



Technical Circular

No.: 031/2019

Date: 11th September 2019

Subject: DGS guidelines on compliance with the provisions of MARPOL Annex VI Regulation.

- Director General of shipping, GOI vide Engineering circular no. 02 of 2019 (copy attached) has provided guidance and requirements for Indian shipping companies regarding compliance with the provision of MARPOL Annex VI Regulation 14. Salient points from the circular are as follows;
- As per MARPOL Annex VI, regulation 14, the sulphur content of any fuel oil used on board ships outside Emission Control Areas shall not exceed 0.50% m/m on or after **1 January 2020**. The interpretation of 'fuel oil used on board' includes fuel oil used in all emission sources including emergency equipment.
- The regulation 14 also prohibits carriage of fuel oil with sulphur content more than 0.5% m/m for use on board ships on or after **1 March 2020**. However, the prohibition on the carriage does not apply to ships fitted with 'equivalent' means of compliance permitted by MARPOL Annex VI, Regulation 4, such as exhaust gas cleaning system (EGCS). Also the prohibition does not apply to carriage of fuel oil with sulphur content more than 0.5% m/m as cargo.
- The Supplement to IAPP Certificate is revised vide Resolution MEPC. 305(73) by addition of a new paragraph 2.3.3 to include compliance with above prohibition.
- The revised IAPP Certificate and Supplement as per MEPC. 305(73) will be issued by IRS HO prior to 01/03/2020, based on an undertaking from ship owner that the ship has started using compliant fuel oil and there exist no non-compliant fuel oil on board ship (except in cases where an equivalent arrangement is fitted). This will remain onboard concurrently with the existing IAPP Certificate and Supplement. The revised certificate will be annotated to state that "This Certificate will be effective from 01/03/2020 and will supersede the existing certificate no. dated" Validity of the revised certificate will be same as the existing certificate.
- MARPOL Annex VI, Regulation 18 provides that in cases where compliant fuel is not available, a ship is not expected to deviate from the intended route or unduly delay the voyage to procure compliant bunker fuel. Further (due to said reasons despite its best efforts to procure compliant fuel oil), the ship can undertake intended voyage after bunkering non-compliant fuel oil, provided the Master/Owner/operator informs the ship's Flag State and the port State of next port of call well in advance. To standardize this information, a standard template called FONAR (Fuel Oil Non-Availability Report) has been developed and provided in MEPC 320(74).



- . This Technical Circular and the material contained in it is provided only for the purpose of supplying current information to the reader and not as an advice to be relied upon by any person.
- . 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.

- **Instructions to ship Owners:**

- i. All shipping companies are advised to develop a ship specific implementation plan for transition to usage of fuel oil with Sulphur content not more than 0.50% m/m taking into consideration MEPC.1/Circ.878-Guidance on development of a ship implementation plan for consistent implementation of 0.5% sulphur limit under MARPOL Annex VI. The ship implementation plan is not a mandatory requirement, however Administrations and Port State Control authorities may consider the ship implementation plan as an evidence of due diligence by the ship owner when verifying compliance with 0.5% sulphur limit requirement.
- ii. All vessels registered under Merchant Shipping Act 1958 are advised to start using fuel oil with maximum sulphur content not exceeding 0.50% m/m prior to 1st January 2020 unless fitted with EGCS. Also the Administration has advised that ships not fitted with EGCS are made free of non-compliant fuel oil by 01/01/2020 instead of waiting until 01/03/2020.
- iii. Cleaning of bunker tanks, pipelines, filters etc, may be considered to prevent compatibility and stability issues during change over as Port State Control Inspectors may verify compliance through sampling and testing. It is to be noted that any modification in the fuel oil system is to be approved by the vessel's classification society. Also any changes/ modification to engines is to be approved by the engine manufacturer.
- iv. Indian ships faced with non-availability of compliant fuel oil are required to forward FONAR to the PSC Cell of the Directorate and the competent authority of the port of destination as soon as it is determined or becomes aware that it will not be able to procure and use compliant fuel oil. Also the quantity of non-compliant fuel-oil that will remain on ship after completion of the voyage with the procedure to deal with non-compliant fuel is to be reported to the PSC Cell. Foreign flag ships coming to an Indian port with non-compliant fuel are also required to send FONAR to the PSC Cell of the Directorate and jurisdictional Mercantile Marine Office at least 48 hours prior arrival.
- v. Owners/operators are advised to be guided by MEPC.1/Circ.875 which provides guidance on best practice for fuel oil purchaser/users for assuring the quality of fuel oil used onboard ships.

- **Instructions with respect to Exhaust Gas Cleaning System (EGCS):**

- i. Ships intending to use Exhaust Gas Cleaning Systems (EGCS) under the 'equivalent' means of compliance permitted by MARPOL Annex VI, Regulation 4, are required to comply with MEPC.259 (68) - 2015: Guidelines for Exhaust Gas Cleaning. Such ships are required to carry following documents on board:
 - a. SO_x Emission Compliance Plan (SECP) approved by RO on behalf of Administration detailing the method of compliance for all fuel oil combustion machinery installed on board.
 - b. SO_x Emission Compliance Certificate (SECC) issued by RO on behalf of Administration.

- c. EGCS Technical Manual for Scheme A (ETM-A) or EGCS Technical Manual for Scheme B (ETM- B) as applicable duly approved by RO on behalf of Administration.
 - d. An On-board Monitoring Manual (OMM) prepared to cover each EGCS unit provided for the fuel oil combustion equipment.
 - e. An EGC Record Book prepared by manufacturer and approved by RO.
 - f. A data recording and processing device meeting the requirements detailed in MEPC. 259(68).
- ii. Wash water resulting from exhaust gas cleaning systems are not to be discharged into the sea, including enclosed ports, harbours and estuaries unless the wash-water meets the criteria set out in Resolution MEPC.259(68) and applicable local regulation.
 - iii. Indian ships faced with EGCS breakdown are advised to report malfunction that lasts more than one hour or repetitive malfunctions to the PSC Cell of the Directorate along with an explanation of the steps the ship operator is taking to address the failure. The ship operator to follow the process to identify and remedy the malfunction in the EGCS as per the approved EGCS Technical Manual or in other documentation provided by the EGCS manufacturer. Foreign ships coming to India are required to report all such cases to jurisdictional Principal Officer and the ship is to change over to compliant fuel oil within 4 hours of arrival.
- **Instructions to approved Bunker Suppliers:**
 - i. Approved bunker suppliers are required to be guided by MEPC.1/Circ.875/Add.1- Guidnace on best practice for fuel oil suppliers for assuring the quality of fuel oil delivered to ships.
 - ii. No fuel oil with sulphur content exceeding 0.5% m/m is to be supplied to any ship (Indian or Foreign) without keeping a copy of Supplement to IAPP Certificate indicating equivalent compliance for records.
 - iii. No fuel oil with sulphur content exceeding 0.50% m/m is to be supplied to any ship (Indian or Foreign and claiming to have a relevant exemption for a ship to conduct trials for sulphur oxides emission reduction and control technology research in accordance with Regulation 3.2 of MARPOL Annex VI) without concurrence of the competent authority in DGS, GOI.
 - iv. Each case of supply of fuel oil with sulphur content exceeding 0.5% m/m will be specially audited by Auditors during Annual/ Renewal Bunker Suppliers audits for compliance to above requirements.
 - This Technical Circular supersedes our earlier Technical Circular No. 093/2018 dated 28 December 2018.
 - Ship owners, operators and bunker suppliers are advised to be guided by above.

Enclosure:

1. DGS Engineering Circular No. 02 of 2019 dated 28/08/2019

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