International Framework Concept for Ship Waste Management along the Danube

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Jointly for our common future
Common Framework Concept

Structure:
- Objectives on different levels
- Principles
- Vertical and horizontal target system
- Focus: **International harmonization**
- Overview of follow-up activities

- Int’l legal & administrative framework
- As-is analysis
- Objectives & measures (national)
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<thead>
<tr>
<th>FUNDAMENTAL GOAL</th>
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INTERNATIONAL HARMONIZATION

legal framework | coordination | monitoring | financing
## Fundamental Goal & Project Objective

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<td>• Danube &amp; Environment:</td>
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<td>➢ 2000/60/EC Directive – WATER FRAME DIRECTIVE</td>
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<td>➢ 1994/ICPDR – DANUBE RIVER PROTECTION CONVENTION</td>
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<td>➢ (EUROPE 2020 – A strategy for smart, sustainable and inclusive growth)</td>
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<td>• Danube’s role in transport, industrial life and in different areas of social relations and cultural diversity</td>
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<td>➢ EU STRATEGY FOR THE DANUBE REGION</td>
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The project WANDA aims at establishing a **sustainable**, **environmentally sound** and **trans-nationally coordinated** approach in **ship waste management** along the Danube.
Principles

• Precautionary principle & preventive approach
  Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation (Principle 15, UN Rio Declaration, 1992)

• Polluter pays principle
  National authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment (Principle 16, UN Rio Declaration, 1992)

• Extended producer responsibility & product stewardship
  A producer's responsibility for a product is extended to the post-consumer stage of a product's life cycle (OECD definition)
## Vertical Targets

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<td><strong>SUPERIOR LEVEL</strong></td>
<td>Achieving good chemical and ecological status for surface and groundwater</td>
<td>Enhancement and restoration of the bodies of surface water</td>
<td>Preservation of protected areas</td>
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<td><strong>LEVEL 2</strong></td>
<td>Reducing pollution</td>
<td>Raising awareness</td>
<td>Implementation of polluter pays principle</td>
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<td><strong>LEVEL 3</strong></td>
<td>Increasing the use of waste reception facilities</td>
<td>Development of waste management applications</td>
<td>Efficient accident management</td>
</tr>
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<td><strong>LEVEL 4</strong></td>
<td>Sufficiently dense network of waste reception facilities</td>
<td>Modernization of IWT</td>
<td>Development of RIS</td>
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Horizontal Target: INT’L HARMONIZATION

- **legal and technical framework** (international treaty or convention, ship waste management practices)

- **coordination** (establishment of a coordinating body, waste management, national coordination and waste management)

- **monitoring** (cross-border and national monitoring, collection of data and information, RIS-system)

- **financing** (basic principles)
INT’L HARMONIZATION: Framework

• Universal principles
• Int’l legislation and documents:
  ➢ Inland navigation, water management and protection, environment, waste management
  ➢ Legal documents of int’l scale (CEVNI, Basel Convention, etc.); European Union law (WFD, EC 1013/2006, etc.); Danube-related documents (Belgrade Convention, DRPC, etc.)
  ➢ Interpretation (Basel Convention, EC 1013/2006 Regulation)
• Waste management of the Danube & related waterways
  ➢ CDNI
  ➢ Sava Protocol
• National framework conditions
  ➢ Countries with already regulated and operational waste management
  ➢ Non-WANDA countries
A problem...: international legislation (1)


- **This Regulation shall apply to shipments of waste:**
  - (a) between Member States, within the Community or with transit through third countries;
  - (b) imported into the Community from third countries;
  - (c) exported from the Community to third countries;
  - (d) in transit through the Community, on the way from and to third countries.

- **The following shall be excluded from the scope of this Regulation:**
  - (a) the offloading to shore of waste, including waste water and residues, generated by the normal operation of ships and offshore platforms, provided that such waste is subject to the requirements of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (Marpol 73/78), or other binding international instruments;
  - (b) waste generated on board vehicles, trains, aeroplanes and ships, until such waste is offloaded in order to be recovered or disposed of;

[...] not relevant

(Article 1)
The following wastes that are subject to transboundary movement shall be “hazardous wastes” for the purposes of this Convention:

(a) Wastes that belong to any category contained in Annex I, unless they do not possess any of the characteristics contained in Annex III; and

(b) Wastes that are not covered under paragraph (a) but are defined as, or are considered to be, hazardous wastes by the domestic legislation of the Party of export, import or transit.

Wastes which derive from the normal operations of a ship, the discharge of which is covered by another international instrument, are excluded from the scope of this Convention.
Establishment /appointment of a coordinating body:

1. Existing organisation (DC, ICPDR, CCNR, etc.)
   - an established organisation; instantly operational; linking of Danubian waste management with other areas (navigation, environmental protection, etc.) becomes possible; orderly international relations
   - would not be its core task; targets may be overshadowed by other priorities

2. Inter-commission body
   - comprehensive treatment of targets along interconnected waterways; comprehensive control; uniform conditions for vessels throughout the waterway network; widespread international relations; stronger international advocacy
   - partly different conditions and targets, possible conflicts of interest between waterways; Danube-specific targets may be overshadowed by other priorities

3. New organisation
   - organisation tailored to the targets; goal is of central importance; no unnecessary overlaps
   - lack of networking; time consuming; may obstruct the management and supervision of matters related to navigation on the Danube and environmental protection (sharing of tasks with other organisations); lack of experience
INT’L HARMONIZATION: Coordination

- Waste reception must be carried out by a network consisting of modern facilities of adequate capacity;
- **Infrastructural development** – in particular the development of stationary (installed on riverbanks) and/or self-propelled reception points – remains the task of states;
- By the application of the **polluter pays principle and indirect payment**, states must prevent the illegal (but free) discharge of waste;
- At least 60 per cent of the expenses related to the management of oily and greasy waste must be covered by the sale of **vignettes** or another means of base-rate charges, with the remaining 40 per cent ensured from payments of **quantity-specific surcharges**.
- **Enforcement of the recommendations** (infrastructural, organisational, financial and other regulations) is the task of national governments, that is – pursuant to Chapters IV and V –, **competent authorities are responsible for**
  
a) organising (on an infrastructural, legal, etc. level) the collection of waste,

b) enforcing the recommendations, controlling the availability of on-board equipment prescribed as mandatory in this regard, as well as monitoring compliance and checking documents

c) documenting any possible infringements of law and imposing sanctions as applicable.

*(DC Recommendation, Chapter VI)*
INT’L HARMONIZATION: Coordination

Int’l practices in waste management

→ DC Recommendations + comments

- Geographic and legal scope (EU- and non-EU-states, non-WANDA countries)
- Principles
- Competent authorities or bodies
- Financing
- Facilities, infrastructure development ...
- Waste management ...
INT’L HARMONIZATION: Coordination

Network of facilities & infrastructure development

→ definition on national and int’l level is required

- Upper Danube Region / Schengen Area (DE, AT, SK, HU)
- Middle Danube Region (HR, RS)
- Lower Danube Region / new EU-member states (BG, RO)
- Lower Danube Region / Danube Delta (RO, MD, UA)

a) Stationary waste reception facilities (...green terminal...)
b) Self-propelled waste collection vessels
Infrastructure Development

Commercial vessels

Vertical quay

Green terminal

Waste collecting vessel

Pontoon

Bevelled quay

Green terminal
INT’L HARMONIZATION: Coordination

Waste management

a) Prevention
b) Preparing for re-use
c) Recycling
d) Other recovery
e) Disposal

(Waste Framework Directive)

(→ New classification of ship borne wastes)
Classification of Ship Borne Wastes

- **Oily and greasy ship borne waste**
  - Used Oil
  - Bilge Water
  - Other Oily and Greasy Waste
    e.g. Used grease, used filters, used rags, bundles and packaging of such waste

- **Other ship borne waste**
  - Domestic Sewage
  - Domestic Refuse
  - Sewage Sludge
  - Ballast (Waste) Water
  - Other hazardous wastes
    (Paint, varnish, resolvents and the like)

**Waste caused by cargo**
- Residual Charges
- Washing Water
- Slops
- Other shipload wastes

**Waste caused by inland navigation**
- Ship borne waste
INT’L HARMONIZATION: Monitoring

• Cross-border monitoring (assignment of a monitoring body)
  ➢ Supervision of & assistance in the attainment of defined common targets
  ➢ (Tasks of coordinating body)

• Collection of data and information

• Principal basis of RIS
  ➔ Financing model

• Conditions for national monitoring and data collection
INT’L HARMONIZATION: Financing

• Principles
  ➢ Polluter pays
  ➢ Indirect payment

• Guidelines for the financing-related part of national concepts
  ➢ Non-EU-member states
  ➢ Non-WANDA states
  ➢ CDNI & Germany
Follow-up Activities in Project WANDA / 1

- **Conciliation with professional organisations** (primarily DC, ICPDR, the Sava Commission and CCNR) on an international and national level
- **Presenting** the international harmonisation targets of WANDA to decision makers
- Involving and providing information to countries not listed among members of WANDA; discussions regarding future processes of integration
- **Legal and administrative preparation of the international convention**
  - adaptation of the DC Recommendation (e.g. review of deadlines)
  - ensuring compliance with international legal criteria
  - discussions regarding the preparation of adaptation into national legislation
Follow-up Activities / 2

• Preparations for an international organisation
  ➢ core definition, establishment of administrative structures
  ➢ foundations for professional operation (establishment of a working group: co-ordinated infrastructure development, harmonisation of technical parameters of waste reception facilities, RIS development etc.)
  ➢ proposals on cross-border (co-ordination and monitoring) and national (mostly administrative) processes of monitoring
  ➢ establishing the principal framework and content of data collection (in line with activities currently underway: DC, ICPDR, etc.)

• Elaboration of a **financing model**, negotiations with relevant experts of the field, plans for expansion, preparing for launch

• **Settlement of issues of less significance** within the scope of Project WANDA (e.g. managing accidents and other calamities) – as possible continuation to WANDA
Thank you for your attention!

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