

Antigua and Barbuda Department of Marine Services and Merchant Shipping (ADOMS)



MTCC Caribbean Webinar Sulphur Cap 2020 – Flag State Perspective

Thomas Robinson
Chief Marine Surveyor

Outline of Presentation

- Flag state overview
- IMO Sulphur Cap 2020
- Enforcement
- Flag state issues and challenges
- Conclusions

Flag state overview

- 1010 vessels on our International Ships Registry (ISR)
- 790 vessels that are impacted by Sulphur Cap 2020 (most trading internationally and over 400 gross tonnage)
- MARPOL including MARPOL Annex VI is fully authorized to our 11 Recognised Organisations (ROs) – International Association of Classification Societies (IACS)

IMO Sulphur Cap 2020

[Information Notice 2020-001 IMO Sulphur Cap 2020](#)

- From 1 January 2020 the limit for sulphur in fuel oil used onboard (outside emission control areas ECAs*) reduced to 0.50% m/m (mass by mass) from 3.50% m/m
- *there are 4 established ECAs – Baltic Sea, North Sea, North American area and US Caribbean area (trading areas for Antigua and Barbuda flag ships)*
- Ships operating in ECAs the limit remained unchanged at 0.10% m/m
- On 1 March 2020 a carriage ban came into force, that prohibited carriage of non compliant fuel oil for combustion purposes for propulsion, or operation onboard ships, unless ship has a scrubber* installed
- *main type of bunker oil for ships is heavy fuel oil (HFO) and some ships install exhaust gas cleaning systems (EGCS) also known as scrubbers, to remove sulphur oxides from the exhaust gas to a level equivalent to the required sulphur limit*

Enforcement

- Enforcement of these sulphur content requirements is primarily through Port State Control (PSC) who may check
 - International Air Pollution Prevention (IAPP) Certificate
 - Record Books
 - Bunker delivery notes (BDNs)
 - FONARS (fuel oil non availability reports)
 - Fuel changeover procedures
 - Ship implementation plan (SIP)
- If there are clear grounds of a breach then Port State Control Officer (PSCO) may carry out a more detailed inspection, including onboard sampling
- For ships fitted with scrubbers the PSCO may check the system is working and operated under the approved documentation

Flag state issues and challenges

Bunker Delivery Notes (BDNs)

- Bunker Delivery Notes (BDNs) – must not exceed 0.50% limit
- discrepancy between BDN and test report onboard sample
- Sample taken after bunker blended with the remaining bunkers
- For practical purposes it is the BDN that is legally binding under MARPOL
- However if there is a proven discrepancy then there is scope to report this to International Maritime Organisation (IMO) under GISIS (Global Integrated Shipping Information System) MARPOL Annex VI
- Non compliant fuel should be de bunkered, or retained onboard as acceptable to Port State

Scrubber malfunction (Reg 5.6 MARPOL Annex VI)

- Fault between sensor and scrubber is an accidental breakdown
- Exhaust Gas Cleaning System (EGCS) malfunction must be recorded in the EGCS Record Book with details of action taken and length of time the EGCS was running out of compliance
- Ship operator must advise Flag, where records of reported EGCS malfunctions are retained, also next port notified
- Repeat malfunctions (ISM Code and maintenance)

FONARS (MEPC.1 Circ. 881)

- A fuel oil non availability report should be submitted, as soon as it is determined that compliant fuel oil is not available in a port
- Contingency measures (MEPC.1/Circ.881) and Port State, Flag State and the ship need to work together on this
- Flag will often request report from Port State to support FONAR
- Flag retains records of FONARS

Equivalent on IAPP Certificate (RO approval)

- Regulation 4 of MARPOL Annex VI allows Flag States to approve “equivalents” and accept approved scrubbers
- RO submit to Flag details of ships where they have approved equivalent arrangement on their IAPP Certificate, with type details of EGCS
- Flag logs this under IMO GISIS MARPOL Annex VI Exemption/Equivalents

Flag State Inspections (FSIs) and Port State Control (PSC)

- Annual FSIs of fleet (team of over 300 appointed Flag State Inspectors worldwide) - no reported deficiencies to date
- Under PSC to date only three ships have recorded deficiencies
- One deficiency for non compliant fuel changeover procedures (moving from/to ECA) and two deficiencies for non compliant BDN - using incorrect forms and lack of crew training
- ADOMS have been carrying out PSC with a focus on MARPOL Annex VI items from 2019 – all visiting cruise ships and no deficiencies
- Note added to PSC form to that effect

Flag State Inspections (FSIs) and Port State Control (PSC)

- Note if a ship is registered to a Flag which is not a party to the MARPOL Convention then it is subject to no more favourable treatment under PSC - MARPOL article 5(4)
- Based on the Caribbean Memorandum of Understanding (CMOU) Letter of Information - Sulphur Oxides (Regulation 14)

Items checked

- SOx records BDN (Regulation 18.5/18.6)
- Sulphur Oxides entering ECAs (Regulation 14.6)
- Sulphur content of fuel used (Regulation 14.1)
- Alternative arrangements (Regulation 4.1)

Conclusions

- Correct reporting of issues listed above with evidence of notifying Flag State and Port States and following procedures under Sulphur Cap 2020 Information Notice will assist with Flag State Inspections and Port State Control

Thank you