

INDEPENDENT STATE OF PAPUA NEW GUINEA



***Marine Pollution (Sea Dumping) Regulation***

ARRANGEMENT OF CLAUSES

1. Interpretation
  2. Sea Dumping Permit Application Assessment Fees
  3. Contents and format of Sea Dumping Permit Application Form (SDP-AF)
  4. Contents and format of Sea Dumping Permit (SD Permit)
  5. Sediment Quality Guidelines for Dredged Material Proposed for Dumping at Sea
  6. Service of notices
- Schedule 1 – List and Format of Forms
- Form 1: Sea Dumping Permit Application Form (SDP-AF)
  - Form 2: Sea Dumping Permit (SD Permit)
- Schedule 2 – Sediment Quality Guidelines for Dredged Material Proposed for Dumping at Sea

INDEPENDENT STATE OF PAPUA NEW GUINEA



***Marine Pollution (Sea Dumping) Regulation [insert yr]***

MADE by the Head of State, acting with, and in accordance with, the advice of the National Executive Council under the *Marine Pollution (Sea Dumping) Act*.

**1. Interpretation**

In this regulation, unless the contrary intention appears:

“Act” and “the Act” mean the *Marine Pollution (Sea Dumping) Act*;

**2. Sea Dumping Permit Application Assessment Fees**

For the purposes of subsection 10(1) of the Act, the Sea Dumping Permit Application Assessment Fees payable by applicants for Sea Dumping Permits, are prescribed as follows:

- (a) for applications to dump dredged material, sewage sludge, fish waste, or material resulting from industrial fish processing operations:
  - (i) K5,000 for less than 100,000 cubic metres of material;
  - (ii) K10,000 for 100,000 cubic metres to 500,000 cubic metres of material; and
  - (iii) K15,000 for more than 500,000 cubic metres of material;
- (b) for applications to dump inert, inorganic geological material; organic material of natural origin; or bulky items primarily comprising iron, steel, concrete and similarly non-harmful materials;
  - (i) K2,000 for less than 100,000 cubic metres of material;

(ii) K4,000 for 100,000 cubic metres to 500,000 cubic metres of material; and

(iii) K6,000 for more than 500,000 cubic metres of material;

(c) for applications to dump vessels, aircraft, platforms or other man-made structures; K5,000 per item proposed to be dumped.

### **3. Contents and format of Sea Dumping Permit Application Form (SDP-AF)**

The Sea Dumping Permit Application Form (SDP-AF) referred to in Section 9(1) of the Act shall be in Form 1 of Schedule 1.

### **4. Contents and format of Sea Dumping Permit (SD Permit)**

The Sea Dumping Permit (SD Permit) referred to in Section 13 of the Act shall be in Form 2 of Schedule 1.

### **5. Sediment Quality Guidelines for Dredged Material Proposed for Dumping at Sea**

For the purposes of sub-paragraph 8(1)(a) of the Act the Sediment Quality Guidelines are those prescribed in Schedule 2.

### **6. Service of Notices**

A notice to an applicant for a permit under subsection 11(1) or 12(3) of the Act or the holder of a permit under subsection 14(1) of the Act shall be served by being sent by post to the person concerned at the address shown on the permit application form or, if the applicant has, in relation to that application or permit, notified the Authority in writing of another address for service, at that other address.

## **Schedule 1 - List and Format of Forms**

Form 1: Sea Dumping Permit Application Form (SDP-AF)

Form 2: Sea Dumping Permit (SD Permit)

**Independent State of Papua New Guinea**

***Marine Pollution (Sea Dumping) Regulation***



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**Form 1 - Sea Dumping Permit Application Form (SDP-AF)**

As required under Subsection 9(1) of the *Marine Pollution (Sea Dumping) Act*

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<b>A. Applicant's Details</b>	
1. <i>Legal name of person or organization:</i>	
2. <i>Contact person in case of organization:</i>	
3. <i>Physical address:</i>	
4. <i>Postal address (if different):</i>	
5. <i>Telephone No.</i>	
6. <i>Email:</i>	

<b>B. Source and type of waste proposed to be dumped</b>	
7. <i>Source:</i>	
8. <i>Composition:</i>	
9. <i>Quantity (m<sup>3</sup>):</i>	
10. <i>Description of physical properties:</i> (please attach any supporting report )	
11. <i>Description of chemical properties:</i> (please attach any supporting report)	
12. <i>Description of biological properties:</i> (please attach any supporting report)	
13. <i>In the case of dredged material, does it comply with Sediment Quality Guidelines under Subparagraph 8(1)(a) of the Act?</i>  (please attach analysis report - compulsory)	
14. <i>In the case of vessels and platforms or other man-made structures, have all:</i> <ul style="list-style-type: none"> <li>• <i>oils,</i></li> <li>• <i>chemicals, and</i></li> <li>• <i>other pollutants, and</i></li> <li>• <i>any material capable of creating floating debris, or</i></li> <li>• <i>otherwise contributing to pollution of the marine environment,</i></li> </ul> <i>been removed to the maximum extent?</i>  (please attach supporting documentary and/or photographic evidence that this has been done):	

<b>C. Proposed dumping operations</b>	
15. <i>Proposed method of dumping:</i>	
16. <i>If dumping is proposed to be undertaken from a vessel, aircraft or platform:</i>	
16.1 <i>Name:</i>	
16.2 <i>Flag:</i>	
16.3 <i>IMO Identification or Registration No. (or equivalent):</i>	
16.4 <i>Owner:</i>  <i>of the vessel, aircraft or platform.</i>	
17. <i>Dates when dumping is proposed (from/to):</i>	
18. <i>In the case when multiple dump events are proposed (e.g. for dredged material), quantity (m<sup>3</sup>) of waste proposed to be dumped in each event:</i>	

<b>D. Proposed dump site</b>	
<i>19. Location (including latitude and longitude)(provide a suitably scaled chart of proposed dump site)</i>	
<i>20. Rationale/justification for proposing this site:</i>	
<i>21. Water depth:</i>	
<i>22. Nature of the sea-bed:(give details on topography, sediment characteristics etc)</i>	
<i>23. Prevailing winds:</i>	
<i>24. Prevailing waves:</i>	
<i>25. Prevailing currents:</i>	
<i>26. Tidal range:</i>	
<i>27. Biological communities at and in proximity to the site:</i>	
<i>28. Fisheries resources at and in proximity to the site:</i>	
<i>29. Existing uses and users of the area:</i>	

**Please attach supporting data, studies and reports for items in this table.**

<b>E. Alternatives to dumping at sea</b>	
<p><i>30. Are there options to:</i></p> <p><i>30.1 Prevent or reduce production of the waste or other matter proposed to be dumped?:</i></p> <p><i>30.2 Reuse or recycle the waste or other matter proposed to be dumped?:</i></p> <p><i>30.3 Dispose of the waste or other matter on land?:</i></p>	
<p><i>31. Why is dumping at sea proposed as the best option over the alternatives, considering environmental, social and cost factors?:</i></p>	

**Please attach any supporting data, studies and reports for items in this table.**

<b>F. Predicted environmental impacts</b>	
<p>32. What are the predicted impacts, both directly and indirectly, and in the short and long-term, of the proposed dumping on:</p> <p>32.1 Seabed sediment quality (physical and chemical) at and in proximity to the proposed dump site?:</p>	
<p>32.2 Water quality (physical and chemical) at and in proximity to the proposed dump site?:</p>	
<p>32.3 Biological communities at and in proximity to the proposed dump site, including but not limited to coral reefs, seagrass beds and mangroves?:</p>	
<p>32.4 Fisheries resources at and in proximity to the proposed dump site?:</p>	
<p>32.5 Customary indigenous users of the area?:</p>	
<p>32.6 Safety of navigation?:</p>	
<p>32.7 Other uses and users of the area?:</p>	
<p>33. Please describe details of measures that the applicant proposes to prevent, control and monitor any possible adverse environmental effects of the dumping:</p>	

**Please attach any supporting data, studies and reports for items in this table.**

**Independent State of Papua New Guinea**  
***Marine Pollution (Sea Dumping) Regulation***



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**Form 2 - Sea Dumping Permit (SD Permit)**

Issued under Section 13 of the *Marine Pollution (Sea Dumping) Act*

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<b>A. Permittee's Details</b>	<b>SD Permit No. :      /Year:</b>
This SD Permit is issued to the following person/organization:	
1. <i>Legal name of person or organization:</i>	
2. <i>Contact person in case of organization:</i>	
3. <i>Physical address:</i>	
4. <i>Postal address (if different):</i>	
5. <i>Telephone No.</i>	
6. <i>Email:</i>	

**This permit may be used by the Permittee identified in item 1 of Table A above only and is non-transferable**

NOTE: Under the *Marine Pollution (Sea Dumping) Act* any breach of this Sea Dumping Permit is an offence punishable on prosecution by a fine not exceeding K1,000,000 or a term of imprisonment not exceeding 5 years – plus a fine not exceeding K10,000 per day for each day that the offence continues.

<b>B. Waste permitted to be dumped</b>	<b>SD Permit No. :      /Year:</b>
7. <i>Source:</i>	
8. <i>Composition:</i>	
9. <i>Quantity (m<sup>3</sup>):</i>	
10. <i>Description:</i>	

**Only the material identified in Table B above may be dumped under this permit**

<b>C. Permitted dumping operations</b>	
8. <i>Permitted method of dumping:</i>	
9. <i>If dumping is to be undertaken from a (delete as appropriate) vessel, aircraft or platform:</i>	
9.1 <i>Name:</i>	
9.2 <i>Flag:</i>	
9.3 <i>IMO Identification or Registration No. (or equivalent):</i>	
9.4 <i>Owner:</i>	
<i>of the (delete as appropriate) vessel, aircraft or platform from which the dumping is permitted:</i>	
10. <i>Dates when dumping is permitted (from/to):</i>	
11. <i>Dump site location (latitude &amp; longitude): (please attach chart indicating location of dump site)</i>	

**Dumping under this permit may only be conducted in accordance with the provisions of Table C above**

<b>D. Conditions of permit</b>	<b>SD Permit No. :      /Year:</b>
<i>12. Timing and management of dumping:</i>	
<i>13. Site supervision &amp; inspection:</i>	
<i>14. Exclusion zones and restricted areas:</i>	
<i>15. Environmental management plans and contingency plans:</i>	
<i>16. Community consultations before, during and/or after the dumping:</i>	
<i>17. Environmental monitoring &amp; reporting:</i>	
<i>18. Operational reporting:</i>	
<i>19. Other conditions:</i>	

**Any and all dumping under this Permit shall only be conducted in accordance with the conditions specified in Table D above.**

<b>E. Validity period</b>	
<i>13: This SD Permit is valid (from / to):</i>	

**Dumping may not be undertaken under this permit outside of the valid dates specified in Table E above**

**Approved by General Manager of the National Maritime Safety Authority (or delegate)**

**Name:** .....

**Signature:** .....

**Date:** .....

**Official seal or stamp of the Authority)**

(please stamp and initial each and every page of the SD Permit)

**Schedule 2:  
Sediment Quality Guidelines  
for  
Dredged Material Proposed for Dumping at Sea**

Item	Substance	Screening level
<b>Metals and metalloids</b>		
1	Antimony	2 mg/kg
2	Arsenic	20 mg/kg
3	Cadmium	1.5 mg/kg
4	Chromium	80 mg/kg
5	Copper	65 mg/kg
6	Lead	50 mg/kg
7	Mercury	0.15 mg/kg
8	Nickel	21 mg/kg
9	Silver	1.0 mg/kg
10	Zinc	200 mg/kg
<b>Organics</b>		
11	Total PCBs	23 µg/kg
<i>Pesticides</i>		
12	DDD	2 µg/kg
13	DDE	2.2 µg/kg
14	Total DDT	1.6 µg/kg
15	Dieldrin	0.02 µg/kg
16	Chlordane	0.5 µg/kg
17	Lindane	0.32 µg/kg
18	Endrin	0.02 µg/kg
<i>Polynuclear aromatic hydrocarbons (PAHs)</i>		
19	Acenaphthene	16 µg/kg
20	Acenaphthalene	44 µg/kg
21	Anthracene	85 µg/kg
22	Fluorene	19 µg/kg
23	Napthalene	160 µg/kg
24	Phenanthrene	240 µg/kg
25	Low-molecular-weight PAHs	552 µg/kg
26	Benzo [a] anthracene	261 µg/kg
27	Benzo [a] pyrene	430 µg/kg
28	Dibenz [a] anthracene	63 µg/kg

<b>Item</b>	<b>Substance</b>	<b>Screening level</b>
29	Fluoranthene	600 µg/kg
30	Chrysene	384 µg/kg
31	Pyrene	665 µg/kg
32	High-molecular-weight PAHs	1 700 µg/kg
33	Total PAH	10 000 µg/kg
	<b>Total petroleum hydrocarbons</b>	550 mg/kg
	<b>Other substances</b>	
34	Radionuclides	35 Bq/g
35	Tributyltin (as Sn)	9 ng Sn/g