LIBERIAN REGISTRY

IMO MEPC 75
Meeting Summary

June 18, 2021

The seventy-fifth session of the Marine Environment Protection Committee (MEPC 75), originally scheduled to be held from 30 March to 3 April 2020, was postponed due to the COVID-19 and was eventually held remotely from 16 to 20 November 2020

CONSIDERATION AND ADOPTIOPN OF AMENDMENTS TO MANDATORY INSTRUMENTS

Amendments to MARPOL Annex VI

MEPC 75 adopted **resolution MEPC.324(75)** containing amendments to MARPOL Annex VI concerning procedures for sampling and verification of the sulphur content of fuel oil and the Energy Efficiency Design Index (EEDI).

The amendments relate to:

1. New definitions 52 to 56 of regulation 2 for *sulphur content of fuel oil, low-flashpoint fuel, MARPOL delivered sample, In-use sample* and *Onboard sample*.
2. New paragraphs 8 to 13 of regulation 14 regarding verification procedures for analysis of in-use or onboard fuel oil samples; and provision of in-use fuel oil sampling point, which shall be installed on ships constructed before 1 April 2022, no later than the first IAPP renewal survey on or after 1 April 2023.
3. New paragraph under Regulation 18 that requires analysis of fuel oil samples to meet the new verification procedure proposed for Appendix VI.
4. Consequential amendments to Appendix I - Form of the IAPP Certificate and Appendix VI - Fuel Verification Procedure for MAROPOL Annex VI fuel oil samples.
5. New paragraph 3 under regulation 20 requiring mandatory reporting of the required and attained EEDI values and relevant information to the IMO.
6. Replacing Table 1 of regulation 21 on required EEDI with a view to accelerating from 2025 to 2022 EEDI Phase 3 requirements for certain ship types/sizes as follows: containerships, with reduction factors differentiated further by size; general cargo ships, LNG carriers, gas carriers of 15,000 DWT and above and cruise passenger ships having non-conventional propulsion from 1 April 2022, which will continue applying to other ships under this regulation.
7. Replacing table 2 of Regulation 21, (Parameters for determination of reference values for the different ship types), the first row corresponding to Ship type defined in regulation 2.25 by the following:

"2.25 Bulk carrier	961.79	DWT of the ship where DWT≤279,000 279,000 where DWT > 279,000	0.477"

The amendments enter into force on 1 April 2022.

The Committee also concurred with the addition of a new preambular paragraph in the resolution, making reference to MEPC.1/Circ.882, inviting early application of the amendments.

MEPC 75 also approved **MEPC.1/Circ.889** on the 2020 *Guidelines for onboard sampling of fuel oil intended to be used or carried for use on board a ship*, which will support the enforcement of the carriage ban that entered into force on 1 March 2020.

Amendments to the BWM Convention

MEPC 75 adopted **resolution MEPC.325(75)** containing amendments to the BWM Convention concerning commissioning testing of ballast water management systems

and the form of the International Ballast Water Management Certificate (IBWMC). The amendments enter into force on 1 June 2022 and include:

1. Amendments to regulation E-1 to require that the initial survey and additional survey undertaken for the installation of any ballast water management system shall confirm that a commissioning test has been conducted to validate the installation of the system by demonstrating that its mechanical, physical, chemical and biological processes are working properly, taking into account the Guidance for the commissioning testing of ballast water management systems (**BWM.2/Circ.70/Rev.1**), as may be amended, which was also approved by MEPC 75.

2. Amendments to the form of the IBWMC to add another method for ballast water management by "other approach in accordance with regulation……."

The revised Guidance in BWM.2/Circ.70/Rev.1 clarifies that the objective of the Guidance is to confirm a successful installation of the BWMS and not of the compliance with the D-2 standard. This means that the analysis need only be indicative. The revised Guidance also identifies that commissioning testing should be done with ambient water, and the size classes to be tested are those defined in D-2.

AIR POLLUTION PREVENTION

MEPC 75 adopted resolution **MEPC.326(75)** on *2020 Guidelines for monitoring the worldwide average sulphur content of fuel oils supplied for use on board ships*. The Guidelines take into account the 0.50% m/m sulphur limit which came into force on 1 January 2020 and the possible types of (blended) fuel oils used to comply with this limit.

POLLUTION PREVENTION AND RESPONSE

Safety and Pollution Hazards of Chemicals

MEPC 75 approved the revised circular **MSC-MEPC.5/Circ.7/Rev.1**., on *Guidance on the timing of replacement of existing certificates by revised certificates as a consequence of the entry into force of amendments to chapters 17 and 18 of the IBC Code*, which revokes the previous version, MSC-MEPC.5/Circ.7.

Evaluation of Products and Cleaning Additives

MEPC 75 concurred with the evaluation of products and cleaning additives by the ESPH Working Group at Sub-Committee PPR 7 and their inclusion in list 3 and annex 10, respectively, of **MEPC.2/Circ.26**, with validity for all countries and with no expiry date appropriate.

MEPC 75 endorsed **PPR.1/Circ.9** on *Revised carriage requirements for methyl acrylate and methyl methacrylate*, having noted that the circular had been issued prior to MSC 102 and MEPC 75, in order to notify relevant stakeholders in a timely manner that operational requirements 16.6.1 and 16.6.2 of the IBC Code applied to methyl acrylate and methyl methacrylate. The Committee also noted the same decision by MSC 102.

In addition, MEPC 75 concurred with the recommendation of the Sub-Committee PPR that chapter 17 of the IBC Code should be amended to include:

.1 the updated carriage requirements for methyl acrylate and methyl methacrylate; and
.2 special requirement 16.2.7 in n.o.s. entries for Pollution Category Y, as appropriate

MEPC 75 endorsed the Sub-Committee's (PPR) **PPR.1/Circ.10** on *Resubmission of products listed in lists 2 and 3 of the MEPC.2 circular on Provisional categorization of liquid substances in accordance with MARPOL Annex II and the IBC Code*, which set the deadline for evaluating the products to 31 December 2025.

MEPC 75 endorsed the Sub-Committee's (PPR) recommendation that the existing entries for the paraffin-like products listed in paragraph 5 of **MEPC.1/Circ.886** could be retained on the ship's Certificate of Fitness, even if the renamed and reassessed products were listed in the addendum to the ship's Certificate, since the product names used in the IBC Code and in list 1 of the MEPC.2 circular were different.

Amendments to the AFS Convention to include Controls on Cybutryne

MEPC 75 approved draft amendments to Annexes 1 and 4 to to the AFS Convention, with a view to adoption at MEPC 76, as set out in **Annex 6 of PPR/7/22/Add.1**. The amendments incorporate controls on cybutryne and require that ships shall

not apply or re-apply anti-fouling systems containing cybutryne after 1 July 2022. Ships which have a coating with cybutryne will be required to remove or seal it by either 1 July 2027, or at the next scheduled renewal of the anti-fouling system after 1 July 2022, but no later than 60 months following the last application. Fixed and floating platforms, FSUs and FPSOs are exempted so long as they were constructed before 1 July 2022.

In addition, the amended Annex 4 provides a revised model form of the IAFS Certificate to include compliance options to address cybutryne. Ships which are affected by the ban on cybutryne must receive an updated IAFS Certificate no later than 2 years after the entry into force of these amendments. Ships with anti-fouling systems which do not contain cybutryne must have an updated IAFS Certificate at the next AFS application to the vessel.

Ballast Water Sampling and Analysis

MEPC 75 approved the revised *Guidance on ballast water sampling and analysis for trial use in accordance with the BWM Convention and Guidelines (G2)* and requested the Secretariat to disseminate it as **BWM.2/Circ.42/Rev.2**. The revisions include the addition of adenosine triphosphate (ATP) as an indicative analysis method and the addition of ChemChrome V6 dye as a method to detect viable organisms in ballast water.

Heavy Fuel Oil in Arctic Waters

MEPC 75 approved the draft amendments to MARPOL Annex I, with a view to adoption at MEPC 76, introducing a prohibition on the use and carriage for use as fuel of heavy fuel oil by ships in Arctic waters, as set out in **Annex 12 of PPR 7/22/Add.1**. The draft amendments add a new Regulation 43A, which prohibits HFO use and carriage for use in Arctic waters on or after 1 July 2024. Ships for which MARPOL Annex I, Regulation 12A, or Regulation 1.2.1 of chapter 1 of Part II-A of the Polar Code apply are prohibited from the above on or after 1 July 2029.

Reduction of GHG Emissions from Ships

MEPC 75 adopted resolution **MEPC.327(75)** on *Encouragement of Member States to develop and submit voluntary National Action Plans to address GHG emissions from ships*. The National Action Plans could include but are not limited to: (a) improving domestic institutional and legislative arrangements for the effective implementation of existing IMO instruments, (b) developing activities to further enhance the energy efficiency of ships, (c) initiating research and advancing the uptake of alternative low-carbon and zero-carbon fuels, (d) accelerating port emission reduction activities, consistent with resolution MEPC.323(74), (e) fostering capacity-building, awareness-raising and regional cooperation and (f) facilitating the development of infrastructure for green shipping The sharing of the submitted National Action Plans will be done through a dedicated page on the IMO website.

The Committee approved the Fourth IMO GHG Study together with draft amendments to MARPOL Annex VI concerning mandatory goal-based technical and operational measures to reduce carbon intensity of international shipping and requested the Secretary-General to circulate the draft amendments with a view to adoption at MEPC 76.

The draft MARPOL Annex VI amendments for the short-term GHG reduction measures combining EEXI, SEEMP and CII rating that would enable international shipping to achieve at least 40% carbon intensity reduction by 2030 compared with 2008, i.e. in line with the Initial IMO GHG Strategy.

The draft MARPOL Annex VI Regulations 20A and 21A are expected to enter into force 1January 2023 with requirements for Energy Efficiency Existing Ship Index (EEXI) for existing ships that will be similar to the EEDI requirements for newbuild ships. Existing ships that cannot comply with the required EEXI value will need to improve the EEXI performance in order to meet the required value.

Further, the draft MARPOL Annex VI amendments include the Carbon Intensity Indicator (CII) that is expected to be included in MARPOL Annex VI as Regulation 22B and entering into force 1 January 2023.

The CII is an extension to the IMO DCS (MARPOL Annex VI, Reg. 22 & 22A) and the CII ratings will be categorized from A to E and is expected to be included on the annual fuel oil consumption Statement of Compliance with the IMO DCS.

For ships rated a D for 3 consecutive years or rated E, the SEEMP shall be reviewed and include a plan of corrective actions to achieve the required annual operational CII in accordance with Reg. 22B.

To support the implementation of these draft amendments to MARPOL Annex VI, a draft Carbon Intensity Code and draft

guidance documents for the calculations of EEXI and CII will be developed through a correspondence group and submitted to MEPC 76 for consideration. The work of the correspondence group will also include any amendments to existing guidelines and procedures resulting in following summary of work to be carried out:

A. Finalize the draft technical guidelines supporting the EEXI framework
   1. draft guidelines on the method of calculation of the attained EEXI;
   2. draft guidelines on survey and certification of the attained EEXI;
   3. draft guidelines on the Shaft/Engine Power Limitation System to comply with the EEXI requirements and use of a power reserve;
B. Further consider and finalize the main technical guidelines supporting the CII framework for voluntary application first until 1 January 2026, using documents ISWG-GHG 7/2/21, ISWG-GHG 7/2/27 and ISWG-GHG 7/2/30 as a basis, and taking into account available data:
   1. draft guidelines on operational carbon intensity indicators and the calculation methods (CII guidelines);
   2. draft guidelines on the reference lines for use with operational carbon intensity indicators (CII Reference line guidelines);
   3. draft guidelines on the operational carbon intensity reduction factors relative to reference lines (CII Reduction factor guidelines);
   4. draft guidelines on the operational carbon intensity rating of ships (CII Rating guidelines);
C. Consider concrete proposals for the update of existing guidelines, procedures and guidance, including:
   1. the 2016 Guidelines for the development of a Ship Energy Efficiency Management Plan (SEEMP) (resolution MEPC.282(70)), including to incorporate the development of a plan of corrective actions and verification requirements of SEEMP;
   2. the 2017 Guidelines for administration verification of ship fuel oil consumption data (resolution MEPC.292(71)), as appropriate;
   3. the 2017 Guidelines for the development and management of the IMO Ship Fuel Oil Consumption Database (resolution MEPC.293(71));
   4. the procedure on Submission of data to the IMO data collection system of fuel oil consumption of ships from a State not Party to MARPOL Annex VI (MEPC.1/Circ.871);
   5. the procedures for port State control, 2019 (resolution A.1138(31));
   6. the 2013 Guidance on treatment of innovative energy efficiency technologies for calculation and verification of the attained EEDI (MEPC.1/Circ.815).

The draft amendments also require that on or before 1 January 2023 the SEEMP shall be updated to include:

- a description of the methodology that will be used to calculate the ship's attained annual operational CII required by regulation 22B and the processes that will be used to report this value to the ship's Administration
- required annual operational CII for the next 3 years
- an implementation plan documenting how the required annual operational CII will be achieved during the next 3 years

The SEEMP will be mandatory and compliance will be monitored.

The Committee noted the ISWG-GHG 7 discussion on draft associated guidelines and the carbon intensity code and workplan contained in Annex 1 to this summary.

Accordingly, MEPC 75 approved the terms of reference and arrangements for the conduct of a comprehensive impact assessment of the short-term measures, and instructed the IMO Secretariat to initiate the impact assessment in accordance with the approved terms of reference, with a view to submission of a final report for the consideration of MEPC 76.

The Committee considered a proposal submitted by Shipping industry and several IMO member States, including Liberia, on the establishment of an **International Maritime Research and Development Board (IMRB)** and associated **IMO Maritime Research Fund (IMRF)** to accelerate R&D of low and zero-carbon technologies to help ensure delivery of the levels of ambition in the Initial IMO GHG Strategy. The proposal includes:

1. a mandatory 2 USD$ fuel levy per tonne of fuel, and
2. a fund of 5 billion USD over a 10-year period to finance

R&D projects, including special focus on developing States.

The proposal received varied views, in particular with regard to various operational, administrative, legal and governance aspects. However, the Committee acknowledged the proposal and the concerns raised and general support expressed, and invited interested Member States and international organizations to submit further commenting documents and other proposals for consideration at MEPC 76.

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INDICATIVE WORKPLAN ON THE DEVELOPMENT OF GUIDELINES AND THE CARBON INTENSITY CODE*

Activity	2020	2021	2022	2023	2024	2025	2026
Amendments to MARPOL Annex VI	Approval and adoption		Acceptance and entry into force			Review of Reg. 21A and 22B	
Guidelines on the method of calculation of the attained EEXI	Finalization and approval			Application			Consolidated into a Carbon Intensity Code, as appropriate
Guidelines on survey and certification of the attained EEXI	Finalization and approval			Application			
Guidelines on the Shaft/Engine Power Limitation System to comply with the EEXI requirements and use of a power reserve	Finalization and approval			Application			
Guidelines on operational carbon intensity indicators and the calculation methods (CII guidelines)	Development, finalization and approval			Application			
Guidelines on the reference lines for use with operational carbon intensity indicators (CII Reference line guidelines)	Development, finalization and approval			Application			
Guidelines on the operational carbon intensity reduction factors relative to reference lines (CII Reduction factor guidelines)	Development, finalization and approval			Application			
Guidelines on the operational carbon intensity rating of ships (CII Rating Guidelines)	Development, finalization and approval			Application			
Update of *2016 Guidelines for the development of a Ship Energy Efficiency Management Plan (SEEMP)*, including to incorporate the development of a plan of corrective actions			Development, finalization and approval	Application			
Update of *2017 Guidelines for administration verification of ship fuel oil consumption data*, as appropriate			Development, finalization and approval	Application			
Update of *2017 Guidelines for the development and management of the IMO Ship Fuel Oil Consumption Database*, as appropriate			Development, finalization and approval	Application			
Update of *2013 Guidance on treatment of innovative energy efficiency technologies for calculation and verification of the attained EEDI*, as appropriate			Development, finalization and approval	Application			
Update of *Procedure on submission of data to the IMO data collection system of fuel oil consumption of ships from a state not party to MARPOL Annex VI*, as appropriate			Development, finalization and approval	Application			
Update of *Procedures for port State control, 2019*, as appropriate			Development, finalization and approval	Application			
Development of a Carbon Intensity Code		Development, finalization and adoption		Acceptance and entry into force			Mandatory application

* This indicative workplan will be reviewed and updated, as appropriate, after each session of MEPC.