

Action toward mandatory declaration concerning cargo Harmful to the Marine Environment by a shipper

March 1, 2018

Slag Committee, Japan Mining Industry Association

In the 70th Maritime Environment Protection Committee (MEPC70), the amendment of the MARPOL Treaty Annex V pertaining to cargoes that are Harmful to the Marine Environment (hereinafter referred to as HME) was adopted and went into effect on March 1, 2018.

HME criteria hitherto noncompulsory has become compulsory. Relative to the Japan's domestic law (Marine Pollution Prevention Law), the ministerial ordinance for amending a part of enforcement regulations of the Act on Prevention of Marine Pollution and Maritime Disaster (Ordinance of Ministry of Land, Infrastructure, Transport and Tourism No. 8 of February 15, 2018) was promulgated and comes into force on March 1, 2018.

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Whether a cargo in question is HME or not depends on whether the cargo residue comes under any one of the seven standards listed below as stipulated in the Annex V Implementation Guidelines that are based on the UN Globally Harmonized System of Classification and Labelling of Chemicals (UN-GHS):

- 1) Acute toxicity of aquatic environmental hazards (Category 1)
- 2) Chronic toxicity of aquatic environmental hazards (Category 1 or Category 2)
- 3) Carcinogenicity (Category 1A or Category 1B)
- 4) Germ-cell mutagenicity (Category 1A or Category 1B)
- 5) Reproduction toxicity (Category 1A or Category 1B)
- 6) Repeated exposure specific target organ toxicity (Category 1)
- 7) Synthetic polymers (Plastics)

*For items 3) to 6), the cargo residue is limited to one that is not rapidly degraded and has a high bioaccumulativity.

The amendment requires a shipper to make declaration to the captain concerning whether or not the cargo is HME based on the seven classes listed above.

As action toward mandatory declaration of the cargo's HME status by a shipper, the Slag Committee of Japan Mining Industry Association comprehensively judged the result of careful examination of test data such as SDS and findings and data obtained until now concerning three items of non-ferrous slag products, "copper slag," "ferronickel slag," and "zinc slag" manufactured/sold by "each member and related manufacturing/sales companies" of the Slag Committee stipulated by the manufacture/sales management guidelines for non-ferrous slag products,

has reached the conclusion that the three items are not HME and declares the conclusion.

We will continue this action with the aim of persistent sales of non-ferrous slag products in order for non-ferrous slag products to be appropriately manufactured, sold and utilized by each member and related manufacturing/sales companies.

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