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Shipping Information Notice – 077 **Amendments to MARPOL Annex VI- Chapter 3 (Baltic and North Seas NOx Emission Control Areas and Bunker Delivery Note)**

To: Ship Owners, Operators, Master's, Certifying Authorities, and Recognised Organisations

References:

- MARPOL Annex VI
- Resolution MEPC.286(71)

Introduction

The purpose of this Note is to inform industry of the amendments to Chapter 3 in Annex VI of the International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978 (MARPOL 73/78) – Resolution MEPC.286(71) which entered into force 1st January 2019.

The seventy-first (71) session of the International Marine Organization (IMO) Marine Environment Protection Committee adopted Resolution MEPC.286(71) on 7 July 2017 - Amendments to MARPOL Annex VI. There are two amendments in this Resolution – ‘Designation of the Baltic Sea and the North Sea Emission Control Areas for NOx Tier III control’ and ‘Information to be included in the bunker delivery note’

In the seventieth session (70) of the IMO, coastal States of Baltic Sea and the North Sea proposed to designate both Seas as NOx Tier III Emission Control Areas. It was recognised that there is a need to prevent, reduce and control emission of nitrogen oxides from ships. Adoption of the proposal will result in significant reductions in ambient levels of air pollution in both Seas, which will benefit human health and the environment.

Regulation 14 of MARPOL Annex VI set fuel oil sulphur content limits for ships to use, the compliant fuel. Oil suppliers are restricted to deliver compliant fuel and shall declare the sulphur content of the fuel oil deliver in the bunker delivery note. Ships installed with alternative technology (such as an ‘exhaust gas cleaning system’) can use non-compliant fuel which has a higher sulphur content. Adoption of the ‘Information to be included in the bunker delivery note’ is for oil suppliers to deliver non-compliant fuel to ships installed with alternative technology which was not allowed before this amendment.

Amendments to Regulation 13 of MARPOL Annex VI

Regulation 13 - Nitrogen oxides (NOX)

In paragraph 5.1 after the words "an emission control area designated for Tier III NO_x control under paragraph 6 of this regulation" insert the words "(NO_x Tier III emission control area)".

The existing text of paragraph 5.1.2 is replaced by the following: .2 that ship is 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;
- 1 January 2021 and is operating in the Baltic Sea Emission Control Area or the North Sea Emission Control Area;

Between paragraph 5.1.2 and 5.1.3 the word "when" is deleted.

In paragraph 5.1.3 the words "an emission control area designated for Tier III NO_x control under paragraph 6 of this regulation" are replaced by "a NO_x Tier III emission control area".

In paragraph 5.2.3 the word "convention" is replaced by "Convention" and the expression "24 m" is replaced by "24 metres".

Insert new paragraphs 5.4 and 5.5, as follows:

"5.4 Emissions of nitrogen oxides from a marine diesel engine subject to paragraph 5.1 of this regulation that occur immediately following building and sea trials of a newly constructed ship, or before and following converting, repairing, and/or maintaining the ship, or maintenance or repair of a Tier II engine or a dual fuel engine when the ship is required to not have gas fuel or gas cargo on board due to safety requirements, for which activities take place in a shipyard or other repair facility located in a NO_x Tier III emission control area are temporarily exempted provided the following conditions are met:

- .1 the engine meets the Tier II NO_x limits; and
- .2 the ship sails directly to or from the shipyard or other repair facility, does not load or unload cargo during the duration of the exemption, and follows any additional specific routing requirements indicated by the port State in which the shipyard or other repair facility is located, if applicable.

The exemption described in paragraph 5.4 of this regulation applies only for the following period:

- .1 for a newly constructed ship, the period beginning at the time the ship is delivered from the shipyard, including sea trials, and ending at the time the ship directly exits the NO_x Tier III emission control area(s) or, with regard to a ship fitted with a dual fuel engine, the ship directly exits the NO_x Tier III emission control area(s) or proceeds directly to the nearest gas fuel bunkering facility appropriate to the ship located in the NO_x Tier III emission control area(s);
- .2 for a ship with a Tier II engine undergoing conversion, maintenance or repair, the period beginning at the time the ship enters the NO_x Tier III emission control area(s) and proceeds directly to the shipyard or other repair facility, and ending at the time the ship is released from the shipyard or other repair facility and directly exits the NO_x Tier III emission control area (s) after performing sea trials, if applicable; or
- .3 for a ship with a dual fuel engine undergoing conversion, maintenance or repair, when the ship is required to not have gas fuel or gas cargo on board due to safety requirements, the period beginning at the time the ship enters the NO_x Tier III emission control area(s) or when it is degassed in the NO_x Tier III emission control area(s) and proceeds directly to the shipyard or other repair facility, and ending at the time when the ship is released from the shipyard or other repair facility and directly exits the NO_x Tier III emission control area(s) or proceeds directly to the nearest

gas fuel bunkering facility appropriate to the ship located in the NO_x Tier III emission control area(s)."

The existing text of paragraph 6 is replaced by the following:

"6 For the purposes of this regulation, a NO_x Tier III emission control area shall be any sea area, including any port area, designated by the Organization in accordance with the criteria and procedures set forth in appendix III to this Annex. The NO_x Tier III emission control areas are:

.1 the North American Emission Control Area, which means the area described by the coordinates provided in appendix VII to this Annex;

.2 the United States Caribbean Sea Emission Control Area, which means the area described by the coordinates provided in appendix VII to this Annex;

.3 the Baltic Sea Emission Control Area as defined in regulation 1.11.2 of Annex I of the present Convention; and

.4 the North Sea Emission Control Area as defined in regulation 1.14.6 of Annex V of the present Convention."

Amendment to Appendix V

Appendix V

Information to be included in the bunker delivery note (regulation 18.5)

The items listed in the Appendix are numbered from 1 to 9.

In item 7, the comma after "15°C" is deleted and the expression "kg/m³" is replaced by "(kg/m³)".

Item 9 is replaced with the following:

"A declaration signed and certified by the fuel oil supplier's representative that the fuel oil supplied is in conformity with regulation 18.3 of this Annex and that the sulphur content of the fuel oil supplied does not exceed:

- the limit value given by regulation 14.1 of this Annex;
- the limit value given by regulation 14.4 of this Annex; or
- the purchaser's specified limit value of (% m/m), as completed by the fuel oil supplier's representative and on the basis of the purchaser's notification that the fuel oil is intended to be used:

.1 in combination with an equivalent means of compliance in accordance with regulation 4 of this Annex; or

.2 is subject to 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 this Annex.

The declaration shall be completed by the fuel oil supplier's representative by marking the applicable box(es) with a cross (x)."

Steve Gomez – Chief Surveyor (Ag)
For & on behalf of the Maritime Administrator

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