ANAVE – Circular de Régimen Interior

Madrid, 16 de febrero de 2018
Ref: SMA 7/2018/AB

Asunto: Azufre en el combustible - Resultado de la reunión del Subcomité de Prevención y Lucha contra la Contaminación (PPR) de la OMI.

Muy Srs. nuestros:

La semana pasada se ha celebrado en la sede de la OMI en Londres el quinto periodo de sesiones del Subcomité de Prevención y Lucha contra la Contaminación (PPR 5), en el que participaron 71 Estados miembros y 39 organizaciones no gubernamentales. En un **Anexo** les adjuntamos un resumen elaborado por la Cámara Naviera Internacional (ICS).

Por su interés, resumimos a continuación el apartado relativo a la **implantación del 0,5% de azufre a partir del 1 de enero de 2020.**

El PPR 5 ha acordado **redactar unas enmiendas** al Anexo VI del Convenio MARPOL para **prohibir llevar a bordo combustible para consumo propio del buque con un contenido de azufre superior a 0,5%**, salvo en buques que cuenten con medios equivalentes para cumplir el límite del contenido de azufre (0,5%), como los sistemas de limpieza de los gases de escape (*scrubbers*).

Estas enmiendas se van a presentar al MEPC 72 que se reúne en abril para su aprobación urgente, con el objetivo de **adoptarlas en la reunión del MEPC 73, que se celebrará en octubre**. Dichas enmiendas incluirán cambios en el Suplemento del Certificado Internacional de Prevención de la Contaminación Atmosférica (IAPP) y podrían entrar en vigor el **1 de marzo de 2020** (2 meses después de que se empiece a aplicar la norma sobre el límite del 0,5% de azufre en los combustibles).

Las organizaciones IPIECA e IBIA manifestaron su preocupación sobre la redacción que se va a dar a las enmiendas propuestas y cuál va a ser su interpretación y aplicación en las gabarras de suministro de combustible.

Se acordó celebrar en la primera quincena de julio una reunión entre periodos de sesiones y los términos de referencia y plan de trabajo sobre esta materia. También se van a tratar en dicha reunión sobre el muestreo, pruebas y comprobaciones de las muestras del combustible usado a bordo del buque y las modificaciones de las siguientes directrices:

- Directrices de 2009 sobre la supervisión por el Estado rector del puerto en virtud del Anexo VI revisado de MARPOL (Resolución MEPC.181(59)).

- Directrices de 2010 para la vigilancia del contenido medio de azufre a escala mundial del combustible suministrado para uso a bordo de los buques (Resolución MEPC.192(61) modificada por la Resolución MEPC.273(69)).

- Directrices sobre el muestreo a bordo para la verificación del contenido de azufre del combustible utilizado a bordo de los buques (MEPC.1/Circ.864).

Inicialmente se había previsto que la reunión entre sesiones informase de sus avances al PPR 6 en enero de 2019 que, a su vez, trasladaría sus resultados al MEPC 74 de mayo de 2019. Sin embargo, se acordó solicitar al MEPC 72 que revise el calendario de notificación y de instrucciones con carácter de urgencia, para que la reunión entre sesiones informe directamente al MEPC 73 de octubre de este año sobre la planificación y preparación para el periodo de transición.

Esta decisión se tomó tras la intervención de ICS, que fue apoyada por varias delegaciones, que manifestó que con el calendario previsto no sería posible disponer de las directrices sobre planificación y cuestiones transitorias antes de la entrada en vigor del límite del 0,5% de azufre el 1 de enero de 2020. El calendario revisado, si así lo acuerda el MEPC 72, facilitará que las directrices estén disponibles antes de finales de 2018.

En cuanto al "plan" para el periodo de transición propuesto por Noruega, hubo desacuerdo sobre si las Administraciones deberían revisarlo o si solo debería ser una recomendación. Algunas delegaciones manifestaron las dificultades previstas para preparar y cumplir dicho plan cuando los buques están fletados por tiempo y es el fletador el que toma las decisiones sobre la compra del combustible. Otras delegaciones señalaron que, si el documento era revisado por la Administración, los inspectores de PSC podrían apoyarse en el mismo al llevar a cabo las inspecciones de los buques y, si el PSC comprobaba que se estaba siguiendo el plan, las inspecciones a bordo podrían simplificarse razonablemente. Este asunto se va a estudiar con más detalle en la reunión entre periodos de sesiones.

Muy atentamente,

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To: MARINE COMMITTEE

Copy: Environment Sub-Committee
Construction & Equipment Sub-Committee
All Full and Associate Members (for information)

OUTCOME OF PPR 05

Action required: Members are invited to note the information provided on the outcome of the fifth session of the PPR Sub-Committee.

The fifth session of the IMO Sub-Committee on Pollution Prevention and Response (PPR 05) was held at the IMO headquarters in London, from 5 to 9 February 2018.

The meeting was chaired by Mr. Sveinung Oftedal (Norway), the Vice Chair being Dr. Flavio da Costa Fernandes (Brazil) with attendance from 71 Member States, 1 Associate Member, 1 United Nations and Specialized Agency, 3 Intergovernmental Organisations and 39 Non-Governmental Organisations including ICS.

The following report summarises the most significant outcomes of the meeting. Further details can be obtained from the ICS secretariat if required.

Jonathan Spremulli
Technical Director

1 Air Emissions Related

1.1 Consideration of the Impact on the Arctic of Black Carbon from International Shipping (PPR 5 agenda item 7)

Member States and international organizations were encouraged to continue collecting Black Carbon emissions data and to submit this data to PPR 6. The measured data submitted to date contained some interesting measurements which challenge some existing assumptions. Of particular note was information provided, in the form of measured data, which suggests that eliminating heavy fuel will not reduce Black Carbon emissions (see documents PPR 5/7/2 and PPR 5/INF.13 for further information). Some of the environmental NGOs however continued to advocate a ban on heavy fuel oil in the Arctic in order to reduce Black Carbon emissions. It is anticipated that further measured data will be submitted to PPR 6 which will demonstrate the relative emissions of Black Carbon when operating on distillates and heavy fuel oil.

The Sub-Committee finalised a draft measurement and reporting protocol including a comprehensive reporting form which should help to ensure consistency in Black Carbon measurements.

Black Carbon measurement methods were considered with an emphasis on those suitable for use with 0.5% sulphur fuel oils. It was agreed that Filter Smoke Number (FSN), Photo Acoustic Spectroscopy (PAS) and Laser Induced Incandescence (LII) were the most appropriate methods currently available. It was noted that the recommendation on methods had been made prior to a decision on a monitoring or control regime and that a standardized measurement protocol would be needed before any of the recommended methods could be used as part of future Black Carbon control measures.

A correspondence group will investigate appropriate control measures to reduce the impact of Black Carbon emissions from international shipping, ICS will participate in this correspondence group.

1.2 Consistent Implementation of Regulation 14.1.3 of MARPOL Annex VI (PPR 5 agenda item 13)

The Sub-Committee agreed to draft amendments to MARPOL Annex VI for a prohibition on the carriage of non-compliant fuel oil for combustion purposes with a sulphur content exceeding 0.50%. The amendments will be submitted to MEPC 72 for approval as an urgent matter, with a view to adoption at MEPC 73. Amendments will include changes to the Supplement to the IAPP Certificate. Some concern was raised by IPECA and IBIA regarding wording used in the proposed amendments and how it might interpreted in relation to bunker barges.

Terms of reference were agreed for the intersessional meeting on consistent implementation of regulation 14.1.3 of MARPOL Annex VI and the date of the meeting

was set for 9 to 13 July 2018. A work plan to complete the output on this subject and an outline of draft Guidelines for consistent implementation of regulation 14.1.3 of MARPOL Annex VI were agreed. The work plan will be the basis of further work at the intersessional meeting.

It was originally intended that the intersessional meeting would report to PPR 6, which would subsequently report to MEPC 74 in May 2019. The Sub-Committee however agreed to take forward a proposal to request MEPC 72, as a matter of urgency, to revise the reporting schedule and instruct the intersessional meeting to report directly to MEPC 73 on planning and transitional issues. This decision was made following an intervention by ICS, supported by several delegations, stating that the original schedule would leave insufficient time for important guidance on planning and transitional issues to be available for use prior to entry into force of the 0.5% S cap on 1 January 2020. The revised reporting schedule if agreed by MEPC 72 will facilitate the important guidance being available before the end of 2018.

Regarding the “transition plan” proposed by Norway in document PPR 5/13/3 there was disagreement whether this should be reviewed by Administrations or whether it should only be guidance. Some delegations highlighted envisaged difficulties in preparing and following such a plan when ships were on charter and decisions on fuel purchasing were made by the charterer. Other delegations highlighted that if the document was reviewed by the Administration then it could be considered by PSC as a supporting document when inspecting ships and if PSC found the plan was being followed then onboard inspections could be reasonably simplified. This matter will be further considered at the intersessional meeting.

Issues related to the sampling, testing and verification of in-use fuel oil samples and the development of related amendments to the following existing guidelines will also be considered at the intersessional meeting:

1. 2009 Guidelines for port State control under the revised MARPOL Annex VI (resolution MEPC.181(59))

2. 2010 Guidelines for monitoring the worldwide average sulphur content of fuel oils supplied for use on board ships (resolution MEPC.192(61), as amended by resolution MEPC.273(69)); and

3. Guidelines for onboard sampling for the verification of the sulphur content of the fuel oil used on board ships (MEPC.1/Circ.864).

1.3 Application of more than one Engine Operational Profile (MAP) under MARPOL Annex VI and the NOX Technical Code 2008 (PPR 5 agenda item 23)

The Sub-Committee agreed and recommended to MEPC a new work output titled "Development of amendments to MARPOL Annex VI and the NOX Technical Code on the use of multiple engine operational profiles for a marine diesel engine". Additionally

the Sub-Committee agreed a description of engine operational profile as a working definition for engine map. The use of a description rather than a definition for engine operational profile was agreed as it was recognised that the description could change as a result of ongoing work.

The work output and the use of multiple operational profiles remains a contentious issue, with the delegation of the United States in particular being firmly opposed to allowing the use of multi-mapping and several delegations agreeing to the new output going forward whilst making clear that they had concerns over how multiple maps might be used. Several delegations including ICS noted that multiple engine mapping had potential to improve ship safety by providing an over power rating or altering the load response of engines in emergency conditions.

1.4 Standards for Shipboard Gasification of Waste Systems and Associated Amendments to Regulation 16 of MARPOL Annex VI (PPR 5 agenda item 8)

The Sub-Committee re-established the correspondence group which had considered standards for shipboard gasification of waste systems and instructed it to submit a final report to PPR 6. Guidance is to be developed which is to be generic and not technology specific, the final report to PPR 6 is to include associated amendments to regulation 16 of MARPOL Annex VI and the IAPP Certificate.

1.5 Guidelines for the Discharge of Exhaust Gas Recirculation Bleed-Off Water (PPR 5 agenda item 9)

The Sub-Committee agreed the draft “2018 Guidelines for the discharge of exhaust gas recirculation (EGR) bleed-off water” which will be sent to MEPC 73, with a view to adoption.

1.6 Revised Certification Requirements for SCR Systems under the NOx Technical Code (PPR 5 agenda item 10)

The Sub-Committee agreed draft amendments to the NO_X Technical Code 2008, for approval at MEPC 73, with a view to adoption at MEPC 74 which will make the Scheme A and Scheme B SCR approval methods equally applicable. Consequential amendments to the “2017 Guidelines addressing additional aspects to the NO_X Technical Code 2008 with regard to particular requirements related to marine diesel engines fitted with Selective Catalytic Reduction (SCR) Systems (resolution MEPC.291(71))” were also agreed and which will now be considered by MEPC 73 for adoption at MEPC 74.
A submission from Sweden and SYBAss proposing the NOx Technical Code include approval based only on direct emissions measurement of emissions and allowing NOx reducing devices to be approved separately from engines was not supported by the Sub-Committee as it was considered to be beyond the scope of the agenda item. Interested parties were asked to consider proposing a new output to MEPC.

1.7 Review of the 2015 Guidelines for Exhaust Gas Cleaning Systems

The Sub-Committee considered revised guidelines for exhaust gas cleaning systems (EGCS) and guidance on accidental breakdown, instrument malfunction and perceived temporary non-compliance and transient performance of exhaust gas cleaning systems. Further proposals made by CLIA were also considered by the Sub-Committee. It was agreed to establish a correspondence group to progress work on revising the EGCS guidelines. The Sub-Committee agreed also that all the documents submitted for the consideration of the Sub-Committee would be sent to the correspondence group. A request by CLIA, supported by ICS, that the Sub-Committee expedite guidelines on temporary non-compliance of EGCS as an urgent item for approval at MEPC 72 was not agreed. The correspondence group will report to PPR 6.

1.8 Unified interpretation on engine test cycles required by the NOX Technical Code 2008

A revised IACS unified interpretation on engine test cycles required by the NOX Technical Code 2008 failed to gain sufficient support from Member States to be taken forward. Concerns were raised that the proposals went beyond being a unified interpretation and were in effect an amendment of the NOx Technical Code, and views that although the concept of single test cycle certification was supported by a number of delegations it was not clear which test cycles would be appropriate for some applications. IACS was requested to reconsider their proposal, or alternatively, interested parties could consider proposing a new work item to amend the NOx Technical Code.

2. Safety and Pollution Hazards of Chemicals and Preparation of Consequential Amendments to the IBC Code (PPR 5 agenda item 3)

Appreciation is expressed to Capt. Soren Ibsen (Milbros Systems) whose report of ESPH items during PPR 5 has been extensively used in parts 2 and 3 of this ICS report.

The Sub-Committee addressed a number of ESPH related issues including:

2.1 Evaluation of cleaning additives

Nineteen (19) cleaning additives were presented to the group for evaluation.
In addition, a name change or manufacturer change had been requested for 38 cleaning additives. Ten (10) cleaning additives met the criteria outlined in MEPC.1/Circ.590.

2.2 Review of MEPC.2/Circular - Provisional classification of liquid substances transported in bulk and other related matters

It was pointed out by the group that fifty (50) products in MEPC.2/Circ.23 are scheduled to expire on December 31, 2018. If these products are still being carried, then the

appropriate administration should be urged to prepare a paper for ESPH 24 to add these products as permanent entries with no expiry date.

2.3 Review of Chapters 17, 18 and 21 of the IBC Code.

A revised Chapter 21 of the IBC Code has been agreed, the impact and changes this will have on Chapter 17 and 18 of the IBC Code were finalized and agreed by the Sub-Committee. The revised Chapters 17, 18, 19 and 21 of the IBC Code are expected to come into force on 1 January 2021.

It should be noted that there are significant changes to safety related carriage requirements and these should be reviewed to determine the impacts to each company's particular trading patterns.

2.4 Review and revision of the guidelines for the provisional assessment of liquid substances transported in bulk (MEPC.1/Circ.512).

Due to time constraints, no further work was done on this item at this meeting. Work is expected to continue at ESPH 24 in October.

2.4.1 Guidance for the assignment of long-term health effects in mixtures

Norway proposed the development of recommended cut-off values to be used when assessing mixtures containing components with a long-term health effect, with a view to including the agreed cut-off values in the revised MEPC.1/Circ.512.

The Sub-Committee requested the GESAMP/EHS WG consider the proposal and to advise the ESPH WG regarding recommendation of the cut-off values to be used when assessing mixtures containing components with a long-term health effect.

2.5 Development of guidance for the assessment of products under Annex I or Annex II of MARPOL.

A draft MEPC circular on Guidelines for the carriage of energy-rich fuels and their blends was prepared by the Sub-Committee for submission to MEPC 73 for approval. Energy-rich fuels are considered to be second generation biofuels. These new energy-rich fuels will need to be submitted to the ESPH group for review to confirm that they meet certain criteria and can be classified and carried under MARPOL Annex I. The Sub-Committee agreed that a new Annex 12 of the MEPC.2/Circular will list the products that meet the criteria and can therefore be carried as MARPOL Annex I oils. A number of biofuels listed in Annex 11 of the MEPC.2/Circular have characteristics of energy-rich fuels and may move to the new Annex 12 after further review by ESPH

3 Review of MARPOL Annex II requirements that have an impact on cargo residues and tank washings of High Viscosity and Persistent Floating Products (PPR 5 agenda item 4)

This topic was first considered at ESPH 19 and the Sub-Committee had concluded that action was needed to stop the continued pollution of beaches in northern Europe as the result of the related products washing ashore. The proposal for handling these issues was finalized at this session.

Draft amendments to MARPOL Annex II and the IBC Code were finalized and it was agreed that both a geographical and cargo phased in approach would be taken. High viscosity or low melting point Persistent Floating products (including most vegetable oils and fats and paraffins and waxes) will require a prewash after discharging in the Northwest Europe area, with entry into force expected 1 January 2021.

A new paragraph 16.2.7 to be inserted as follows:

16.2.7 Where column o in the table of chapter 17 refers to this paragraph, the cargo is subject to the prewash requirements in regulation 13.7.1.4.

4 Ballast Water Management

4.1 Revised Guidance on Ballast water Sampling and Analysis (PPR 5 agenda item 5)

4.1.1 Saudi Arabia Ballast Water Sampling and Indicative Analysis Initiative.

Saudi Arabia advised the Sub-Committee through a submission (PPR 5/5/1) and a presentation to the session that on 16 August 2017 they had commenced an initiative of taking ballast water samples and conducting indicative analysis at major oil terminals where ballast water is discharged. Indicative analysis was used to evaluate compliance or not of the discharged ballast water with the D-2 discharge standard regardless of whether the ships were currently required to comply with the ballast water exchange standard, regulation D-1, or ballast water performance standard, regulation D-2. The Sub-Committee was advised that the initiative was taken as part of the official IMO experience building phase, that all results for specific ships and systems would remain confidential and that NO action was taken against any ship if the indicative analysis showed non-compliance with the D-2 discharge standard.

During the presentation provided Saudi Arabia advised that:

497 tests had been conducted between 16 August 2017 and 31 January 2018;
69 tests had been conducted on different ships which were using ballast water treatment systems and 62 complied with D-2 but 7 failed (10% failure rate);
Of the 69 ships which had conducted treatment 45 regularly used their BWMS, 5 of which failed to comply with D-2 (11% failure rate) whereas of the remaining 24 ships that didn’t normally run their BWMS and conduct treatment 2 failed (9% failure rate);

Of the remaining 430 tests conducted on ships which had carried out ballast water exchange alone 67 failed to meet the D-2 standard (13% failure rate).

4.1.2 Development of Standard ISO-11711 Addressing Ballast Water Sampling and Analysis

ISO advised the Sub-Committee that they were developing a 3 part standard for ballast water sampling and analysis with part 1 in its final stages. Part 1 addresses guidance on materials, design, installation and orientation of the sample port. Parts 2 and 3 will address ballast water sample collection and ballast water analysis respectively and these 2 parts are at the early stage of development. ICS requested ISO to involve ICS in the development work concerned.

4.2 Revised Guidance on Methodologies That May Be Used for Enumerating Viable Organisms (PPR 5 agenda item 6)

The Sub-Committee considered further information provided by the Netherlands on the Flow Cytometry Method (FCM) and Pulse Amplitude Modulation (PAM) Chlorophyll Fluorometry methods with respect to their use in enumerating viable organisms for type approval of ballast water management systems. Whether or not FCM and PAM should be added to the *Guidance on methodologies that may be used for enumerating viable organisms for type approval of ballast water management systems* (BWM.2/Circ.61) was evaluated.

The Netherlands advised, during the meeting, that FCM and PAM were intended to be used together as a single methodology but doubts remained as to whether the methodology had the necessary level of precision to be included in the Guidance and therefore the methodology was not added. The Netherlands were requested by the Sub-Committee to provide further information as detailed in document PPR 5/WP 5.

4.3 System Design Limitations

The Sub-Committee agreed *Guidance on System Design Limitations (SDL) of ballast water management systems and their monitoring* with a view to its approval at MEPC 73 and its subsequent distribution as a BWM.2 circular.

4.4 Contingency measures

The Sub-Committee considered a proposal, forwarded by MEPC 71, from the Republic of Korea (MEPC 71/4/21) and a related proposal from Canada (PPR 5/23/2) concerning ports with water quality that may operationally challenge ballast water systems during the uptake of ballast e.g. due to high levels of suspended solids.

The submission from the ROK, in brief, proposed that in such circumstances, <u>if compliant shore treated ballast water is not available</u>, ships would be permitted to take on untreated BW where the local waters may exceed an SDL but would be required to

conduct a BWE of the untreated ballast water taken up exchanging it with treated water following departure from the port at an agreed location.

The submission from Canada commented on the ROK proposal and whilst in part being sympathetic to the concerns raised environmental and legal issues with the proposals. Canada highlighted that the Guidance on Contingency Measures which IMO has agreed to develop is in accordance with the Roadmap for the implementation of the BWM Convention as agreed at MEPC 68 (see MEPC 68/WP.8, annex 2) and is for occasional instances where ballast water being discharged does not comply with the D-2 standard and not measures relating to operational issues of BWMSs due to the quality of ballast water on uptake. Canada also made proposals relating to the identification of ports with possible challenging water quality and agreement on acceptable approaches to managing ballast water at uptake. Concerns were raised by some relating to the possible scale of the administrative burden that may result from the Canadian proposals.

The Sub-Committee agreed to invite Submissions to PPR 6 relating to:

1. Specific examples of contingency measures acceptable to port States and implemented by the shipping industry, which could then be included in an annex to the Guidance on contingency measures under the BWM Convention (BWM.2/Circ.62); and

2. Comments and/or proposals for draft guidance for ports with challenging water quality, taking into consideration the scale of the issues and principles and options in the Canadian submission (PPR 5/23/2).

5 Anti-Fouling Systems and Initial Proposal to Amend Annex 1 to the AFS Convention

The Sub-Committee considered an initial proposal for amendments to annex 1 (Controls on anti-fouling systems) to the AFS Convention, to include controls on Cybutryne and agreed that the initial proposal satisfies the requirements of annex 2 to the AFS Convention and that a more detailed review of Cybutryne is warranted and a comprehensive proposal should be submitted to PPR 6 in line with the process detailed in the AFS Convention.

6 Review of the IBTS Guidelines and Amendments to the IOPP Certificate and Oil Record Book (PPR agenda item 15)

The Sub-Committee noted the support for the development of a set of consolidated Guidelines for Integrated Bilge Treatment Systems (IBTS). Several delegations (including ICS) expressed concerns with a proposal to require that water collected in clean drains systems should be discharged through a 15ppm oil content meter.

Following discussions the Sub-Committee invited interested Member States and international organizations to work together intersessionally and submit to PPR 6 draft

consolidated IBTS Guidelines and draft amendments to the IOPP Certificate and Oil Record Book. ICS will participate in this intersessional work.

7 Use of Electronic Record Books (PPR agenda item 18)

Work continued on the use of electronic record books, an updated version of the draft Guidelines for the use of electronic record books under MARPOL and the NOx Technical Code was finalised.

A draft MEPC resolution was agreed on the Guidelines for the use of electronic record books under MARPOL, for submission to MEPC 73 for consideration, with a view to approval in principle and subsequent adoption at MEPC 74 in conjunction with associated draft amendments to MARPOL Annexes I, II, V and VI, and the NO_X Technical Code, for submission to MEPC 73, for consideration with a view to approval.

Next meeting

The next session of the Sub-Committee is provisionally scheduled for 18 to 22 February 2019

Correspondence groups established at PPR 5

The Sub-Committee established the following correspondence groups:

CG 1 – Correspondence Group on Standards for Shipboard Gasification of Waste Systems and Associated Amendments to Regulation 16 of MARPOL Annex VI;

CG 2 – Correspondence Group on Exhaust Gas Cleaning Systems;

CG 3 – Correspondence Group investigation of Appropriate Control Measures to Reduce the Impact of Black Carbon Emissions from International Shipping; and

CG 3 – Correspondence Group on OPRC Guidelines.