INTERNATIONAL MARITIME ORGANIZATION

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MARINE ENVIRONMENT PROTECTION COMMITTEE
67th session
Agenda item 20

MEPC 67/20
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REPORT OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE ON ITS SIXTY-SEVENTH SESSION

LIST OF ANNEXES

1 INTRODUCTION – ADOPTION OF THE AGENDA

1.1 The sixty-seventh session of the Marine Environment Protection Committee was held at IMO Headquarters from 13 to 17 October 2014, under the chairmanship of Mr. Arsenio Dominguez (Panama). The Vice-Chairman of the Committee, Dr. Naomi Parker (New Zealand), was also present.

1.2 The session was attended by delegations from Members and Associate Members; by representatives from United Nations Programmes, specialized agencies and other entities; by observers from intergovernmental organizations with agreements of cooperation; and by observers from non-governmental organizations in consultative status, as listed in document MEPC 67/INF.1.

1.3 The session was also attended by the Chairman of the Council, Mr. J. G. Lantz (United States); the Chairman of the Facilitation Committee (FAL), Mr. Y. Melenas (Russian Federation); the Chairman of the Sub-Committee on Implementation of IMO Instruments (III), Mr. D. Hutchinson (Bahamas); the Chairman of the Sub-Committee on Navigation, Communications and Search and Rescue (NCSR), Mr. C. Salgado (Chile); the Chairman of the Sub-Committee on Pollution Prevention and Response (PPR), Mr. S. Oftedal (Norway); the Chairman of the Sub-Committee on Ship Design and Construction (SDC), Mrs. A. Jost (Germany); and the Chairman of the Sub-Committee on Ship Systems and Equipment (SSE), Mr. S. Ota (Japan).

Opening address of the Secretary-General

1.4 The Secretary-General welcomed participants and delivered his opening address, the full text of which can be downloaded from the IMO website at the following link: http://www.imo.org/MediaCentre/SecretaryGeneral/Secretary-GeneralsSpeechesToMeetings.

1.5 The Chairman thanked the Secretary-General for his opening address and stated that his advice and requests would be given every consideration in the deliberations of the Committee.

Accession to the BWM Convention

1.6 The Committee noted with appreciation information by the delegation of Japan that Japan had deposited an instrument to accede to the BWM Convention with the Secretary-General on 10 October 2014, thus becoming the 42nd Contracting State of the Convention. The full statement of the delegation is set out in annex 19.

Adoption of the agenda

1.7 The Committee adopted the agenda (MEPC 67/1) and agreed to be guided by the provisional timetable (MEPC 67/1/1, annex 2, as revised), on the understanding that it was subject to adjustments depending on the progress made each day. The agenda, as adopted, with a list of documents considered under each agenda item, is set out in document MEPC 67/INF.34.

Credentials

1.8 The Committee noted that the credentials of the delegations attending the session were in due and proper order.

Arrangements for the meeting

1.9 With a view to utilizing the plenary's time in the most efficient way, the Committee agreed to the Chairman's proposal to refer the documents submitted under agenda item 4 and listed in paragraph 3 of document MEPC 67/1/2 (Chairman) directly to the Working Group on Air pollution and energy efficiency, for consideration, without introduction in plenary.

1.10 Having noted that the Chairman would conduct, from that point onwards, the meeting in English, the delegation of Spain, supported by the delegations of Argentina, Bolivia, Colombia, Guatemala and France, expressed their concerns with that decision. The statements of the delegations of France and Spain are set out in annex 19.

2 HARMFUL AQUATIC ORGANISMS IN BALLAST WATER

2.1 The Committee noted that the number of Contracting Governments to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM Convention) is steadily increasing, bringing entry into force ever closer.

2.2 Turkey deposited its instrument of accession to the BWM Convention with the Secretary-General during plenary on 14 October 2014, bringing the number of Contracting States to 43, representing approximately 32.54% of the world's merchant fleet gross tonnage. The Committee urged those States which have not yet ratified the Convention to do so at the earliest possible opportunity.

Consideration and approval of ballast water management systems that make use of Active Substances

2.3 The Committee noted that the 28th and 29th meetings of the GESAMP Ballast Water Working Group (GESAMP-BWWG) had been held at IMO Headquarters from 5 to 9 May 2014 and on 8 July 2014, respectively, under the chairmanship of Mr. J. Linders. During the two meetings, the GESAMP-BWWG had reviewed a total of four proposals for approval of ballast water management systems (BWMS) that make use of Active Substances, submitted by Japan, the Republic of Korea and Singapore.

Basic Approval

2.4 The Committee, having considered the recommendations contained in annex 4 of the report of GESAMP-BWWG 29 (MEPC 67/2/9), agreed to grant Basic Approval to the ElysisGuard Ballast Water Management System, proposed by Singapore in document MEPC 67/2/3.

2.5 The Committee invited the Administration of Singapore to take into account all the recommendations made in the aforementioned report (MEPC 67/2/9, annex 4) during the further development of the system.

Final Approval

2.6 The Committee, having considered the recommendations contained in annexes 4 to 6 of the report of GESAMP-BWWG 28 (MEPC 67/2/4), agreed to grant Final Approval to:

.1 MARINOMATE™ Ballast Water Management System, proposed by the Republic of Korea (MEPC 67/2);

.2 BlueZone™ Ballast Water Management System, proposed by the Republic of Korea (MEPC 67/2/1); and

.3 KURITA™ Ballast Water Management System, proposed by Japan (MEPC 67/2/2).

2.7 The Committee invited the Administrations of Japan and the Republic of Korea to verify that all recommendations contained in the aforementioned report (MEPC 67/2/4, annexes 4 to 6) are fully addressed prior to the issuance of the Type Approval Certificates.

2.8 Having considered the comments in document MEPC 67/2/14 (Japan), and having noted the concurrence by the Chairman of the GESAMP-BWWG, the Committee agreed that the Final Approval of the KURITA™ Ballast Water Management System is granted without the system limitation of > 4°C. The Committee noted that this recommended limitation was based on data available to the GESAMP-BWWG at the time of its 28th meeting and only referred to the applicable minimum temperature of the discharge water when neutralizer is injected and is not related to the efficacy of the BWMS. In other BWMS evaluated by the GESAMP-BWWG, the system limitations, as provided by the applicants themselves, have been related to the efficacy of the system, as well as to the temperature of the receiving waters to avoid increased half-lives.

Future meetings of GESAMP-BWWG

2.9 The Committee noted that the next regular meeting of the GESAMP-BWWG (i.e. the 30th meeting) has been tentatively scheduled from 8 to 12 December 2014, and invited Members to submit their proposals for approval (application dossiers) and the non-confidential description of their BWMS to MEPC 68 as soon as possible, but not later than 24 October 2014.

2.10 The Committee further noted that, recognizing the possibility that more than four proposals may be submitted for review by the GESAMP-BWWG and subsequent approval by MEPC 68, the group had expressed its availability to have an additional meeting (GESAMP-BWWG 31), tentatively scheduled for February 2015, in order to accommodate as many proposals as possible, provided that all the necessary conditions for organizing such a meeting are met. Any proposal for approval not reviewed at the 30th meeting and the additional meeting (i.e. the 31st meeting) due to time constraints will be reviewed at the earliest meeting of the Group after MEPC 68 and reported to MEPC 69 (MEPC 67/2/9, section 3).

Other matters emanating from the GESAMP-BWWG meetings

2.11 Having considered the recommendations of the GESAMP-BWWG regarding the optimization of the evaluation of the proposals for approval, the Committee:

.1 noted that, as the GESAMP-BWWG Database of chemicals most commonly associated with treated ballast water is to be considered a living document, and as better data for some chemicals has become available since the publication of document MEPC 65/INF.14, some of the data used in the Final Approval evaluations differ from that used for Basic Approval; and

.2 recommended that applicants report all bromate species as bromate ion.

2.12 The Committee noted the information provided in document MEPC 67/INF.17 (Secretariat) regarding updated information on the database developed by the GESAMP-BWWG, containing information on chemicals most commonly associated with treated ballast water.

Review of the availability of ballast water treatment technologies

2.13 The Committee noted the information regarding the latest type-approved BWMS provided in the following documents:

.1 MEPC 67/INF.5 (Norway) on the type approval of the Alfa Laval PureBallast 3.0 Water Management System;

.2 MEPC 67/INF.6 and Corr.1 (Norway) on the type approval of the Trojan Marinex BWT™ Ballast Water Management System;

.3 MEPC 67/INF.20 (Japan) on the type approval of the Miura BWMS Ballast Water Management System;

.4 MEPC 67/INF.21 (Japan) on the type approval of the ECOMARINE Ballast Water Management System;

.5 MEPC 67/INF.26 (Germany) on the type approval of the "Ecochlor® Ballast Water Treatment System, Series 75" (formerly "Ecochlor® Ballast Water Management System");

.6 MEPC 67/INF.27 (Germany) on the type approval certificate for the Ballast Water Management System "Ocean Protection System® OPS-250";

.7 MEPC 67/INF.28 (Germany) on the type approval of the "BallastMaster ultraV 250" ballast water management system (formerly named "AquaTriComb™ BW 250");

.8 MEPC 67/INF.29 (Germany) on the type approval certificate for the Ballast Water Management System "CleanBallast® 500-1" (formerly named "RWO Ballast Water Management System (CleanBallast)"); and

.9 MEPC 67/INF.30 (Germany) on the type approval of the "Cathelco Ballast Water Management System – A2",

which increases the total number of type approved BWMS to 51.

2.14 The Committee thanked the delegations of Germany, Japan and Norway for the information provided and instructed the Ballast Water Review Group to take this information into consideration when conducting future reviews.

Guidelines for port State control (PSC) under the BWM Convention

2.15 The Committee noted that the Sub-Committee on Implementation of IMO Instruments (III) held its first session from 14 to 18 July 2014 and that the general outcome of III 1 is reported in document MEPC 67/12/3 (Secretariat). III 1 had approved a draft MEPC resolution on *Guidelines for port State control under the BWM Convention*, for consideration with a view to adoption by the Committee. The Sub-Committee was not able to conclude on matters related to sampling and indicative analysis and consequently invited the Committee to consider these issues.

2.16 The Committee had for its consideration the following documents:

.1 MEPC 67/2/7 (Secretariat), reporting on the outcome of III 1 with regard to the development of *Guidelines for port State control under the BWM Convention*; and

.2 MEPC 67/2/13 (Greece et al.), commenting on document MEPC 67/2/7 and proposing alternative text for paragraph 2.4.1 of the draft guidelines.

2.17 In considering the matter of indicative analysis, a number of delegations supported retaining the original text of paragraph 2.4.1 of the draft guidelines, as set out in document MEPC 67/2/7. However, the majority of delegations that spoke supported the alternative text proposed in document MEPC 67/2/13.

2.18 The Committee consequently agreed to instruct the Ballast Water Review Group to use this alternative text when finalizing the guidelines, but also to discuss the threshold value presented in square brackets.

2.19 With regard to the question of how to address annex 2 of document III 1/8 (Assessment of compliance with the discharge standards of the BWM Convention – additional PSC guidance), containing information on preparations for sampling, the Committee decided that, although this annex should not be part of the *Guidelines for port State control under the BWM Convention*, the valuable information contained in it should not be lost and, therefore, invited interested parties to submit further proposals on the matter to a future session of the Committee.

Consideration and adoption of amendments and interpretations to BWM guidelines

Study on the implementation of the ballast water performance standard described in regulation D-2 of the BWM Convention

2.20 The Committee, having recalled that MEPC 66 had requested the Secretariat to explore the possibility of conducting a study on the implementation of the ballast water performance standard described in regulation D-2 of the BWM Convention, considered document MEPC 67/2/5 (Secretariat) containing a proposed plan, including terms of reference, timeline and execution modalities, for conducting such a study.

2.21 While the Committee supported the proposal by the Secretariat, several delegations stressed the importance of considering the study and its outcome in conjunction with the industry proposal to revise the *Guidelines for approval of ballast water management systems* (Guidelines (G8)) and the need to provide a progress report of the study to MEPC 68. In this regard, the Committee also thanked Canada for its financial contribution towards conducting the study.

2.22 Following discussion, the Committee instructed the Ballast Water Review Group to consider the draft study plan and terms of reference in detail, taking into account the comments made in plenary, and advise the Committee accordingly.

Measures to facilitate the entry into force of the BWM Convention

2.23 The Committee had for its consideration the following documents:

.1 MEPC 67/2/6 (ICS et al.), including a draft MEPC resolution on Measures to be taken to facilitate the entry into force of the BWM Convention;

.2 MEPC 67/2/11 (Canada), presenting compromise proposals for some of the measures proposed in document MEPC 67/2/6 and a draft MEPC resolution towards a fair, practical and protective implementation of BWM Convention; and

.3 MEPC 67/2/15 (Liberia), commenting on document MEPC 67/2/6, supporting the proposal to review Guidelines (G8) and detailing the Liberian Administration's type approval process.

2.24 The Committee first discussed whether Guidelines (G8) should be amended (as proposed in document MEPC 67/2/6) or whether a harmonized methodology for type approval in accordance with Guidelines (G8) should be developed (as proposed in document MEPC 67/2/11).

2.25 The Committee agreed that:

.1 Guidelines (G8) should be revised and the revision should commence as soon as possible;

.2 the revision should take into account the differences that now exist between how ballast water discharge from an approved system installed on board ships is monitored and sampled when the ship is in operation, versus the methods specified in the current guidelines; and

.3 the study on the implementation of the ballast water performance standard described in regulation D-2 of the BWM Convention should be utilized during the revision, but the work should not result in delays in ratification and entry into force of the BWM Convention.

2.26 The Committee instructed the Ballast Water Review Group to consider how Guidelines (G8) should be revised, taking into account the aforementioned study and considering the annex of the draft MEPC resolution set out in document MEPC 67/2/6, and to prepare terms of reference for a correspondence group, if appropriate.

2.27 In this regard, the Committee recognized the need to avoid disadvantages for proactive shipowners who have already installed ballast water management systems and for manufacturers producing such systems and agreed that early movers should not be penalized. The Committee further invited proposals to MEPC 68 on how to address this agreement and requested the Secretariat to provide legal advice on its appropriate application at that session.

2.28 With regard to the proposal in document MEPC 67/2/6 to amend article 9 of the BWM Convention, the Committee, taking into account that the Convention is not yet in force, decided to defer any consideration of the issue to a future session.

2.29 After extensive discussion on the need for an MEPC resolution to reflect the above decisions, the Committee instructed the Ballast Water Review Group to finalize the draft MEPC resolution set out in the annex of document MEPC 67/2/6, based on the agreement to revise Guidelines (G8) and not to penalize early movers.

Guidance on stripping operations using eductors

2.30 The Committee recalled that MEPC 66 had considered a draft BWM circular on *Guidance on stripping operations using eductors,* prepared and agreed in principle by PPR 1. Recognizing that there had not been sufficient time to submit documents commenting on the outcome of PPR 1 to MEPC 66, the Committee had decided to defer consideration of the matter to this session.

2.31 The Committee considered the following documents:

.1 MEPC 67/2/8 (Marshall Islands et al.), proposing changes to the draft *Guidance on stripping operations using eductors,* set out in annex 6 of the report of PPR 1 (PPR 1/16); and

.2 MEPC 67/2/10 (Japan et al.), commenting on the draft guidance and arguing that it should not be disseminated at all as the co-sponsors consider that sampling of ballast water during stripping operations is not appropriate.

2.32 Following consideration, the Committee agreed that there is no need to develop guidance on stripping operations using eductors as it is not recommended that ballast water sampling be performed during stripping operations.

Guidelines for risk assessment under regulation A-4 of the BWM Convention (G7)

2.33 The Committee considered documents MEPC 67/2/12 and MEPC 67/INF.23 (Denmark and INTERFERRY), addressing issues on regulations A-3 (Exceptions) and A-4 (Exemptions) of the Convention and the associated *Guidelines for risk assessment under regulation A-4 of the BWM Convention (G7).*

2.34 In this context, the delegation of Finland advised the Committee of the extensive work that had already been undertaken, and continued to be undertaken, within the HELCOM and OSPAR Commissions, and that information on that work was expected to be presented to MEPC 68.

2.35 Following discussion, the Committee agreed to forward documents MEPC 67/2/12 and MEPC 67/INF.23 to PPR 2 for further consideration.

Establishment of the Ballast Water Review Group

2.36 The Committee established the Ballast Water Review Group, under the chairmanship of Mr. C. Wiley (Canada), and instructed it, taking into consideration the comments and decisions made in plenary, to:

.1 finalize the *Guidelines for port State control inspection for compliance with the BWM Convention*, using the text in the annex to document MEPC 67/2/7 as the basis and taking into account the action requested of the Committee in paragraphs 3.5 to 3.7 of document MEPC 67/12/3, the issues described in paragraphs 5 and 6 of document MEPC 67/2/7 and the proposal in document MEPC 67/2/13, and prepare an associated MEPC resolution for adoption;

.2 consider how Guidelines (G8) should be revised, including taking into account the study on the implementation of the ballast water performance standard described in regulation D-2 of the Convention and considering the annex of the draft MEPC resolution set out in document MEPC 67/2/6, and prepare terms of reference for a correspondence group, if appropriate;

.3 finalize the draft MEPC resolution set out in the annex of document MEPC 67/2/6 based on the decisions and agreements made in plenary; and

.4 consider the proposed plan and terms of reference for a study on the implementation of the ballast water performance standard described in regulation D-2 of the Convention, as set out in document MEPC 67/2/5, and advise the Committee accordingly.

Report of the Ballast Water Review Group

2.37 Having considered the report of the Ballast Water Review Group (MEPC 67/WP.11), the Committee approved it in general and took action as outlined hereunder.

Guidelines for port State control under the BWM Convention

2.38 In considering the draft MEPC resolution on *Guidelines for port State control inspection for compliance with the BWM Convention* (MEPC 67/WP.11, annex 1), the Committee agreed to minor amendments to the wording of paragraphs 1.3.5 and 2.5.5 of the guidelines.

2.39 Subsequently, the Committee adopted resolution MEPC.252(67) on *Guidelines for port State control under the BWM Convention,* as set out in annex 1, and agreed to keep the guidelines under review following the trial period associated with the guidance in BWM.2/Circ.42, as described in the report of BLG 17 (BLG 17/18, annex 6).

2.40 The delegation of the United States reserved its position with respect to paragraph 2.5.5 of the guidelines, reiterating the basis for its reservation expressed at MEPC 65 (MEPC 65/22, paragraph 2.44) on the principle of port States refraining from applying criminal sanctions or detaining ships on the basis of sampling during the trial period.

Revision of Guidelines (G8)

2.41 The Committee endorsed a plan of action for reviewing the *Guidelines for approval of ballast water management systems (G8)*, set out in annex 2, and established a Correspondence Group on the review of the guidelines, coordinated by Ireland[1], and instructed it, taking into consideration the outcome of this session and the plan of action set out in annex 2, to:

.1 undertake a point-by-point review of the items listed in paragraph 1 of the plan of action set out in annex 2;

[1] **Coordinator:**
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Irish Maritime Administration
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.2 develop and use an interface for incoming data of the study for implementation of the ballast water performance standard described in regulation D-2 of the BWM Convention (see MEPC 67/20, paragraph 2.46);

.3 propose amendments to the existing Guidelines (G8) to address the findings of the review, taking into account any available data provided from the Study and any other relevant information provided during the timeline of the review; and

.4 submit a report to MEPC 68.

2.42 The Committee approved an official meeting of the members of the correspondence group, to be held in the margins of PPR 2, and invited the appropriate technical experts to attend the meeting. The Committee also agreed to relax the deadline for the submission of the report of the group to MEPC 68 to 6 March 2015, i.e. nine weeks before MEPC 68. To ensure sufficient time to enable the submission of comments on the report, the Committee requested the coordinator of the group to submit the report early enough to allow the Secretariat to upload it on IMODOCS by the nine-week deadline.

2.43 The delegation of Ireland stated that, in its view, limited consideration had been given to the consequences of the revision of Guidelines (G8) and that any amendments should protect the rigour of the BWM Convention in order to ensure the protection of coastal States' marine environment; stressed that the revision should be fact based; and expressed concern with regard to the timeframe of the revision in relation to the time required to collect data.

Measures to be taken to facilitate entry into force of the BWM Convention

2.44 The Committee adopted resolution MEPC.253(67) on *Measures to be taken to facilitate entry into force of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004*, as set out in annex 3.

2.45 The delegation of the United States reserved its position with regard to the resolution for reasons related to the language and substance of this non-binding resolution.

Study on the implementation of the ballast water performance standard described in regulation D-2 of the BWM Convention

2.46 The Committee endorsed the plan (MEPC 67/2/5, annex) and the terms of reference (MEPC 67/WP.11, annex 5) for the Study on the implementation of the ballast water performance standard described in regulation D-2 of the BWM Convention and invited the Secretariat to initiate the Study, taking into account the recommendations of the Review Group outlined in paragraph 22 of document MEPC 67/WP.11. In this context, the Committee urged Member States and other stakeholders to support the Study by providing data and financial contributions.

2.47 Having been informed by the delegation of Australia of that country's financial contribution of AUD$30,000, to be used for conducting the Study, the Committee thanked the Government of Australia for its support.

2.48 The observer from ICS thanked the Committee for listening and responding to most of the concerns of the shipping industry with regard to the implementation of the BWM Convention, describing the progress made during this session as a pivotal moment for the Convention and stressing the importance of building confidence through the agreements reached.

Future work

2.49 The Committee agreed to re-establish the Ballast Water Review Group at MEPC 68, in accordance with the provisions of regulation D-5 of the BWM Convention.

3 RECYCLING OF SHIPS

Background

3.1 So far, three States, i.e. the Congo, France and Norway, have ratified or acceded to the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (Hong Kong Convention).

3.2 MEPC 66 had re-established the Correspondence Group on Ship Recycling and instructed it to finalize the development of threshold values, exemptions and bulk listings applicable to the materials to be listed in the Inventory of Hazardous Materials (IHM) and to prepare relevant amendments to the *2011 Guidelines for the development of the Inventory of Hazardous Materials* (resolution MEPC.197(62)) (IHM guidelines) accordingly.

Report of the correspondence group and comments thereon

3.3 The Committee had for its consideration the report of the correspondence group (MEPC 67/3 and MEPC 67/INF.8), as well as the following documents commenting on it:

.1 MEPC 67/3/1 (China), proposing to add a definition of "Detection Limit" (D.L.), namely the minimum detectable value of the appropriate chemical variable, and to set D.L. for asbestos as 1%, below which a material containing asbestos should be judged as having no presence of asbestos;

.2 MEPC 67/3/2 (China), based on a comparison study of three asbestos detection technologies explaining, from the perspective of detection technology and capability, why it is recommended to set D.L. for asbestos at 1%;

.3 MEPC 67/3/3 (Secretariat of the Basel, Rotterdam and Stockholm Conventions), pointing out that the footnotes for polybrominated biphenyl (PBB) and polychlorinated naphthalenes (PCN) are incorrect as a low persist organic pollutant (POP) content is yet to be established for those POPs under the Stockholm Convention, and proposing to amend the footnotes for polychlorinated biphenyls (PCB), PBB and PCN accordingly; and

.4 MEPC 67/3/4 (Japan), proposing an amendment to the draft footnote for the asbestos threshold level so as to avoid retroactive application of 0.1% to existing ships, and expressing concerns about setting 50 mg/kg as the threshold level for PBBs.

3.4 Due to time constraints, the Committee did not consider the report of the correspondence group and the documents commenting on it. However, in view of the urgent need to finalize the amendments to the IHM guidelines, the Committee agreed to refer the issue, including consideration of the report of the correspondence group and the documents commenting on it, to PPR 2 and instructed the Sub-Committee to establish a Working Group on ship recycling at that session, as a priority, with the following terms of reference:

"On the basis of the report of the correspondence group (MEPC 67/3 and MEPC 67/INF.8) and taking into account documents MEPC 67/3/1, MEPC 67/3/2, MEPC 67/3/3 and MEPC 67/3/4, prepare the final text of the amendments to the *2011 Guidelines for the development of the inventory of hazardous materials* (resolution MEPC.197(62)), as well as the text of the draft requisite MEPC resolution, with a view to adoption at MEPC 68."

3.5 The Committee also agreed to add the PPR Sub-Committee as an associated organ for output 7.1.2.1 (Revised guidelines for the Inventory of Hazardous Materials); extend the target completion year to 2015; and request the Sub-Committee to add the item "Revised guidelines for the Inventory of Hazardous Materials" to the provisional agenda of PPR 2.

Calculation of recycling capacity

3.6 Due to time constraints, the Committee did not consider document MEPC 67/INF.2/Rev.1 (Secretariat) on the calculation of recycling capacity for meeting the entry-into-force conditions of the Hong Kong Convention and referred it to PPR 2 for consideration.

4 AIR POLLUTION AND ENERGY EFFICIENCY

4.1 The Committee agreed to also consider under this agenda item, in addition to the 35 documents submitted, the following documents:

.1 three documents submitted under agenda item 7, concerning engines fuelled solely by gaseous fuels (MEPC 67/7/5), use of dual fuel engines as a Tier III NO_X control strategy (MEPC 67/7/6), and criteria and procedures for designation of emission control areas (MEPC 67/7/7);

.2 five documents submitted under agenda item 12, concerning the outcome of PPR 1, i.e. MEPC 67/12/4, MEPC 67/12/6, MEPC 67/12/7, MEPC 67/12/8 and MEPC 67/INF.31; and

.3 one document submitted under agenda item 13 concerning the outcome of MSC 93, i.e. MEPC 67/13/1, and regarding the *Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions*, together with two documents forwarded to the Committee by MSC 93 (MSC 93/21/5 and MSC 93/INF.13).

4.2 The Committee recalled that, as agreed under agenda item 1 (see paragraph 1.9), several documents submitted under this agenda item had been directly referred to the Working Group on Air Pollution and Energy Efficiency for consideration, without introduction in plenary.

AIR POLLUTION FROM SHIPS

Outcome of PPR 1

4.3 The Committee noted that the outcome of PPR 1 concerning air pollution prevention was reported in paragraphs 3.1 to 3.3 of document MEPC 67/12.

Impact on the Arctic of emissions of Black Carbon from international shipping

4.4 The Committee noted that PPR 1, in accordance with the work plan agreed at MEPC 62, considered a definition for Black Carbon from international shipping; measurement methods for Black Carbon; and possible control measures.

4.5 The Committee also noted that PPR 1, recalling the instruction of the Committee to prepare one definition for Black Carbon, had concluded, based on the views expressed in plenary, that a Light-absorbing carbon definition should be recommended to the Committee for consideration and endorsement. However, PPR 1 had noted that most delegations had not been in a position to express a preference either for Light-absorbing carbon or equivalent Black Carbon, and some delegations had considered that there was a need for additional information before a final decision could be taken (PPR 1/16, paragraph 8.23).

4.6 In this regard, the Committee had for its consideration the following documents:

.1 document MEPC 67/12/4 (EUROMOT), providing additional information on the measurement methods for determining Black Carbon that had been identified by PPR 1 as follows: Photo Acoustic Spectroscopy (PAS), Laser Induced Incandescence (LII), Multi Angle Absorption Photometry (MAAP) and Filter Smoke Number (FSN), and concluding that the FSN method has several advantages as a measurement method of Black Carbon;

.2 document MEPC 67/12/6 (Norway), providing scientific information regarding the effects on the Arctic of emissions of Black Carbon and data on the contribution from shipping, and also providing information on latest studies and research on Black Carbon, one of them indicating that, while in 2004 the annual Arctic Black Carbon emissions from shipping were only 8% compared to those from the oil and gas sector, by 2030 Black Carbon emissions from shipping would be 250% greater than those of the oil and gas sector; and

.3 documents MEPC 67/12/8 and MEPC 67/INF.31 (CSC), providing comments on the outcome of PPR 1 regarding definition and measurement method of Black Carbon, expressing the view that Black Carbon is not an emission unique to the shipping industry and suggesting an alternative definition of Black Carbon that aligns itself with the accepted scientific definition, taking into account the scientific assessment presented in document MEPC 67/INF.31, which provided a recent peer-reviewed scientific assessment of Black Carbon by 31 leading global researchers.

4.7 In the ensuing discussion on the definition of Black Carbon the following comments were, inter alia, made:

.1 it was premature for the Committee to select one definition of Black Carbon at this session and the matter should be sent back to PPR 2 for further consideration;

.2 further information may be needed to identify and select one definition only;

.3 it was important to identify a clear purpose of the definition, for example, to certify the engine, monitor exhaust emissions, etc. in order to facilitate any further consideration of what is an appropriate definition for international shipping.

4.8 Following discussion, the Committee referred documents MEPC 67/12/4, MEPC 67/12/6, MEPC 67/12/8 and MEPC 67/INF.31 to PPR 2 and instructed the Sub-Committee to further consider the matter, under the same terms of reference as given to PPR 1 (MEPC 62/24, paragraph 4.20), and to make a clear recommendation for a single definition of Black Carbon to a future session of the Committee, identifying as part of that recommendation why the Committee should consider the recommended definition, as opposed to any other.

Guidelines pertaining to equivalent methods set forth in regulation 4 of MARPOL Annex VI

4.9 The Committee recalled that MEPC 65 had considered equivalents set forth in regulation 4 of MARPOL Annex VI and had agreed that a sulphur emission-averaging scheme should not be accepted under that regulation. However, BLG 17 had sought advice on some specific issues pursuant to the implementation of regulation 4 that the Committee had not address at MEPC 65.

4.10 The Committee noted that PPR 1 had invited the Committee to provide advice and clarification on specific issues pursuant to the implementation of regulation 4 of MARPOL Annex VI in order to facilitate the further development and finalization of the draft guidelines pertaining to equivalent methods set forth in regulation 4 of MARPOL Annex VI and not covered by other guidelines (MEPC 67/12, paragraph 3.2).

4.11 The Committee considered the role of the flag State and that of port States when approval of an alternative compliance method is under consideration and agreed that the provisions on equivalents are a matter for Parties to MARPOL Annex VI to interpret. The Committee also invited Parties that have developed relevant practical information or guidance not already considered and relating to the application of equivalents that may assist port State control officers, to submit this information to a future session of the Committee.

4.12 The Committee also considered whether guidance should be generic or applicable to specific alternative compliance methods only, for example, the *2009 Guidelines for Exhaust Gas Cleaning Systems,* and agreed that, when a new equivalent method is allowed by a Party to MARPOL Annex VI, then specific draft guidelines should be developed, as appropriate.

4.13 The Committee further considered whether equivalent methods can be applied to a group of ships. In the ensuing discussion the following comments were, inter alia, made:

.1 the provisions of regulation 4 of MARPOL Annex VI should apply to an individual ship and not a group of ships;

.2 the provisions were a matter for the Administration of the Party to interpret and a Party could permit an equivalent approach or method that may be applicable to a group of ships;

.3 an equivalent approach or method should only be approved on the principle that it did not permit a ship to be non-compliant with the provisions of MARPOL Annex VI;

.4 if applying an equivalent approach or method to a group of ships it would be pragmatic to discuss this with the port State the ship is likely to sail to; and

.5 any port State could reject the interpretation of a Party.

4.14 The Committee noted that MEPC 65 had already considered and agreed that a sulphur emission-averaging scheme for a group of ships should not be accepted under regulation 4 of MARPOL Annex VI, and that some Parties to Annex VI had reserved their position on the matter.

4.15 Having also noted that the strict interpretation of requirements of MARPOL Annex VI was a matter for Contracting Parties, the Committee agreed that it was not possible for it to conclude the discussion at this session and, therefore, deferred further consideration of the matter to MEPC 68.

Revised priority list for developing other guidelines under MARPOL Annex VI and the NO_X Technical Code 2008

4.16 The Committee considered the revised priority list for developing other guidelines under MARPOL Annex VI and the NO_X Technical Code 2008, as set out in annex 9 to document PPR 1/16 (MEPC 67/12, paragraph 3.3).

4.17 Bearing in mind that any new guidelines, other than those contained in the list endorsed by MEPC 64, need to be approved as a new output, in accordance with the Committees' guidelines, the Committee endorsed the revised priority list, as follows:

.1 Guidelines pertaining to equivalent methods set forth in regulation 4 of MARPOL Annex VI and not covered by other guidelines;

.2 Guidelines for dual-fuel operation utilizing a proportion of high-sulphur content, non-compliant fuel oil;

.3 Guidelines for onboard blending of fuel oil;

.4 Guidelines as to the status of blends of petroleum and non-petroleum based fuel oils relative to the requirements of regulations 18.3.1 and 18.3.2 of MARPOL Annex VI;

.5 Guidelines for dry based Exhaust Gas Cleaning Systems; and

.6 Guidelines as called for under paragraph 2.2.5.6 of the revised NO_X Technical Code 2008 (NO_x-reducing devices).

Guidelines for exhaust gas cleaning systems (EGCS)

4.18 The Committee considered document MEPC 67/4/22 (Austria et al.), proposing a calculation-based methodology for verification of washwater discharge criteria for pH for EGCS, as set out in section 10.2.1(ii) of the *2009 Guidelines for exhaust gas cleaning systems* (resolution MEPC.184(59)), as a feasible alternative to the use of actual measurements, noting that PPR 1 had prepared draft text of future amendments to the Guidelines, for further consideration at PPR 2.

4.19 Following consideration, the Committee referred document MEPC 67/4/22 to PPR 2 for detailed consideration and invited interested Member States and international organizations to submit relevant information and/or proposals to PPR 2 under its agenda item 2 (Decisions of other IMO bodies).

Bunker delivery note to permit the supply of fuel oil not in compliance with regulation 14 of MARPOL Annex VI

4.20 The Committee considered document MEPC 67/12/7 (Austria et al.), proposing to insert an additional sentence in appendix V (Information to be included in the bunker delivery note (BDN)) of MARPOL Annex VI, taking into account the "equivalent" provisions set forth in regulation 4 of MARPOL Annex VI.

4.21 Following discussion, the Committee instructed PPR 2 to consider and prepare, under its agenda item 2, draft amendments to appendix V of MARPOL Annex VI for consideration at MEPC 68, with a view to approval, using document MEPC 67/12/7 and any related documents submitted to PPR 2. Having noted very specific technical comments made by the observer from IMarEST, the Committee invited IMarEST to submit these comments to PPR 2.

Review of fuel oil availability as required by regulation 14.8 of MARPOL Annex VI

4.22 The Committee recalled that MEPC 66 had re-established a Correspondence Group on the Assessment of availability of fuel oil, such assessment being required under regulation 14.8 of MARPOL Annex VI, under the coordination of the United States, and instructed it to develop the methodology to determine the availability of fuel oil to comply with the fuel oil standard set out in regulation 14.1.3 of MARPOL Annex VI (MEPC 66/21, paragraph 4.44).

4.23 The Committee considered documents MEPC 67/4/5/Rev.1 and MEPC 67/INF.11 (United States), providing a progress report of the correspondence group and a summary of all comments received during the discussions of the group. Having noted the progress made, the Committee instructed the group to continue its work and to submit a final report to MEPC 68, in accordance with its terms of reference.

Fuel oil quality

4.24 The Committee recalled that MEPC 66 had agreed to develop possible quality control measures prior to fuel oil being delivered to a ship and had invited Member Governments and international organizations to submit concrete proposals to this session (MEPC 66/21, paragraph 4.18).

4.25 In this regard, the Committee noted the outcome of MSC 93's consideration of fuel oil quality and its possible impact on crew health, ship safety and environment protection and that MSC 93 had invited proposals to MSC 94, for consideration in conjunction with the outcome of MEPC 67, and urged Member Governments, in the meantime, to strengthen their oversight capacity of bunker fuel suppliers (MEPC 67/13/1, paragraph 2.19).

4.26 The Committee had for its consideration the following documents:

.1 MEPC 67/4/9 (Liberia et al.), providing concrete proposals for means and processes to achieve a more effective quality control of marine fuels prior to delivery to a ship, including draft amendments to regulation 18.9 of MARPOL Annex VI, and suggesting establishing a correspondence group with draft terms of reference as set out in annex 2 to the document in order to further consider various elements for stricter control of fuel oil quality;

.2 MEPC 67/4/10 (IAPH), providing comments on developing guidance on possible quality control measures prior to fuel being delivered to a ship and advising that the procedures that are already in operation in the ports of Singapore and Rotterdam may serve as examples of good practice;

.3 MEPC 67/4/14 (IBIA), proposing draft amendments to regulation 18.9 of MARPOL Annex VI and its Appendix V (Information to be included in the bunker delivery note (BDN)) to assure the quality of bunkers delivery to ships and suggesting establishing a correspondence group with draft terms of reference as set out in annex 2 to the document; and

.4 MEPC 67/4/24 (United States), commenting on documents MEPC 67/4/9, MEPC 67/4/10 and MEPC 67/4/14 concerning fuel oil quality and expressing disagreement with the proposals to amend MARPOL Annex VI contained in these documents, and suggesting instead the development of non-mandatory guidelines to assist countries when acting within the authority and limitations of their national legislation to ensure that local suppliers that supply fuel oil to ships comply with the provisions of MARPOL Annex VI.

4.27 In the ensuing discussion on a possible way forward on this issue the following comments were, inter alia, made:

.1 the proposed mandatory measures would fundamentally alter the regulatory framework by shifting the legal responsibility of the ship to use compliant fuel oil to the port State and would impact on the market and contractual relationships between shipowner and fuel oil supplier;

.2 the proposed provisions would significantly increase the administrative burden on States, particularly developing States, some of which may have limited regulatory capacity to implement said provisions; and may require additional domestic legislation to be enacted;

.3 poor fuel oil quality has a serious detrimental effect on shipping and there was a significant number of off-specification fuel oil deliveries, indicating that the current regulatory measures for fuel oil quality are not sufficiently robust. If not addressed, this could have significant impacts on the safety of the ship with consequential impacts on equipment, crew health and the environment;

.4 analysis of non-compliance notifications should be encouraged and notes of protest to Parties should be investigated;

.5 there was a lack of trust between the shipowner and the fuel oil supplier and currently all the liability rested with the shipowner as end user, which was not the case with other fuel oil supply chains; and

.6 implementation of measures to address fuel oil quality may be complicated as the responsible authority may not be the maritime Administration of a State.

4.28 The Committee noted that the majority of delegations that expressed a view supported the development of non-mandatory guidance but that, at the same time, a significant minority supported mandatory measures. The full text of relevant statements made by the delegation of the Cook Islands and the observer from IPTA, supported by several other delegations, is set out in annex 19.

4.29 The Committee noted that, in addition to developing guidance, the significant support for mandatory measures demonstrated a need to consider the adequacy of the current legal framework.

4.30 Following consideration, the Committee instructed the working group to prepare draft terms of reference for a correspondence group to develop draft guidance for assuring the quality of fuel oil supplied for use on board ships and consider the adequacy of the current regulatory framework on fuel oil quality, taking into account the outcome of MSC 94, when available. The Committee requested the Secretariat to inform MSC 94 of the outcome of the discussion and invited MSC to forward relevant documents submitted to the session to the correspondence group.

Engines fuelled solely by gaseous fuels

4.31 The Committee recalled that MEPC 66 had approved draft amendments to MARPOL Annex VI regarding engines solely fuelled by gaseous fuels with a view to adoption at this session and invited interested Member Governments and international organizations to submit proposals for associated draft amendments to the NO_X Technical Code 2008 to this session for consideration, with a view to approval (MEPC 66/21, paragraph 4.45).

4.32 In this regard, the Committee considered document MEPC 67/7/5 (Norway et al.), proposing draft amendments to the NO_X Technical Code 2008 to facilitate the testing of gas-fuelled engines. Taking into account that the proposed draft amendments to the Code contained modifications to amendments adopted by resolution MEPC.251(66), which are expected to enter into force on 1 September 2015, the Committee instructed PPR 2 to consider the document, including the proposed modifications, under its agenda item 2, with a view to approval at MEPC 68, and invited interested Member States and international organizations to submit relevant information and/or proposals to PPR 2.

Use of dual fuel engines as a Tier III NO_X control strategy

4.33 The Committee considered document MEPC 67/7/6 (United States), pointing out that neither MARPOL Annex VI nor the NO_X Technical Code 2008 contain a definition of "dual-fuel"; providing information on the use of dual-fuel engines as a Tier III NO_X emission control strategy; and proposing draft amendments to MARPOL Annex VI and the Code.

4.34 Having noted that the proposed draft amendments included modifications to amendments adopted by resolution MEPC.251(66) (see paragraph 4.32), the Committee forwarded document MEPC 67/7/6 to PPR 2 for consideration under its agenda item 2; instructed the Sub-Committee to prepare draft amendments to MARPOL Annex VI and the NO_X Technical Code 2008, as appropriate, with a view to approval at MEPC 68; and invited interested Member States and international organizations to submit relevant information and/or proposals to PPR 2.

Criteria and procedures for designation of emission control areas

4.35 The Committee recalled that MEPC 66 had adopted amendments to MARPOL Annex VI regarding the effective date of the Tier III standards that are applicable in Emission Control Areas (ECAs) designated for the control of NO_X emissions.

4.36 In this regard, the Committee considered document MEPC 67/7/7 (Russian Federation), proposing amendments to appendix III (Criteria and procedures for designation of emission control areas) of MARPOL Annex VI and expressing the view that, when deciding on the effective date of implementation for an ECA, Parties should consider whether

ships operating in this area are ready to comply with the Tier III NO_X emission standards, and further whether port infrastructure is able to meet the relevant requirements, for example, availability of an LNG bunkering facility.

4.37 In the ensuing discussion on a possible way forward on this issue, the following comments were, inter alia, made:

.1 the proposal for additional information to be provided as set out in draft paragraph 3.9 (MEPC 67/7/7, annex) was not necessary to enable ships to comply with the provisions of regulations 13 and 14 of MARPOL Annex VI;

.2 with regard to the proposal in draft paragraph 4.2 (MEPC 67/7/7, annex), it was highly unlikely that a proposal for the designation of an ECA would not contain a proposed date of entry into force and that, if not provided, this would be decided by the Committee in accordance with the procedures set out in the Convention;

.3 MEPC 66 had achieved a balanced compromise on the entry into force of ECAs designated for the control of nitrogen oxides and the proposals, if adopted, may affect that balanced outcome; and

.4 information on port infrastructure may be of interest to enable the shipping industry to plan for the entry into effect of an ECA, for example, LNG fuelling capability, reception facilities for disposal of substances identified in MARPOL Annex VI, provision of compliant fuel oil, etc.

4.38 Following discussion, the Committee, having noted that the majority of delegations that expressed a view did not support the proposed draft amendments, agreed not to consider them further.

Sulphur monitoring programme

4.39 The Committee noted that, in accordance with regulation 14.2 of MARPOL Annex VI and the *2010 Guidelines for monitoring the worldwide average sulphur content of fuel oils supplied for use on board ships* (resolution MEPC.192(61)), the results of sulphur monitoring should be presented to a subsequent session of the Committee every year. In this regard, the Committee noted the information provided in document MEPC 67/4 (Secretariat) on the outcome of the monitoring of the worldwide average sulphur content of marine fuel oils supplied for use on board ship for 2013, which identified the average sulphur content of residual fuel oil as 2.43% and for distillate fuel oil as 0.13%, and that the Secretariat would continue to provide information on this matter annually to the Committee.

4.40 The Committee considered document MEPC 67/4/2 (Secretariat), providing information on an application received by the Secretariat from Viswa Lab of Houston, United States, to become an additional provider of sampling and testing services to the IMO fuel sulphur monitoring programme. Following consideration, the Committee, having noted that Viswa Lab was prepared to provide the aggregated data at no cost to the Organization, approved the application and requested the Secretariat to contract Viswa Lab for the remainder of the current contractual period, that is, to 1 March 2016.

Guidance on the supplement to the IAPP Certificate

4.41 The Committee recalled that MEPC 66 had approved draft amendments to regulation 13.7.3 of MARPOL Annex VI and item 2.2.1 of the Supplement to the IAPP Certificate, with a view to adoption at this session (MEPC 66/21, paragraph 4.46); agreed, in principle, to draft guidance on the Supplement to the IAPP Certificate, as set out in the annex to document MEPC 66/INF.35 (the Marshall Islands and IACS); and requested the Secretariat to prepare a relevant draft circular, with a view to approval at this session (MEPC 66/21, paragraph 4.47).

4.42 The Committee noted that the Secretariat, as requested, had prepared a draft MEPC circular on *Guidance on the Supplement to the IAPP Certificate*, as set out in the annex to document MEPC 67/4/1 (Secretariat), which, as agreed under agenda item 1 (see paragraph 1.9), had been forwarded, together with related document MEPC 67/4/23 (IACS) to the working group directly, and instructed the group to finalize the draft MEPC circular, with a view to approval at this session.

Volatile Organic Compounds (VOC)

4.43 The Committee considered document MEPC 67/4/20 (Norway), proposing improvements to the IMO framework for controlling emissions of Volatile Organic Compounds (VOC); identifying that the regulations in MARPOL Annex VI do not contain instruments that enable the Organization to evaluate whether the implementation of regulation 15 has had, or will have, any effect for the foreseeable future; and proposing to amend regulation 15 and the *Guidelines for the development of a VOC management plan* (resolution MEPC.185(59)), to require a device for automatically maintaining tank pressure, etc. Following consideration, the Committee invited interested Member Governments and international organizations to submit concrete proposals to MEPC 68.

Unified interpretations of MARPOL Annex VI

4.44 The Committee recalled that, as agreed under agenda item 1 (see paragraph 1.9), documents MEPC 67/4/17 and MEPC 67/4/18 (IACS) had been forwarded to the working group directly and instructed the group to finalize the proposed draft Unified Interpretations of MARPOL Annex VI (MEPC.1/Circ.795/Rev.1), as set out in the annexes to the two documents, with a view to approval at this session.

Shore-based power supply

4.45 The Committee noted document MEPC 67/INF.7 (Philippines), providing information on the Shore-Based Power Supply Project adopted by the Philippines in the Port of Cagayan de Oro in Northern Mindanao and expected to be implemented in more ports administered by the Philippine Ports Authority (PPA), and invited interested Parties to support its implementation.

ENERGY EFFICIENCY OF SHIPS

4.46 The Committee recalled that chapter 4 (Regulations on energy efficiency for ships) of MARPOL Annex VI, which makes mandatory the Energy Efficiency Design Index (EEDI) for new ships and the Ship Energy Efficiency Management Plan for all ships (SEEMP), both new and existing, entered into force on 1 January 2013.

Guidelines on the method of calculation of EEDI for new ships

4.47 The Committee recalled that MEPC 66 had adopted the *2014 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships* by resolution MEPC.245(66). In this regard, the Committee also recalled that, as agreed under agenda item 1 (see paragraph 1.9), documents MEPC 67/4/11 and MEPC 67/4/12 (China) had been forwarded to the working group directly and instructed the group to review and consider the proposed draft amendments to the 2014 EEDI Calculation Guidelines, and advise the Committee accordingly.

Guidelines on survey and certification of EEDI

4.48 The Committee recalled that the Working Group on Air Pollution and Energy Efficiency, at MEPC 66, had prepared amendments to the *2012 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI), as amended* (resolution MEPC.214(63)), as set out in annex 7 to document MEPC 66/WP.7, with a view to finalization and adoption at this session. The Committee also recalled that, as agreed under agenda item 1 (see paragraph 1.9), all documents concerning the draft *2014 Guidelines on survey and certification of EEDI* had been forwarded to the working group directly, i.e.:

.1 MEPC 67/4/4 (Denmark) and MEPC 67/4/13 (China) concerning ships with dual-fuel engines;

.2 MEPC 67/4/19 (Japan and SIGTTO) concerning survey and certification of EEDI for LNG carriers;

.3 MEPC 67/4/6 (ITTC), MEPC 67/4/7 (ITTC), MEPC 67/4/8 (ISO and ITTC) and MEPC 67/INF.16 (ISO) concerning speed trials and model test; and

.4 MEPC 67/INF.12 (Republic of Korea) concerning a new synchronization method of ship's shaft power and speed for EEDI verification.

4.49 The Committee instructed the working group to further develop and finalize the draft *2014 Guidelines on survey and certification of EEDI*, with a view to adoption at this session.

Clarification of the term "hybrid propulsion"

4.50 The Committee recalled that, as agreed under agenda item 1 (see paragraph 1.9), document MEPC 67/4/21 (China) had been forwarded to the working group directly and instructed the working group to review this document and advise the Committee accordingly.

Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions

4.51 The Committee noted that MSC 93 had forwarded documents MSC 93/21/5 and MSC 93/INF.13 (Greece) related to minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions to MEPC 67 for consideration (MEPC 67/13/1, paragraph 2.18).

4.52 Having recalled that, as agreed under agenda item 1 (see paragraph 1.9), all documents relevant to the *Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions* (resolution MEPC.232(65)), including documents MEPC 67/4/16 (Denmark et al.), MEPC 67/4/25 (IACS et al.),

MEPC 67/INF.14 (Germany et al.) and MEPC 67/INF.22 (Japan), had been forwarded to the working group directly, the Committee instructed the group to review and consider the proposed draft amendments to the interim guidelines, taking into account documents MSC 93/21/15, MSC 93/INF.13, MEPC 67/4/16, MEPC 67/4/25, MEPC 67/INF.14 and MEPC 67/INF.22.

EEDI reviews required under regulation 21.6 of MARPOL Annex VI

4.53 The Committee recalled that, in accordance with regulation 21.6 of MARPOL Annex VI, the Organization shall review the status of technological developments at the beginning of phase 1 and at the midpoint of phase 2 and, if proven necessary, amend the time periods, the EEDI reference line parameters for relevant ship types and the reduction rate. The Committee also recalled that MEPC 66 had agreed to establish an EEDI database to assist the Organization in its future reviews of technological development, and had also agreed on the minimum data to be included in the database.

4.54 In this regard, the Committee considered document MEPC 67/4/3 (Secretariat), requesting the Committee to:

.1 confirm whether the ship identification number should be included in the data sets to ensure that data is not duplicated in the EEDI database, noting that such information will be held and used by the Secretariat only; and

.2 consider the submission of data from all appropriate data sources, including Administrations and non-IACS affiliated classification societies.

4.55 Following consideration, the Committee confirmed that the ship identification number did not need to be included in the data set submitted to the Secretariat for inclusion in the EEDI database and invited Member Governments and international organizations wanting the inclusion of the ship identification number and/or any other data to assist the EEDI review to submit relevant proposals to a future session. The Committee further agreed that the minimum data can also be submitted to the Secretariat from sources other than IACS members; noted that the email address for data submissions is: eedi@imo.org; and urged Member Governments and classification societies to submit data to the Secretariat to support the mandatory reviews.

4.56 The Committee noted document MEPC 67/INF.4 (Secretariat), providing the first summary of data and information in the EEDI database developed by the Secretariat, and requested the Secretariat to continue to submit this information to the Committee, having noted the need for data to be presented in a format that maintains the anonymity of the ship.

4.57 The observer from INTERTANKO, being concerned about ensuring the anonymity of individual ships, requested a clarification from the Committee with regard to the deadweight (DWT) data set out in the annex to document MEPC 67/INF.4. The Committee agreed that the exact DWT, or GT, as appropriate, should be provided to the Secretariat by those submitting minimum data for inclusion in the EEDI database and that the Secretariat should round the DWT or GT data up to the nearest 500 when these data are subsequently provided to the Committee.

4.58 The Committee considered document MEPC 67/4/15 (Canada et al.), suggesting a possible approach and schedule of the review of the status of technological developments under the EEDI regulation and proposing to establish a correspondence group to undertake the review, with draft terms of reference as set out in the annex to the document, together with a possible time schedule.

4.59 In the ensuing discussion on a possible way forward on this issue, the Committee noted the need for careful consideration of the schedule for the review proposed in the annex to document MEPC 67/4/15; and that a cautious approach was required when identifying and considering innovative technologies. Subsequently, the Committee instructed the working group to prepare draft terms of reference for a correspondence group on review of the status of technological developments for implementation of the EEDI, using the annex to document MEPC 67/4/15 as the basis.

Projects on new technology for energy efficiency

4.60 The Committee recalled that, as agreed under agenda item 1 (see paragraph 1.9), document MEPC 67/INF.9 (RINA), which provides a summary of the work undertaken by the EC-funded Research Project TARGETS on new technologies for enhancing the energy efficiency of ships and a new approach to calculating EEDI, had been forwarded to the working group directly and instructed the group to review the document, if time permits.

Study on the use of LNG as a fuel

4.61 The Committee recalled that, as agreed under agenda item 1 (see paragraph 1.9), document MEPC 67/INF.15 (Germany), which provides information on a study carried out jointly by Shell and DNV-GL and analysing the Well-to-Wake greenhouse gas saving by substituting conventional marine fuel by LNG, including an assessment of the impact of "methane slip", had been forwarded to the working group directly and instructed the group to review the document, if time permits.

TECHNICAL COOPERATION AND TRANSFER OF TECHNOLOGY

Implementation of resolution MEPC.229(65)

4.62 The Committee recalled that MEPC 66 had established the Ad Hoc Expert Working Group on Facilitation of Transfer of Technology for Ships (AHEWG-TT); had endorsed the work plan of the group; and had requested that the group provide a progress report to the Committee following its second session at IMO Headquarters on 9 and 10 October 2014 (MEPC 66/21, paragraphs 4.59 and 4.60).

4.63 The Committee noted an oral report from Mr. D. Ntuli of South Africa, Chairman of the AHEWG-TT, on the outcome of the group's second session, who highlighted, inter alia, the following key outcomes:

.1 in line with its work plan (MEPC 66/WP.8, annex), the AHEWG-TT had made significant progress with the first three of its four tasks, the results of which were expected to be submitted to MEPC 68 in May 2015. For this purpose, a detailed plan of work had been developed and lead authors had been assigned for each of the three tasks;

.2 the AHEWG-TT had noted the significant benefits of the regional workshops organized by the Secretariat to support capacity building in relation to technology transfer and encouraged any Member States in a position to do so to make further contributions in this regard; and

.3 the AHEWG-TT was informed that the European Commission (EC) was intending to develop a global project to promote implementation of the EEDI and SEEMP. This proposed three-year project, with an expected budget of 10 million Euros, and intended to be implemented through the IMO Secretariat, was currently undergoing final discussions and approvals within the European Commission.

4.64 Several delegations expressed their appreciation for the progress made, and the Committee welcomed the initiative by the EC and encouraged the Secretariat to continue the discussions with the EC to realise this project, as well as other efforts to secure further funding to support the implementation of resolution MEPC.229(65) on *Promotion of technical cooperation and transfer of technology relating to the improvement of energy efficiency of ships*.

4.65 The Committee noted that the next meeting of the AHEWG-TT has been scheduled to take place on 15 and 16 January 2015 at IMO Headquarters.

ESTABLISHMENT OF THE WORKING GROUP ON AIR POLLUTION AND ENERGY EFFICIENCY

4.66 The Committee established the Working Group on Air Pollution and Energy Efficiency, under the chairmanship of Mr. K. Yoshida (Japan), and instructed it, taking into account relevant documents as well as comments and decisions made in plenary, to:

.1 prepare draft terms of reference for a correspondence group on draft guidance for assuring the quality of fuel oil supplied for use on board ships;

.2 finalize the draft MEPC circular on *Guidance on the supplement to the IAPP Certificate*, using the annex to document MEPC 67/4/1 and document MEPC 67/4/23 as the basis, with a view to approval at this session;

.3 finalize the proposed draft new Unified Interpretations of MARPOL Annex VI (MEPC.1/Circ.795/Rev.1), as set out in the annexes to documents MEPC 67/4/17 and MEPC 67/4/18, with a view to approval at this session;

.4 review and consider proposed draft amendments to the *2014 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships* (resolution MEPC.245(66)), using documents MEPC 67/4/11 and MEPC 67/4/12 as the basis, and advise the Committee accordingly;

.5 finalize the draft *2014 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI)*, using annex 7 to document MEPC 66/WP.7 as the basis, with a view to adoption at this session;

.6 review document MEPC 67/4/21 regarding clarification of the term "hybrid propulsion" and advise the Committee accordingly;

.7 review and consider proposed amendments to the *2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions* (resolution MEPC.262(65)), taking into account documents MSC 93/21/15, MSC 93/INF.13, MEPC 67/4/16, MEPC 67/4/25, MEPC 67/INF.14 and MEPC 67/INF.22*;*

.8 prepare draft terms of reference for a correspondence group on review of the status of technological developments for implementation of the EEDI, using the annex to document MEPC 67/4/15 as the basis; and

.9 review documents MEPC 67/INF.9 and MEPC 67/INF.15 on international research projects on energy efficiency and advise the Committee accordingly.

REPORT OF THE WORKING GROUP

4.67 Having considered the report of the Working Group on Air Pollution and Energy Efficiency (MEPC 67/WP.12 and MEPC 67/WP.12/Add.1), the Committee approved it in general and took action as indicated hereunder.

Fuel oil quality

4.68 The Committee agreed to establish a correspondence group on fuel oil quality, under the coordination of the United States[2], and instructed it, taking into account the discussion at this session, to:

.1 develop draft guidance for assuring the quality of fuel oil delivered for use on board ships;

.2 consider the adequacy of the current legal framework in MARPOL Annex VI for assuring the quality of fuel oil for use on board ships, taking into account the outcome of MSC 94, when available; and

.3 submit a report to MEPC 68.

Guidance on the Supplement to the IAPP Certificate

4.69 The Committee approved MEPC.1/Circ.849 on *Guidance on the Supplement to the IAPP Certificate*.

Unified Interpretations to MARPOL Annex VI

4.70 The Committee concurred with the group's view that the information contained in document MEPC 67/4/18 concerning the application of surveys/inspections for marine diesel engines related to regulations 1 and 5.2 of MARPOL Annex VI could be noted, as the information was already addressed by other IMO guidance that also clarifies the applicability of the regulations to international voyages.

4.71 The Committee approved the new Unified Interpretation of MARPOL Annex VI on applicability of the requirements for a bunker delivery note, as set out in annex 4, and requested the Secretariat to issue a consolidated text of the unified interpretations to MARPOL Annex VI for dissemination as MEPC.1/Circ.795/Rev.2.

Guidelines on the method of calculation of EEDI for new ships

4.72 The Committee noted the group's discussion on the *2014 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships* related to ships equipped with dual-fuel engines, and that this matter may need to be revisited at a future session.

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Guidelines on survey and certification of EEDI

4.73 The Committee adopted resolution MEPC.254(67) on *2014 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI),* as set out in annex 5.

Clarification of the term "hybrid propulsion"

4.74 The Committee noted the group's discussions on the clarification of the term "hybrid propulsion" and invited Member Governments and international organizations to submit additional comments and proposals to a future session of the Committee.

Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions

4.75 The Committee noted the group's discussion on the amendments to the *2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions* (resolution MEPC.232(65)). In the ensuing discussion on the issue, the following comments were, inter alia, made:

.1 in reiterating their concern about the safety of ships designed using the interim guidelines, the delegation of Greece, supported by several delegations, made a statement, set out in annex 19, and suggested that the compromise solution proposed by them in the group (MEPC 67/WP.12, paragraph 65) should be incorporated in the guidelines before their adoption for phase 1;

.2 the delegations of Germany and Japan, supported by several delegations, expressed the view that the group had considered the matter in significant detail and that, due to the unavailability of an alternative concrete proposal, the Committee should agree on the group's outcome, that is, to use the pragmatic approach proposed in documents MEPC 67/4/16 and MEPC 67/4/25;

.3 the observer from RINA supported the views expressed by the delegation of Greece and others on the safety issues and specifically the weather conditions set out in the interim guidelines, but questioned whether the amendments proposed by the delegation of Greece were the correct temporary solution and supported the need for the guidelines to be reviewed when the results of ongoing research work is available; and

.4 the delegation of Cyprus, supported by some delegations, suggested that the discussion on this issue had not been concluded by the group and that the Committee should take a proactive rather than reactive approach, by first amending the interim guidelines according to the proposal by Greece and then, should analysis so indicate, amending the guidelines again at a later date.

4.76 Following the discussion described above, where existing concerns were reiterated, the Committee, having noted the concerns and the need to undertake further work on the interim guidelines at a future session, proceeded and adopted resolution MEPC.255(67) on *Amendments to the 2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions* (resolution MEPC.232(65)), as set out in annex 6.

4.77 The delegations of Greece, India, Malta and Vanuatu reserved their positions and made statements, as set out in annex 19. In addition, the delegation of Cyprus reserved its position on the wording of the final report of the Committee and the correct reflection of the aforementioned discussion on this issue.

4.78 The Committee requested the Secretariat to issue a consolidated text of the 2013 Interim guidelines and to disseminate it by means of MEPC.1/Circ.850.

Correspondence group on EEDI review required under regulation 21.6 of MARPOL Annex VI

4.79 The Committee agreed to establish a Correspondence Group on EEDI review, which required under regulation 21.6 of MARPOL Annex VI, under the coordination of Japan[3], in order to review the status of technological developments relevant to implementing phase 2 of the EEDI regulations, and instructed it to:

.1 consider what information and data are pertinent for the review and how that information and data should be collated and analysed, including:

.1 information obtained from the EEDI database established at MEPC 66;

.2 publicly available and verifiable information from shipyards, naval architects, engine manufacturers and others regarding measurable energy improvements occurring from the actual installation and use of energy-saving technologies on ships, either in service or in demonstration programmes, including at least the types of technologies that were identified in the Second IMO Greenhouse Gas Study 2009 (MEPC 59/INF.10 of 9 April 2009) as well as in document MEPC 60/4/36; and

.3 such other publicly available and verifiable information as the correspondence group identifies as being relevant;

.2 using the above data and information, consider the status of technological developments for improvement of energy efficiency of the EEDI regulations in chapter 4 of MARPOL Annex VI, reporting on the following:

.1 the range of technologies (e.g. engine technologies, materials, appliances, apparatus, alternative fuels, reduction of engine power and speed, hull improvements) that may be used to comply with the phase 2 required EEDI and the extent to which these technologies currently contribute to vessels' compliance with the required EEDI;

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.2 the current use of these technologies onboard ships with a characterization of the introduction and demonstration of these technologies in real-world applications; and

.3 the progress of ship builders, designers and engine manufacturers towards incorporating such technologies to bring technologies relevant to the phase 2 required EEDI fully to market;

.3 recommend within the revision process whether the time periods, the EEDI reference line parameters for relevant ship types and the reduction rates set out in regulation 21 should be retained or, if proven necessary, should be amended as appropriate; and

.4 provide a progress report to MEPC 68 and an interim report to MEPC 69.

4.80 The Committee noted a comment by the delegation of Brazil, supported by the delegation of Chile, stating that the reduction of speed included in paragraph 2.1 of the above terms of reference is an operational rather than a technological matter; and requesting that the correspondence group address this during its work.

Other documents related to energy efficiency

4.81 The Committee noted that the group reviewed and noted information contained in documents MEPC 67/INF.9 and MEPC 67/INF.15.

Organization of the further work under the agenda item

4.82 The Committee noted that it had considered a variety of issues under this agenda item, not all necessarily falling under the scope of the related output, which is "Guidelines related to MARPOL Annex VI and the NO_x Technical Code in accordance with Action Plan endorsed by MEPC 64" (7.3.1.1). Having recalled that C.ES/27 had requested that strict discipline regarding unplanned outputs should be observed at all levels and had reminded the committees that, before any work is undertaken during a biennium, an appropriate output should be formulated and included in the High-level Action Plan (HLAP) of the Organization, in accordance with the relevant procedures, the Committee noted that any submissions made to future sessions under this item that do not fall under the scope of this output should only be accepted if a relevant new output has been requested, in accordance with the Committees' guidelines.

5 FURTHER TECHNICAL AND OPERATIONAL MEASURES FOR ENHANCING ENERGY EFFICIENCY OF INTERNATIONAL SHIPPING

5.1 The Committee recalled that MEPC 66 had established a Correspondence Group on Further Technical and Operational Measures for Enhancing Energy Efficiency of International Shipping (MEPC 66/21, paragraph 4.1.6), and instructed it, using document MEPC 66/WP.9 as the basis, to consider the development of a data collection system for fuel consumption of ships, including identification of the core elements of such a system.

Development of a data collection system for fuel consumption of ships

Report of the correspondence group and other related documents

5.2 The Committee had for its consideration the following documents:

.1 MEPC 67/5 (BIMCO et al.), raising a number of policy questions relating to the proposals before the Committee to develop mandatory fleet-wide operational efficiency standards;

.2 MEPC 67/5/1 (EUROMOT), concluding that while different methods exist as a practical way forward for a data collection system using available measures as a basis for monitoring, reporting and verification of CO_2 emissions from shipping, continuous monitoring of NO_x emissions is a different and very complex requirement;

.3 MEPC 67/5/2 and MEPC 67/INF.18 (Cyprus), containing the report of the correspondence group on the progress made in its consideration of the development of a data collection system for fuel consumption of ships, including identification of the core elements of such a system;

.4 MEPC 67/5/3 (Republic of Korea), expressing the view that it is inappropriate for international shipping to mandate the use of a specific monitoring method and proposing an alternative layered approach for monitoring fuel consumption of ships as a method which permits maximum permissible uncertainties; and document MEPC 67/INF.19 (Republic of Korea), introducing a greenhouse gas emissions monitoring system, developed and operated by the Korean Shipowners' Association;

.5 MEPC 67/5/4 (Japan), recalling that the working group at MEPC 66 had agreed that further work was needed on all the metrics proposed so far and that none should be excluded at this point in time (MEPC 66/21, paragraph 4.1.5.2); proposing to rename the metric option of the "Annual EEOI" (MEPC 66/4/6) to "Annual Efficiency Ratio (AER)"; and presenting results of an analysis based on voluntary data provided by the Japanese fleet which seeks to demonstrate the effectiveness of AER to indicate the energy efficiencies of ships;

.6 MEPC 67/5/5 (Canada et al.), commenting on the report of the correspondence group and presenting views on areas where consensus had not yet been reached;

.7 MEPC 67/5/6 (INTERFERRY), commenting on document MEPC 67/5 and outlining why the development of operational efficiency standards would effectively create average speed limits for the respective vessel classes and why the application of average speed limits, either explicitly or indirectly through operational efficiency standards, is inappropriate;

.8 MEPC 67/5/7 and MEPC 67/5/8 (CSC), providing information on the role of transparency of information in bringing about changes in behaviour and breaking down the asymmetric information barriers; and arguing that transparency and energy efficiency data sharing will help maximize the uptake of new technologies and practices, drive down operating costs, help optimize the allocation of financial resources and ensure active, fair and inclusive competition; and

.9 MEPC 67/5/9 (CSC), commenting on document MEPC 67/5, in particular the question whether IMO should pursue the development of fleet-wide operational efficiency standards and concluding that limiting climate regulations to new ships will undermine efforts to reduce emissions from the sector, making it even more difficult to meet future emissions targets.

5.3 In the ensuing discussion, the following general comments were, inter alia, made:

.1 a data collection system for fuel consumption of ships is required and the collected data could be used to estimate CO_2 emissions;

.2 a data collection system for energy efficiency is required to track and verify the efficiency gains in the sector and to assess the need for further efficiency measures;

.3 the purpose and use of the data to be collected should be determined before the data collection system is confirmed; the data collection system should be voluntary and should not limit the freedom of operation of ships; the data collection system should be mandatory because the success of any system depends on full global participation; and the quality of data was more important than quantity;

.4 the shipping industry is already the most energy efficient mode of cargo transport and, therefore, the impact of any additional measures, particularly on developing countries and Small Island Developing States (SIDS) needs to be considered, especially for States located remotely from the markets for their goods;

.5 the impact of the EEDI and also of the higher fuel oil costs as a consequence of the SOx provisions of MARPOL Annex VI needs to be considered before any additional measures are adopted;

.6 it was essential to take note of the views of the shipping industry, to move forward with caution and in particular to address the key policy questions raised in paragraph 15 of document MEPC 67/5; and that the issue of whether there is a need for an operational energy efficiency standard for international shipping was a policy matter that the Committee should investigate further;

.7 some delegations considered that an operational energy efficiency standard would limit speed or fuel consumption, whilst others considered it would not. In this regard, the Committee recalled that MEPC 61 (MEPC 61/24, paragraph 5.16) had considered speed reductions as a separate regulatory path and decided that no further investigation was needed as speed considerations would be addressed indirectly through EEDI and SEEMP;

.8 fuel consumption data alone would not permit confirmation of the shipping industry's energy efficiency performance and the proposed data collection system needed to include additional parameters related to transport work, e.g. weight of cargo, distance travelled, service hours, etc.;

.9 different ship types may need different operational energy efficiency standards and those standards may affect the energy efficiency design standards for the respective ship type;

.10 analysis of data collected may show that different efficiency metrics are more appropriate for different ship types, which is a reason to collect data covering more than one potential proxy for transport work;

.11 implementation issues for data collection such as data confidentiality, change of flag State and/or shipowner and reporting period need to be considered further; and

.12 the Second IMO GHG Study 2009 had identified significant potential for further measures to enhance energy efficiency of international shipping that would result in benefits for the global economy and shipping sector.

5.4 Statements made by the delegations of the Cook Islands and the Russian Federation with regard to the issue of an operational energy efficiency standard and the purpose of a data collection system, respectively, are set out in annex 19.

5.5 The Committee noted that, in regard to monitoring of emissions from international shipping, MEPC 62 had considered the monitoring of emissions of nitrogen oxides and that BLG 17 had agreed that mandatory requirements for continuous NO_x monitoring to demonstrate compliance with the Tier III NO_x emission limits were not appropriate at that stage (BLG 17/18, paragraph 11.41).

5.6 The Committee also noted the available methods for monitoring emissions set out in documents MEPC 67/5/3 and MEPC 67/INF.19 (Republic of Korea) and agreed to keep the documents in abeyance for further consideration at a future session.

5.7 The Committee further noted that there was a clear agreement, in principle, to develop a data collection system and, given that there were different views on what elements should be included, the work at this session should focus on the development of a data collection system for fuel consumption only.

5.8 The Committee agreed that the reference to an average annual operational efficiency standard in paragraph 2.6 of the annex to document MEPC 67/5/2 should be deleted, and that paragraph 2.5 of the annex to document MEPC 67/5/2 should be retained in square brackets with no text for consideration at a future session, since it involved a policy decision.

5.9 Since no clear way forward on the need for an operational energy efficiency standard for ships could be concluded at this session, the Committee agreed that document MEPC 67/5/4, addressing metric options, should be held in abeyance until a future session, and invited Member Governments and international organizations to submit comments and proposals addressing the questions set out in paragraph 15 of document MEPC 67/5 and in document MEPC 67/5/6 to MEPC 68.

Establishment of the Working Group on Further Technical and Operational Measures for Enhancing Energy Efficiency of International Shipping

5.10 The Committee established the Working Group on Further Technical and Operational Measures for Enhancing Energy Efficiency of International Shipping, under the chairmanship of Mr. A. Chrysostomou (Cyprus), and instructed it, using the annex to

document MEPC 67/5/2 and relevant parts of document MEPC 67/5/5, and taking into account the comments and decisions made in plenary, to:

.1 further develop the data collection system for fuel consumption of ships, by elaborating the core elements and by including considering additional elements required for the implementation of the system; and

.2 consider the need to establish a correspondence group to progress the work further in the intersessional period and, if so, prepare draft terms of reference.

Report of the working group

5.11 Having considered the report of the working group (MEPC 67/WP.13), the Committee approved it in general and took action as indicated hereunder:

.1 noted that paragraph 2.5 of the annex to document MEPC 67/5/2, because of editing by the working group, had been renumbered as paragraph 2.4 in the annex to document MEPC 67/WP.13;

.2 agreed on the general description of the data collection system for fuel consumption of ships, as set out in the annex to document MEPC 67/WP.13; and

.3 agreed to the re-establishment of the intersessional Correspondence Group on Further Technical and Operational Measures for Enhancing Energy Efficiency of International Shipping under the coordination of Cyprus[4] and instructed it, on the basis of the outcome of MEPC 67, the report of the working group (MEPC 67/WP.13) and the general description of the data collection system as set out in the annex to document MEPC 67/WP.13, to:

.1 develop full language for the data collection system for fuel consumption that can be readily used for voluntary or mandatory application of the system; and

.2 submit a written report to MEPC 68.

6 REDUCTION OF GREENHOUSE GAS (GHG) EMISSIONS FROM SHIPS

Third IMO GHG Study 2014

6.1 The Committee recalled that MEPC 66 had considered a status report on the Third IMO GHG Study 2014 by the Steering Committee Coordinator (MEPC 66/5/1) and noted the view of the Steering Committee members that the work was on track to meet the completion date and that the terms of reference of the study were being met.

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6.2 The Committee considered the following three documents related to the Third IMO GHG Study 2014, submitted to the session:

.1 MEPC 67/6 and Corr.1 (Secretariat), providing the executive summary of the Third IMO GHG Study 2014;

.2 MEPC 67/6/1 (Steering Committee Coordinator), providing the final report of the Steering Committee following the third and fourth Steering Committee meetings; and

.3 MEPC 67/INF.3 and Corr.1 (Secretariat), providing the full report of the Study including annexes.

6.3 In the ensuing discussion, the majority of delegations that spoke supported the report and the findings of the Study and were of the view that the Study had fully met the terms of reference and that, while the task had been very complex, it provided a valuable and useful update of the Second IMO GHG Study 2009; was transparent, efficient and professional; and provided a sound basis for the future work of the Committee to address GHG emissions from international shipping.

6.4 Other delegations expressed the view that the Study report was bulky and complex due to the number of topics it covered and therefore difficult to review; that it lacked transparency with regard to the methods, calculations and data employed; that findings in the report were not supported by scientific evidence; and that, as such, the terms of reference had not been met. The delegations of China and India reserved their position on the findings of the Study. Relevant statements made by the delegations of China, India, the Islamic Republic of Iran and the Russian Federation are set out in annex 19.

6.5 Having considered the findings of the Study, the Committee took action as follows:

.1 noted that the Steering Committee had completed its work on the Study;

.2 concurred with the view of the Steering Committee that the Study should be titled "Third IMO GHG Study 2014";

.3 expressed appreciation and thanked the Steering Committee, composed of the following Member States: Belgium, Brazil, Canada, Chile, China, Finland, India, the Islamic Republic of Iran, Japan, Malaysia, the Marshall Islands, the Netherlands, Nigeria, Norway, the Republic of Korea, the Russian Federation, South Africa, Uganda, the United Kingdom and the United States, for the work carried out;

.4 expressed special thanks to the Steering Committee Coordinator, Dr. L. Mazany of Canada, and the Vice-Coordinator, Mr. D. Ntuli of South Africa, for their hard work and leadership;

.5 noted that the Study had been funded through voluntary contributions and expressed appreciation to the donors, i.e. Australia, Denmark, Finland, Germany, Japan, the Netherlands, Norway, Sweden, the United Kingdom and the European Commission; and

.6 approved the Third IMO GHG Study 2014 and requested the Secretariat to publish and disseminate the Study.

6.6 Following approval of the Study, the Committee noted an intervention by the Secretary-General in which he emphasized that much had been achieved in the very short period of time since the Committee had requested the Study, and that the expressed comments on the Study results, including those of the delegations of China and the Russian Federation, needed to be reflected in the Committee's report. He also emphasized that the 2014 Study was the third study and that, in his view, the Organization should carry out further studies in future and such comments should be taken into account in the conduct of future studies. He also noted that there may be a need in future to re-evaluate the status of GHG emissions, taking fully into account the application of EEDI and other industry measures, and that it was important to recognize the work carried out for the present Study.

6.7 The Committee also noted that the international consortium that had carried out the Third IMO GHG Study 2014, represented by Dr. Smith (Coordinator), Prof. Corbett, Dr. Faber and Mr. Anderson, had given a presentation on the Study to the delegations attending the session on 14 October 2014, which will be made available on IMO's website.

UNFCCC matters

6.8 The Committee noted document MEPC 67/6/2 (Secretariat), providing information on the outcome of the subsidiary bodies to the United Nations Framework Convention on Climate Change (UNFCCC) Conference held in Bonn, Germany, in June 2014.

6.9 The Committee also noted a statement by a representative of the UNFCCC Secretariat, providing a status report on the current state of negotiations in general, and on bunker fuels in particular. As requested by the representative, the statement is set out in annex 19.

6.10 Subsequently, the Committee requested the Secretariat to continue its cooperation with the UNFCCC Secretariat, to attend relevant UNFCCC meetings and, as necessary, to bring the outcome of the work of IMO to the attention of appropriate UNFCCC bodies and meetings.

7 CONSIDERATION AND ADOPTION OF AMENDMENTS TO MANDATORY INSTRUMENTS

Amendments to mandatory instruments

7.1 The Committee was invited to consider and adopt proposed amendments to:

.1 MARPOL Annex I, regulation 43;

.2 MARPOL Annex III, Appendix (Criteria for the identification of harmful substances in packaged form);

.3 MARPOL Annex VI, regulations 2 and 13 and the Supplement to the IAPP Certificate; and

.4 MARPOL Annex V, Record of Garbage Discharge (Form of the Garbage Record Book).

7.2 The Committee noted that the text of the aforementioned amendments had been circulated, in accordance with article 16(2)(a) of MARPOL, to all IMO Members and Parties to MARPOL by Circular Letters No.3370 of 4 June 2013 and No.3445 of 11 April 2014.

Draft amendments to MARPOL Annex I, regulation 43

7.3 The Committee recalled that MEPC 66 had considered and approved draft amendments to regulation 43 of MARPOL Annex I related to the special requirements for the use or carriage of oils in the Antarctic area, as set out in the annex to MEPC 67/7 (Secretariat).

7.4 The Committee considered document MEPC 67/7/3 (Spain) and the further clarification provided by the delegation of Spain on their proposal during the introduction of the document, notably that the current wording in draft amendment to regulation 43 may lead to an incorrect interpretation, suggesting that not only could ballast water be carried in fuel tanks (which is allowed), but also that fuel could be carried in ballast tanks, which, in the delegation's view, was not allowed. To resolve this issue, the delegation proposed that this matter be forwarded to the drafting group to amend the language of the regulation in order to remove any ambiguity that could lead to such a misinterpretation.

7.5 The Committee, having noted the concerns raised by the delegation of Spain, did not agree to the proposal.

7.6 Taking into account the Committee's decision, the delegation of Spain noted that the amendments to regulation 43 of MARPOL Annex I, once adopted, would explicitly prohibit the loading of heavy grade oil in ballast tanks, but would not prohibit the loading of light grade oil in ballast tanks and, as such, raised the question as to the global acceptability of introducing fuel oil in ballast tanks, a matter that is not currently explicitly allowed under MARPOL.

7.7 Consequently, the Committee confirmed the contents of the proposed amendments to regulation 43 of MARPOL Annex I, subject to editorial improvement, if any.

7.8 The Committee agreed that the entry-into-force date of the above draft amendments should be 1 March 2016.

Draft amendments to MARPOL Annex III, Appendix (Criteria for the identification of harmful substances in packaged form)

7.9 The Committee recalled that MEPC 66 had considered and approved draft amendments to the Appendix to MARPOL Annex III (Criteria for the identification of harmful substances in packaged form), as set out in the annex to document MEPC 67/7/1 (Secretariat).

7.10 The Committee noted that no comments had been submitted on the draft amendments and confirmed their contents, subject to editorial improvements, if any.

7.11 The Committee agreed that the entry-into-force date of the above draft amendments should be 1 March 2016.

Amendments to MARPOL Annex V, Form of Garbage Record Book

7.12 The Committee recalled that the draft amendments to the MARPOL Annex V Form of Garbage Record Book, as set out in the annex to document MEPC 66/6/2 (Secretariat), had been approved by MEPC 65, with a view to adoption at MEPC 66.

7.13 The Committee also recalled that MEPC 66, based on perceived discrepancies between the text of the Convention and the Form of Garbage Record Book, as identified in document MEPC 66/6/9 (Bahamas), had decided to postpone the adoption of the draft amendments to this session and had invited interested Member Governments and international organizations to submit comments.

7.14 The Committee considered documents MEPC 67/7/4 (Bahamas) and MEPC 67/7/8 (Netherlands), proposing further modifications to the Form of the Garbage Record Book, aimed at addressing the discrepancies identified at MEPC 66 and further defining the specific nature of cargo residues.

7.15 The Committee noted that there were varying degrees of support for the proposals submitted by the Bahamas and the Netherlands and, having agreed that portions of these proposals were of a more substantial nature than could be addressed by a drafting group, decided that:

.1 more work was needed to fully consider the amendments, as there were a number of substantial issues still to be resolved and, therefore, the amendments should be kept in abeyance for the time being;

.2 as a consequence, a new output on "Amendments to MARPOL Annex V, Form of Garbage Record Book" would be added to the agenda for MEPC 68, with a target completion date of 2015; and

.3 Member Governments and international organizations are invited to submit relevant comments and proposals to MEPC 68.

Amendments to MARPOL Annex VI, regulations 2 and 13 and the Supplement to the IAPP Certificate

7.16 The Committee recalled that MEPC 66 had approved draft amendments to MARPOL Annex VI, regulations 2 and 13 and the Supplement to the IAPP Certificate, as set out in the annex to document MEPC 67/7/2 (Secretariat).

7.17 The delegation of the Russian Federation proposed the inclusion of a new definition for "gas fuel" and raised concerns regarding the definitions of the types of engines in the draft amendments, which, in their view, could lead to a misunderstanding or misinterpretation, and suggested, therefore, that the definitions of the different types of engines, as set out in ISO standard 2710-1 should be used instead. The full statement concerning the proposal is set out in annex 19.

7.18 The Committee, having considered the aforementioned proposal and having noted that no document had been submitted outlining the proposed modifications to the definitions in the draft amendments, confirmed that the amendments, as approved at MEPC 66, should be adopted at this session and that any new proposals may be submitted for the Committee's consideration at a future session, in accordance with the Committees' guidelines.

7.19 The Committee agreed that the entry-into-force date of the above draft amendments should be 1 March 2016.

Assessment of capacity-building implications of the amendments to mandatory instruments approved at MEPC 66

7.20 The Committee noted that, in accordance with the provisions of paragraph 4.19 of the Committees' guidelines, the Committees should assess the implications with regard to capacity-building and technical cooperation and assistance, initiated at the acceptance of a proposal for an output concerning new, or amendments to existing, mandatory instruments.

7.21 Having considered document MEPC 67/WP.7 (Vice-Chairman), providing the outcome of the preliminary assessment referred to above, the Committee noted that new/updated legislation would be required for most of the draft amendments to mandatory instruments, as reflected in annex 2 of the document, and recalled that technical and/or legal support that may be necessary could be addressed through the Organization's Integrated Technical Cooperation Programme (ITCP).

7.22 Taking into account the results of the assessment, as outlined above, the Committee concurred that it would not be necessary to establish the Ad Hoc Capacity-building Needs Analysis Group (ACAG) at this session.

7.23 In accordance with the Committees' guidelines, the Committee further agreed that the assessment of capacity-building implications should be added to its agenda as a regular item and consequently requested the Vice-Chairman, in consultation with the Chairman and with the assistance of the Secretariat, to submit to MEPC 68 a preliminary assessment of the amendments to mandatory instruments approved at this session.

Establishment of the Drafting Group on Amendments to Mandatory Instruments

7.24 The Committee established the Drafting Group on Amendments to Mandatory Instruments and instructed it, taking into account comments, proposals and decisions made in plenary, to prepare:

.1 the final text of the draft amendments to MARPOL Annex I, regulation 43, together with the associated MEPC resolution;

.2 the final text of the draft amendments to the Appendix to MARPOL Annex III (Criteria for the identification of harmful substances in packaged form), together with the associated MEPC resolution; and

.3 the final text of the draft amendments to MARPOL Annex VI, regulations 2 and 13 and the Supplement to the IAPP Certificate, together with the associated MEPC resolution.

Report of the Drafting Group

7.25 Having considered the report of the drafting group (MEPC 67/WP.9), the Committee approved it in general and took action as indicated hereunder.

Adoption of amendment to MARPOL Annex I, regulation 43

7.26 The Committee considered the final text of the draft amendment to MARPOL Annex I, regulation 43, prepared by the drafting group (MEPC 67/WP.9, annex 1), and adopted the amendment by resolution MEPC.256(67), as set out in annex 7.

7.27 In adopting resolution MEPC.256(67) the Committee determined, in accordance with article 16(2)(f)(iii) of the 1973 MARPOL Convention, that the adopted amendment to MARPOL Annex I shall be deemed to have been accepted on 1 September 2015 (unless, prior to that date, objections are communicated to the Secretary-General of the Organization, as provided for in article 16(2)(f)(iii) of the Convention) and shall enter into force on 1 March 2016, in accordance with article 16(2)(g)(ii) of the Convention.

Adoption of the amendment to MARPOL Annex III, Appendix (Criteria for the identification of harmful substances in packaged form)

7.28 The Committee considered the final text of the draft amendment to the Appendix to MARPOL Annex III (Criteria for the identification of harmful substances in packaged form), prepared by the drafting group (MEPC 67/WP.9, annex 2), and adopted the amendment by resolution MEPC.257(67), as set out in annex 8.

7.29 In adopting resolution MEPC.257(67) the Committee determined, in accordance with article 16(2)(f)(iii) of the 1973 MARPOL Convention, that the adopted amendment to MARPOL Annex III shall be deemed to have been accepted on 1 September 2015 (unless, prior to that date, objections are communicated to the Secretary-General of the Organization, as provided for in article 16(2)(f)(iii) of the Convention) and shall enter into force on 1 March 2016, in accordance with article 16(2)(g)(ii) of the Convention.

Adoption of amendments to MARPOL Annex VI, regulations 2 and 13 and the Supplement to the IAPP Certificate

7.30 The Committee considered the final text of the draft amendments to MARPOL Annex VI, regulations 2 and 13 and the Supplement to the IAPP Certificate, prepared by the drafting group (MEPC 67/WP.9, annex 3), and adopted the amendments by resolution MEPC.258(67), as set out in annex 9.

7.31 In adopting resolution MEPC.258(67) the Committee determined, in accordance with article 16(2)(f)(iii) of the 1973 MARPOL Convention, that the adopted amendments to MARPOL Annex VI shall be deemed to have been accepted on 1 September 2015 (unless, prior to that date, objections are communicated to the Secretary-General of the Organization, as provided for in article 16(2)(f)(iii) of the Convention) and shall enter into force on 1 March 2016, in accordance with article 16(2)(g)(ii) of the Convention.

Instructions to the Secretariat

7.32 In adopting the aforementioned amendments, the Committee authorized the Secretariat when preparing the authentic texts of the amendments in order to make any editorial corrections that may be identified, as appropriate, including updating references to renumbered paragraphs, and to bring to the attention of the Committee any errors or omissions which require action by the Parties to MARPOL.

8 REVIEW OF NITROGEN AND PHOSPHORUS REMOVAL STANDARDS IN THE 2012 GUIDELINES ON THE IMPLEMENTATION OF EFFLUENT STANDARDS AND PERFORMANCE TESTS FOR SEWAGE TREATMENT PLANTS

Background

8.1 The Committee recalled that, when adopting the *2012 Guidelines on the implementation of effluent standards and performance tests for sewage treatment plants* (resolution MEPC.227(64)), MEPC 64 had decided that a review of the nitrogen and

phosphorus removal standards set forth in paragraph 4.2.1 of the guidelines should be undertaken by MEPC 67, in order to determine whether the required removal standards for nitrogen and phosphorus are met by type-approved sewage treatment plants, or such systems in development, taking into account the results of onboard and ashore testing in accordance with section 5 of the guidelines.

8.2 The Committee had for its consideration the following documents:

.1 MEPC 67/8 (Finland and Norway), providing information by two manufacturers on their sewage treatment plants, type approved in accordance with resolution MEPC.227(64), including test results indicating that both plants fulfil the nitrogen and phosphorus removal standards with a good margin;

.2 MEPC 67/8/1 (Netherlands), highlighting the importance of implementation, maintenance and enforcement; proposing that the stricter requirements for the effluent standards for nitrogen and phosphorus should be complemented by improved information on maintenance, by putting emphasis on instructions for users and by paying additional attention to enforcement and monitoring of the performance of sewage treatment plants; and suggesting that the *Guidelines for the operation, inspection and maintenance of ship sewage systems* (MSC/Circ.648) might need to be amended;

.3 MEPC 67/8/2 (CLIA), arguing that the number of sewage treatment plants type approved to the removal standards in resolution MEPC.227(64), is presently inadequate to meet industry needs and proposing amendments to the guidelines, adopting a less strict removal standard and later applicability dates, to allow time for sewage treatment plants to be type approved to the revised standard; and

.4 MEPC 67/8/3 (CLIA), commenting on document MEPC 67/8 and challenging the information provided in that document as incomplete and misleading, citing data and information obtained from GISIS (Pollution Prevention Equipment module) and from CLIA's member cruise lines.

Review of the nitrogen and phosphorus removal standards

8.3 In the ensuing discussion on the review of nitrogen and phosphorus removal standards, some delegations expressed their support for the proposal by CLIA to amend the guidelines by adopting less stringent standards, arguing that the available information on sewage treatment plants type approved to the removal standards in resolution MEPC.227(64) was not sufficient to instil confidence in the industry.

8.4 However, the majority of delegations spoke in favour of retaining the current standards, referring to the impact on the marine environment of nitrogen and phosphorus contained in treated sewage discharges and suggesting that manufacturers were able to develop a sufficient number of sewage treatment plants type approved to the removal standards in resolution MEPC.227(64) before the effective date of the Baltic Sea special area.

8.5 Following discussion, the Committee agreed that the nitrogen and phosphorus removal standards in the guidelines should not be amended.

8.6 In addition, some delegations expressed their support for the points raised by the Netherlands in document MEPC 67/8/1. However, with regard to the suggestion to amend the *Guidelines for the operation, inspection and maintenance of ship sewage systems* (MSC/Circ.648), it was pointed out that this is not necessary because the *Survey guidelines under the Harmonized System of Survey and Certification (HSSC), 2011* (resolution A.1053(27)) contain requirements for confirming the operation of sewage treatment plants during the initial and renewal surveys for issuing the ISPP Certificate.

Review of the implementation dates

8.7 The Committee noted that, in accordance with regulations 11.3 and 13.2 of MARPOL Annex IV, and given the lack of available information on reception facilities, it was clear that the earliest effective date for the Baltic Sea special area, i.e. 1 January 2016, will not be met and that, following the receipt of sufficient information, the Committee can decide on any effective date after 1 January 2016 with no need for any amendment to these regulations. Therefore, the Committee invited Member Governments to submit such information at the earliest opportunity.

8.8 The Committee also noted that, based on the wording of regulation 1.10 of MARPOL Annex IV, the distinction between new and existing ships (for the application of regulation 11.3) would still be based on the date of 1 January 2016 and that, for this date to move forward, if so desired, an amendment to regulation 1.10 would be required.

8.9 Due to these implications, the Committee agreed to consider the issue of the implementation dates further at MEPC 68 and invited Member Governments and international organizations to submit information and proposals to that session.

Retention of the item on the agenda for MEPC 68

8.10 In view of the above the Committee agreed to retain the item on its agenda for MEPC 68, for further consideration of the implementation dates (see paragraphs 8.7 to 8.9).

9 MANDATORY CODE FOR SHIPS OPERATING IN POLAR WATERS

9.1 The Committee recalled that MEPC 66, with a view to expediting the work on the development of the draft International Code for Ships Operating in Polar Waters (Polar Code), had established a Polar Code Correspondence Group and had agreed to the holding of an intersessional meeting of the Polar Code Working Group during the week prior to the current session. The Committee also recalled that, following the endorsement of C 112, the intersessional meeting of the Polar Code Working Group had been held from 7 to 9 October 2014.

Reports of the Polar Code Correspondence Group and the Intersessional Polar Code Working Group and commenting documents

9.2 The Committee considered the reports of the correspondence group (MEPC 67/9) and the intersessional working group (MEPC 67/WP.8) and noted the progress made intersessionally with regard to the development of the draft Polar Code and the associated amendments to MARPOL. The Committee agreed to consider the commenting documents submitted under this agenda before proceeding to the action requested of it, as set out in paragraph 49 of the report of the intersessional working group.

Prevention of pollution from oil

9.3 The Committee considered document MEPC 67/9/2 (Russian Federation), proposing to exempt ships operating in Arctic waters and navigating in ice conditions from the requirements regarding prohibition of discharging oil or oily mixtures at the discretion of the Administration, provided that such ships comply with the requirements of regulation 15.3 of MARPOL Annex I. Following discussion, the Committee, having established that the proposal had not received sufficient support, did not agree to it.

9.4 The Committee also considered document MEPC 67/9/3 (Russian Federation), proposing a five-year period of exemption of all ship types from the requirements regarding prohibition of discharging oil or oily mixtures and to allow ships operating in Arctic waters and in ice conditions for long periods of time (continuously for a minimum of 30 days) to discharge oily mixtures from machinery spaces under the conditions stipulated for special areas under MARPOL Annex I. Following discussion, the Committee agreed to refer document MEPC 67/9/3 to the Polar Code Working Group to be established under this agenda item for further consideration, with a view to identifying whether there is a need to introduce a phase-in period for certain types of existing ships to meet the requirements of zero discharge of oil or oily mixtures in Arctic waters.

9.5 The Committee had for its consideration document MEPC 67/9/8 (Iceland et al.), proposing an amendment to chapter 1 of part II-A of the draft Polar Code concerning segregation requirements for small oil residue and oily bilge water holding tanks, in order to allow exemption of those tanks with a maximum individual capacity not greater than 30 m^3. The Committee, having noted that the intersessional working group had considered and agreed to the above-mentioned proposal, agreed that small oil residue and oily bilge water holding tanks should be exempted from the segregation requirements.

9.6 The Committee also had for its consideration document MEPC 67/9/5 (United States), providing various technical and legal comments on part II of the draft Polar Code and the associated amendments to MARPOL concerning, inter alia, the term "constructed on or after"; prohibition of discharging oil or oily mixtures; exemption of small oil residue and oily bilge water holding tanks from the proposed tank segregation requirements; port reception facilities; additional sewage and garbage discharge requirements; amendments to MARPOL Annexes I, II, IV and V; and model table of contents for the Polar Water Operational Manual.

9.7 Having noted that most of comments in document MEPC 67/9/5 had been considered and addressed by the intersessional working group, and following some discussion, the Committee agreed to instruct the Polar Code Working Group to further consider paragraph 3 of the document concerning the scope of the discharge ban of oil and oily mixtures from any ships in Arctic waters, including the discharge of clean or segregated ballast water, as set out in paragraph 1.1.1 of chapter 1 of part II-A of the draft Polar Code.

Requirements for port reception facilities

9.8 The Committee had for its consideration document MEPC 67/9/4 (Russian Federation), commenting on the draft provisions relating to adequate reception facilities for oily mixtures from ships in Arctic ports and proposing the addition of a new paragraph 4 to regulation 38 of MARPOL Annex I.

9.9 In this connection, the Committee noted that the intersessional working group had agreed to delete the draft provisions on reception facility in section 1.4 of part II-A of the draft Polar Code and had instead prepared draft amendments to regulation 38 of MARPOL Annex I

to address the adequacy of port reception facilities for the reception of oil and oily mixtures that may not be discharged into Arctic waters.

9.10 In the ensuing discussion, a number of delegations expressed their support for the decision made by the intersessional working group, while a number of other delegations expressed their concerns about the deletion of the provisions on reception facilities in the draft Polar Code, and suggested reinstatement to emphasize the need for reception facilities, given the Committee's decision on the prohibition of discharge of oil or oily mixtures from any ships in Arctic waters. Following discussion, the Committee agreed to endorse the decisions made by the intersessional working group.

Certification for ships on single or only occasional voyages

9.11 The Committee had for its consideration the following documents:

.1 MEPC 67/9/6 (United States), expressing the view that, in order to address administrative burdens, Administrations should be allowed to waive additional Polar Code certification requirements for ships operating in ice-free waters on a single voyage, and proposing relevant text for inclusion in part II-A of the draft Polar Code;

.2 MEPC 67/9/7 (ICS and CLIA), proposing that further consideration is necessary to address the practical implications of applying the draft Polar Code to ships making a single or only very occasional voyages into polar waters; and

.3 MEPC 67/9/11 (Canada et al.), presenting the co-sponsors' consideration for reducing administrative and other burdens required to demonstrate compliance with the requirements of part II of the Polar Code by ships that trade in Arctic waters on a single-voyage basis, and proposing in the annex of the document a draft form of single-voyage certificate.

9.12 In the ensuing discussion, the following views were, inter alia, expressed:

.1 for ships engaged only in a single voyage per calendar year, reissuing certificates under various MARPOL Annexes presents a significant burden to ship operators and flag States;

.2 a waiver of certification should not affect the obligations of shipowners and operators to comply with the operational and technical requirements contained in part II of the Polar Code;

.3 if a simplified certification scheme is to be introduced, ships of all flags should be addressed in a consistent manner, with clear instructions on the required documentation for applying for such alternative certificates;

.4 the administrative and other burdens required for ships on a single voyage may cause operators not to consider charters for Arctic voyages and this potential decrease in supply would adversely affect Arctic communities, as well as flag States and coastal States seeking to promote development in Arctic waters;

.5 the proposed waiver or simplified certification scheme lacks clarity and transparency and would cause confusion to port State control officers. The existing harmonized survey and certification system is the most effective and efficient system to verify that ships meet the statutory requirements; and

.6 additional administrative burdens are defined by the Organization as unnecessary, disproportionate or obsolete burdens and, therefore, it would be worthwhile to evaluate whether disproportionate burdens could be reduced if the proposal for simplified certification scheme is applied.

9.13 Following discussion, the Committee instructed the Polar Code Working Group, taking into account documents MEPC 67/9/6, MEPC 67/9/7 and MEPC 67/9/11, to evaluate, in the context of certification for ships on single voyages, what certificates, manuals, record books and surveys are affected, what are the additional administrative burdens associated, if any, and what can be done to reduce them.

Application provisions in part II of the Polar Code

9.14 The Committee had for its consideration document MEPC 67/9/10 (Argentina), commenting on part II of the draft Polar Code and the associated amendments to MARPOL concerning, inter alia, the "application" provisions in each chapter of part II-A of the Code; the term "international voyage" in MARPOL Annex IV; tank segregation requirements for chemical tankers; and the relationship of sewage discharge requirements in the Polar Code and those in MARPOL Annex IV.

9.15 In the ensuing discussion, a number of delegations, in referring to the application provisions of chapter 4 of part II-A of the draft Polar Code which mirrors the applicability of MARPOL Annex IV, i.e. applying to ships on international voyages, expressed concerns that any ship operating in Arctic or Antarctic waters and engaged on voyages between ports of the same State or not calling at any port, would not be required to comply with the provisions of the Polar Code. Those delegations were of the view that, given the need to prevent pollution by sewage from ships operating in polar waters, the provisions of chapter 4 of part II-A of the Polar Code should also cover those ships not engaged on international voyages.

9.16 A number of other delegations, in referring to the decision of MEPC 66 that the applicability of the relevant MARPOL Annexes should be extended to the corresponding chapters of part II-A of the Polar Code, stressed that the Committee or the intersessional working group should not enter into any discussion on amending the applicability of MARPOL Annex IV.

9.17 Following discussion, the Committee instructed the Polar Code Working Group to further consider paragraphs 8 to 11 of document MEPC 67/9/10 with a view to identifying a possible solution to address the concern expressed in the document while maintaining the decision of MEPC 66 on the applicability of part II-A of the Polar Code, taking into account the distinction of ships' operations in the Antarctic and the Arctic.

9.18 The Committee further agreed that the application provisions in each chapter of part II-A of the draft Polar Code should be deleted since the associated amendments to relevant MARPOL Annexes already set out the application for each corresponding chapter in part II-A of the draft Polar Code.

Proposal for future work on the Polar Code

9.19 The Committee had for its consideration document MEPC 67/9/9 (FOEI et al.), commenting on part II of the draft Polar Code; expressing concerns that insufficient attention has been given to environmental protection issues in developing the Polar Code; and recommending establishing a step two work programme as soon as possible to develop full and robust environmental provisions in the Polar Code.

9.20 In this regard, a number of delegations expressed concerns that category C ships are not covered by the proposed structural requirements in part II-A and were of the view that measures aimed at reducing the risk of an oil or chemical spill should apply to all ships operating in ice.

9.21 The Committee noted the concerns expressed and stressed that any future amendments to the Polar Code to introduce additional or new environment-related requirements would need the approval of the Committee as a new output, in accordance with the Committees' guidelines.

Action requested of the Committee by the intersessional working group

9.22 Having considered all the commenting documents, the Committee approved the report of the intersessional working group (MEPC 67/WP.8) in general and took action as described in the following paragraphs.

Requirements on discharge of garbage

9.23 The Committee noted that the intersessional working group had considered the decision of MEPC 65 (MEPC 65/22, paragraphs 11.56 and 11.57) with regard to whether discharge of cargo residues should be prohibited in polar waters and had requested a clarification of the Committee's decision on "only allows discharge of food waste into the sea under certain conditions".

9.24 In the ensuing discussion, a number of delegations expressed the view that the MEPC 65 decision should be considered as a prohibition of the discharge of all garbage except food and emphasized the need for stringent requirements for the discharge of cargo residues. A number of other delegations were of the view that MEPC 65 approved the first option in paragraph 15.3.5.1 of the annex to document MEPC 65/11/8, where the proposed measures for polar waters were presented as "in addition" to the requirements in MARPOL Annex V concerning the discharge of food wastes, and ships operating in polar waters are subject to the requirements for the discharge of cargo residues in regulations 4 and 6 of MARPOL Annex V.

9.25 Following discussion, the Committee agreed that the decision made by MEPC 65 is an additional requirement, not a replacement of relevant requirements contained in MARPOL Annex V, and instructed the Polar Code Working Group to consider whether additional requirements are needed for the discharge of cargo residues in Arctic waters.

Definitions of "Polar Code", "polar waters" and "Arctic waters"

9.26 The Committee, having noted that the intersessional working group had prepared revised text for the definitions of "Polar Code", "polar waters" and "Arctic waters", agreed to the revised definitions and invited MSC 94 to consider them.

Control of pollution by noxious liquid substances in bulk

9.27 The Committee noted that the intersessional working group had agreed to a proposal to include a provision in part II-A, requiring approval by the Administration for carriage of noxious liquid substances by category A and B ships as type 3 ships constructed on or after the date of entry into force of the Polar Code, and a provision in part II-B, providing recommendatory guidance on tank separation for the above-mentioned ships.

9.28 Having noted the concern about the ambiguity of the text of paragraph 2.2.3 of chapter 2 of part II-A of the draft Polar Code (MEPC 67/WP.8, annex 1), which may be misinterpreted as meaning that types 1 and 2 ships are also subject to the approval of the Administration when carrying cargos listed in that paragraph, the Committee instructed the Polar Code Working Group to further review and clarify the said draft provision.

9.29 The Committee also instructed the Polar Code Working Group to review the need for amendments to the Noxious Liquid Substances Certificate and the Certificate of Fitness.

Approval of the text of part II of the draft Polar Code and the associated MARPOL amendments

9.30 The Committee approved, in principle, the text of part II of the draft Polar Code and the associated MARPOL amendments, as set out in annexes 1 and 2 of document MEPC 67/WP.8, subject to decisions made in plenary (paragraphs 9.3 to 9.29).

Outcome of MSC 93

9.31 The Committee considered document MEPC 67/9/1 (Secretariat) on the outcome of MSC 93 in relation to the development of the draft Polar Code and noted that MSC 93 had approved, in principle, the draft Polar Code and a draft new SOLAS Chapter XIV to make the Polar Code mandatory, with a view to their adoption at MSC 94. The Committee also noted that MSC 93, in considering the proposed provisional agenda for SDC 2, had decided to defer consideration of matters related to the application of the Polar Code to non-SOLAS ships to the next biennium and, consequently, had moved output 5.2.1.15 to its post-biennial agenda.

9.32 The Committee noted that MSC 93 had included in the draft Polar Code an appendix on Model table of contents for the Polar Waters Operational Manual (PWOM), consisting of part I on safety measures and part II on environmental protection measures, and had requested it to consider part II of the Model table of contents for PWOM, in conjunction with the introduction and part II-A of the draft Polar Code.

9.33 Following consideration, the Committee noted that the requirements for a PWOM are contained only in part I-A of the Code and are made mandatory through SOLAS amendments, which cannot address environmental issues, as there would be no mechanism for enforcement of part II of the PWOM, unless relevant amendments are introduced to each chapter of part II-A and the corresponding MARPOL Annexes. Consequently, the Committee agreed that the PWOM should not cover environmental protection measures and that compliance with the environment part of the Polar Code should be reflected in existing certificates, manuals and record books under the relevant Annexes to MARPOL.

Establishment of the Polar Code Working Group

9.34 The Committee established the Polar Code Working Group and instructed it, taking into account comments, proposals and decisions made in plenary, to:

.1 prepare the final draft text of the Preamble and Introduction of the draft International Code for Ships Operating in Polar Waters, using annex 24 to document MSC 93/22/Add.3 as the basis;

.2 prepare the final draft text of parts II-A and II-B of the draft Polar Code, using annex 1 to document MEPC 67/WP.8 as the basis, taking into account documents MEPC 67/9/3, MEPC 67/9/5 (paragraph 3) and MEPC 67/9/10 (paragraphs 8 to 11);

.3 in the context of certification for ships on single voyages, evaluate what certificates, manuals, record books and surveys are affected, what are additional administrative burdens associated, if any, and what can be done to reduce them, taking into account documents MEPC 67/9/6, MEPC 67/9/7 and MEPC 67/9/11;

.4 prepare the final text of the draft amendments to the relevant Annexes of MARPOL to make the Polar Code mandatory, using annex 2 to document MEPC 67/WP.8 as the basis; and

.5 review the text in paragraph 2.2.3 of chapter 2 of part II-A and paragraph 2 of part II-B of the draft Polar Code and the need for amendments to the Noxious Liquid Substances Certificate and the Certificate of Fitness.

Report of the Polar Code Working Group

9.35 Having considered the report of the Polar Code Working Group (MEPC 67/WP.14), the Committee approved it in general and took action as indicated below.

Preamble and Introduction of the draft Polar Code

9.36 The Committee noted that the group had reviewed the text of the Preamble and the Introduction of the draft Polar Code and had agreed to minor editorial modifications to paragraph 4 of the Preamble and the chapeau of paragraph 2 of the introduction part, as set out in annex 1 of document MEPC 67/WP.14.

9.37 The Committee also noted that the group had agreed to delete the definition of "tanker" which makes reference to SOLAS, having noted that MARPOL has defined the term differently, and had requested it to invite MSC 94 to consider moving the definition of the term to part I of the draft Polar Code.

9.38 The Committee further noted that the group had identified that figure 2 (Maximum extent of Arctic waters application) is inaccurate, and had invited it to request the Secretariat to make corrections to the figure, for consideration by MSC 94.

9.39 The Committee endorsed the group's actions and recommendations with regard to the text of the Preamble and the Introduction and figure 2, as described in paragraphs 9.36 to 9.38, and invited MSC 94 to consider the revised text and take action as appropriate.

Prevention of pollution by oil

9.40 The Committee noted that the group had agreed to text concerning the prohibition of the discharge of oil into the sea of oil or oily mixtures from any ships, as set out in in paragraphs 1.1.1 to 1.1.3 of chapter 1 of part II-A of the draft Polar Code.

9.41 In this regard, the Committee concurred with the understanding of the group that the applicability and scope of the discharge ban in paragraph 1.1.1 are intended to be the same as already applies in the Antarctic area under regulations 15 and 34 of MARPOL Annex I, but are extended to the Arctic as well.

Administrative burdens in introducing revised certificates, manuals and record books

9.42 The Committee noted that the group had evaluated, in the context of certification of ships on single voyages, whether administrative burdens could be reduced in introducing revised certificates, manuals and record books as a result of the requirements of the Polar Code, taking into account documents MEPC 67/9/6, MEPC 67/9/7 and MEPC 67/9/11, and had agreed that no further amendments were necessary under part II of the draft Polar Code to address the administrative burdens.

9.43 In this regard, the Committee requested the Secretariat to consolidate relevant recommendations developed by the group (MEPC 67/WP.14, paragraphs 13, 16, 32, 33 and 34) concerning reissuing of certificates and revisions of manuals and record books in a guidance document, for submission to MEPC 68 for consideration, with a view to approval for dissemination by means of an MEPC circular. Having noted that MSC 94 would further consider the certification under part I-A of the Polar Code, the Committee invited MSC 94 to note the approach taken by it with regard to part II-A.

Approval of the draft Polar Code and associated MARPOL amendments

9.44 The Committee approved the Preamble, Introduction and Part II of the draft International Code for ships operating in polar waters, as set out in annex 10, with a view to adoption at MEPC 68.

9.45 The Committee approved the associated draft amendments to MARPOL Annexes I, II, IV and V, as set out in annex 11, and requested the Secretary-General to circulate them in accordance with Article 16 of MARPOL, with a view to adoption at MEPC 68, in conjunction with the adoption of the relevant parts of the Polar Code.

9.46 The Committee authorized the Secretariat, when preparing the text of the draft Polar Code, to effect any editorial corrections that may be identified, as appropriate, including updating references to renumbered paragraphs, and to bring to the attention of the Committee any errors or omissions.

10 IDENTIFICATION AND PROTECTION OF SPECIAL AREAS AND PARTICULARLY SENSITIVE SEA AREAS (PSSAs)

10.1 The Committee, due to time constraints, agreed to defer consideration of this agenda item to MEPC 68.

11 INADEQUACY OF RECEPTION FACILITIES

11.1 The Committee, due to time constraints, agreed to defer consideration of this agenda item to MEPC 68.

12 REPORTS OF SUB-COMMITTEES

Outcome of PPR 1

12.1 The Committee recalled that the Sub-Committee on Pollution Prevention and Response (PPR) had held its first session from 3 to 7 February 2014 and the report of that session had been issued as documents PPR 1/16 and Corr.1. The Committee recalled further that MEPC 66, having considered urgent matters emanating from PPR 1 (MEPC 66/11/4), took action as recorded in paragraphs 2.31, 4.3, 4.4, 6.16, 11.12 to 11.16, and 18.20 to 18.22 of its report (MEPC 66/21).

12.2 The Committee noted that remaining matters emanating from PPR 1 were reported in document MEPC 67/12 (Secretariat) and that of the action requested of it, as listed in paragraph 3 of the document, points 1, 2 and 3 concerning air pollution from ships, together with documents MEPC 67/12/4, MEPC 67/12/6, MEPC 67/12/7, MEPC 67/12/8 and MEPC 67/INF.31, had been dealt with under agenda item 4 (see paragraphs 4.4 to 4.8, 4.9 to 4.15 and 4.16 to 4.17, respectively).

Guidance on the safe operation of oil pollution combating equipment

12.3 The Committee noted that PPR 1 had prepared the final version of the *draft Guidance on the safe operation of oil pollution combating equipment*, as set out in the annex to document MEPC 67/12/2.

12.4 In considering the above-mentioned guidance, the Committee agreed to the following modifications:

.1 the existing text of paragraph 4.7.2.7 is replaced with the following:

"Applicable national law may provide that every person has a statutory duty to take reasonable care for the health and safety of themselves and also others who may be affected due to working on oil pollution combating equipment. With regard to the statutory duties imposed on their employer, they must cooperate with their employer to enable him/her to comply with the relevant statutory requirements";

.2 in paragraphs 4.1.2.4.3 and 4.7.3.4, the word "shall" is replaced with the word "should";

.3 in paragraphs 4.7.3.4, 5.1, 4.1.1.1.1.5, 4.1.2.4.2, 4.2.1, 4.4.2, 4.6.7, 4.7.2.7 and 4.7.3.3, the word "must" is replaced with the word "should"; and

.4 in paragraphs 4.1.2.5, 4.2.1, 4.6.7 and 4.7.1, the words "it is necessary" are replaced with the words "it is important".

12.5 Subsequently, the Committee approved the *Guidance on the safe operation of oil pollution combating equipment*, as further modified (see paragraph 12.4), and requested the Secretariat to carry out final editing and publish the guidance through the IMO Publishing Service.

12.6 The delegation of the Islamic Republic of Iran, in congratulating the Committee on the approval of the guidance, made a statement, as set out in annex 19.

Approval of the report of PPR 1

12.7 Having considered and taken decisions on the remaining matters emanating from PPR 1, the Committee approved, in general, the report of that session of the Sub-Committee (PPR 1/16 and Corr.1).

Outcome of SSE 1

12.8 The Committee, having recalled that the Sub-Committee on Ship Systems and Equipment (SSE) had held its first session from 10 to 14 March 2014 and that its report on that session had been issued as document SSE 1/21, noted that matters of relevance to its work had been reported in document MEPC 67/12/1 (Secretariat) and took action as indicated hereunder.

Draft amendments to MARPOL Annex I

12.9 The Committee approved draft amendments to regulation 12 of MARPOL Annex I, as set out in annex 12, and requested the Secretary-General to circulate them in accordance with article 16(2) of MARPOL, with a view to adoption at MEPC 68.

Draft revised unified interpretation of regulation 12.3.3 of MARPOL Annex I

12.10 The Committee noted that SSE 1 had prepared a draft revised unified interpretation of regulation 12.3.3 of MARPOL Annex I, as set out in annex 12 of document SSE 1/21, which is intended to replace the unified interpretation circulated by MEPC.1/Circ.753 when the amendments to regulation 12 of MARPOL Annex I (see paragraph 12.9) enter into force. The Committee agreed to keep the draft revised unified interpretation in abeyance for approval by MEPC 70, after the deemed acceptance date of the above-mentioned MARPOL amendments.

Outcome of III 1

12.11 The Committee recalled that the Sub-Committee on Implementation of IMO Instruments (III) held its first session from 14 to 18 July 2014 and its report on that session had been circulated as document III 1/18; and that matters of relevance to the work of the Committee had been reported in documents MEPC 67/12/3, MEPC 67/12/5 and MEPC 67/2/7 by the Secretariat.

12.12 The Committee noted that of the 20 actions requested of the Committee, as listed by III 1 (MEPC 67/12/3, paragraph 3), actions 5, 6 and 7 concerning ballast water issues had been dealt with under agenda item 2 (see paragraphs 2.15 to 2.19 and 2.38 to 2.40) and actions 14, 16, 17 and 18 had been dealt with under agenda item 16 (see paragraphs 16.9 and 16.10).

Interim guidelines on the use of printed versions of electronic certificates

12.13 The Committee noted that III 1 had considered the *Interim guidelines for use of printed version of electronic certificates* (FAL.5/Circ.39) and had reiterated its encouragement to port State control (PSC) regimes to fully implement the guidelines without applying additional conditions and for port States and PSC regimes to work toward acceptance of printed versions of electronic certificates as recommended in the guidelines. In this regard, the Committee also noted that FAL 39 had approved *Guidelines for the use of electronic certificates* (FAL.5/Circ.39/Rev.1) and had invited MSC and MEPC to note the contents of the circular and take any necessary action, as appropriate (FAL 39/16, paragraph 5.36) (see also paragraphs 13.4 and 13.5).

Annual circular on mandatory reports under MARPOL

12.14 The Committee, having noted that the summary reports and analysis of mandatory reports under MARPOL had been deleted from the biennial agenda of the III Sub-Committee and would be issued as an annual circular instead, requested the Secretariat to issue the annual circular on mandatory reports under MARPOL covering parts 1(a), 1(b), 2 and 4 of MEPC/Circ.318 submitted by Member States, starting with 2013 onwards, including updated data contained in documents III 1/4/Rev.1 and III 1/18, annex 1.

Reporting on marine safety investigations

12.15 The Committee noted that III 1, in order to facilitate and encourage reporting on marine safety investigations conducted in accordance with the Casualty Investigation Code, had recommended that casualty and incident data should be available in any of the three IMO working languages; preliminary information on very serious casualties should be provided by the flag State not later than six months after their occurrence; and technical assistance should be considered for countries with outstanding marine casualty investigation reports on very serious marine casualties, as matter of priority. The Committee endorsed the above-mentioned recommendations of the Sub-Committee.

Guidelines for port State control officers on the ISM Code

12.16 The Committee noted that III 1 had prepared a draft MSC-MEPC.4 circular on *Guidelines for port State control officers on the ISM Code* and requested the Committee to decide whether prior to approval and subject to the concurrent decision of MSC 94, the draft guidelines should be referred to the HTW Sub-Committee for comments.

12.17 In considering the request, the Committee noted comments by the observer from IACS that the draft guidelines correctly stated that port State control officers (PSCOs) could not perform a Safety Management System (SMS) audit, but that they should use their professional judgement to reach conclusions about the system's effectiveness, however, it was not clear how the PSCO was expected to make these judgements without reviewing the internal and external audit reports and undertaking a proper audit of the management system. In IACS's view, this had led to instances when deficiencies had been raised on the basis that a systemic failure had been established, without proper justification or an investigation having been undertaken that identified exactly what had failed and how. PSCOs were also expected to distinguish between "failures" and "serious failures", but there was still nothing in the draft guidelines to indicate how this distinction should be made in order to substantiate the PSCO's decision to grade findings as "failures" or "serious failures". IACS, noting that the ship may be subject to varying actions by the PSCO, depending on whether "failures" or "serious failures" had been identified, was of the view that these terms should, at least, be clearly defined in the guidelines.

12.18 Following consideration, the Committee agreed that, prior to approval and subject to the concurrent decision of MSC 94, the draft guidelines should be referred to the HTW Sub-Committee for comments, taking into account the views expressed by IACS (see paragraph 12.17).

Recurrent findings during Member State Audits

12.19 The Committee noted the five major areas of recurrent findings in audits, established by the sections of the Code for the implementation of mandatory IMO instruments, 2011 (resolution A.1054(27)) for action, i.e. the findings relate to flag State

surveyors; delegation of authority; initial actions (legislation); communication of information; and implementation.

12.20 The Committee also noted the underlying causes, as identified by audited Member States, that are indicative of the reasons for a shortfall in the effective implementation and enforcement of mandatory IMO instruments and the audit standard for action, i.e. absence/ lack of procedure/ process/mechanism, absence/lack of national provisions, insufficient resources, lack of coordination among various entities, absence/lack of training programmes, prolonged legislation process, responsibilities of entity/person not assigned, and absence of dedicated units.

12.21 In this regard, the Committee agreed to the proposal of III 1 to invite the Technical Cooperation Committee to review current technical assistance activities in order to establish whether they adequately cover the major areas of recurrent findings in audits and/or to develop any new technical assistance programmes that would provide more specific support to Member States in their implementation and enforcement of the requirements of the mandatory IMO instruments and the audit standard in those areas.

Exemption of unmanned and non-self-propelled barges from the survey and certification requirements under MARPOL

12.22 In the context of the draft guidelines for the exemption of unmanned and non-self-propelled barges from the survey and certification requirements under the MARPOL Convention, developed by III 1, the Committee:

.1 due to time constraints, agreed to defer consideration of the draft guidelines to MEPC 68; and

.2 with regard to the development of associated amendments to MARPOL Annexes I, IV and VI, invited interested Member Governments and international organizations to submit proposals for a relevant new output, as appropriate.

Unified Interpretation on keel laying date for fibre-reinforced plastic (FRP) craft

12.23 The Committee approved, subject to the concurrent decision of MSC 94, MSC-MEPC.5/Circ.9 on *Unified Interpretation on keel laying date for fibre-reinforced plastic (FRP) craft,* as set out in document III 1/18, annex 8.

Direct reporting of III 2 to A 29

12.24 Having noted that III 2, scheduled to be held in July 2015, will be expected to finalize draft Assembly resolutions, authorized the Sub-Committee, subject to the concurrent decision of MSC 94, to report the outcome of its work on matters that would require the adoption of draft Assembly resolutions directly to A 29.

Third joint IMO/FAO Working Group on IUU fishing and related matters

12.25 The Committee, in considering the information in document MEPC 67/12/5 (FAO and IMO Secretariats), recalled that MEPC 44 and MSC 72 had agreed to establish a Joint FAO/IMO Ad Hoc Working Group on IUU fishing and related matters (JWG), based on the request of the United Nations General Assembly and the Commission on Sustainable Development, and that IMO should provide assistance to FAO in dealing with IUU fishing in respect of maritime safety and prevention of marine pollution from fishing vessels and other

related matters. In this regard, the Committee, having also recalled that the first and second JWG meetings took place at FAO Headquarters in Rome, in October 2000 and July 2007, respectively, and that FSI 20 had proposed that the third meeting should be hosted by IMO, endorsed the recommendation of III 1 to the MSC and the MEPC that the meeting should take place in 2015 at IMO Headquarters.

12.26 The Committee noted that FSI 20 and III 1 identified a number of topics for discussion at the third JWG meeting as summarized in paragraphs 7.2 and 9 to 25 of document MEPC 67/12/5, including the preparation of a basic document by the IMO and FAO Secretariats for the meeting, expanding on the issues raised in the document.

12.27 In the ensuing discussion, the representative of FAO suggested the inclusion of additional item on "Greenhouse gas emissions and energy use on fishing vessels" in the proposed provisional agenda of the third JWG meeting. However, two delegations were of the view that, taking into account the already heavy agenda of the meeting, any additional items could be detrimental to the work and, consequently, the Committee did not agree to the proposal, but agreed that the matter could be considered at a future meeting of the group.

12.28 Following the discussion, the Committee took the following action, subject to concurrent decisions by MSC 94:

.1 approved the holding of the third meeting of the Joint FAO/IMO Ad Hoc Working Group on IUU fishing and related matters;

.2 following the suggestion in paragraphs 4 and 5 of document MEPC 67/12/5, agreed that the Organization should be represented at the meeting by the following nine countries: Argentina, Canada, China, the Cook Islands, Denmark, Liberia, Norway, the Republic of Korea and Turkey;

.3 agreed that the group should meet at IMO Headquarters during 2015; and

.4 approved the provisional agenda of the third meeting of the JWG, based on document FSI 20/15, taking into account further proposals made in document MEPC 67/12/5.

Approval of the report of III 1

12.29 Having considered and taken decisions on the matters emanating from III 1, the Committee approved, in general, the report of that session (III 1/18).

13 WORK OF OTHER BODIES

Outcome of LEG 101, MSC 93, TC 64 and C 112

13.1 The Committee noted the decisions of LEG 101 (MEPC 67/13), MSC 93 (MEPC 67/13/1), TC 64 (MEPC 67/13/2), C 112 (MEPC 67/13/3) and agreed to take appropriate action under the relevant agenda items.

List of codes, recommendations, guidelines and other non-mandatory instruments

13.2 The Committee also noted the decision of MSC 93 to migrate the list of codes, recommendations, guidelines and other safety and security-related non-mandatory instruments (MSC.1/Circ.1371 and addenda) into GISIS (MSC 93/INF.2), and that relevant

IMO bodies had been invited, when developing a new instrument, to consider the consequential impact of its approval and/or adoption on existing non-mandatory instruments, so that the above list could be kept updated.

13.3 In order to facilitate the consideration of the invitation from the MSC, the Committee requested the Secretariat to submit a draft list of codes, recommendations, guidelines and other non-mandatory instruments related to the work of the MEPC to a future session.

Outcome of FAL 39

13.4 The Committee, having been advised that the outcome of FAL 39 will be reported to MEPC 68, noted information by the Secretariat concerning urgent matters emanating from that session. In this regard, the Committee noted in particular that FAL 39 extensively discussed the use of electronic certificates, resulting in the approval of the *Guidelines for the use of electronic certificates* (FAL.5/Circ.39/Rev.1) and in an invitation to the MSC and the MEPC to note the contents of the guidelines and take any necessary actions, as appropriate.

13.5 Having recalled that MEPC 66 had acknowledged the merits of electronic record-keeping in general and had re-established the Correspondence Group on the Use of Electronic Record Books under MARPOL, which is due to report to MEPC 68, the Committee requested the Secretariat to inform the correspondence group of the outcome of FAL 39 in this regard.

14 PROMOTION OF IMPLEMENTATION AND ENFORCEMENT OF MARPOL AND RELATED INSTRUMENTS

14.1 The Committee, due to time constraints, agreed to defer consideration of this agenda item to MEPC 68.

15 TECHNICAL COOPERATION ACTIVITIES FOR THE PROTECTION OF THE MARINE ENVIRONMENT

15.1 The Committee noted the information provided in document MEPC 67/15 (Secretariat) on the Organization's technical cooperation activities related to the protection of the marine environment, implemented between 1 January and 30 June 2014, under the Integrated Technical Cooperation Programme (ITCP) as well as under major projects financed through external sources.

15.2 The Committee also noted the information provided in document MEPC 67/15/1 (Secretariat) on additional activities carried out during the reporting period with support from the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), related to the implementation of the Protocol to the Barcelona Convention concerning cooperation in preventing pollution from ships and, in case of emergency, combating pollution of the Mediterranean Sea.

15.3 Having considered document MEPC 67/15/2 (Secretariat), the Committee approved the following four thematic priorities relating to the protection of the marine environment for inclusion in the ITCP covering the 2016-2017 biennium:

.1 assisting countries in implementing the MARPOL Convention in general and more specifically in providing port reception facilities; establishing of Special Areas or PSSAs; uniform application of revised Annex V (Regulations for the prevention of pollution by garbage from ships) and

Annex VI (Regulations for the prevention of air pollution from ships) and related waste management measures;

.2 assisting countries in implementing the OPRC Convention and the OPRC-HNS Protocol and enhancing regional cooperation in marine pollution preparedness, response and cooperation as well as addressing aspects of the implementation of the relevant international regimes on liability and compensation for oil and HNS pollution damage;

.3 strengthening national and regional capacity and fostering regional cooperation for the ratification and effective implementation of the Hong Kong Convention on Ship Recycling, the Ballast Water Management Convention and ships' biofouling guidelines; and

.4 assisting countries in ratifying and implementing the London Protocol on prevention of pollution by dumping of wastes and other matters.

15.4 Summarizing, the Chairman recalled that the constituent programmes of the ITCP could only be delivered if the required funding is secured from internal resources and/or external donor contributions; expressed appreciation for all the financial and in-kind contributions to the ITCP and major projects; and invited Member States and international organizations to continue and, if possible, increase their support for IMO's technical cooperation activities so that successful delivery of the programme could be achieved.

16 WORK PROGRAMME OF THE COMMITTEE AND SUBSIDIARY BODIES

16.1 The Committee, due to time constraints, agreed to defer consideration of the two proposals for new outputs, as contained in documents MEPC 67/16 (Canada) and MEPC 67/16/1 and MEPC 67/INF.10 (Finland and Brazil) to MEPC 68.

Sub-Committee on Pollution Prevention and Response

Guidance on the application of new SOLAS regulation VI/5-2

16.2 The Committee noted the decision of MSC 93 to instruct PPR 2, under its output 1.1.2.3 on "Unified interpretation to provision of IMO environmental related conventions", to consider the questions contained in paragraph 8 of document MSC 93/20/8 on the proposal to develop guidance on the application of new SOLAS regulation VI/5-2 related to the prohibition of blending of bulk liquid cargoes.

Agenda of the ESPH Working Group

16.3 Having noted the concerns of several delegations that the item on "Any other business" on the agenda of the ESPH Working Group was too open ended, the Committee decided that the item should be deleted from the agenda of ESPH 21 and all subsequent meetings.

Biennial agenda of the PPR Sub-Committee and provisional agenda for PPR 2

16.4 Recalling the decisions taken under agenda item 3 (see paragraph 3.5), the Sub-Committee agreed to include in the biennial agenda of the PPR Sub-Committee and the provisional agenda for PPR 2 output 7.1.2.1 on "Revised guidelines for the Inventory of Hazardous Materials".

16.5 In view of the decisions taken under agenda item 4 (see paragraphs 4.16 and 4.17), and having noted that only two sets of guidelines under output 7.3.1.1 on "Guidelines related to MARPOL Annex VI and the NO_x Technical Code in accordance with Action Plan endorsed by MEPC 64" remain to be developed, the Committee agreed to split the existing output into two new outputs as follows:

.1 Guidelines pertaining to equivalent methods set forth in regulation 4 of MARPOL Annex VI and not covered by other guidelines; and

.2 Guidelines as called for under paragraph 2.2.5.6 of the revised NO_x Technical Code 2008 (NO_x-reducing devices),

and included them in the biennial agenda of the Sub-Committee and provisional agenda for PPR 2.

16.6 Consequently, the Committee approved the biennial status report of the Sub-Committee and the revised provisional agenda for PPR 2, as set out in annex 13.

Sub-Committee on Carriage of Cargoes and Containers (CCC)

Outcome of CCC 1

16.7 The Committee, having considered document MEPC 67/WP.3, annex 2, noted the reinstatement by MSC 93 of output 5.2.3.5 on *Revised guidelines for packing of cargo transport units*, with a target completion date of 2015; and concurred with the change of the description of output 5.2.1.2 to "Amendments to the IGF Code and development of guidelines for low-flashpoint fuels" proposed by CCC 1 to accurately reflect the work being carried out and also noted the extension of the target completion date for the output to 2016.

Biennial agenda of the CCC Sub-Committee and provisional agenda for CCC 2

16.8 The Committee, subject to the concurrent decision of MSC 94, approved the biennial status report of the Sub-Committee and the provisional agenda for CCC 2, as set out in annex 14.

Sub-Committee on Implementation of IMO Instruments (III)

Outcome of III 1

16.9 The Committee, having considered document MEPC 67/WP.3, annex 2, and subject to the concurrent decision of MSC 94:

.1 agreed to keep output 5.1.2.2 on "Measures to protect the safety of persons rescued at sea" in the biennial agenda of the Sub-Committee, with two sessions needed for completion; and

.2 having considered the recommendation of III 1 that it be assigned an appropriate output to address IUU fishing matters at III 2 as the current output 1.1.1.1 was considered too broad in scope, did not agree to the establishment of a relevant new output for the Sub-Committee since the Committees could consider the outcome of the JWG meeting under the existing output 1.1.1.1.

Biennial agenda of the III Sub-Committee and provisional agenda for III 2

16.10 The Committee, subject to the concurrent decision of MSC 94, approved the biennial status report of the Sub-Committee and the provisional agenda for III 2, as set out in annex 15.

Items on the biennial agendas of the HTW, NCSR, SDC and SSE Sub-Committees relating to environmental issues

16.11 The Committee, having considered document MEPC 67/WP.2, containing the environment-related items on the biennial agendas of the HTW, NCSR, SSE and SDC Sub-Committees for the 2014-2015 biennium, taking into account the outcome of HTW 1, NCSR 1, SDC 1 and SSE 1, approved the items on the biennial agendas of the HTW, NCSR, SDC and SSE Sub-Committees relating to environmental issues, as set out in annex 16.

Status of planned outputs for the 2014-2015 biennium

16.12 Having recalled that the status of planned outputs would only be produced after the session as an annex to the Committee's report to avoid any unnecessary duplication of work, the Committee invited the Council to note the biennial status report of the planned outputs of the Marine Environment Protection Committee, as set out in annex 17.

Activities, priorities, and plan of the meeting weeks of the Committees and their subsidiary bodies

16.13 The Committee recalled that paragraph 3.5 of the Committees' guidelines requires that, at the end of the first year of the biennium, the chairmen should submit to their respective Committees a joint plan covering the activities, priorities and meetings of the Committees and their subsidiary bodies for the coming biennium, for consideration in the subsequent year, with a view to inclusion in the Secretary-General's relevant budget proposals.

16.14 The Committee, having considered the proposed planned meeting weeks contained in document MEPC 67/WP.10 (MSC and MEPC Chairmen), agreed that, for budgetary planning purposes, the number of meeting weeks for the coming biennium should be reduced from 25 weeks to 20 weeks, and requested the Secretariat to inform C 113 accordingly, bearing in mind that the final decision by the Council will take into account the views of the MSC and the MEPC. Consequently, the Committee approved, subject to the concurrent decision of MSC 94, the plan of meeting weeks for the MSC and the MEPC and their subsidiary bodies for the biennium 2016-2017, as listed in the table below, for inclusion the Secretary-General's relevant budget proposals:

Year	MSC	MEPC	CCC	HTW	III	NCSR	SDC	SSE	PPR	Total
2016	2	2	1	1	1	1	1	1	1	11
2017	1	1	1	1	1	1	1	1	1	9
Grand total (weeks)										**20**

Items to be included in the agendas of MEPC 68 and MEPC 69

16.15 The Committee, having considered document MEPC 67/WP.5 and taking into account the decisions made at this session, approved the items to be included in the agendas for MEPC 68 and MEPC 69, as set out in annex 18.

Scheduling of MEPC 68 and MEPC 69

16.16 The Committee noted that MEPC 68 has been scheduled to take place from 11 to 15 May 2015 and that MEPC 69 has been tentatively scheduled to be held in March 2016.

Working/review/drafting groups at MEPC 68

16.17 The Committee, taking into account the decisions made under the respective agenda items, agreed that the following groups should be established at MEPC 68:

.1 Working Group on Air Pollution and Energy Efficiency;

.2 Working Group on Further Technical and Operational Measures for Enhancing the Energy Efficiency of International Shipping;

.3 Drafting Group on Amendments to Mandatory Instruments; and

.4 Review Group on Ballast Water Treatment Technologies.

Correspondence groups

16.18 The Committee agreed to establish the following intersessional correspondence groups[5], which would report to MEPC 68[6]:

.1 Correspondence Group on Review of the guidelines for approval of ballast water management systems (G8);

.2 Correspondence Group on Fuel Oil Quality;

.3 Correspondence Group on EEDI review required under regulation 21.6 of MARPOL Annex VI; and

.4 Correspondence Group on Further Technical and Operational Measures for Enhancing the Energy Efficiency of international shipping.

Intersessional meeting

16.19 The Committee, taking into account the decisions made under the respective agenda items, approved the intersessional meeting of the ESPH Working Group, to be held in September/October 2016, and invited the Council to endorse this decision.

[5] The contact details of the coordinators of the correspondence groups established are set out in document MEPC 67/WP.1/Add.1.

[6] Two of the correspondence groups established at MEPC 66, i.e. the Correspondence Group on the Review of fuel oil availability as required by regulation 14.8 of MARPOL Annex VI and the Correspondence Group on the use of electronic record books under MARPOL, will also report to MEPC 68.

17 APPLICATION OF THE COMMITTEES' GUIDELINES

Proposed changes to IMODOCS to show "pink paper" documents

17.1 The Committee recalled that paragraph 6.4 of the Committees' guidelines stipulates that documents containing proposed amendments to IMO instruments that have been approved for adoption by the MSC and the MEPC should be printed on pink paper.

17.2 The Committee further recalled that in the context of IMO's PaperSmart initiative launched at C 109, MSC 91 had agreed that the use of pink paper was no longer necessary and requested the Secretariat to discontinue its use for the circulation of draft amendments to IMO instruments.

17.3 The Committee considered the information provided in document MEPC 67/17 (Secretariat) on the proposed changes to IMODOCS to show "pink paper" documents by means of an enhancement functionality that obviates the creation of a new section in IMODOCS.

17.4 The Committee, having noted that this "pink paper" functionality is available for respective circular letters and MSC and MEPC documents in the sections "Circular Letters" and "Meeting Documents" of IMODOCS, and that those documents containing proposals for modifications to approved amendments are highlighted in pink but will not themselves have a pink background, also noted that any new facility to be provided by IMODOCS should be appropriately reflected in paragraph 6.4 of the Committees' guidelines.

17.5 Consequently, the Committee concurred with the action taken by the Secretariat regarding the highlighting of documents containing proposed amendments to mandatory IMO instruments in IMODOCS; and noted that corresponding changes to paragraph 6.4 have already been included in the draft amendments to the Committees' guidelines proposed by MSC 93, for consideration by the Committee (see paragraph 17.9).

Proposed amendments to the Committees' guidelines

17.6 The Committee recalled that MSC 92 requested the Secretariat to prepare a document setting out any proposed amendments to the Committees' guidelines as a consequence of the revision of the *Guidelines of the FAL Committee*, as agreed by FAL 38, for consideration by MSC 93.

17.7 The Committee further recalled that MEPC 66 agreed to await the consideration of MSC 93 of the relevant documents on the proposed revision of the Committees' guidelines before taking action.

17.8 The Committee considered the information provided in document MEPC 67/17/1 (Secretariat) on the revised Committees' guidelines approved by MSC 93, including amendments suggested by FAL 38 and the Secretariat, changes emanating from the adoption of the *Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization* (resolution A.1062(28)) by A 28, and the amendments to paragraph 6.4 of the guidelines agreed by MSC 93. The Committee noted in particular the decision of MSC 93 to reinstate the concept of unanimous agreement for establishing splinter groups in paragraph 5.20 of the guidelines; and that the amended provisions would be applicable to submissions to MSC 95 and all Sub-Committee meetings thereafter (MSC 93/22, paragraphs 19.1 to 19.6 and annex 26).

17.9 The Committee concurrently approved MSC-MEPC.1/Circ.4/Rev.3 on *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* and requested the Secretariat to affect any editorial changes that may be identified.

18 ELECTION OF THE CHAIRMAN AND VICE-CHAIRMAN FOR 2015

18.1 The Committee, in accordance with rule 17 of its Rules of Procedure, unanimously re-elected Mr. Arsenio Dominguez (Panama) as Chairman and Dr. Naomi Parker (New Zealand) as Vice-Chairman, both for 2015.

19 ANY OTHER BUSINESS

19.1 The Committee, due to time constraints, agreed to defer consideration of this agenda item to MEPC 68.

20 ACTION REQUESTED OF OTHER IMO ORGANS

20.1 The Council, at its 113th session, is invited to:

.1 endorse the decision of the Committee to add the PPR Sub-Committee as an associated organ for output 7.1.2.1 (*Revised guidelines for the Inventory of Hazardous Materials*) and to extend the target completion year to 2015 (paragraph 3.5);

.2 note that the Committee approved the Third IMO GHG Study 2014 and requested the Secretariat to publish and disseminate the Study (paragraph 6.5);

.3 note that the Committee added a new item on "Amendments to MARPOL Annex V, Form of Garbage Record Book" with a target completion date of 2015 to the agenda for MEPC 68 (paragraph 7.15);

.4 note that the Committee, in accordance with the Committees' guidelines, added the assessment of capacity-building implications to its agenda as a regular item (paragraph 7.23);

.5 note that the Committee adopted amendments to MARPOL Annexes I, III and VI (paragraphs 7.26 to 7.31);

.6 note that the Committee noted the five major areas of recurrent findings in Member State audits and the underlying causes that are indicative of the reasons for a shortfall in the effective implementation and enforcement of mandatory IMO instruments and the audit standard (paragraphs 12.19 and 12.20);

.7 note the report on the status of planned outputs for the 2014-2015 biennium (paragraph 16.11 and annex 17);

.8 note that the Committee approved, subject to the concurrent decision of MSC 94, the plan of meeting weeks for the MSC and the MEPC and their subsidiary bodies for the biennium 2016-2017, for inclusion the Secretary-General's relevant budget proposals (paragraph 16.14); and

.9 endorse the holding of an intersessional meeting of the ESPH Working Group in September/October 2016 (paragraph 16.19).

20.2 The Maritime Safety Committee, at its 94th session, is invited to:

.1 note the outcome of the Committee's discussion on the issue of fuel oil quality, in particular the establishment of a correspondence group, and forward relevant documents submitted to MSC 94 to the group for consideration (paragraphs 4.24 to 4.30 and 4.68);

.2 note the outcome of the Committee's discussion on the *2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions* (resolution MEPC.232(65)), in particular the adoption of amendments to the guidelines by resolution MEPC.255(67) (paragraphs 4.51 and 4.52, 4.76 to 4.79, and annex 6);

.3 note the outcome of the Committee's discussion on the development of the mandatory Code for ships operating in polar waters, in particular the approval of the preamble, introduction and part II of the draft International Code for ships operating in polar waters and the associated draft amendments to MARPOL Annexes I, II, IV and V, with a view to adoption at MEPC 68 (section 9 and annexes 10 and 11) and, in this regard:

.1 concur with the revised definitions of "Polar Code", "polar waters" and "Arctic waters" agreed by the Committee (paragraph 9.26);

.2 consider the decisions taken with regard to the text of the preamble and the introduction and figure 2 of the draft Polar Code and take action as appropriate (paragraphs 9.36 to 9.39); and

.3 note the agreement to consider, at MEPC 68, draft guidance consolidating relevant recommendations of the Polar Code Working Group (MEPC 67/WP.14, paragraphs 13, 16, 32, 33 and 34) concerning reissuing of certificates and revisions of manuals and record books (paragraph 9.43);

.4 concurrently agree that, prior to approval, the draft MSC-MEPC.4 circular on *Guidelines for port State control officers on the ISM Code*, developed by III 1, should be referred to the HTW Sub-Committee for comments, taking into account the views expressed by IACS (paragraph 12.18);

.5 concurrently approve MSC-MEPC.5/Circ.9 on *Unified Interpretation on keel laying date for fibre-reinforced plastic (FRP) craft* (paragraph 12.23);

.6 concurrently authorize the III Sub-Committee to report the outcome of its work on matters that would require the adoption of draft Assembly resolutions directly to A 29 (paragraph 12.24);

.7 concurrently, with regard to the third meeting of the Joint FAO/IMO Ad Hoc Working Group on IUU fishing and related matters (paragraph 12.28):

.1 approve the holding of the meeting at IMO Headquarters during 2015 (paragraphs 12.28.1 and 12.28.3);

.2 agree that the Organization should be represented at the meeting by the countries set out in paragraph 12.28.2; and

.3 approve the provisional agenda of the meeting, based on document FSI 20/15 and taking into account further proposals made in document MEPC 67/12/5 (paragraph 12.28.4);

.8 note that the Committee approved, in general, the report of III 1 (III1/18) (paragraph 12.29);

.9 note that the Committee approved the biennial status report of the PPR Sub-Committee and the revised provisional agenda for PPR 2 (paragraph 16.6 and annex 13);

.10 note that the Committee concurred with the change of the description of output 5.2.1.2 to "Amendments to the IGF Code and development of guidelines for low flashpoint fuels" as proposed by CCC 1 and the extension of the target completion date for the output to 2016 (paragraph 16.7);

.11 concurrently approve the biennial status report of the CCC Sub-Committee and the provisional agenda for CCC 2 (paragraph 16.8 and annex 14);

.12 with regard to the biennial agenda of the III Sub-Committee, concurrently agree:

.1 to keep output 5.1.2.2 on "Measures to protect the safety of persons rescued at sea" in the biennial agenda of the Sub-Committee, with two sessions needed for completion (paragraph 16.9.1); and

.2 with regard to the recommendation of III 1 that it be assigned an appropriate output to address IUU fishing matters at III 2 as the current output 1.1.1.1 was considered too broad in scope, that no relevant new output needs to be established since the Committees could consider the outcome of the meeting under the existing output 1.1.1.1(paragraph 16.9.2);

.13 concurrently approve the biennial status report of the III Sub-Committee and the provisional agenda for III 2 (paragraph 16.10 and annex 15);

.14 note that the Committee approved the items on the biennial agendas of the HTW, NCSR, SDC and SSE Sub-Committees relating to environmental issues (paragraph 16.11 and annex 16);

.15 concurrently approve the plan of meeting weeks for the MSC and the MEPC and their subsidiary bodies for the biennium 2016-2017, for inclusion the Secretary-General's relevant budget proposals (paragraph 16.14);

.16 note that the Committee invited C 113 to endorse the holding of an intersessional meeting of the ESPH Working Group in September/ October 2016 (paragraph 16.19);

.17 note that the Committee concurred with the action taken by the Secretariat regarding the highlighting of documents containing proposed amendments to mandatory IMO instruments in IMODOCS (paragraph 17.5); and

.18 note that the Committee concurrently approved MSC-MEPC.1/Circ.4/Rev.3 on *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (paragraph 17.9).

20.3 The Technical Cooperation Committee, at its sixty-fifth session is invited to:

.1 note the progress made by the Ad Hoc Expert Working Group on Facilitation of Transfer of Technology for Ships (AHEWG-TT) (paragraphs 4.62 to 4.65);

.2 review current technical assistance activities in order to establish whether they adequately cover the major areas of recurrent findings in audits and/or to develop any new technical assistance programmes that would provide more specific support to Member States in their implementation and enforcement of the requirements of the mandatory IMO instruments and the audit standard in those areas (paragraph 12.21);

.3 note that the Committee noted, with appreciation, information provided on the Organization's TC activities related to the protection of the marine environment, implemented between 1 January and 30 June 2014 under the ITCP, as well as under the major projects financed through external sources, and invited Member Governments and international organizations to continue and, if possible, increase their support for IMO's TC activities (section 15); and

.3 note the four thematic priorities relating to the protection of the marine environment for inclusion in the ITCP covering the 2016-2017 biennium approved by the Committee and take action as appropriate (paragraph 15.3).

20.4 The Facilitation Committee, at its fortieth session, is invited to note that the Committee, having been informed of the approval of the *Guidelines for the use of electronic certificates* (FAL.5/Circ.39/Rev.1) by FAL 39, requested the Secretariat to inform the Correspondence Group on the Use of electronic record books under MARPOL, due to report to MEPC 68, of the outcome of FAL 39's discussion on the use of electronic certificates and the approval of the guidelines (paragraph 13.4 and 13.5).

***

ANNEX 1

RESOLUTION MEPC.252(67)

Adopted on 17 October 2014

GUIDELINES FOR PORT STATE CONTROL UNDER THE BWM CONVENTION

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

RECALLING ALSO that the International Conference on Ballast Water Management for Ships held in February 2004 adopted the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (the Ballast Water Management Convention) together with four conference resolutions,

RECALLING FURTHER that article 9 of the Ballast Water Management Convention prescribes that ships to which the Convention applies may, in any port or offshore terminal of another Party, be subject to inspection by officers duly authorized by that Party for the purpose of determining whether the ship is in compliance with the Convention,

NOTING that article 3.3 of the Ballast Water Management Convention prescribes that Parties to the Convention shall apply its requirements as may be necessary to ensure that no more favourable treatment is given to ships of non-Parties to the Convention,

HAVING CONSIDERED, at its sixty-seventh session, *Guidelines for port State control under the BWM Convention*, developed by the Sub-Committee on Implementation of IMO Instruments, at its first session,

1 ADOPTS the *Guidelines for port State control under the BWM Convention*, as set out in the annex to this resolution;

2 INVITES Governments to apply the guidelines when exercising port State control inspections;

3 AGREES to keep the guidelines under review, following the trial period associated with the *Guidance on ballast water sampling and analysis for trial use in accordance with the BWM Convention and Guidelines (G2)* (BWM.2/Circ.42) and in the light of experience gained with their application.

ANNEX

GUIDELINES FOR PORT STATE CONTROL UNDER THE BWM CONVENTION

CHAPTER 1
GENERAL

1.1 Purpose

1.1.1 These guidelines are intended to provide basic guidance for the conduct of a port State control (PSC) inspection to verify compliance with the requirements of the International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004 (BWM Convention). They are not intended to limit the rights the port State has in verifying compliance with the BWM Convention.

1.1.2 The Marine Environment Protection Committee, at its sixty-fifth session (May 2013), approved the *Guidance on ballast water sampling and analysis for trial use in accordance with the BWM Convention and Guidelines (G2)* (BWM.2/Circ.42) and agreed in principle with the recommendations related to the trial period for reviewing, improving and standardizing the guidance, as set out in annex 6 to document BLG 17/18.

1.2 Definitions and abbreviations

1.2.1 For the purpose of these guidelines, the definitions in the BWM Convention and in BWM.2/Circ.42 apply.

1.2.2 For the purpose of these guidelines, the following abbreviations apply:

IBWMC: International Ballast Water Management Certificate;

BWMP: Ballast Water Management Plan;

BWRB: Ballast Water Record Book;

BWMS: Ballast Water Management System;

FSUs: Floating Storage Units; and

FPSOs: Floating Production, Storage and Offloading unit.

1.3 Application

1.3.1 These guidelines apply to ships as stipulated in article 3 of the BWM Convention.

1.3.2 The regulations of the BWM Convention contain the following compliance provisions:

.1 the discharge of ballast water shall only be conducted in accordance with the regulations of the BWM Convention (regulation A-2);

.2 an IBWMC is required for all ships of 400 GT or above, excluding floating platforms, FSUs and FPSOs, as identified in regulation E-2;

.3 a ship is required to have on board and implement a BWMP approved by the Administration;

.4 a ship is required to have on board and maintain a BWRB which shall at least contain the information specified in appendix II of the BWM Convention, for a minimum period of two years after the last entry has been made (regulation B-2);

.5 a ship is required to meet either the ballast water exchange standard (regulation D-1) or ballast water performance standard (regulation D-2) in accordance with regulation B-3. The PSCO, however, should only enforce this in accordance with the schedule in resolution A.1088(28);

.6 ballast water exchange is conducted at least 200 nm from the nearest land and in water at least 200 m in depth, or in cases where the ship is unable, at least 50 nm from the nearest land and in water at least 200 m in depth, or in a designated ballast water exchange area and is required to be conducted in accordance with regulation B-4;

.7 sediment is removed and disposed from spaces designated to carry ballast water in accordance with the provisions of the ship's BWMP;

.8 officers and crew shall be familiar with their duties in the implementation of ballast water management particular to the ship and ship's BWMP (regulation B-6);

.9 any exemptions from the BWM Convention shall be recorded in the BWRB (regulation A-4.4) as well as records of any accidental and exceptional discharges (regulation B-2.3) and instances where ballast water was not exchanged in accordance with the BWM Convention (regulation B-4.5);

.10 a ship is required to report accidents or defects that affect its ability to manage ballast water to the flag State and the port State (regulation E-1.7);

.11 the condition of a ship, and its equipment, systems and processes shall be maintained to conform with the BWM Convention (regulation E-1.9); and

.12 after any survey of a ship under regulation E-1.1 has been completed, no change shall be made in the structure, equipment, fittings, arrangements or material associated with the BWMP and covered by the survey without the sanction of the Administration, except the direct replacement of such equipment or fittings (regulation E-1.10).

1.3.3 The regulations of the BWM Convention contain the following exceptions to the specific compliance provisions detailed below:

.1 exception to ballast water management requirements in the case of uptake or discharge of ballast water and sediments necessary for the purpose of ensuring the safety of a ship in emergency situations or saving life at sea (regulation A-3.1);

.2 exception to ballast water management requirements under certain conditions in the case of the accidental discharge or ingress of ballast water and sediments resulting from damage to a ship or its equipment (regulation A-3.2);

.3 exception to ballast water management requirements in the case of the uptake and discharge of ballast water and sediments when being used for the purpose of avoiding or minimizing pollution incidents from the ship (regulation A-3.3);

.4 exception to the ballast water management requirements in the case of the uptake and subsequent discharge on the high seas of the same ballast water and sediments (regulation A-3.4);

.5 exception to the ballast water management requirements in the case of the discharge of ballast water and sediments from a ship at the same location where the whole of the ballast and those sediments originated and provided that no mixing with unmanaged ballast water and sediments from other areas has occurred (regulation A-3.5);

.6 exception to the ballast water management requirements in the case of the discharge of ballast water to a reception facility designed taking into account the *Guidelines for ballast water reception facilities (G5)* (regulation B-3.6); and

.7 exception to the ballast water exchange requirements in the case where the master reasonably decides that such exchange would threaten the safety or stability of the ship, its crew, or its passengers because of adverse weather, ship design or stress, equipment failure, or any other extraordinary condition (regulation B-4.4).

1.3.4 With respect to ships of non-parties to the BWM Convention, port State control officers (PSCO) of Parties should apply the same requirements to ensure that no more favourable treatment is given to such ships.

1.3.5 The BWM Convention provides for a transition between two standards of ballast water management: from the ballast water exchange standard (regulation D-1) to the ballast water performance standard (regulation D-2). Resolution A.1088(28) on *Application of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004* should be used by the PSCO instead of the schedules of regulation B-3 for the purpose of enforcing compliance with the ballast water performance standard.

CHAPTER 2
INSPECTIONS OF SHIPS REQUIRED TO CARRY THE BALLAST WATER MANAGEMENT (BWM) CERTIFICATE

2.1 Four-stage inspection

The PSC procedure can be described as a four-stage inspection:

.1 the first stage, the "initial inspection", should focus on documentation and ensuring that an officer has been nominated for ballast water management on board the ship and to be responsible for the BWMS, and that the officer has been trained and knows how to operate it;

.2 the second stage – the "more detailed inspection" where the operation of the BWMS is checked and the PSCO clarifies whether the BWMS has been operated adequately according to the BWMP and the self-monitored operational indicators verified during type approval procedures. Undertaking a detailed inspection is dependent on the conditions of article 9.2 of the BWM Convention;

.3 the third stage – sampling is envisaged to occur during this stage of PSC which relies on indicative analysis, to identify whether the ship is meeting the ballast water management performance standard described in regulation D-2, or whether detailed analysis is necessary to ascertain compliance; and

.4 the fourth stage, if necessary, incorporates detailed analysis to verify compliance with the D-2 standard.

2.2 Initial inspection

2.2.1 An initial inspection will, as a minimum and to the extent applicable, examine the following:

.1 check that a valid IBWMC is on board, based on article 9.1(a);

.2 check the BWMP is on board and approved by the flag State, based on regulation B-1;

.3 check the BWRB is on board and meets the requirements of the BMW Convention, based on regulation B-2;

.4 check that the details of any ballast water operations carried out are recorded in the BWRB together with any exemptions granted, based on regulation B-2 and appendix II of the BWM Convention, as well as notations of any accidental and exceptional discharges (regulation B-2.3) and instances where ballast water was not exchanged in accordance with the BWM Convention (regulation B-4.5). The BWRB should be in an approved format (which may be an electronic record system, which may be integrated into another record book or system) and should be kept on board the ship for a minimum of two years after the last entry. The officer in charge of the operation should sign each entry in the BWRB and the master should sign each completed page;

.5 in conducting the initial inspection, PSCO should conduct a visual check of the overall condition of the ship and the equipment and arrangements detailed in the IBWMC and the BWMP, including the BWMS if the use of one is required;

.6 in the case of a ship subject to the ballast water exchange standard, check that the BWRB indicates that the required exchange was undertaken, or alternatively, the ship has taken steps to meet the ballast water performance standard described in regulation D-2;

.7 check that the ship has taken steps to meet the ballast water performance standard described in regulation D-2 once required to do so by resolution A.1088(28);

.8 check that an officer has been designated to be responsible for the BWMP;

.9 check that designated officers and crew are familiar with essential BWM procedures, including the operation of BWMS; and

.10 in the case of a ship claiming an exception under regulation A-3.1 (safety of the ship or saving life), regulation A-3.2 (accidental discharge or ingress resulting from damage), regulation A-3.3 (avoiding or minimizing pollution) or regulation B-4.4 (unsafe conditions for exchange), the master should provide proof of the need for the relevant exception.

2.2.2 The performance of a ballast water management system (BWMS) is key to protecting the environment, human health, property and resources of the port State. While this performance may be verified directly by sampling the ship's ballast water (as per article 9.1(c) and *Guidelines for ballast water sampling (G2)*), both the port State and the ship may benefit from a document check to more readily establish the validity of the BWMS during the initial inspection. To this end, the PSCO may ask to check the Type Approval Certificate for the BWMS, to determine whether the BWMS is used in accordance with any limiting conditions on the Type Approval Certificate. While carriage and presentation of the Type Approval Certificate is not mandatory, the PSCO may also consult the BWMP to obtain ship-specific information on the BWMS and its use, and may refer to type-approval information shared with the Organization pursuant to the *Information reporting on type approved ballast water management systems* (resolution MEPC.228(65)).

2.2.3 If the IBWMC is valid, the approved BWMP is on board, entries in the BWRB are appropriate and the PSCO's general impressions and visual observations on board confirm a good standard of maintenance with regard to the BWM Convention, the PSCO should generally confine the initial inspection to reported deficiencies.

2.2.4 Clear grounds

2.2.4.1 When a PSCO inspects a foreign ship which is required to hold an IBWMC, and which is in a port or an offshore terminal under the jurisdiction of the port State, any such inspection should be limited to verifying that there is on board a valid certificate and other relevant documentation and the PSCO forming an impression of the overall condition of the ship, its equipment and its crew, unless there are "clear grounds" for believing that the condition of the ship or its equipment does not correspond substantially with the particulars of the certificate.

2.2.4.2 "Clear grounds" to conduct a more detailed inspection include:

.1 IBWMC is missing, not valid, or has expired;

.2 absence of a BWMP approved by the flag State;

.3 absence of a BWRB or a BWRB that does not meet the requirements of the BWM Convention;

.4 entries in the BWRB do not reflect the actual ballast water situation on board;

.5 condition of the ship or its equipment does not correspond substantially with the particulars of the IBWMC and the BWMP or has not been maintained;

.6 no officer has been designated in accordance with regulation B-1.5;

.7 information or evidence that the master or designated crew is not familiar with their duties and essential shipboard operations relating to the implementation of the ballast water management or that such operations have not been carried out;

.8 information from third parties such as a report or complaint concerning violation of the BWM Convention;

.9 if the BWMP requires the use of a BWMS evidence, or observation that the BWMS has not been used in accordance with its operational instructions;

.10 evidence or observation of unreported accidents or defects that affect the ability of the ship to manage ballast water (regulation E-1.7);

.11 evidence or observation that ballast water has been discharged other than in accordance with the regulations of the BWM Convention (regulation A-2); and

.12 the master has not provided the proof referenced in paragraph 2.2.1.10.

2.2.4.3 If the ship does not carry valid certificates, or if the PSCO, from general impressions or observations on board, has clear grounds for believing that the condition of the ship or its equipment does not correspond substantially with the particulars of the certificates or the BWM Convention, or that the master or designated crew is not familiar with, or have not implemented essential shipboard procedures, a more detailed inspection should be carried out. Where a more detailed inspection is to be carried out, the port State will take such steps to ensure the ship will not discharge ballast water until it can do so in accordance with article 9.3 of the BWM Convention (see notification requirements in paragraph 3.3 below).

2.3 More detailed inspection

2.3.1 When carrying out a more detailed inspection, the PSCO may utilize, but not be limited to, the following questions to ascertain the extent of compliance with the BWM Convention:

.1 Is the ballast water management on board the ship in accordance with the operations outlined in the ship's BWMP? In particular:

.1 Is the crew following specific operational or safety restrictions associated with safe tank entry, if needed?

.2 Is the crew managing ballast water sediments in accordance with the BWMP?

.3 Are designated officers following their duties as set out in the BWMP?

.4 Are the record-keeping requirements in accordance with the BWMP?

.2 Since the time of the survey of the ship under regulation E-1.1, has an unsanctioned change been made to the structure, equipment, fittings, arrangements or material associated with the BWMP, except the direct replacement of such equipment or fittings (regulation E-1.10)?

.3 If the BWMP requires the use of a BWMS:

.1 Is the BWMS and associated equipment in good working order, (this could include filters, pumps, and back flushing equipment)?

.2 Is the crew following safety procedures associated with operation of the BWMS?

.3 Is the treatment process fully operational (this could include, reference to the self-monitoring system of a BWMS)?

.4 Does the BWRB align with the onboard control equipment, including the self-monitoring device of the BWMS?

.5 Is the BWMS being operated according to the operational instructions?

.6 Can the designated officer demonstrate the necessary knowledge of the BWMS and how it operates?

.7 Has the BWMS been bypassed?

.8 Where required, are any needed Active Substances present in adequate supply on board the ships, and where present, are they being introduced into the BWMS?

2.3.2 The PSCO may examine any element of the ballast water system in order to check that it is working properly.

2.3.3 More detailed inspection may result in sampling.

2.4 Sampling

2.4.1 PSCO should carry out an indicative analysis first. However, the time required to conduct the indicative analysis should not unduly delay the operations, movement or departure of the ship. If the result of indicative analysis for the D-2 standard exceeds the D-2 standard by a threshold specific to the validated indicative analysis method being used as set out in the *Guidance on ballast water sampling and analysis for trial use in accordance with the BWM Convention and Guidelines (G2)* (BWM.2/Circ.42)[1], a detailed analysis can be carried out.

2.4.2 The quantity of the sampling water to be taken and location in the ship chosen should be in accordance with the *Guidelines for ballast water sampling (G2)* and associated guidance developed by the Organization. Every effort should be made to avoid any undue delays to the ship.

2.4.3 The PSCO should not delay the operation, movement or departure of the ship while waiting for the results of detailed analysis.

[1] The validation on a specific method is to be carried out through the process of review and revision of the *Guidance on sampling and analysis for trial use in accordance with the BWM Convention and Guidelines (G2)* (BWM.2/Circ.42).

2.5 Violations and control of ships

Stopping the discharge due to sampling as a control action

2.5.1 If the sampling described above leads to a result, or supports information received from another port or offshore terminal, indicating that the ship poses a threat to the environment, human health, property or resources, the Party in whose waters the ship is operating should prohibit such ship from discharging ballast water until the threat is removed (see notification requirements in paragraph 3.3 below).

Detainable deficiencies

2.5.2 If a ship has violated the BWM Convention, the PSCO may take steps to warn, detain or exclude the ship or grant such a ship permission to leave to discharge ballast water elsewhere or seek repairs. The PSCO should use professional judgment to determine whether to detain the ship until any noted deficiencies are corrected, or to permit a ship to sail with deficiencies that do not pose an unreasonable threat of harm to the marine environment, human health, property or resources (see notification requirements in paragraphs 3.3 to 3.6 below).

2.5.3 In order to assist the PSCO in the use of these guidelines, there follows a non-exhaustive list of deficiencies which are considered to be of such a serious nature that they may warrant the detention of a ship:

.1 absence of an IBWMC;

.2 absence of a BWMP;

.3 absence of a BWRB;

.4 indication that the ship or its equipment does not correspond substantially with the particulars of the IBWMC and BWMP;

.5 absence, serious deterioration or failure of proper operation of equipment required under the BWMP;

.6 the designated officers or crew are not familiar with essential ballast water management procedures including the operation of BWMS and all associated BWMS equipment;

.7 no ballast water management procedures have been implemented on board;

.8 no designated officer has been nominated;

.9 the ship has not complied with the BWMP for management and treatment of ballast water;

.10 result of non-compliance by sampling; or

.11 ballast water has been discharged other than in accordance with the regulations of the BWM Convention (regulation A-2).

Control actions

2.5.4 If a ship is detected to have violated the BWM Convention, the port State may take steps to warn, detain or exclude the ship. The port State, however, may grant such a ship permission to leave the port or offshore terminal for the purpose of discharging ballast water or proceeding to the nearest appropriate repair yard or reception facility available, provided doing so does not present a threat of harm to the environment, human health, property or resources (see notification requirements in paragraphs 3.3 to 3.6 below).

2.5.5 Port States should refrain from applying criminal sanctions or detaining the ship, based on sampling during the trial period. This does not prevent the port State from taking preventive measures to protect its environment, human health, property or resources.

2.5.6 The ship should have evidence that the ballast water management system is type approved and has been maintained and operated in accordance with the ships' Ballast Water Management Plan.

2.5.7 As an alternative to warning, detention or exclusion of the ship, the PSCO may wish to consider the following alternative measures, providing doing so does not present a threat to the environment, human health, property or resources:

.1 retention of all ballast water on board;

.2 require the ship to undertake any repairs required to the BWMS;

.3 permit the ship to proceed to exchange ballast water in a location acceptable to the port State, providing ballast water exchange is still an acceptable practice for the specific ship and such areas are established in accordance with the *Guidelines on designation of areas for ballast water exchange (G14)*;

.4 allow the ship to discharge ballast to another ship or to an appropriate shipboard or land-based reception facility; or

.5 allow the ship to manage the ballast water or a portion of it in accordance with a method acceptable to the port State.

CHAPTER 3
REPORTING REQUIREMENTS

3.1 Port State authorities should ensure that, at the completion of an inspection, the master of the ship is provided with a document showing the results of the inspection, details of any action taken by the PSCO and a list of any corrective action to be initiated by the master and/or company. Such reports should be made in accordance with the format in appendix 13 of the *Procedures for port State Control* (resolution A.1052(27), paragraph 4.1.1).

3.2 If a ship has been inspected as a result of a request for investigation from another State, the inspection report should be sent to the requesting State and the flag State (article 10.4).

3.3 In the event that an action is taken in accordance with paragraphs 2.2.4.3, 2.5.1 or 2.5.5:

.1 the port State should inform, in writing, the flag State of the ship concerned, or if this is not possible, the consul or diplomatic representative of the ship concerned, of all the circumstances in which the action was deemed necessary. In addition, the recognized organization responsible for the issue of certificates should be notified (article 11.2); and

.2 in the event that the PSCO is unable to take the intended action, or if the ship has been allowed to proceed to the next port of call, the authorities of the port State should communicate all the facts to the authorities of the country of the next appropriate port of call, to the flag State, and to the recognized organization, where appropriate (article 11.3; resolution A.1052(27), paragraph 4.1.4).

3.4 In the event of a violation of the BWM Convention, the notifications in paragraph 3.3 should be made. In addition, the ship should be notified of the violation and the report forwarded to the flag State should include any associated evidence (article 11.1).

3.5 Where, in the exercise of port State control, a Party denies a foreign ship entry to the ports or offshore terminals under its jurisdiction, whether or not as a result of information about a substandard ship, it should forthwith provide the master and flag State with reasons for the denial of entry (resolution A.1052(27), paragraph 4.1.2).

3.6 In the case of a detention, at least an initial notification should be made to the flag State as soon as practicable. If such notification is made verbally, it should be subsequently confirmed in writing. As a minimum, the notification should include details of the ship's name, the IMO number, copies of Forms A and B as set out in appendix 13 of the Procedures for port State Control, time of detention and copies of any detention order. Likewise, the recognized organizations which have issued the relevant certificates on behalf of the flag State should be notified, where appropriate. The parties above should also be notified in writing of the release of detention. As a minimum, this information should include the ship's name, the IMO number, the date and time of release and a copy of Form B as set out in appendix 13 of the *Procedures for Port State Control* (resolution A.1052(27), paragraph 4.1.3).

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ANNEX 2

PLAN OF ACTION FOR REVIEWING THE GUIDELINES FOR APPROVAL OF BALLAST WATER MANAGEMENT SYSTEMS (G8)

1 Conduct a comprehensive review of the *Guidelines for approval of ballast water management systems (G8)* (resolution MEPC.174(58)), taking into consideration the associated guidance (resolution MEPC.228(65), BWM.2/Circ.43, BWM.2/Circ.33 and BWM.2/Circ.28) to address at a minimum the industry concerns outlined in the annex of document MEPC 67/2/6 (ICS et al.) and reproduced below:

.1 **Testing being performed using fresh, brackish and marine waters –** noting the present requirement is for testing to be performed with two test waters with a salinity differential of at least 10 PSU and in effect this means that testing in fresh water can be avoided. Noting also that certain freshwater organisms, such as copepods, can be more resistant to some treatment processes now commonly applied in ballast water management systems than marine water organisms, the need is therefore for the full range of salinities, which are commonly encountered during normal ship trading, to be represented to provide assurance that the system will continue to work correctly in waters of all salinities.

.2 **Testing considering the effect of temperature in cold and tropical waters on operational effectiveness and environmental acceptability –** noting that BWMS have been withdrawn from the market due to residual toxicity in cold water, which was not detected during the type approval (TA) testing conducted with temperate water. The possibility of residual toxicity following a chemical treatment in cold waters cannot be discounted and therefore should be considered in the review. Additionally, the efficacy of operation in both cold and tropical waters needs to be verified.

.3 **Specification of standard test organisms for use in testing –** test organisms shall challenge the treatment process. A serious concern is that some test facilities, for convenience due to test site location, select organisms with either a high natural mortality or low resistance to disturbance. It is essential that the treatment efficacy is sufficiently challenged to provide a real life operating scenario.

.4 **Challenge levels set with respect to suspended solids in test water –** noting challenge levels shall be realistic, consideration of levels of clay silt and the content of Total Suspended Solids (TSS) in the test water and the need for levels to be increased needs to be taken into account. Noting further that it has been found in practice that some filtration systems forming an integral part of the BWMS cannot cope with conditions prevalent in a number of areas, particularly where heavily contaminated river estuaries are also port locations. Considering many BWMS inherently rely on the efficiency of the filtration for efficacy of treatment, the filtration phase shall be realistically challenged under conditions reflecting the worst case real life scenarios that may be encountered.

.5 **TA testing discounting test runs in the full-scale testing that do not meet the D-2 standard and the results of test runs being "averaged" –** Currently permitted, both practices should cease. If a system under test fails the

treatment efficacy requirements at any time, then it should not be granted TA noting that this is a root cause of concern as the present allowances provide an opportunity for systems that cannot reliably maintain the D-2 efficacy requirements to gain TA. Application of the same requirements to test runs that fail the efficacy criteria that are discounted due to not meeting the control water validity criteria should also be considered during the review.

.6 **TA testing realistically representing the flow rates the system is approved for –** Testing should include the verification of continued effectiveness during low ballast water flow rates as a BWMS will be required to operate effectively at both full flow and reduced flow rates the latter being the case typically when topping off ballast tanks and fine adjusting the ballast condition en route,

and the following additional issues identified by the Ballast Water Review Group at MEPC 67:

.7 any differences between type approval protocols of Member States; and

.8 any items raised by, and any data arising from, the study on the implementation of the ballast water performance standard described in regulation D-2 of the Convention within the timeline for the review of Guidelines (G8).

2 Develop an interface for incoming data of the study for implementation of the ballast water performance standard described in regulation D-2 of the Convention (ongoing) and:

.1 recalibrate the review of Guidelines (G8) relative to data received from the study (ongoing); and

.2 finalize the review of Guidelines (G8).

3 Provide specific recommended revisions to the existing Guidelines (G8) to address the findings of the review taking into account any data arising from the study and any other relevant information provided during the timeline of the review.

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ANNEX 3

RESOLUTION MEPC.253(67)

Adopted on 17 October 2014

MEASURES TO BE TAKEN TO FACILITATE ENTRY INTO FORCE OF THE INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by the international conventions for the prevention and control of marine pollution from ships,

RECALLING ALSO that the International Conference on Ballast Water Management for Ships held in February 2004 adopted the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (the Convention) together with four conference resolutions,

NOTING that regulation D-3 of the Annex to the Convention provides that ballast water management systems used to comply with the Convention must be approved by the Administration, taking into account guidelines developed by the Organization, and that regulation D-2 of the same Annex defines the performance standard for ships' ballast water management,

NOTING ALSO resolution MEPC.174(58) by which the Committee adopted the *Guidelines for approval of ballast water management systems (G8)* (Guidelines (G8)),

NOTING IN PARTICULAR that, by resolution MEPC.174(58), the Committee agreed to keep the Guidelines (G8) under review in the light of experience gained with their application,

NOTING FURTHER resolution MEPC.252(67), by which the Committee adopted the *Guidelines for port State control under the BWM Convention*,

RECOGNIZING the concerns of the shipping industry regarding the potential penalization of those owners and operators that have installed and operate ballast water management systems that have been type approved in accordance with Guidelines (G8),

BEING CONSCIOUS of the need to provide certainty and confidence in the application of the Convention, thereby assisting shipping companies, shipowners, managers, ships' crews and operators, as well as the shipbuilding and equipment manufacturing industries, in the timely planning of their operations; and the need to encourage the early installation of ballast water management systems,

HAVING CONSIDERED, at its sixty-seventh session, the recommendation made by the Ballast Water Review Group,

1 AGREES to immediately begin a comprehensive review of Guidelines (G8), which should, at a minimum, address the issues contained in the annex to this resolution;

2 AGREES that the existing Guidelines (G8) should continue to be applied until the application of revised Guidelines (G8) following completion of the review, and that Parties to the Convention should ensure the Guidelines are fully adhered to in any approval application;

3 AGREES that shipowners that have installed type-approved ballast water management systems prior to the application of the revised Guidelines (G8), should not be penalized;

4 AGREES that port States should refrain from applying criminal sanctions or detaining a ship, based on sampling during the trial period described in the report of BLG 17 (BLG 17/18, annex 6) associated with the *Guidance for sampling and analysis for trial use in accordance with the BWM Convention and Guidelines (G2)* (BWM.2/Circ.42). This does not prevent the port State from taking preventive measures to protect its environment, human health, property or resources.

ANNEX

ELEMENTS TO BE INCLUDED IN THE REVIEW OF GUIDELINES (G8)

The following elements will be included, as a minimum, as a part of the review of Guidelines (G8), taking into account the associated guidance (resolution MEPC.228(65), BWM.2/Circ.43, BWM.2/Circ.33 and BWM.2/Circ.28):

.1 testing being performed using fresh, brackish and marine waters;

.2 testing considering the effect of temperature in cold and tropical waters on operational effectiveness and environmental acceptability;

.3 specification of standard test organisms for use in testing;

.4 challenge levels set with respect to suspended solids in test water;

.5 type approval testing discounting test runs in the full-scale testing that do not meet the D-2 standard and the results of test runs being "averaged";

.6 type approval testing realistically representing the flow rates the system is approved for;

.7 any differences between type approval protocols of Member States; and

.8 any items raised by, and any data arising from, the Study on the Implementation of the ballast water performance standard described in regulation D-2 of the Convention and any other relevant information provided within the timeline for the review of Guidelines (G8).

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ANNEX 4

UNIFIED INTERPRETATION OF MARPOL ANNEX VI ON APPLICABILITY OF THE REQUIREMENTS FOR A BUNKER DELIVERY NOTE

Applicability of the requirements for a for bunker delivery note

Regulation 18.5 reads as follows:

"5 For each ship subject to regulations 5 and 6 of this Annex, details of fuel oil for combustion purposes delivered to and used on board shall be recorded by means of a bunker delivery note that shall contain at least the information specified in appendix V to this Annex."

Regulation 18.6 reads as follows:

"6 The bunker delivery note shall be kept on board the ship in such a place as to be readily available for inspection at all reasonable times. It shall be retained for a period of three years after the fuel oil has been delivered on board."

Interpretation:

For the application of these regulations, they should be interpreted as being applicable to all ships of 400 gross tonnage or above and, at the Administration's discretion, to ships of less than 400 gross tonnage.

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ANNEX 5

RESOLUTION MEPC.254(67)

Adopted on 17 October 2014

2014 GUIDELINES ON SURVEY AND CERTIFICATION OF THE ENERGY EFFICIENCY DESIGN INDEX (EEDI)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

RECALLING ALSO that, at its sixty-second session, the Committee adopted, by resolution MEPC.203(62), *Amendments to the Annex of the Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto* (inclusion of regulations on energy efficiency for ships in MARPOL Annex VI),

NOTING that the amendments to MARPOL Annex VI adopted at its sixty-second session, including a new chapter 4 for regulations on energy efficiency for ships, entered into force on 1 January 2013,

NOTING ALSO that regulation 5 (Surveys) of MARPOL Annex VI, as amended, requires ships to which chapter 4 applies shall also be subject to survey and certification taking into account guidelines developed by the Organization,

NOTING FURTHER that, at its sixty-third session, the Committee adopted, by resolution MEPC.214(63), *2012 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI)*, which were further amended at its sixty-fifth session, by resolution MEPC.234(65),

RECOGNIZING that the amendments to MARPOL Annex VI requires the adoption of relevant guidelines for smooth and uniform implementation of the regulations and to provide sufficient lead time for industry to prepare,

HAVING CONSIDERED, at its sixty-seventh session, proposed *2014 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI)*,

1 ADOPTS the *2014 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI)*, as set out in the annex to the present resolution;

2 INVITES Administrations to take the annexed guidelines into account when developing and enacting national laws which give force to and implement provisions set forth in regulation 5 of MARPOL Annex VI, as amended;

3 REQUESTS the Parties to MARPOL Annex VI and other Member Governments to bring the annexed guidelines to the attention of shipowners, ship operators shipbuilders, ship designers and any other interested groups;

4 AGREES to keep these guidelines under review in light of the experience gained with their application; and

5 REVOKES the *2012 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI),* adopted by resolution MEPC.214(63), as amended by resolution MEPC.234(65).

ANNEX

2014 GUIDELINES ON SURVEY AND CERTIFICATION OF THE ENERGY EFFICIENCY DESIGN INDEX (EEDI)

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1 GENERAL

The purpose of these guidelines is to assist verifiers of the Energy Efficiency Design Index (EEDI) of ships in conducting the survey and certification of the EEDI, in accordance with regulations 5, 6, 7, 8 and 9 of MARPOL Annex VI, and assist shipowners, shipbuilders, manufacturers and other interested parties in understanding the procedures for the survey and certification of the EEDI.

2 DEFINITIONS[1]

2.1 *Verifier* means an Administration or organization duly authorized by it, which conducts the survey and certification of the EEDI in accordance with regulations 5, 6, 7, 8 and 9 of MARPOL Annex VI and these guidelines.

2.2 *Ship of the same type* means a ship the hull form (expressed in the lines such as sheer plan and body plan), excluding additional hull features such as fins, and principal particulars of which are identical to that of the base ship.

2.3 *Tank test* means model towing tests, model self-propulsion tests and model propeller open water tests. Numerical calculations may be accepted as equivalent to model propeller open water tests or used to complement the tank tests conducted (e.g. to evaluate the effect of additional hull features such as fins, etc. on ship's performance), with the approval of the verifier.

3 APPLICATION

These guidelines should be applied to new ships for which an application for an initial survey or an additional survey specified in regulation 5 of MARPOL Annex VI has been submitted to a verifier.

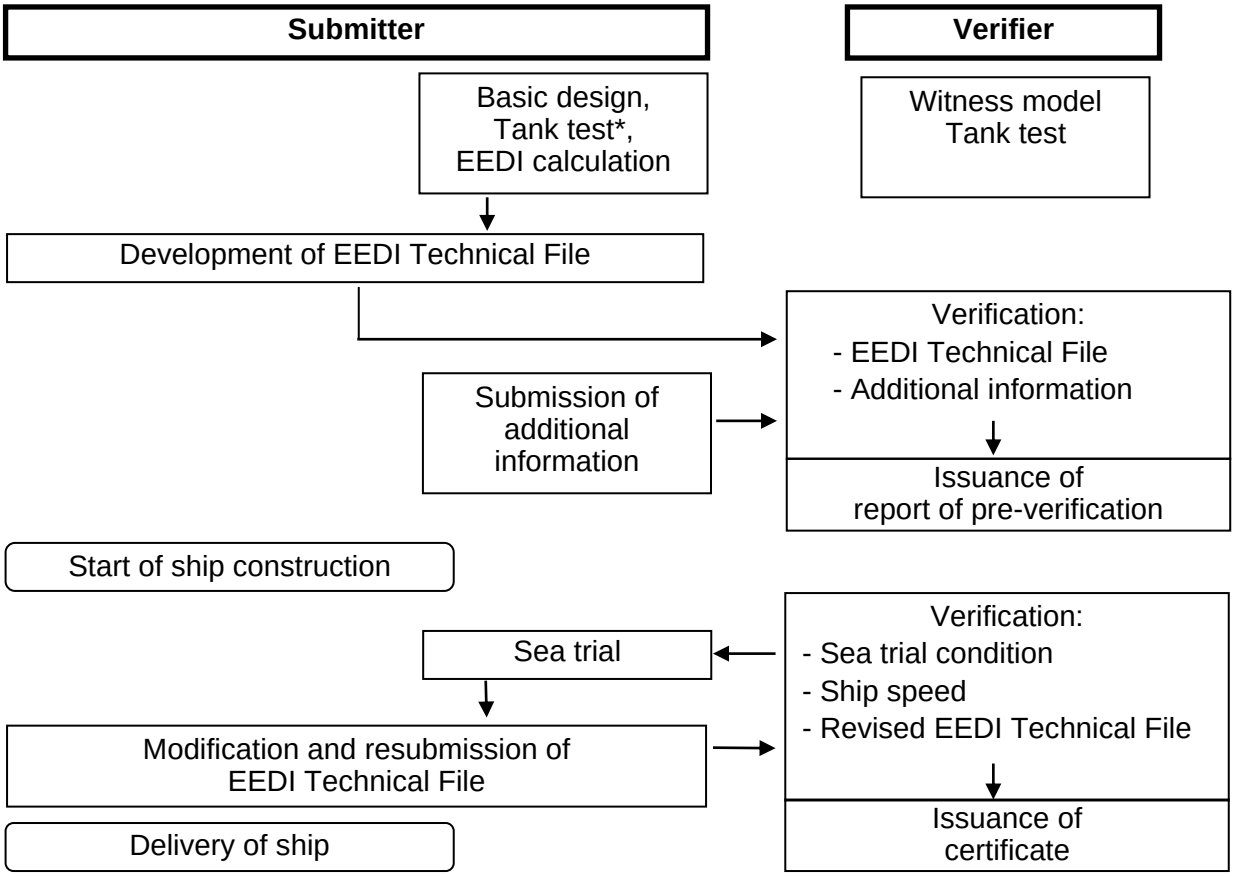
4 PROCEDURES FOR SURVEY AND CERTIFICATION

4.1 General

4.1.1 The Attained EEDI should be calculated in accordance with regulation 20 of MARPOL Annex VI and the *Guidelines on the method of calculation of the attained (EEDI) for new ships* adopted by resolution MEPC.245(66) (EEDI Calculation guidelines). Survey and certification of the EEDI should be conducted in two stages: preliminary verification at the design stage and final verification at the sea trial. The basic flow of the survey and certification process is presented in figure 1.

4.1.2 The information used in the verification process may contain confidential information of submitters which requires Intellectual Property Rights (IPR) protection. In the case where the submitter wants a non-disclosure agreement with the verifier, the additional information should be provided to the verifier upon mutually agreed terms and conditions.

[1] Other terms used in these guidelines have the same meaning as those defined in the *Guidelines on the method of calculation of the attained EEDI for new ships*.



* To be conducted by a test organization or a submitter.

Figure 1: Basic flow of survey and certification process

4.2 Preliminary verification of the attained EEDI at the design stage

4.2.1 For the preliminary verification at the design stage, an application for an initial survey and an EEDI Technical File containing the necessary information for the verification and other relevant background documents should be submitted to a verifier.

4.2.2 The EEDI Technical File should be written at least in English. The EEDI Technical File should include as a minimum, but not limited to:

.1 deadweight (DWT) or gross tonnage (GT) for passenger and ro-ro passenger ships, the maximum continuous rating (MCR) of the main and auxiliary engines, the ship speed (V_{ref}), as specified in paragraph 2.2 of the EEDI Calculation guidelines, type of fuel, the specific fuel consumption (*SFC*) of the main engine at the 75% of MCR power, the *SFC* of the auxiliary engines at the 50% MCR power, and the electric power table[2] for certain ship types, as necessary, as defined in the EEDI Calculation guidelines;

[2] Electric power table should be validated separately, taking into account guidelines set out in appendix 2 to these Guidelines.

.2 power curve(s) (kW – knot) estimated at design stage under the condition as specified in paragraph 2.2 of the EEDI Calculation guidelines, and, in the event that the sea trial is carried out in a condition other than the above condition, then also a power curve estimated under the sea trial condition;

.3 principal particulars, ship type and the relevant information to classify the ship as such a ship type, classification notations and an overview of the propulsion system and electricity supply system on board;

.4 estimation process and methodology of the power curves at design stage;

.5 description of energy saving equipment;

.6 calculated value of the attained EEDI, including the calculation summary, which should contain, at a minimum, each value of the calculation parameters and the calculation process used to determine the attained EEDI;

.7 calculated values of the attained $EEDI_{weather}$ and f_w value (not equal to 1.0), if those values are calculated, based on the EEDI Calculation guidelines; and

.8 for LNG carriers:

.1 type and outline of propulsion systems (such as direct drive diesel, diesel electric, steam turbine);

.2 LNG cargo tank capacity in m^3 and BOR as define in paragraph 2.5.6.3 of the EEDI Calculation guidelines;

.3 shaft power of the propeller shaft after transmission gear at 100% of the rated output of motor (MPP_{Motor}) and $\eta_{(i)}$ for diesel electric;

.4 maximum continuous rated power ($MCR_{SteamTurbine}$) for steam turbine; and

.5 $SFC_{SteamTurbine}$ for steam turbine, as specified in paragraph 2.5.7 of the EEDI Calculation guidelines.

A sample of an EEDI Technical File is provided in appendix 1 to these guidelines.

4.2.3 For ships equipped with dual-fuel engine(s) using LNG and fuel oil, the C_F-factor for gas (LNG) and the Specific Fuel Consumption (SFC) of gas fuel should be used by applying the following criteria as a basis for the guidance of the Administration:

.1 final decision on the primary fuel rests with the Administration;

.2 the ratio of calorific value of gas fuel (LNG) to total marine fuels (HFO/MGO), including gas fuel (LNG) at design conditions should be equal or larger than 50% in accordance with the formula below. However the Administration can accept a lower value of the percentage taking into account the intended voyages

$$\frac{V_{gas} \times \rho_{gas} \times LCV_{gas} \times K_{gas}}{\left(\sum_{i=1}^{nLiquid} V_{liquid(i)} \times \rho_{liquid(i)} \times LCV_{liquid(i)} \times K_{liquid(i)} \right) + V_{gas} \times \rho_{gas} \times LCV_{gas} \times K_{gas}} \geq 50\%$$

Whereby,

V_{gas} is the total net tank volume of gas fuel on board in m^3;
V_{liquid} is the total net tank volume of every liquid fuel on board in m^3;

ρ_{gas} is the density of gas fuel in kg/m^3;

ρ_{liquid} is the density of every liquid fuel in kg/m^3;

LCV_{gas} is the low calorific value of gas fuel in kJ/kg;

LCV_{liquid} is the low calorific value of liquid fuel in kJ/kg;

K_{gas} is the filling rate for gas fuel tanks;

K_{liquid} is the filling rate for liquid fuel tanks.

Normal density, Low Calorific Value and filling rate for tanks of different kinds of fuel are listed below.

Type of fuel	Density (kg/m^3)	Low Calorific Value (kJ/kg)	Filling rate for tanks
Diesel/Gas Oil	900	42700	0.98
Heavy Fuel Oil	991	40200	0.98
Liquefied Natural Gas (LNG)	450	48000	0.95*

* subject to verification of tank filling limit

.3 in case the ship is not fully equipped with dual-fuel engines, the CF-factor for gas (LNG) should apply only for those installed engines that are of dual-fuel type and sufficient gas fuel supply should be available for such engines; and

.4 LNG fuelling solutions with exchangeable (specialized) LNG tank-containers should also fall under the terms of LNG as primary fuel.

4.2.4 The *SFC* of the main and auxiliary engines should be quoted from the approved NO_x Technical File and should be corrected to the value corresponding to the ISO standard reference conditions using the standard lower calorific value of the fuel oil (42,700 kJ/kg), referring to ISO 15550:2002 and ISO 3046-1:2002. For the confirmation of the *SFC*, a copy of the approved NO_x Technical File and documented summary of the correction calculations should be submitted to the verifier. In cases where the NO_x Technical File has not been approved at the time of the application for initial survey, the test reports provided by manufacturers should be used. In this case, at the time of the sea trial verification, a copy of

the approved NO_x Technical File and documented summary of the correction calculations should be submitted to the verifier. In the case that gas fuel is determined as primary fuel in accordance with paragraph 4.2.3 and that installed engine(s) have no approved NO_x Technical File tested in gas mode, the *SFC* of gas mode should be submitted by the manufacturer and confirmed by the verifier.

> **Note:** *SFC* in the NO_x Technical File are the values of a parent engine, and the use of such value of *SFC* for the EEDI calculation for member engines may have the following technical issues for further consideration:
>
> .1 the definition of "member engines" given in the NO_x Technical File is broad and specification of engines belonging to the same group/family may vary; and
>
> .2 the rate of NO_x emission of the parent engine is the highest in the group/family – i.e. CO_2 emission, which is in the trade-off relationship with NO_x emission, can be lower than the other engines in the group/family.

4.2.5 For ships to which regulation 21 of MARPOL Annex VI applies, the power curves used for the preliminary verification at the design stage should be based on reliable results of tank tests. A tank test for an individual ship may be omitted based on technical justifications such as availability of the results of tank tests for ships of the same type. In addition, the omission of tank tests is acceptable for a ship for which sea trials will be carried under the condition as specified in paragraph 2.2 of the EEDI Calculation guidelines, upon agreement of the shipowner and shipbuilder and with the approval of the verifier. For ensuring the quality of tank tests, the ITTC quality system should be taken into account. Model tank tests should be witnessed by the verifier.

> **Note:** It would be desirable in the future that an organization conducting a tank test be authorized.

4.2.6 The verifier may request further information from the submitter, in addition to that contained in the EEDI Technical File, as necessary, to examine the calculation process of the attained EEDI. For the estimation of the ship speed at the design stage much depends on each shipbuilder's experience, and it may not be practicable for any person/organization other than the shipbuilder to fully examine the technical aspects of experience-based parameters, such as the roughness coefficient and wake scaling coefficient. Therefore, the preliminary verification should focus on the calculation process of the attained EEDI to ensure that it is technically sound and reasonable and follows regulation 20 of MARPOL Annex VI and the EEDI Calculation guidelines.

> **Note 1:** A possible way forward for more robust verification is to establish a standard methodology of deriving the ship speed from the outcome of tank tests, by setting standard values for experience-based correction factors such as roughness coefficient and wake scaling coefficient. In this way, ship-by-ship performance comparisons could be made more objectively by excluding the possibility of arbitrary setting of experience-based parameters. If such standardization is sought, this would have an implication on how the ship speed adjustment based on sea trial results should be conducted, in accordance with paragraph 4.3.8 of these guidelines.
>
> **Note 2:** A joint industry standard to support the method and role of the verifier is expected to be developed.

4.2.7 Additional information that the verifier may request the submitter to provide includes, but is not limited to:

.1 descriptions of a tank test facility; this should include the name of the facility, the particulars of tanks and towing equipment, and the records of calibration of each monitoring equipment;

.2 lines of a model ship and an actual ship for the verification of the appropriateness of the tank test; the lines (sheer plan, body plan and half-breadth plan) should be detailed enough to demonstrate the similarity between the model ship and the actual ship;

.3 lightweight of the ship and displacement table for the verification of the deadweight;

.4 detailed report on the method and results of the tank test; this should include at least the tank test results at sea trial condition and under the condition as specified in paragraph 2.2 of the EEDI Calculation guidelines;

.5 detailed calculation process of the ship speed, which should include the basis for the estimation of experience-based parameters such as roughness coefficient, and wake scaling coefficient;

.6 reasons for exempting a tank test, if applicable; this should include lines and tank test results of ships of the same type, and the comparison of the principal particulars of such ships and the ship in question. Appropriate technical justification should be provided, explaining why the tank test is unnecessary; and

.7 for LNG carriers, detailed calculation process of P_{AE} and $SFC_{SteamTurbine}$.

4.2.8 The verifier should issue the report on the Preliminary Verification of the EEDI after it has verified the attained EEDI at the design stage, in accordance with paragraphs 4.1 and 4.2 of these guidelines.

4.3 Final verification of the attained EEDI at sea trial

4.3.1 Sea trial conditions should be set as the conditions specified in paragraph 2.2 of the EEDI Calculation guidelines, if possible.

4.3.2 Prior to the sea trial, the following documents should be submitted to the verifier: a description of the test procedure to be used for the speed trial, the final displacement table and the measured lightweight, or a copy of the survey report of deadweight, as well as a copy of the NO_x Technical File, as necessary. The test procedure should include, as a minimum, descriptions of all necessary items to be measured and corresponding measurement methods to be used for developing power curves under the sea trial condition.

4.3.3 The verifier should attend the sea trial and confirm:

.1 propulsion and power supply system, particulars of the engines or steam turbines, and other relevant items described in the EEDI Technical File;

.2 draught and trim;

.3 sea conditions;

.4 ship speed; and

.5 shaft power and RPM.

4.3.4 Draught and trim should be confirmed by the draught measurements taken prior to the sea trial. The draught and trim should be as close as practical to those at the assumed conditions used for estimating the power curves.

4.3.5 Sea conditions should be measured in accordance with ITTC Recommended Procedure 7.5-04-01-01.1 Speed and Power Trials Part 1; 2012 revision 1 or ISO 15016:2002[2], as amended.

4.3.6 Ship speed should be measured in accordance with ITTC Recommended Procedure 7.5-04-01-01 Speed and Power Trials Part 1; 2012 revision 1 or ISO 15016:2002[2], as amended, and at more than two points the range of which includes the power of the main engine as specified in paragraph 2.5 of the EEDI Calculation guidelines.

4.3.7 The main engine output, shaft power of propeller shaft (for LNG carriers having diesel electric propulsion system) or steam turbine output (for LNG carrier having steam turbine propulsion system) should be measured by shaft power meter or a method which the engine manufacturer recommends and the verifier approves. Other methods may be acceptable upon agreement of the shipowner and shipbuilder and with the approval of the verifier.

4.3.8 The submitter should develop power curves based on the measured ship speed and the measured output of the main engine at sea trial. For the development of the power curves, the submitter should calibrate the measured ship speed, if necessary, by taking into account the effects of wind, tide, waves, shallow water, displacement, water temperature and water density in accordance with ISO 15016:2002[3], as amended. Upon agreement with the shipowner, the submitter should submit a report on the speed trials, including details of the power curve development, to the verifier for verification.

4.3.9 The submitter should compare the power curves obtained as a result of the sea trial and the estimated power curves at the design stage. In case differences are observed, the attained EEDI should be recalculated, as necessary, in accordance with the following:

.1 for ships for which a sea trial is conducted under the condition as specified in paragraph 2.2 of the EEDI Calculation guidelines: the attained EEDI should be recalculated using the measured ship speed at sea trial at the power of the main engine as specified in paragraph 2.5 of the EEDI Calculation guidelines; and

.2 for ships for which a sea trial cannot be conducted under the conditions as specified in paragraph 2.2 of the EEDI Calculation guidelines: if the measured ship speed at the power of the main engine as specified in paragraph 2.5 of the EEDI Calculation guidelines at the sea trial conditions is different from the expected ship speed on the power curve at the corresponding condition, the shipbuilder should recalculate the attained EEDI by adjusting the ship speed under the conditions as specified in paragraph 2.2 of the EEDI Calculation guidelines by an appropriate correction method that is agreed by the verifier.

[3] ITTC Recommended Procedure 7.5-04-01-01 is considered as preferable standard available from URL at ITTC.SNAME.ORG. Revised version of ISO 15016 should be available by early 2014.

An example of a possible method for speed adjustment is given in figure 2.

> **Note:** Further consideration would be necessary for the speed adjustment methodology in paragraph 4.3.9.2 of these guidelines. One of the concerns relates to a possible situation where the power curve for sea trial condition is estimated in an excessively conservative manner (i.e. power curve is shifted in a leftward direction) with the intention to get an upward adjustment of the ship speed by making the measured ship speed at sea trial easily exceed the lower-estimated speed for sea trial condition at design stage.

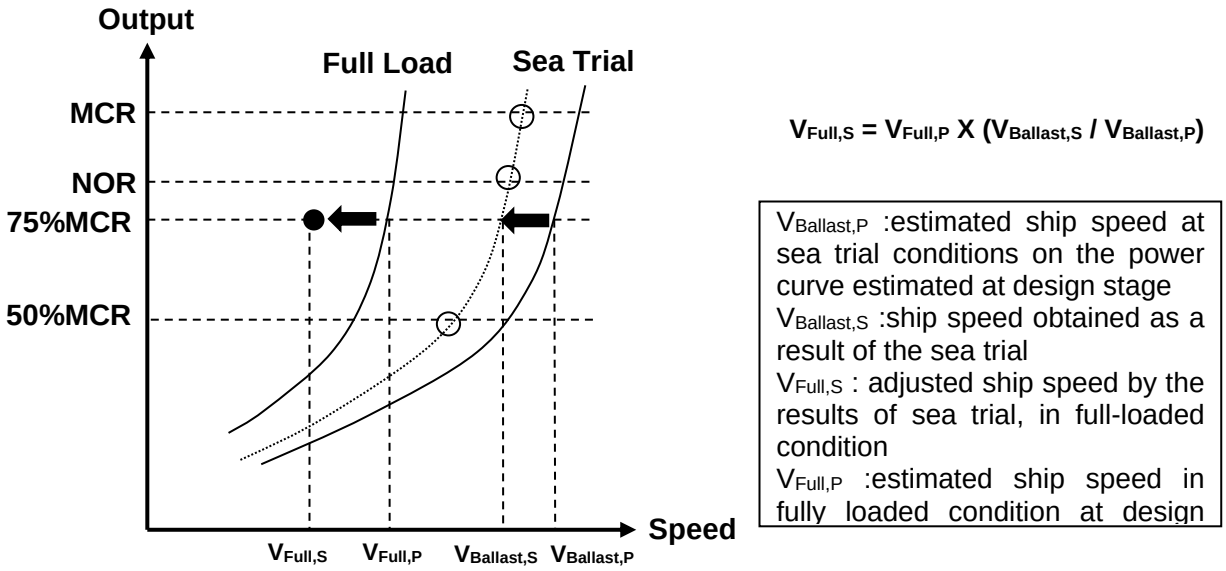


Figure 2: An example of possible ship speed adjustment

4.3.10 In cases where the finally determined deadweight/gross tonnage differs from the designed deadweight/gross tonnage used in the EEDI calculation during the preliminary verification, the submitter should recalculate the attained EEDI using the finally determined deadweight/gross tonnage. The finally determined gross tonnage should be confirmed in the Tonnage Certificate of the ship.

4.3.11 The electrical efficiency $\eta_{(i)}$ should be taken as 91.3% for the purpose of calculating the attained EEDI. Alternatively, if a value of more than 91.3% is to be applied, $\eta_{(i)}$ should be obtained by measurement and verified by a method approved by the verifier.

4.3.12 In case where the attained EEDI is calculated at the preliminary verification by using *SFC* based on the manufacturer's test report, due to the non-availability at that time of the approved NO_x Technical File, the EEDI should be recalculated by using *SFC* in the approved NO_x Technical File. Also, for steam turbines, the EEDI should be recalculated by using *SFC* confirmed by the Administration or an organization recognized by the Administration at the sea trial.

4.3.13 The EEDI Technical File should be revised, as necessary, by taking into account the results of sea trials. Such revision should include, as applicable, the adjusted power curve based on the results of sea trials (namely, modified ship speed under the condition as specified in paragraph 2.2 of the EEDI Calculation guidelines), the finally determined deadweight/gross tonnage, η for LNG carriers having diesel electric propulsion system and

SFC described in the approved NO_x Technical File, and the recalculated attained EEDI based on these modifications.

4.3.14 The EEDI Technical File, if revised, should be submitted to the verifier for confirmation that the (revised) attained EEDI is calculated in accordance with regulation 20 of MARPOL Annex VI and the EEDI Calculation guidelines.

4.4 Verification of the attained EEDI in case of major conversion

4.4.1 In cases of a major conversion of a ship, the shipowner should submit to a verifier an application for an Additional Survey with the EEDI Technical File duly revised, based on the conversion made and other relevant background documents.

4.4.2 The background documents should include as a minimum, but are not limited to:

.1 details of the conversion;

.2 EEDI parameters changed after the conversion and the technical justifications for each respective parameter;

.3 reasons for other changes made in the EEDI Technical File, if any; and

.4 calculated value of the attained EEDI with the calculation summary, which should contain, as a minimum, each value of the calculation parameters and the calculation process used to determine the attained EEDI after the conversion.

4.4.3 The verifier should review the revised EEDI Technical File and other documents submitted and verify the calculation process of the attained EEDI to ensure that it is technically sound and reasonable and follows regulation 20 of MARPOL Annex VI and the EEDI Calculation guidelines.

4.4.4 For verification of the attained EEDI after a conversion, speed trials of the ship are required, as necessary.

APPENDIX 1

SAMPLE OF EEDI TECHNICAL FILE

1 Data

1.1 General information

Shipbuilder	JAPAN Shipbuilding Company
Hull no.	12345
IMO no.	94111XX
Ship type	Bulk carrier

1.2 Principal particulars

Length overall	250.0 m
Length between perpendiculars	240.0 m
Breadth, moulded	40.0 m
Depth, moulded	20.0 m
Summer load line draught, moulded	14.0 m
Deadweight at summer load line draught	150,000 tons

1.3 Main engine

Manufacturer	JAPAN Heavy Industries Ltd.
Type	6J70A
Maximum continuous rating (MCR)	15,000 kW x 80 rpm
SFC at 75% MCR	165.0 g/kWh
Number of set	1
Fuel type	Diesel Oil

1.4 Auxiliary engine

Manufacturer	JAPAN Diesel Ltd.
Type	5J-200
Maximum continuous rating (MCR)	600 kW x 900 rpm
SFC at 50% MCR	220.0 g/kWh
Number of set	3
Fuel type	Diesel Oil

1.5 Ship speed

Ship speed in deep water at summer load line draught at 75% of MCR	14.25 knots

2 Power curves

The power curves estimated at the design stage and modified after the speed trials are shown in figure 2.1.

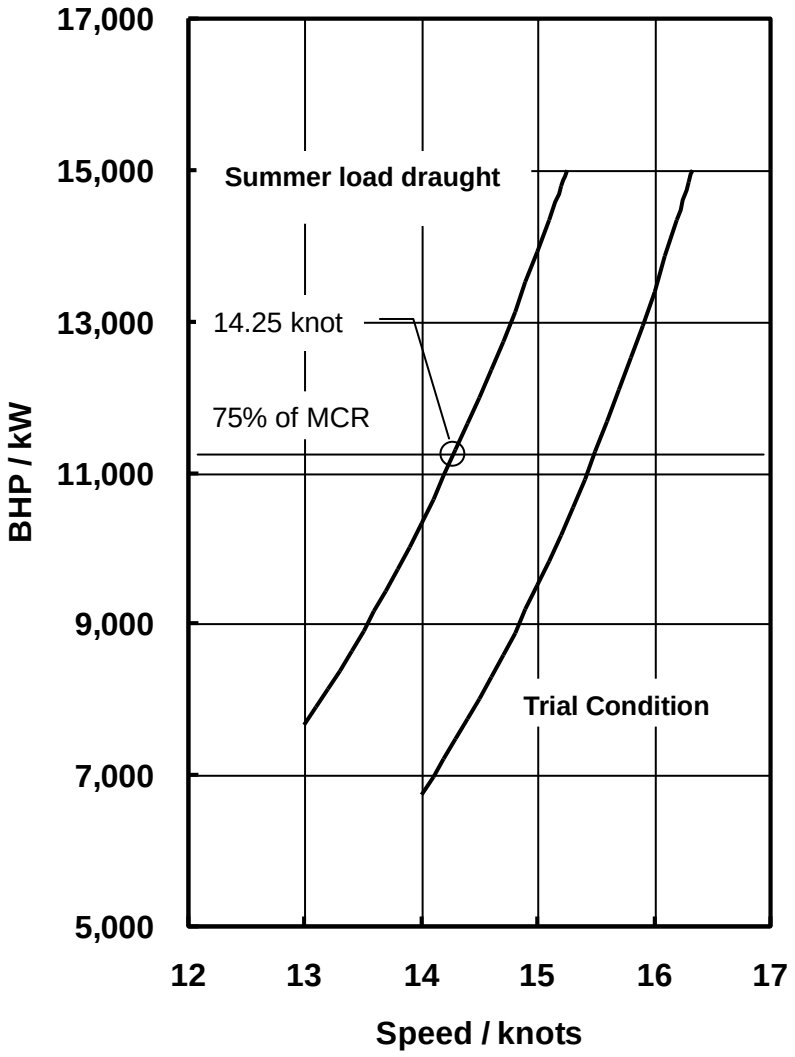


Figure 2.1: Power curves

3 Overview of propulsion system and electric power supply system

3.1 Propulsion system

3.1.1 Main engine
Refer to paragraph 1.3 of this appendix.

3.1.2 Propeller

Type	Fixed pitch propeller
Diameter	7.0 m
Number of blades	4
Number of set	1

3.2 Electric power supply system

3.2.1 Auxiliary engines
Refer to paragraph 1.4 of this appendix.

3.2.2 Main generators

Manufacturer	JAPAN Electric
Rated output	560 kW (700 kVA) x 900 rpm
Voltage	AC 450 V
Number of set	3

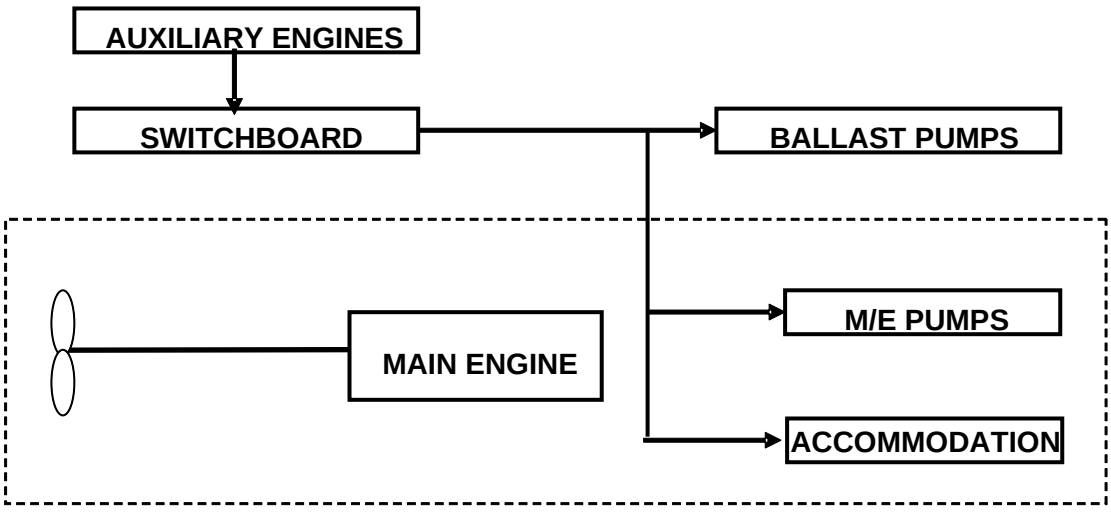


Figure 3.1: Schematic figure of propulsion and electric power supply system

4 Estimation process of power curves at design stage

Power curves are estimated based on model test results. The flow of the estimation process is shown below.

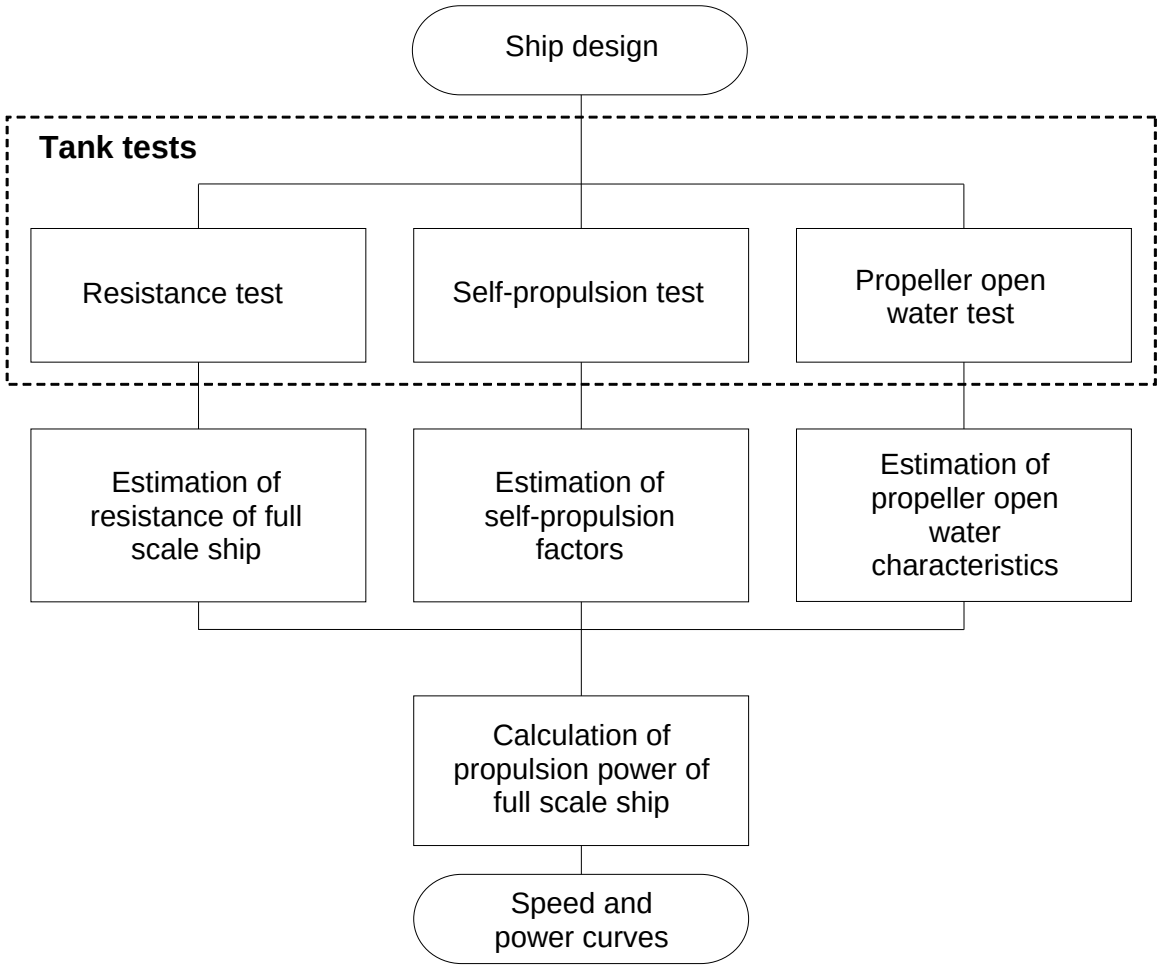


Figure 4.1: Flow-chart of process for estimating power curves

5 Description of energy saving equipment

5.1 Energy saving equipment the effects of which are expressed as $P_{AEeff(i)}$ and/or $P_{eff(i)}$ in the EEDI calculation formula

N/A

5.2 Other energy saving equipment

(Example)

5.2.1 Rudder fins

5.2.2 Propeller boss cap fins

……
(Specifications, schematic figures and/or photos, etc., for each piece of equipment or device should be indicated. Alternatively, attachment of a commercial catalogue may be acceptable.)

6 Calculated value of attained EEDI

6.1 Basic data

Type of ship	Capacity DWT	Speed V_{ref} (knots)
Bulk Carrier	150,000	14.25

6.2 Main engine

MCR_{ME} (kW)	Shaft gen.	P_{ME} (kW)	Type of fuel	C_{FME}	SFC_{ME} (g/kWh)
15,000	N/A	11,250	Diesel Oil	3.206	165.0

6.3 Auxiliary engines

P_{AE} (kW)	Type of fuel	C_{FAE}	SFC_{AE} (g/kWh)
625	Diesel Oil	3.206	220.0

6.4 Ice class

N/A

6.5 Innovative electrical energy efficient technology

N/A

6.6 Innovative mechanical energy efficient technology

N/A

6.7 Cubic capacity correction factor

N/A

6.8 Calculated value of attained EEDI

$$EEDI = \frac{\left(\prod_{j=1}^{M} f_j\right)\left(\sum_{i=1}^{nME} P_{ME(i)} \cdot C_{FME(i)} \cdot SFC_{ME(i)}\right) + \left(P_{AE} \cdot C_{FAE} \cdot SFC_{AE}\right)}{f_i \cdot f_c \cdot Capacity \cdot f_w \cdot V_{ref}}$$

$$+ \frac{\left\{\left(\prod_{j=1}^{M} f_j \cdot \sum_{i=1}^{nPTI} P_{PTI(i)} - \sum_{i=1}^{neff} f_{eff(i)} \cdot P_{AEeff(i)}\right) C_{FAE} \cdot SFC_{AE}\right\} - \left(\sum_{i=1}^{neff} f_{eff(i)} \cdot P_{eff(i)} \cdot C_{FME} \cdot SFC_{ME}\right)}{f_i \cdot f_c \cdot Capacity \cdot f_w \cdot V_{ref}}$$

$$= \frac{1 \times (11250 \times 3.206 \times 165.0) + (625 \times 3.206 \times 220.0) + 0 - 0}{1 \cdot 1 \cdot 150000 \cdot 1 \cdot 14.25}$$

$$= 2.99 \quad (\mathrm{g - CO_2/ton \cdot mile})$$

attained EEDI: 2.99 g-CO_2/ton mile

7 Calculated value of attained $EEDI_{weather}$

7.1 Representative sea conditions

	Mean wind speed	Mean wind direction	Significant wave height	Mean wave period	Mean wave direction
BF6	12.6 (m/s)	0 (deg.)*	3.0 (m)	6.7 (s)	0 (deg.)*

* Heading direction of wind/wave in relation to the ship's heading, i.e. 0 (deg.) means the ship is heading directly into the wind.

7.2 Calculated weather factor, f_w

f_w	0.900

7.3 Calculated value of attained $EEDI_{weather}$

attained $EEDI_{weather}$: 3.32 g-CO_2/ton mile

APPENDIX 2

GUIDELINES FOR VALIDATION OF ELECTRIC POWER TABLES FOR EEDI (EPT-EEDI)

1 INTRODUCTION

The purpose of these guidelines is to assist recognized organizations in the validation of Electric Power Tables (EPT) for the calculation of the Energy Efficiency Design Index (EEDI) for ships. As such, these guidelines support the implementation of the EEDI Calculation guidelines and the *Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI)*. These guidelines will also assist shipowners, shipbuilders, ship designers and manufacturers in relation to aspects of the development of more energy efficient ships and also in understanding the procedures for the EPT-EEDI validation.

2 OBJECTIVES

These guidelines provide a framework for the uniform application of the EPT-EEDI validation process for ships for which required auxiliary engine power is calculated under paragraph 2.5.6.4 of the EEDI Calculation guidelines.

3 DEFINITIONS

3.1 *Applicant* means an organization, primarily a shipbuilder or a ship designer, which requests the EPT-EEDI validation in accordance with these guidelines.

3.2 *Validator* means a recognized organization which conducts the EPT-EEDI validation in accordance with these guidelines.

3.3 *Validation* for the purpose of these guidelines means review of submitted documents and survey during construction and sea trials.

3.4 *Standard EPT-EEDI-Form* refers to the layout given in appendix 3, containing the EPT-EEDI results that will be the subject of validation. Other supporting documents submitted for this purpose will be used as reference only and will not be subject to validation.

3.5 P_{AE} herein is defined as per the definition in paragraph 2.5.6 of the EEDI Calculation guidelines.

3.6 *Ship service and engine-room loads* refer to all the load groups which are needed for the hull, deck, navigation and safety services, propulsion and auxiliary engine services, engine-room ventilation and auxiliaries and ship's general services.

3.7 *Diversity factor* is the ratio of the "total installed load power" and the "actual load power" for continuous loads and intermittent loads. This factor is equivalent to the product of service factors for load, duty and time.

4 APPLICATION

4.1 These guidelines are applicable to ships as stipulated in paragraph 2.5.6.4 of the EEDI Calculation guidelines.

4.2 These guidelines should be applied for new ships for which an application for an EPT-EEDI validation has been submitted to a validator.

4.3 The steps of the validation process include:

.1 review of documents during the design stage

.1 check if all relevant loads are listed in the EPT;

.2 check if reasonable service factors are used; and

.3 check the correctness of the P_{AE} calculation based on the data given in the EPT.

.2 survey of installed systems and components during construction stage

.1 check if a randomly selected set of installed systems and components are correctly listed with their characteristics in the EPT.

.3 survey of sea trials

.1 check if selected units/loads specified in EPT are observed.

5 SUPPORTING DOCUMENTS

5.1 The applicant should provide as a minimum the ship electric balance load analysis.

5.2 Such information may contain shipbuilders' confidential information. Therefore, after the validation, the validator should return all or part of such information to the applicant at the applicant's request.

5.3 A special EEDI condition during sea trials may be needed and defined for each ship and included in the sea trial schedule. For this condition, a special column should be inserted into the EPT.

6 PROCEDURES FOR VALIDATION

6.1 General

P_{AE} should be calculated in accordance with the EPT-EEDI Calculation guidelines. EPT-EEDI validation should be conducted in two stages: preliminary validation at the design stage and final validation during sea trials. The validation process is presented in figure 1.

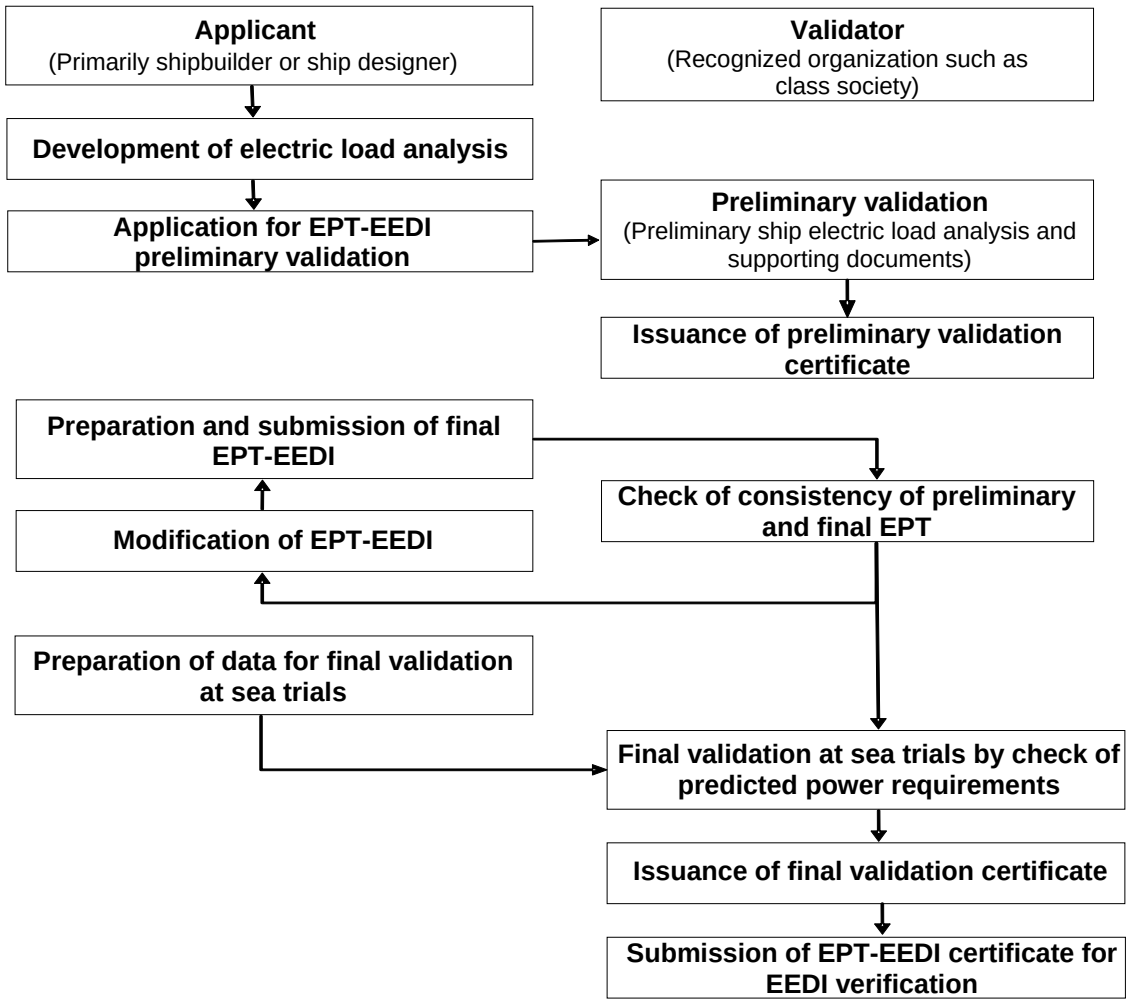


Figure 1: Basic flow of EPT-EEDI validation process

6.2 Preliminary validation at the design stage

6.2.1 For the preliminary validation at the design stage, the applicant should submit to a validator an application for the validation of EPT-EEDI, inclusive of the EPT-EEDI Form, and all the relevant and necessary information for the validation as supporting documents.

6.2.2 The applicant should supply as a minimum the supporting data and information, as specified in appendix A (to be developed).

6.2.3 The validator may request from the applicant additional information to that contained in these guidelines, as necessary, to enable the validator to examine the calculation process of the EPT-EEDI. The estimation of the ship EPT-EEDI at the design stage depends on each applicant's experience, and it may not be practicable to fully examine the technical aspects and details of each machinery component. Therefore, the preliminary validation should focus on the calculation process of the EPT-EEDI that should follow best marine practices.

> **Note:** A possible way forward for more robust validation is to establish a standard methodology of deriving the ship EPT by setting standard formats as agreed and used by industry.

6.3 Final validation

6.3.1 The final validation process should as a minimum should include a check of the ship electric load analysis to ensure that all electric consumers are listed; their specific data and the calculations in the power table itself are correct and are supported by sea trial results. If necessary, additional information has to be requested.

6.3.2 For the final validation, the applicant should revise the EPT-EEDI Form and supporting documents as necessary, by taking into account the characteristics of the machinery and other electrical loads actually installed on board the ship. The EEDI condition at sea trials should be defined and the expected power requirements in these conditions documented in the EPT. Any changes within the EPT from design stage to construction stage should be highlighted by the shipyard.

6.3.3 The preparation for the final validation includes a desk top check comprising:

.1 consistency of preliminary and final EPT;

.2 changes of service factors (compared to the preliminary validation);

.3 all electric consumers are listed;

.4 their specific data and the calculations in the power table itself are correct; and

.5 in case of doubt, component specification data is checked in addition.

6.3.4 A survey prior to sea trials is performed to ensure that machinery characteristics and data as well as other electric loads comply with those recorded in the supporting documents. This survey does not cover the complete installation but selects randomly a number of samples.

6.3.5 For the purpose of sea trial validation, the surveyor will check the data of selected systems and/or components given in the special column added to the EPT for this purpose or the predicted overall value of electric load by means of practicable measurements with the installed measurement devices.

7 ISSUANCE OF THE EPT-EEDI STATEMENT OF VALIDATION

7.1 The validator should stamp the EPT-EEDI Form as "Noted" having validated the EPT-EEDI in the preliminary validation stage, in accordance with these guidelines.

7.2 The validator should stamp the EPT-EEDI Form as "Endorsed" having validated the final EPT-EEDI in the final validation stage in accordance with these guidelines.

APPENDIX 3

ELECTRIC POWER TABLE FORM FOR ENERGY EFFICIENCY DESIGN INDEX (EPT-EEDI FORM) AND STATEMENT OF VALIDATION

Ship ID:
IMO no.: _____
Ship's name: _____
Shipyard: _____
Hull no.: _____

Applicant:

Name: _____
Address: _____
_____

Validation stage:

☐ Preliminary validation

☐ Final validation

Summary results of EPT-EEDI

Load group	Seagoing condition EEDI Calculation guidelines		Remarks
	Continuous load (kW)	Intermittent load (kW)	
Ship service and engine-room loads			
Accommodation and cargo loads			
Total installed load			
Diversity factor			
Normal seagoing load			
Weighted average efficiency of generators			
P_{AE}			

Supporting documents

Title	ID or remarks

Validator details:
Organization: _____
Address: _____
_____

This is to certify that the above-mentioned electrical loads and supporting documents have been reviewed in accordance with EPT-EEDI Validation guidelines and the review shows a reasonable confidence for use of the above P_{AE} in EEDI calculations.

Date of review: _____ Statement of validation no. _____

This statement is valid on condition that the electric power characteristics of the ship do not change.

Signature of Validator

_____
Printed name:

***

ANNEX 6

RESOLUTION MEPC.255(67)

Adopted on 17 October 2014

AMENDMENTS TO THE 2013 INTERIM GUIDELINES FOR DETERMINING MINIMUM PROPULSION POWER TO MAINTAIN THE MANOEUVRABILITY OF SHIPS IN ADVERSE CONDITIONS (RESOLUTION MEPC.232(65))

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

RECALLING ALSO that, at its sixty-second session, the Committee adopted, by resolution MEPC.203(62), Amendments to the annex of the Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (inclusion of regulations on energy efficiency for ships in MARPOL Annex VI),

NOTING that the amendments to MARPOL Annex VI adopted at its sixty-second session by resolution MEPC.203(62), including a new chapter 4 for regulations on energy efficiency for ships, entered into force on 1 January 2013,

NOTING ALSO that regulation 21.5 of MARPOL Annex VI, as amended, requires that the installed propulsion power shall not be less than the propulsion power needed to maintain the manoeuvrability of the ship under adverse conditions as defined in the guidelines to be developed by the Organization,

NOTING FURTHER that, at its sixty-fifth session, the Committee adopted, by resolution MEPC.232(65), the *2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions* (the interim guidelines),

RECOGNIZING that the amendments to MARPOL Annex VI require the adoption of relevant guidelines for the smooth and uniform implementation of the regulations and to provide sufficient lead time for industry to prepare,

HAVING CONSIDERED, at its sixty-seventh session, proposed amendments to the interim guidelines,

1 ADOPTS amendments to the *2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions*, as set out in the annex to the present resolution;

2 INVITES Administrations to take the aforementioned amendments into account when developing and enacting national laws which give force to and implement provisions set forth in regulation 21.5 of MARPOL Annex VI, as amended;

3 REQUESTS the Parties to MARPOL Annex VI and other Member Governments to bring the amendments to the attention of shipowners, ship operators, shipbuilders, ship designers and any other interested groups;

4 AGREES to keep the interim guidelines, as amended, under review, in light of experience gained with their application.

ANNEX

AMENDMENTS TO THE 2013 INTERIM GUIDELINES FOR DETERMINING MINIMUM PROPULSION POWER TO MAINTAIN THE MANOEUVRABILITY OF SHIPS IN ADVERSE CONDITIONS (RESOLUTION MEPC.232(65))

1 The footnote related to paragraph 2 "Applicability" is replaced with the following:

"* These interim guidelines are applied to ships required to comply with regulations on Energy Efficiency for Ships according to regulation 21 of MARPOL Annex VI during Phase 0 and Phase 1 (i.e. for those ship types as in table 1 of appendix with the size of equal or more than 20,000 DWT)."

2 The title of the appendix is replaced with the following:

"ASSESSMENT PROCEDURES TO MAINTAIN THE MANOEUVRABILITY UNDER ADVERSE CONDITIONS, APPLICABLE DURING PHASE 0 AND PHASE 1 OF THE EEDI IMPLEMENTATION"

3 Paragraph 1.1 of the appendix is replaced with the following:

"1.1 The procedures as described below are applicable during Phase 0 and Phase 1 of the EEDI implementation as defined in regulation 21 of MARPOL Annex VI (see also paragraph 0 – Purpose of these interim guidelines)."

***

ANNEX 7

RESOLUTION MEPC.256(67)

Adopted on 17 October 2014

AMENDMENT TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

Amendment to MARPOL Annex I

(Amendment to regulation 43)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

NOTING article 16 of the International Convention for the Prevention of Pollution from Ships, 1973 ("1973 Convention") and article VI of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 ("1978 Protocol") which together specify the amendment procedure of the 1978 Protocol and confer upon the appropriate body of the Organization the function of considering and adopting amendments to the 1973 Convention, as modified by the 1978 Protocol (MARPOL),

HAVING CONSIDERED proposed amendments to Annex I of MARPOL, concerning the carriage of heavy grade oil as ballast on ships operating in the Antarctic area,

1 ADOPTS, in accordance with article 16(2)(d) of the 1973 Convention, amendments to Annex I of MARPOL, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article 16(2)(f)(iii) of the 1973 Convention, that the amendments shall be deemed to have been accepted on 1 September 2015 unless, prior to that date, not less than one third of the Parties or Parties the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objection to the amendments;

3 INVITES the Parties to note that, in accordance with article 16(2)(g)(ii) of the 1973 Convention, the said amendments shall enter into force on 1 March 2016 upon their acceptance in accordance with paragraph 2 above;

4 REQUESTS the Secretary-General, in conformity with article 16(2)(e) of the 1973 Convention, to transmit to all Parties to MARPOL, certified copies of the present resolution and the text of the amendments contained in the annex;

5 REQUESTS FURTHER the Secretary-General to transmit to the Members of the Organization which are not Parties to MARPOL copies of the present resolution and its annex.

ANNEX

AMENDMENT TO MARPOL ANNEX I

(Amendment to regulation 43)

Annex I
Regulations for the prevention of pollution by oil

Chapter 9
Special requirements for the use or carriage of oils in the Antarctic area

Regulation 43
Special requirements for the use or carriage of oils in the Antarctic area

In the chapeau of paragraph 1, between the words "the carriage in bulk as cargo" and "or carriage", insert:

", use as ballast,"

***

ANNEX 8

RESOLUTION MEPC.257(67)

Adopted on 17 October 2014

AMENDMENT TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

Amendment to MARPOL Annex III

(Amendment to the appendix on criteria for the identification of harmful substances in packaged form)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

NOTING article 16 of the International Convention for the Prevention of Pollution from Ships, 1973 ("1973 Convention") and article VI of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 ("1978 Protocol") which together specify the amendment procedure of the 1978 Protocol and confer upon the appropriate body of the Organization the function of considering and adopting amendments to the 1973 Convention, as modified by the 1978 Protocol (MARPOL),

HAVING CONSIDERED proposed amendments to Annex III of MARPOL, developed by the Sub-Committee on Dangerous Goods, Solid Cargoes and Containers (DSC), at its eighteenth session,

1 ADOPTS, in accordance with article 16(2)(d) of the 1973 Convention, amendments to Annex III of MARPOL, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article 16(2)(f)(iii) of the 1973 Convention, that the amendments shall be deemed to have been accepted on 1 September 2015 unless, prior to that date, not less than one third of the Parties or Parties, the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objection to the amendments;

3 INVITES the Parties to note that, in accordance with article 16(2)(g)(ii) of the 1973 Convention, the said amendments shall enter into force on 1 March 2016 upon their acceptance in accordance with paragraph 2 above;

4 REQUESTS the Secretary-General, in conformity with article 16(2)(e) of the 1973 Convention, to transmit to all Parties to MARPOL, certified copies of the present resolution and the text of the amendments contained in the annex;

5 REQUESTS FURTHER the Secretary-General to transmit to the Members of the Organization which are not Parties to MARPOL copies of the present resolution and its annex.

ANNEX

AMENDMENT TO MARPOL ANNEX III

(Amendment to the appendix on criteria for the identification of harmful substances in packaged form)

MARPOL Annex III
Regulations for the prevention of pollution by harmful substances carried by sea in packaged form

Appendix
Criteria for the identification of harmful substances in packaged form

The chapeau of the appendix is replaced by the following:

"For the purpose of this Annex, substances, other than radioactive materials*, identified by any one of the following criteria are harmful substances**.

* Refer to class 7, as defined in chapter 2.7 of the IMDG Code

** The criteria are based on those developed by the United Nations Globally Harmonized System of Classification and Labelling of Chemicals (GHS), as amended. For definitions of acronyms or terms used in this appendix, refer to the relevant paragraphs of the IMDG Code."

***

ANNEX 9

RESOLUTION MEPC.258(67)

Adopted on 17 October 2014

AMENDMENTS TO THE ANNEX OF THE PROTOCOL OF 1997 TO AMEND THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973, AS MODIFIED BY THE PROTOCOL OF 1978 RELATING THERETO

Amendments to MARPOL Annex VI

(Amendments to regulations 2 and 13 and the Supplement to the IAPP Certificate)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

NOTING article 16 of the International Convention for the Prevention of Pollution from Ships, 1973 ("1973 Convention"), article VI of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 ("1978 Protocol") and article 4 of the Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto ("1997 Protocol"), which together specify the amendment procedure of the 1997 Protocol and confer upon the appropriate body of the Organization the function of considering and adopting amendments to the 1973 Convention, as modified by the 1978 and 1997 Protocols,

NOTING ALSO that, by the 1997 Protocol, Annex VI entitled Regulations for the prevention of air pollution from ships was added to the 1973 Convention,

NOTING FURTHER that the revised Annex VI, which was adopted by resolution MEPC.176(58), entered into force on 1 July 2010,

HAVING CONSIDERED draft amendments to the revised Annex VI concerning engines solely fuelled by gaseous fuels,

1 ADOPTS, in accordance with article 16(2)(d) of the 1973 Convention, amendments to Annex VI, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article 16(2)(f)(iii) of the 1973 Convention, that the amendments shall be deemed to have been accepted on 1 September 2015, unless prior to that date, not less than one third of the Parties or Parties, the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objection to the amendments;

3 INVITES the Parties to note that, in accordance with article 16(2)(g)(ii) of the 1973 Convention, said amendments shall enter into force on 1 March 2016 upon their acceptance in accordance with paragraph 2 above;

4 REQUESTS the Secretary-General, in conformity with article 16(2)(e) of the 1973 Convention, to transmit to all Parties to the 1973 Convention, as modified by the 1978 and 1997 Protocols, certified copies of the present resolution and the text of the amendments contained in the annex;

5 REQUESTS FURTHER the Secretary-General to transmit to the Members of the Organization which are not Parties to the 1973 Convention, as modified by the 1978 and 1997 Protocols, copies of the present resolution and its annex.

ANNEX

AMENDMENTS TO MARPOL ANNEX VI

(Amendments to regulations 2 and 13 and appendix I)

MARPOL Annex VI
Regulations for the prevention of air pollution from ships

Chapter 1
General

Regulation 2
Definitions

1 The definition of "fuel oil" in paragraph 9 is replaced by the following definition:

"*Fuel oil* means any fuel delivered to and intended for combustion purposes for propulsion or operation on board a ship, including gas, distillate and residual fuels."

2 The definition of "marine diesel engine" in paragraph 14 is replaced by the following definition:

"*Marine diesel engine* means any reciprocating internal combustion engine operating on liquid or dual fuel, to which regulation 13 of this Annex applies, including booster/compound systems if applied. In addition, a gas fuelled engine installed on a ship constructed on or after 1 March 2016 or a gas fuelled additional or non-identical replacement engine installed on or after that date is also considered as a marine diesel engine."

Chapter 3
Requirements for control of emissions from ships

Regulation 13
Nitrogen oxides (NO_X)

3 Paragraph 7.3 is replaced by the following paragraph:

"7.3 With regard to a marine diesel engine with a power output of more than 5,000 kW and a per cylinder displacement at or above 90 litres installed on a ship constructed on or after 1 January 1990, but prior to 1 January 2000, the International Air Pollution Prevention Certificate shall, for a marine diesel engine to which paragraph 7.1 of this regulation applies, indicate one of the following:

.1 an approved method has been applied pursuant to paragraph 7.1.1 of this regulation;

.2 the engine has been certified pursuant to paragraph 7.1.2 of this regulation;

.3 an approved method is not yet commercially available as described in paragraph 7.2 of this regulation; or

.4 an approved method is not applicable."

Appendix I
Form of International Air Pollution Prevention (IAPP) Certificate (Regulation 8)

Supplement to the International Air Pollution Prevention Certificate (IAPP Certificate)

4 The footnote relating to paragraph 1.4 is replaced by the following footnote:

"* Completed only in respect of ships constructed on or after 1 January 2016 that are specially designed, and used solely for recreational purposes and to which, in accordance with regulation 13.5.2.1 or regulation 13.5.2.3, the NO_x emission limit as given by regulation 13.5.1.1 will not apply."

5 Paragraph 2.2.1 is replaced by the following paragraph:

"2.2.1 The following marine diesel engines installed on this ship are in accordance with the requirements of regulation 13, as indicated:

Applicable regulation of MARPOL Annex VI (NTC = NO_X Technical Code 2008) (AM = Approved Method)			Engine #1	Engine #2	Engine #3	Engine #4	Engine #5	Engine #6
1	Manufacturer and model							
2	Serial number							
3	Use (applicable application cycle(s) – NTC 3.2)							
4	Rated power (kW) (NTC 1.3.11)							
5	Rated speed (RPM) (NTC 1.3.12)							
6	Identical engine installed ≥ 1/1/2000 exempted by 13.1.1.2		☐	☐	☐	☐	☐	☐
7	Identical engine installation date (dd/mm/yyyy) as per 13.1.1.2							
8a	Major Conversion (dd/mm/yyyy)	13.2.1.1 & 13.2.2						
8b		13.2.1.2 & 13.2.3						
8c		13.2.1.3 & 13.2.3						
9a	Tier I	13.3	☐	☐	☐	☐	☐	☐
9b		13.2.2	☐	☐	☐	☐	☐	☐
9c		13.2.3.1	☐	☐	☐	☐	☐	☐
9d		13.2.3.2	☐	☐	☐	☐	☐	☐
9e		13.7.1.2	☐	☐	☐	☐	☐	☐
10a	Tier II	13.4	☐	☐	☐	☐	☐	☐
10b		13.2.2	☐	☐	☐	☐	☐	☐
10c		13.2.2 (Tier III not possible)	☐	☐	☐	☐	☐	☐
10d		13.2.3.2	☐	☐	☐	☐	☐	☐
10e		13.5.2 (Exemptions)	☐	☐	☐	☐	☐	☐
10f		13.7.1.2	☐	☐	☐	☐	☐	☐
11a	Tier III ($ECA\text{-}NO_x$ only)	13.5.1.1	☐	☐	☐	☐	☐	☐
11b		13.2.2	☐	☐	☐	☐	☐	☐
11c		13.2.3.2	☐	☐	☐	☐	☐	☐
11d		13.7.1.2	☐	☐	☐	☐	☐	☐
12	AM*	installed	☐	☐	☐	☐	☐	☐
13		not commercially available at this survey	☐	☐	☐	☐	☐	☐
14		not applicable	☐	☐	☐	☐	☐	☐

* Refer to the *2014 Guidelines on the approved method process* (resolution MEPC.243(66)).''

6 Paragraph 2.5 is replaced by the following paragraph:

"2.5 Shipboard incineration (regulation 16)

The ship has an incinerator:

.1 installed on or after 1 January 2000 that complies with:

.1 resolution MEPC.76(40), as amended * ☐

.2 resolution MEPC.244(66) ☐

.2 installed before 1 January 2000 that complies with:

.1 resolution MEPC.59(33), as amended ** ☐

.2 resolution MEPC.76(40), as amended * ☐"

* As amended by resolution MEPC.93(45).
** As amended by resolution MEPC.92(45)."

***

ANNEX 10

PREAMBLE, INTRODUCTION AND PART II OF THE DRAFT INTERNATIONAL CODE FOR SHIPS OPERATING IN POLAR WATERS

PREAMBLE

1 The International Code for ships operating in polar waters has been developed to supplement existing IMO instruments in order to increase the safety of ships' operation and mitigate the impact on the people and environment in the remote, vulnerable and potentially harsh polar waters.

2 The Code acknowledges that polar water operation may impose additional demands on ships, their systems and operation beyond the existing requirements of the International Convention for the Safety of Life at Sea (SOLAS), 1974, the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the 1978 Protocol relating thereto (MARPOL), as amended, and other relevant binding IMO instruments.

3 The Code acknowledges that polar waters impose additional navigational demands beyond those normally encountered. In many areas, the chart coverage may not currently be adequate for coastal navigation. It is recognized that even existing charts may be subject to unsurveyed and uncharted shoals.

4 The Code also acknowledges that coastal communities in the Arctic could be, and that polar ecosystems are, vulnerable to human activities, such as ship operation.

5 The relationship between the additional safety measures and the protection of the environment is acknowledged as any safety measure taken to reduce the probability of an accident, will largely benefit the environment.

6 While Arctic and Antarctic waters have similarities, there are also significant differences. Hence, although the Code is intended to apply as a whole to both Arctic and Antarctic, the legal and geographical differences between the two areas have been taken into account.

7 The key principles for developing the Polar Code have been to use a risk-based approach in determining scope and to adopt a holistic approach in reducing identified risks.

INTRODUCTION

1 Goal

The goal of this Code is to provide for safe ship operation and the protection of the polar environment by addressing risks present in polar waters and not adequately mitigated by other instruments of the Organization.

2 Definitions

For the purpose of this Code, the terms used have the meanings defined in the following paragraphs. Terms used in part I-A, but not defined in this section shall have the same meaning as defined in SOLAS. Terms used in part II-A, but not defined in this section shall have the same meaning as defined in article 2 of MARPOL and the relevant MARPOL Annexes.

2.1 *Category A ship* means a ship designed for operation in polar waters in at least medium first-year ice, which may include old ice inclusions.

2.2 *Category B ship* means a ship not included in category A, designed for operation in polar waters in at least thin first-year ice, which may include old ice inclusions.

2.3 *Category C ship* means a ship designed to operate in open water or in ice conditions less severe than those included in categories A and B.

2.4 *First-year ice* means sea ice of not more than one winter growth developing from young ice with thickness from 0.3-2.0 metre[1].

2.5 *Ice free waters* means no ice present. If ice of any kind is present this term shall not be used[1].

2.6 *Ice of land origin* means Ice formed on land or in an ice shelf, found floating in water[1].

2.7 *MARPOL* means the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the 1978 Protocol relating thereto (MARPOL), as amended.

2.8 *Medium first-year ice* means first-year ice of 70-120 cm thickness[1].

2.9 *Old ice* means sea ice which has survived at least one summer's melt; typical thickness up to 3 m or more. It is subdivided into residual first-year ice, second-year ice and multi-year ice[1].

2.10 *Open water* mean a large area of freely navigable water in which sea ice is present in concentrations less than 1/10. No ice of land origin is present[1].

2.11 *Organization* means the International Maritime Organization.

2.12 *Sea ice* means any form of ice found at sea which has originated from the freezing of sea water.[1]

[1] Refer to the WMO Sea Ice Nomenclature.

2.13 *SOLAS* means the International Convention for the Safety of Life at Sea, 1974, as amended.

2.14 *STCW Convention* means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended.

2.15 *Thin first-year ice* means first-year ice 30 to 70 cm thick.

3 Sources of hazards

3.1 The Polar Code considers hazards which may lead to elevated levels of risk due to increased probability of occurrence, more severe consequences, or both:

.1 ice as it may affect hull structure, stability characteristics, machinery systems, navigation, the outdoor working environment, maintenance and emergency preparedness tasks, and malfunction of safety equipment and systems;

.2 experiencing topside icing, with potential reduction of stability and equipment functionality;

.3 low temperature as it affects the working environment and human performance, maintenance and emergency preparedness tasks, material properties and equipment efficiency, survival time and performance of safety equipment and systems;

.4 extended periods of darkness or daylight as it may affect navigation and human performance;

.5 high latitude as it affects navigation systems, communication systems and the quality of ice imagery information;

.6 remoteness and possible lack of accurate and complete hydrographic data and information, reduced availability of navigational aids and seamarks with increased potential for groundings compounded by remoteness, limited readily deployable SAR facilities, delays in emergency response and limited communications capability, with the potential to affect incident response;

.7 potential lack of ship crew experience in polar operations, with potential for human error;

.8 potential lack of suitable emergency response equipment, with the potential for limiting the effectiveness of mitigation measures;

.9 rapidly changing and severe weather conditions, with the potential for escalation of incidents; and

.10 the environment with respect to sensitivity to harmful substances and other environmental impacts and its need for longer restoration.

3.2 The risk level within polar waters may differ depending on the geographical location, time of the year with respect to daylight, ice-coverage, etc. Thus, the mitigating measures required to address the above specific hazards may vary within polar waters and may be different in Arctic and Antarctic waters.

4 Structure of the Code

This Code consists of an Introduction, parts I and II. The Introduction contains provisions applicable to both part I and part II. Part I is subdivided into part I-A, which contains mandatory provisions on safety measures, and part I-B containing recommendations on safety. Part II is subdivided into part II-A, which contains mandatory provisions on pollution prevention, and part II-B containing recommendations on pollution prevention.

5 Figures illustrating the Antarctic area and Arctic waters, as defined in SOLAS regulations XIV/1.2 and XIV/1.3, respectively[, and MARPOL Annex I, regulations […]; Annex II, regulations […]; Annex IV, regulation […]; and Annex V, regulation […]]

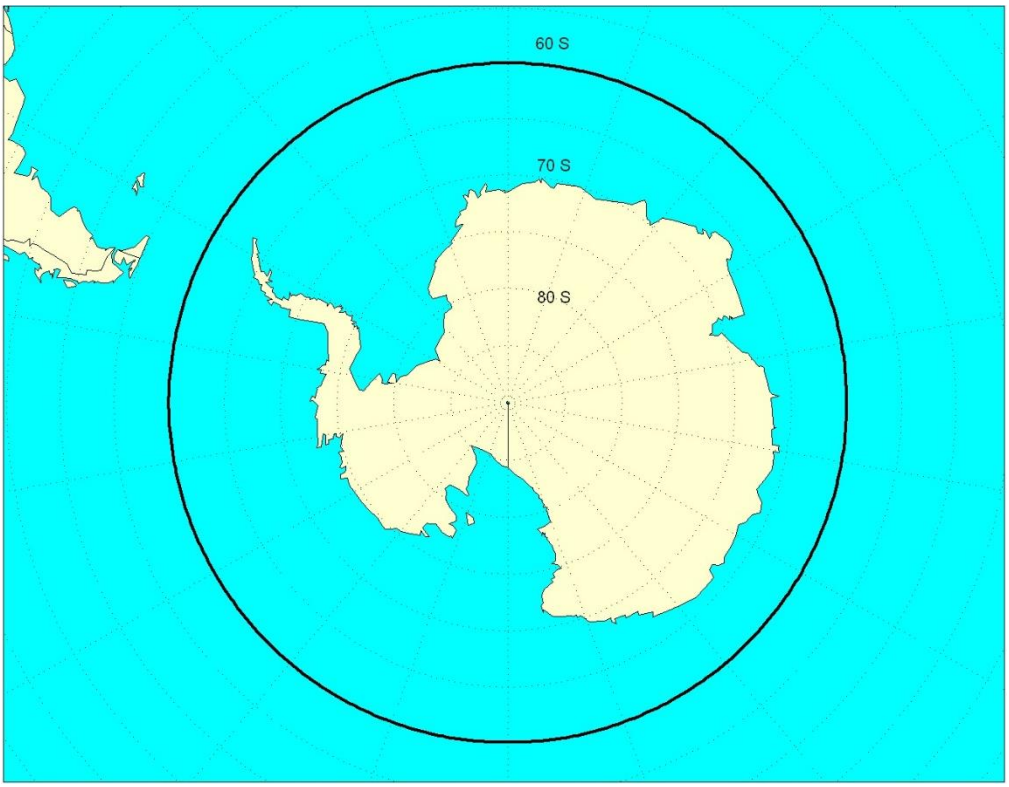


Figure 1 – Maximum extent of Antarctic Waters application[2]

[2] Maps are for illustrative purposes only.

Figure 2 – Maximum extent of Arctic waters application[8]

PART II-A
POLLUTION PREVENTION MEASURES

CHAPTER 1
PREVENTION OF POLLUTION BY OIL

1.1 Operational requirements

1.1.1 In Arctic waters any discharge into the sea of oil or oily mixtures from any ship shall be prohibited.

1.1.2 The provisions of paragraph 1.1.1 shall not apply to the discharge of clean or segregated ballast.

1.1.3 Subject to the approval of the Administration, a category A ship constructed before [date of entry into force] that cannot comply with paragraph 1.1.1 for oil or oily mixtures from machinery spaces and is operating continuously in Arctic waters for more than 30 days shall comply with paragraph 1.1.1 not later than the first intermediate or renewal survey, whichever comes first, one year after [the date of entry into force]. Until such date these ships shall comply with the discharge requirements of MARPOL Annex I regulation 15.3.

1.1.4 Operation in polar waters shall be taken into account, as appropriate, in the Oil Record Books, manuals and the shipboard oil pollution emergency plan or the shipboard marine pollution emergency plan as required by MARPOL Annex I.

1.2 Structural requirements

1.2.1 For category A and B ships constructed on or after [date of entry into force] with an aggregate oil fuel capacity of less than 600 m^3, all oil fuel tanks shall be separated from the outer shell by a distance of not less than 0.76 m. This provision does not apply to small oil fuel tanks with a maximum individual capacity not greater than 30 m^3.

1.2.2 For category A and B ships constructed on or after [date of entry into force] of less than 600 tonnes deadweight, all cargo tanks constructed and utilized to carry oil shall be separated from the outer shell by a distance of not less than 0.76 m.

1.2.3 For category A and B ships constructed on or after [date of entry into force] all oil residue (sludge) tanks and oily bilge water holding tanks shall be separated from the outer shell by a distance of not less than 0.76 m. This provision does not apply to small tanks with a maximum individual capacity not greater than 30 m^3.

CHAPTER 2
CONTROL OF POLLUTION BY NOXIOUS LIQUID SUBSTANCES IN BULK

2.1 Operational requirements

2.1.1 In Arctic waters any discharge into the sea of noxious liquid substances, or mixtures containing such substances, shall be prohibited.

2.1.2 Operation in polar waters shall be taken into account, as appropriate, in the Cargo Record Book, the Manual and the shipboard marine pollution emergency plan for noxious liquid substances or the shipboard marine pollution emergency plan as required by MARPOL Annex II.

2.1.3 For category A and B ships constructed on or after [date of entry into force] the carriage of noxious liquid substances (NLS) identified in chapter 17, column e, as ship type 3 or identified as NLS in chapter 18 of the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk in cargo tanks of type 3 ships shall be subject to the approval of the Administration. The results shall be reflected on the International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk or Certificate of Fitness identifying the operation in polar waters.

CHAPTER 3
PREVENTION OF POLLUTION BY HARMFUL SUBSTANCES CARRIED BY SEA IN PACKAGED FORM

Kept blank intentionally.

CHAPTER 4
PREVENTION OF POLLUTION BY SEWAGE FROM SHIPS

4.1 Definitions

4.1.1 *Constructed* means a ship the keel of which is laid or which is at a similar stage of construction.

4.1.2 *Ice-shelf* means a floating ice sheet of considerable thickness showing 2 to 50 m or more above sea-level, attached to the coast.[3]

4.1.3 *Fast ice* means sea ice which forms and remains fast along the coast, where it is attached to the shore, to an ice wall, to an ice front, between shoals or grounded icebergs.[4]

4.2 Operational requirements

4.2.1 Discharges of sewage within polar waters are prohibited except when performed in accordance with MARPOL Annex IV and the following requirements:

.1 the ship is discharging comminuted and disinfected sewage in accordance with regulation 11.1.1 of MARPOL Annex IV at a distance of more than 3 nautical miles from any ice-shelf or fast ice and shall be as far as practicable from areas of ice concentration exceeding 1/10; or

.2 the ship is discharging sewage that is not comminuted or disinfected in accordance with regulation 11.1.1 of MARPOL Annex IV and at a distance of more than 12 nautical miles from any ice-shelf or fast ice and shall be as far as practicable from areas of ice concentration exceeding 1/10; or

.3 the ship has in operation an approved sewage treatment plant[4] certified by the Administration to meet the operational requirements in either regulation 9.1.1 or 9.2.1 of MARPOL Annex IV, and discharges sewage in accordance with regulation 11.1.2 of Annex IV and shall be as far as practicable from the nearest land, any ice-shelf, fast ice or areas of ice concentration exceeding 1/10.

[3] Refer to the WMO Sea-Ice Nomenclature.

[4] Refer to resolution MEPC.2(VI), resolution MEPC.159(55) or resolution MEPC.227(64) as applicable.

4.2.2 Discharge of sewage into the sea is prohibited from category A and B ships constructed on or after [date of entry into force], and all passenger ships constructed on or after [date of entry into force], except when such discharges are in compliance with paragraph 4.2.1.3 of this chapter.

4.2.3 Notwithstanding the requirements of paragraph 4.2.1, category A and B ships that operate in areas of ice concentrations exceeding 1/10 for extended periods of time, may only discharge sewage using an approved sewage treatment plant certified by the Administration to meet the operational requirements in either regulation 9.1.1 or 9.2.1 of MARPOL Annex IV. Such discharges shall be subject to the approval by the Administration.

CHAPTER 5
PREVENTION OF POLLUTION BY GARBAGE FROM SHIPS

5.1 Definitions

5.1.1 *Ice-shelf* means a floating ice sheet of considerable thickness showing 2 to 50 m or more above sea-level, attached to the coast[5].

5.1.2 *Fast ice* means sea ice which forms and remains fast along the coast, where it is attached to the shore, to an ice wall, to an ice front, between shoals or grounded icebergs[6].

5.2 Operational requirements

5.2.1 In Arctic waters, discharge of garbage into the sea permitted in accordance with regulation 4 of MARPOL Annex V, shall meet the following additional requirements:

.1 discharge into the sea of food wastes is only permitted when the ship is as far as practicable from areas of ice concentration exceeding 1/10, but in any case not less than 12 nautical miles from the nearest land, nearest ice-shelf, or nearest fast ice;

.2 food wastes shall be comminuted or ground and shall be capable of passing through a screen with openings no greater than 25 mm. Food wastes shall not be contaminated by any other garbage type;

.3 food wastes shall not be discharged onto the ice;

.4 discharge of animal carcasses is prohibited; and

.5 discharge of cargo residues that cannot be recovered using commonly available methods for unloading shall only be permitted while the ship is en route and where all the following conditions are satisfied:

.1 cargo residues, cleaning agents or additives, contained in hold washing water do not include any substances classified as harmful to the marine environment, taking into account guidelines developed by the Organization;

5 Refer to the WMO Sea-Ice Nomenclature.

.2 both the port of departure and the next port of destination are within Arctic waters and the ship will not transit outside Arctic waters between those ports;

.3 no adequate reception facilities are available at those ports taking into account guidelines developed by the Organization; and

.4 where the conditions of subparagraphs 5.2.1.5.1, 5.2.1.5.2 and 5.2.1.5.3 of this paragraph have been fulfilled, discharge of cargo hold washing water containing residues shall be made as far as practicable from areas of ice concentration exceeding 1/10, but in any case not less than 12 nautical miles from the nearest land, nearest ice shelf, or nearest fast ice.

5.2.2 In the Antarctic area, discharge of garbage into the sea permitted in accordance with regulation 6 of MARPOL Annex V, shall meet the following additional requirements:

.1 discharges under regulation 6.1 of MARPOL Annex V shall be as far as practicable from areas of ice concentration exceeding 1/10, but in any case not less than 12 nautical miles from the nearest fast ice; and

.2 food waste shall not be discharged onto ice.

5.2.3 Operation in polar waters shall be taken into account, as appropriate, in the Garbage Record Book, Garbage Management Plan and the placards as required by MARPOL Annex V.

PART II-B
ADDITIONAL GUIDANCE REGARDING THE PROVISIONS OF THE INTRODUCTION AND PART II-A

1 Additional guidance to chapter 1

1.1 Ships are encouraged to apply regulation 43 of MARPOL Annex I when operating in Arctic waters.

1.2 Non-toxic biodegradable lubricants or water-based systems should be considered in lubricated components located outside the underwater hull with direct seawater interfaces, like shaft seals and slewing seals.

2 Additional guidance to chapter 2

Category A and B ships, constructed on or after [date of entry into force] and certified to carry noxious liquid substances (NLS), are encouraged to carry NLS identified in chapter 17, column e, as ship type 3 or identified as NLS in chapter 18 of the *International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk*, in tanks separated from the outer shell by a distance of not less than 760 mm.

3 Additional guidance to chapter 5

In order to minimize the risks associated with animal cargo mortalities, consideration should be given to how animal carcasses will be managed, treated, and stored on board when ships carrying such cargo are operating in polar waters. Reference is made in particular to the *2012 Guidelines for the implementation of MARPOL Annex V* (resolution MEPC.219(63)) and the *2012 Guidelines for the development of garbage management plans* (resolution MEPC.220(63)).

4 Additional guidance under other environmental Conventions and guidelines

4.1 Until the *International Convention for the Control and Management of Ships' Ballast Water and Sediments* enters into force, the ballast water management provisions of the ballast water exchange standard, set out in regulation D-1, or the ballast water performance standard, set out in regulation D-2 of the Convention should be considered as appropriate. The provisions of the *Guidelines for ballast water exchange in the Antarctic treaty area* (resolution MEPC.163(56)) should be taken into consideration along with other relevant guidelines developed by the Organization.

4.2 In selecting the ballast water management system, attention should be paid to limiting conditions specified in the appendix of the Type Approval Certificate and the temperature under which the system has been tested, in order to ensure its suitability and effectiveness in polar waters.

4.3 In order to minimize the risk of invasive aquatic species transfers via biofouling, measures should be considered to minimize the risk of more rapid degradation of anti-fouling coatings associated with polar ice operations. Reference is made in particular to the *2011 Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species* (resolution MEPC.207(62)).

Table: Example of matters related to anti-fouling systems taken into consideration by some ice-going ships (This table is used by some operators of ice-going ships.)

	Hull	Sea chest
Year round operation in ice-covered polar waters	Abrasion resistant low friction ice coating No anti-fouling system	Abrasion resistant coating Compliant with the AFS Convention. Thickness of anti-fouling system to be decided by shipowner.
Intermittent operation in ice-covered polar waters	Abrasion resistant low friction ice coating In sides, above bilge keel, max thickness of anti-fouling system 75 µm, to protect hull between application of anti-fouling system and next anticipated voyage to ice-covered waters. In bottom area thickness to be decided by ship owner. Composition of anti-fouling system should also be decided by the shipowner.	Compliant with the AFS Convention. Thickness of anti-fouling system to be decided by shipowner.
Category B and C vessels	Compliant with the AFS Convention. Thickness of anti-fouling system to be decided by shipowner.	Compliant with the AFS Convention. Thickness of anti-fouling system to be decided by shipowner.

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ANNEX 11

DRAFT AMENDMENTS TO MARPOL ANNEXES I, II, IV AND V

ANNEX I
REGULATIONS FOR THE PREVENTION OF POLLUTION BY OIL

Chapter 1
General

Regulation 3 – Exemptions and waivers

1 In paragraph 1, the words "or section 1.2 of part II-A of the Polar Code" are inserted between "chapters 3 and 4 of this annex" and "relating to construction".

2 A new paragraph 5.2.2 is added as follows:

".2 voyages within Arctic waters; or"

3 The existing paragraphs 5.2.2 to 5.2.6 are renumbered as paragraphs 5.2.3 to 5.2.7 and the subparagraphs are renumbered accordingly.

4 The chapeau of the new paragraph 5.2.3 is replaced with the following:

".3 voyages within 50 nautical miles from the nearest land outside special areas or Arctic waters where the tanker is engaged in:"

Regulation 4 – Exceptions

5 The chapeau is replaced with the following:

"Regulations 15 and 34 of this annex and paragraph 1.1.1 of part II-A of the Polar Code shall not apply to:"

Chapter 3
Requirements for machinery spaces of all ships

Part B
Equipment

Regulation 14 – Oil filtering equipment

6 Paragraph 5.1 is replaced with the following:

".1 any ship engaged exclusively on voyages within special areas or Arctic waters, or"

7 In paragraph 5.3.4, between the words "with special areas" and "or has been accepted", the words "or Arctic waters" are inserted.

Part C
Control of discharge of oil

Regulation 15 – Control of discharge of oil

8 At the end of the title for section A, the words "except in Arctic waters" are added.

9 At the end of the title for section C, the words "and Arctic waters" are added.

Chapter 4
Requirements for the cargo area of oil tankers

Part C
Control of operational discharges of oil

Regulation 34 – Control of discharge of oil

10 At the end of the title for section A, the words "except in Arctic waters" are added.

Chapter 6
Reception facilities

Regulation 38 – Reception facilities

11 In paragraph 2.5, the words "and paragraph 1.1.1 of part II-A of Polar Code" are added after the words "regulations 15 and 34 of this annex".

12 In paragraph 3.5, the words "and paragraph 1.1.1 of part II-A of Polar Code" are added after the words "regulation 15 of this annex".

Chapter 11
International Code for ships operating in polar waters

13 A new chapter 11 is added after existing chapter 10 as follows:

"**Chapter 11 – International Code for ships operating in polar waters**

Regulation 46 – Definitions

For the purpose of this annex,

1 *Polar Code* means the International Code for ships operating in polar waters, consisting of an introduction, parts I-A and II-A and parts I-B and II-B, as adopted by resolutions [MEPC.…(…) and MSC.…(…)], as may be amended, provided that:

.1 amendments to the environment-related provisions of the introduction and chapter 1 of part II-A of the Polar Code are adopted, brought into force and take effect, in accordance with the provisions of article 16 of the present Convention concerning the

amendment procedures applicable to an appendix to an annex; and

.2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.

2 *Arctic waters* means those waters which are located north of a line from the latitude 58º00´.0 N and longitude 042º00´0 W to latitude 64°37´0 N, longitude 035°27´0 W and thence by a rhumb line to latitude 67º03´9 N, longitude 026º33´4 W and thence by a rhumb line to Sørkapp, Jan Mayen and by the southern shore of Jan Mayen to the Island of Bjørnøya, and thence by a great circle line from the Island of Bjørnøya to Cap Kanin Nos and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60ºN as far as Il'pyrskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60ºN and thence eastward along parallel of latitude 60ºN, to longitude 56º37´1 W and thence to the latitude 58º00´0 N, longitude 042º00´0 W.

3 *Polar waters* means Arctic waters and/or the Antarctic area.

Regulation 47 – Application and requirements

1 This chapter applies to all ships operating in polar waters.

2 Unless expressly provided otherwise, any ship covered by paragraph 1 of this regulation shall comply with the environment-related provisions of the introduction and with chapter 1 of part II-A of the Polar Code, in addition to any other applicable requirements of this annex.

3 In applying chapter 1 of part II-A of the Polar Code, consideration should be given to the additional guidance in part II-B of the Polar Code."

Appendix II
Form of IOPP Certificate and Supplements

Appendix

Supplement to the international Oil Pollution Prevention Certificate (IOPP Certificate) – Form A

14 A new section 8 is added after existing section 7 as follows:

"8 Compliance with part II-A – chapter 1 of the Polar Code

8.1 The ship is in compliance with additional requirements in the environment-related provisions of the Introduction and section 1.2 of chapter 1 of part II-A of the Polar Code..... "

Supplement to the international Oil Pollution Prevention Certificate (IOPP Certificate) – Form B

15 A new section 11 is added after existing section 10 as follows:

"11 Compliance with part II-A –chapter 1 of the Polar Code

11.1 The ship is in compliance with additional requirements in the environmental part of the introduction and section 1.2 of chapter I of part II-A of the Polar Code. "

ANNEX II
REGULATIONS FOR THE CONTROL OF POLLUTION OF NOXIOUS LIQUID SUBSTANCES IN BULK

Chapter 1
General

Regulation 3 – Exceptions

1 In the chapeau of paragraph 1, between the words "this annex" and "shall not apply", the words "and chapter 2 of part II-A of the Polar Code" are inserted.

Chapter 6
Measures of control by port States

Regulation 16 – Measures of control

2 In paragraph 3, the reference to "regulation 13 and of this regulation" is replaced with "regulation 13 and of this regulation, and chapter 2 of part II-A of the Polar Code when the ship is operating in Arctic waters,"

Chapter 10
International Code for ships operating in polar waters

3 A new chapter 10 is added after existing chapter 9 as follows:

"**Chapter 10 – International Code for ships operating in polar waters**

Regulation 21 – Definitions

For the purpose of this annex,

1 *Polar Code* means the International Code for ships operating in polar waters, consisting of an introduction, part I-A and part II-A and parts I-B and II-B, as adopted by resolutions [MEPC….(…) and MSC….(…)] as may be amended, provided that:

.1 amendments to the environment-related provisions of the introduction and chapter 2 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the

provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and

.2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.

2 *Arctic waters* means those waters which are located north of a line from the latitude 58º00´.0 N and longitude 042º00´0 W to latitude 64°37´0 N, longitude 035°27´0 W and thence by a rhumb line to latitude 67º03´9 N, longitude 026º33´4 W and thence by a rhumb line to Sørkapp, Jan Mayen and by the southern shore of Jan Mayen to the Island of Bjørnøya, and thence by a great circle line from the Island of Bjørnøya to Cap Kanin Nos and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60ºN as far as Il'pyrskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60ºN and thence eastward along parallel of latitude 60ºN, to longitude 56º37´1 W and thence to the latitude 58º00´0 N, longitude 042º00´0 W.

3 *Polar waters* means Arctic waters and/or the Antarctic area.

Regulation 22 – Application and requirements

1 This chapter applies to all ships certified to carry noxious liquid substances in bulk, operating in polar waters.

2 Unless expressly provided otherwise, any ship covered by paragraph 1 of this regulation shall comply with the environment-related provisions of the introduction and with chapter 2 of part II-A of the Polar Code, in addition to any other applicable requirements of this annex.

3 In applying chapter 2 of part II-A of the Polar Code, consideration should be given to the additional guidance in part II-B of the Polar Code."

Appendix IV
Standard format for the Procedures and Arrangements Manual

Section 1 – Main features of MARPOL Annex II

4 At the end of paragraph 1.3, the following sentence is added:

"In addition, under chapter 2 of part II-A of the Polar Code, more stringent discharge criteria apply in Arctic waters."

Section 4 – Procedures relating to the cleaning of cargo tanks, the discharge of residues, ballasting and deballasting

5 In paragraph 4.4.3, the words "Antarctic area (the sea area south of latitude 60º S)" are replaced with the words "polar waters".

ANNEX IV
REGULATIONS FOR THE PREVENTION OF POLLUTION BY SEWAGE FROM SHIPS

Chapter 1
General

Regulation 3 – Exceptions

1 The chapeau of paragraph 1 is replaced with the following:

"1 Regulation 11 of this annex and section 4.2 of chapter 4 of part II-A of the Polar Code, shall not apply to:"

Chapter 7
International Code for ships operating in polar waters

2 A new chapter 7 is added after existing chapter 6 as follows:

"**Chapter 7 – International Code for ships operating in polar waters**

Regulation 17 – Definitions

For the purpose of this annex,

1 *Polar Code* means the International Code for ships operating in polar waters, consisting of an introduction, part I-A and part II-A and parts I-B and II-B, as adopted by resolutions [MEPC….(…) and MSC….(…)] as may be amended, provided that:

.1 amendments to the environment-related provisions of the introduction and chapter 4 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and

.2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.

2 *Antarctic area* means the sea area south of latitude 60º S.

3 *Arctic waters* means those waters which are located north of a line from the latitude 58º00.´0 N and longitude 042º00´0 W to latitude 64°37´0 N, longitude 035°27´0 W and thence by a rhumb line to latitude 67º03´9 N, longitude 026º33´4 W and thence by a rhumb line to Sørkapp, Jan Mayen and by the southern shore of Jan Mayen to the Island of Bjørnøya, and thence by a great circle line from the Island of Bjørnøya to Cap Kanin Nos and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60ºN as far as Il'pyrskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60ºN and thence eastward along parallel of latitude 60ºN, to longitude 56º37´1 W and thence to the latitude 58º00´0 N, longitude 042º00´0 W.

4 *Polar waters* means Arctic waters and/or the Antarctic area.

Regulation 18 – Application and requirements

1 This chapter applies to all ships operating in polar waters certified in accordance with this Annex.

2 Unless expressly provided otherwise, any ship covered by paragraph 1 of this regulation shall comply with the environment-related provisions of the introduction and with chapter 4 of part II-A of the Polar Code, in addition to any other applicable requirements of this annex."

ANNEX V
REGULATIONS FOR THE PREVENTION OF POLLUTION BY SEWAGE FROM SHIPS

Chapter 1
General

Regulation 3 – General prohibition on discharge of garbage into the sea

1 In paragraph 1, the reference to "regulation 4, 5, 6 and 7 of this annex" are replaced with "regulation 4, 5, 6 and 7 of this annex and section 5.2 of part II-A of the Polar Code, as defined in regulation 13.1 of this annex."

Regulation 7 – Exceptions

2 The chapeau of paragraph 1 is replaced with the following:

"1 Regulations 3, 4, 5 and 6 of this annex and section 5.2 of chapter 5 of part II-A of the Polar Code shall not apply to:"

3 Paragraph 2.1 is replaced with the following:

".1 The en route requirements of regulations 4 and 6 of this annex and chapter 5 of part II-A of the Polar Code shall not apply to the discharge of food wastes where it is clear the retention on board of these food wastes presents an imminent health risk to the people on board."

Regulation 10 – Placards, garbage management plans and garbage record keeping

4 In paragraph 1.1, the words "and section 5.2 of part II-A of the Polar Code" are added after the references to "regulations 3, 4, 5 and 6 of this annex".

Chapter 3
International Code for ships operating in polar waters

5 A new chapter 3 is added as follows:

"**Chapter 3 – International Code for ships operating in polar waters**

Regulation 13 – Definitions

For the purpose of this annex,

1 *Polar Code* means the International Code for Ships Operating in Polar Waters, consisting of an introduction, part I-A and part II-A and parts I-B and II-B, as adopted by resolutions [MEPC.…(…) and MSC.…(…)] as may be amended, provided that:

.1 amendments to the environment-related provisions of the introduction and chapter 5 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and

.2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.

2 *Arctic waters* means those waters which are located north of a line from the latitude 58º00.´0 N and longitude 042º00´0 W to latitude 64°37´0 N, longitude 035°27´0 W and thence by a rhumb line to latitude 67º03´9 N, longitude 026º33´4 W and thence by a rhumb line to Sørkapp, Jan Mayen and by the southern shore of Jan Mayen to the Island of Bjørnøya, and thence by a great circle line from the Island of Bjørnøya to Cap Kanin Nos and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60ºN as far as Il'pyrskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60ºN and thence eastward along parallel of latitude 60ºN, to longitude 56º37´1 W and thence to the latitude 58º00´0 N, longitude 042º00´0 W.

3 *Polar waters* means Arctic waters and/or the Antarctic area.

Regulation 14 – Application and requirements

1 This chapter applies to all ships to which this annex applies, operating in polar waters.

2 Unless expressly provided otherwise, any ship covered by paragraph 1 of this regulation shall comply with the environment-related provisions of the introduction and with chapter 5 of part II-A of the Polar Code, in addition to any other applicable requirements of this annex.

3 In applying chapter 5 of part II-A of the Polar Code, consideration should be given to the additional guidance in part II-B of the Polar Code."

Appendix
Form of Garbage Record Book

6 The chapeau of section 4.1.3 is replaced with the following:

"4.1.3 When garbage is discharged into the sea in accordance with regulations 4, 5 or 6 of MARPOL Annex V or chapter 5 of part II-A of the Polar Code:"

***

ANNEX 12

DRAFT AMENDMENTS TO REGULATION 12 OF MARPOL ANNEX I

ANNEX I
REGULATIONS FOR THE PREVENTION OF POLLUTION BY OIL

Chapter 3
Requirements for machinery spaces of all ships

Part A
Construction

Regulation 12 is replaced by the following:

"1 Unless indicated otherwise, this regulation applies to every ship of 400 gross tonnage and above except that regulation 12.3.5 need only be applied as far as is reasonable and practicable for ships delivered on or before 31 December 1979, as defined in regulation 1.28.1.

2 Oil residue (sludge) may be disposed of directly from the oil residue (sludge) tank(s) to reception facilities through the standard discharge connection referred to in regulation 13 of this Annex, or to any other approved means of disposal of oil residue (sludge), such as an incinerator, auxiliary boiler suitable for burning oil residues (sludge) or other acceptable means which shall be annotated in item 3.2 of the Supplement to IOPP Certificate Form A or B.

3 Oil residue (sludge) tank(s) shall be provided and:

.1 shall be of adequate capacity, having regard to the type of machinery and length of voyage, to receive the oil residues (sludge) which cannot be dealt with otherwise in accordance with the requirements of this Annex;

.2 shall be provided with a designated pump that is capable of taking suction from the oil residue (sludge) tank(s) for disposal of oil residue (sludge) by means as described in regulation 12.2.

.3 shall have no discharge connections to the bilge system, oily bilge water holding tank(s), tank top or oily water separators, except that:

.1 the tank(s) may be fitted with drains, with manually operated self-closing valves and arrangements for subsequent visual monitoring of the settled water, that lead to an oily bilge water holding tank or bilge well, or an alternative arrangement, provided such arrangement does not connect directly to the bilge discharge piping system;

.2 the sludge tank discharge piping and bilge-water piping may be connected to a common piping leading to the standard discharge connection referred to in regulation 13 of this Annex; the connection of both systems to the

possible common piping leading to the standard discharge connection referred to in regulation 13 shall not allow for the transfer of sludge to the bilge system;

.4 shall not be arranged with any piping that has direct connection overboard, other than the standard discharge connection referred to in regulation 13 of this Annex; and

.5 shall be designed and constructed so as to facilitate their cleaning and the discharge of residues to reception facilities.

4 Ships constructed before [1 January 2017] shall be arranged to comply with regulation 12.3.3 not later than the first renewal survey carried out on or after [1 January 2017]."

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ANNEX 13

BIENNIAL AGENDA OF THE PPR SUB-COMMITTEE AND PROVISIONAL AGENDA FOR PPR 2

SUB-COMMITTEE ON POLLUTION PREVENTION AND RESPONSE (PPR)								
Planned output number	**Description**	**Target completion year**	**Parent organ(s)**	**Coordinating organ(s)**	**Associated organ(s)**	**Status of output for Year 1**	**Status of output for Year 2**	**References**
1.1.2.3	Unified interpretation to provisions of IMO safety, security, and environment related Conventions	Continuous	MSC / MEPC		III / PPR / CCC / SDC / SSE / NCSR	Ongoing		
2.0.1.2	Guidelines for port State control under the 2004 BWM Convention, including guidance on ballast water sampling and analysis	2015	MEPC	PPR	III	In progress		
5.2.1.15	Mandatory Code for ships operating in polar waters	2015	MSC / MEPC	SDC	HTW / PPR / SDC / SSE / NCSR	N/A		No request received from SDC
5.2.1.16	Non-mandatory instrument on regulations for non-convention ships	2015	MSC	III	HTW / PPR / SDC / SSE / NCSR	N/A		No request received from III
7.1.2.1	Revised guidelines for the inventory of hazardous materials	2015	MEPC		PPR	In progress		MEPC 67/20, paragraph 3.5
7.1.2.5	Production of a manual entitled "Ballast Water Management – how to do it"	2015	MEPC		PPR	In progress		

SUB-COMMITTEE ON POLLUTION PREVENTION AND RESPONSE (PPR)								
Planned output number	**Description**	**Target completion year**	**Parent organ(s)**	**Coordinating organ(s)**	**Associated organ(s)**	**Status of output for Year 1**	**Status of output for Year 2**	**References**
7.1.2.6	Guidance for international offers of assistance in response to a marine oil pollution incident	2015	MEPC		PPR	In progress		
7.1.2.8	Guidance on the safe operation and performance standards of oil pollution combating equipment	2014	MEPC	PPR	SDC	Completed		
7.1.2.9	Revised section II of the Manual on Oil Pollution-Contingency planning	2015	MEPC		PPR	In progress		
7.1.2.10	*Guide on oil spill response in ice and snow conditions*	2015	MEPC		PPR	In progress		
7.1.2.11	Updated *IMO dispersant guidelines*	2015	MEPC		PPR	In progress		
7.1.2.13	Code for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk on offshore support vessels	2015	MSC / MEPC	PPR	SDC / SSE	In progress		MEPC 66/21, paragraph 18.22
Note: MEPC 66 agreed to the proposal of PPR 1 to add the SSE Sub-Committee as associated organ to this output.								

SUB-COMMITTEE ON POLLUTION PREVENTION AND RESPONSE (PPR)								
Planned output number	**Description**	**Target completion year**	**Parent organ(s)**	**Coordinating organ(s)**	**Associated organ(s)**	**Status of output for Year 1**	**Status of output for Year 2**	**References**
7.2.2.1	Safety and pollution hazards of chemicals and preparation of consequential amendments to the IBC Code, taking into account recommendations of GESAMP-EHS	Continuous	MEPC		PPR	Ongoing		MEPC 66/21, paragraph 18.6
	Notes: MEPC 66 amended the title of this output as it relates specifically to Chapter 17 and 18 of the IBC Code and not to consequential amendments to MARPOL Annex II.							
7.2.3.2	Updated OPRC Model training courses	2015	MEPC		PPR	In progress		
7.3.1.1	Guidelines related to MARPOL Annex VI and the NO_X Technical Code in accordance with Action Plan endorsed by MEPC 64	2015	MEPC		PPR	In progress		MEPC 67/20, paragraph 16.3
	Notes: MEPC 67 agreed to divide this output into two outputs: 1) Guidelines pertaining to equivalent methods set forth in regulation 4 of MARPOL Annex VI and not covered by other guidelines, and 2) Guidelines as called for under paragraph 2.2.5.6 of the revised NO_X Technical Code 2008 (NO_X-reducing devices)							
7.3.2.2	Keep under review IMO measures and contributions to international climate mitigation initiatives and agreements (including CO_2 sequestration and ocean fertilization as well as consideration of the impact on the Arctic of emissions of Black Carbon from international shipping)	2015	MEPC		PPR	In progress		MEPC 67/20, paragraph 4.8

Planned output number	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1	Status of output for Year 2	References
12.1.2.1	Analysis of casualty and PSC data to identify trends and develop knowledge and risk-based recommendations	Annual	MSC / MEPC	III	HTW / PPR / SDC / SSE / NCSR	Completed		
13.0.3.1	Improved and new technologies approved for ballast water management systems and reduction of atmospheric pollution	Annual	MEPC		PPR	Completed		
…	Guidelines pertaining to equivalent methods set forth in regulation 4 of MARPOL Annex VI and not covered by other guidelines	2015	MEPC		PPR	In progress		PPR 1/16, paragraph 9.21, MEPC 67/20, paragraph 16.3
	Note: See notes on output 7.3.1.1. Council is invited to assign an output number							
…	Guidelines as called for under paragraph 2.2.5.6 of the revised NO_x Technical Code 2008 (NO_x-reducing devices)	2015	MEPC		PPR	In progress		PPR 1/16, paragraph 9.21, MEPC 67/20, paragraph 16.3
	Note: See notes on output 7.3.1.1. Council is invited to assign an output number.							

Provisional agenda for PPR 2

1 Adoption of the agenda

2 Decisions of other IMO bodies

3 Safety and pollution hazards of chemicals and preparation of consequential amendments to the IBC Code, taking into account recommendations of GESAMP-EHS

4 Code for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk on offshore support vessels

5 Guidelines for port State control under the 2004 BWM Convention, including guidance on ballast water sampling and analysis

6 Production of a manual entitled "Ballast Water Management – How to do it"

7 Improved and new technologies approved for ballast water management systems and reduction of atmospheric pollution

8 Consideration of the impact on the Arctic of emissions of Black Carbon from international shipping

9 Revised guidelines for the Inventory of Hazardous Materials

10 Guidance for international offers of assistance in response to a marine oil pollution incident

11 Revised section II of the Manual on oil pollution-contingency planning

12 Guide on oil spill response in ice and snow conditions

13 Updated IMO dispersant guidelines

14 Updated OPRC Model training courses

15 Unified interpretation to provisions of IMO environment-related Conventions

16 Guidelines pertaining to equivalent methods set forth in regulation 4 of MARPOL Annex VI and not covered by other guidelines

17 Guidelines as called for under paragraph 2.2.5.6 of the revised NO_X Technical Code 2008 (NO_X-reducing devices)

18 Biennial agenda and provisional agenda for PPR 3

19 Election of Chairman and Vice-Chairman for 2016

20 Any other business

21 Report to the Marine Environment Protection Committee

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ANNEX 14

BIENNIAL AGENDA OF THE CCC SUB-COMMITTEE AND PROVISIONAL AGENDA FOR CCC 2

SUB-COMMITTEE ON CARRIAGE OF CARGOES AND CONTAINERS (CCC)								
Planned output number	**Description**	**Target completion year**	**Parent organ(s)**	**Coordinating organ(s)**	**Associated organ(s)**	**Status of output for Year 1**	**Status of output for Year 2**	**References**
1.1.2.3	Unified interpretation of provisions of IMO safety, security, and environment related Conventions	Continuous	MSC MEPC		III/PPR/CCC/ SDC/SSE/ NCSR	Continuous		MSC 78/26, paragraph 22.12 CCC 1/13, section 7
5.2.1.2	Amendments to the IGF Code and development of guidelines for low-flashpoint fuels	2016	MSC	CCC	HTW	In progress		MSC 78/26, paragraph 24.11 CCC 1/13, section 4
Note: IGF Code and associated amendments to SOLAS forward to MSC 94 for approval. Target completion date extended to 2016 to finalize work on phase 2.								
5.2.3.1	Amendments to CSC 1972 and associated circulars	2015	MSC	CCC		In progress		CCC 1/13, section 3
5.2.3.3	Amendments to the IMSBC Code and supplements	Continuous	MSC MEPC	CCC		Continuous		CCC 1/13, section 5
5.2.3.4	Amendments to the IMDG Code and supplements	Continuous	MSC	CCC		Continuous		CCC 1/13, section 6
5.2.3.5	Revised guidelines for packing of cargo transport units	2015	MSC	CCC		In progress		MSC 93/22, paragraph 9.19 CCC 1/13, section 9
12.3.1.1	Consideration of reports of incidents involving dangerous goods or marine pollutants in packaged form on board ships or in port areas	Annual	MSC MEPC	CCC	III	Ongoing		CCC 1/13, section 8

Provisional agenda for CCC 2

1 Adoption of the agenda

2 Decisions of other IMO bodies

3 Amendments to the IGF Code and development of guidelines for low-flashpoint fuels (5.2.1.2)

4 Amendments to the IMSBC Code and supplements (5.2.3.3)

5 Amendments to the IMDG Code and supplements (5.2.3.4)

6 Amendments to CSC 1972 and associated circulars (5.2.3.1)

7 Revised guidelines for packing of cargo transport units (5.2.3.5)

8 Unified interpretation to provisions of IMO safety, security and environment related Conventions (1.1.2.3)

9 Consideration of reports of incidents involving dangerous goods or marine pollutants in packaged form on board ships or in port areas (12.3.1.1)

10 Biennial agenda and provisional agenda for CCC 3

11 Election of Chairman and Vice-Chairman for 2016

12 Any other business

13 Report to the Committees

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ANNEX 15

BIENNIAL AGENDA OF THE III SUB-COMMITTEE AND PROVISIONAL AGENDA FOR III 2

SUB-COMMITTEE ON IMPLEMENTATION OF IMO INSTRUMENTS (III)								
Planned output number	**Description**	**Target completion year**	**Parent organ(s)**	**Coordinating organ(s)**	**Associated organ(s)**	**Status of output for Year 1**	**Status of output for Year 2**	**References**
1.1.1.1	Cooperate with the United Nations on matters of mutual interest, as well as provide relevant input/guidance	Annual	Assembly	Council	MSC /MEPC /FAL /LED /TCC /III	In preparation		
Note: MEPC 67, subject to the concurrent decision of MSC 94, approved the inclusion of the third meeting of the Joint FAO/IMO Ad Hoc Working Group on IUU fishing and related matters under this output (MEPC 67/20, paragraph 16.7.2)								
1.1.2.3	Unified interpretation of provisions of IMO safety, security, and environment related Conventions	Continuous	MSC MEPC		III / PPR / CCC / SDC / SSE / NCSR	Ongoing		MSC 78/26, paragraph 22.12
2.0.1.2	Guidelines for port State control under the 2004 BWM Convention, including guidance on ballast water sampling and analysis	2015	MEPC	PPR	III	Completed		
Notes: This output will not be split into two outputs as proposed by PPR 1 (MEPC 66/21, paragraph 18.22)								
2.0.2.1	Analysis of consolidated audit summary reports	2015	Assembly	Council	MSC / MEPC / LEG / III	In progress		MEPC 61/24, paragraph 11.14.1, MSC 88/26, paragraph 10.8

SUB-COMMITTEE ON IMPLEMENTATION OF IMO INSTRUMENTS (III)								
Planned output number	**Description**	**Target completion year**	**Parent organ(s)**	**Coordinating organ(s)**	**Associated organ(s)**	**Status of output for Year 1**	**Status of output for Year 2**	**References**
5.1.2.2	Measures to protect the safety of persons rescued at sea (2017)	2014	MSC FAL	NCSR	III	Postponed		MSC 84/24, paragraph 22.25
Notes: Proposed to move to post-biennial agenda with 2 sessions for completion.								
5.2.1.3	Review of general cargo ship safety	2014	MSC		III / SDC / NCSR/HTW	In progress		MSC 90/28, paragraph 25.10
Notes: Extend target completion year to 2015								
5.2.1.16	Non-mandatory instrument on regulations for non-convention ships	2015	MSC	III	PPR / SDC / SSE / NCSR / HTW	In progress		MSC 92/26, section 12
5.2.1.17	Updated survey guidelines under the harmonized system of survey and certification (HSSC)	Annual	MSC MEPC		III	Completed		FSI 12/22, paragraph 9.4, MSC 79/23, paragraph 9.19
5.2.1.29	Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code)	Annual	MSC		III	Completed		MEPC 64/23, paragraph 11.49 and MSC 91/22, paragraph 10.30, MEPC 52/24, paragraph 10.15
Notes: Proposed addition of the MEPC as a parent organ								

SUB-COMMITTEE ON IMPLEMENTATION OF IMO INSTRUMENTS (III)								
Planned output number	**Description**	**Target completion year**	**Parent organ(s)**	**Coordinating organ(s)**	**Associated organ(s)**	**Status of output for Year 1**	**Status of output for Year 2**	**References**
5.3.1.1	Harmonization of port State control (PSC) activities	Continuous	MSC/ MEPC		III	Ongoing		MEPC 66/21, paragraph 18.8
Notes: Output to be referred to parent for consideration of scope; MEPC 66 deferred discussion to MEPC 67 to take into account the outcome of MSC 93								
7.1.3.1	Consideration and analysis of reports on alleged inadequacy of port reception facilities	Annual	MEPC		III	Completed		
8.0.3.1	Requirements for access to, or electronic versions of, certificates and documents, including record books required to be carried on ships	2015	FAL		MSC / LEG / III / MEPC	In progress		
12.1.2.1	Analysis of casualty and PSC data to identify trends and develop knowledge and risk-based recommendations	Annual	MSC MEPC	III	HTW / PPR / CCC / SDC / SSE / NCSR	Completed		MSC 92/26, paragraph 22.29
12.3.1.1	Consideration of reports of incidents involving dangerous goods or marine pollutants in packaged form on board ships or in port areas	Annual	MSC MEPC	CCC	III	No work requested of organ by parent		

Provisional agenda for III 2

1 Adoption of the agenda

2 Decisions of other IMO bodies

3 Non-mandatory instrument on regulations for non-convention ships (5.2.1.16)

4 Requirements for access to, or electronic versions of, certificates and documents, including record books required to be carried on ships (8.0.3.1)

5 Consideration and analysis of reports on alleged inadequacy of port reception facilities (7.1.3.1)

6 Analysis of casualty and PSC data to identify trends and develop knowledge and risk-based recommendations (12.1.2.1)

7 Harmonization of port State control activities (5.3.1.1)

8 Analysis of consolidated audit summary reports (2.0.2.1)

9 Updated survey guidelines under the harmonized system of survey and certification (HSSC) (5.2.1.17)

10 Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code) (5.2.1.29)

11 Unified interpretation of provisions of IMO safety, security, and environment related Conventions (1.1.2.3)

12 Review of general cargo ship safety (5.2.1.3)

13 Biennial status report and provisional agenda for III 3

14 Election of Chairman and Vice-Chairman for 2016

15 Any other business

16 Report to the Committees

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ANNEX 16

ITEMS ON THE BIENNIAL AGENDAS OF THE HTW, NCSR, SDC AND SSE SUB-COMMITTEES RELATING TO ENVIRONMENTAL ISSUES

Sub-Committee on Human Element, Training and Watchkeeping (HTW)								
Planned output number	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1	Status of output for Year 2	References
12.1.2.1	Analysis of casualty and PSC data to identify trends and develop knowledge and risk-based recommendations	Annual	MSC / MEPC	III	HTW / PPR / CCC / SDC / SSE / NCSR	No work requested of organ by parent		MSC 92/26, paragraph 22.29; HTW 1/21, paragraph 20.16

Sub-Committee on Navigation, Communications and Search and Rescue (NCSR)								
Planned output number	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1	Status of output for Year 2	References
1.1.2.3	Unified interpretation of provisions of IMO safety, security and environment related Conventions	Continuous	MSC / MEPC		III / PPR / CCC / SDC / SSE / NCSR	Ongoing		MSC 78/26, paragraph 22.12
7.1.2.2	Designated Special Areas and PSSAs and their associated protective measures	Continuous	MEPC		NCSR	No work requested of organ by parent		
12.1.2.1	Analysis of casualty and PSC data to identify trends and develop knowledge and risk-based recommendations	Annual	MSC / MEPC	III	HTW / PPR / CCC / SDC / SSE / NCSR	No work requested of organ by parent		MSC 92/26, paragraph 22.29

Sub-Committee on Ship Design and Construction (SDC)								
Planned output number	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1	Status of output for Year 2	References
1.1.2.3	Unified interpretation of provisions of IMO safety, security and environment related Conventions	Continuous	MSC / MEPC		III / PPR / CCC / SDC / SSE / NCSR	Continuous		MSC 78/26, paragraph 22.12; SDC 1/26, section 21
12.1.2.1	Analysis of casualty and PSC data to identify trends and develop knowledge and risk-based recommendations	Annual	MSC / MEPC	III	HTW / PPR / CCC / SDC / SSE / NCSR	Completed		MSC 92/26, paragraph 22.29; SDC 1/26, paragraphs 24.6

Sub-Committee on Ship Systems and Equipment (SSE)								
Planned output number	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1	Status of output for Year 2	References
1.1.2.3	Unified interpretation of provisions of IMO safety, security, and environment related Conventions	Continuous	MSC / MEPC		III / PPR / CCC / SDC / SSE / NCSR	Ongoing		MSC 78/26, paragraph 22.12; SSE 1/21, section 17
12.1.2.1	Analysis of casualty and PSC data to identify trends and develop knowledge and risk-based recommendations	Annual	MSC / MEPC	III	HTW / PPR / CCC / SDC / SSE / NCSR	No work requested of organ by parent		MSC 92/26, paragraph 22.29; SSE 1/21, paragraph 20.10

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ANNEX 17

BIENNIAL STATUS REPORT OF THE PLANNED OUTPUTS OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)								
Planned output number	***Description***	***Target completion year***	***Parent organ(s)***	***Coordinating organ(s)***	***Associated organ(s)***	***Status of output for Year 1***	***Status of output for Year 2***	***References***
1.1.1.1	Cooperate with the United Nations on matters of mutual interest, as well as provide relevant input/guidance	*Annual*	*Assembly*	*Council*	*MSC / MEPC / FAL / LEG / TCC / III*	*Postponed*		*MSC 78/26, paragraph 22.12, MEPC 67/20, paragraph 16.9.2*
1.1.2.1	Cooperate with other international bodies on matters of mutual interest, as well as provide relevant input/guidance	*Annual*	*Assembly*	*Council*	*MSC / MEPC / FAL / LEG / TCC*	*Completed*		
1.1.2.3	Unified interpretation of provisions of IMO safety, security, and environment related Conventions	*Continuous*	*MSC / MEPC*		*III / PPR / CCC / SDC / SSE / NCSR*	*Ongoing*		*MSC 78/26, paragraph 22.12 MEPC 67/20, paragraph 4.71*
2.0.1.2	Guidelines for port State control under the 2004 BWM Convention, including guidance on ballast water sampling and analysis	*2015*	*MEPC*	*PPR*	*III*	*Completed*		*MEPC 67/20, paragraph 2.38, Resolution MEPC.252(67)*
2.0.1.3	Revised specification for shipboard incinerators (resolution MEPC.76(40))	*2014*	*MEPC*			*Completed*		*MEPC 66/21, paragraph 4.42 Resolution MEPC.244(66)*
2.0.2.1	Analysis of consolidated audit summary reports	*2015*	*Assembly*	*Council*	*MSC / MEPC / LEG / III*	*In progress*		

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)								
Planned output number	***Description***	***Target completion year***	***Parent organ(s)***	***Coordinating organ(s)***	***Associated organ(s)***	***Status of output for Year 1***	***Status of output for Year 2***	***References***
2.0.2.3	Amendments making the IMO Instruments Implementation Code (III Code) and auditing mandatory	*2015*	*MSC / MEPC*			*Completed*		*Resolutions MEPC.246(66) and MEPC.247(66)*
3.4.1.1	Input on identifying emerging needs of developing countries, in particular SIDS and LDCs to be included in the ITCP	*Continuous*	*TCC*		*MSC / MEPC / FAL / LEG*	*Ongoing*		
3.5.1.1	Identify thematic priorities within the area of maritime safety and security, marine environmental protection, facilitation of maritime traffic and maritime legislation	*Annual*	*TCC*		*MSC/ MEPC /FAL /LEG*	*Completed*		*MEPC 67/20, paragraph 15.3*
4.0.1.3	Endorsed proposals for unplanned outputs for the 2014-2015 biennium as accepted by the Committees	*Annual*	*Council*		*MSC / MEPC / FAL / LEG / TCC*	*Completed*		
4.0.2.1	Endorsed proposals for the development, maintenance and enhancement of information systems and related guidance (GISIS, websites, etc.)	*Continuous*	*Council*		*MSC / MEPC / FAL / LEG / TCC*	*Ongoing*		
4.0.5.1	Revised guidelines on the application of the strategic plan and the high-level action plan of the organization (''GAP'') and guidelines on organization and method of work of the	*2015*	*Assembly*	*Council*	*MSC / MEPC / FAL / LEG / TCC*	*In progress*		

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)								
Planned output number	***Description***	***Target completion year***	***Parent organ(s)***	***Coordinating organ(s)***	***Associated organ(s)***	***Status of output for Year 1***	***Status of output for Year 2***	***References***
	committees, as appropriate							
5.2.1.15	Mandatory Code for ships operating in polar waters	*2015*	*MSC / MEPC*	*SDC*	*PPR / SSE / NCSR / HTW*	*In progress*		*MSC 86/26, paragraph 23.32, MSC 93/22, paragraph 10.44, MEPC 67/20, paragraph 9.44*
5.2.1.17	Updated Survey Guidelines under the Harmonized System of Survey and Certification (HSSC)	*Annual*	*MSC / MEPC*		*III*	*Postponed*		
5.2.3.3	Amendments to the IMSBC Code and supplements	*Continuous*	*MSC / MEPC*		*CCC*	*Ongoing*		
5.3.1.1	Harmonization of port State control (PSC) activities	*Continuous*	*MSC / MEPC*		*III*	*Ongoing*		*MEPC 66/21, paragraph 18.8*
Notes:	*Output to be referred to parent for consideration of scope; MEPC 66 deferred discussion to MEPC 67 to take into account the outcome of MSC 93. MSC 93 decided to defer consideration to MSC 94 (MSC 93/22, paragraphs 20.23 and 22.2.16)*							
7.1.2.1	Revised guidelines for the inventory of hazardous materials	*~~2014~~ 2015*	*MEPC*		*PPR*	*In progress*		*MEPC 66/21, section 3 MEPC 67/20, section 3*
Notes:	*MEPC 67 agreed to add the PPR Sub-Committee as an associated organ for this output with target completion year to 2015 (MEPC 67/20, paragraph 3.5)*							
7.1.2.5	Production of a manual entitled "Ballast Water Management – how to do it"	*2015*	*MEPC*		*PPR*	*In progress*		

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)								
Planned output number	***Description***	***Target completion year***	***Parent organ(s)***	***Coordinating organ(s)***	***Associated organ(s)***	***Status of output for Year 1***	***Status of output for Year 2***	***References***
7.1.2.6	Guidance for international offers of assistance in response to a marine oil pollution incident	*2014*	*MEPC*		*PPR*	*In progress*		
7.1.2.7	Manual on chemical pollution to address legal and administrative aspects of HNS incidents	*2015*	*MEPC*			*Completed*		*MEPC 66/21, paragraph 8.6*
7.1.2.8	Guidance on the safe operation and performance standards of oil pollution combating equipment	*2014*	*MEPC*	*PPR*	*SDC*	*Completed*		*MEPC 67/20, paragraph 12.5*
7.1.2.9	Revised section II of the Manual on Oil Pollution-Contingency planning	*2015*	*MEPC*		*PPR*	*In progress*		*MSC 66/21, paragraph 18.16*
7.1.2.10	Guide on Oil Spill Response in Ice and Snow Conditions	*2015*	*MEPC*		*PPR*	*In progress*		
7.1.2.11	Updated IMO Dispersant Guidelines	*2015*	*MEPC*		*PPR*	*In progress*		
7.1.2.12	Review of nitrogen and phosphorous removal standards in the 2012 guidelines on the implementation of effluent standards and performance tests for sewage treatment plants	*2015*	*MEPC*			*In progress*		*MEPC 67/20, paragraph 8.10*

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)								
Planned output number	***Description***	***Target completion year***	***Parent organ(s)***	***Coordinating organ(s)***	***Associated organ(s)***	***Status of output for Year 1***	***Status of output for Year 2***	***References***
7.1.2.13	*Code for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk on offshore support vessels*	*2015*	*MSC/MEPC*	*PPR*	*SDC/SSE*	*In progress*		*MEPC 66/21, paragraph 18.22*
Notes:	*MEPC 66 agreed to the proposal of PPR 1 to add the SSE Sub-Committee as associated organ to this output*							
7.1.3.1	*Consideration and analysis of reports on alleged inadequacy of port reception facilities*	*Annual*	*MEPC*		*III*	*Completed*		*MEPC 67/20, paragraph 12.27*
7.2.2.1	*Safety and pollution hazards of chemicals and preparation of consequential amendments to the IBC Code, taking into account recommendations of GESAMP-EHS*	*Continuous*	*MEPC*		*PPR*	*Ongoing*		*MEPC 66/21, paragraph 18.6*
Notes:	*MEPC 66 removed the words "MARPOL Annex II and" from the description of the output.*							
7.2.3.1	*Increased activities within the ITCP regarding the OPRC Convention and the OPRC HNS Protocol*	*Annual*	*TCC*		*MEPC*	*Postponed*		
7.2.3.2	*Updated OPRC Model training courses*	*2015*	*MEPC*		*PPR*	*In progress*		*MEPC 66/21, paragraphs 18.13 to 18.16*
7.3.1.1	*Guidelines related to MARPOL Annex VI and the NO_x Technical Code in accordance with Action Plan endorsed by MEPC 64*	*2015*	*MEPC*		*PPR*	*Completed*		*MEPC 67/20, paragraph 16.5*

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)								
Planned output number	***Description***	***Target completion year***	***Parent organ(s)***	***Coordinating organ(s)***	***Associated organ(s)***	***Status of output for Year 1***	***Status of output for Year 2***	***References***
Notes:	*MEPC 67 agreed to divide this output in two: 1) Guidelines pertaining to equivalent methods set forth in regulation 4 of MARPOL Annex VI and not covered by other guidelines; and 2) Guidelines as called for under paragraph 2.2.5.6 of the revised NO_x Technical Code 2008 (NO_x-reducing devices)*							
7.3.2.1	*Further development of mechanisms needed to achieve the limitation or reduction of CO_2 emissions from international shipping*	*Annual*	*MEPC*			*Postponed*		*MEP 65/22, paragraph 5.1*
7.3.2.2	*Keep under review IMO measures and contributions to international climate mitigation initiatives and agreements (including CO_2 sequestration and ocean fertilization as well as consideration of the impact on the Arctic of emissions of Black Carbon from international shipping)*	*2015*	*MEPC*		*PPR*	*In progress*		*MEPC 67/20, paragraph 4.8*
8.0.3.1	*Requirements for access to, or electronic versions of, certificates and documents, including record books required to be carried on ships*	*2015*	*FAL*	*MSC / LEG / MEPC*	*III*	*In progress*		*MEPC 67/20, paragraph 13.5*
10.0.1.2	*Goal-based ship construction standards for all types of ships, including safety, security and protection of the marine environment*	*2015*	*MSC / MEPC*			*In progress*		*MEPC 66/21, paragraph 18.8*
Notes:	*Output to be referred to parent for consideration of scope (MSC 93/22, paragraph 20.23 and 22.2.16) (see notes to item 5.3.1.1).*							

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)								
Planned output number	***Description***	***Target completion year***	***Parent organ(s)***	***Coordinating organ(s)***	***Associated organ(s)***	***Status of output for Year 1***	***Status of output for Year 2***	***References***
12.3.1.1	*Consideration of reports of incidents involving dangerous goods or marine pollutants in packaged form on board ships or in port areas*	*Annual*	*MSC / MEPC*	*CCC*	*III*	*Postponed*		
13.0.3.1	*Improved and new technologies approved for ballast water management systems and reduction of atmospheric pollution*	*Annual*	*MEPC*		*PPR*	*Completed*		
…	*Guidelines pertaining to equivalent methods set forth in regulation 4 of MARPOL Annex VI and not covered by other guidelines*	*2015*	*MEPC*		*PPR*	*In progress*		*PPR 1/16, paragraph 9.21; MEPC 67/20, paragraph 16.5*
Notes: See notes on output 7.3.1.1. Council is invited to assign an output number.								
…	*Guidelines as called for under paragraph 2.2.5.6 of the revised NO_x Technical Code 2008 (NO_x-reducing devices)*	*2015*	*MEPC*		*PPR*	*In progress*		*PPR 1/16, paragraph 9.21; MEPC 67/20, paragraph 16.5*
Notes: See notes on output 7.3.1.1. Council is invited to assign an output number.								

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ANNEX 18

ITEMS TO BE INCLUDED IN THE AGENDAS OF MEPC 68 AND MEPC 69

No.[1]	Item	MEPC 68 May 2015	MEPC 69 March 2016
1	Harmful aquatic organisms in ballast water	X [RG]	X
2	Air pollution and energy efficiency	X [WG]	X [WG]
3	Further technical and operational measures for enhancing the energy efficiency of international shipping	X [WG]	X
4	Reduction of GHG emissions from ships	X	X
5	Consideration and adoption of amendments to mandatory instruments[2]	X [DG]	X [DG]
6	Amendments to MARPOL Annex V, Form of Garbage Record Book	X	
7	Review of nitrogen and phosphorus removal standards in the 2012 Guidelines on the implementation of effluent standards and performance tests for sewage treatment plants	X	[X]
8	Use of electronic record books[3]	X	[X]
9	Identification and protection of Special Areas and PSSAs	X	X
10	Inadequacy of reception facilities	X	X
11	Reports of sub-committees	X	X
12	Work of other bodies	X	X
13	Promotion of implementation and enforcement of MARPOL and related instruments	X	X
14	Technical cooperation activities for the protection of the marine environment	X	X

1 The numbering does not imply that this will be the number of the agenda item in the forthcoming sessions.

2 Output 5.2.3.6 (Amendments to MARPOL Annex I and associated circulars) referred to in the annex of document MEPC 66/18 is contained in this agenda item.

3 Deferred by MEPC 66 for finalization at MEPC 68. Falls under output 8.0.3.1 (Requirements for access to, or electronic versions of, certificates and documents, including record books required to be carried on ships).

No.[1]	Item	MEPC 68 May 2015	MEPC 69 March 2016
15	Capacity building for the implementation of new measures	X	X
16	Work programme of the Committee and subsidiary bodies	X	X
17	Application of the Committees' Guidelines	X	X
18	Election of the Chairman and Vice-Chairman	X	
19	Any other business	X	X

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ANNEX 19

STATEMENTS BY DELEGATIONS*

ITEM 1

Statement by the delegation of Japan

"In relation to the opening address by the Secretary-General, Japan is very pleased to provide more detailed information concerning the accession to the Ballast Water Management Convention.

As the Secretary-General noted, Japan deposited an instrument for accession to the BWM Convention to the IMO last Friday, and Japan became the 42nd Contracting State of the BWM Convention. It is understood that now the total share of gross tonnages of the States which have already ratified the Convention stands at approximately 32%. In other words, the IMO requires approximately 3% only to meet the entry into force conditions of the Convention.

Japan would like to emphasize that it has put its priority onto IMO which is a competent body to set global regulations applicable to ships worldwide. In this context, it would be more appropriate if as many States as possible could join a global framework concluded by IMO for achieving the sound development of international shipping.

It is understood that there are a number of other countries which have being gone through the internal process for ratification, and some of these are almost finalizing the process. Japan would like to encourage those countries which have not ratified the BWM Convention to do so at their earliest opportunities."

Statement by the delegation of France

"France would like to associate itself with the statements made by Spain and other Spanish speaking countries. France has always insisted on the importance of cultural diversity, not just because of the need to use the official working languages of the United Nations, but also as far as we are concerned, and this is something that I said at the last MEPC, to make it understood throughout the world that there is not just one language which can be used to convey scientific and technical know-how and knowledge."

Statement by the delegation of Spain

"Tal y como nuestro Embajador ya le ha notificado, Sr Presidente, España reitera de nuevo su disconformidad con su decisión de conducir la reunión en idioma inglés. Los motivos se expusieron durante el MEPC 66 y los recordamos a continuación:

.1 El único idioma oficial de Panamá es el español;

.2 esta decisión tiene un impacto directo tanto en la relevante labor de promoción del idioma español llevada a cabo por nuestro Gobierno junto a otros países iberoamericanos a nivel internacional, como en el fomento de su uso como lengua vehicular;

* Statements have been included in this annex in the order in which they were given, sorted by agenda item, and in the language of submission (including translation into any other language if such translation was provided). Statements are available in all the official languages on audio file at: http://docs.imo.org/Meetings/Media.aspx

.3 la Dependencia Común de Inspección en sus informes ha hecho especial hincapié a la cuestión de los idiomas en las Naciones Unidas, al uso que debe hacerse de los mismos y destaca las responsabilidades de los Estados miembros respecto de la utilización en las reuniones oficiales del idioma del Estado, si éste es uno de los idiomas oficiales de las Naciones Unidas; y

.4 la Dependencia Común de Inspección subraya la necesidad de un trato ecuánime de los idiomas de trabajo y oficiales por las secretarías de las NNUU. La responsabilidad y compromiso de las secretarías de las NNUU pasa por alentar, promover y utilizar los idiomas oficiales de los países en las reuniones oficiales.

Como ya dijimos durante el pasado MEPC y según se recoge literalmente en los informes de la Dependencia Común de Inspección:

> *"103. La interpretación no es un lujo, sino una necesidad para que la labor de las organizaciones del sistema de las Naciones Unidas se desarrolle con eficacia…"*

Informe de la Unidad Común de Inspección (JIU – Joint Inspection Unit) sobre el estado de implantación del multilingüismo (C 109/12(b)) – Informe JIU/REP/2011/4)"

ITEM 4

Statement by the delegation of the Cook Islands

"A number of delegations have said that the issue of bunker quality is already sufficiently regulated. How can we be even having this discussion and come up and say that it's adequately regulated, if it was adequately regulated we would not be having this discussion, we would not have this agenda item, it is a mess! The MSC has recognized the safety issues and hopefully will address them, and my thanks in advance to Singapore, as always for picking up the metal and keeping to its commitment to submit to MSC. We are almost at a unique situation here, where we have the ports IAPH, we have major flag States, and thank you to Liberia et al. for document MEPC 67/4/9, which we support in its entirety, we have the fuel suppliers putting up their hands and saying *mea culpa*, we recognize that at last something has got to be done about this. I have in front of me today's version of Bunkerworld, where it is reported that in the Amsterdam, Rotterdam and Antwerp range, a third of the samples of delivered bunkers are off-specification. 30%! Are we going to debate about where first to start the guidelines and then let's see how it goes and then maybe in the future we will ensure that obligations within the Annex are met? In the meantime what are we supposed to wait for? Are we supposed to wait for a ship to break down in the middle of the Malacca strait? Or Panama coming into to the canal, fully laden with crude oil, more sea birds contaminated, water intakes contaminated? I don't see why we are not grasping the nettle and taking this onboard with a clear indication that it has to be amended to ensure that the compliance that was always meant to be there is actually in place. Guidelines aren't going to this. We are failing in our duty, we are failing in our obligation. What's going to happen from January, when in North America and Europe we have all sorts of new fuels and all sorts of new problems. The Cook Islands does not get that much shipping but what we do get is very costly because of what this Organization does. What we don't want is ships having cleared from major ports with fuel that's off specification breaking down off our pristine islands and posing a risk to the environment. This has to be properly regulated, there has to be proper oversight, and we fully endorse document MEPC 67/4/9, we thank IAPH for document MEPC 67/4/10, we are extremely grateful to IBIA for document MEPC 67/4/14. While we note what the US has said in document MEPC 67/4/24, we simply do not agree with that approach."

Statement by the observer from IPTA

"Despite the claims that have been made by a number of delegations this morning, the current regime is manifestly not adequate. Our members continue to report problems, the most recent being a couple of weeks ago when a vessel had to debunker an entire delivery. This situation can only get worse as we go into 2015. There are a number of new fuels that have come on to the market that the producers claim will enable vessels to comply with the 2015 sulphur regulations in ECA's. We obviously welcome any development that will increase the supply of fuel, but it has already become clear that not only are these fuels not compliant with each other, they also require specific individual cylinder oils and are already displaying high levels of Cat Fines.

We are unable to take much comfort from a decision to issue more guidance. We already have guidelines in place with regard to bunkers that do not achieve what they set out to do. A case in point is guidance on sampling, where the fundamental requirement for samples to be to be taken from the ship's manifold is routinely ignored and has been ever since the guidance was issued.

Finally, I find it difficult to believe that if petrol stations within Member States' jurisdiction were supplying fuel that had the potential to lead to a catastrophic incident the authorities would simply state that it is up to the car driver to ensure that the fuel he uses is safe. What is the difference for ships?"

Statement by the delegation of Greece

"According to the Greek delegation's interpretation, the decision on the adoption of the *Guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions* does not accurately reflect the Committee's deliberations in this specific issue (see paragraph 4.86 in page 35 of MEPC 67/WP.1). Furthermore, our delegation considers that no concrete answers were given to the concerns which were expressed by Greece and supported by a significant number of delegations. Therefore, this delegation reserves its position. The above mentioned reservation is related solely with the adoption procedure and it is not related, in any manner, with the technical content of the adopted Guidelines."

Statement by the delegation of India

"India aligns its position on the minimum power discussion with distinguished delegates of Greece. India also considers that adverse sea condition now being agreed is not adequate to represent adverse sea condition around the globe. Installed propulsion power on existing ships designed without EEDI requirements are generally above then the minimum power requirements stipulated by MSC-MEPC.2/Circ.11.

Ships designed and constructed during phase 1 (according to this guideline) will be exposed to risk because of not having enough installed power. Hence India urges the committee to consider the compromise solution suggested by Greece in paragraph 65 of MEPC 67/WP 12. India also opposes the way forward suggested by the Committee in spite of concerns raised by several delegations."

Statement by the delegation of Malta

"Malta regrets that the issues raised by Greece and the concerns emanating therefrom have not been addressed by the Committee, and this despite the support the statement of Greece received from a number of delegations from Member States and the industry. A number of questions still remain unanswered. Malta, therefore, reserves its position, not with regards to the technical content of the guidelines but, in relation to the procedure by which they were adopted.

Statement by the delegation of Vanuatu

"Vanuatu was and still is concerned by the content of the Guidelines and the minimum power requirements but was even more concerned by the procedure that led the Committee Members to adopt these guidelines. In this regards and after discussing with Greece, Vanuatu would like to be associated with the reservations made by Greece."

ITEM 5

Statement by the delegation of the Cook Islands

"The Cook Islands' environmental credentials are well established and cannot be questioned and we have closely followed the debate on operational energy efficiency standards. As a Small Island Developing State already facing some of the highest import costs we have given careful and unemotive consideration to this largely politically driven initiative which if adopted could lead to significant costs to developing countries and SIDS without any real benefit to the environment. Let us again recall that transportation produces 22% of the CO_2 emissions generated by global fuel combustion. Of all modes of transportation, international maritime shipping is the most carbon efficient, producing 8.75% of the global carbon emissions produced from transportation. It is currently estimated to produce between 2 to 3% of global CO_2 emissions, while transporting over 90% of world trade. Other transport modes produce over 90% of the CO_2 produced by transportation and are much less carbon efficient, yet no government has proposed establishing mandatory operational efficiency regulations on any of those modes of transport. That is for a very good reason. Such an endeavour would raise a host of dilemmas and problems.

The Committee must understand that further legislation on top of what will be self-regulating excessive fuel costs (uplift in cost of low sulphur fuels at present 41%) an only halt the global recovery while disproportionally impacting on maritime related transport costs to and from the developing States in general and the SIDS in particular… this with no discernible environmental benefit.

We have argued and debated rules in this Organization that have resulted in very significant changes with very large financial consequences. Annex VI is a good example, while we argued about the specific controls in Annex VI there was general agreement in the Committee for the need to develop standards addressing sulphur, NO_x, PM, and the like. The Committee will recall that the Cook Islands was supportive of the amendments and influential in the forefront of the debate that led to adoption of the amendments. On this issue, however, we are being pressed to develop the detail of proposals when the fundamental aspects of the proposals are in question and where there is no agreement that the idea of operational standards make sense at all.

Some are suggesting that it is critical that IMO move forward to demonstrate progress. The IMO has made impressive progress – far more progress than the aviation sector to be sure, and the notion that IMO and the industry is somehow failing to improve emissions in the fleet is just out of step with the facts.

On this point let me be clear, this is not a question of whether improving ship efficiency is a proper goal. The question is whether legally-binding annual operating standards that limit fuel consumption with a consequent effect of creating average speed limits across the fleet is a road we should go down. Chairman, we are extremely puzzled why the same Committee that resoundingly dismissed a proposal to establish speed limits only three sessions ago is now talking about developing operational proposals that could have the same effective result.

Chairman, as a practical matter, we would suggest that any decision to further develop the various proposals is not something to be debated in a technical working group. These are major policy questions that warrant discussion and debate in the full Committee and are not something suitable for a technical working group.

If the Committee deems it appropriate to develop the details for data collection on fuel consumption, so be it, but collecting data on cargo or work performed should not be part of that discussion as that information is only relevant to the development of operational efficiency standards and that is not an objective that this Committee has agreed to."

Statement by the delegation of the Russian Federation

"The Russian Federation believes that the collection of data on the consumption of marine fuel will be useful for the analysis and subsequent decision by the MEPC in reducing GHG emissions. At the same time, my delegation is convinced that before developing a data collection system, it is necessary to clearly define the purpose of the data collection methodology and their subsequent use. Otherwise, data collection, by itself, can lead to an incorrect result or the lack of result at all.

We also believe that the working or correspondence group should get a task to form the objectives of data collection and subsequent use. Based on an agreed decision by the Committee, in the future it will be possible to develop a system of data collection."

ITEM 6

Statement by the delegation of China

"At the outset, China would like to thank the Steering Committee and the UCLC consortium for their work. China is aware that the update IMO GHG Study aims at providing the latest information on international maritime GHG emission, with a view to offering technical supports to IMO Committee and its Member States on policy formulation and decision making. However, we regret to note that the final report has certain technical deficiencies. China would like to take this opportunity to elaborate the following observations:

First of all, the terms of references (TOR) of the update study (Article 1.9) clearly states that "The methods employed and data used should be laid down transparently in the report and the methods should be scientifically sound". We have repeatedly pointed out at the Steering Committee meetings that the report fails to fully disclose the employed methods and data. For instance, the prediction for future international shipping emission only provides a model, partial parameters and the final result, while lacking calculation formulas and necessary scenario details. In this case, the future emission prediction results in the report lacks of concrete data sources and calculation processes, and the lacking of calculation formula also hinders China to assess the appropriateness of the methods. Yet China has not received any relevant feedbacks of the above comments. Thus China does not agree that "the UCLC consortium had fully met the terms of reference for the Update Study agreed by the Committee".

Secondly, before submitting the final report, the UCLC consortium amended some key statements. For example, in "Executive Summary – key findings", they deleted "The projected rise in demand for maritime transport primarily drives the emissions increase in projections", and emphasized that "further action on efficiency and emissions can mitigate the emissions growth". While the ToR for the Update Study has clearly set out that "the update study should be transparent, not policy prescriptive", such a conclusion on possible follow-up emission-reduction policies obviously goes beyond the mandates of this study. Furthermore, this study has not contained any analysis on whether the existing measure is sufficient to improve the efficiency and mitigate emissions or the evaluations on mitigation potentials of further action. Therefore, this conclusion is drawn carelessly without scientific justifications. China believes that the modification of such key descriptions undermines the objectiveness and balance of the report, which may mislead the international community on considering further actions for emission reduction from ships.

For the above reasons, China does not consider that the final report of update study is carried out strictly in accordance with the ToR and that it provides a scientific basis for IMO future decisions. Therefore China reserves its position with regard to the final report of update study."

Statement by the delegation of India

"India would like to thank the Steering Committee and the UCLC consortium for "Third IMO GHG Study 2014". India has few observations on this report, which were raised by likeminded countries during Steering Committee meeting as well.

This report does not provide details of method used and the scenario analysis, basis which prediction on future shipping emissions for a period of (2012-2050) has been made. This study also do not contain any analysis whether measures introduced by chapter 4 of MARPOL Annex VI is sufficient to improve the efficiency and to mitigate the emissions. The EEDI standards, SEEMP combined with the effect of other emission standards in MARPOL Annex VI, as well as competitive forces in the marketplace, are already resulting in significant and impressive energy efficiency improvements in the commercial maritime fleet. Hence, India considers that "the UCLC consortium had not fully met the terms of reference (Article 1.9) for the update study agreed by the Committee."

India has also observed that UCLC consortium has amended few key statements in final submission. For example: "The projected rise in demand for maritime transport primarily drives the emissions increase in projections" has been deleted from "Key Findings of Executive summary". We also find that statement of prescriptive nature such as "Further action on efficiency and emissions can mitigate the emissions growth" has been indicated. Such statements go beyond the mandate of this study. Therefore India believes that modification of such key statements undermines the objective of the report.

Due above, India does not consider that the final report has been prepared strictly in accordance with ToR hence reserves its position with regard to the final report of update study."

Statement by the delegation of the Islamic Republic of Iran

"This delegation, as a member of Steering Committee, would like to express appreciation to all the Steering Committee members and the coordinator, Dr. Mazany of Canada, the consortium and the IMO Secretariat for all their efforts conducting the very successful update Study of the GHG emissions from shipping industry. It is obvious that the successes of the study mainly depended on the commitment of all parties involved in the update study. The transparent decision of the MEPC 65 in the establishment of the Steering Committee and

especially its composition and terms of reference have lead the update study to be successful in terms of the tendering process, tender evaluation and the study itself. This delegation also would like to thank those member states who contributed to cover the cost of the update study either in cash or in-kind.

The report of the 3rd GHG update study shows the variety of topics covered by the study. This variety resulted in complexities in the study and the report, and makes them hard to understand by the reviewers. The GHG emission estimate tender document divided the update study into three tasks in order to provide a better approach to utilizing available resources and avoiding complexity. The tender document also requested the tenderers to submit their proposals in separate, distinct pieces of work to address each individual task.

The Steering Committee members and the IMO Secretariat, during their meetings, have been committed and tried to make the study and the report as simple to understand by variety of reviewers and users as possible. Nevertheless, this delegation believes complexity still remains an issue in the report of the study due to the huge number of the topics, methods and approaches used by the study to deal with different aspects of the requested tasks. The very bulky report is also another barrier to a solid understanding of the study results. So we propose this issue to be considered by the Committee when the next study will be planed. One option to avoid the complexity will be to conduct the study in three separate tender documents, which may be addressed by individual tenderer.

Considering the increase of 50 to 250% in GHG emission in the period up to 2050 reported by the 2014 IMO up-date study, the Committee is urged to accelerate its feasible and applicable practices towards implementation of MARPOL Annex VI regulations."

Statement by the delegation of the Russian Federation

"First of all we would like to thank the Steering Committee and the Consortium for a study on greenhouse gas emissions from ships, as well as coordinator of the Steering Committee, Ms. Leigh Mazany.

The results of the work carried out are presented in documents MEPC 67/6 and MEPC 67/INF.3. The very complex work is done. In the course of finalizing the final report submitted by the Consortium, the Steering Committee has made comments and suggestions, most of which were taken into account by the Consortium and included in the final report. For that, we express our sincere gratitude. Russian Federation participated in the Steering Committee, and the majority of our comments and suggestions were also taken into account. At the same time, we share the concerns expressed by the Chinese delegation. We are confident that the text shall not contain any statements that are not supported by scientific evidence, being in this case simply populist. It is extremely important to have clear and transparent methods and formulas for calculating that would undoubtedly facilitate the use of research in the future work of the Organization. In this regard, we consider that one of the conclusions, as stated by the Chinese delegation, shall not be included in the final report, and the absence of clear formulas, which held calculation, and details of the scenarios under consideration, will have a negative impact on the use of the study performed in the future work of the Committee on issue of reducing greenhouse gas emissions from ships."

Statement by the representative of the UNFCCC Secretariat

"Thank you for giving me the opportunity to address the 67th session of IMO's Marine Environment Protection Committee (MEPC) on behalf of the UNFCCC secretariat.

I would like to use this opportunity to update the MEPC on recent developments under the UNFCCC that are relevant for this Committee, including on expectations for the upcoming 20th Conference of the Parties to be held in Lima, Peru in December this year.

Let me start first by commenting IMO and its Member States for your tireless work to address greenhouse gas (GHG) emissions from international maritime transport.

The adoption of a set of mandatory technical and operational measures to improve energy efficiency of, and reduce GHG emissions from international shipping at MEPC 62 in 2011 as well as the development under this Committee thereafter were major achievements in addressing global climate change and show a path forward to address GHG emissions from international maritime transport.

Your work sends a strong signal to the UNFCCC process but also to governments, businesses and all sectors of society that the international shipping sector through IMO is taking on the challenge to address climate change seriously and leading its transformation towards climate conscious development.

The competent and well organized work of the MEPC was critical to achieve these important results.

IMO's work to address GHG emissions from international maritime transport contributes to global climate change actions and complements the intense ongoing work under the UNFCCC process to develop the new, global agreement on climate change and to enhance the ambition of emission reduction action before 2020.

Realizing the full potential of this truly international sector to address global climate change will be the next step and challenge for IMO and its Member States.

Again, the MEPC has to provide the grounds for taking the next step successfully by continuing its excellent work and emerge as leaders willing to act and to lead by example.

Starting with the submissions of the sixth national communications (NC6) and the first biennial reports (BR1) from Annex I Parties in January 2014, the international assessment and review (IAR) process for developed country Parties has been launched.

This new process under the Convention enhances the reporting in national communications (NC) and aims at promoting the comparability of efforts among all developed country Parties with regard to their quantified economy-wide emission limitation and reduction targets.

In the context of the sixth national communications, Annex I Parties reported also on steps they have taken to promote and/or implement any decisions taken under IMO in order to limit or reduce GHG emissions from international maritime transport.

Here, many Parties reported on the significant progress made by IMO, highlighting the adoption at MEPC 62 in 2011, of mandatory technical and operational measures to improve energy efficiency and reduce GHG emissions as a major milestone for the sector to contribute to global climate change actions.

Also, Parties reported on IMO's new study that focuses on updating key figures in the current (second) IMO GHG Study (2009) of global GHG emissions from international shipping.

Summary information on how Annex I Parties to the UNFCCC report in their sixth national communications on their actions taken under IMO will be contained in the forthcoming "Compilation and synthesis of the sixth national communications" report. This report will be available on the UNFCCC website prior to the Lima conference.

The 67th session of the MEPC is less than two month before the international climate negotiations in Lima. Therefore, let me provide you a brief outlook of what may be expected in Lima.

.1 In Lima, the main challenge would be to find the best balance between the immediate issues stemming from the ongoing implementation of the Convention, in particular finance, and advancing the negotiations on the 2015 agreement and Intentional Nationally Determined Contributions (INDCs);

- On finance, the focus would be on the progress in operationalization of the Green Climate Fund (GCF), as well as on the GCF capitalisation;

- On the 2015 agreement, Lima is expected to be instrumental in defining the core of the new agreement and its elements. The focus would be on advancing negotiations on all areas, identified in decision 1/CP17, namely, mitigation, adaptation, finance, technology and capacity building support, and transparency; and

- On the INDCs, Lima is expected to clarify the information requirements for submitting the INDCs in early in 2015, and the process for their consideration thereafter in the lead up to Paris;

.2 In addition, for Lima it is expected to be an important milestone in advancing the workplan on mitigation ambition, by recognizing what Parties and the broad range of stakeholders have achieved so far in the areas of energy efficiency and renewable energies, land use, urbanisation, carbon capture and storage and non-CO_2 gases, and to charter the way forward for 2015 and up to 2020;

.3 Finally, it is expected that Parties make significant progress in implementation of the Convention. In addition to finance mentioned above, progress is expected also on mitigation, adaptation, in particular loss and damage, and on technology transfer and capacity building support. Lima will also see the first outcomes from the ambitious Measurement, Reporting and Verification (MRV) framework set-up by the decisions in Cancun, Durban and Doha, in particular regarding the multilateral assessment of the first 17 developed country Parties.

In closing, let me reiterate that IMO's work to address GHG emissions from international maritime transport contributes significantly to global climate change actions and complements the intense ongoing work under the UNFCCC process.

Your work sends a strong signal to the UNFCCC process that emissions from international maritime transport are competently addressed by the specialized agency responsible for international maritime transport. The IMO Secretariat submits regularly information on the relevant IMO action to the UNFCCC (Subsidiary Body for Scientific and Technological Advice)

I thank you very much for your kind attention and I am looking forward to working with you to continue the successful work of the MEPC in addressing GHG emissions from international maritime transport and leading the sectors development on fighting global climate change."

ITEM 7

Statement by the delegation of the Russian Federation

"According to the draft definition of "liquid fuel", it is suggested that the gas may also be considered a liquid fuel.

The Russian Federation does not believe this is a right approach and proposes to leave the definition of "liquid fuel" unchanged and to add a new definition of "gas fuel".

Besides, the Russian Federation considers that the draft amendments to the definition of "marine diesel engine" need improvement for the following reasons.

In accordance with this amendment, a gas-fuelled engine is also considered a marine diesel engine. However, a gas-fuelled engine may be a spark-ignition engine, and such an engine cannot be named a diesel engine, since in global practice this is usually an internal combustion engine that uses the heat of compression to initiate ignition of the fuel.

To exclude an ambiguous approach to the requirements of regulation 13 in Annex VI and the NO_x Technical Code, the Russian Federation considers it advisable to introduce the definitions of the following types of engines into regulation 2 of MARPOL Annex VI:

- dual fuel engine;
- pilot injection gas-fuelled engine;
- spark-ignition gas-fuelled engine; and
- as well as substitute the definition of a marine diesel engine by the general definition of a reciprocating internal combustion engine.

When drafting these definitions, it is advisable to follow the definitions introduced by the International Organization for Standardization by standard ISO 2710-1."

ITEM 12

Statement by the delegation of the Islamic Republic of Iran

"First of all, allow me to thank the Secretariat for preparing document MEPC 67/12/2 on draft Guidance on the safe operation of oil pollution combating equipment.
The MEPC in its 60th Session approved a proposal by the Islamic Republic of Iran (MEPC 60/19/1) to develop guidelines addressing the safe performance of oil pollution combating equipment and their inclusion as an unplanned output in the biennial agenda of the OPRC-HNS Technical Group (MEPC 60/22).

The initial draft of the Guidance was submitted by the Islamic Republic of Iran at eleventh session of OPRC-HNS Technical group (OPRC-HNS/TG 11/3/2). This agenda has been considered by the representatives from Member States during several sessions of the OPRC-HNS Technical Group.

Finally, in TG 16, having considered the revised draft Guidance on the safe operation of oil pollution combating equipment presented in document OPRC-HNS/TG 16/3/3 and introduced by Iranian delegation, the Technical Group agreed to incorporate the comments , and finalized the draft Guidance for submission to PPR 1 for consideration.

In the first session of the Sub-Committee on Pollution Prevention and Respond, the Sub-Committee agreed to the draft Guidance on the safe operation of oil pollution combating equipment (PPR 1/WP.7), and instructed the Secretariat to forward the text of the Guidance to MEPC 67, for consideration with a view to approval for publication.

Today, MEPC approved the Guidance and we believe that, we have made another step forward in the protection of marine environment.

My delegation is of the view that oil spill clean-up operations are crucial for protecting of marine environment, but must not jeopardize the safety of those who are involved in the response operation or may be affected by the spill. Undoubtedly, the health and safety of the responders are important aspects of a successful operation.

This delegation also believes that this guidance, as an IMO instrument, would be beneficial for strengthening the efforts in oil pollution combating fields, and may help to avoid possible conflicts between guidelines developed by individual countries."