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UNIFIED INTERPRETATIONS TO MARPOL ANNEX VI

1 The Marine Environment Protection Committee, at its sixty-fourth session (1 to 5 October 2012), approved Unified Interpretations to MARPOL Annex VI (MEPC 64/23, paragraphs 4.25 and 4.112.5).

2 The Unified Interpretations, as approved by the Committee, are set out in the annex hereto.

ANNEX

UNIFIED INTERPRETATIONS TO MARPOL ANNEX VI

Regulation 2

Definitions

Regulation 2.23 reads as follows:

- "23 *New ships* means a ship:
- .1 for which building contract is placed on or after 1 January 2013; or
 - .2 in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction on or after 1 July 2013; or
 - .3 the delivery of which is on or after 1 July 2015."

Interpretation:

For application of the definition "new ships" specified in regulation 2.23 of MARPOL Annex VI to each Phase specified in table 1 of regulation 21 of MARPOL Annex VI, it should be interpreted as follows:

- .1 the date specified in regulation 2.23.1 of MARPOL Annex VI should be replaced with the start date of each Phase;
- .2 the date specified in regulation 2.23.2 of MARPOL Annex VI should be replaced with the date six months after the start date of each Phase; and
- .3 the date specified in regulation 2.23.3 of MARPOL Annex VI, should for Phase 1, 2 and 3 be replaced with the date 48 months after the start date of each Phase.

With the above interpretations, the required EEDI of each Phase is applied to the following new ship which falls into one of the categories defined in regulations 2.25 to 2.31 of MARPOL Annex VI and to which chapter 4 of MARPOL Annex VI is applicable.

- (a) The required EEDI of Phase 0 is applied to the following new ship:
- .1 for which the building contract is placed in Phase 0, and the delivery is before 1 January 2019; or
 - .2 the building contract of which is placed before Phase 0, and the delivery is on or after 1 July 2015 and before 1 January 2019; or
- in the absence of a building contract,
- .3 the keel of which is laid or which is at a similar stage of construction on or after 1 July 2013 and before 1 July 2015, and the delivery is before 1 January 2019; or

- .4 the keel of which is laid or which is at a similar stage of construction before 1 July 2013, and the delivery is on or after 1 July 2015 and before 1 January 2019.
- (b) The required EEDI of Phase 1 is applied to the following new ship:
- .1 for which the building contract is placed in Phase 1, and the delivery is before 1 January 2024; or
 - .2 the building contract of which is placed before Phase 1, and the delivery is on or after 1 January 2019 and before 1 January 2024; or
- in the absence of a building contract,
- .3 the keel of which is laid or which is at a similar stage of construction on or after 1 July 2015 and before 1 July 2020, and the delivery is before 1 January 2024; or
 - .4 the keel of which is laid or which is at a similar stage of construction before 1 July 2015, and the delivery is on or after 1 January 2019 and before 1 January 2024.
- (c) The required EEDI of Phase 2 is applied to the following new ship:
- .1 for which the building contract is placed in Phase 2, and the delivery is before 1 January 2029; or
 - .2 the building contract of which is placed before Phase 2, and the delivery is on or after 1 January 2024 and before 1 January 2029; or
- in the absence of a building contract,
- .3 the keel of which is laid or which is at a similar stage of construction on or after 1 July 2020 and before 1 July 2025, and the delivery is before 1 January 2029; or
 - .4 the keel of which is laid or which is at a similar stage of construction before 1 July 2020, and the delivery is on or after 1 January 2024 and before 1 January 2029.
- (d) The required EEDI of Phase 3 is applied to the following new ship:
- .1 for which the building contract is placed in Phase 3; or
 - .2 in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction on or after 1 July 2025; or
 - .3 the delivery of which is on or after 1 January 2029.

Regulation 2.24 reads as follows:

- "24 *Major Conversion* means in relation to chapter 4 of this Annex a conversion of a ship:
- .1 which substantially alters the dimensions, carrying capacity or engine power of the ship; or

- .2 which changes the type of the ship; or
- .3 the intent of which in the opinion of the Administration is substantially to prolong the life of the ship; or
- .4 which otherwise so alters the ship that, if it were a new ship, it would become subject to relevant provisions of the present Convention not applicable to it as an existing ship; or
- .5 which substantially alters the energy efficiency of the ship and includes any modifications that could cause the ship to exceed the applicable required EEDI as set out in regulation 21 of this Annex."

Interpretation:

1 For regulation 2.24.1 of MARPOL Annex VI, any substantial change in hull dimensions and/or capacity (e.g. change of length between perpendiculars (L_{PP}) or change of assigned freeboard) should be considered a major conversion. Any substantial increase of total engine power for propulsion (e.g. 5 per cent or more) should be considered a major conversion. In any case, it is the Administration's authority to evaluate and decide whether an alteration should be considered as major conversion, consistent with chapter 4 of MARPOL Annex VI.

2 Notwithstanding paragraph 1, for regulation 2.24.5 of MARPOL Annex VI, the effect on attained EEDI as a result of any change of ship's parameters, particularly any increase in total engine power for propulsion, should be investigated. In any case, it is the Administration's authority to evaluate and decide whether an alteration should be considered as major conversion, consistent with chapter 4 of MARPOL Annex VI.

3 A company may, at any time, voluntarily request re-certification of EEDI with IEE Certificate reissuance on the basis of any new improvements to the ship efficiency that are not considered to be major conversion.

4 In regulation 2.24.4 of MARPOL Annex VI, terms "new ship" and "existing ship" should be understood as they are used in MARPOL Annex I regulation 1.9.1.4, rather than as the defined terms in regulations 2.22 and 2.23.

5 The term "a ship" referred to in regulation 5.4.2 of MARPOL Annex VI is interpreted as "new ship."

Regulation 2.30 reads as follows:

"30 *Refrigerated cargo carrier* means a ship designed exclusively for the carriage of refrigerated cargoes in holds."

Interpretation:

Ships dedicated to the carriage of fruit juice in refrigerated cargo tanks should be categorized as refrigerated cargo carrier.

Regulation 5

Surveys

Regulation 5.4.4 reads as follows:

- "4 For existing ships, the verification of the requirement to have a SEEMP on board according to regulation 22 shall take place at the first intermediate or renewal survey identified in paragraph 1 of this regulation, whichever is the first, on or after 1 January 2013."

Regulation 6

Issue or endorsement of a Certificates

Regulation 6.4 reads as follows:

- "4 An International Energy Efficiency Certificate for the ship shall be issued after a survey in accordance with the provisions of regulation 5.4 of this Annex to any ship of 400 gross tonnage and above before that ship may engage in voyages to ports or offshore terminals under the jurisdiction of other Parties."

Regulation 22

Ship Energy Efficiency Management Plan (SEEMP)

Regulation 22.1 reads as follows:

- "1 Each ship shall keep on board a ship specific Ship Energy Efficiency Management Plan (SEEMP). This may form part of the ship's Safety Management System (SMS)."

Interpretation:

1 The International Energy Efficiency Certificate (IEEC) shall be issued for both new and existing ships to which chapter 4 of MARPOL Annex VI applies.

2 The SEEMP required by regulation 22.1 of MARPOL Annex VI is not required to be placed on board an existing ship to which this regulation applies until such time as the verification survey specified in regulation 5.4.4 of MARPOL Annex VI is carried out.

3 For existing ships, a Ship Energy Efficiency Management Plan (SEEMP) required in accordance with regulation 22 shall be verified on board according to regulation 5.4.4, and an IEEC shall be issued, not later than the first intermediate or renewal MARPOL Annex VI chapter 2 survey, whichever is the sooner, on or after 1 January 2013, i.e. a survey connected to an intermediate/renewal survey of the IAPP Certificate.

4 The intermediate or renewal survey referenced in 2 relates solely to the timing for the verification of the SEEMP on board, i.e. these IAPP survey windows will also become the IEEC initial survey date for existing ships. The SEEMP is however a survey item solely under the new MARPOL Annex VI, chapter 4, and is not a survey item relating to IAPP surveys.

5 In the event that the SEEMP is not found on board during the first intermediate/renewal survey of the IAPP Certificate on or after 1 January 2013, then the RO should seek the advice of the Administration concerning the issuance of an IEEC and be

guided accordingly. However, the validity of the IAPP Certificate is not impacted by the lack of a SEEMP as the SEEMP is a survey item solely under the new MARPOL Annex VI, chapter 4, and not under the IAPPC surveys.

6 With respect to ships required to keep on board a SEEMP, such ships exclude platforms (including FPSOs and FSUs) and drilling rigs, regardless of their propulsion.

7 SEEMP should be established in a working language or languages understood by ship's personnel.

Regulation 8
Form of Certificates

Regulation 8.1 reads as follows:

"1 The International Air Pollution Prevention Certificate shall be drawn up in a form corresponding to the model given in appendix I to this Annex and shall be at least in English, French or Spanish. If an official language of the issuing country is also used, this shall prevail in case of a dispute or discrepancy."

Appendix 1
Form of International Air Pollution Prevention (IAPP) Certificate (Regulation 8)

Section 2.3 of supplement to International Air Pollution Prevention Certificate reads as follows:

- 2.3 Sulphur oxides (SO_x) and particulate matter (regulation 14)
- 2.3.1 When the ship operates outside of an Emission Control Area specified in regulation 14.3, the ship uses:
- .1 fuel oil with a sulphur content as documented by bunker delivery notes that does not exceed the limit value of:
 - 4.50% m/m (not applicable on or after 1 January 2012); or
 - 3.50% m/m (not applicable on or after 1 January 2020); or
 - 0.50% m/m, and/or
 - .2 an equivalent arrangement approved in accordance with regulation 4.1 as listed in 2.6 that is at least as effective in terms of SO_x emission reductions as compared to using a fuel oil with a sulphur content limit value of:
 - 4.50% m/m (not applicable on or after 1 January 2012); or
 - 3.50% m/m (not applicable on or after 1 January 2020); or
 - 0.50% m/m
- 2.3.2 When the ship operates inside an Emission Control Area specified in regulation 14.3, the ship uses:
- .1 fuel oil with a sulphur content as documented by bunker delivery notes that does not exceed the limit value of:
 - 1.00% m/m (not applicable on or after 1 January 2015); or
 - 0.10% m/m, and/or
 - .2 an equivalent arrangement approved in accordance with regulation 4.1 as listed in 2.6 that is at least as effective in terms of SO_x emission reductions as compared to using a fuel oil with a sulphur content limit value of:
 - 1.00% m/m (not applicable on or after 1 January 2015); or
 - 0.10% m/m

Interpretation:

Section 2.3 of the supplement ("as documented by bunker delivery notes") allows for an "x" to be entered in advance of the dates indicated in all of the relevant check boxes recognizing that the bunker delivery notes, required to be retained on board for a minimum period of three years, provide the subsequent means to check that a ship is actually operating in a manner consistent with the intent as given in section 2.3.

Regulation 16.9

Shipboard incineration

Regulation 16.9 reads as follows:

For incinerators installed in accordance with the requirements of paragraph 6.1 of this regulation the combustion chamber gas outlet temperature shall be monitored at all times the unit is in operation. Where that incinerator is of the continuous-feed type, waste shall not be fed into the unit when the combustion chamber gas outlet temperature is below 850°C. Where that incinerator is of the batch-loaded type, the unit shall be designed so that the combustion chamber gas outlet temperature shall reach 600°C within five minutes after start-up and will thereafter stabilize at a temperature not less than 850°C.

Interpretation:

For application of this regulation the term "waste shall not be fed into the unit" should be interpreted as follows:

The introduction of sludge oil, generated during normal operation of a ship, into a continuous-feed type incinerator during the warm-up process at combustion chamber temperatures above 500°C* in order to achieve the normal operation combustion chamber temperature of 850°C is allowed. The combustion chamber flue gas outlet temperature should reach 850°C within the period of time specified in the manufacturer's operations manual but should not be more than five minutes.

* For the introduction of sludge oil into the incinerator, two conditions need to be fulfilled to secure smokeless and complete combustion:

- .1 the combustion chamber flue gas outlet temperature has to be above 850°C as required by regulation 16.9 of MARPOL Annex VI to ensure smokeless combustion; and
- .2 the combustion chamber temperature (material temperature of the fire brickwork) has to be above 500°C to ensure a sufficient evaporation of the burnable components of the sludge oil.