

St. Kitts and Nevis International Ship Registry

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Circular Letter to Maritime Registrars, Ship Owners and Ship Operators

Maritime Circular No. MC/78/18

Date: 04 APRIL 2018

LIMITING THE MAXIMUM SULPHUR CONTENT OF THE FUEL OILS

This Maritime Circular serves to inform about a new requirement the International Maritime Organization (IMO) is currently actively working on, and which becomes mandatory on the 1st of January 2020. According to the requirement, the IMO has set a limit of 0.50% m/m (mass by mass) for sulphur in fuel oil used on board of ships operating outside designated Emission Control Areas (Regulation 14 of MARPOL Annex VI).

At the current stage, this Maritime Circular is informative only to give you a brief introduction about the main aspects of the intended legislation and to give an assistance in making decisions for the operation of your ships for compliance with this intended legislation.

The effective date of the requirement (1st January 2020) was adopted at the 70th session of MEPC on 28th October 2016 by the Resolution MEPC.280(70). Also it was brought to the attention of all Member States during the last session of the IMO Sub-Committee on Pollution Prevention and Response (PPR) in February 2018, that the set effective date when sulphur limit in fuel oil must not exceed 0.50% cannot be changed, that there should be no “transitional period” that could postpone this implementation either, and that all industry stakeholders have to be prepared in advance. The IMO from its side by means of relevant technical bodies is working to address all issues that might arise with regards to ensuring consistent implementation. A number of different guidelines have been already and will be developed to assist the industry with a step-by-step implementation.

Outside an ECA established to limit SOx and particulate matter emissions	Inside an ECA established to limit SOx and particulate matter emissions
4.50% m/m prior to 1 January 2012	1.50% m/m prior to 1 July 2010
3.50% m/m on and after 1 January 2012	1.00% m/m on and after 1 July 2010
0.50% m/m on and after 1 January 2020	0.10% m/m on and after 1 January 2015

Under the new global limit, ships will have to use fuel oil on board with a sulphur content of no more than 0.50% m/m, against the current limit of 3.50%, which has been in effect since 1st January 2012. The interpretation of “fuel oil used on board” includes use in main and auxiliary engines and boilers. Exemptions are provided for situations involving the safety of the ship or saving life at sea, or if a ship or its equipment is damaged.

Ships can meet the requirements by using low-sulphur “compliant” fuel oil. Also, to meet the sulphur emission requirements ships may also use other approved methods, such as equipping of vessels with exhaust gas cleaning systems, so called scrubbers, or switching to LNG as a fuel or other alternatives (e.g. methanol). In case the equivalent arrangement has been chosen as a method to comply with the requirements, an approval has to be obtained from the Flag Administration.

The first level of control in respect of the compliance with the new regulation should be on the actual sulphur content of the fuel oil supplied on board. This value is to be stated by the fuel oil supplier on the bunker delivery note. Also samples of the fuel oil may be taken for verification.

In order to facilitate the need for taking fuel samples “in-use” the IMO has issued guidance (MEPC.1/Circ.864 on *Guidelines for on-board sampling for the verification of the sulphur content of the fuel oil used on board ships*) addressing the location of onboard fuel sampling points and the handling of samples for the testing of sulphur content for MARPOL Annex VI compliance. The guidelines describe requirements for sampling locations and sample handling.

Ships of 400 gross tons and above, platforms and drilling rigs are required to have an International Air Pollution Prevention Certificate (IAPP Certificate) as per Regulation 6 of MARPOL Annex VI. The IAPP certificate will be issued following an initial survey carried out by the Flag Administration or by a Recognized Organization on behalf of the Flag Administration, confirming compliance with MARPOL Annex VI. This certificate includes a section stating that the ship uses fuel oil with a sulphur content that does not exceed the applicable limit value as documented by bunker delivery notes or uses an approved equivalent arrangement.

Port and coastal States can use port State control to verify that the ship is compliant. They could also use surveillance, for example air surveillance to assess smoke plumes, and other techniques to identify potential violations. Sanctions are established by individual Parties to MARPOL, as flag and port States. The IMO does not set fines or sanctions. It is down to the individual State Party.

IMO is currently carrying work on development of new guidelines on *Consistent Implementation of Regulation 14.1.3 of MARPOL Annex VI* and amendments to the *Guidelines for on-board sampling for the verification of the sulphur content of the fuel oil used on board ships* (MEPC.1/Circ.864).

This Administration will inform about additional details on implementation of the 2020 sulphur limit following further discussions to be held at the scheduled and intersessional IMO meetings.

If you have any questions on this matter, please do not hesitate to contact us.

Yours truly,

A handwritten signature in black ink, appearing to read 'Nigel E. Smith', written in a cursive style.

Nigel E. Smith
International Registrar of Shipping and Seamen