



Technical Circular

No.: 09/2016

Date: 28th April 2016

To Whomsoever it may concern

Subject: Report of MEPC 69

The 69th session of the International Maritime Organization (IMO) Committee on The Marine Environment Protection Committee (MEPC 69) was held from 18 to 22 April 2016.

Following are some of the important outcomes and discussions which took place at the meeting.

- 1. IMO approves amendments to MARPOL Annex VI to incorporate a mandatory fuel consumption data collection system for all ships above 5000 GT**
 - MEPC 69 discussed technical and operational measures for enhancing energy efficiency in order to develop full language for a data collection system for fuel consumption.
 - Shipping sector now intends to ensure availability of data on fuel use and other parameters from ships of all flags.
 - The IMO member states have agreed to a 3-step process, where the data collection is the first step. The second step is data analysis followed by determination of any further measures necessary to ensure shipping's contribution to GHG emission reductions.
 - The significance of IMO approving the amendments is that the process to amend MARPOL does not require an uncertain ratification process. Rather, amendments to MARPOL follows a tacit amendment process, which results in entry into force globally already 16 months after adoption.
 - European Union has already developed a Regulation on the Monitoring, Reporting and Verification (MRV) of individual ship emissions of CO₂, which was adopted in 2015. The EU decision has pre-empted the ongoing work at IMO on a global data collection system on shipping's CO₂ emissions. The EU Monitoring, Reporting and Verification regulation may be amended to reflect



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this new IMO data collection system as soon as it has been adopted by IMO. Final adoption will take place at the next session of MEPC (October 2016).

2. Work to improvement the G8 ballast water guidelines continues

- The Ballast Water Management Convention was adopted in 2004 to prevent any detrimental effects to the marine environment caused by the transfer of unwanted species in ballast water. The Convention is expected to soon enter into force and will require ships to initially conduct ballast water exchange in oceanic waters and/or through type approved Ballast Water Management Systems (BWMS).
- Since MEPC 68, a correspondence group has been considering potential amendments to the Guidelines for approval of BWMS (G8). The aim is to make them more robust to ensure the BWMS can meet the standards in all environmental conditions. This work is progressing and is on the right track.
- MEPC 69 agreed to re-establish a correspondence group to continue the ongoing review of the G8 Guidelines, and planned an intersessional full week meeting of the IMO Ballast Water Management Review Group (RG) in order to provide ample time to complete the RG task given by MEPC. The latter have to be approved by the forthcoming IMO Council meeting.

3. Early Ballast Water movers not penalized

- A draft “Roadmap for the Implementation of the Ballast Water Management Convention” stipulating the outstanding issues was also developed. The Roadmap emphasizes that early movers, i.e. ships which installed ballast water management systems (BWMS) approved in accordance with the first generation of the Guidelines (G8), should not be penalized. The Roadmap further invites the MEPC to develop guidance on contingency measures and to expand the trial period associated with the Guidance on ballast water sampling and analysis into an experience-building phase. The IMO is aiming at finalizing this guidance and Roadmap at MEPC 70.
- MEPC 69 further developed draft amendments to regulation B-3 of the BWM Convention to reflect Assembly resolution A.1088(28) on application of the Convention. Final approval is expected at MEPC 70 and consideration for final adoption once the BWM Convention enters into force. The draft amendments will provide an appropriate timeline for ships to comply with the

ballast water performance standard as set out in regulation D-2 of the Convention.

- MEPC 69 briefly debated the possibility for owners to opting for having the renewal of the International Oil Pollution Prevention Certificate (IOPP) carried out before the D2 compliance date or prior to the entry into force of the BWM Convention. Owner are encouraged to explore these possibilities further with their Flag State and Class.

4. Amendments to mandatory instruments

- A number of amendments and editorials to the NOx Technical Code 2008 on the testing of gas-fuelled and dual fuel engines for NOx Tier III strategy were looked into during the meeting. Having reworded some paragraphs to provide clarity and revised a number of references, MEPC 69 adopted the draft amendments.
- MEPC 69 also adopted the final text of the draft MARPOL amendments related to Annex II on revised Hazard Evaluation Procedure for the categorization of noxious liquid substances. The tables, as set out in the Appendix I of the Procedure under the title "Abbreviated legend to the revised GESAMP Hazard Evaluation Procedure" were replaced in order to provide updated figures.
- Furthermore, MEPC 69 adopted amendments to MARPOL Annex VI on record requirements for operational compliance with NOx Tier III Emission Control Areas (ECA). A new paragraph to regulation 13 - Nitrogen oxides (NOx) was added, explaining that the time and date of the "into" and "exit" of an ECA, as well as the position of the ship shall be recorded. This information should entered into the logbook together with the tier and on/off status of marine diesel engines installed on board a ship.
- The amendments will enter into force on 1 September 2017.

5. Exemptions for ships undertaking a single international voyage

- At MEPC 68, which was held in the spring of 2015, the question was raised, whether a ship should carry a Ship Energy Efficiency Management Plan (so-called SEEMP) on board, in case the ship is not engaged in international voyages, but is required to undertake a single international voyage. Due to limited time available, MEPC 68 could not conclude on the matter, why it was referred to this session.
- MEPC 69 discussed the issue and decided to issue a circular explaining the exceptional circumstances (e.g. to-and-from the repair yard, or on its maiden voyage etc.), where the Administration can exempt the ship from complying with the SEEMP regulation as set out in chapter 4 of Annex VI. The Secretariat will publish the MEPC Circular when it is released by the IMO Secretariat.

6. EEDI review phase 2

- The MARPOL Annex VI regulation 21.6, contains requirements to conduct a general review of the framework for phase 2 (2020-2025) and a second review for phase 3 (2025-2030). The first review is currently on-going and may result in amendments to the Energy Efficiency Design Index (EEDI) guidelines, if proven necessary.
- Early results shows though, that ice-class ships, ro-ro cargo ships and ro-ro passenger ships are likely to be amended based on its correction factors and/or EEDI reference line parameters. During the meeting it was discussed, what kind of ship data should form basis for the likely amendments.
- The time-line for the development is however tight as the amended requirements shall be adopted by first half of 2018 in order to have effect on the beginning date of phase 2 (1 January 2020).

7. Discharge of sewage from passenger ships

- Especially the discussions related to the sewage reception facilities in the Baltic Sea was expected to be complicated. But during the meeting Sweden and the Russian Federation presented a compromise text, which was adopted by the Committee.

- Subject to the provisions of regulation 3 of Annex IV of the MARPOL Convention, MEPC decided that the discharge of sewage from a passenger ship within the Baltic Sea Special Area shall be prohibited:

for new passenger ships, on a date determined by the Organization pursuant to regulation 13.2 of this Annex, but in no event prior to 1 June 2019; and

for existing passenger ships in no event prior to 1 June 2021

- The new regulation is applicable except when the following conditions are satisfied:

“the ship has in operation an approved sewage treatment plant which has been certified by the Administration to meet the operational requirements referred to in regulation 9.2.1 of this Annex, and the effluent shall not produce visible floating solids nor cause discoloration of the surrounding water.”

8. Port Reception Facilities

- The issue of availability of adequate reception facilities has been debated for decades and will likely continue to be an unsolved matter until IMO Member States understand that ships can't comply with MARPOL regulations unless the all stakeholders fulfil their obligations. MEPC 69 debated the availability of port reception facilities (PRF) to receive cargo hold washwater containing solid bulk cargo residues deemed harmful to the marine environment (HME).
- BIMCO and other had submitted a document which proposed a draft MEPC circular about the availability of port reception facilities (PRF) to receive cargo hold washwater containing solid bulk cargo residues deemed harmful to the marine environment (HME) under MARPOL Annex V. The industry asked for reluctance if the port did not have port reception facilities.
- The paper unfortunately was rejected and this leaves bulk carriers in a dilemma, if the terminal has no reception facilities. This will have to be pursued further by BIMCO and other industry organisations.

Enclosure:

1. Resolution A.1088(28).

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