

GUIDANCE NOTE 09/2005

APPLICATION OF MARPOL 73/78 ANNEX VI TO EXISTING SHIPS

To: OWNERS, MANAGERS, MASTERS AND CLASSIFICATION SOCIETIES OF CAYMAN ISLANDS SHIPS

This Guidance Note was previously issued as Shipping Notice CISN 09/05 and the content remains unchanged. A copy of Shipping Notice CISN 09/05 is attached to, and forms part of, this Guidance Note.

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2.3. **Reg 3: General exceptions**

- 2.3.1. The regulations in this Annex do not apply to any emission necessary to secure safety or to save life at sea or to emissions resulting from accidental damage to the ship or its equipment.

2.4. **Reg 4: Equivalent**

- 2.4.1. Administrations may accept alternative arrangements to those required by the regulations, provided such arrangements are at least as effective as those required by Annex VI.

3. **The Regulations: Chapter II – Survey, certification and means of control**

3.1. **Reg 5: Survey and inspection**

- 3.1.1. **Applies to:** All ships over 400 GT
- 3.1.2. **Requirements:** Ships to which this regulation applies are subject to initial, periodical and renewal surveys to verify compliance with the applicable requirements of this Annex.
- 3.1.3. **Note:** Although ships below 400GT do not require surveys in accordance with regulation 5, these ships must still comply with all applicable requirements of this Annex.

3.2. **Reg 6: Issue of International Air Pollution Prevention Certificate (IAPP)**

- 3.2.1. **Applies to:** All ships to which regulation 5 applies.
- 3.2.2. **Requirements:** All ships constructed before 19 May 2005 must be issued with an IAPP certificate not later than the first scheduled drydocking after 19 May 2005 and in no case later than 18 May 2008.
- 3.2.3. **Note:** All ships must comply with the applicable requirements of this Annex no later than 19 May 2005, regardless of any date by which an IAPP certificate must be held by the ship.

3.3. **Reg 7: Issue of a Certificate by another Government**

- 3.3.1. At the request of the ship's Administration, another Government may issue the IAPP certificate required by regulation 6 to that ship.

3.4. **Reg 8: Form of Certificate**

- 3.4.1. This regulation specifies the information to be contained on an IAPP certificate.

3.5. **Reg 9: Duration and validity of Certificate**

- 3.5.1. IAPP certificates are normally valid for 5 years and their validity is subject to the surveys specified in regulation 5.

3.6. **Reg 10: Port State control on operational requirements**

- 3.6.1. All ships are subject to Port State control to verify that the requirements of this Annex are being complied with in accordance with Article 5 of the MARPOL Convention.

3.7. **Reg 11: Detection of violations and enforcement**

- 3.7.1. Ships in port are subject to inspections to determine whether the ship has emitted any substance in violation of the provisions of this Annex.

4. **The Regulations: Chapter III – Requirements for control of emissions from ships**

4.1. **Reg 12: Ozone-depleting substances**

4.1.1. **Applies to:** All ships

4.1.2. **Requirements:**

- Deliberate emission of ozone-depleting substances (including emissions during maintenance, repair and removal of equipment) is prohibited.
- New installations which contain ozone-depleting substances are prohibited from being fitted to ships. Installations containing hydrochlorofluorocarbons (HCFCs) are permitted to be fitted on ships until 01 January 2020.
- Ozone-depleting substances and equipment containing such substances must be delivered to appropriate reception facilities when removed from ships

4.1.3. **Note:** The term “ozone-depleting substance” is defined in regulation 2 of this Annex.

4.2. **Reg 13: Nitrogen oxides (NO_x)**

4.2.1. **Applies to:** Engines of over 130 kW which were fitted to ships, or which underwent a major conversion, on or after 01 January 2000. Does not apply to lifeboat engines, fire pump engines, emergency generators, etc (See regulation 3).

4.2.2. **Requirements:** NO_x emissions are to be within specified limits and engines are to comply with the NO_x Technical Code.

4.2.3. **Note:** The term “major conversion” is defined in regulation 13 (2) of this Annex.

4.3. **Reg 14: Sulphur oxides (SO_x)**

4.3.1. **Applies to:** All ships

4.3.2. **General requirements:** The sulphur content of any fuel used onboard any ship must not be more than 4.5% m/m.

4.3.3. **Requirements within SO_x emission control areas:**

- The sulphur content of any fuel used onboard any ship in a SO_x emission control area must not be more than 1.5% m/m, unless an approved exhaust gas cleaning system is in use.
- If a ship elects to carry “low” and “high” sulphur fuels for use within SO_x emission control areas and elsewhere, fuel management procedures must be addressed.

4.3.4. **Note:** At present the Baltic Sea area is defined as a SO_x emission control area. Other SO_x emission control areas will be defined.

4.4. **Reg 15: Volatile organic compounds (VOCs)**

4.4.1. **Applies to:** All tankers operating in ports and terminals where VOC emissions are regulated.

4.4.2. Requirements: Tankers to which this regulation applies are to be provided with an approved vapour collection system complying with MSC/Circ.585. This regulation only applies to gas carriers when the type of loading and containment system allows for the safe retention of non-methane VOCs onboard, or their safe return ashore.

4.5. Reg 16: Shipboard incineration

4.5.1. Applies to: All ships

4.5.2. Requirements:

- Incinerators fitted to ships after 01 January 2000 must meet the requirements of appendix IV to this Annex.
- The shipboard incineration of certain substances is prohibited.
- All shipboard incineration must take place in a shipboard incinerator, with the exception of:
 - Sewage sludge
 - Sludge oil generated in the normal operation of the ship which may be incinerated in main or auxiliary power plant or boilers.
- Shipboard incineration of PVC may only take place in IMO Type Approved incinerators.
- An operating manual for the incinerator must be provided.
- Incinerator operators shall be trained in their use.
- The temperature of the flue gas outlet is to be monitored at all times.

4.5.3. Note: Although the incineration of “sewage sludge” and “sludge oil” is permitted in main and auxiliary power plants and boilers, there are restrictions on the locations where such incineration may take place.

4.6. Reg 17: Reception facilities

4.6.1. Applies to: Port States serving ships to which this Annex applies.

4.6.2. Requirements: To provide adequate reception facilities in accordance with this Annex.

4.7. Reg 18: Fuel oil quality

4.7.1. Applies to: All ships subject to regulation 5 (> 400 GT)

4.7.2. Requirements:

- Fuel oil bunkers delivered to ships must be accompanied by a bunker delivery note in accordance with appendix V to this Annex.
- Bunker delivery notes must be retained onboard and be readily available for inspection for a period of 3 years after the fuel has been delivered.
- The bunker delivery note must be accompanied by a sealed representative sample of the fuel oil delivered.
- The fuel oil sample is to be retained onboard until all delivered fuel is consumed, but in any case for a period of not less than 12 months from the time of delivery.

4.7.3. Note: This regulation also includes requirements for bunker suppliers and Port States where bunkers are delivered to ships.

4.8. Reg 19: Requirements for platforms and drilling rigs

4.8.1. Applies to: Not applicable to Cayman Islands ships at this time.

5. Required Actions

- 5.1. Persons with responsibilities relating to compliance matters on Cayman Islands ships are requested to ensure that such ships are in full compliance with the applicable regulations of Annex VI of MARPOL.
- 5.2. Masters should be aware that their ships are now subject to Port State control to verify compliance with the relevant regulations of Annex VI. This includes ships which are not yet required to hold a valid IAPP certificate.
- 5.3. Masters should also be aware that Port State officers have the right to investigate suspected emissions which may be in contravention of Annex VI.
- 5.4. ISM procedures for bunkering and fuel oil management should be updated to reflect the requirements for bunker delivery note and sample retention onboard.
- 5.5. Companies should closely monitor the creation of any new “SO_x emission control areas” and advise their ships accordingly. Currently the North Sea and English Channel are expected to become SO_x emission control areas in November 2006.
- 5.6. Ships carrying “low sulphur” fuels (>1.5% m/m) specifically for use in SO_x emission control areas should be aware of the change over and recording requirements contained in Annex VI, regulation 14 (6).

Application of Regulations Flowchart (for guidance only)

