

# IMO 2020 IMPLEMENTATION AND ENFORCEMENT

Piraeus Seminar  
6 December 2019  
Piraeus, Greece

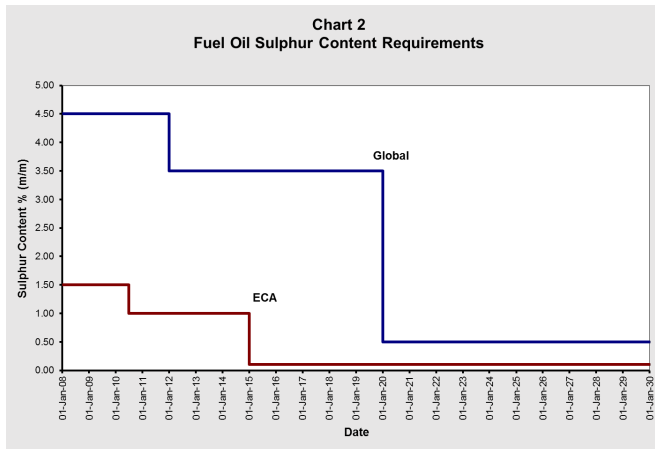
Presented by:  
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*Senior Vice President, Maritime Administration / Regulatory Affairs*



# MARPOL ANNEX VI – PREVENTION OF AIR POLLUTION FROM SHIPS

## Protocol of 1997 (MARPOL Annex VI)

- Assembly Resolution A.719(17) – Prevention of Air Pollution from Ships
- Entered into force on 19 May 2005
- 2008 revision – entered into force on 01 July 2010



## Regulation 14 – Sulphur Oxides (SO<sub>x</sub>) and Particulate Matter Emissions

- SO<sub>x</sub> controlled by sulphur content in fuel
- Progressive reductions
- Equivalencies addressed by Regulation 4
- Fuel oil availability review (Regulation 14.8)

# EXISTING REGULATORY FRAMEWORK (ERF):

## CHAPTER 2 – MARPOL ANNEX VI

### SURVEY, CERTIFICATION, AND CONTROL

#### Equipment, Systems, and Arrangements

- Statutory survey and certification
  - Regulation 5 – Surveys
  - Regulation 6 – Issuance of Certificates
  - Harmonized System of Survey and Certification Guidelines
- Delegation of survey and certification functions
  - Issue / endorse IAPP Certificate after completion of relevant surveys
  - Review equivalents for compliance with the standards set forth in MARPOL Annex VI



# ERF: CHAPTER 2 – MARPOL ANNEX VI SURVEY, CERTIFICATION, AND CONTROL (continued)

## Operational Requirements:

- Regulation 10 – PSC on operational requirements
  - Article 6 (MARPOL 73)

## Enforcement:

- Regulation 11 – Detection of Violations and Enforcement
  - Article 4 (MARPOL 73)
  - RMI Maritime Regulations (MI-108) Section 2.13:

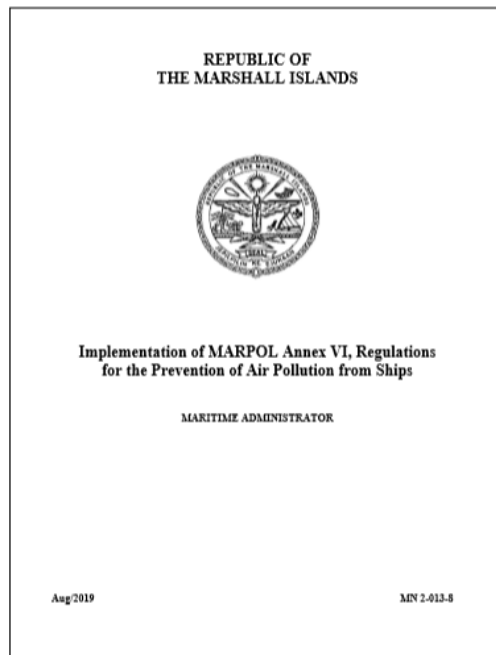
### **.8 Non-Compliance; Penalty.**

In the event of failure to comply with paragraphs .2 through .7 hereof, the Maritime Administrator, or an official who is authorized to act for and on behalf of the Maritime Administrator, may suspend or cancel a vessel's Certificate of Registry and/or impose a monetary penalty not to exceed US\$1,000,000 per incident or violation, and/or set such other conditions as may be necessary to bring about compliance with these National Standards and International Agreements to which the RMI is a Party, and which are in force, or the provisions of which are applied by the RMI in advance of the official date of their entry into force.

Maritime Act Section 115.

# RMI MARINE NOTICE 2-013-8

- Revised August 2019 to incorporate MEPC 73, MEPC 74, and MSC 101 outcomes:
  - Ship Implementation Planning Guidance (MEPC.1/Circ.878)
  - Non-Compliant Fuel Oil Carriage Prohibition (Resolution MEPC.305(73))
  - Reporting Non-Compliant Flashpoint Parameter (Resolution MSC.465(101))
  - Fuel Oil Non-Availability Report Format (RMI Form MI-112)



Tel: [ ]		<b>REPUBLIC OF THE MARSHALL ISLANDS</b>		Office use only:	
Fax: [ ]		MARITIME ADMINISTRATOR		[ ]	
<b>COMPLIANT FUEL OIL NON-AVAILABILITY REPORT</b>					
Vessel Name: [ ]		Flag: Marshall Islands		IMO number: [ ]	
If other relevant registration number is available, enter here: [ ]					
Provide a description of the vessel's voyage plan in place at the time of entry into [country name] waters' (attach plan copy if available)					
Last port of departure: [ ]		Date of departure from last port: 66-mm-yyyy			
First port of arrival in [country name]: [ ]		Date of arrival at first [country name] port: 66-mm-yyyy			
Date vessel first received notice that it would be transiting in [country name] waters: 66-mm-yyyy		Vessel's location at the time of notice: [ ]			
Date and time vessel operator expects to enter [country name] waters: 66-mm-yyyy / hh:mm (UTC)		Date and time vessel operator expects to exit [country name] waters: 66-mm-yyyy / hh:mm (UTC)			
Projected days vessel's main propulsion engines will be in operation within [country name] waters: [ ]					
Sulphur content of fuel oil in use when entering and operating in [country name] waters: [ ]					
1) Provide a description of actions taken to attempt to achieve compliance prior to entering [country name] waters.					
2) Include a description of all attempts made to locate alternative sources of compliant fuel oil.					
3) Describe the reason why compliant fuel oil was not available.					
[ ]					
<b>Suppliers Contacted</b>			<b>Date of Contact</b>		
Name: [ ]	Address: [ ]	Phone: [ ]	66-mm-yyyy		
Name: [ ]	Address: [ ]	Phone: [ ]	66-mm-yyyy		
Name: [ ]	Address: [ ]	Phone: [ ]	66-mm-yyyy		
Name: [ ]	Address: [ ]	Phone: [ ]	66-mm-yyyy		
Name: [ ]	Address: [ ]	Phone: [ ]	66-mm-yyyy		
Name: [ ]	Address: [ ]	Phone: [ ]	66-mm-yyyy		
Name: [ ]	Address: [ ]	Phone: [ ]	66-mm-yyyy		
Name: [ ]	Address: [ ]	Phone: [ ]	66-mm-yyyy		
Please attach copies of communication with suppliers (e.g. emails to and from suppliers)					
And ECA, if applicable.					

<b>In case of fuel oil supply disruption only:</b>				
Port name where vessel was scheduled to receive compliant fuel oil: [ ]				
Name, email address, and phone number of the fuel oil supplier scheduled to deliver (and is now reporting the non-availability): [ ]				
<b>Operational constraints, if applicable</b>				
Describe any operational constraints that prevented using the compliant fuel oil available at a port (for example, viscosity or other fuel oil parameters): [ ]				
Specify steps taken, or to be taken, to resolve these operational constraints that will enable compliant fuel use: [ ]				
Describe availability of compliant fuel oil at the first port-of-call in [country name], and plans to obtain it: [ ]				
If compliant fuel oil is not available at the first port-of-call in [country name], list the lowest sulphur content of available fuel oil(s) or the lowest sulphur content of available fuel oil at the next port-of-call: [ ]				
If a vessel owner or operator has submitted a Fuel Oil Non-Availability Report to [country name] in the previous 12 months, list these below and provide details on the dates and ports visited while using non-compliant fuel oil:				
Report	Date	Port	Type of fuel	Comments
[ ]	66-mm-yyyy	[ ]	[ ]	[ ]
[ ]	66-mm-yyyy	[ ]	[ ]	[ ]
[ ]	66-mm-yyyy	[ ]	[ ]	[ ]
[ ]	66-mm-yyyy	[ ]	[ ]	[ ]
[ ]	66-mm-yyyy	[ ]	[ ]	[ ]
[ ]	66-mm-yyyy	[ ]	[ ]	[ ]
Master name: [ ]		Vessel operator name: [ ]		
Local agent in [country name]: [ ]		Vessel owner name: [ ]		
Name and position of official: [ ]				
Email address: [ ]				
Address (street, city, country, postal/zip code): [ ]			Telephone number (~ 999-999-9999): [ ]	
Signature of Master		Print Name		Date (66-mm-yyyy)



# MN 2-013-8 UPDATE (CONT.)

## ■ Paragraph 3.3.1.2 (Ship Implementation Planning):

- .2 IMO Circular [MEPC.1/Circ.878](#), Guidance on the development of a ship implementation plan for the consistent implementation of the 0.50% Sulphur limit under MARPOL Annex VI, is to be referenced when preparing to comply with the 0.50% sulphur content limit by 01 January 2020. While a ship implementation plan (SIP) is not a mandatory requirement, the guidance in IMO Circular MEPC.1/Circ.878 is a useful tool to identify any potential fuel-related issues that may need to be addressed by the ship in preparation for and when implementing the 0.50% sulphur limit requirement. Additional information regarding implementation of the 0.50% sulphur content limit is provided under IMO Resolution [MEPC.320\(74\)](#).

## ■ Paragraph 3.3.2 (Non-Compliant Fuel Oil Carriage Prohibition):

### 3.3.2 Non-Compliant Fuel Oil Carriage Prohibition

- .1 From 01 March 2020, the carriage of fuel oil for use on board the ship with a sulphur content exceeding 0.50% m/m is prohibited under Regulation 14.1, as amended by IMO Resolution [MEPC.305\(73\)](#). This prohibition does not apply to non-compliant fuel oil carried for use onboard a ship with an approved EGCS installed as an alternative means of compliance under Regulation 4.1 (see §1.2.2 of this Notice).
- .2 Under some circumstances, the Administrator may permit a ship to carry non-compliant fuel oil, with concurrent approval by the Competent Authorities for the port of destination and port of departure, as relevant, if Party to MARPOL Annex VI. Such a situation may be to allow for a single, one-way, direct voyage to bunker compliant fuel oil for the ship, in accordance with Regulation 18.2.4, when compliant fuel oil is not available. IMO Circular [MEPC.1/Circ.881](#), guidance for port State control on contingency measures for addressing non-compliant fuel oil, is to be referenced when considering options to deal with remaining non-compliant fuel oil onboard. See also §3.8 of this Notice for further information on reporting fuel oil non-availability.

# MN 2-013-8 UPDATE (CONT.)

## ■ Paragraph 3.6.3 (Flashpoint requirements):

### 3.6.3 Flashpoint

- .1 Although Regulation 18 addresses some aspects relating to fuel oil safety, SOLAS [regulation II-2/4.2.1](#) contains provisions related specifically to the minimum flashpoint requirement for marine oil fuel. However, there are currently no mandatory provisions under MARPOL or SOLAS for reporting non-compliance with this fuel oil parameter.
- .2 As an interim measure to enhance the safety of ships relating to the use of fuel oil, all cases where oil fuel suppliers delivered fuel oil failing to meet the flashpoint requirements specified in SOLAS regulation II-2/4.2.1 **must be reported** (see §3.7.5 of this Notice).
- .3 Taking into account Regulation 18.9.6 and IMO Resolution [MSC.465\(101\)](#), Recommended interim measures to enhance the safety of ships relating to the use of oil fuel, the Administrator will subsequently notify the IMO of reported cases when confirmed.

## ■ Paragraph 3.8.3 (Fuel Oil Non-Availability Report format):

- 3.8.3 Ships which are unable to purchase compliant fuel oil are to utilize the standard format for reporting fuel oil non-availability set out in Appendix C of this Notice.
- 3.8.4 Providing the above information does not indemnify the ship from Port State Control (PSC) action in the event compliant fuel oil could not be obtained. The relevant authorities for the port of destination, if Party to MARPOL Annex VI, are to consider all relevant circumstances in addition to the evidence provided when determining the appropriate action to take. Therefore, prompt notification is required when requesting any deviation from the standards in §3.3 of this Notice.

# FONAR

- Regulation 18 – Fuel Oil Availability:

***“2.1 If a ship is found by a Party not to be in compliance with the standards for compliant fuel oils set forth in this Annex, the competent authority of the Party is entitled to require the ship to:***

***.1 present a record of the actions taken to attempt to achieve compliance; and***

***.2 provide evidence that it attempted to purchase compliant fuel oil in accordance with its voyage plan and, if it was not made available where planned, that attempts were made to locate alternative sources for such fuel oil and that despite best efforts to obtain compliant fuel oil, no such fuel oil was made available for purchase.”***

- Not a Waiver – Regulation 18.2.3:

***“If a ship provides the information set forth in paragraph 2.1 of this regulation, a Party shall take into account all relevant circumstances and the evidence presented to determine the appropriate action to take, including not taking control measures.”***



# FONAR

- Standard format (RMI Form MI-112) for reporting fuel oil non-availability
- Consistency in addressing fuel oil non-availability situations
  - Flag / coastal Administration coordination
  - IMO Global Integrated Shipping Information System (GISIS) database
- Fuel oil non-availability guidance:
  - Section 5 of 2019 Consistent Implementation Guidelines
  - Contingency Measures (MEPC.1/Circ.881)



Source: AP

# THANK YOU



[www.register-iri.com](http://www.register-iri.com)