



Merchant Shipping Notice **MSN-0027**

IMMARBE

International Merchant Marine Registry of Belize

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 IMMARB, 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;

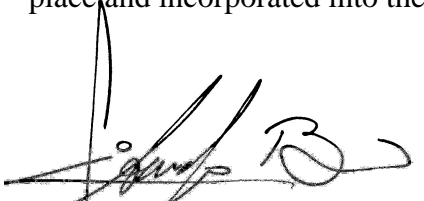
- Tanks used and quantity of fuel oil in each tank at the time of the change-over,
- Date/time,
- Position of the ship (start/finish), and
- Name/signature of ship's responsible person.

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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IMMARBE

Any queries related to this Notice should be directed to:

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ATTACHMENT I

FUEL OIL SAMPLING (Key Steps)

Before Bunkering

- **Inspect** sampling equipment, follow the manufacturer's instructions.
- **Ensure** sampling container is clean.
- **Seal** sampling container properly, avoiding contamination.
- **Record** seal label in a logbook, ensuring linkage to the tank to be bunkered.

During Bunkering

- **Ensure** sampling starts simultaneously with the bunkering operation.
- **Check** continuous drip sample is taken throughout bunkering operation.
- **Adjust** needle valve if necessary to ensure minimum quantity (=400ml)
- **Re-seal** sampling container and needle valve with new seal.
- **Record** new seal number as before bunkering.

After Bunkering

- **Check** the seal of the sampling container/needle valve.
- **Shake** or stir the sampling container to promote homogeneity.
- **Pour** the sample into at least 3 sample containers making 3 or 4 passes to fill each container in turn.
- **Seal** the sample containers with uniquely-numbered seals.
- **Check** sample labels.
- **Sign** the sample labels.
- **Paste** the sample labels on containers in the presence of both parties.
- **Record** the seal nos. in the sample labels and Bunker Delivery Note (BDN).

Important Notes

- Do not sign any sample labels prior to the completion of the bunkering and sampling operations.
- Do not sign extra sample labels.
- Do not accept samples taken at the supplier's bunker manifold.
- It is recommended that additional samples be collected in the event testing by a Laboratory is ever required.
- Recording of the sample seal numbers in the BDN is important, failure to do so, the authenticity of the sample cannot be verified.
- Counter seals, if used, should be recorded in the sample labels and BDN.

ATTACHMENT II

LETTER OF PROTEST

Vessel Name _____ Supplier's Name _____
IMO No. _____ Bunkering Vessel Name _____
Port _____ IMO No. _____
Date _____ BDN No. _____
Sample No. _____

- Fuel oil quality(sulphur content limits), not within Reg. 14 & 18
- Bunker Delivery Note missing information (Annex V)
- Fail to follow MEPC.96(47)

Additional comments/List of supporting documents:
(if required)

Supplier's representative

Ship's representative

- Copy to Port State Authority
- Copy to Ship's Flag State
- Copy for ship's records
- Copy to Company
- Copies to other parties

Specify: