convention for the Prevention of Pollution from Ships 1973 as modified by the Protocol of 1978 (MARPOL 73/78) MARPOL deals with disposal and discharges of waste at sea. Regulations for the disposal and discharges are contained in five annexes:-



Annex I deals with oil pollution and oily water discharge; in force mandatory compliance.

Annex II deals with noxious liquid substances carried in bulk; discharge of chemical slops and residues only to reception facilities ashore; in force; mandatory compliance.

Annex III provides for the prevention of pollution by harmful substances in packaged form. Harmful substances are those identified as marine pollutants in the International Maritime Dangerous Goods (IMDG) Code; in force.

Annex IV deals with the discharge of sewage at sea.

Annex V deals with the dumping of garbage. The dumping of plastics is prohibited; in force.

Annex VI deals with the prevention of air pollution from ships.

2.2 Environmental Protection Act 1990 gives effect to prescribed processes and substances and applies to ports which handle and store certain materials. For these substances, licenses must be applied for. The Act provides a "Duty of Care" (Section 34) with regard to the importation, carrying or transfer of controlled wastes. Part III of the Act deals with statutory nuisances and gives power to local authorities over nuisances from vessels within territorial waters.

2.3 Waste Law 1992 requires that holders of waste exercise a duty of care to ensure that waste safely reaches its ultimate place of disposal.

2.4 Prevention of Pollution (Reception Facilities) 1984 (SI 2003 / 1809) gives effect to Regulation 12 of Annex I of MARPOL regarding reception facilities for oily wastes and Regulation 7 of Annex II regarding reception facilities for chemical residues. Under Article 4 of the Order, harbour authorities are required either on their own or in co-operation with others to provide these reception facilities for ships using the harbour for purposes other than the reception facilities.

2.5 Merchant Shipping (Reception Facilities for Garbage) Regulations 1988 gives effect to the provisions of Annex V of MARPOL 7 3/78 by empowering harbour authorities to provide reception facilities for garbage disposed of by ships.

2.6 Merchant Shipping Notices issued by the Maritime and Coastguard Agency (Guidance only).

- a) MS Notice MSN 1807 Prevention of pollution of the sea by garbage from ships and offshore installations.
- b) SI 2003 / 1809 Prevention of pollution of the sea from ships.
- c) MGN 387: Port Waste Reception Facilities Regs 2003, and MGN 387: Exemptions to Port Waste Reception Facilities Regs 2003.
- d) Harbour Byelaws dealing with waste (currently under review).

The Newlyn Pier & Harbour Commissioners have the authority to make byelaws under powers conferred to them in the Harbour Docks and Pier Clauses Act 1847, as incorporated within the Newlyn Pier & Harbour Order Confirmation (No.1) Act 1906, and Article 23 of the Newlyn Pier & Harbour Revision Order 1977.



The following are covered under the present byelaws, viz:-

Section 46 refers to the gutting or cleansing of fish to be carried out close to the tubs provided.  
Section 47 prohibits the discharge of rubbish, offal or offensive matters in the harbour area.

### 3. WASTES FROM VESSELS

Wastes are generated from activities which are normal to recreation, fishing, commercial shipping and Harbour Authority operations. Figures for the amounts of waste collected are not easy to compile owing to the different types of collection that exist.

#### a) Commercial Shipping

- i) Vessels anchored in Mounts Bay within the harbour limits.
- ii) Vessels moored alongside South Pier.

#### b) Fishing Vessels

- i) Vessels alongside the North Pier.
- ii) Vessels alongside the Mary Williams Pier.
- iii) Vessels alongside the Fish Market.
- iv) Vessels alongside the pontoons.

#### c) Leisure Craft

- i) Vessels anchored in Mounts Bay within the harbour limits.
- ii) Vessels berthed alongside the Mary Williams Pier.
- iii) Vessels berthed on pontoons.

d) The estimated amount of waste generated for the year 2012 is 398.5 tons.

e) Third Party operators as outlined in paragraph 1.4.

#### 3.1 Definitions and Abbreviations

“Cargo residues” are defined as the remnants of any cargo material on board that cannot be placed in proper cargo holds (loading excess and spillage), which remain in cargo holds and elsewhere after unloading procedures are completed (unloading residues and spillage). However, cargo residues are expected to be in small quantities.

“Cargo associated waste” means all materials which have become wastes as a result of use on board a ship for cargo stowage and handling. Cargo associated wastes includes, but is not limited to dunnage, shoring, pellets, lining and packing materials, plywood, paper, cardboard, wire and steel strapping.

“Contaminated rags” are rags which have been saturated with a substance defined as a harmful substance in other annexes to the convention.

“Convention Ship” means a ship whose flag state is party to the Convention.



“Discharge” in relation to harmful substances or effluent containing such substances, means any release, howsoever caused, from a ship and includes any escape, disposal, spilling, leaking, pumping, emitting or emptying. Discharge does not include:-

1. Dumping within the meaning of the Convention on the Prevention of Marine Pollution by Dumping of Waste and other Matter, held at London on 13<sup>th</sup> November 1972; or
2. Release of harmful substances directly arising from the exploration, exploitation and associated offshore processing of sea-bed mineral resources; or
3. Release of harmful substances for purposes of legitimate scientific research into pollution abatement or control.

“Dishwater” waste is the residue from the manual or automatic washing of dishes and cooking utensils which have been pre-cleaned to the extent that any food particles adhering to them would not normally interfere with the operation of automation dishwashers.

“Food wastes” are any spoiled or unspoiled victual substances, such as fruits, vegetables, dairy products, poultry, meat products, food scraps, food particles and all other materials contaminated by such wastes, generated aboard ship principally in the galley and dining areas.

“Harmful substance” means any substance which, if introduced into the sea, is liable to create hazards to human health, harm living resources and marine life, damage amenities or interfere with other legitimate uses of the sea, includes any substances subject to control by other regulations.

“Harbour” means:-

1. all areas of water within the statutory jurisdiction of a statutory harbour authority, other than the areas of water referred to in sub-paragraph (a);
2. any berth, abutting any of the areas falling within (1) above, where the loading or unloading of any substance (as defined in the dangerous Substances Regulations 1987) takes place (whether or not that berth is for other purposes under the statutory jurisdiction of the harbour authority);
3. any land, within the statutory jurisdiction of statutory harbour authority or occupied by a statutory harbour authority, used in connection with the loading or unloading of vessels; but excluding –
  - (a) areas of water which are within the statutory jurisdiction of another statutory harbour authority where those areas of water are used primarily by vessels using berths or land within the harbour area of that statutory harbour authority (for the purpose of these Regulations (i.e. the Dangerous Substances Regulations 1987) the harbour area of that other harbour authority is known as an “overlapping harbour area”).

“Garbage” means ship-generated garbage or solid waste as defined by the 1973 Convention and means all kinds of victual, domestic and operational waste, excluding fresh fish and parts thereof generated during the normal operation of the ship and liable to be disposed of continuously or periodically. Such garbage could include, but is not limited to, all plastics, food wastes, paper products, rags, woods, glass, metal, bottles, crockery or similar refuse.



“Greywater” means drainage from dishwashers, shower, laundry, bath and washbasin drains and does not include drainage from toilets, urinals, hospitals, animal spaces and cargo spaces.

“IMO” means the International Maritime Organisation.

“Incident” means an event involving the actual or probable discharge into the sea of a harmful substance, or effluent containing such a substance.

“Material waste” means material collected by the engine department and the deck department while maintaining and operating a vessel, such as soot, machinery deposits, scraped paint, deck sweepings, wiping wastes and rags etc.

“Oily rags” are rags which have been saturated with oil in Annex 1 to the Convention.

“Operational wastes” means all cargo-associated waste and maintenance waste and cargo residues and include all materials which become wastes due to break bulk and other cargo operations, including dunnage, shoring, pallets, lining and packing materials, plywood, paper, cardboard, wire, nails and steel strapping cargo residues.

“Plastics” means a solid material which contains as an essential ingredient one or more synthetic organic high polymer or the fabrication into a finished product by heat and / or pressure. Plastics have material properties ranging from hard to brittle to soft and elastic. Plastics are used for a variety of marine purposes including, but not limited to, packaging (vapour-proof barriers, bottles, containers, liners), ship construction (fiberglass and laminated structures, siding, piping, insulation, flooring, carpets, fabrics, paints and finishes, adhesives, electrical and electronic components) disposable eating utensils and cups, bags, sheeting, floats, fishing nets, strapping banks, rope and line.

“Refuse” means wastes generated in living spaces of crew and passengers and consisting principally of paper products, textiles, glass, rags, bottles, plastic etc.

“Ships” as defined in the Regulations refers not only to the professional and commercial maritime community but also the non-commercial seafaring population of the sea by garbage.

“Special area” means a sea area where for recognised technical reasons in relation to its oceanographical and ecological condition and to the particular character of its traffic the adoption of special mandatory methods for the prevention of sea pollution by garbage is required.

“Wastes” means useless, unneeded or superfluous matter which is to be discarded.

### 3.2 Garbage and Wastes

Garbage and wastes generally comprise of the following:-

- 3.2.1 Oily Wastes: sump, waste oils and oil filters are handled by the Harbour Authority. These are collected in dedicated facilities and recycled by a nominated private contractor.
- 3.2.2 Sewage: Sewage will be produced by all of the activities listed in paragraph 3 – Waste from Vessels and although it is not illegal for this waste to enter the water, it is to be



discouraged as far as possible. Vessels are encouraged to use holding tanks, chemical disposal facilities or toilets located onshore.

Toilets are located at:

- a) Base of North Pier, Newlyn;
- b) Half way along North Pier;
- c) Western end of the Fish Market; and
- d) Slipway (for those vessels undergoing repairs on the slipway).

### 3.2.3 Garbage

Garbage facilities consisting of skips and drums are located at a number of strategic points within the harbour limits.

Locations for skips are found below:-

- a) Half way along North Pier;
- b) Half way along Mary Williams Pier;
- c) South Pier slipway; and
- d) Drums at top of pontoon linkspan.

The collection schedule outlining the size of skips, together with the frequency of collection is outlined in paragraph 4 – Facilities.

### 3.2.4 Batteries

Batteries can be deposited at the Harbour Office where they will be collected by a nominated private contractor for recycling.

### 3.2.5 Monofilament Nets

These are stored in special sacks and stills at the Net Loft from where they are collected and taken to a harbour store for bailing following which they are sent for recycling.

### 3.2.6 Scrap Metal

Scrap metals are to be placed in the scrap metal skip situated in the Mary Williams Lorry Park where it will be sent away for recycling.

### 3.2.7 Waste Oil

Bunded waste oil tanks are situated on the North Pier (outside W Stevenson & Sons Ltd workshop) and on the Mary Williams Pier close to the garbage skips. Containers are placed alongside in which oils filters can be placed for collection.

### 3.2.8 Hazard Waste

Newlyn Harbour is registered with the Environment Agency as a producer of hazardous waste. The registration number is AGU 426.



#### 4. FACILITIES

Garbage disposal facilities utilising skips are located and collected as follows:

<u>Location</u>	<u>Skip Size</u>	<u>Collection</u>
North Pier	10 cubic yards	As required
Mary Williams Pier	18 cubic yards	As required
Net Maintenance	8 cubic yards	As required
South Pier Slipway	2 cubic yards	As required

#### 5. RESPONSIBILITY OF PORT USERS

Port users include all those people whose vessel(s) normally utilises the harbour at Newlyn. It is their responsibility to ensure that the facilities on offer are used and that their garbage and other wastes are disposed of by the correct means.

#### 6. SERVICE PROVIDERS

The company responsible for skip hire is Jago Skip Hire, Penzance.

The approved contractor used for the collection and disposal of waste oil is Eco-oil Ltd., Suite 2, Floor 6, Clarence House, Clarence Place, Newport. NP19 7AA.

The company responsible for the collection of the scrap metal skip is Simms Metals, Camborne.

The monofilament nets are transported to Petlon Polymers Ltd., Lytney for recycling.

The Commissioners have a contract with Adler & Allen Ltd., 22 – 42 Livingstone Road, London, E15 2ZJ to provide Tier 2 response in the event of an oil spill.

The Commissioners have a contract with Veolia Environmental Services Ltd. to deal with any chemical spills.

#### 7. COMMUNICATION

Ship masters will through their respective agents, owners or Harbour Authority receive information relating to the safe and efficient disposal of waste generated by their vessels.

#### 8. EMERGENCY AND NOTIFICATION PROCEDURES

8.1 Any spills of garbage within the harbour areas should be reported to the Harbour Office so that immediate action can be taken.

8.2 Depending upon the nature of the garbage, emergency services will be contacted should there be dangerous substances involved.



## **9. COMPLAINTS**

A recording procedure will be maintained at the Harbour Office for the logging of any complaints received such as lack of reception facilities, inadequacy of collection or problems with contractors. All complaints will be dealt with by the Harbour Master or his Deputy / Assistant.

## **10. EDUCATION AND TRAINING**

All staff will be given access to copies of this Waste Management Plan and will through regular team briefings and in-house training be expected to understand what is required of them and the authority so as to comply with any national or international legislation.

## **11. CHARGES**

Charges are incorporated into the normal Harbour Dues. No additional charges will be levied for the use of any reception facility unless it is a one off extra requirement outside what would be expected to be considered normal use. This would be for example charges imposed for disposal of dirty ballasts, bilge water or dunnage, but would not include disposal of normal ship waste whilst alongside or laid up. Recreational users would not be charged for any of the collection and disposal facilities offered.

## **12. MONITORING AND CONTROL**

The Waste Management Plan will be monitored and controlled by the Harbour Master. It will be up to the Harbour Master to ensure that facilities are adequate and that users are aware of the facilities offered. The Waste Management Plan will be reviewed every six months by the Harbour Master to ensure its effectiveness.

## **13. MAINTENANCE AND DOCUMENTATION**

The Harbour Master will be responsible for ensuring that the Plan will be maintained and kept up to date.

## **14. REVIEW**

In accordance with SI 2003 / 1809 (Development of Port Waste Management Plans) this Waste Management Plan will be flexible and will provide for periodic reviews at least every three years. In addition to consultation with representatives of Port Users, other interested parties such as waste regulatory officers and port health officers will be consulted.

## **15. RESPONSIBILITIES**

The Harbour Master will be responsible for all aspects of the Waste Management Plan.

## **16. LIST OF PLAN HOLDERS**

The Waste Management Plan for the Port of Newlyn will be held at the following locations:-

- a) Harbour Office, Newlyn
- b) Local Offices of the Maritime and Coastguard Agency
- c) Environment Agency



## 17. CONSULTATION

This Waste Management Plan has been drawn up following consultation with representatives of the fishing industry via their elected Boat-Owner Commissioners at regular Commissioner Meetings.

## 18. INFORMATION TO PORT USERS

Information regarding this Port Waste Management Plan will be provided to all Port users by the harbour staff, which also includes the night watchmen employed from 1700 hours to 0500 hours each day.

## 19. CONTACT POINT

The contact point in respect of any matters relating to this Waste Management Plan is:

The Harbour Master  
Harbour Office  
Newlyn  
Penzance  
TR18 5HW

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