

OSPAR Recommendation 2019/03 amending OSPAR Recommendation 2010/3 on a Harmonised Offshore Chemical Notification Format (HOCNF) (as amended by OSPAR Recommendation 2014/17)

**RECALLING** Article 5 of the Convention for the Protection of the Marine Environment of the North East Atlantic (“OSPAR Convention”) in which Contracting Parties agree to take jointly all possible steps to prevent and eliminate pollution from offshore sources;

**RECALLING** Article 4 of Annex III to the OSPAR Convention in which Contracting Parties agree that use on, or the discharge or emission from, offshore sources of substances which may reach and affect the maritime area shall be strictly subject to authorisation or regulation by the competent authorities of the Contracting Parties and that competent authorities shall provide for a system of monitoring and inspection;

**RECALLING** OSPAR Recommendation 2010/3 on a Harmonised Offshore Chemical Notification Format (HOCNF) (as amended by OSPAR Recommendation 2014/17);

**WISHING** to up-date OSPAR Recommendation 2010/3 on a Harmonised Offshore Chemical Notification Format (HOCNF) (as amended by OSPAR Recommendation 2014/17);

**The Contracting Parties to the Convention for the Protection of the Marine Environment of the North East Atlantic RECOMMEND:**

**1. Purpose and Scope**

1.1. The purpose of this Recommendation is to amend and update Recommendation 2010/3 on a Harmonised Offshore Chemical Notification Format (HOCNF) (as amended by OSPAR Recommendation 2014/17).

**2. Provisions**

**Preambular paragraph 3 recalling OSPAR Decision 2000/2 is amended as follows:**

**RECALLING** the programmes and measures stipulated in OSPAR Decision 2000/2 on a Harmonised Mandatory Control System for the Use and Reduction of the Discharge of Offshore Chemicals, as amended by OSPAR Decision 2005/1, and the experience gained in its application

**Section 1 (Definitions)**

2.1 In Section 1 (Definitions) of Recommendation 2010/3, insert definition for BPR, Microplastics, Nanomaterials, Plastic, amend definition for REACH, OSPAR Decision 2000/2 and OSPAR Recommendation 2010/3 as follows:

**“BPR”** means the EU Biocidal Products Regulation (EU Regulation 528/2012), stipulating approval, marketing and application of biocide products within EU.

**“Microplastics”[[1]](#footnote-1)** (as proposed by ECHA) means a material consisting of solid polymer-containing particles, to which additives or other substances may have been added, and where ≥ 1% w/w of particles have:

1. all dimensions 1nm ≤ x ≤ 5mm, or
2. for fibres, a length of 3nm ≤ x ≤ 15 mm and length to diameter ratio of >3.

**“Nanomaterials”[[2]](#footnote-2)** defined by the European Commission as being a natural, incidental or manufactured material containing particles, in an unbound state or as an aggregate or as an agglomerate and where, for 50 % or more of the particles in the number size distribution, one or more external dimensions is in the size range 1 nm - 100 nm. In specific cases and where warranted by concerns for the environment, health, safety or competitiveness the number size distribution threshold of 50 % may be replaced by a threshold between 1 and 50 %. By derogation from the above, fullerenes, graphene flakes and single wall carbon nanotubes with one or more external dimensions below 1 nm should be considered as nanomaterials;

**“OSPAR Decision 2000/2”** means OSPAR Decision 2000/2 on a Harmonised Mandatory Control System for the Use and Reduction of the Discharge of Offshore Chemicals, as amended by OSPAR Decision 2005/1;

 “**OSPAR Recommendation 2010/3**” means OSPAR Recommendation 2010/3 on a Harmonised Offshore Chemical Notification Format (HOCNF) as amended by OSPAR Recommendation 2014/7 and OSPAR Recommendation 2019/3;

**“Plastic”** as defined in the marine environment, are substances that are solid synthetic polymers insoluble in water (ref. OIC Summary Record 2018);

**“REACH”** means Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (as amended).

**Annex 1**

2.2 Section 1.6(b) of Annex 1 of OSPAR Recommendation 2010/3 is replaced by Section 1.6(b) of Annex 1 of this Recommendation.

**3. Entry into force**

3.1 This Recommendation has effect from 1 January 2020.

**Annex 1,** Section 1.6

(b) Content[[3]](#footnote-3) [[4]](#footnote-4) [[5]](#footnote-5) [[6]](#footnote-6) [[7]](#footnote-7)

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| SubstanceName (and trade name where applicable) | OSPAR LCPA | OSPAR LSPC | REACH Annex XIV | REACHAnnex XVII | Surfactant | Heavy metals or heavy metal compound | Organo-halogen compounds  | Radioactive substances |  Plastic |  Microplastic | Nanomaterials |  Compliance with / Regulated by BPR  |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
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Traces of heavy metals, LCPA, LSPC or radioactive substances should also be entered here.

If “Yes” in any of columns 2 to 9 for one or more substances in the above table, please state the details and the concentration of the impurity/component in the table below:

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| --- | --- | --- | --- | --- | --- |
| CAS No / name | Compound / contaminant | Concentration (ppm) | Intentional additive (Y/N) | Analytical methodology | If surfactant |
| Fraction released | Documentation /reference to laboratory test |
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1. Defined as per ECHA publication on 20 March 2019

[https://echa.europa.eu/registry-of-restriction-intentions/-/dislist/details/0b0236e18244cd73](https://emea01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fecha.europa.eu%2Fregistry-of-restriction-intentions%2F-%2Fdislist%2Fdetails%2F0b0236e18244cd73&data=02%7C01%7Csaravanan.marappan%40beis.gov.uk%7C801a921c4cb341ac568508d6b1d25a6c%7Ccbac700502c143ebb497e6492d1b2dd8%7C0%7C0%7C636891914349063201&sdata=fEoNJs3x3jxyMlTAQAqDpU%2BvwsyUqZQJ0LvyI%2Fr1JVU%3D&reserved=0) [↑](#footnote-ref-1)
2. Defined as per the European Commission publication on 18 October 2011

<https://publications.europa.eu/en/publication-detail/-/publication/17af73d9-da70-4a46-a421-c62e3d1df6ce/language-en> [↑](#footnote-ref-2)
3. Entries under column 4 must be ticked if the substance must be authorised under REACH for offshore use [↑](#footnote-ref-3)
4. Entries under column 5 must be ticked if the offshore use of the substance is restricted under REACH. [↑](#footnote-ref-4)
5. Entries under column 12 must be ticked, if known nanomaterials are present. [↑](#footnote-ref-5)
6. If a substance is intended as a biocidal active in a biocidal product according to the EU Biocidal Product Regulation (BRP) (EU) 528/2012, column 13 must be ticked to confirm that the substance is a biocidal active and that it complies with the BPR requirements. In column 1 the relevant Product Type(s) should also be indicated. [↑](#footnote-ref-6)
7. Entries under column 10 should be ticked if the chemical is, or contains, substances that are solid synthetic polymers insoluble in water, including those supplied dissolved in an organic solvent. [↑](#footnote-ref-7)