

List of jurisdictions restricting or banning scrubber wash water discharges

Last updated 18 August 2020

The MARPOL convention allows for the use of Exhaust Gas Cleaning Systems¹ (EGCS, more commonly referred to as scrubbers) as an alternative means of complying with the 2020 low sulphur regulations.

However some jurisdictions have imposed local regulations which restrict or prohibit the discharge of wash water from scrubbers within their waters.

The list below includes countries and ports where such restrictions are currently understood to be in place based on information received by the Association at the time of publication. However, the list should not be seen as necessarily complete and is for guidance only, in particular noting that local legislation can be subject to change at short notice. It is therefore important that Members monitor the current situation closely and always contact their local agent/representative prior to arrival. This should include seeking confirmation of the latest situation regarding any applicable requirements relating to the operation of scrubbers and any permission required from the relevant local authorities for their use.

Please feel free to contact the Britannia Loss Prevention department if further assistance or clarification is needed. Members are also welcome to notify us should they experience any restrictions or ban in a port or country not currently on the list.

COUNTRY	IS THE DISCHARGE OF WASH WATER PROHIBITED?	PORT/SEA AREA	ADDITIONAL INFORMATION
Argentina	Yes	The internal waters, territorial sea, contiguous zone and exclusive economic zone of Argentina	Our correspondent have issued Circular 029/2020 , advising that the Argentinian Coast Guard have enacted Disposition 15/2020 dated 8th August 2020 and coming into effect on 10th August 2020. This prohibits the discharge of wash water generated by open loop scrubbers in all jurisdictional waters including internal

¹ Subject to approval by the Administration of its use in accordance with Regulation 4 of MARPOL Annex VI while taking into account the 2015 Guidelines for EGCS (IMO Resolution MEPC.259 (68)).

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			waters, territorial sea, contiguous zone and exclusive economic zone of Argentina.
Australia	Restricted	Territorial Waters of Australia	All ships using a scrubber have to notify AMSA prior to first arrival at an Australian port after 1 January 2020 and provide required information as per Marine Notice 05/2019 .
Bahrain	Restricted	Within port limits of Bahrain including the anchorage area.	The requirements are set out in Marine Notice PMA 03 2019 . This confirms that wash water from open loop scrubbers is not permitted in Bahraini territorial waters and exclusive economic zone (EEZ) unless it can be proved that the discharge complied with MEPC.259(68) and there is no negative impact on marine ecosystems.
Belgium	Yes	All ports and inland waters	The European Commission (EC)'s 2016 Note on discharge of scrubber wash water prohibits the discharge in ports and inland waters but is allowed in coastal and open seawaters when at least 3nm off the coast and if the discharge does not imperil the objectives of the EC Water Framework Directive (WFD), 2000/60/EC.
Bermuda	Yes	Territorial waters of Bermuda	The requirements are set out in the document Environmental Policy for Ships , which confirms that in Bermuda's waters open loop scrubbers are prohibited, while prior approval needs to be sought from the Environmental Authority to use a closed loop scrubber.

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Brazil	Yes	Certain bulk terminals	<p>Our correspondents Brazmar has earlier advised that <i>"Based on the principle of precaution...the discharge of effluents generated by "Scrubbers or Exhaust Gas Cleaning Systems (EGCS)" is not allowed and the vessel, when in Brazilian waters, must operate with fuel within specifications (sulphur content up to 0.5% m/m)"</i>.</p> <p>However, on 23 July 2020 Brazmar advised that the Directorate of Ports and Coasts (DPC) / Navy had changed their previous guidance on the topic, and that the discharge of wash water from open loop and/or hybrid Exhaust Gas Cleaning Systems (EGCS) is allowed within Brazilian Jurisdictional Waters until the competent environmental authority has the opportunity to better assess the scenario.</p> <p>This is under the assumption that the subject EGCS is approved by Class, has a plan for compliance of SOx emissions and is approved as per requirements of resolution MEPC.259 (68) of IMO.</p> <p>Bulk terminals/ports operated by Vale S.A. specifically do not allow discharge of wash water within their waters as per Statement of 20 Dec 2019. It is "recommended" that wash water is not discharged once entering into waters 24 nm from the coast line.</p>

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China	Yes	All Inland river & coastal ECA ports including the Bohai Rim Sea	Our correspondent has issued the following circular as guidance Huatai PNI1907 confirming further details of the restricted areas. Further details of the China MSA guidelines on Air Pollution Emissions are provided in Huatai PNI2001 , which includes details of the procedure which may be adopted by the Maritime Authorities for inspecting scrubbers.
Egypt	Yes	Suez canal waters Egyptian territorial waters and all Egyptian ports, including Alexandria and Damietta	SCA Circular No 8/2019 and subsequent Clarification circular issued confirm that no waste water discharges are permitted during canal transits. In addition, our correspondent has reported that the use of all types of scrubber (open / closed / hybrid) is prohibited in Egyptian territorial waters and all Egyptian ports, including Alexandria and Damietta, until Egypt ratifies Annex VI of MARPOL.
Estonia	Restricted	All ports	Estonian Maritime Administration Circular No.4 states detailed requirements for waste water discharge, including the need for prior port authorization if wash water is to be discharged in port areas.
Finland	Yes	Port of Porvoo (Neste Refinery Terminal)	It has been reported by our correspondent that the discharge of wash water is prohibited at the Neste Refinery, but no formal notice is available or of other similar port prohibitions.
France	Restricted (but effectively prohibited, see Additional Information)	Bordeaux, Port Jérôme-sur-Seine, River Seine and Le Havre	It has been reported by our correspondent that discharge of wash water is effectively prohibited inside the listed ports as the procedure to obtain a potential authorization would make it

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			unrealistic to obtain within the time the ship is in port; however, no formal notice is available.
Germany	Yes	Inland waterways intended for general traffic, including the Rhine, except for the stretch upstream of Rheinfelden. This includes ports along these waterways, for example on the Weser, Rhine, Elbe and Kiel Canal.	Discharge is not allowed according to the Convention on the Collection, Deposit and Reception of Waste Generated during Navigation on the Rhine and Other Inland Waterways CDNI Convention .
Gibraltar	Yes	Waters of Gibraltar	Our correspondent has reported that: “Closed loop scrubbers are permitted in Gibraltar waters, Hybrid scrubbers operating in closed loop mode are also permitted, and open loop scrubbers are temporarily not permitted as a precautionary measure until the Gibraltar Government arrives at a definitive policy decision with regards to (solely) open loop scrubbers”
Hong Kong	Restricted	Hong Kong Waters	No stated ban on the discharge of waste water. However, use of scrubbers of any kind or other equivalent means in order to comply with the 2020 low sulphur requirements requires an exemption as detailed in the Air Pollution Control (Fuel for Vessels) Regulation, L.N. 135 of 2018 .

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Ireland	Yes	Ports of Dublin, Waterford and Cork	Discharge of waste water is prohibited as per the following notices: Dublin Port NtM no. 37 of 2018 Port of Waterford Marine Notice of 2 January 2019 Port of Cork NtM no. 15 of 2018
Latvia	Yes	Territorial and port waters of Latvia	It has been reported by our correspondent that the general position is that the discharge of wash water is not allowed in territorial and port waters of Latvia, including Riga, Ventspils and Liepaja.
Lithuania	Yes	All ports	According to the EC's 2016 note on discharge of scrubber wash water , discharges of waste water are not allowed in Port Water Areas, although the same document notes that this is under discussion.
Malaysia	Yes	Territorial waters of Malaysia (but see Additional Information re Malacca Strait transits)	Marine Department Malaysia Circular MSN 07/2019 confirms the discharge of open loop scrubbers is prohibited 12 nm from the nearest land. However, ships transiting the Malacca Strait and not bound for any Malaysian port are excluded from this ban, as per MSN 08/2019
Norway	Yes	The recognised world heritage fjords consisting of the Geirangerfjord and Nærøyfjord areas	As per Section 14b of the Norwegian Maritime Authority's Regulations of 30 May 2012 No. 488 on environmental safety for ships and mobile offshore units , the use of open loop scrubbers is not permitted in the Norwegian world heritage fjords .

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Oman	Yes	Territorial waters of Oman	It has been reported by our correspondent that the discharge of wash water is prohibited in Oman territorial waters, but no formal notice has yet been issued by the Oman authorities
Pakistan	Yes	Karachi	The Government of Pakistan's Ministry of Maritime Affairs (Ports & Shipping Wing) Circular No. 001/2020 confirms that the discharge of wash-water from open-loop scrubbers is prohibited in port (Karachi). While in port, vessels fitted with hybrid scrubbers should switch to the closed-loop mode of operations. Vessels fitted with open-loop scrubbers need to switch over to compliant fuel instead. It is advised that the switch over is carried out well in advance of the ship's arrival in port waters.
Panama	Yes	Panama Canal waters	Panama Canal Authority (ACP) NT Notice to Shipping No. N1 2020 Section 28 confirms that discharge of open loop scrubber waste water is not permitted, but the use of closed loop systems is permitted.
Qatar	Yes	Territorial waters of Qatar	It has been reported by Qatar Petroleum that in accordance with Qatar Environmental Laws, waste water discharges from scrubbers containing "any chemicals or metals from ships" are strictly prohibited in Qatari waters; however, no formal notice is available.
Singapore	Yes	Port of Singapore (but see Additional Information re ships transiting the TSS)	Maritime and Port Authority of Singapore (MPA) Port Marine Circular No. 19 of 2019 confirms that the discharge of wash water from scrubbers operating in open-loop mode is prohibited within the Singapore port limit from 1 January 2020. This does not apply to ships transiting the Traffic Separation Scheme (TSS) without calling into the Port of Singapore.

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			Further information can be found in the MPA guidance , including details of the expected switch over arrangements if a ship is fitted with a hybrid or open loop system.
Saudi Arabia	Yes	All ports	The Saudi Ports Authority's Circular No.(55) 2020 confirms that the discharge of wash water from scrubbers operating in open-loop mode is prohibited within Saudi Arabian ports until further notice.
Sweden	Yes	Ports of Brofjorden, Gävle, Norrköping, Umeå, Sundsvall, Skellefteå, Stockholm	It has been reported by our correspondent that the discharge of wash water is not allowed in the listed ports, but no formal notice is available.
UAE	Yes	Fujairah	The Port of Fujairah's Notice to Mariners No. 252 confirms that the use of open loop scrubbers is prohibited in port waters. Our correspondent has reported not having received notification of any such ban being in place in other ports in the UAE
USA	Restricted	US waters subject to the 2013 Vessel General Permit regulations (within 3 NM of US shores)	The 2013 Vessel General Permit (VGP) section 2.2.26 cover the discharge limits for scrubber wash water and has some variations compared to IMO MEPC 259(68) guidelines . Differences include the pH of the discharged wash water to be no less than 6.0. This to be measured at the ship's overboard discharge.
USA	Restricted	State of California	California – California Air Resource Board (CARB) regulations prohibits the use of scrubbers. However, the use of alternative means of compliance such as scrubbers may be allowed if a

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			Temporary Experimental or Research Exemption has been given, as per CARB MN 2017-1 . A reminder of the requirements was issued on 21/01/20 at CARB MN 2020-1 .
USA	Yes	State of Connecticut	Connecticut – Section 6.5.9 of the 2013 VGP confirms that discharge of wash water into Connecticut waters from any vessel covered under the VGP or small Vessel General Permit (sVGP) is prohibited.
USA	Restricted	State of Hawaii	Hawaii - Section 6.7 of the 2013 VGP states that the conditional section 401 WQC (Water Quality Certification) effectively allows for discharge of wash water in Hawaii, subject to compliance with certain terms stipulated in the same section of the 2013 VGP.