



Technical Information

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To : Whom It May Concern

Subject : Summary Report on IMO Meeting of Marine Environment Protection Committee (MEPC 74)

Summary

This Technical Information summarizes the result of 74th Session of the IMO Marine Environment Protection Committee (MEPC 74) that was held from the 13 to 17 May 2019, at IMO headquarters in London.

Information

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The following agenda are among those discussed during the meeting:

Agenda Number	Topic
3	Consideration and adoption of amendments to mandatory instruments
4	Harmful aquatic organisms in ballast water
5	Air pollution and energy efficiency

The Agenda above are several technical issues discussed during the meeting. A brief coverage among the issues is expressed in the attached document. The attachment also covers:

- A. List of MEPC Resolutions adopted by MEPC 74
- B. List of Circulars approved by MEPC 74
- C. List of draft instruments in MEPC 74

More info

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**BRIEF INFORMATION ON IMO MEETING OF MARINE ENVIRONMENT PROTECTION COMMITTEE
74TH SESSION (MEPC 74)**

**A. CONSIDERATION AND ADOPTION OF AMENDMENTS TO MANDATORY INSTRUMENTS
(AGENDA ITEM 3)**

Drafting Group was established at this session to finalize among others the text of the draft amendments to MARPOL Annex I, II, V and VI concerning the use of electronic record books and its MEPC Circular and also modification to IBC and BCH Code concerning special, operational and minimum requirements.

Electronic Record Book

The Committee have adopted proposed/draft amendments to MARPOL Annexes I, II and V related to Electronic Record Books at this session. This amendment will be expected to enter into force on 1 October 2020. This amendment will allow the use of electronic record books in lieu of hard copy record book for the Annexes mentioned in the MEPC Circular.

The Definition of an electronic record book is as follows

"Electronic Record Book means a device or system, approved by the Administration, used to electronically record the required entries for discharges, transfers and other operations as required under this Annex in lieu of a hard copy record book."

Cargo Residues and tank washing of persistent floating products

MEPC 73rd session have considered and approved draft amendments to MARPOL Annex II related to cargo residues and tank washings of persistent floating products. The amendments which were finalized among others:

1. Regulation 1 - Definition of Persistent floater

A new paragraph 23 defines " Persistent floater means a slick forming substance with the following properties:

- Density: = sea water (1025 kg/m³ at 20°C);
- Vapour pressure: = 0.3 kPa;
- Solubility: = 0.1% (for liquids) = 10% (for solids); and
- Kinematic viscosity: > 10 cSt at 20°C."

2. Regulation 13 – Control of discharges of residues of noxious liquid substances

In this relation, substances assigned to category Y that are persistent floaters with a viscosity equal to or greater than 50 mPa·s at 20°C and/or with a melting point equal to or greater than 0°C, as identified by '16.2.7' in column 'o' of chapter 17 of the IBC Code shall apply prewash procedure in Appendix VI , and have its residue be discharged to a reception facilities.

3. Areas to which the controls on regulation 13.7.1.4 applies

The Area to which the controls according to regulation 13.7.1.4 applies to North West European waters include the North Sea and its approaches, Baltic Sea area, Western European waters and Norwegian Sea.

4. Appendix IV – Standard format for the procedures and arrangements manual

An addition to Section 4 of P & A manual regarding the Procedures relating to the cleaning of cargo tanks, the discharge of residues, ballasting and deballasting with a new paragraph for Persistent floaters with a viscosity equal to or greater than 50 mPa•s at 20°C and/or a melting point equal to or greater than 0°C is added.

It should be noted that instruction on dealing with tank washing of substances identified by the presence of 16.2.7 in column o of chapter 17 of the IBC Code and the latest version of the MEPC.2/Circular, when operating in the areas specified in regulation 13.9." should be in the P & A manual.

The Committee then decided to adopt amendments to MARPOL Annex II related to cargo residues and tank washings of persistent floating products. The entry-into-force date of the amendments to MARPOL Annex II is 1st January 2021, to align it with the entry-into-force date of the IBC Code amendments.

Nox Technical Code 2008

The amendments proposed are regarding the use of Electronic Record Books and Certification requirements for SCR systems. Whereas the latter discuss in particular to requirements related to marine diesel engines fitted with selective catalytic reduction (SCR) systems (Resolution MEPC.291(71).

Whereas an engine is fitted with a NO_x-reducing device, the device shall be included within the EIAPP certification and must be recognized as a component of the engine moreover be recorded in the engine technical file.

During the discussion in the Drafting Group, it is noted that the NO_x Technical Code 2008 may require a review of paragraphs making reference to record books when next amended, based on the inclusion of a new definition for Electronic Record Book in the Code, once adopted.

The Committee has decided to adopt amendments to **Nox Technical Code 2008** related to matters mentioned above.

Amendments to IBC Code

The amendments proposed that special requirements for ships under IBC Code to carry Hydrogen sulphide (H₂S) detection equipment for bulk liquids which are prone to H₂S formation. IACS then added for reference below :

"Toxic vapour testing instruments provided for complying with the requirement in 13.2.1 of the Code, which are also designed and calibrated for testing H₂S, may be used to satisfy this requirement."

Whilst, for chapter 16 of the operational requirements it is then stated the following on the replaced paragraph 16.2.7 :

"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 of Annex II of MARPOL."

During the discussion in the Drafting Group, it has been brought to attention that a revision of circular MSC-MEPC.5/Circ.7 setting out Guidance on the timing of replacement of existing certificates by revised certificates, as a consequence of the entry into force of amendments to chapters 17 and 18 of the IBC Code may be required to ensure consistent implementation of the draft amendments, and recommend that the matter be referred to ESPH 25 for further consideration.

It was also noted that that the temperature class ranges set out in paragraph 21.4.9.1.1 of chapter 21 of the IBC Code are not consistent with the latest IEC standards and recommended that this information be reviewed and updated when chapter 21 is next amended.

The Committee then has decided to adopt amendments to IBC Code Chapter 15,16,17,18,19 and 21 and is expected to enter into force 1 January 2021, six months after its accepted date.

Amendments to BCH Code

The amendments proposed that special requirements for ships under BCH Code to carry Hydrogen sulphide (H₂S) detection equipment for bulk liquids which are prone to H₂S formation. IACS then added for reference below :

"Toxic vapour testing instruments provided for complying with the requirements in 3.11.1 of the Code, which are also designed and calibrated for testing H₂S, may be used to satisfy this requirement."

Whilst, for chapter V of the operational requirements it is then stated the following on the replaced paragraph 5.2.7 :

"5.2.7 Where column m in the table of chapter VI refers to this paragraph, the cargo is subject to the prewash requirements in regulation 13.7.1.4 of Annex II of MARPOL."

The Committee then has decided to adopt amendments to BCH Code Chapter and is expected to enter into force 1 January 2021, six months after its accepted date.

B. HARMFUL AQUATIC ORGANISMS IN BALLAST WATER (AGENDA ITEM 4)

Review Group on ballast water was established during this session, and the discussion took place during this session are as follows.

Revision of the data gathering and analysis plan for the experience-building phase associated with the BWM Convention

The Marine Environment Protection Committee (MEPC), at its seventy-first session adopted resolution MEPC.290(71), establishing the experience-building phase associated with the BWM Convention, to allow the Marine Environment Protection Committee to monitor and improve the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004.

Revision of the circular on Data gathering and analysis plan for the experience-building phase (EBP) associated with the BWM Convention proposed to include a link to standard operating procedures for collection and analysis of treated ballast water samples, as agreed by PPR 6.

With this revised circular, Member Governments and international organizations are encouraged to use the plan to gather, prepare and submit data to the experience-building phase (EBP).

The Committee then has decided to approve for dissemination proposed *Data gathering and analysis plan for the experience-building phase associated with the BWM Convention as BWM.2/Circ.67/Rev.1*.

Proposed amendments and unified interpretations of the form of the International Ballast Water Management Certificate (IBWMC)

There was some discussion on whether the proposed amendment on whether IBWMC is urgent in nature, however the intention of the amendment of the certificate was to capture other means of compliance with the BWM Convention, as provided for in regulation B-3, although the detailed might have already been set out in the BWMP.

In the end, the proposed amendments on the certificate is to include one more tick box stated "other approach in accordance with regulation . . ." and stating the details on it.

The Committee then has decided to approve the proposed Form Certificate for adoption on MEPC 75.

Commissioning testing of ballast water management systems

Validation of ballast water management systems (BWMS) in conjunction with their commissioning was essentially mandated by regulation E-1.1 of the Convention and paragraphs 8.2.5 and 8.3.6 of the BWMS Code was discussed on MEPC 72. However, the regulatory basis for the relevant survey item in the HSSC was not complete with regard to sampling and analysis.

Furthermore , any amendment would not enter into force until October 2021 at the earliest, while the commissioning testing of BWMS was urgently needed and should already be carried out in accordance

with the Guidance for the commissioning testing of ballast water management systems (BWM.2/Circ.70).

The commissioning testing of BWMS was critical and should be conducted already on all new installations regardless of the formal adoption and entry into force of such amendments. The Commissioning should not be applicable to ships that installed a BWMS and were certified for compliance with regulation D-2.

Application of the BWM Convention to specific ship types

Submission on this matters has considered on the application of BWM Convention on multipurpose salvage ships and rescue tug boats. The majority of the Working group participant expressed that there should not be any sector-wide exemptions nor any amendments to regulation on that matters. Therefore, the two types of ships is not to be identified as "special" which would be against the intent of the convention to be applicable to all ships.

However, it is then agreed in the group that guidance on options for compliance with the Convention to be drafted in the form of amending the *BWM.2/Circ.44 on Options for ballast water management for Offshore Support Vessels in accordance with the BWM Convention* can be considered for further development, to add additional certain type of ships or to provide new circular, which would be aimed at all ships and not specific ship types, and could be useful for Administrations and the industry.

The Committee then Invite proposals for guidance on options other than a BWMS for compliance with the BWM Convention to PPR 7.

Proposed concepts on exemption and onshore ballast water management

One member state introduced the concept of Port with Acceptable Risk (PWAR) and Pre-loading Onshore Ballast Water Treatment System (PreOBWTS) for compliance with the BWM Convention. The Ballast Water Review Group sees this as an creative approaches to comply with the BWM Convention and agreed that the proposed concepts were in line with provisions of the Convention such as regulation B-3.6 or B-3.7, depending on the circumstances, with no additional guidance necessary

C. AIR POLLUTION AND ENERGY EFFICIENCY (AGENDA ITEM 5)

Some of the issues raised in relation to this item agenda mainly in relation with the preparation of implementing the 2020 Requirements on 0,5% Sulphur limit content. The need to have a standardized guidelines or guidance of the implementation is imminent to member states and also the industry as the time of entry into force is near. Therefore the working group on Air Pollution and energy efficiency is then instructed by the committee to discuss the following.

Amendments to MARPOL Annex VI supporting consistent implementation of the 0.50% sulphur limit

The concern raised with regard to the above issue is that to avoid the need for additional verification of the MARPOL delivered sample by the Administration. It is noted that the representative fuel oil sample, which is required by regulation 18.8.1 (the MARPOL delivered sample) shall be used to verify the sulphur content of the fuel oil delivered to a ship.

Appendix VI or MARPOL Annex VI provides Fuel verification procedure for MARPOL Annex VI fuel oil sample (regulation 18.8.2 or regulation 14.8). This appendix then refers to the following representative MARPOL Annex VI fuel oil samples:

Part 1 – sample of fuel oil delivered in accordance with 18.8.1, hereafter referred to as the 'MARPOL delivered sample'.

Part 2 – sample of fuel oil in use, intended to be used or carried for use on board, hereafter referred to as the 'in-use sample' in accordance with regulation 2.54 and 'on board sample' in accordance with regulation 2.55.

The verification procedure shall be managed by a Party competent authority. A laboratory undertaking the sulphur testing procedure given in this appendix VI shall have valid accreditation in respect of the test method to be used. The final result obtained from this verification procedure shall be evaluated by the competent authority.

The Committee then has decided to approve draft amendments to MARPOL Annex VI supporting consistent implementation of the 0.50% sulphur limit.

2019 Guidelines for port State control under MARPOL Annex VI

The discussion on this issue focuses on Chapter 3 of MARPOL Annex VI only and Chapter 4 on energy efficiency for ships to be addressed at future sessions. Due to that the title with the MEPC resolution to be issued is then replaced to 2019 Guidelines for port State control under MARPOL Annex VI Chapter 3.

Discrepancy between the Sulphur content on the bunker delivery note and independent test result of commercial samples taken by the ship during bunkering is also addressed in the Guidelines. Furthermore, a new annex is added providing guidance to port state control officers in the case of non-availability of compliant fuel is claimed, and also with regards to Fuel Oil Non-Availability Report (FONAR).

The Committee then has decided to adopt Guidelines for port State control under MARPOL Annex VI.

Guidance for port State control on contingency measures for addressing non-compliant fuel oil

This guidance addresses possible scenarios of non-compliant fuel oil, and not limited in time or apply solely to situations of fuel oil non-availability following the global entry into force of Sulphur limit.

The Committee then has decided to approve proposed Guidance for port State control on contingency measures for addressing non-compliant fuel oil

MEPC circular on Verification procedures for a MARPOL Annex VI fuel oil sample

To ensure compliance and consistent approach to verifying the Sulphur limit of the fuel oil until the time of entry into force of the approved amendments to MARPOL Annex VI, this draft MEPC Circular on the early application of the approved amendments to the verification procedures for a MARPOL Annex VI fuel oil sample is finalized by the Working Group on Air Pollution established at this session.

One of the member of the working group noted that an additional guidance on conducting the evaluation of testing result by competent authorities in a uniform and consistent may could be develop the earliest as possible.

The Committee then has decided to approve draft MEPC circular on Verification procedures for a MARPOL Annex VI fuel oil sample.

MEPC Circular on Guidance on indication of ongoing compliance in the case of the failure of a single monitoring instrument, and recommended actions to take if the EGCS fails to meet the provision of the guidelines.

The case of a ship machinery malfunctioning is inevitable, however this guidance is to address on the case of a single monitoring instrument malfunction of the EGCS equipment and actions to be taken in a timely manner.

Although some member of the working group raised concern on whether by developing this guidance would mean that a favorable treatment is being given to a ship non-compliant, others were of the opinion that this would be useful for addressing what has already occurring on short term EGCS malfunctioning.

The Committee then has decided to approve MEPC Circular on guidance on indication of ongoing compliance in the case of the failure of a single monitoring instrument, and recommended actions to take if the EGCS fails to meet the provision of the guidelines.

Guidance on best practice for member states / coastal states

During the Plenary, it was recognized the benefits of voluntary licensing scheme for bunker supplier to help ensure the quality and compliance of fuel oil. The Guidance gives examples of bunker suppliers license, however due to lack of time the issues is being kept under consideration for future session and at earliest as possible.

The Committee then has decided to approve Guidance on best practice for member states / coastal states.

Amendments to regulation 20 of MARPOL Annex VI and Draft amendments to the 2018 Guidelines on the Method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships (Resolution MEPC 308 (73))

MEPC 73 discusses a proposal to require mandatory reporting of attained EEDI values to expand the data available to IMO Member States, industry and other interested parties. The Amendment proposes a complete statistical profile of attained EEDI values and related information that will help Member States, industry and other parties better evaluate design trends across the fleet.

A time limit of seven months instead of the previous 30 and 90 days of reporting will reduce burden of administrative for IACS in reporting, and be having to submit consolidated data of EEDI twice a year to the organization.

The Committee then has decided to approve draft amendments to regulation 20 of MARPOL Annex VI and Draft amendments to the 2018 Guidelines on the Method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships (Resolution MEPC 308 (73)).

D. LIST OF MEPC RESOLUTIONS ADOPTED BY MEPC 74

1. *Resolution MEPC.312(74) – Amendments To Marpol Annexes I, II And V (Electronic Record Books)*
2. *Resolution MEPC.313(74) – Amendments To Marpol Annex II (Cargo Residues And Tank Washings Of Persistent Floating Products)*
3. *Resolution MEPC.314(74) – Amendments To Marpol Annex VI (Electronic Record Books And Eedi Regulations For Ice strengthened Ships)*
4. *Resolution MEPC.315(74) – Amendments To The Nox Technical Code 2008 (Electronic Record Books And Certification Requirements For Scr Systems)*
5. *Resolution MEPC.316(74) – Amendments To The International Code For The Construction And Equipment Of Ships Carrying Dangerous Chemicals In Bulk (IBC Code)*
6. *Resolution MEPC.317(74) – Amendments To The Code For The Construction And Equipment Of Ships Carrying Dangerous Chemicals In Bulk (BCH Code)*
7. *Resolution MEPC.318(74) – Guidelines For The Use Of Electronic Record Books Under MARPOL*
8. *Resolution MEPC.319(74) – Amendments To The 2017 Guidelines Addressing Additional Aspects Of The Nox Technical Code 2008 With Regard To Particular Requirements Related To Marine Diesel Engines Fitted With Selective Catalytic Reduction (SCR) Systems (Resolution MEPC.291(71))*
9. *Resolution MEPC.320(74) – 2019 Guidelines For Consistent Implementation Of The 0.50% Sulphur Limit Under Marpol Annex VI*
10. *Resolution MEPC.321(74) – 2019 Guidelines For Port State Control Under Marpol Annex VI Chapter 3*
11. *Resolution MEPC.322(74) – Amendments To The 2018 Guidelines On The Method Of Calculation Of The Attained Energy Efficiency Design Index (EEDI) For New Ships (Resolution MEPC.308(73))*
12. *Resolution MEPC.323(74) – Invitation To Member States To Encourage Voluntary Cooperation Between The Port And Shipping Sectors To Contribute To Reducing Ghg Emissions From Ships*

E. LIST OF CIRCULARS APPROVED BY MEPC 74

1. *BWM.2/Circ.67/Rev.1 Revised data gathering and analysis plan for the experience building phase associated with the BWM Convention*
2. *BWM.2/Circ.66/Rev.1 Updated unified interpretation of Appendix I (Form of the International Ballast Water Management Certificate) of the BWM Convention*
3. *MEPC.1/Circ.512/Rev.1 Guidelines for the provisional assessment of liquid substances transported in bulk MEPC.1/Circ.795/Rev.4 Unified interpretations to MARPOL Annex VI (regulations 13.2.2, 13.5.3, 14.1 and 16.9)*
4. *MEPC.1/Circ.864/Rev.1 2019 Guidelines for on board sampling for the verification of the sulphur content of the fuel oil used on board ships.*
5. *MEPC.1/Circ.881 Notification on early application of the verification procedures for a MARPOL Annex VI fuel oil sample (regulation 18.8.2 or regulation 14.8)*
6. *MEPC.1/Circ.882 Guidance for port State control on contingency measures for addressing non-compliant fuel oil*
7. *MEPC.1/Circ.883 Guidance for best practice for member state/coastal state*
8. *MEPC.1/Circ.884 Guidance on indication of ongoing compliance in the case of the failure of a single monitoring instrument, and recommended actions to take if the exhaust gas cleaning system (EGCS) fails to meet the provisions of the Guidelines*
9. *MEPC.1/Circ.885 Guidance on the implementation of provisional categorization of liquid substances in accordance with MARPOL Annex II and the IBC Code related to paraffin-like products*

F. LIST OF DRAFT INSTRUMENTS FINALIZED IN MEPC 74

1. *Draft Amendments To The BWM Convention (Regulations E-1 And Appendix I)*
2. *Draft Amendments To MARPOL Annex Vi (Regulations 1, 2, 14, 18, 20, 21, Appendix I And Appendix VI)*
3. *Draft MSC-MEPC Circular On Delivery Of Compliant Fuel Oil By Suppliers*