

INTERSESSIONAL MEETING ON
CONSISTENT IMPLEMENTATION OF
REGULATION 14.1.3 OF MARPOL ANNEX VI
Agenda item 2

ISWG-AP 1/2/8
25 May 2018
ENGLISH ONLY

**DEVELOPMENT OF DRAFT GUIDELINES FOR CONSISTENT IMPLEMENTATION OF
REGULATION 14.1.3 OF MARPOL ANNEX VI**

**Call for practical and pragmatic approach from Member States when verifying
compliance with the 0.50% global sulphur cap entering into force on 1 January 2020
and a format for a ship-specific implementation plan for achieving compliance**

Submitted by Norway, Panama, ICS, BIMCO, INTERTANKO, INTERCARGO and WSC

SUMMARY

Executive summary: This document provides proposed text for a draft MEPC circular calling on Member States to encourage ships flying their flags to develop written implementation plans and to adopt a practical and pragmatic approach when verifying compliance with the requirements of regulation 14.1.3 of MARPOL Annex VI. In the annex to the draft circular, a draft template for a ship-specific implementation plan is provided. This pragmatic implementation would be for a period of three months after 1 January 2020 for those ships which are in possession of an implementation plan which they may choose to submit to their Administration for review.

*Strategic direction, 1
if applicable:*

Output: 1.17

Action to be taken: Paragraph 14

Related documents: MEPC 70/18; MEPC 71/17; MEPC 72/WP.1; PPR 5/13/3 and PPR 5/13/4

Background

1 At MEPC 70, the Committee agreed that the effective date of implementation of the fuel oil standard in regulation 14.1.3 of MARPOL Annex VI would be 1 January 2020. At MEPC 71, the Committee further approved a new output on "Consistent implementation of regulation 14.1.3 of MARPOL Annex VI" for inclusion in the PPR Sub-Committee's biennial agenda for 2018-2019 biennium and the provisional agenda for PPR 5, with a target completion year of 2019.

2 At PPR 5, the Sub-Committee agreed to convene an intersessional meeting of the Sub-Committee. The Intersessional Meeting on Consistent implementation of regulation 14.1.3 of MARPOL Annex V was instructed to develop draft Guidelines for consistent implementation of regulation 14.1.3 of MARPOL Annex VI, based on the outline of the draft Guidelines prepared at PPR 5, as set out in annex 5 to document PPR 5/WP.6.

3 The outline of the draft Guidelines prepared at PPR 5, as set out in annex 5 to document PPR 5/WP.6, includes the development of ship implementation planning for 2020 (PPR 5/13/3), covering, as appropriate, but not limited to:

- .1 relevant time schedules;
- .2 calculations estimating the consumption of the remaining HS-HFO prior to the effective date;
- .3 assessment of potential impact on machinery systems with the use of new fuel oils;
- .4 calculation of the time needed in order to "be fully flushed of all fuel oils exceeding the applicable sulphur content" prior to entry into force of the regulation;
- .5 cleaning of the fuel tanks, etc.;
- .6 a description of how to deal with and limit the impact of possible non-availability of LS-HFO; and
- .7 crew awareness and training.

4 At MEPC 72, the Committee authorized the Intersessional Meeting on Consistent implementation of regulation 14.1.3 of MARPOL Annex VI, scheduled for 9 to 13 July 2018, to report its outcome concerning the development of guidance on ship implementation planning for 2020 directly to MEPC 73 for consideration.

Discussion

5 The co-sponsors fully support the timely implementation of the 0.50% m/m global sulphur limit on 1 January 2020 and welcome the resulting significant reduction in sulphur emissions to the atmosphere from the world fleet.

6 The co-sponsors reiterate their call for consistent and pragmatic enforcement of the sulphur regulations that recognizes variations in analysis results originating from the testing method itself as well as the potential influence of tank wall residual contamination (PPR 5/13/4). The priority of compliance inspections in ports should be on wilful non-compliance with the regulations. Where ships experience technical or operational issues that may lead to accidental and unintended non-compliance, this should be considered differently than wilful non-compliance, and such ships should not face severe measures or penalties (PPR 5/13/4, paragraph 7).

7 As highlighted by Norway in paragraphs 5 to 9 of document PPR 5/13/3, ship operators face the daunting task of planning in advance for a timely implementation of the 0.5% sulphur cap. A well thought-out ship-specific implementation plan is therefore of utmost importance in ensuring that the change to 0.50% m/m sulphur fuel is achieved as smoothly as possible.

8 The co-sponsors consider that it should be for individual shipowners to decide whether or not to submit their ship-specific implementation plan(s) to be reviewed and endorsed by the Administration.

9 If a ship has an implementation plan and has followed the plan, the Administrations and port State control authorities should adopt a practical and pragmatic approach when verifying compliance with the requirements. This would also mean ships that do not have an implementation plan should not expect this pragmatism and should be prepared for a more in-depth inspection in order to verify that the sulphur content of the fuel oil used on board the ship meets the requirement of regulation 14.1.3.

Proposal

10 Based on the above discussion, the co-sponsors consider that a standard template for developing ship-specific implementation plans would be of benefit to both ship operators and Administrations. The co-sponsors therefore provide a draft standard template that could be used for the development of a ship-specific implementation plan as provided in the annex to the draft MEPC circular included in the annex to this document.

11 Shipowners and operators could select those sections from the template that are applicable to their ship(s) and use the template to develop their own ship-specific implementation plans. They could then submit these plans for review and endorsement by Administrations.

12 Implementation plans complemented by a record of related actions taken to achieve timely compliance should be used by PSCOs to ascertain how a ship has prepared for compliance and the necessity for detailed inspections. There should be practical and pragmatic approach to verifying compliance on these ships considering that these ships have acted in good faith by doing their utmost to ensure a timely implementation of the 0.50% m/m global sulphur limit.

13 The co-sponsors would stress that submitting the implementation plan for review and endorsement by the Administration should be voluntary. However, it is also recognized that those ships which are not in possession of an implementation plan supplemented by a detailed record of how the plan was followed, will be subject to more detailed inspections in order to verify that the sulphur content of the fuel oil used on board the ship meets the requirement of regulation 14.1.3.

Action requested of the Intersessional Meeting

14 The Intersessional Meeting is invited to consider the issues raised in this document and take action as appropriate.

ANNEX

DRAFT MEPC.1/CIRCULAR

**ADVICE TO ADMINISTRATIONS, PORT STATE CONTROL AUTHORITIES,
RECOGNIZED ORGANIZATIONS AND SHIP OPERATORS REGARDING THE
IMPLEMENTATION OF REGULATION 14.3.1 OF MARPOL ANNEX VI**

1 The Marine Environment Protection Committee, at its seventy-third session (22 to 26 October 2018), recalled that in accordance with regulation 14.1.3 of MARPOL Annex VI, the sulphur content of any fuel oil used on board a ship shall not exceed 0.50% m/m on and after 1 January 2020.

2 In this context, the Committee recognized the concerns expressed regarding implementation of the sulphur limit provisions and agreed on the importance of a consistent implementation of provisions.

3 The Committee agreed that Administrations should encourage ships flying their flag to develop written implementation plans, based on the template as set out in the annex, outlining how the ship is going to prepare in order to comply with the required sulphur content limit by 1 January 2020. The implementation plan should be complemented with a record of actions taken by the ships in order to be compliant by the applicable date.

4 It is up to the ship operators to decide whether the implementation plan should be submitted to the Administrations for endorsement. The Administrations, upon receipt of such requests, may review and endorse it following the template as set out in the annex.

5 The Committee further agreed that Administrations and port State control authorities should adopt a practical and pragmatic approach when verifying compliance with the requirements of regulation 14.1.3 of MARPOL Annex VI for a period of three months after 1 January 2020.

6 The focus of the inspections should be on assessing whether the ship has an implementation plan on board and whether the ship has followed the plan, and to inspect the relevant documents such as BDNs, the Oil Record Book and other relevant log books. Minor exceedances of the sulphur content of the fuel oil as a result of contaminated fuel oil tanks should be accepted.

7 Notwithstanding the above, for ships that do not have an implementation plan on board, the inspections should be more detailed in order to verify that the sulphur content of the fuel oil used on board the ship meets the requirement of regulation 14.1.3.

8 Member States are invited to be guided accordingly and to bring the contents of this circular to the attention of all concerned, especially ship operators and port State control officers.

9 This circular will remain effective until 1 April 2020.

ANNEX

**SHIP IMPLEMENTATION PLAN FOR ACHIEVING COMPLIANCE WITH THE 0.5%
GLOBAL SULPHUR CAP ENTERING INTO FORCE ON 1 JANUARY 2020**

[Endorsed under the authority of the Government of _____]

[By _____ (Identification of the competent authority)]

[Endorsement Number: _____]

Particulars of ship

1. **Name of ship:**
2. **Distinctive number or letters:**
3. **Port of registry:**
4. **Gross tonnage:**
5. **IMO Number:**

Compliance with 0.50% Sulphur limit

1. **Method of compliance:**
2. **Expected date for achieving compliance, not later than 24:00hrs 31 December 2019:**

Planning and preparation

1. Structural modifications (if needed)

- 1.1. Schedule for meeting with makers and/or classification societies:

- 1.2. Structural Modifications required: YES/NO

If YES, then:

- 1.2.1. Fuel storage system:

Description of modification:

Details of yard booking, time schedules etc.:

Estimated date of completion of modification:

1.2.2. Fuel transfer, filtration and delivery systems:

Description of modification:

Details of yard booking, time schedules etc.:

Estimated date of completion of modification:

1.2.3. Combustion equipment:

Description of modification:

Details of yard booking, time schedules etc.:

Estimated date of completion of modification:

1.3. Tank cleaning required: YES/NO

If YES, then:

Details of tanks to be cleaned, yard booking, time schedules etc.:

Estimated date of completion of cleaning:

2. Fuel oil capacity:

Following required modifications as per Section 1:

Expected number of bunker tanks designated to store <0.5% blended or residual fuel:

Expected total storage capacity (m³) for <0.5% blended or residual fuel:

Expected number of bunker tanks designated to store 0.1% distillate:

Expected total storage capacity (m³) for 0.1% distillate:

Approximate total fuel oil content (m³) in the fuel oil transfer, purification and delivery systems:

3. Procurement of compliant fuel

3.1. Details of fuel purchasing procedure to source compliant fuels, including procedures in cases where compliant fuel is not readily available:

3.2. Estimated date for bunkering compliant fuel:

3.3. If fuel arranged by charterer, is there an intention to accept charter party contracts that do not have a specified obligation to provide compliant fuel after 1 June 2019: YES/NO

If YES, then:

Details of alternate steps taken to ensure that the charter party provides timely delivery of compliant fuel:

3.4. Is there confirmation from bunker supplier(s) to provide compliant fuel on the specified date: YES/NO

If NO, then:

Details of alternate steps taken to ensure timely availability of compliant fuel oil:

3.5. Details of arrangements (if any planned) to dispose of any remaining non-compliant fuel:

4. Fuel oil changeover plan

- 4.1. Ensure that a ship-specific fuel changeover plan is available. The plan should include measures to offload or consume any remaining non-compliant fuel. The plan should also demonstrate how the ship intends to ensure that all its combustion units will be burning compliant fuel no later than 1 January 2020.
- 4.2. As per the plan, the maximum time period required to changeover the ship's fuel oil system to burn compliant fuel at all combustion units:
- 4.3. Expected date and approximate time of completion of the above-mentioned changeover procedure:
- 4.4. Ensure availability of adequately trained officers and crew familiar with the ship's fuel system and fuel changeover procedures to carry out the fuel changeover procedure. If this cannot be confirmed, then ensure that there is a sufficient amount of time dedicated for ship-specific familiarization and training of new officers and crew.

5. Documentation and reporting

- 5.1. If there are modifications planned as per section 1, related documents including the shipboard fuel tank management plans and stability and trim booklets should be consequently updated.
- 5.2. The implementation plan should be maintained on board for a period of [...] years [from the date of development / endorsement].
- 5.3. The ship should have a procedure for Fuel Oil Non-Availability Reporting (FONAR). The master and chief engineer should be conversant about when and how FONAR should be used and who it should be reported to.
- 5.4. If following the above plan and the ship has to bunker and burn non-compliant fuel due to unavailability of compliant fuel safe for use on board the ship, the following steps should be taken to limit its impact:
