

MEPC 75 MARPOL Annex 6 Amendments entering into force on 1st April 2022.

Are you ready to the new provisions regarding fuel oil sampling, testing and verification?



The Marine Environment Protection Committee (MEPC) undertakes all environment related issues in shipping that affect marine, land, and air ecosystems. The 75th session of the MEPC was held from 16-20 November 2020. The committee adopted the amendments to MEPC 324(75) and MARPOL Annex 6. In this context, the following new requirements for fuel sampling points and the fuel sampling methods to verify the sulphur content of the fuel will come into force on April 1, 2022.

Amendments to MARPOL Annex 6 on sulphur content definition and sampling adopted

I. Amendments to Regulation 2 'Definitions'

- **Sulphur content of fuel oil** means the concentration of sulphur in any fuel oil, measured in % m/m as tested in accordance with standard acceptable to the Organization.
- **Low-flashpoint fuel** means gaseous or liquid fuel having a flashpoint lower than otherwise permitted under paragraph 2.1.1 of SOLAS regulation II-2/4.
- **In-use sample** means the sample of fuel oil in use on board a ship. It can for example be drawn from the fuel oil line between the service tank and an auxiliary engine.
- **On board sample** means the sample of fuel oil intended to be used or carried in the fuel oil storage tanks for use on board a ship. It is drawn directly or indirectly from fuel oil tanks.
- **MARPOL delivered sample** means the sample of fuel oil delivered in accordance with regulation 18.8.1 of this Annex.

II. Amendments to Regulation 14 'Sulphur oxides (SOx) and particulate matter'

Amendments to require one or more **sampling points** to be fitted or designated for the purpose of taking representative samples of the fuel oil being used or carried for use on board a ship.



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Fuel used on board will be sampled in accordance with the '2019 Guidelines for on-board sampling for verification of the sulphur content of fuel used on board a ship' (MEPC.1/Circ.864/Rev.1). **Fuel samples on board** will be taken in accordance with the '2020 Guidelines for on board sampling of fuel carried for use or intended to be used on board a ship' (MEPC.1/Circ.889). The timeline to comply with the regulation is;

- New ships (keel laid on or after 1 April 2022): on delivery.
- Existing ships (keel laid before 1 April 2022): no later than at the first International Air Pollution Prevention (IAPP) renewal survey undertaken on or after 1 April 2023.

The fitting or designating of sampling points is not applicable to a fuel oil system for low-flashpoint fuels (flashpoint <60°C).

Appendix 1 amendments to the International Air Pollution Prevention (IAPP) certificate - A reference to sampling points and any exemption to this provision for low flash-point fuel are to be noted on the IAPP Certificate issued.

Appendix 6 on the Fuel verification procedure for MARPOL Annex 6 fuel oil samples consequential amendments to verification procedures, to cover verification of the representative samples of in-use fuel oil and on-board fuel oil. The representative samples of the fuel oil being used on board will also be used to verify that the fuel oil complies with the regulation. A new Part 2 to Appendix 6 of MARPOL Annex 6 sets out the verification procedure for the new "in-use" and "on-board" samples. Sulphur content up to 0.53% can be accepted as compliant when testing the "in use" and "on board" samples.

P&I Insurance perspective

If pollution has occurred due to the accidental discharge or escape of the pollutant from the ship to the sea, the pollution fines imposed for this reason are considered as covered under normal conditions. Fines to be imposed due to breach of MARPOL cap may not be considered "accidental". We kindly remind our assureds that insurance cover for fines arising from breaches of low-sulphur fuel regulations and other MARPOL violations is strictly discretionary.

Our assureds can meet the above-mentioned new requirements by implementing simple loss-prevention procedures. Crew training should be increased for fuel operations and on board fuelling / sampling procedures should be updated in accordance with the new requirements. We recommend our assureds to raise the crew awareness on new requirements and to make sure the crew is familiarized with the fuel oil sampling procedures pursuant to the IMO's guidelines.

Fair winds, the blue and the fresh seas...