



IMMARBE

International Merchant Marine Registry of Belize

Merchant Shipping Notice **MSN-0027**

FUEL OIL CONTROLS UNDER THE EUROPEAN UNION

TO ALL SHIPOWNERS AND OPERATORS, DEPUTY REGISTRARS, RESIDENT AGENTS, CLASSIFICATION SOCIETIES, RECOGNIZED ORGANIZATIONS AND GSI INSPECTORS

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1. PURPOSE

- 1.1. This Merchant Shipping Notice is intended to provide all vessels registered at IMMARBE, particularly to those trading to/from ports within the European Union with information relevant to the Directive 2005/33/EC of the Parliament of the European Union, which sets an earlier date of application of sulphur emissions control than the dates established in MARPOL 73/78 Annex VI.

2. CONTROLS UNDER MARPOL 73/78 ANNEX VI

- 2.1. Fuel oils used onboard are regulated by MARPOL 73/78 ANNEX VI as follows:
 - 2.1.1. The sulphur content of any fuel oil used onboard ships shall not exceed 4.5% m/m
 - 2.1.2. The sulphur content of fuel oil used onboard ships in a SECA (SOx Emmission Control Area) shall not exceed 1.5% m/m
- 2.2. At present the following areas have been designated as SECA:
 - 2.2.1. The Baltic Sea Area (application started on 19th May 2006)
 - 2.2.2. The North Sea Area (application starts on 22nd November 2007)

3. CONTROLS UNDER DIRECTIVE 2005/33/EC

- 3.1. In addition of the IMO Regulations, fuel oils used onboard ships have been regulated by the European Union by means of Directive 2005/33/EC of the EU Parliament and Council (amending Directive 1999/32/EC) as follows:
 - 3.1.1. Fuel oils shall not be used in the areas of territorial seas, exclusive economic zones and pollution control zones of Member States of the EU falling within a SECA designated by the IMO if the sulphur content of those fuels exceeds 1.5% m/m.

- 3.1.2. The application dates for the fuel oil controls mentioned in 3.1.1 are as follows:
- a The Baltic Sea Area (application started on 11th August 2006)
 - b The North Sea Area (application starts on 11th August 2007)
 - c Any other Sea Area (application starts 12 months after the date of entry into force of the IMO designation)
- 3.2. Fuel oils with a sulphur content which exceeds 0.1% m/m shall not be used from 1st January 2010 as follows:
- 3.2.1. Fuel oils used by inland waterway vessels (refer to Directive 82/714/EEC)
 - 3.2.2. Fuel oils used by ships at berth in Community ports (the requirement shall not apply to ships which switch off all engines and use shore-side electricity at berth in ports.)
- 3.3. In the cases where a fuel oil change-over is carried out to comply with the sulphur contents requirements, the fuel oil change-over shall be recorded in the **ship's logbook**.

4. RESPONSIBILITIES OF COMPANIES

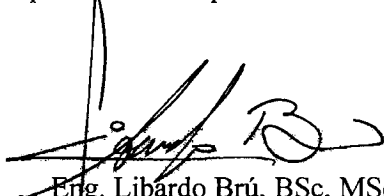
- 4.1. Companies are required to take note that the application date for the fuel oil controls to be enforced in the North Sea Area according to the European Union regulations is on the 11th August 2007, which is prior to the dates established under Annex VI of MARPOL, i.e. on the 22nd November 2007.
- 4.2. In addition, companies should also take into account that, in accordance with MARPOL article 5(4) *no more favourable treatment* is to be given to ships of non-parties; therefore vessels trading to/from ports within the European Union will be demanded to comply with the EU Directive as a condition for entry into a SECA.
- 4.3. Companies carrying fuel oil change-over operations in order to comply with the sulphur controls, should:
 - 4.3.1. Develop suitable procedures so that the change-over from high sulphur fuel oil (HSFO) to low-sulphur fuel oil (LSFO) is conducted **prior entry into a SECA, and once it has been ensured LSFO is being burned**,
 - 4.3.2. Avoid using any of the existing logbooks onboard to record the fuel oil change-over, therefore a separate logbook (e.g. Marine Fuel Sulphur Record Book) should be used to record these activities,
 - 4.3.3. Ensure that as a minimum, the following information is recorded every time fuel oil is changed from HSFO to LSFO and vice-versa;
 - Tanks used and quantity of fuel oil in each tank at the time of the change-over,
 - Date/time,
 - Position of the ship (start/finish), and
 - Name/signature of ship's responsible person.

5. BUNKER DELIVERY NOTE (BDN) AND FUEL SAMPLING

- 5.1. Companies, when performing bunkering operations in a country non-Party to the Protocol of 1997 are urged to require fuel oil suppliers in the bunkering ports to comply with the following requirements of Annex VI of MARPOL:
 - 5.1.1. Fuel oil should meet the sulphur content limits as contained in Reg. 14 and 18.
 - 5.1.2. Written confirmation by means of a Bunker Delivery Note containing at least the information in Appendix V should be provided by the supplier, and
 - 5.1.3. Follow resolution MEPC.96(47), on Guidelines for the sampling of fuel oil for determination of compliance with Annex VI of the MARPOL 73/78. (see Attachment I for easy key steps)
- 5.2. Companies are urged to **report to IMMARBE** as soon as possible any and all cases in which a supplier fails to comply with any of the requirements contained in 5.1.
- 5.3. This report should contain as a minimum the information contained in Attachment II as well as supporting documentation. It is advisable to maintain several copies.
- 5.4. Ships without the bunker delivery note and representative samples may experience problems and possible delays in subsequent ports of call if subject to Port State Control by a Party to the 1997 Protocol. Reference to Resolution MEPC.129(53) on Guidelines for Port State Control Under Marpol Annex VI should be made.

6. RESPONSIBILITIES OF RECOGNIZED ORGANIZATIONS

- 6.1. Recognized Organizations providing statutory services under Annex VI of MARPOL to vessels register at IMMARBE shall ensure that proper fuel oil change-over procedures are in place and incorporated into the Management System of the company and vessel.



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