



Marine Protection Rule Part 180

Dumping Permits
- Disposal of Vessels at Sea

Guidance for Applicants on
Towing Plans

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Guidance for Applicants on Towing Plans

Any application to Maritime New Zealand for a dumping permit to dispose of a derelict vessel will inevitably involve towage from its current location to an agreed dumping site. While Marine Protection Rule Part 180 provides the umbrella regulations under which the disposal activity is authorised, Maritime New Zealand also has a responsibility to ensure the safe passage of the vessel. This includes safeguarding not only human resources, but also marine environmental protection. In order to achieve this, the Director may impose conditions on marine dumping permits under section 387(5) of the Maritime Transport Act 1994. These guidelines indicate the safety and environmental protection issues that must be addressed by applicants to successfully apply for and exercise a conditional permit for vessel disposal.

Each application is, to some extent, unique and it would be impossible to set rigid criteria in advance that would apply to every case. Each application will therefore be treated on a case-by-case basis and involve a wide range of Maritime New Zealand technical advice. Crucial to this process will be the involvement of the local Maritime Safety Inspector, whose sign-off will be necessary before the dumping permit can be exercised. However, past experience has shown that there are many common criteria for safe passage in such circumstances, and the list below is indicative of the range of issues that applicants must consider when planning the safety case for the tow.

It is the responsibility of the applicant to demonstrate to Maritime New Zealand that every facet of their case is robust. Independent verification from recognised sources such as marine surveyors, engineers and Safe Ship Management companies will be required, and all subsequent reports must be provided in writing to Maritime New Zealand before the permit is exercised.

Vessel to be Disposed

- Assessment of the seaworthiness of the vessel and suitability to tow. The surveyors brief must include assessment of:
 - Hull, deck and engine room inspection to check all watertight arrangements
 - Locking of the propeller
 - Locking of rudder at the midships position
 - Means of being boarded in case the tow parts and it cannot be re-attached by other ways
 - Structural integrity of towing post & bridle arrangements
 - What temporary repairs, if any, are required before the tow commences, and confirmation this work has been completed and approved
- Confirmation of hull integrity by dive survey (including biofouling assessment – see ‘Biosecurity’ below)
- Confirmation that all oils & other hazardous materials (including chemicals in onboard systems, such as refrigerants or fire-control) have been removed
- All material or fittings liable to break away and/or float off shall be removed from the vessel prior to the disposal operation
- Recommended weather criteria for the tow
- Recommended sea state for the tow
- Emergency release arrangements from the tow
- Correct Navigation Lights and Day Signals must be displayed, with source of power indicated
- Monitoring system to ensure vessel is not taking on water in transit
- Whether any crew need to be on towed vessel, and whether it is safe for crew to be on board, plus planned and unplanned evacuation arrangements/safety gear required
- Outline of plans for safe means of scuttling (see ‘Scuttling Options’ below)
- Confirmation that applicant has legal right to dispose of vessel



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Tow Vessel

- Ensure the towing vessel is either in SSM and holds a valid survey under rule 40C (towing vessels are included in this rule) or ensure a recognised Naval Architect approves the stability of the towing vessel and issues appropriate written instructions for safe towing. Safety Management Manual must address towing requirements
- The tow vessel needs to have her stability assessed for towing purposes and have sufficient power for the purpose
- Required lights and markings - the towing vessel will need to display correct Navigation Lights and Day Signals
- Confirmation of towing arrangements as identified in the assessment/towing survey with tug and equipment identified, including emergency tow arrangements
- Provide Towing/Passage plan with identified places of refuge, inspection stops, emergency dump sites, areas to be avoided, and reporting, to be agreed in advance with MNZ
- Identify means of re-connecting should the tow part
- Limiting conditions including wind and sea states, harbourmaster's approval and weather forecast
- Scuttling procedures, both planned and unplanned
- Communication criteria, including advance notification to MNZ and harbourmaster, so suitable navigation warnings can be issued
- Hazard identifications and risk management strategies
- Master and crew must be appropriately experienced for the operation
- Manning levels must be sufficient to deal with emergencies, such as the tow parting
- Agreement of the relevant Harbourmasters with the safety case
- All practical steps must be taken to exclude the public from the immediate area of operations

Scuttling Options

MNZ considers remote detonation of explosives to be the preferred choice for both mitigation of risks to personnel and to reduce chances of the vessel drifting outside the designated disposal site while sinking. Applicants are free to suggest alternative means, but the safety case must be clearly demonstrated to the local MSI and accepted by MNZ.

Consultation

In addition to any affected harbourmasters, relevant regional stakeholders need to have been consulted. This may indeed simply be a formality, but input and comment should be sought from the following organisations as a minimum: NZ Seafood Industry Council, Department of Conservation, Ministry of Fisheries, Regional Council(s), local iwi. All correspondence should be provided to MNZ.

Indemnity

Prior to the disposal operation, the applicant shall arrange for suitable indemnity cover, to the satisfaction of the Director, that in the event of the vessel not being dumped in the approved location the Director can take such steps as deemed appropriate to mitigate or remove any navigational hazard the vessel may cause.

Biosecurity

Vessels that have remained stationary for any length of time are prone to settlement by a variety of marine organisms. In port environments especially, these may be unwanted organisms carried to New Zealand by foreign vessels. A biosecurity risk assessment, which may include a dive survey depending on levels of risk, will need to be undertaken at the expense of the applicant. For full advice please contact toll-free 0800 80 99 66.



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Asbestos

Any asbestos on board will have to be encapsulated or removed prior to scuttling. Occupational Safety & Health should undertake the initial inspection, and will suggest accredited asbestos handlers. As part of the scuttling plan, surface vessels should be stationed upwind of the disposal site, at a safe distance, and have appropriate protective equipment. OSH should be contacted directly by telephoning Peter Fisher on 03 9896776 in the first instance.

The Cook Strait Cable Protection Zone (CPZ)

The CPZ contains HVDC power and fibre optic communications cables making up a vital element of New Zealand's national electricity grid. Should there be a need to transit the Cook Strait Cable Protection Zone, we will require confirmation of liaison with Seaworks as the marine adviser to Transpower - contact is to be made at the earliest opportunity with Seaworks on 04 4996891, asking for the CPZ Project Manager or the Project Manager Submarine Cables. Seaworks can also organise contact with Transpower if necessary.

Seaworks will need to be assured that any towed vessel remains in a sound condition for a safe tow before crossing Transpower's assets. They will need to ensure that the tow wire will be maintained well clear of the seabed, and that other traffic does not cause the tow to slow or alter course, increasing wire catenary, possibly dragging across the seabed and the submarine cables.

The Seaworks CPZ patrol vessel, *Seapatroller*, will accompany the tow from outside the CPZ at a predetermined location. There the patrol vessel crew will assess the freeboard of the towed vessel, inspect the bridle and attachments – from a distance – and discuss observations with the master of the tow. The master of the tow will advise the *Seapatroller* of such information as the length of tow and catenary. The prevailing and expected weather and sea conditions will be considered at the time and, if both masters agree, Transpower will authorise for the tow to proceed across the CPZ. The *Seapatroller* vessel can also be contacted directly on 0274 442288 (seapatroller@seaworks.co.nz).



The following minimum criteria shall apply for passage through the CPZ:

- Before departure a white marks indicating the waterline should be spray-painted on the towed vessel for ready reference by the patrol vessel.
- While transiting the CPZ the tow must stay between the 200 metre contour lines as marked on the chart NZ463.
- RAM signals to be displayed from three miles either side of the CPZ.
- Tow vessel would be in continuing communication with the Seapatroller.
- VHF calls to all ships with a Closest Point of Approach of less than 5.0 nautical miles warning them of the circumstances of the tow.
- All hull and deck openings in the towed vessel to be closed for the voyage.
- CPZ patrol vessel to be contacted before meeting at agreed position outside CPZ.
- Transit through CPZ to be completed with a following tidal flow.
- Seaworks has the right of refusal for the tow to cross the CPZ.

Should the master of the *Seapatroller* observe any deficiencies or conditions that he decides would not make for a safe transit, then the tow must not proceed across the CPZ.

The *Seapatroller* may assist – provided it is safe to do so – to ensure a safe transit of the tow across the CPZ.