

**U.S. ENVIRONMENTAL PROTECTION AGENCY**  
**MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT**  
**(OCEAN DUMPING) PERMIT**

Permit Type: Emergency  
Effective Date: 27 February 2023  
Expiration Date: 7 March 2023  
Applicant: Spring Valley Shipping Management Pte. Ltd.  
11 Collyer Quay #13-01/02  
The Arcade  
Singapore 049317  
  
Telephone: + 65 60111966

Person or firm producing or processing the material proposed to be dumped:  
ADM Rice Inc.  
10 Bank Street  
Suite 690  
White Plains, NY 10606-4020 USA

Person or firm transporting the material for dumping:  
Spring Valley Shipping Management Pte. Ltd.  
11 Collyer Quay #13-01/02  
The Arcade  
Singapore 049317  
  
Telephone: + 65 60111966

## **I. ACTION**

This is an emergency permit that allows the permittee to transport approximately 185 metric tons (MT) of long grain milled rice contained on a vessel leaving the port in Umm Qasr, Iraq and dispose of the spoiled cargo in the waters of the high seas of the Atlantic Ocean. EPA has determined that there has been demonstrated to exist an emergency, requiring the dumping of this material, which poses an unacceptable risk relating to human health and admits of no other feasible solution.

## **II. BACKGROUND**

Under the ocean dumping regulations [see 40 CFR 220.3(c)], emergency permits may be issued for any materials except those prohibited by 40 CFR 227.5 (*i.e.*, *high-level radioactive wastes; materials produced or used for radiological, chemical or biological warfare; materials insufficiently described to permit application of the environmental*

*impact criteria of 40 CFR 227 Subpart B; and persistent inert synthetic or natural materials which may float or remain in suspension in the ocean in such a manner that they may interfere materially with fishing, navigation, or other legitimate uses of the ocean) when the Administrator determines that there exists an emergency requiring the dumping of such materials, which poses an unacceptable risk relating to human health and admits of no other feasible solution.*

Emergency permits may be issued for materials listed in 40 CFR 227.6 (*i.e., organohalogen compounds; mercury and mercury compounds; cadmium and cadmium compounds; oil of any kind or in any form; known or suspected carcinogens, mutagens, or teratogens*) when present as greater than trace contaminants only after consultation with the Department of State with respect to the need to consult with Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (the London Convention) that are likely to be affected by dumping.

As used in the ocean dumping regulations, “emergency” refers to situations requiring action with a marked degree of urgency but is not limited in its application to circumstances requiring immediate action.

Notice of every complete application for an emergency permit, including a tentative determination with respect to issuance or denial of the permit, must be published before the emergency permit is issued, except that no notice or tentative determinations are required in any case in which EPA determines:

- (1) that an emergency (as defined in 40 CFR 220.3) exists;
- (2) that the emergency poses an unacceptable risk relating to human health;
- (3) that the emergency admits of no other feasible solution; and
- (4) that the public interest requires the issuance of an emergency permit as soon as possible.

In such cases, appropriate notice shall be given as soon as practicable after the issuance of the emergency permit.

Whether before or after the permit is issued, notice must be given by publication in a daily newspaper of general circulation in the State in closest proximity to the proposed dump site and by publication in a daily newspaper or general circulation in the city in which is located the office of the Administrator or the Regional Administrator, as the case may be, giving notice.

### **III. FINDINGS**

#### ***A. Description of the emergency***

EPA has determined that there exists an emergency requiring the dumping of this material. On February 19-20, 2023, Spring Valley Shipping Management Pte. Ltd., located in Singapore, contacted EPA requesting permission to dispose of approximately 185 metric tons (MT) of long grain milled rice, which has spoiled during transport, into the South Atlantic Ocean in waters outside the national jurisdiction of any country. The long grain

milled rice cargo was loaded onto the M/V *Annegrit* in Waggaman, Louisiana, on December 14, 2022, for transport to Umm Qasr, Iraq. While the cargo was being offloaded on land on February 2, 2023, a foul odor began emanating from some of the cargo, which was identified as having spoiled during transport. Spring Valley Shipping Management Pte. Ltd. informed EPA that the port facility in Iraq refused to accept the spoiled long grain milled rice for disposal in a land-based facility; rather than offloading the approximately 185 MT of long grain milled rice stored inside multiple jumbo bags, the cargo was left on the deck of the M/V *Annegrit*. While the spoiled cargo did not pose an immediate acute health risk to the ship's crew at that time, the spoiling rice remains on the deck of the ship in bags and is continuing to decompose, attracting insects and emitting a foul odor, both of which are infiltrating the ship's accommodations area. The rotting cargoes are now threatening the health and safety of the ship crew. This condition will continue to worsen while the ship is en-route to its next port in Rio Grande, Brazil with an estimated date of arrival on March 14.

***B. Risk relating to human health posed by the emergency***

EPA has determined that this emergency poses an unacceptable risk relating to human health. Based upon the information provided by Spring Valley Shipping Management Pte. Ltd., EPA has determined that the spoiled long grain milled rice cargo, which is continuing to decompose, attract insects, and emit foul odors is infiltrating the ship's accommodations area and represents a material with the serious potential to pose an unacceptable risk to the health of the ship's crew and a threat to potential stevedores in port in Brazil, the ship's next intended port of call.

***C. Evaluation of alternatives to dumping***

EPA has determined that this emergency admits of no other feasible solution. Spring Valley Shipping Management Pte. Ltd. informed EPA that the port facility in Iraq did not accept the spoiled long grain milled rice from the M/V *Annegrit* for disposal in a land-based facility. Upon leaving Port Umm Qasr, the M/V *Annegrit* contacted Port Ras Al-Khair in Saudi Arabia to request disposal of the spoiled cargo in a land-based facility; the port facility in Saudi Arabia also refused to accept the spoiled rice.

***D. Notice***

EPA has determined that the public interest requires the issuance of this emergency permit as soon as possible. This spoiled cargo poses an unacceptable risk to the health of the ship's crew and threatens stevedores present at the vessel's next port of call (Rio Grande, Brazil) if the waste is not removed. Although a notice of this permit will not be published in a newspaper as explained above, the permit will be available on EPA's website as soon as practicable after issuance of the permit.

***E. Type and volume/quantity of material to be dumped***

EPA has determined that the following material, and only the following material, may be dumped under this emergency permit:

Approximately 185 MT of long grain milled rice. Long grain rice is an organic material of natural origin. After harvesting, rice is often processed by milling, or removing its bran and

hull layers. The jumbo bags containing the spoiled cargo *must not be* dumped and instead must be retained on the vessel for re-use or land-based disposal.

EPA has determined that there are no materials listed in 40 CFR 227.6 present at levels greater than trace contaminants in the long grain milled rice to be dumped (or disposed of) in the ocean. Therefore, consultation with the Department of State was not required.

**F. *Dump site***

The M/ V *Annegrit* is en-route from Umm Qasr, Iraq to Rio Grande, Brazil. Spring Valley Shipping Management Pte. Ltd. is authorized to transport the spoiled long grain rice material on the M/ V *Annegrit* to a location at least 200 nautical miles (nm) from the South African shoreline, outside the national jurisdiction of all other countries and outside of any MARPOL special areas and marine protected areas, and is authorized begin ocean disposal of the long grain milled rice. Dumping is authorized to occur as the vessel proceeds across the South Atlantic Ocean toward Brazil until all the long grain milled rice has been dumped overboard.

Specifically, dumping is authorized as the ship transits between the following two points and only as it transits between these two points:

Within 10 nmi of – Latitude 33° 36’ S                      Longitude 013° 34’ E

Within 10 nmi of – Latitude 33° 12’ S                      Longitude 010° 41’ E

Disposal along this transit line between these two points, will ensure that the dumping takes place over 200 nm from the nearest shore.

**G. *Expected consequences of the dumping***

Long grain milled rice is organic material of natural origin. The disposal of this material in the manner and location selected is not anticipated to result in any significant adverse impact on the marine environment, navigation, living and non-living marine resource exploitation, scientific study, recreation, or the uses of the ocean. The material is expected to sink immediately after dumping. Additionally, disposal activities will be spaced to ensure only minimal and short-term turbidity impacts occur along the transit route.

**IV. TERMS AND CONDITIONS OF THE EMERGENCY PERMIT**

- A. This permit authorizes the transportation and dumping into ocean waters of the materials listed in paragraph C below pursuant to the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, 33 U.S.C. 1401, *et seq.*, (“MPRSA”), subject to the terms and conditions set forth herein. All transportation and dumping authorized herein shall at all times be undertaken in a manner consistent with this permit.
- B. For purposes of this permit, the applicant, the person or firm producing or processing the material proposed to be dumped, and the person or firm transporting the material for dumping are all considered the permittee and are all responsible for compliance with this permit.

- C. The permittee is authorized to transport the following material for ocean disposal: only the approximately 185 MT of long grain milled rice described in the permit application currently held on deck of the M/V *Annegrit*. This material shall not be altered in its content from this description by the addition of any wastes from any other sources. This material shall not be intentionally incinerated at sea.
- D. The material listed in paragraph C shall be dumped along the path of the M/V *Annegrit* on a transect described in paragraph F at least 200 nm from the South African shoreline, outside the national jurisdiction of all other countries, and outside of any MARPOL special areas and marine protected areas. Dumping will occur as the vessel proceeds across the South Atlantic Ocean towards Brazil until all the long grain milled rice has been disposed but will cease dumping before the M/V *Annegrit* is 200 nm from Brazil or any other country along the transit route.
- E. The material listed in paragraph C shall be transported for dumping through or from the following port: Umm Qasr, Iraq.
- F. The material listed in paragraph C shall be removed from its storage bags by cutting the bags open, washing the spoiled rice out of the bags, and disposing of the spoiled rice over the side of the vessel with the vessel's fire hose as the M/V *Annegrit* is transiting at a speed of approximately 10-12 knots. Further, the contents of each bag should be washed over the side (hereafter referred to as a "disposal activity") at intervals such that each disposal activity is at least 10 nm from the previous disposal activity. All disposal activities shall be photographed as noted in paragraph I below, and each disposal activity's site coordinates graphically plotted by latitude and longitude. All findings shall be included as a reporting requirement identified in paragraph M below.
- G. The long grain milled rice shall be removed from the bags it was stored and transported in. The bags will be stored on board for re-use or proper land disposal.
- H. This permit is effective on February 27, 2023, and expires on March 7, 2023.
- I. The permittee shall observe and provide evidence of all disposal activities and note whether the material sinks immediately after dumping and if not, noting the period of time it takes for the material to sink (or the period of time it remained visible to the ship as the ship moves away and the released long grain milled rice trails behind the ship and out of view). The evidence shall include, but not be limited to, photographs.
  - a. The permittee shall take approximately two photographs of the deck area containing the spoiled long grain milled rice prior to initiating any disposal operations to show how the bags are stowed on the deck.
  - b. The permittee shall photograph all disposal activities for at least one of the first five bags of spoiled long grain milled rice documenting the overall disposal process, including photographs of the long grain milled rice being hosed into the sea, the long grain milled rice upon contact with the sea surface, and again as the released long grain milled rice trails behind the ship and out of view.
  - c. The permittee shall take a single photograph of each bag of spoiled long grain milled rice just prior to being dumped into the sea.
  - d. The permittee shall also take a photograph of the empty bags stowed on board when the ship reaches port.

- e. The purpose of these photographs is to document the ocean dumping to the maximum extent possible, regardless of whether the long grain milled rice floats or sinks and to show that the plastic bags were not dumped at sea.
- J. While disposal operations are ongoing, the permittee shall notify any vessels approaching within a nautical mile of the *M/V Annegrit* that the vessel is disposing of spoiled cargo and has restricted navigational requirements.
- K. Transportation to, and dumping at, any location other than that authorized by this permit shall constitute a violation of the MPRSA and this permit. Transportation and dumping of any materials not specifically identified, or in excess of that identified, in this permit shall constitute a violation of the MPRSA and this permit.
- L. The permittee shall maintain records of the following information, which will be available for inspection by EPA or the U.S. Coast Guard: (1) the physical and chemical characteristics of the material dumped including the total weight dumped in tons and the number of bags whose contents were dumped; (2) the times and locations of dumping; and (3) any other information required as a condition of this permit, including observations required under paragraph I above.
- M. The permittee shall submit a report on the dumping activities authorized by this permit to Cheryl Zulick ([zulick.cheryl@epa.gov](mailto:zulick.cheryl@epa.gov)) within 30 days after the expiration date of this permit. The report shall include the records maintained under Part IV of the permit.
- N. A copy of this permit shall be placed in a conspicuous place in the vessel used for the transportation and dumping operations authorized by this permit.
- O. This permit may be modified or revoked, in whole or in part, for causes including, but not limited to, the following: (1) violation of any term or condition of the permit; (2) misrepresentation, inaccuracy, or failure by the permittee to disclose all relevant facts; or (3) a change in any condition or material fact upon which this permit is based that requires either a temporary or permanent reduction or elimination of the authorized transportation or dumping.
- P. This permit does not apply to, because no permit is required for, the dumping of material into ocean waters in an emergency to safeguard life at sea consistent with the International Convention on the Safety of Life at Sea to the extent that the permittee files a timely report as provided by 40 CFR 224.2(b).

## V. FOR FURTHER INFORMATION

For further information on this permit, please contact Cheryl Zulick (phone: 202-566-0583, email: [zulick.cheryl@epa.gov](mailto:zulick.cheryl@epa.gov)).



Radhika Fox  
Assistant Administrator

February 28, 2023