



# REPORT

International Association of Drilling Contractors  
Offshore Division

## 66<sup>th</sup> session of the IMO's Marine Environment Protection Committee (MEPC)

15 May 2014

The 66<sup>th</sup> session of the IMO's Marine Environment Protection Committee (MEPC 66) was held from 31 March to 4 April 2014 under the chairmanship of Mr. Arsenio Dominguez (Panama).

The session was attended by delegations from 103 Member Governments and two Associate Members and one non-Member of IMO; by observers from one United Nations specialized agency, seven intergovernmental organizations, and by 50 non-governmental organizations in consultative status. IADC was not represented at this session.

The following is a summary of issues addressed by the session that may interest to organizations involved in offshore oil gas operations:

### **MEPC Resolutions**

The Committee adopted the MEPC Resolutions listed below. These are annexed to the IMO report.

Resolution number	Title
MEPC.242(66)	<i>2014 Guidelines in respect of the information to be submitted by an Administration to the Organization covering the certification of an approved method as required under regulation 13.7.1 of MARPOL Annex VI</i>
MEPC.243(66)	<i>2014 Guidelines on the approved method process</i>
MEPC.244(66)	<i>2014 Standard Specification for Shipboard Incinerators</i>
MEPC.245(66)	<i>2014 Guidelines on the Method of Calculation of the Attained Energy Efficiency Design Index (EEDI) for new ships</i>
MEPC.246(66)	AMENDMENTS TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973 (amendments to MARPOL Annexes I, II, III, IV and V to make the use of the III Code mandatory) (for entry into force on 1 January 2016)
MEPC.247(66)	AMENDMENTS TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973 (To make the use of the III Code mandatory) (for entry into force on 1 January 2016)
MEPC.248(66)	AMENDMENTS TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973 -- Amendments to MARPOL Annex I (Mandatory carriage requirements for a stability instrument) (for entry into force on 1 January 2016)

Resolution number	Title
MEPC.249(66)	AMENDMENTS TO THE CODE FOR THE CONSTRUCTION AND EQUIPMENT OF SHIPS CARRYING DANGEROUS CHEMICALS IN BULK (BCH CODE) (Cargo containment and Form of Certificate of Fitness) (for entry into force on 1 January 2016)
MEPC.250(66)	AMENDMENTS TO THE INTERNATIONAL CODE FOR THE CONSTRUCTION AND EQUIPMENT OF SHIPS CARRYING DANGEROUS CHEMICALS IN BULK (IBC CODE) (General, Ship survival capability and location of cargo tanks, Cargo tank venting and gas-freeing arrangements, Environmental control, Fire protection and fire extinction, Special requirements, Summary of minimum requirements, and Form of Certificate of Fitness) (for entry into force on 1 January 2016)
MEPC.251(66)	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 and the NOX Technical Code 2008 (Amendments to regulations 2, 13, 19, 20 and 21 and the Supplement to the IAPP Certificate under MARPOL Annex VI and certification of dual-fuel engines under the NOX Technical Code 2008) (for entry into force on 1 September 2015)

### **Circulars**

The Committee adopted the Circulars listed below. Circulars are made available on the IMO website ([www.imo.org](http://www.imo.org)) by following the link to “Circulars” at the bottom of the page:

Circular number	Title
BWM.2/Circ.13/Rev.2	revised <i>Methodology for information gathering and conduct of work of the GESAMP-BWWG</i> (to supersede the existing BWM.2/Circ.13/Rev.1 of 26 April 2012)
BWM.2/Circ.52	<i>Guidance on entry or re-entry of ships into exclusive operation within waters under the jurisdiction of a single Party</i>
MEPC.1/Circ.795/Rev.1	<i>Amendments to the interpretation of regulation 2.24 of MARPOL Annex VI</i>
MEPC.1/Circ.469/Rev.2	<i>Revised consolidated format for reporting alleged inadequacies of port reception facilities</i>
MEPC.1/Circ.833	<i>Guidelines for the reduction of underwater noise from commercial shipping to address adverse impacts on marine life</i>
MEPC.1/Circ.834	<i>Consolidated guidance for port reception facility providers and users</i>

### **BWM Convention – status**

It was reported 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 currently 38, representing 30.38% of the world's merchant fleet tonnage. The Convention will enter into force 12 months after it has been ratified by 30 states representing 35 percent of the world's merchant shipping tonnage.

### **Approval of ballast water treatment systems**

The total number of type-approved ballast water management systems now stands at 42.

Final Approval was granted to: Ballast Water Management System with PERACLEAN<sup>®</sup> Ocean (SKY-SYSTEM<sup>®</sup>)(Japan) and Evonik Ballast Water Treatment System with PERACLEAN<sup>®</sup> Ocean (Germany).

Basic Approval was granted to: ECOLCELL BTs Ballast Water Management System (Italy); and ATPS-BLUE<sub>sys</sub> Ballast Water Management System, Ecomarine-EC Ballast Water Management System, and KURITA<sup>™</sup> Ballast Water Management Systems (Japan).

### **Threshold values and exemptions under the Hong Kong Convention on Recycling of Ships**

Once again, the Committee's correspondence group made good progress, but various threshold values and the issue of exemptions as well as certain underlying concepts still are to be discussed.

The Committee had extensive discussions, particularly with regard to the threshold value for asbestos, but did not finalize the work. The Committee agreed to establish of a Correspondence Group, coordinated by the United States<sup>1</sup>, to finalize the development of threshold values, exemptions and bulk listings applicable to the materials to be listed in Inventories of Hazardous Materials and prepare relevant amendments to the *2011 Guidelines for the Development of the Inventory of Hazardous Materials* to be considered at MEPC 67.

Only one State (Norway) has acceded to the Hong Kong Convention. France indicated it expects to ratify the Hong Kong Convention within two months' time.

### **Quality control measures prior to fuel oil being delivered**

In discussing fuel oil quality, the following comments, *inter alia*, were made:

- .1 fuel oil quality is having an impact on the safety of shipping and is an important factor for marine protection including control of emissions and energy efficiency;
- .2 guidance should be prepared for those responsible for controlling and authorizing local fuel oil suppliers (IMO Member governments are reluctant to impose requirements on governments);
- .3 there may be a need to consider a review and amendment of ISO standard 8217:2010 so that it aligns with the fuel oil quality requirements of marine diesel engine manufacturers, e.g. with respect to content of refinery catalyst fines;
- .4 there is a need to consider the illegal blending of chemical wastes; and
- .5 the supply and delivery of fuel oil to a ship and the assurance of fuel oil quality were commercial issues and any dispute between supplier and ship was a contractual matter regulated by domestic legislation.

Following discussion, the Committee agreed to develop possible quality control measures prior to fuel oil being delivered to a ship and invited submission of concrete proposals to MEPC 67.

### **Establishment of an Energy Efficiency Design Index (EEDI) database**

The Committee agreed to the establishment of an EEDI database, agreed to the following minimum data needed to support the reviews required under regulation 21.6 of MARPOL Annex VI, and invited IACS to submit these data to the Secretariat on an *ad hoc* basis to support the reviews:

- .1 type of ship;
- .2 capacity of ship (GT/DWT as appropriate);
- .3 year of delivery;
- .4 applicable Phase;
- .5 required EEDI;
- .6 attained EEDI; and
- .7 use of innovative energy efficiency technologies (tick-box indication of whether the fourth and fifth terms of the numerator of the EEDI equation are employed).

**(Note:** *In accordance with previous decisions by the Committee, provisions of chapter 4 do not apply to ships not propelled by mechanical means, platforms, drilling rigs, barges, etc.)*

### **IMO model course on energy efficient operation of ships**

The Secretariat published the IMO Model Course on Energy Efficient Operation of Ships (reference ET405E).

### **Correspondence group on the assessment of availability of fuel oil under MARPOL Annex VI**

The Committee agreed to re-establish the Correspondence Group on the Assessment of Availability of Fuel Oil required under regulation 14.8 of MARPOL Annex VI, under the coordination of the United States<sup>2</sup>, 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, addressing in particular:

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1 Ms. Kris Gilson (kristine.gilson@dot.gov)

2 Mr. Wayne M. Lundy (Wayne.M.Lundy@uscg.mil)

- .1 how to use the supply/demand models identified through previous discussions of the draft methodology, giving consideration to the latest amendments to MARPOL Annex VI, and any new emission control areas (ECAs) that may be proposed or adopted;
- .2 how to track changes in fuel oil demand and supply and what facilities or resources may need to be engaged; means to improve the accuracy of longer term forecasts should also be considered;
- .3 how to forecast changes to marine fuel oil availability specified in regulation 14.1.3 of MARPOL Annex VI, on both a global level and for the regions defined in the refinery modelling tool, taking into account:
  - .1 the addition of new ECAs;
  - .2 changes in global fuel oil supply and demand as a result of projected economic activity or other influences;
  - .3 the impact of the use of alternative fuels such as LNG and biofuels; and
  - .4 the impact of the use of alternative compliance methods (abatement technology);
- .4 an early review of actual and planned refinery supply capabilities based on publically available information to provide reliable data for the refinery supply modelling;
- .5 appropriate terms of reference, including timeline and pros and cons for early review, required under regulation 14 of MARPOL Annex VI;
- .6 resources needed to carry out the analysis;
- .7 implications of competition regulations in place globally related to the exchange of business information and how it can be ensured that such regulations are complied with throughout; and
- .8 report to MEPC 67, with a view to the Committee adopting the terms of reference of the study at MEPC 68 in 2015.

#### ***Engines solely fuelled by gaseous fuels***

The Committee approved draft amendments to MARPOL Annex VI regarding engines solely fuelled by gaseous fuels, with a view to adoption at MEPC 67; and invited the submission of proposals for associated draft amendments to the NOx Technical Code, including any consequential amendments, to MEPC 67 for consideration, with a view to approval.

#### ***Data collection system for fuel consumption of ships***

The Committee agreed to establish a Correspondence Group on Further Technical and Operational Measures for Enhancing Energy Efficiency, under the coordination of Cyprus<sup>3</sup>, and instructed it to consider the development of a data collection system for fuel consumption of ships, including identification of the core elements of such a system.

#### ***IMO Update Study for the GHG Emissions Estimate for International Shipping***

The Committee received an update by the Steering Committee Coordinator informing it that, at the end of February 2014, the contractor, UCL Consultants Ltd, had submitted a progress report. The Steering Committee were of the view that the work was on track to meet the completion date and the terms of reference of the study were being met.

The report of the third IMO GHG Study 2014 is expected to be considered at MEPC 67.

#### ***Draft amendments to MARPOL Annex V on Record of Garbage Discharge***

MEPC 65 had approved draft amendments to MARPOL Annex V on Record of Garbage Discharge.

The Bahamas suggested reconsidering the earlier adoption of the draft amendments due to perceived discrepancies between the text of the Convention and the form of the Garbage Record Book. In the ensuing discussion, the Committee noted the support for the need to address the discrepancies. A number of delegations also suggested that the Garbage Record Book should be amended to cater for recording the disposal of residues of solid bulk cargo, in particular when those cargo residues are classified as harmful to the marine environment.

The Committee agreed to postpone adoption of the draft amendments and invited submission of comments to MEPC 67 for consideration, with a view to adoption.

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3 Mr. Andreas Chrysostomou (achrysostomou@dms.mcw.gov.cy)

### ***Adoption of the amendments to MARPOL Annex VI and the NOX Technical Code 2008***

After considerable discussion, and with some continued disagreement, the Committee adopted resolution MEPC.251(66). There were lingering concerns expressed, *inter alia*, with regard to:

- .1 the development of the Selective Catalytic Reduction (SCR) technology has not reached an acceptable level and its serious drawbacks have not been rectified;
- .2 Exhaust Gas Recirculation (EGR) technology and the use of LNG as fuel for ships other than gas carriers are still at a very early stage;
- .3 ammonia slip and generation of CO<sub>2</sub> emissions as part of the SCR chemical reaction and methane slip in gas engines may lead to an environmental impact that negates the benefit of reducing NO<sub>x</sub> emissions, and these concerns should be carefully addressed; and
- .4 the economic burden associated with compliance with NO<sub>x</sub> Tier III emission standards for shipowners and operators needs to be properly considered. Industry needs to have certainty as to when the NO<sub>x</sub> Tier III emission standards could apply and retrospective application needs to be limited.

A number of delegations urged that more research and studies be carried out to address the potential operational safety and environmental effects associated with NO<sub>x</sub> emission reduction technologies

A number of delegations stated that they shared the concerns that the amendments had been adopted hastily, and some indicated their intention to consider applying MARPOL article 16(2)(f)(ii) with regard to the procedure for acceptance of the amendments.

### ***Use of electronic record books under MARPOL***

The Committee considered the report of its correspondence group providing the text of draft guidance for the use of electronic record books under MARPOL. It raised a number of outstanding issues that needed further consideration. A number of delegations highlighted that the use of electronic record books should be considered optional. Also noted were concerns on the certification and verification of electronic record books, and that the electronic record book should achieve the same level of integrity as a hard copy required under MARPOL: In particular, the requirement that each completed page of the record be signed by the master.

The Committee re-established the Correspondence Group on the Use of Electronic Record Books under MARPOL, under the coordination of Australia<sup>4</sup>, and instructed it to:

- .1 finalize the draft guidance for the use of electronic record books under MARPOL, taking into account the ongoing work of the Facilitation Committee (FAL);
- .2 consider and prepare any necessary amendments and/or unified interpretations of annexes of MARPOL, as appropriate, in order to allow for the use of electronic record books; and
- .3 consider the need for any consequential amendments to the Procedures for port State control, 2011 (resolution A.1052(27)).

### ***Guidelines for the reactivation of the Safety Management Certificate following an operational interruption of the SMS due to lay-up***

The Committee approved the draft MSC-MEPC circular on *Guidelines for the reactivation of the Safety Management Certificate following an operational interruption of the SMS due to lay-up over a certain period*, subject to concurrent approval by the Maritime Safety Committee (MSC).

### ***Guidance on safety when transferring persons at sea***

The Committee approved the draft MSC-MEPC circular on *Guidance on safety when transferring persons at sea*, subject to concurrent approval by MSC 93.

### ***Proposed ISM Code amendments -- transfer of ship maintenance and failure records***

Noting the discussion of the Sub-Committee on Standards of Training & Watchkeeping (STW) regarding proposed amendments to the ISM Code concerning the transfer of ship maintenance and failure records, the Committee endorsed the decision of the Sub-Committee not to develop relevant amendments to the Code, subject to concurrent endorsement by MSC.

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<sup>4</sup> Annalisse Sly (annalisse.sly@amsa.gov.au)

### **Evaluation of new products, trade-named mixture products and cargo tank cleaning additives**

The Committee endorsed the evaluation by the 1<sup>st</sup> session of Sub-Committee on Pollution Prevention and Response (PPR) of new products, trade-named mixture products and cargo tank cleaning additives.

### **Development of the Polar Code**

The Committee once again discussed the development of the Polar Code. Matters discussed and decisions reached included:

- Agreement that the applicability of the relevant MARPOL Annexes should be extended to the corresponding chapters of part II-A, that operational requirements should be applied to both new and existing ships, and that exemptions should be considered for any additional structural requirements..
- The Committee agreed to delete the goals and functional requirements from part II-A of the Code and that each chapter in that part should consist only of prescriptive requirements.
- The Committee considered the Russian Federation's proposal to allow ships operating in Arctic waters to discharge oily mixtures from machinery spaces under the conditions stipulated for special areas under MARPOL Annex I; however, having established that it had not received sufficient support, the Committee did not agree to the proposal..
- Rather than a prohibition, discharge of food waste into the sea would only be allowed under certain conditions.
- The Committee agreed to the need for the provision of adequate reception facilities in Arctic waters, but also that this should not constitute a condition for implementation of the Code. The Committee instructed that relevant text be developed for inclusion in part II-A of the Code.

The Committee established a Polar Code Correspondence Group under the coordination of the United Kingdom<sup>5</sup> and instructed it, taking into account the comments and decisions made in plenary, to finalize:

- .1 parts II-A and II-B of the draft International Code for Ships Operating in Polar Waters; and
- .2 the draft amendments to the relevant Annexes of MARPOL to make the Polar Code mandatory.

### **Noise from commercial shipping and its adverse impacts on marine life**

The Committee approved MEPC.1/Circ.833 on *Guidelines for the reduction of underwater noise from commercial shipping to address adverse impacts on marine life* and requested the Secretariat to issue the circular as soon as possible.

In considering the issue of future work on this topic the Committee noted, *inter alia*, that:

- .1 a large number of gaps in knowledge remained and no comprehensive assessment of this issue was possible at this stage. It was highlighted that sound levels in the marine environment and the contribution from various sources was a complex issue. The wide variety of ship types, sizes, speeds and operational characteristics all contributed to this complexity;
- .2 given these complexities, setting future targets for underwater sound levels emanating from ships was premature and would be difficult to evaluate at this time; and
- .3 more research was needed, in particular on the measurement and reporting of underwater sound radiating from ships.

The Committee invited Member Governments that wished to pursue these matters further to submit proposals for appropriate new outputs to a future session.

### **Work program**

The planned outputs for the Committee likely to affect the offshore industries include the matters listed below.

Output	Description	Parent	Coordinating	Associated	Target
2.0.1.2	Guidelines for port State control under the 2004 BWM Convention, including guidance on ballast water sampling and analysis	MEPC	PPR	III	2015

5 Ms. Lorraine Weller (lorraine.weller@mcga.gov.uk)

Output	Description	Parent	Coordinating	Associated	Target
2.0.2.3	Amendments making the IMO instruments implementation Code (III Code) and auditing mandatory	MSC / MEPC			2015
5.2.1.15	Mandatory Code of ships operating in polar waters	MSC / MEPC		HTW / PPR / SDC / SSE/ NCSR	2015
5.2.1.17	Updated Survey Guidelines under the Harmonized System of Survey and Certification (HSSC)	MSC / MEPC		III	Annual
5.3.1.1	Harmonization of PSC activities	MSC / MEPC		III	Continuous
7.1.2.1	Revised Guidelines for the Inventory of Hazardous Materials	MEPC			2014
7.1.2.5	Production of a manual entitled "Ballast Water Management – how to do it"	MEPC		PPR	2015
7.1.2.9	Revised section II of the Manual on Oil Pollution-Contingency planning	MEPC		PPR	2015
7.1.2.10	Guide on Oil Spill Response in Ice and Snow Conditions	MEPC		PPR	2014
7.1.2.11	Updated IMO Dispersant Guidelines	MEPC		PPR	2015
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	MEPC			2014
7.1.2.13	Development of a Code for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk on offshore support vessels	MSC / MEPC	PPR	SDC / SSE	2015
7.3.1.1	Guidelines related to MARPOL Annex VI and the NOX Technical Code in accordance with Action Plan endorsed by MEPC 64	MEPC		PPR	2015
7.3.2.1	Further development of mechanisms needed to achieve the limitation or reduction of CO <sub>2</sub> emissions from international shipping	MEPC			Annual
7.3.2.2	Keep under review IMO measures and contributions to international climate mitigation initiatives and agreements (including CO <sub>2</sub> sequestration and ocean fertilization as well as consideration of the impact on the Arctic of emissions of Black Carbon from international shipping)	MEPC		PPR	2015
8.0.3.1	Requirements for access to, or electronic versions of, certificates and documents, including record books required to be carried on ships	FAL	MSC / MEPC / LEG	III	2015

Output	Description	Parent	Coordinating	Associated	Target
10.0.1.2	Goal-based ship construction standards for all types of ships, including safety, security and protection of the marine environment	MSC / MEPC			2015
12.1.2.1	Analysis of casualty and PSC data to identify trends and develop knowledge and risk-based recommendations	MSC / MEPC	III	HTW / PPR / SDC / SSE / NCSR	Annual

### Agenda items for future meetings, review groups, working groups and drafting groups

It was agreed, in principle, to establish review groups (RG), working groups (WG) and drafting groups (DG) at futures sessions as follows [square brackets indicate the decision is tentative]:

Item	MEPC 67	MEPC 68
Harmful aquatic organisms in ballast water	[RG] X	X
Recycling of ships	[WG/DG] X	X
Air pollution and energy efficiency	[WG] X	X
Further technical and operational measures for enhancing the energy efficiency of international shipping	[WG] X	X
Reduction of GHG emissions from ships	X	X
Consideration and adoption of amendments to mandatory instruments	[DG] X	X
Review of nitrogen and phosphorous removal standards in the 2012 Guidelines on the implementation of effluent standards and performance tests for sewage treatment plants	[RG] X	
Mandatory Code for ships operating in polar waters	[WG] X	X
Identification and protection of Special Areas and PSSAs	X	X
Inadequacy of reception facilities	X	X

### Dates for forthcoming sessions

- MEPC 67 will be held from 13 to 17 October 2014; and
- MEPC 68 is tentatively scheduled to be held in May 2015.

### Working arrangements for the next session

The Sub-Committee agreed to establish working, review, and/or drafting groups on the following subjects:

- Working/Drafting Group on Recycling of Ships;
- Working Group on Air Pollution and Energy Efficiency;
- Working Group on Further Technical and Operational Measures for Enhancing the Energy Efficiency of International Shipping;
- Working Group on the Polar Code;
- Review Group on Ballast Water Treatment Technologies; and
- Review Group on Review of Nitrogen and Phosphorus Removal Standards (in relation to the 2012 Guidelines on the implementation of effluent standards and performance tests for sewage treatment plants (resolution MEPC.227(64))).



The complete IMO report (216 pages) for the session is available on the IMO portion of the IADC [Website](#).

Please feel free to contact me by phone (1 / 713 292 1964) or e-mail ([alan.spackman@iadc.org](mailto:alan.spackman@iadc.org)) with any questions you may have regarding this report.