

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into this 20<sup>th</sup> day of April, 2004 by and between the State of Washington, the Port of Seattle, and the Northwest Cruise Ship Association, hereinafter referred to as NWCA, representing the international cruise lines identified in *Appendix i*.

Whereas the State of Washington is charged with the responsibility of protecting and conserving Washington's environmental resources in relation to the Cruise Industry's environmental practices in Washington; and

Whereas the United States Coast Guard, herein referred to as USCG, has Federal jurisdiction over environmental matters in navigable waters in the United States; and

Whereas the Port of Seattle is charged with providing the services and facilities to accommodate the transportation of passengers, including cruise ship passengers, while protecting and enhancing the environment of the Port of Seattle; and

Whereas, the NWCA is a non-profit entity organized for the purpose of representing member cruise lines which operate in and about waters subject to this Memorandum of Understanding (MOU), whose current membership is identified in *Appendix i*; and

Whereas, the NWCA has adopted the "**Cruise Industry Waste Management Practices and Procedures**" as promulgated by the Cruise Industry's trade association, the International Council of Cruise Lines, herein referred to as ICCL, which practices and procedures are attached hereto as *Appendix ii*; and

Whereas, NWCA cruise vessels operate in international waters and move passengers to destinations worldwide and, consequently, those cruise vessel waste management practices must take into account environmental laws and regulations in many jurisdictions and international treaties and conventions; and

Whereas, the NWCA, the State of Washington as represented by the Washington Department of Ecology (Ecology), the USCG and the Port of Seattle have met to develop waste management practices that preserve a clean and healthy environment and demonstrate the Cruise Industry's commitment to be a steward of the environment; and

Whereas, research is ongoing to establish the impact of ships' wastewater discharges on the ocean environment, and the results of this research will be taken into account in periodic review of the wastewater discharge practices described in this Agreement; and

Whereas, the cruise industry recognizes Washington's fragile marine environment and is committed to help protect this environment;

Now therefore, based upon mutual understanding, the parties enter into this Memorandum of Understanding to implement the following environmental goals, policies and practices:

**Definition of terms for the purpose of this agreement:**

“blackwater” means waste from toilets, urinals, medical sinks and other similar facilities;

"cruise ship" means any vessel that is owned or operated by a member of the NWCA;

“graywater” includes drainage from dishwasher, shower, laundry, bath, galley drains and washbasin drains;

“solid waste” means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes and recyclable materials [RCW 70.95.030 (22), Solid Waste Management: Reduction and Recycling];

“waters subject to this Memorandum of Understanding (MOU)” include the Puget Sound and the Strait of Juan de Fuca south of the international boundary with Canada; and for off the west coast, the belt of the seas measured from the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters, and extending seaward a distance of three miles as illustrated in *Appendix iii*.

1. The State of Washington and Port of Seattle accept the ICCL Industry Standard E-01 -01, titled *Cruise Industry Waste Management Practices and Procedures (Appendix ii)* as ICCL member policy in the management of solid waste, hazardous wastes and wastewaters in waters subject to this MOU. In addition to the ICCL Practices, the members of NWCA operating in Washington agree to comply with the following unique practices while operating in waters subject to this MOU:

**1.1 Wastewater Management**

In recognition of the sensitive nature of Washington’s marine environment, the NWCA agrees to the following:

**1.1.1** to prohibit the discharge of untreated blackwater and untreated graywater within waters subject to this MOU (*Appendix iii*).

**1.1.2** other than as set forth in section 1.1.3 below, to prohibit the discharge of treated blackwater and treated graywater in waters subject to this MOU.

**1.1.3** the discharge of treated blackwater and treated graywater from ships equipped with advanced wastewater treatment systems (AWTS) which meet the higher standards and the testing regime set out in federal law, Title XIV, Certain Alaska Cruise Ship Operations, Section 1404 (c) (**Appendix vi**) is allowed under the following conditions:

- The ship is at least one nautical mile away from its berth in the Port of Seattle and is traveling at a speed of at least 6 knots.

- No later than 60 days prior to the date the line wishes to commence discharge of AWTS-treated effluent, the line shall submit the following vessel specific information to Ecology
  - Documentation on the type of treatment system in use on the ship including schematic diagrams of the system.
  - Documentation that the system is certified by the United States Coast Guard for continuous discharge in Alaska. If the certification has not yet been provided by the Coast Guard at the time the other documentation is submitted to Ecology, it may be submitted less than 60 days prior to commencement of discharge but in no event less than 30 days prior to the commencement of discharge.

No later than 60 days prior to the date a cruise line wishes to commence discharge of AWTS-treated effluent at or within one nautical mile of its berth, the line shall submit the following vessel specific information to Ecology:

- Documentation on the type of treatment system in use on the ship including schematic diagrams of the system.
- Documentation that the system is certified by the United States Coast Guard for continuous discharge in Alaska. If the certification has not yet been provided by the Coast Guard at the time the other documentation is submitted to Ecology, it may be submitted less than 60 days prior to commencement of discharge but in no event less than 30 days prior to commencement of discharge.
- Provision for daily twenty-four hour continuous turbidity or equivalent monitoring of the quality of the effluent generated by the AWTS.
- Documentation of system design that demonstrates the AWTS can be automatically shut down if monitoring of treated effluent indicates a system upset; or documentation that demonstrates that operational controls exist to insure system shut down if monitoring of treated effluent indicates a system upset. An example of an acceptable operational control is a system that has the continuous monitoring device alarmed as to immediately alert engineering staff on watch to shut down overboard discharges from the system in the event of high turbidity levels in the treated effluent.
- Documentation that all treated effluent will receive final polishing with ultraviolet (UV) light immediately prior to discharge.
- Copies of water quality tests results taken from the AWTS effluent during the preceding six months.
- A vessel specific plan that: identifies how effluent will be stored until the AWTS is repaired and which indicates the storage capacity of holding tanks; and includes a notification protocol for notifying Ecology of system shut down which occurs while within waters subject to this MOU.

If Ecology determines that the documentation provided is insufficient, it shall so notify the cruise line. The cruise line shall provide supplemental documentation as requested by Ecology. If Ecology and the cruise line are unable to agree on the supplemental documentation and cruise line elects to discharge from the AWTS, cruise line understands that any such discharge will not have been approved by Ecology and further

that Ecology may take appropriate action, including, but not limited to, publicizing, such fact.

Any cruise line discharging from an AWTs in waters subject to this MOU agrees to:

- a. sample the quality of the treated effluent using a Washington state-certified laboratory at least one time per month while at port in Seattle during each cruise season using the sampling requirements established per the United States Coast Guard, Captain of the Port, Southeast Alaska Policy for conventional pollutants continued compliance monitoring regime and as referenced in **Appendix vi**. Parameters sampled include pH, Biochemical Oxygen Demand (BOD), Fecal Coliform, Total Suspended Solids (TSS), and Residual Chlorine (RC).
- b. split samples with Ecology upon Ecology's request when sampling is conducted in Washington waters.
- c. Conduct Whole Effluent Toxicity (WET) Testing once every two years.
- d. provide Ecology with duplicates of test results obtained for and provided to the State of Alaska to enable Ecology to monitor the quality of the effluent from such systems.
- e. notify Ecology at least a week in advance of sampling and to allow Ecology staff access to the ship in order to observe sampling events.
- f. allow Ecology to conduct a minimum of one vessel inspection per season to verify the operating condition of the AWTs.
- g. notify Ecology if any material changes are made to the system.

**1.1.4** The discharge of residual solids from either a Type 2 Marine Sanitation Device or an advanced waste water treatment system is prohibited in waters subject to this MOU, within 12 nautical miles from shore, and within the "Area To Be Avoided" off the Washington Coast as defined by the International Maritime Organization (IMO) identified in **Appendix viii**.

## **1.2 Solid Waste Management:**

NWCA member ships operating in Washington waters will not discharge solid waste in waters subject to this MOU.

## **1.3 Hazardous Waste Management**

**1.3.1** The ICCL in consultation with NWCA has developed, in conjunction with the Environmental Protection Agency (EPA), a national practice for the assigning of an EPA Identification Number to each cruise ship as the "generator" of hazardous wastes, which recognizes the multi-jurisdictional itineraries of a cruise vessel. EPA also proposes that the state where company offices are located may issue the national identification numbers provided the criteria and information submitted required for obtaining the number is standard for the United States. The State of Washington and NWCA agree to a uniform application procedure for the EPA national identification number in accordance with the Resource Conservation Recovery Act (RCRA) (**Appendix v**). The State of Washington shall have the right to inspect all such records upon written request to the cruise vessel operator. The State of Washington recognizes that in some cases EPA Identification

Numbers may not be required under federal law for conditionally exempt small quantity generators.

- 1.3.2** *Appendix ii* includes the uniform procedure adopted by the NWCA for the application of RCRA to cruise vessels disposing of hazardous wastes in the State of Washington. The State of Washington accepts this procedure as the appropriate process for vendor selection and management of hazardous wastes in Washington. NWCA member lines agree to provide an annual report regarding the total hazardous waste offloaded in Washington by each cruise vessel.
- 1.3.3** The NWCA acknowledges that the state of Washington regulates some hazardous wastes differently than EPA and agrees, within the waters subject to this MOU, to comply with the guidelines for specific waste streams found in *Appendix vii*.
- 1.3.4** The State of Washington and NWCA agree that all hazardous waste disposal records required by RCRA for cruise vessels entering a Washington port shall be available to the State of Washington upon written request to the cruise vessel operator.
- 2.** The State of Washington and the NWCA understand that the U.S. Coast Guard (USCG) has Federal jurisdiction over environmental matters in navigable waterways in the United States and conducts passenger ship examinations that include review of environmental systems, Safety Management System (SMS) documentation and such MARPOL-mandated documents as the Oil Record Book and the Garbage Record Book. Additionally, NWCA member cruise vessels will integrate such industry standards into SMS documentation that ensure compliance through statutorily required internal and third party audits.
- 3.** The USCG has developed guidelines relating to the inspection of waste management practices and procedures, which have been adopted by the cruise industry. The State of Washington accepts the USCG Navigation and Vessel Inspection Circular and Environmental Systems Checklist (*Appendix iv*), which will be incorporated into USCG 840 Guidebook as the procedure to conduct waste management inspections on board cruise vessels. To reduce administrative burden on the cruise ship industry, the State of Washington agrees to first request from the USCG any records for cruise vessels entering waters subject to this MOU to the extent that those records are covered by the Memorandum of Agreement, dated May 25th, 2001, between the State of Washington Department of Ecology and the USCG. Other USCG records will be provided to the State directly by the NWCA member lines upon request.
- 4.** The State of Washington recognizes that waste management practices are undergoing constant assessment and evaluation by cruise industry members. It is understood by the State of Washington and the NWCA that the management of waste streams will be an on-going process, which has as its stated objectives both waste minimization and pollution prevention. Consequently, all parties agree to continue to work with each other in good faith to achieve the stated objectives. This may require additional meetings with the parties to this Agreement to discuss specific issues applicable to the cruise industry in the U.S.

5. The NWCA acknowledges that its operating practices are required to comply with the applicable provisions of the Marine Mammal Protection Act, the Invasive Species Act and the State of Washington Ballast Water Management law, RCW Ch. 77.120. The NWCA agrees to acknowledge and comply with appropriate rules and regulations related to the Olympic Coast National Marine Sanctuary, including but not limited to the regulations for implementing the National Marine Sanctuary Program (subparts A through E and subpart O of Title 15, Chapter IX, Part 922 of the Code of Federal Regulations) and the International Maritime Organization (IMO) “Area To Be Avoided” off the Washington Coast (*Appendix viii*).
6. The State of Washington agrees that the performance required by the NWCA under the terms of this Memorandum of Understanding shall be directed only to its member cruise lines. The NWCA acknowledges that its members operate cruise vessels engaged in cruise itineraries greater than one day duration; and further that its members do not operate one-day attraction ships or casino gambling ships.
7. This agreement only applies to voyages during which the commercial passenger vessel actually calls at a port in the State of Washington.
8. This agreement does not prohibit discharges made for the purpose of securing the vessel or saving life at sea, provided that all reasonable precautions have been taken for the purpose of preventing or minimizing the discharge.
9. All parties acknowledge that ongoing discussions of environmental goals are recognized as a necessary component to the successful implementation of management practices for waste minimization and reduction.
10. Compliance, Modification and Review of MOU: NWCA members agree to immediately self-report non-compliance with any provision of this MOU to the Department of Ecology at the following 24-hour number: 425-649-7000. All parties acknowledge that this MOU is not inclusive of all issues, rules or programs that may arise in the future. The State of Washington reserves the right to enter into additional MOUs to address or refine such issues, to take enforcement action in response to violations of state law, or to pursue appropriate legislation. All parties agree to at least one annual meeting to review the effectiveness of the MOU, such meeting to be scheduled, if feasible, during October of each year. The State of Washington and NWCA reserve the right to cancel this MOU upon 90 days written notice.

IN RECOGNITION OF THE MUTUAL UNDERSTANDINGS DISCUSSED HEREIN THE PARTIES HERETO AFFIX THEIR SIGNATURES ON THIS 20<sup>th</sup> DAY OF April, 2004.

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Washington Department of Ecology

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Port of Seattle

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Northwest Cruise Ship Association

Witnessed by the Honorable Gary Locke, Governor of the State of Washington

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**APPENDICES**  
**MEMORANDUM OF UNDERSTANDING**

- Appendix i** List of NWCA Member Lines  
**Appendix ii** ICCL Standards  
**Appendix iii** Navigational Chart of the waters subject to this MOU  
**Appendix iv** USCG Navigation & Vessel Inspection Circular and Environmental Systems Checklist  
**Appendix v** Uniform application procedure for EPA National ID Number as per Resource Conservation Recovery Act.  
**Appendix vi** Alaska Regulations  
**Appendix vii** Washington Hazardous Waste Management Best Management Practices  
**Appendix viii** Map of Area to be Avoided off the Washington Coast

# Appendix i

## List of NWCA Member Lines

Carnival Cruise Lines  
Celebrity Cruises  
Crystal Cruises  
Holland America Line  
Norwegian Cruise Lines  
Princess Cruises  
Radisson Seven Seas  
Royal Caribbean Cruises

# Appendix ii

## ICCL Standards



INTERNATIONAL COUNCIL  
OF CRUISE LINES

### ICCL INDUSTRY STANDARD E-01-01 (Revision 2)

#### CRUISE INDUSTRY WASTE MANAGEMENT PRACTICES AND PROCEDURES

The members of the International Council of Cruise Lines are dedicated to preserving the marine environment and in particular the pristine condition of the oceans upon which our vessels sail. The environmental standards that apply to our industry are stringent and comprehensive. Through the International Maritime Organization, the United States and other maritime nations have developed consistent and uniform international standards that apply to all vessels engaged in international commerce. These standards are set forth in the International Convention for the Prevention of Pollution from Ships (MARPOL). In addition, the U.S. has jurisdiction over vessels that operate in U.S. waters where U.S. laws, such as the Federal Water Pollution Control Act, the Act to Prevent Pollution from Ships, and the Resource Conservation and Recovery Act - which applies to hazardous waste as it is landed ashore for disposal, apply to all cruise ships. The U.S. Coast Guard enforces both international conventions and domestic laws.

The cruise industry commitment to protecting the environment is demonstrated by the comprehensive spectrum of waste management technologies and procedures employed on its vessels.

ICCL members are committed to:

- a. Designing, constructing and operating vessels, so as to minimize their impact on the environment;
- b. Developing improved technologies to exceed current requirements for protection of the environment;
- c. Implementing a policy goal of zero discharge of MARPOL, Annex V solid waste products (garbage) by use of more comprehensive waste minimization procedures to significantly reduce shipboard generated waste;
- d. Expanding waste reduction strategies to include reuse and recycling to the maximum extent possible so as to land ashore even smaller quantities of waste products;
- e. Improving processes and procedures for collection and transfer of hazardous waste; and
- f. Strengthening comprehensive programs for monitoring and auditing of onboard

environmental practices and procedures in accordance with the International Safety Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code).

INDUSTRY WASTE MANAGEMENT STANDARDS: ICCL member cruise vessel operators have agreed to incorporate the following standards for waste stream management into their respective Safety Management Systems.

1. Photo Processing, Including X-Ray Development Fluid Waste: *Member lines have agreed to minimize the discharge of silver into the marine environment through the use of best available technology that will reduce the silver content of the waste stream below levels specified by prevailing regulations.*
2. Dry-cleaning waste fluids and contaminated materials: *Member lines have agreed to prevent the discharge of chlorinated dry-cleaning fluids, sludge, contaminated filter materials and other dry-cleaning waste byproducts into the environment*
3. Print Shop Waste Fluids: *Member lines have agreed to prevent the discharge of hazardous wastes from printing materials (inks) and cleaning chemicals into the environment.*
4. Photo Copying and Laser Printer Cartridges: *Member lines have agreed to initiate procedures so as to maximize the return of photo copying and laser printer cartridges for recycling. In any event, these cartridges will be landed ashore.*
5. Unused And Outdated Pharmaceuticals: *Member lines have agreed to ensure that unused and/or outdated pharmaceuticals are effectively and safely disposed of in accordance with legal and environmental requirements.*
6. Fluorescent And Mercury Vapor Lamp Bulbs: *Member lines have agreed to prevent the release of mercury into the environment from spent fluorescent and mercury vapor lamps by assuring proper recycling or by using other acceptable means of disposal.*
7. Batteries: *Member lines have agreed to prevent the discharge of spent batteries into the marine environment.*
8. Bilge and Oily Water Residues: *Member lines have agreed to meet or exceed the international requirements for removing oil from bilge and wastewater prior to discharge.*
9. Glass, Cardboard, Aluminum and Steel Cans: *Member lines have agreed to eliminate, to the maximum extent possible, the disposal of MARPOL Annex V wastes into the marine environment. This will be achieved through improved reuse and recycling opportunities. They have further agreed that no waste will be discharged into the marine environment unless it has been properly processed and can be discharged in accordance with MARPOL and other prevailing requirements.*
10. Incinerator Ash: *Member lines have agreed to reduce the production of incinerator ash by minimizing the generation of waste and maximizing recycling opportunities.*
11. Graywater: *Member lines have agreed that graywater will be discharged only while the ship is underway and proceeding at a speed of not less than 6 knots; that graywater will not be*

*discharged in port and will not be discharged within 4 nautical miles from shore or such other distance as agreed to with authorities having jurisdiction or provided for by local law except in an emergency, or where geographically limited. Member lines have further agreed that the discharge of graywater will comply with all applicable laws and regulations.*

12. Blackwater: *ICCL members have agreed that all blackwater will be processed through a Marine Sanitation Device (MSD), certified in accordance with U.S. or international regulations, prior to discharge. Discharge will take place only when the ship is more than 4 miles from shore and when the ship is traveling at a speed of not less than 6 knots.*

Some member cruise lines are field-testing wastewater treatment systems that utilize advanced technologies. These onboard wastewater treatment systems, which are currently being referred to as advanced wastewater purification (AWP) systems, are designed to result in effluent discharges that are of a high quality and purity; for example, meeting or surpassing secondary and tertiary effluents and reclaimed water. Effluents meeting these high standards would not be subjected to the strict discharge limitations previously discussed.

Each ICCL cruise vessel operator has agreed to utilize one or more of the practices and procedures contained in the attached “*Cruise Industry Waste Management Practices and Procedures*” in the management of their shipboard waste streams. Recognizing that technology is progressing at a rapid rate, any new equipment or management practices that are equivalent to or better than those described, and which are shown to meet or exceed international and federal environmental standards, will also be acceptable. Member lines have agreed to communicate to ICCL the use of equivalent or other acceptable practices and procedures. As appropriate, such practices and procedures shall be included as a revision to the attached document. As an example, when improved systems for treating blackwater and graywater are perfected and shown to meet the requirements for MSDs and accepted by appropriate authorities, the new systems and associated technology will be included in the attachment as a revision.

ICCL and its Environmental Committee will continue to work with the U.S. Coast Guard, the U.S. Environmental Protection Agency and other appropriate agencies to further implement the above commitments.

ATTACHMENT: *CRUISE INDUSTRY WASTE MANAGEMENT PRACTICES AND PROCEDURES*  
(Revision 2)

Revised: December 12, 2003

Effective: January 1, 2004

## **CRUISE INDUSTRY WASTE MANAGEMENT PRACTICES AND PROCEDURES**

(REVISED: December 12, 2003)

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The cruise industry is dedicated to preserving the marine environment and oceans upon which our ships sail. As a stated industry standard, ICCL members have adopted aggressive programs of waste minimization, waste reuse and recycling, and waste stream management set forth in the following. In addition ICCL members are working in a number of areas to identify and implement new technologies in order to improve the environmental performance of their ships. ICCL member lines currently have agreed to utilize waste management practices and procedures, which meet or exceed the stringent standards as set forth in international treaties and applicable U.S. laws.

### **Introduction**

The cruise industry is inextricably linked to the environment. Our business is to bring people to interesting places in the world, over the water. Recognizing the future of the industry depends on a clean and healthy environment, cruise industry senior management is committed to stewardship of the environment and establishing industry practices that will make ICCL member cruise ship operators leaders in environmental performance.

This document outlining member line practices has been developed under the auspice of the industry's professional organizations, the International Council of Cruise Lines (ICCL), the Florida Caribbean Cruise Association (FCCA), and the Northwest Cruise Ship Association (NWCA). The purpose of this document is to set forth cruise industry waste management practices and procedures that ICCL member cruise vessel operators have agreed to incorporate into their respective Safety Management Systems.

In the development of industry practices and procedures for waste management, the members of the International Council of Cruise Lines have endorsed policies and practices based upon the following fundamental principles:

- Full compliance with applicable laws and regulations
- Maintaining cooperative relationships with the regulatory community
- Designing, constructing and operating vessels, so as to minimize their impact on the environment
- Embracing new technology
- Conserving resources through purchasing strategies and product management
- Minimizing waste generated and maximize reuse and recycling
- Optimizing energy efficiency through conservation and management
- Managing water discharges
- Educating staff, guests and the community.

## Discussion

Just as on shore, ship operations and passengers generate waste as part of many daily activities. On ships, waste is generated while underway and in port. Because ships move, the management of these wastes becomes more complicated than for land-based activities, as the facilities and laws change with the location of the ship. Facilities on the ships and management practices must be designed to take into account environmental laws and regulations around the world. Moreover, because waste management ultimately becomes a local activity, the local port infrastructure, service providers, and local waste disposal vendors are factors in the decision-making processes.

On an international level, environmental processes are an important part of the International Maritime Organization's (IMO's) policies and procedures for the maritime industry. ICCL member lines have agreed to incorporate environmental performance into Safety Management Systems (SMS) and MARPOL mandated Waste Management Manuals. Under agreements and laws specific to many nations, these programs are routinely reviewed by Port States to ensure compliance. For example, in the United States, the US Coast Guard has jurisdiction over environmental matters in ports and waterways and conducts passenger ship examinations that include review of environmental systems, SMS documentation and such MARPOL-mandated documents as the Oil Record Book and the Garbage Record Book.

The industry effort to develop waste management practices and procedures has focused on the traditional high volume wastes (garbage, graywater, blackwater, oily residues (sludge oil) and bilge water), pollution prevention, and the small quantities of hazardous waste produced onboard. In the process, ICCL members have shared waste management strategies and technologies, while focusing on a common goal of waste reduction.

The process of waste reduction includes waste prevention, the purchasing of products that have recycled content or produce less waste (e.g. source reduction), and recycling or reuse of wastes that are generated. The ultimate goal is to have the waste management culture absorbed into every facet of cruise vessel operation. A fully integrated system beginning with the design of the vessel should address environmental issues at every step.

Management practices for waste reduction should start before a product is selected. Eco-purchasing and packaging are vital to the success of any environmental program, as are strategies to change packaging, processes and management to optimize the resources used.

The commitment of the industry to this cooperative effort has been quite successful, as companies have shared information and strategies.

## Industry Standard Waste Handling Procedures

*ICCL member lines have agreed that hazardous wastes and waste streams onboard cruise vessels will be identified and segregated for individual handling and management in accordance with appropriate laws and regulations. They have further agreed, hazardous wastes will not be discharged overboard, nor be commingled or mixed with other waste streams.*

- A. Photo Processing, Including X-Ray Development Fluid Waste:** *ICCL member lines have agreed to minimize the discharge of silver into the marine environment through the use of best available technology that will reduce the silver content of the waste stream below levels specified by prevailing regulations or by treating all photo processing and x-ray development fluid waste*

*(treated or untreated) as a hazardous waste and landing ashore in accordance with RCRA requirements.*

There are several waste streams associated with photo processing operations that have the potential to be regulated under the Resource Conservation and Recovery Act (RCRA). These waste streams include spent fixer, spent cartridges, expired film and silver flake.

Photographic fixer removes the unexposed silver compounds from the film during the developing process. The spent fixer can have as much as 2000-3000 parts per million (ppm) of silver. Silver bearing waste is regulated by RCRA as a hazardous waste if the level of silver exceeds 5 ppm as determined by the Toxicity Characteristic Leaching Procedure (TCLP) test.

Silver recovery units may be used to reclaim the silver from the used fixer waste stream. There are two types of recovery units. These are active (with electricity) and passive (without electricity) units. The active unit uses electricity to plate silver onto an electrode. The passive unit uses a chemical reaction between steel wool and silver to remove most of the silver from solution. Utilizing the best available technology, the equipment currently onboard ICCL member cruise ships is conservatively estimated to reduce the silver content of this effluent below 4 mg/l (milligrams/l or ppm)

The effluent from the silver recovery process must be tested before it can be discharged as a non-hazardous waste to be further diluted by addition to the ship's gray water. After the photographic and X-ray development fluids are treated for the removal of silver, the treated, non-hazardous effluent is then blended with the ship's graywater. In general, assuming that an entire week's photographic and X-ray development treated effluent stream is introduced into a single day's accumulation of graywater, the concentration of silver in the resulting mixture would be less than one-half of one part per billion (<0.5 micrograms/liter). Such mixing is not done on a weekly basis. Even at this assumed extreme however, it is expected that the silver concentration would only be approximately one fifth (1/5) the surface water quality standard for predominately marine waters specified in one state where cruise ships operate. When mixing is done on a daily basis it is evident that the resulting immediate concentration would be almost an order of magnitude less than this (1/50 of the current surface water quality standard). Additionally, it is evident that total mass of any discharges of silver would be negligible. Member lines have agreed that this discharge would be carried out only while their vessels are underway. Also, it should be noted that these estimates were carried out considering the largest cruise ships in service, which would produce the greatest amount of waste.

#### Handling Method 1 Employed by Member Lines:

Treat used photographic and x-ray development fluids to remove silver for recycling.

Verify that the effluent from the recovery unit is less than 5 parts per million (ppm) silver, as measured by EPA-approved methodology.

After treatment, the residual waste stream fluid is non-hazardous and landed ashore or discharged in accordance with the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78) and other prevailing regulations.

#### Handling Method 2 Employed by Member Lines:

Used photographic and x-ray development fluids, either treated or untreated, may be assumed to be a hazardous waste. In this event, they are landed ashore in accordance with the requirements of the Resource Conservation and Recovery Act (RCRA).

- B. Dry-cleaning waste fluids and contaminated materials:** ICCL member lines have agreed to prevent the discharge of chlorinated dry-cleaning fluids, sludge, contaminated filter materials and other dry-cleaning waste byproducts into the environment.

Shipboard dry cleaning facilities use a chlorinated solvent called perchlorethylene (also known as PERC or tetrachloroethylene) as a dry cleaning fluid. This is the approved dry cleaning solvent for these units. Operators must receive specific required training for the correct use of this chemical and its associated precautions. This solvent should be used in accordance with all safety procedures including appropriate personal protective equipment (PPE).

The dry cleaning units produce a small volume waste from condensate, the bottoms of the internal recovery stills, waste products from button and lint traps, spent perchloroethylene and filter media. This waste is comprised of dirt, oils, filter material, and spent solvent. Each ship utilizing these dry-cleaning units produces approximately two pounds of waste material weekly. However, the amounts may vary greatly by season and passenger load. This material is classified as hazardous waste under RCRA and must be disposed of accordingly.

Handling Method 1 Employed by Member Lines:

Perchloroethylene (PERC) and other chlorinated dry-cleaning fluids, contaminated sludge and filter materials are hazardous waste and landed ashore in accordance with the requirements of RCRA.

- C. Print Shop Waste Fluids:** ICCL member lines have agreed to prevent the discharge of hazardous wastes from printing materials (inks) and cleaning chemicals into the environment.

Print shop waste may contain hazardous waste. Printing solvents, inks and cleaners all may contain hydrocarbons, chlorinated hydrocarbons, and heavy metals that can be harmful to human and aquatic species. Recent advances in printing technology and substitution of chemicals that are less hazardous reduces the volume of print shop waste generated and reduces the impact of these waste products.

ICCL member lines have agreed to utilize, whenever possible, printing methods and printing process chemicals that produce both less volume of waste and less hazardous waste products, that shipboard printers will be trained in ways to minimize printing waste generated, and that alternative printing inks such as soy based, non-chlorinated hydrocarbon based ink products will be used whenever possible. The member lines have further agreed that all print shop waste including waste solvents, cleaners, and cleaning cloths will be treated as hazardous waste, if such waste contains chemical components that may be considered as hazardous by regulatory definitions, and that all other waste may be treated as non-hazardous.

Handling Method 1 Employed by Member Lines:

When using traditional or non-soy based inks and chlorinated solvents, all print shop waste is treated as hazardous, and discharged ashore in accordance with RCRA.

Handling Method 2 Employed by Member Lines:

Shipboard printing processes use non-toxic based printing ink such as soy based, non-chlorinated solvents, and other non-hazardous products to eliminate hazardous waste products.

- D. Photo Copying and Laser Printer Cartridges:** ICCL member lines have agreed to initiate procedures so as to maximize the return of photocopying and laser printer cartridges for recycling, and in any event, have agreed that these cartridges will be landed ashore.

Increased use of laser and photo copying equipment on shore as well as onboard ship results in the generation of increased volumes of waste cartridges, inks, and toner materials. ICCL member lines have agreed to use only such inks, toners and printing/copying cartridges that contain non-hazardous chemical components, and that none of these cartridges or their components should be disposed of by discharge into the marine environment. In recognition of the member lines' goal of waste minimization, they have further agreed these cartridges should, whenever possible, be returned to the manufacturer for credit, recycling, or for refilling.

Handling Method Employed by Member Lines:

ICCL member lines have agreed that wherever possible, photo copying and laser printer cartridges will be collected, packaged and returned for recycling and when this is not possible, that these materials will not be discharged into the sea or other bodies of water but will be handled as other shipboard waste that is landed ashore for further disposal.

- E. Unused And Outdated Pharmaceuticals:** ICCL member lines have agreed to ensure that unused and/or outdated pharmaceuticals are effectively and safely disposed in accordance with legal and environmental requirements.

In general ships carry varying amounts of pharmaceuticals. The pharmaceuticals carried range from over-the-counter products such as anti-fungal creams to prescription drugs such as epinephrine. Each ship stocks an inventory based on its itinerary and the demographics of its passenger base. ICCL member lines have agreed that all pharmaceuticals will be managed to ensure that their efficacy is optimized and that disposal is done in an environmentally responsible manner.

ICCL member lines have further agreed that when disposing of pharmaceuticals, the method used will be consistent with established procedures, and that pharmaceuticals and medications which are off specification or which have exceeded their shelf-life, and stocks that are unused and out of date, cannot be used for patients and therefore will be removed from the ship. Further, each regulatory jurisdiction has a posting of listed pharmaceuticals that must be considered hazardous waste once the date has expired or the item is no longer considered good for patient use.

Through onboard management of the medical facility, ICCL member lines have agreed that stocks of such listed pharmaceuticals are returned to the vendor prior to date of expiration. Pharmaceuticals that are being returned and which have not reached their expiration date are shipped using ordinary practices for new products.

Safety and Health

ICCL member lines have agreed that all expired listed pharmaceuticals will be handled in accordance with established procedures and all personnel handling this waste will receive appropriate training in the handling of hazardous materials. As guidance, the US Environmental Protection Agency (EPA) has issued a report that clarifies the fact that residuals, such as epinephrine, found in syringes after injections are not considered an acutely hazardous waste by definition and may be disposed of

appropriately in sharps containers. Member lines have agreed that all Universal Precautions will be adhered to when handling sharps.

Handling Method 1 Employed by Member Lines:

Establish a reverse distribution system for returning unexpired, unopened non-narcotic pharmaceuticals to the original vendor.

Handling Method 2 Employed by Member Lines:

Appropriately destroy narcotic pharmaceuticals onboard ship in a manner that is witnessed and recorded.

Handling Method 3 Employed by Member Lines:

Land listed pharmaceuticals in accordance with local regulations. Listed pharmaceuticals are a hazardous waste having chemical compositions which prevent them from being incinerated or disposed of through the ship's sewer system. Listing of such pharmaceuticals may vary from state to state.

Handling Method 4 Employed by Member Lines:

Dispose of other non-narcotic and non-listed pharmaceuticals through onboard incineration or landing ashore.

- F. Fluorescent And Mercury Vapor Lamp Bulbs:** ICCL member lines have agreed to prevent the release of mercury into the environment from spent fluorescent and mercury vapor lamps by assuring proper recycling or by using other acceptable disposal.

The recycling of fluorescent lights and high intensity discharge (HID) lamps is a proven technology capable of reliably recovering greater than 99 percent of the mercury in the spent lights. This is done by using a crush-and-sieve method. In this process, the spent tubes are first crushed and then sieved to separate the large particles from the mercury containing phosphor powder. The phosphor powder is collected and processed under intense heat and pressure. The mercury is volatilized and then recovered by condensation. The glass particles are segregated and recycled into other products such as fiberglass. Aluminum components are also recycled separately.

Storage and handling of used lights pose no compatibility problems; nevertheless, storage and shipment of the glass tubes is best done keeping the glass tubes intact. These items are classified as "Universal Waste" when they are shipped to a properly permitted recycling facility; as such, testing is not required.

**Safety and Health**

Fluorescent and Mercury Vapor lamps contain small amounts of mercury that could potentially be harmful to human health and the environment. To prevent human exposure and contamination of the environment, ICCL member lines have agreed that these lamps will be handled in an environmentally safe manner. Recycling of mercury from lamps and other mercury containing devices is the preferred handling method and is encouraged by various states. The recycling of fluorescent lights and HID lamps keeps potentially hazardous materials out of landfills, saves landfill space and reduces raw materials production needs.

Handling Method Employed by Member Lines:

Fluorescent and mercury vapor lamps are collected and recycled or landed for recycling or disposal in accordance with prevailing laws and regulations.

**G. Batteries:** ICCL member lines have agreed to prevent the discharge of spent batteries into the marine environment.

If not properly disposed of, spent batteries may constitute a hazardous waste stream. Most of the large batteries are on tenders and standby generators. Small batteries used in flashlights and other equipment and by passengers, account for the rest. There are four basic types of batteries used.

Lead-acid batteries – These are used in tenders and standby generators. They are wet, rechargeable, and usually six-celled. They contain a sponge lead anode, lead dioxide cathode, and sulfuric acid electrolyte. The electrolyte is corrosive. These batteries require disposal as a hazardous waste, unless recycled or reclaimed.

Lead-acid batteries use sulfuric acid as an electrolyte. Battery acid is extremely corrosive, reactive and dangerous. Damaged batteries will be drained into an acid-proof container. A damaged and leaking battery is then placed in another acid-proof container, and both the electrolyte and the damaged battery placed in secure storage for proper disposal as a hazardous waste.

Nickel-cadmium (NiCad) batteries – These are usually rechargeable, and contain wet or dry potassium hydroxide as electrolyte. The potassium hydroxide is corrosive and the cadmium is a characteristic hazardous waste. Therefore, NiCad batteries will be disposed of as hazardous waste, unless recycled or reclaimed.

Lithium batteries – These are used as a power source for flashlights and portable electronic equipment. All lithium batteries will be disposed of as hazardous waste, or sent out for reclamation.

Alkaline batteries – These are common flashlight batteries and are also used in many camera flash attachments, cassette recorders, etc. They should be recycled, properly disposed or reclaimed.

#### Handling Method Employed by Member Lines:

Spent batteries are collected and returned for recycling and/or disposal in accordance with prevailing regulations. Discarded batteries are isolated from the refuse waste stream to prevent potentially toxic materials from inappropriate disposal. The wet-cell battery-recycling program is kept separate from the dry battery collection process. Intact wet-cell batteries are sent back to the supplier. Dry-cell batteries are manifested to a licensed firm for recycling.

**H. Bilge and Oily Water Residues:** ICCL member lines have agreed to meet or exceed the international requirements for removing oil from bilge and wastewater prior to discharge.

The area of the ship at the very bottom of the hull is known as the bilge. The bilge is the area where water collects from various operational sources such as water lubricated shaft seals, propulsion system cooling, evaporators, and other machinery. All engine and machinery spaces also collect oil that leaks from machinery fittings and engine maintenance activities. In order to maintain ship stability and eliminate potential hazardous conditions from oil vapors in engine and machinery spaces, the bilge spaces should be periodically pumped dry. In discharging bilge and oily water residues, both international

regulations (MARPOL) and United States regulations require that the oil content of the discharged effluent be less than 15 parts per million and that it not leave a visible sheen on the surface of the water.

All ships are required to have equipment installed onboard that limits the discharge of oil into the oceans to 15 parts per million when a ship is en route and provided the ship is not in a special area where all discharge of oil is prohibited. Regulations also require that all oil or oil residues, which cannot be discharged in compliance with these regulations, be retained onboard or discharged to a reception facility. The equipment and processes implemented onboard cruise ships to comply with these requirements are complex and sophisticated.

The term “en route” as utilized in MARPOL (73/78) Regulation 9(b) is taken to mean while the vessel is underway. The U.S. Coast Guard has informed ICCL that it agrees with this meaning of “en route.”

In accordance with MARPOL (73/78) Regulation 20, ICCL member lines have agreed that every ship of 400 gross tons and above shall be provided with an oil record book which shall be completed on each occasion whenever any of numerous specified operations take place in the ship and that operations include:

- a. Ballasting or cleaning of fuel oil tanks,
- b. Discharge of dirty ballast or cleaning water from the fuel oil tanks above,
- c. Disposal of oily residues,
- d. And discharge of bilge water that accumulated in machinery spaces.

Requirements regarding the keeping of an Oil Record Book as well as the form of the Oil Record Book are also found in MARPOL and in U.S. Coast Guard regulations (33CFR151).

Handling Method Employed by Member Lines:

Bilge and oily water residue are processed prior to discharge to remove oil residues, such that oil content of the effluent is less than 15 ppm as specified by MARPOL Annex 1.

- I. **Glass, Cardboard, Aluminum and Steel Cans:** ICCL member lines have agreed to eliminate, to the maximum extent possible, the disposal of MARPOL Annex V wastes into the marine environment. This will be accomplished through improved reuse and recycling opportunities. They have further agreed that no waste will be discharged into the marine environment unless it has been properly processed and can be discharged in accordance with MARPOL and other prevailing requirements.

Management of shipboard generated waste is a challenging issue for all ships at sea. This is true for cruise vessels, other commercial vessels, military ships, fishing vessels and recreational boats. Waste products in earlier days were made from natural materials and were mostly biodegradable. Today’s packaging of food and other products presents new challenges for waste management. A large cruise ship today can carry over three thousand passengers and crew. Each day, an average cruise passenger will generate two pounds of dry trash and dispose of two bottles and two cans.

A strategy of source reduction, waste minimization and recycling has allowed the cruise industry to significantly reduce shipboard generated waste. To attain this, ICCL member lines have agreed to adopt a multifaceted strategy that begins with waste minimization to decrease waste from provisions brought onboard. This means purchasing in bulk, encouraging suppliers to utilize more efficient packaging, reusable packaging, and packaging materials that are more environmentally friendly—those

that can be more easily disposed of or recycled. In fact, through this comprehensive strategy of source reduction, total waste on passenger vessels has been reduced by nearly half over the past ten years.

Another important component of the industry's waste reduction strategy is product or packaging recycling. Glass, aluminum, other metals, paper, wood and cardboard are, in most cases, recycled.

Handling Method Employed by Member Lines:

MARPOL Annex V ship waste is minimized through purchasing practices, reuse and recycling programs, landing ashore and onboard incineration in approved shipboard incinerators. Any Annex V waste that is discharged at sea will be done in strict accordance with MARPOL and any other prevailing requirements.

- J. Incinerator Ash:** ICCL member lines have agreed to reduce the production of incinerator ash by minimizing the generation of waste and maximizing recycling opportunities, and that the discharge of incinerator ash containing hazardous components will be prevented through a program of waste segregation and periodic ash testing.

Incinerator ash is not normally a hazardous waste. Through relatively straightforward waste management strategies, items that would cause the ash to be hazardous are separated from the waste stream and handled according to accepted hazardous waste protocols. In general, source segregation for waste streams is foundational for onboard waste management and is incorporated into the waste management manual required by MARPOL. Waste management for onboard waste streams include the following: source reduction, minimization, recycling, collection, processing and discharge ashore. This allows the incinerator to be used primarily for food waste, contaminated cardboard, some plastics, trash and wood.

Member lines have agreed that incinerator ash will be tested at least once quarterly for the first year of operation to establish a baseline and that testing may then be conducted once a year. The member lines have further agreed that a recognized test procedure will be used to demonstrate that ash is not a hazardous waste. A recognized test procedure includes the following metals as indicators for toxicity - arsenic, barium, cadmium, chromium, lead, mercury, selenium, and silver. Special attention is placed on the removal of batteries from the incinerator waste stream. The use of incinerators saves landfill space and prevents the build up of material onboard that could become the breeding ground for insects, rodents and other vermin.

Handling Method Employed by Member Lines:

Proper hazardous waste management procedures are to be instituted onboard each ship to assure that waste products, which will result in a hazardous ash, are not introduced into the incinerator. Non-hazardous incinerator ash may be disposed of at sea in accordance with MARPOL Annex V. Ash identified as being hazardous is disposed of ashore in accordance with RCRA.

- K. Wastewater reclamation**

Because of the amounts of fresh water involved, and its restricted availability onboard ship (all fresh water must be either purchased or generated onboard), fresh water is a valuable commodity. Therefore, water management is extremely important and takes the form of both minimizing water usage and the potential reclamation and reuse of water for non-potable purposes. Many ICCL companies are researching new technology and piloting graywater treatment systems onboard their vessels. ICCL member operators also take numerous steps in onboard water management. Water management techniques include:

- a. Use of technical water (for example: air conditioning condensate) where possible.
- b. Use of water recovery systems (for example: filtering and reuse of laundry water – last rinse use for first wash).
- c. Reclamation and reuse as technical water (flushing toilets, laundry, open deck washing) of properly treated and filtered wastewaters.
- d. Active water conservation (for example: use of reduced flow showerheads, vacuum systems for toilets, vacuum food waste transportation and laundry equipment that utilizes less water).

**L. Graywater:** ICCL member lines have agreed to discharge graywater only while the ship is underway and proceeding at a speed of not less than 6 knots; that graywater will not be discharged in port and will not be discharged within 4 nautical miles from shore or such other distance as agreed to with authorities having jurisdiction or provided for by local law except in an emergency, or where geographically limited. The member lines have further agreed that the discharge of graywater will comply with all applicable laws and regulations.

The term graywater is used on ships to refer to wastewater that is generally incidental to the operation of the ship. The International Maritime Organization (IMO) defines graywater as including drainage from dishwasher, shower, laundry, bath and washbasin drains. The US Clean Water Act (formally know as the Federal Water Pollution Control Act) includes galley, bath and shower water in its definition of graywater. The US regulations implementing this act do not include a further definition of gray water. However, the regulations do include a provision that exempts all of the wastewater included in the IMO definition and other discharges incidental to the operation of a ship from the Clean Water Act's permitting program (formally known as the National Pollution Discharge Elimination System (NPDES) program). Finally, the US Coast Guard regulations include provisions that essentially combine the two definitions from the IMO and the Clean Water Act. None of the definitions of graywater include blackwater (discussed below) or bilgewater from the machinery spaces. Recent U.S. Legislation places limits on the discharge of graywater in the Alaska Alexander Archipelago.

Handling Method Employed by Member Lines:

Graywater is discharged only while ships are underway and proceeding at a speed of not less than 6 knots, in recognition that dispersal of these discharges is desirable and that mixing of these waters, which are discharged approximately 10-14 feet below the surface, by the action of the propellers and the movement of the ship, provides the best dispersal available.

**M. Blackwater:** Waste from toilets, urinals, medical sinks and other similar facilities is called "blackwater." ICCL members have agreed that all blackwater will be processed through a Marine Sanitation Device (MSD), certified in accordance with U.S. or international regulations, prior to discharge. Discharge will take place only when the ship is more than 4 miles from shore and when the ship is traveling at a speed of not less than 6 knots.

**N. Advanced Wastewater Purification Systems:**

To improve environmental performance, cruise lines are testing and installing wastewater purification systems that utilize advanced technologies. These onboard wastewater treatment systems are designed to result in effluent discharges that are of a high quality and purity; for example, meeting or surpassing standards for secondary and tertiary effluents and reclaimed water. Effluents meeting these high standards would not be subjected to the strict discharge limitations previously discussed.

**O. Training and Educational Materials**

Training is an important and ongoing part of every position and tasking onboard cruise ships. Not only is training necessary for the safe and economical operation of a ship, it is required by numerous international conventions and flag state regulations. The International Convention on Standards of Training Certification and Watchkeeping (STCW) for example, sets forth requirements for knowledge, experience and demonstrated competency for licensed officers of the deck and engineering departments and for ratings forming part of a navigation or engineering watch. These detailed requirements address not only the navigation of the ship but also the proper operation of the shipboard machinery and knowledge of and ability to assure compliance with the environmental protection requirements of MARPOL and the safety regulations of The International Convention on Safety of Life at Sea (SOLAS). SOLAS also requires that the ship's training manual (which contents are prescribed by regulation) be placed in the crew messes and recreation rooms or in individual crew cabins.

ICCL member lines have developed programs that raise the level of environmental awareness on the part of both the passengers and the crew. Each ship's crew receives training regarding shipboard safety and environmental procedures. Advanced training in shipboard safety and environmental management procedures is provided for those directly involved in these areas. Those directly responsible for processing wastes are given specific instruction in their duties and responsibilities and in the operation of the various equipment and waste management systems. Specific actions that our member lines have taken to train employees and increase passenger awareness include:

- a. Announcements over the public address system and notices in ship newsletters that caution against throwing any trash overboard,
- b. Signage and colorful posters placed in crew and passenger areas encouraging environmental awareness and protection,
- c. Safety and environmental information booklets in crew cabins and crew lounges,
- d. Regular meetings of ship safety and environmental committees consisting of officers and crew from all departments to review methods of improving performance, including better and more effective environmental practices.

STCW, SOLAS and the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code) require that training be fully documented. Individual training is documented in each crewmember's file. Ship training exercises, such as fire drills and emergency response exercises, are documented in the appropriate ship's logs. All of these training documents are required to be available for oversight examination by both the ship's flag state inspectors and by port state authorities such as the United States Coast Guard.

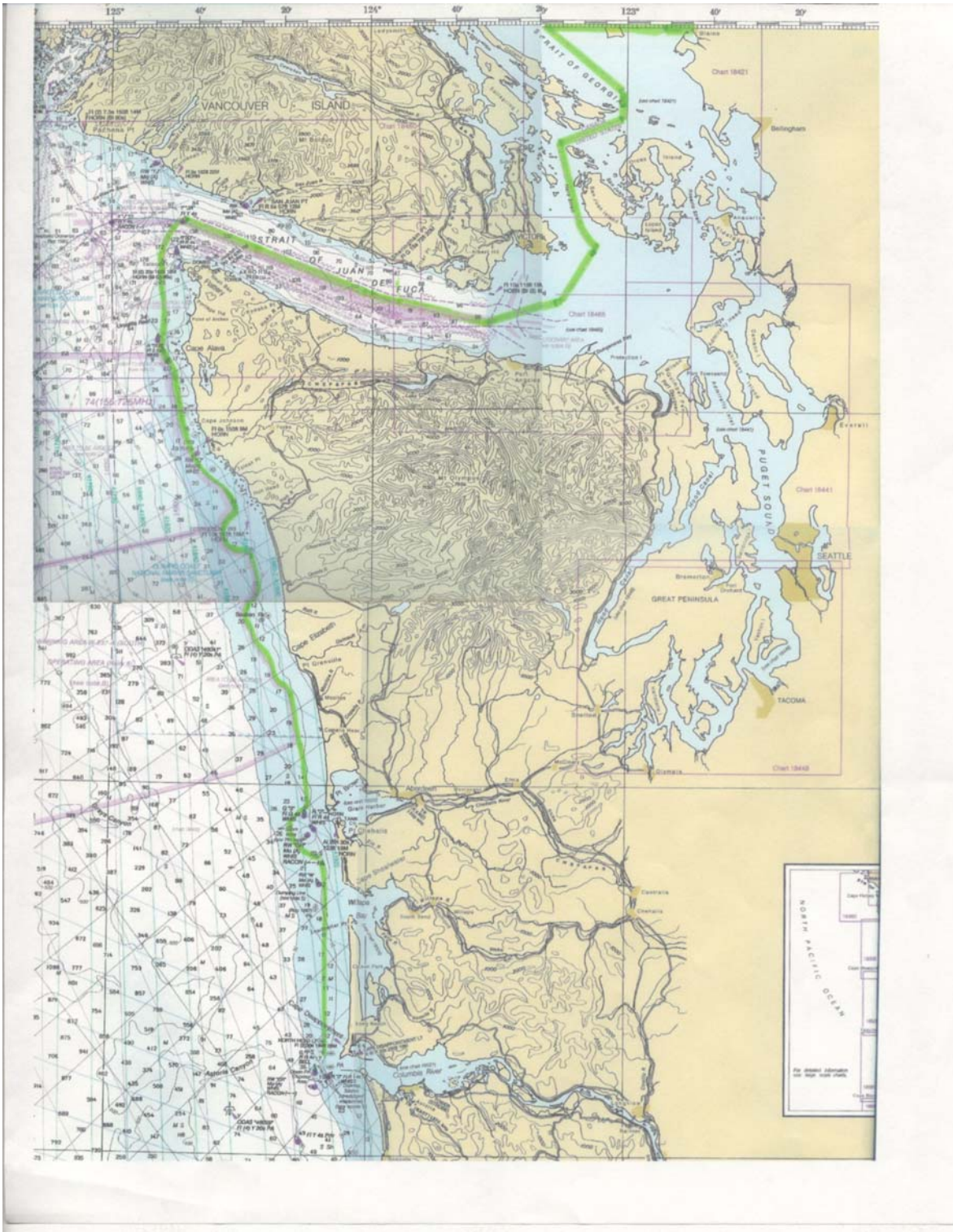
Placards warning of the prohibition of the discharge of oil are posted on all ships operating in the navigable waters of the United States as required by U.S. Coast Guard regulations (33CFR155.450). Additionally, as part of required shipboard waste management plans, both Coast Guard regulations (33CFR151.59) and MARPOL (Annex V Regulation 9) require the posting of placards that notify the passengers and the crew of the disposal requirements for garbage. These placards are to be written in the official language of the State whose flag the ship is entitled to fly and also in English or French if neither of these is the official language. Once again, oversight of compliance with these requirements is conducted by ISM audits and frequent inspections by flag states and the United States Coast Guard.

The Safety of Life at Sea Convention mandates compliance with the ISM Code. This comprehensive Code requires that each vessel operating company and each vessel participate in a very strictly defined management program, under both internal and external audit and regulatory oversight, that sets forth detailed procedures for assuring compliance with safety, environmental protection, emergency response and training mandates.

## **Equivalent equipment, practices and procedures**

ICCL member lines have agreed that the use of equivalent or other acceptable practices and procedures shall be communicated to ICCL. As appropriate, such practices and procedures shall be included as a revision to this document. As an example, when improved systems for treating blackwater and graywater are perfected, shown to meet the requirements for MSDs and accepted by appropriate authorities for the treatment of graywater, the new systems and associated technology will be included together with their impact on the current standard of discharging graywater only while underway.

# Appendix iii: Navigational Chart of Waters Subject to this MOU



# **Appendix iv**

(see pdf attached)

# Appendix v

(also see pdf attached)

## **MEMORANDUM SUBJECT: Cruise Ship Identification Numbers and State Required Annual Reporting Components**

FROM: Elizabeth Cotsworth, Director Office of Solid Waste  
TO: RCRA Senior Policy Managers

Regions 1-10

Over the last several months, the Environmental Protection Agency (EPA), Office of Solid Waste has been working with Region 4, Region 9, Region 10, and ten states having cruise ship traffic to facilitate national acceptance of one EPA hazardous waste identification (ID) number per individual cruise ship. This came about because the ships were receiving different numbers from each state in which hazardous waste was off-loaded. Having multiple identification numbers causes the ships to create and maintain duplicate copies of hazardous waste management records, leading to an increased paperwork burden.

Through meetings and conference calls, the participants on this project reached an agreement on the issue. Today, we are asking that individual cruise ships be assigned only one EPA hazardous waste identification number as a generator of hazardous waste for purposes of the Resource Conservation and Recovery Act. The following procedures would apply:

- a) A cruise ship would determine its American-based home port state (the state in which it has corporate offices or its main port of call).
- b) After determining the home port state, the cruise line will notify the selected state or corresponding EPA regional office of its hazardous waste activities.
- c) The cruise ship will identify its hazardous waste generator size in accordance with 40 CFR 261.5(c).
- d) The home port state or EPA regional office will issue an EPA hazardous waste identification number for each individual cruise ship using the current established procedure. The number will reflect the home port state initials and ten alphanumeric characters.

We are recommending that the state or region consider using a ship = s registry number, which is known as the International Maritime Organization (IMO) number, as part of the EPA hazardous waste identification number. The IMO number is generally a five to seven digit number; zeros can be added before or after the number to reach the ten characters required for the EPA hazardous waste identification number. Using the IMO number will allow for coordination with the Coast Guard, as this is the number they use most often.

After the identification number is assigned, it will remain with that ship and be used on all hazardous waste manifests regardless of where the waste is off-loaded in the U.S. The assignment of the EPA ID number will not impact the applicability of state-specific RCRA requirements. For example, when waste is off-loaded in a state, the cruise ship will comply with that particular state = s RCRA requirements whether or not that state assigned the ID number. The ship will be required to provide records to the individual state as required by state law.

Many of the states who will not be issuing the ID number expressed an interest in obtaining information provided by the cruise ship in either an annual or biennial report to its home port state. This request for annual report information can be addressed through the existing Biennial Reporting System (BRS). The attachment to this memo provides more specific information on how the ID numbers and annual reports will be incorporated into the EPA's BRS databases.

If you have any questions, please contact Teena Wooten at (703) 308-8751.

Attachment (1)

cc: Key RCRA Contacts, Regions 1 - 10

RCRA Enforcement Contacts, Regions 1 - 10

RCRA Data Management Contacts, Regions 1-10

Tom Kennedy, Association of State and Territorial Solid Waste Management Officials (ASTSWMO)

Anne Dobbs, Texas Natural Resource Conservation Commission (TNRCC)

# Appendix vi

## Alaska Regulations

### Title XIV – Certain Alaskan Cruise Ship Operations

#### SEC. 1404. LIMITATIONS ON DISCHARGE OF TREATED SEWAGE OR GRAYWATER.

.....

(c) Until such time as the Administrator promulgates regulations under paragraph (b) of this section, treated sewage and graywater may be discharged from vessels subject to this Title in circumstances otherwise prohibited under paragraphs (a)(1) and (a)(2) of this section, provided that—

- (1) the discharge satisfies the minimum level of effluent quality specified in 40 CFR 133.102, as in effect on the date of enactment of this Section;
- (2) the geometric mean of the samples from the discharge during any 30-day period does not exceed 20 fecal coliform/100 ml and not more than 10% of the samples exceed 40 fecal coliform/100 ml;
- (3) concentrations of total residual chlorine may not exceed 10.0 µg/l; and,
- (4) prior to any such discharge occurring, the owner, operator or master, or other person in charge of a cruise vessel, can demonstrate test results from at least five samples representative of the effluent to be discharged, taken from the vessel on different days over a 30-day period, conducted in accordance with the guidelines promulgated by the Administrator in 40 CFR Part 136, which confirm that the water quality of the effluents proposed for discharge is in compliance with paragraphs (1), (2) and (3) of this subsection. To the extent not otherwise being done by the owner, operator, master or other person in charge of a cruise vessel pursuant to section 1406, the owner, operator, master or other person in charge of a cruise vessel shall demonstrate continued compliance through periodic sampling. Such sampling and test results shall be considered environmental compliance records that must be made available for inspection pursuant to section 1406 (d) of this Title.

#### **Title 33 CFR 159.309 Limitations on discharge of treated sewage or graywater.**

...

(b)(6) To the extent not otherwise being done by the owner, operator, master or other person in charge of a cruise vessel, pursuant to § 159.317 of this subpart, the owner, operator, master or other person in charge of a cruise vessel shall demonstrate continued compliance through sampling and testing for conventional pollutants and residual chlorine of all treated sewage and graywater effluents periodically as determined by the COTP.

## **Title 40 CFR 133.102 Secondary treatment.**

The following paragraphs describe the minimum level of effluent quality attainable by secondary treatment in terms of the parameters—BOD5, SS and pH. All requirements for each parameter shall be achieved except as provided for in §§ 133.103 and 133.105.

(a) *BOD5*.

- (1) The 30-day average shall not exceed 30 mg/l.
- (2) The 7-day average shall not exceed 45 mg/l.
- (3) The 30-day average percent removal shall not be less than 85 percent.
- (4) At the option of the NPDES permitting authority, in lieu of the parameter BOD5 and the levels of the effluent quality specified in paragraphs (a)(1), (a)(2) and (a)(3), the parameter CBOD5 may be substituted with the following levels of the CBOD5 effluent quality provided:
  - (i) The 30-day average shall not exceed 25 mg/l.
  - (ii) The 7-day average shall not exceed 40 mg/l.
  - (iii) The 30-day average percent removal shall not be less than 85 percent.

(b) *SS*.

- (1) The 30-day average shall not exceed 30 mg/l.
- (2) The 7-day average shall not exceed 45 mg/l.
- (3) The 30-day average percent removal shall not be less than 85 percent.

(c) *pH*. The effluent values for pH shall be maintained within the limits of 6.0 to 9.0 unless the publicly owned treatment works demonstrates that: (1) Inorganic chemicals are not added to the waste stream as part of the treatment process; and (2) contributions from industrial sources do not cause the pH of the effluent to be less than 6.0 or greater than 9.0.

## **United States Coast Guard, Captain of the Port, Southeast Alaska Policy Concerning Title 33, CFR, Part 159, Subpart E: Discharge of Effluents in Certain Alaskan Waters by Cruise Vessel Operations. (Dated January 1, 2002).**

...

4.b. 33CFR 159.309(b)(2), (3), & (4) – Notification of Planned “In-Port” Discharge: The 30-day advanced notification of a planned discharge must include effluent sample test results as detailed in 33 CFR 159.309(b)(2) through (5), (ie. pH, Biochemical Oxygen Demand (BOD), Fecal Coliform (FC), Total Suspended Solids (TSS), and Residual Chlorine (RC))....

4.d. 33CFR 159.309(b)(6) –“Continued Compliance”: “Continued compliance” may be demonstrated through the submission of twice-monthly sample test results that show all effluent constituents/qualities to be within prescribed limits....

## Appendix vii

### Hazardous Waste Management

This Appendix is to be used as guidance for hazardous waste discharged in Washington State waters or landed ashore in Washington. The following is a list of Resource Conservation Recovery Act (RCRA) and Washington State Criteria hazardous waste that may be found on cruise ships, and appropriate guidance for its discharge or offloading from the ship.

#### Terms

Hazardous Waste – Includes all hazardous waste as defined by RCRA and Chapter 173-303 of the Washington Administrative Code (WAC), where Washington State Criteria hazardous waste is defined.

Publicly Owned Treatment Works (POTW) - Ecology's Hazardous Waste Toxics Reduction (HWTR) Program will acknowledge Advanced Wastewater Treatment Systems (AWTS) as a substitute for a POTW. Type 2 Marine Sanitation Devices (MSDs) are not considered a POTW for purposes of this MOU.

#### WASTE STREAMS

**Antifreeze**- Excluded as a hazardous waste if recycled. (WAC 173-303-522)

**Aqueous Degreasing** - If the resulting waste is hazardous it can be treated to remove the hazard and the resulting effluent can be sent to the AWTS or Oily Water Separator. If no treatment is performed it can be landed ashore for proper disposal.

**Batteries & Mercury Containing Thermostats** - These are universal waste if sent for recycling. (Ecology Publication Number 98-407, Universal Waste Rule for Batteries and Mercury Containing Thermostats)

**Spent Lead Acid Batteries** - Spent lead-acid batteries are conditionally excluded if recycled. (WAC 173-303-520)

**Cathode Ray Tubes (CRTs)** - Excluded if recycled, otherwise are to be managed as a hazardous waste. (Ecology Publication Number 02-04-017, Interim Enforcement Policy Conditional Exclusion for Cathode Ray Tubes\* and Related Electronic Wastes)

**Dry Cleaner** – Perchloroethylene (PERC) and other chlorinated dry cleaning fluids, contaminated sludge and filter materials are hazardous waste and must be landed ashore in accordance with RCRA requirements.

**Florescent Tubes** - Handling procedures for fluorescent tubes do not allow for crushing of the bulbs. (WAC 173-303-573 and Ecology Focus Sheet, Publication # 00-04-020, Universal Waste Rule for Dangerous Waste Lamps)

**HVAC** - CFC's or HCFC's are excluded as a hazardous waste if recycled. (WAC 173-303-506)

Filters from HVAC units that use Halogenated Organic Compounds (HOC's) as fire retardants would be a State Criteria hazardous waste and must be managed as such.

**Mercury Switches** - Are a hazardous waste and must be managed as such.

**Painting - Discarded Paints & Cleanup Solvents.** All spent paints and solvents must be properly designated and if hazardous waste, managed as such.

**PCB's** - Regulated as a state hazardous waste if they come from transformers, capacitors and bushings if PCB's are from 2ppm to 50ppm. If PCB's are above 50 ppm they must be managed as a TSCA waste. (WAC 173-303-9940)

**Pharmaceuticals** - Drugs that designate as RCRA waste, but that are not controlled substances must be sent ashore as hazardous waste. If the drug is a RCRA waste and a controlled substance, contact the US Drug Enforcement Agency (DEA) about suitable destruction methods and then manage the residue from destruction as a hazardous waste (disposal to water, regular garbage or incineration would be illegal). If the drug is not a RCRA waste, regardless whether it is a controlled substance or not, it can be incinerated on board or sent ashore for incineration at a facility permitted to incinerate municipal solid waste. (WAC 173-303-071(n))

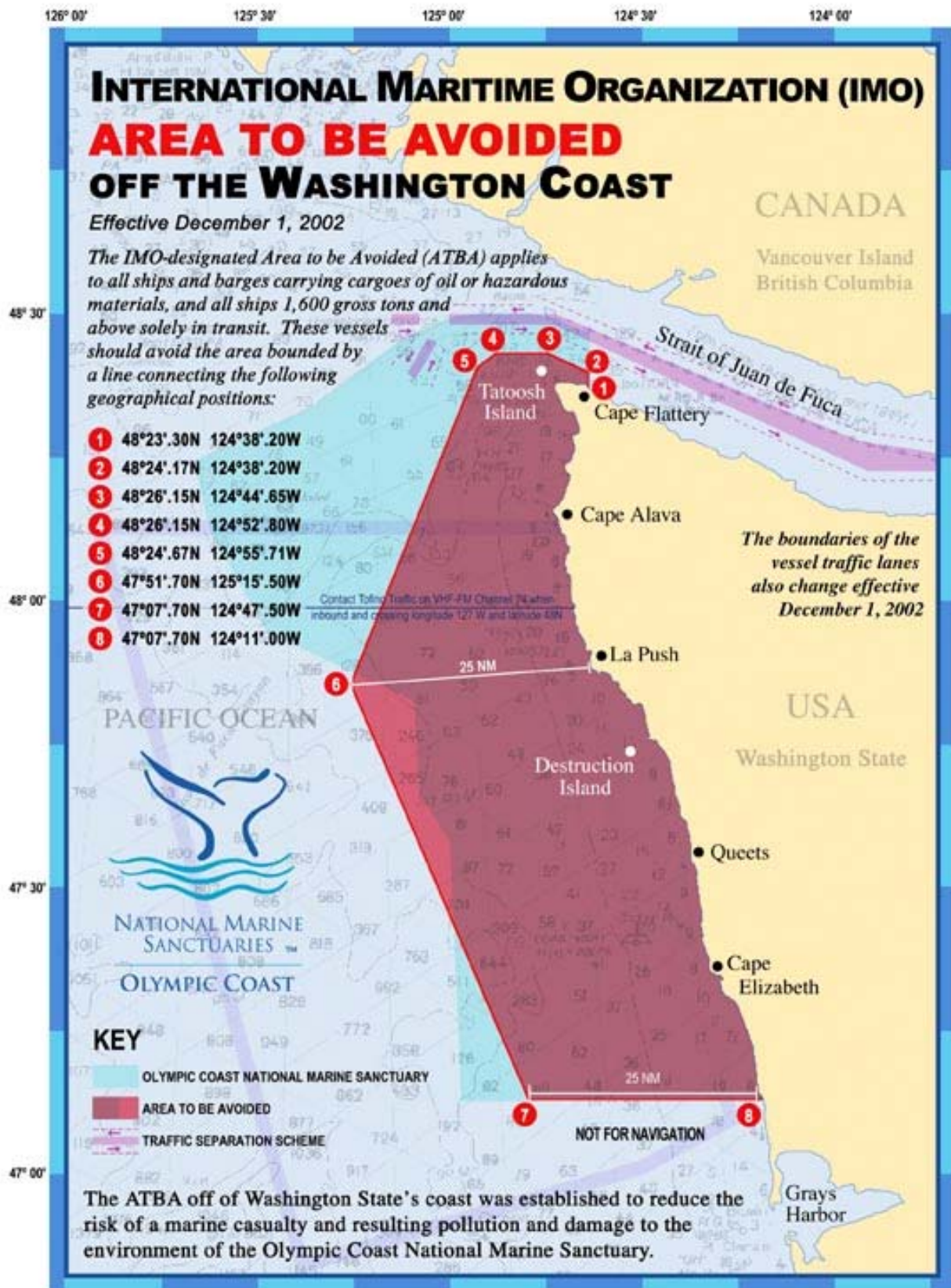
**Photo Waste** - Silver can be removed from fixer and the resulting effluent would be allowed to go to an advanced wastewater treatment system (AWTS), but not to graywater or to a Type 2 MSD. If the fluids can not go to the AWTS, they must be landed ashore in accordance with RCRA requirements. (Ecology Publication 94-138R, A Guide For Photo Processors)

**Printer Wastes** - Inks, solvents and rags, used for cleaning, will need to be properly designated, and if hazardous waste, managed as such.

**Spray Cans** – Cans that are not empty must be properly designated, and if hazardous waste, managed as such.

**Solvent Degreasing** - Solvents, when used, must be properly designated, and if hazardous waste, managed as such.

# Appendix viii



10/15/02