



# Technical Circular

No.: 084/2018

Date: 30<sup>th</sup> November 2018

## To whomsoever it may concern

### **Subject: Exercise of Enforcement Discretion with regard to MARPOL Annex VI.**

1. MARPOL Annex VI Regulation 13.5.1.2 requires that the operation of a marine diesel engine that is installed on a ship constructed on or after 1 January 2016 and is operating in the North American Emission Control Area or the United States Caribbean Sea Emission Control Area is prohibited except when the emission of nitrogen oxides is within the limits of MARPOL Annex VI Regulation 13.5.1.1 (Tier III).
2. In view of above, U.S. Coast Guard (USCG) has issued the work Instruction no.CVC-WI-014(1) dated 17 Oct 2018(Copy attached) outlining how USCG will enforce MARPOL Annex VI Regulation 13.5.1.2 due to the unavailability of engines needed to comply with this regulation.
3. The USCG will defer enforcement on the operation of engines on select categories of individually-identified U.S.-flagged and foreign-flagged ships, described as “qualifying ships,” that are subject to the prohibition set out in the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL) Annex VI Regulation 13.5.1.2.
4. Any engine installed on a new or existing U.S.-flagged or foreign-flagged ship constructed before the necessary MARPOL-compliant engine was available must be individually recognized as such by the USCG. When installed on a ship for which they were qualified, these “qualifying engines” will retain that status indefinitely; that is, they will be considered “qualifying engines” after MARPOL-compliant engines become available and continuing for the operating life of the engine, subject to the major conversion requirements of Annex VI.
5. The status for recognition of “qualifying engine” can be obtained from the administration as per guidelines in attached work instruction.
6. In the case of new construction, ship manufacturers are advised to contact administration well before engine installation to allow sufficient time to determine if any MARPOL-compliant engines will be available at the time of installation.
7. The administration is to be contacted at [CG-CVC@uscg.mil](mailto:CG-CVC@uscg.mil) for any guidance.



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. While we have taken utmost care to be as factual as possible, readers/ users are advised to verify the exact text and content of the Regulation from the original source/ issuing Authority.

8. Ship owners /operators and masters are advised to be guided by attached work Instruction.

**Enclosure:**

1. USCG Work Instruction No.CVC-WI-014(1) dated 17 Oct 2018.

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