

DMA RO Circular no. 005

Information regarding asbestos on board Danish flagged vessels

1. Reporting Requirement

The ROs are requested to observe the following during survey and inspection:

1. If an attending RO surveyor receives knowledge that asbestos is being used on board a Danish flagged vessel, the Danish Maritime Authority (DMA) must be informed hereof without delay. The information shall be relayed to the DMA using the below e-mail.
2. Furthermore, the attending RO surveyor is also requested to inspect whether the containing asbestos are kept in such a condition that the asbestos is properly encapsulated and managed on board without any health risk for the crew.
3. If Asbestos is detected during review of IHM (Inventory of hazardous materials), the DMA must be informed hereof without delay. The information shall be relayed to the DMA using the below e-mail.

The purpose of this request is to ensure that the Danish Maritime Authority has an overview of ships containing asbestos as well as to ensure that, if asbestos is present on board, the asbestos remains safely encapsulated and managed on board without any health risk for the crew and personnel on board.

2. DMA guidance to owners/operators where a survey (eg. IHM) reveals Asbestos Containing Materials (ACMs) on board a ship

The DMA does not issue exemptions for having asbestos containing materials (ACM) on board Danish vessels. Instead the below approach is taken.

The outlined guidance is mainly aimed towards owners/operators. ROs are hereby informed and able to guide owners/operators accordingly.

The DMA requires that if ACMs are found on board a ship, the owner/operator shall immediately take initiatives to protect the crew so that the crew, or any other person attending the ship, are not exposed to the ACM. DMA must be informed hereof without delay. The information shall be relayed to the DMA using cfs@dma.dk.

The following must be analysed and stated:

1. Is there an acute health risk for the crew?
2. Is there a health risk for the crew?
3. Is there no risk to the health of the crew?

The ship-owner is required to prepare a risk analysis that answers the above three questions and outlines the ACM found on board. The risk analysis must include a material assessment and a priority assessment for each ACM found on board. The material assessment looks at the type and condition of the ACM and the ease which it will release fibres if disturbed. The priority assessment looks at the likelihood of someone disturbing the ACM.

Based on the risk assessment following steps shall be taken:

1. In case of acute health hazards the ship will be detained and the crew shall be evacuated. The area containing asbestos shall be sealed off and the asbestos shall be removed immediately. The removal shall be documented by air measurements.
2. In case of risk to the health: The ship-owner shall implement an Asbestos Management Plan (AMP) with procedures for protection of the crew until the asbestos is removed, and after approval by DMA, the plan must be implemented. Until the implementation of the plan, the ship-owner must take any necessary steps to protect the health of anybody on board the ship concerned.
3. In case of no risk to the health: The ship-owner shall develop an Asbestos Management Plan (AMP) based on the risk assessment elaborating how and when the asbestos will be removed. The AMP shall be approved by the DMA, and the time limit for removal agreed.

In case of repair or maintenance associated with ACM, the crew must have undergone relevant training and instruction courses in accordance with Notice A, Chapter 2, Section C, Annex 2, Rule 19.2.

If removal/dismantling ACM is done by the ship's crew or by persons ashore in Denmark, they must be educated in accordance with Notices A, Chapter 2, Section C, Appendix 2, Rule 19.1., which corresponds to the requirements of the Danish Working Environment Authority (WEA). If a foreign company in a non-Danish port carries out the removal/dismantling, the personnel must have a similar education, approved by the authority of the port state.

3. Approval criteria for Asbestos Management Plan (AMP)

DMA requires the following criteria to be fulfilled in an AMP:

- Ship specific
- Aligned with the IHM inventory list part 1(Article 5.5(a) of the EU reg 1257/2013) on which the IHM certificate is based
- Risk analysis answering:
 1. Is there an acute health risk for the crew?
 2. Is there a health risk for the crew?
 3. Is there no risk to the health of the crew?
- Responsible person on board
- Responsible person ashore

- GA plan pinpointing exact locations of ACM, or similar accurate positioning.
- Description of how each ACM is marked
- Description of how each ACM is encapsulated
- Description of how crew is informed and familiarised of the ACM.
- Confirmation that in case of repair or maintenance associated with ACM, the persons must have undergone relevant training and instruction courses in accordance with Notice A, Chapter 2, Section C, Annex 2, Rule 19.2. (specific reference to correct rule is urged to be included)
- Confirmation that when removing/dismantling ACM, the persons must have an education approved by the DMA in accordance with Notices A, Chapter 2, Section C, Appendix 2, Rule 19.1. (specific reference to correct rule is urged to be included) – or similar education approved by the port state authorities.
- Programme for Maintenance and Monitoring as per. MSC/Circ.1045.
- Plan and PPE required for activities where ACM may be accidentally disturbed
- Remediation plan – including deadline for removal.

4. Asbestos materials, which have been installed on board vessels build before 1st of January 2005

In EU was all kind of Asbestos prohibited 1st of January 2005 by the REACH regulation. However, same REACH regulation allows for dispensation to some kind of Asbestos materials, which have been installed on board vessels build before 1st of January 2005 and taken into service before that same day according to the Regulation. It must though be ensured the asbestos do not pose any kind of health risk to the crew or others.

The demand of Asbestos removal will come into force if the affected equipment have been exchanged, repaired, maintained or similar and it still contains asbestos.

If the asbestos materials stays on board it must further be documented when it was installed and that the affected equipment have not in any way been exchanged repaired, maintained or similar since it was installed in the vessel.

6. Rule references

- Danish RO Agreement, annex, section 21 and 31.
- Order no. 1246 of 11 December 2009 on Notice A from the Danish Maritime Authority, technical regulation on occupational health in ships, chapter II, section C, regulation 8 and chapter II, section C, annex 2, as amended by Order no. 508 of 23 April 2015 amending the order on Notice A from the Danish Maritime Authority Technical regulation on occupational health in ships.
- BEK nr 1154 af 19/11/2019 from the Danish Maritime Authority, as amended, chapter II-1 A, regulation 3-5.
- Resolution A.1140(31) as amended, Survey guidelines under the harmonized system of survey and certification (HSSC), 2015, annex 1, section 2.2.2.32.

- BEK nr 985 af 20/09/2019 om henlæggelse til Miljøstyrelsen, Arbejdstilsynet og Søfartsstyrelsen af opgaver og tilsyn vedrørende Europa-Parlamentets og Rådets forordning (EF) nr. 1907/2006 om registrering, vurdering og godkendelse af samt begrænsninger for kemikalier (REACH)
- EU Ship Recycling Regulation (EU SRR) EC No 1257/2013.
- IMO Hong Kong Convention (HKC) SR/CONF/45