

**CONVENTION ON THE PREVENTION OF MARINE POLLUTION
BY DUMPING OF WASTES AND OTHER MATTER**

ANNEX I

- 1 Organohalogen compounds.
- 2 Mercury and mercury compounds.
- 3 Cadmium and cadmium compounds.
- 4 Persistent plastics and other persistent synthetic materials, for example, netting and ropes, which may float or may remain in suspension in the sea in such a manner as to interfere materially with fishing, navigation or other legitimate uses of the sea.
- 5 Crude oil and its wastes, refined petroleum products, petroleum, distillate residues, and any mixtures containing any of these, taken on board for the purpose of dumping.
- 6 Radioactive wastes or other radioactive matter.
- 7 Materials in whatever form (e.g. solids, liquids, semi-liquids, gases or in a living state) produced for biological and chemical warfare.
- 8 With the exception of paragraph 6 above, the preceding paragraphs of this Annex do not apply to substances which are rapidly rendered harmless by physical, chemical or biological processes in the sea provided they do not:
 - (i) make edible marine organisms unpalatable, or
 - (ii) endanger human health or that of domestic animals.

The consultative procedure provided for under article XIV should be followed by a Party if there is doubt about the harmlessness of the substance.

- 9 Except for industrial waste as defined in paragraph 11 below, this Annex does not apply to wastes or other materials (e.g. sewage sludge and dredged material) containing the matters referred to in paragraphs 1 - 5 above as trace contaminants. Such wastes shall be subject to the provisions of Annexes II and III as appropriate.

Paragraph 6 does not apply to wastes or other materials (e.g. sewage sludge and dredged material) containing de minimis (exempt) levels of radioactivity as defined by the IAEA and adopted by the Contracting Parties. Unless otherwise prohibited by Annex I, such wastes shall be subject to the provisions of Annexes II and III as appropriate.

- 10 (a) Incineration at sea of industrial waste, as defined in paragraph 11 below, and sewage sludge is prohibited.
- (b) The incineration at sea of any other wastes or other matter requires the issue of a special permit.
- (c) In the issue of special permits for incineration at sea Contracting Parties shall apply regulations as are developed under this Convention¹.
- (d) For the purpose of this Annex:
- (i) "Marine incineration facility" means a vessel, platform, or other man-made structure operating for the purpose of incineration at sea.
- (ii) "Incineration at sea" means the deliberate combustion of wastes or other matter on marine incineration facilities for the purpose of their thermal destruction. Activities incidental to the normal operation of vessels, platforms or other man-made structures are excluded from the scope of this definition.
- 11 Industrial waste as from 1 January 1996.

For the purposes of this Annex:

"Industrial waste" means waste materials generated by manufacturing or processing operations and does not apply to:

- (a) dredged material;
- (b) sewage sludge;
- (c) fish waste, or organic materials resulting from industrial fish processing operations;
- (d) vessels and platforms or other man-made structures at sea, provided that material capable of creating floating debris or otherwise contributing to pollution of the marine environment has been removed to the maximum extent;
- (e) uncontaminated inert geological materials the chemical constituents of which are unlikely to be released into the marine environment;

¹

Regulations for the Control of Incineration of Wastes and Other Matter at Sea, as adopted in 1978, have not been reproduced in this document.

- (f) uncontaminated organic materials of natural origin.

Dumping of wastes and other matter specified in subparagraphs (a) - (f) above shall be subject to all other provisions of Annex I, and to the provisions of Annexes II and III.

This paragraph shall not apply to the radioactive wastes or any other radioactive matter referred to in paragraph 6 of this Annex.

- 12 Within 25 years from the date on which the amendment to paragraph 6 enters into force and at each 25 year interval thereafter, the Contracting Parties shall complete a scientific study relating to all radioactive wastes and other radioactive matter other than high level wastes or matter, taking into account such other factors as the Contracting Parties consider appropriate, and shall review the position of such substances on Annex I in accordance with the procedures set forth in article XV.

ANNEX II

The following substances and materials requiring special care are listed for the purposes of article VI(1)(a).

A Wastes containing significant amounts of the matters listed below:

arsenic)
 beryllium)
 chromium)
 copper) and their compounds
 lead)
 nickel)
 vanadium)
 zinc)
 organosilicon compounds
 cyanides
 fluorides
 pesticides and their by-products not covered in Annex I.

B Containers, scrap metal and other bulky wastes liable to sink to the sea bottom which may present a serious obstacle to fishing or navigation.

C In the issue of special permits for the incineration of substances and materials listed in this Annex, the Contracting Parties shall apply the Regulations for the Control of Incineration of Wastes and Other Matter at Sea set forth in the Addendum to Annex I and take full account of the Technical Guidelines on the Control of Incineration of Wastes and Other Matter at Sea adopted by the Contracting Parties in consultation, to the extent specified in these Regulations and Guidelines.

D Materials which, though of a non-toxic nature, may become harmful due to the quantities in which they are dumped, or which are liable to seriously reduce amenities.

ANNEX III

Provisions to be considered in establishing criteria governing the issue of permits for the dumping of matter at sea, taking into account article IV(2), include:

A - Characteristics and composition of the matter

- 1 Total amount and average composition of matter dumped (e.g. per year).
- 2 Form, e.g. solid, sludge, liquid, or gaseous.
- 3 Properties: physical (e.g. solubility and density), chemical and biochemical (e.g. oxygen demand, nutrients) and biological (e.g. presence of viruses, bacteria, yeasts, parasites).
- 4 Toxicity.
- 5 Persistence: physical, chemical and biological.
- 6 Accumulation and biotransformation in biological materials or sediments.
- 7 Susceptibility to physical, chemical and biochemical changes and interaction in the aquatic environment with other dissolved organic and inorganic materials.
- 8 Probability of production of taints or other changes reducing marketability of resources (fish, shellfish, etc.).
- 9 In issuing a permit for dumping, Contracting Parties should consider whether an adequate scientific basis exists concerning characteristics and composition of the matter to be dumped to assess the impact of the matter on marine life and on human health.

B - Characteristics of dumping site and method of deposit

- 1 Location (e.g. co-ordinates of the dumping area, depth and distance from the coast), location in relation to other areas (e.g. amenity areas, spawning, nursery and fishing areas and exploitable resources).
- 2 Rate of disposal per specific period (e.g. quantity per day, per week, per month).
- 3 Methods of packaging and containment, if any.
- 4 Initial dilution achieved by proposed method of release.
- 5 Dispersal characteristics (e.g. effects of currents, tides and wind on horizontal transport and vertical mixing).
- 6 Water characteristics (e.g. temperature, pH, salinity, stratification, oxygen indices of pollution-dissolved oxygen (DO), chemical oxygen demand (COD), biochemical oxygen demand (BOD) - nitrogen present in organic and mineral form including ammonia, suspended matter, other nutrients and productivity).
- 7 Bottom characteristics (e.g. topography, geochemical and geological characteristics and biological productivity).
- 8 Existence and effects of other dumpings which have been made in the dumping area (e.g. heavy metal background reading and organic carbon content).
- 9 In issuing a permit for dumping, Contracting Parties should consider whether an adequate scientific basis exists for assessing the consequences of such dumping, as outlined in this Annex, taking into account seasonal variations.

C - General considerations and conditions

- 1 Possible effects on amenities (e.g. presence of floating or stranded material, turbidity, objectionable odour, discolouration and foaming).
- 2 Possible effects on marine life, fish and shellfish culture, fish stocks and fisheries, seaweed harvesting and culture.
- 3 Possible effects on other uses of the sea (e.g. impairment of water quality for industrial use, underwater corrosion of structures, interference with ship operations from floating materials, interference with fishing or navigation through deposit of waste or solid objects on the sea floor and protection of areas of special importance for scientific or conservation purposes).
- 4 The practical availability of alternative land-based methods of treatment, disposal or elimination, or of treatment to render the matter less harmful for dumping at sea.

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