



# VITSAN

MÜMESSİLLİK VE MÜŞAVİRLİK A.Ş.

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## P & I CLUB CORRESPONDENTS

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Subject: Amendment to the Environmental Law for Marine Pollution Incidents

### **“CIRCULAR TO ALL P&I CLUBS”**

Dear Sirs,

We wish to inform you that important amendments have been made in the Environmental Law on 15 June 2022 and as per new provisions the authorities announced strict measures for marine pollution and revision on previous articles, for IMO sulphur limits, for pollution inside Specially Protected Areas in Türkiye and for new fines to be applied to share facilities in case they fail to report pollution incidents.

#### **1.Category of Pollution**

In the previous version of Environmental Law, there were four category which is consisting of;

Cat 1 - Petrol and petroleum products discharged to sea by tankers

Cat 2 - Dirty ballast discharged to sea by tankers

Cat 3 - Petrol and petroleum products and dirty ballast discharged to sea by vessels or any other sea vehicles

Cat 4 - Garbage and sewage discharged to sea by vessels and any other sea vehicles

For Cat 4, the previous version was mainly referring to the garbage and sewage discharge from the vessel and in the new provision of law the following are also described under the Cat 4 as pollutant:-

Domestic wastewater

Water with detergent

Foam

Scrubber system washing waters

Similar washing waters and solid wastes etc.

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VM-FRM087/00-05/18

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## **2.Fines For Smaller Vessels**

According to new provision, the fines for smaller vessels designated in the Environmental Law in case of a pollution incident occurs under the above mentioned Cat 4 is as below:

|                                |               |
|--------------------------------|---------------|
| Up to 18 gross tons            | TRY 5,000.00  |
| Between 18 and 50 gross tons   | TRY 10,000.00 |
| Between 50 and 100 gross tons  | TRY 20,000.00 |
| Between 100 and 150 gross tons | TRY 30,000.00 |

The previous tariff which is in force since 01 January 2022 is still valid for vessels larger than 150 gross tons. No amendment has been made on the above mentioned pollutants described in Cat 1, 2 and 3.

## **3.Fines For Sulphur Content of Bunkers**

According to new provision, the vessels using fuels with sulphur content beyond the limits allowed by the IMO regulations which is in force since 01.01.2020 and by Turkish law will be imposed a penalty and the tariff of fines to be applied is as below:

|                                  |   |
|----------------------------------|---|
| Up to 1000 gross tons            | TRY 200.00 per gross ton                                |
| Between 1000 and 8000 gross tons | TRY 25.00 per gross ton will be added to above item (a) |
| Over 5000 gross tons             | TRY 5 per gross ton will be added to above items (a+b)  |

## **4.Notifying of Pollution Incident by Port, Shore Facilities, Shipyards etc.**

According to the new provision; a port, shore facility, shipyard, etc. fails to notify the authorities for a pollution incident occurred in their premises will be imposed an administrative penalty in amount of TL 25,000. In addition, if the facilities do not take necessary precautions to collect and manage the garbage, waste and wastewater an administrative penalty from TL 25,000 up to TL 100,000 will be applied to the facilities.

## **5.Special Environment Protection Area**

In November 2021, The Marmara Sea (including the Istanbul Strait, Canakkale Strait and Izmit Bay) was declared as a Special Environmental Protection Area with a Presidential Decision. According to new provisions, the fines for marine pollution originated from the vessels will be applied twofold if the incident occurs in the Special Environmental Protection Area.

Submitted for your kind info.

# VİTSAN

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Please contact us if you have any further queries and if you / your members need our assistance, we are always at your disposal.

**Our Emergency phone number is: +90 530 129 12 12**

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Best regards,

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