



DEPARTMENT OF ECONOMIC DEVELOPMENT

MARPOL ANNEX VI

The Merchant Shipping (MARPOL Annex VI – Prevention of Air Pollution) Order 2014 (SD ###/2014) implements Annex VI of MARPOL 73/78 - Regulations for the Prevention of Air Pollution from Ships and this Notice should be read both with that Order and with Annex VI.

This Notice provides information on the requirements, for ships to comply with the Isle of Man implementation of Annex VI of MARPOL 73/78.

Documents referred to in this notice:

The Merchant Shipping (MARPOL Annex VI – Prevention of Air Pollution) Order 2014 (“the Order”)

MARPOL Annex VI - Regulations for the Prevention of Air Pollution from Ships (“Annex VI”)

Most regulations and notices are available on the Isle of Man Government web site: www.iomshipregistry.com or by contacting marine.survey@gov.im

1. Preamble

- 1.1. This notice provides Owners, Operators and Masters with instruction and guidance on those areas of Annex VI that require further clarification and may be referred to within the Order.
- 1.2. This notice contains information on
 - special circumstances (Section 2);
 - emission control areas (Section 3);
 - log books and recording (Section 4);
 - ozone-depleting substances (Section 5); and
 - applications for Exemption, Equivalence or Waiver (Section 6).

2. Special Circumstances

- 2.1. Regulation 9.7 of Annex VI allows the Ship Registry to vary the start date of an International Air Pollution Certificate (IAPP) under ‘special circumstances’, this is also referred to in Part 2 Article 6(7) of the Order;
- 2.2. For the purposes of Regulation 9.7 the Ship Registry has deemed ‘special circumstances’ to be:
 - a) where it would appear to be appropriate to alter the start date in order to harmonize the IAPP certificate with other certificates: or
 - b) where the owner of a ship requests the change of date; and

- c) satisfies the Ship Registry that the owner has a justified reason for making the request; and
- d) complies with any additional survey requirements which the Ship Registry may impose.

2.3. Examples of an owner having “justified reason” might include:

- a) where a ship has been laid up for an extended period; or
- b) where the nature of a ship’s business would make a different date much more convenient (such as in the case of a passenger ferry constructed in the summer and whose main trade is in the summer, where the owner may want to have the refit and survey work done in the winter months).

2.4. In the case of a request to change the anniversary date for the sake of convenience, the request will only be considered if such a request has not been made before for the ship in question, and the owner confirms in writing to the Ship Registry that this is a one off request for that ship.

3. Emission Control Areas

3.1. Annex VI outlines Emission Control Areas (ECAs) in both Regulations 13 and 14, where the emission of certain pollutant types are controlled;

3.2. Regulation 13 of Annex VI refers to ECAs for the control of Nitrogen Oxides (NO_x);

3.3. Regulation 14 of Annex VI refers to ECAs for the control of Sulphur Oxides (SO_x) and Particulate Matter. These are more commonly known as SECAs.

3.4. Emission Control Areas referred to in Annex VI are as follows:

ECA	NO _x	SO _x
North American area	✓	✓
United States Caribbean Sea area	✓	✓
Baltic Sea area	✗	✓
North Sea area	✗	✓

3.5. It should be noted that these are the current ECAs and that the IMO may designate any other sea area, including any port area, as an ECA in accordance with Appendix III of Annex VI.

4. Log Books and Recording

4.1. Regulation 14.6 of Annex VI requires the Ship Registry to prescribe the log-book(s) that are acceptable for the recording of information required to be retained when a vessel enters or leaves a SECA.

4.2. The Ship Registry has determined the following options to be acceptable for the recording of this information:

- 4.2.1. the engine room log book;
- 4.2.2. the Oil Record Book Part I; or
- 4.2.3. a company designed 'MARPOL ANNEX VI Record Book' which must have, as a minimum the following 5 sections:
 - a) Section 1 to record the tracking and control for the representative (MARPOL) fuel oil samples;
 - b) Section 2 to document any necessary custody transfer of the representative fuel oil sample;
 - c) Section 3 to record the receipt and storage of low sulphur fuel oil. This does not replace the record of bunkering operations in the Oil Record Book Part I, as required by MARPOL Annex I;
 - d) Section 4 to record the changeover for low sulphur fuel operation;
 - e) Section 5 to record operations related to ozone depleting substances.
- 4.2.4. All entries into any of the options listed above should identify the person making the record, the date and time of recording, the position of vessel and evidence of review and endorsement by the Chief Engineer or Master as appropriate.
- 4.3. It should be noted the use of any other form of log book is not permitted unless prior approval has been obtained from the Ship Registry.

5. Ozone depleting substances.

- 5.1. Regulation 12.5 of Annex VI requires that every ship which has an IAPP certificate to maintain a list of any equipment that contains ozone-depleting substances;
- 5.2. Regulation 12.7 of Annex VI requires that every ship which has systems containing ozone-depleting substances carries and maintains a record book identifying specific actions carried out and information on those systems;
- 5.3. The 'MARPOL ANNEX VI Record Book' is acceptable to the Ship Registry for the purposes of complying with the requirements of Regulation 12.7 of Annex VI.
- 5.4. The Ship Registry will accept electronic recording systems as the method of recording permitted by regulation 12.7 of Annex VI provided that the system meets, at least, the following requirements:
 - 5.4.1. an on-board back-up facility;
 - 5.4.2. automatic identification of person making the record;
 - 5.4.3. automatic recording of both the date and time of entry;
 - 5.4.4. automatic recording of the position of vessel at the date and time of entry;
 - 5.4.5. evidence of review and endorsement by the Chief Engineer or Master as appropriate;
 - 5.4.6. automatic recording of amendments made to existing entries; and
 - 5.4.7. a facility to print out the records.

- 5.5. Other systems may be acceptable, but approval should be sought from the Ship Registry for the system prior to it being put into use.
- 5.6. For the purposes of Annex VI, ozone depleting substances are:
- 5.6.1. Substances listed in Annexes A,B,C or E and defined in paragraph (4) of article 1 of the Montreal Protocol on Substances that Deplete the Ozone Layer (1987);
- 5.7. Ozone Depleting substances that may be found on a ship include (but are not necessarily limited to):
- 5.7.1. Halon 1211 Bromochlorodifluoromethane;
 - 5.7.2. Halon 1301 Bromotrifluoromethane;
 - 5.7.3. Halon 2402 1, 2-Dibromo -1, 1, 2, 2-tetrafluoroethane (also known as Halon 114B2);
 - 5.7.4. CFC-11 Trichlorofluoromethane;
 - 5.7.5. CFC-12 Dichlorodifluoromethane;
 - 5.7.6. CFC-113 1, 1, 2 - Trichloro - 1,2,2 – trifluoroethane;
 - 5.7.7. CFC-114 1,2 - Dichloro -1, 1, 2, 2 – tetrafluoroethane; and
 - 5.7.8. CFC-115 Chloropentafluoroethane.

6. Application for Exemption, Equivalence or Waiver.

- 6.1. Annex VI permits, in Regulation 3.2, under certain circumstances the Ship Registry to exempt a ship from any of the requirements of Annex VI for vessels carrying out trials and research into emission reduction and control technology.
- 6.2. Annex VI permits, in Regulation 4, the Ship Registry to allow any fitting, material, appliance or apparatus to be fitted in a ship or other procedures, alternative fuel oils, or compliance methods used as an alternative to that required if such fitting, material, appliance or apparatus or other procedures, alternative fuel oils, or compliance methods are at least equivalent in terms of emissions reductions as that required by Annex VI.
- 6.3. Any application for Equivalence should be made in writing to the Ship Registry after consultation with the vessel's Classification Society. The application should include all the information outlined in 6.4 below.
- 6.4. Applications for Exemption or Equivalence must contain the following information:
- 6.4.1. Vessel Name;
 - 6.4.2. Vessel IMO Number;
 - 6.4.3. Details of any existing equivalence or exemption issued to other vessels of this type by other Administrations (if know), including IMO Circular reference numbers;
 - 6.4.4. A summary of the proposal;
 - 6.4.5. A summary of the statutory provisions that cannot be met;

- 6.4.6. A risk assessment of the potential consequences if the current statutory provisions are not met;
 - 6.4.7. Mitigation measures and any potential benefits provided by the proposed equivalence;
 - 6.4.8. A statement from the vessel's Classification Society supporting the application for exemption or equivalence.
- 6.5. Annex VI further permits, in Regulation 19, the Ship Registry to waive the requirements of Regulation 20 and 21 (Attained and Required EEDI) for an existing vessel.
- 6.6. Any application for Waiver should be made in writing to the Ship Registry after consultation with the vessel's Classification Society outlining why the vessel (or vessels) cannot meet the requirements of Regulations 20 or 21.

Isle of Man Ship Registry

Please note - The Isle of Man Ship Registry cannot give Legal Advice. Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel. You should consider seeking independent legal advice if you are unsure of your own legal position.