



Merchant Shipping Directorate



Transport Malta

GUIDANCE ON NEW REGULATIONS ON SULPHUR CONTENT OF FUEL OIL

Technical Notice MARPOL.10

*Notice to Shipowners, Ship Operators, Managers, Masters,
Owners' Representatives and Recognized Organizations*

The Directorate wishes to remind all concerned that as from 1 January 2020, all ships subject to MARPOL Annex VI are, in principle, required to use on board fuel oils with a sulphur content of maximum 0.50% m/m in accordance with the revised MARPOL Annex VI regulation 14.1, or use alternative emission reduction and control technologies to comply with the emission standard.

In instances where compliant fuel cannot be obtained a Fuel Oil Non-Availability Report (FONAR) shall be submitted to the Flag State and the Competent Authority of the next port of call, preferably before the ship leaves the port/terminal where compliant fuel cannot be obtained.

The FONAR shall be as per format established under Appendix I of the IMO MEPC.320(74) Guidelines on the consistent implementation of the 0.50% sulphur limit under MARPOL Annex VI. Regarding the newly established FONAR, it needs to be reminded that this is not to be considered as an outright exemption and the evidence threshold is high. The recently established guidelines in this regard are not an attempt to pre-judge what control actions a PSC officer may take in the circumstances of a vessel not having enough compliant FO on-board. It cannot be ruled out that Port States may still penalise ships for arriving with non-compliant fuel on-board.

The Flag Administration has issued Technical Notices *MARPOL.8* and *MARPOL.9* to raise awareness and remind all interested parties of the new requirements and the date of application since the beginning of 2019. As can be noted in the Notices, there are, from 1 January 2020 three options for ship owners and operators to comply. The options are as follows:

- i. Use compliant fuel with sulphur content not more than 0.50% m/m;
- ii. Use an alternative fuel, such as LNG, with a sulphur content of 0.50 % m/m or less; or
- iii. Fit an alternative means of compliance, such as an Exhaust Gas Cleaning System (EGCS) approved under regulation 4 of MARPOL Annex VI.

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Inspection

As from 1 January 2020, Port State Control Officers will put emphasis on the following items:

- i. That the ship carries on board fuel oil with a sulphur content depending on the area of operation.
- ii. That from 1 March 2020, the sulphur content of fuel oil used or carried for use on board a ship shall not exceed 0.50% m/m unless approved alternative methods are installed.
- iii. That the ship has an appropriate approval for any installed exhaust gas cleaning systems, or equivalent means, if required.
- iv. There are records of the bunker delivery notes (BDNs) and associated samples or records thereof kept on board.
- v. There are written procedures on board covering fuel oil change over operations where appropriate.
- vi. That the Master and ship's personnel are familiar with essential fuel oil management procedures.

Actions

If deficiencies are recorded against any of these items, from 1 January 2020 (Sulphur content) or 1 March 2020 (carriage ban) action will be taken by the Port State Control Officer which may include detention of the ship or other enforcements or administrative or corrective measures.

All ships operated under the Malta flag are urged to ensure compliance in order to avoid undue delays in ports.

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08 January 2020

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