

# Regulations of 30 May 2012 No. 488 on environmental safety for ships and mobile offshore units

**Legal basis:** Laid down by the Norwegian Maritime Authority on 30 May 2012 under the Act of 16 February 2007 No. 9 relating to ship safety and security (Ship Safety and Security Act) sections 2, 3, 6, 13, 31, 32, 33, 34, 35, 37, 38 and 43, cf. Formal Delegation of 16 February 2007 No. 171, Formal Delegation of 31 May 2007 No. 590 and Formal Delegation of 29 June 2007 No. 849, Act of 26 June 1998 No. 47 relating to recreational and small craft sections 20, 21, 22, 23, 25, 26, 38 and 39, cf. Formal Delegation of 27 November 1998 No. 1095, Formal Delegation of 29 June 2007 No. 848, Formal Delegation of 1 December 1998 No. 4532, Formal Delegation of 31 May 2007 No. 591 and Formal Delegation of 29 June 2007 No. 849 and Act of 11 June 1976 No. 79 relating to the control of products and consumer services (Product Control Act) section 4.

**EEA references:** EEA Agreement Annex II chapter XIX point 1 (Directive 98/34/EC), chapter XXXII point 1, chapter XVII point 6 (Directive 93/12/EEC as amended by Directive 1999/32/EC and Directive 2005/33/EC), Annex XIII point 56d (Directive 96/98/EC), point 56i (Directive 2000/59/EC as amended by Directive 2002/84/EC and Directive 2007/71/EC), point 56m (Regulation (EC) No 530/2012), point 56p (Regulation (EC) No 782/2003 as amended by Regulation (EC) No.536/2008), point 56v (Directive 2005/35/EC), Annex XX point 21ad (Directive 1999/32/EC as amended by Directive 2005/33/EC and Directive 2012/33/EU) and point 21ar (Directive 2001/81/EC).

**Amendments:** Amended by Regulations of 18 December 2012 No. 1295, 19 April 2013 No. 424, 31 July 2013 No. 938, 30 June 2014 No. 940, 5 June 2015 No. 616, 31 August 2015 No. 1038, 23 November 2016 No. 1362, 1 June 2017 No. 691, 1 September 2017 No. 1333, 20 December 2017 No. 2379, 5 June 2018 No. 842, 1 March 2019.

## Section 1

### *Scope of application*

These Regulations apply to Norwegian ships, including recreational craft and mobile offshore units. Subject to limitations following from international law, these Regulations apply to foreign ships and mobile offshore units:

- a) in Norwegian territorial waters, including waters near Svalbard and Jan Mayen;
- b) in the Norwegian economic zone;
- c) on the Norwegian Continental Shelf.

For foreign ships that have arrived voluntarily in a Norwegian port or at installations on the Norwegian continental shelf or in the Norwegian economic zone, sections 4 and 7 shall apply to discharges in the high seas.

Amended by Regulation of 19 April 2013 No. 424 (in force on 1 July 2013).

## Section 2

### *Drawings, information, etc.*

Drawings must be submitted to document that set requirements for systems, equipment, units, etc. are met. The drawings shall be detailed and clear, so that the assessment as to whether the requirements are met can be made based on the drawings and additional information, if necessary. The Norwegian Maritime Authority may request additional information, including in which form the information shall be submitted.

## Section 3

### *Declaration of polluting goods*

The master or operator shall receive a declaration containing information about the polluting goods before the goods are taken on board the ship. The declaration shall contain information about:

- a) the correct technical name of the goods with:
  1. the United Nations (UN) numbers where they exist;
  2. the IMO hazard classes in accordance with the International Maritime Dangerous Goods (IMDG) Code, the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IBC Code) or the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code);
- b) the class of the ship required for the carriage of the cargo in accordance with the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships (INF Code);
- c) the quantities of polluting goods;
- d) the identification marks of the cargo transport units if the polluting goods are being carried in cargo transport units other than tanks;
- e) the emergency numbers of the shipper or any other person or body in possession of information on the physico-chemical characteristics of the goods and on the actions to be taken in an emergency.

The declaration shall be available on board the ship.

For goods covered by section 4, the declaration shall include information specified in Annex 1.

Amended by Regulation of 31 July 2013 No. 938 (in force on 1 August 2013).

## Section 4

### *Prevention of pollution by oil from ships and mobile offshore units – MARPOL Annex I*

The International Convention for the Prevention of Pollution from Ships (MARPOL) consolidated edition 2011, Annex I on the prevention of pollution by oil, as amended by MEPC.216(63), MEPC.235(65), MEPC.238(65), MEPC.246(66), MEPC.256(67) and MEPC.265(68), with the exception of Regulation I/42, shall apply as regulation.

In MARPOL, “ship” also means mobile offshore unit.

Amended by Regulations of 31 July 2013 No. 938 (in force on 1 August 2013), 23 November 2016 No. 1362 (in force on 1 January 2017).

## Section 5

### *Accelerated phasing-in of double hull*

Annex XIII point 56m of the EEA Agreement (Regulation (EU) No 530/2012) on the accelerated phasing-in of double hull or equivalent design requirements for oil tankers applies as regulation with amendments and additions that follow from Annex XIII, Protocol 1 to the Agreement and the Agreement in general.

Amended by Regulation of 30 June 2014 No. 940.

## Section 6

### *Equipment for the retention of oily bilge water on ships of less than 400 gross tonnage*

Ships of 15 metres or more in overall length and less than 400 gross tonnage shall have equipment for the retention of oily bilge water and piping for subsequent discharge to reception facilities.

On ships of between 200 gross tonnage and 400 gross tonnage, the holding tank shall be fitted below deck. On ships of less than 200 gross tonnage, the holding tank may be fitted on deck. Ships of less than 100 gross tonnage may alternatively have a properly fixed holding drum.

The Norwegian Maritime Authority may, in special cases and upon written application, grant exemption from the first and second paragraphs if the company provides evidence of having implemented compensating measures which the Norwegian Maritime Authority considers to maintain the same level of safety as the requirements of these Regulations.

## Section 7

### *Control of pollution by noxious liquid substances in bulk – MARPOL Annex II, etc.*

MARPOL consolidated edition 2011 Annex II on the control of pollution by noxious liquid substances in bulk, as amended by MEPC.216(63), MEPC.238(65), MEPC.246(66), MEPC.265(68) and MEPC.270(69), shall apply as regulation. The same shall apply to ships engaged on domestic voyages.

The master of a ship carrying noxious liquid substances in bulk who shall either check the residues in the cargo tanks after unloading, or is required to carry out a prewash or concentration measurement after unloading, shall give notification of this to the Norwegian Maritime Authority prior to arrival at the port of discharge. The notification must be registered electronically in the Norwegian Coastal Administration’s reporting system.

When offshore support vessels carry limited amounts of hazardous and noxious liquid substances in bulk and comply with the IMO Guidelines for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk on offshore support vessels, cf. Resolution A.673(16) as amended by MEPC.158(55), the vessel need not comply with the requirements of the first paragraph. Offshore support vessel means:

- a) a vessel primarily engaged in the transport of stores, materials and equipment to and from fixed or mobile offshore drilling units or facilities and other similar offshore installations;
- b) a vessel, including a well stimulation vessel, which is primarily engaged in supporting the operation of offshore installations. Mobile offshore drilling units, crane barges, bybarges or floating living quarters are not offshore support vessels.

The Norwegian Maritime Authority may exempt a ship engaged on domestic voyages from one or more of the requirements of the first paragraph if the company submits a written application for an exemption and one of the following requirements is met:

- a) it is established that the requirement is not essential and that it is justifiable in terms of safety;
- b) it is established that compensating measures will maintain the same level of safety as the requirement of these Regulations.

Amended by Regulations of 31 July 2013 No. 938 (in force on 1 August 2013), 23 November 2016 No. 1362 (in force on 1 January 2017), 1 September 2017 No. 1333.

## Section 8

### *Prevention of pollution by harmful substances in packaged form – MARPOL Annex III*

MARPOL consolidated edition 2011 Annex III on the prevention of pollution by harmful substances in packaged form, as amended by MEPC.246(66), shall apply as regulation.

Amended by Regulation of 23 November 2016 No. 1362 (in force on 1 January 2017).

## Section 9

### *Prevention of pollution by sewage from ships and mobile offshore units – MARPOL Annex IV*

MARPOL consolidated edition 2017 Annex IV on the prevention of pollution by sewage, as amended by MEPC.274(69) and MEPC.275(69), shall apply as regulation for ships of 400 gross tonnage and upwards or which are certified to carry more than 15 persons, in Norwegian sea areas south of Lindesnes (N 57° 58' 8" E 7° 3' 4") to the dividing line between Norway and Denmark (N 57° 10' 3" E 7° 3' 4") and into the waters from the dividing line to the Swedish border. For the purposes of these Regulations, "ships" also includes mobile offshore units.

In addition to MARPOL Annex IV Regulation 9 on sewage systems, the following requirements apply for comminuting and disinfecting systems:

- a) comminuted sewage shall be able to pass through a grating with a maximum opening of 10 mm;
- b) the system shall have capacity for the temporary storage of sewage, where recognised norms for the calculation are used and where the operation of the ship, the maximum number of persons on board and other relevant factors are taken into consideration;
- c) the system's holding tank shall be provided with a visual indication of the amount of stored sewage and meet the construction requirements from a recognised classification society or the regulations on the construction of passenger ships, cargo ships and barges; and
- d) a suitable disinfectant or sanitary fluid shall be introduced to the plant along with sewage.

The holding tank, as mentioned in MARPOL Annex IV Regulation 9(1) No. 3 and regulation 9(2) No. 2, shall have sufficient capacity for the retention of all sewage. The capacity shall be calculated according to the second paragraph (b), and the holding tank shall be constructed to comply with the requirements of the second paragraph (c).

Amended by Regulations of 18 December 2012 No. 1295, 31 July 2013 No. 938 (in force on 1 August 2013), 23 November 2016 No. 1362 (in force on 1 January 2017), 1 September 2017 No. 1333, 1 March 2019.

## Section 10

### *Prohibition of the discharge of sewage, grey water, etc. into Norwegian waters*

The discharge of sewage, grey water and similar into waterways is prohibited.

The discharge of sewage into Norwegian near-coastal waters within a distance of 300 metres from the mainland and islands is prohibited. Discharge from sewage treatment plants satisfying the requirements of MARPOL regulation IV/9.1.1 is not covered by the prohibition laid down in the first sentence.

Sewage means:

- a) drainage and other wastes from toilets, urinals and similar sanitary fixtures;
- b) drainage discharged from wash basins, wash tubs and scuppers located in medical premises;
- c) drainage from spaces used by living animals;
- d) other waste waters when mixed with the drainages mentioned in subparagraphs a to c.

The Norwegian Maritime Authority may in special cases grant exemptions from the first and second paragraphs for ships that are not covered by MARPOL Regulation IV/2, cf. section 9. The decision to grant the exemption shall give particular emphasis to whether the ship is protected by law or has been given status as a ship of historical importance by the Directorate for the Cultural Heritage or whoever is authorised by that Directorate, and to whether the implementation of the requirements may interfere with the historical importance of the ship.

Amended by Regulations of 18 December 2012 No. 1295, 1 March 2019.

## Section 10a

### *Special rules regarding discharge of sewage and grey water in the world heritage fjords*

Ships of 400 gross tonnage and upwards or which are certified to carry more than 15 persons are not allowed to discharge sewage into the world heritage fjords.

Ships of 2500 gross tonnage and upwards certified to carry more than 100 persons are not allowed to discharge grey water into the world heritage fjords. For the purposes of these Regulations, grey water means wash water from dishwashing, washbasins and other sinks, showers, laundry, bathtubs and similar.

The world heritage fjords means the world heritage site the West Norwegian Fjords, which for the purposes of these Regulations consist of the following sea areas:

- a) the Geirangerfjord area: The Geirangerfjord/Sunnylvsfjord south of the line between N 62° 13' 42" E 7° 2' 30" and N 62° 13' 48" E 7° 0' 30" with the exception of Hellesylt west of the line between N 62° 5' 42" E 6° 54' 18" and N 62° 6' 30" E 6° 54' 42" and with the addition of the Tafjord east of the line between N 62° 17' 12" E 7° 19' 48" and N 62° 17' 36" E 7° 20' 12".
- b) the Nærøyfjord area: The Nærøyfjord/Aurlandsfjord south of the line between N 61° 3' 36" E 7° 2' 54" and N 61° 3' 24" E 7° 0' 54".

The Norwegian Maritime Authority may upon written application up until 2024 grant a time-limited permission to discharge sewage in the world heritage fjords to ships running a regular service on a public contract and to ships offering an established fjord cruise service.

Added by Regulation of 1 March 2019.

## Section 11

### *Prevention of pollution by garbage from ships and mobile offshore units – MARPOL Annex V*

MARPOL Annex V on the prevention of pollution by garbage, cf. MEPC.201(62) as amended by MEPC.216(63), MEPC.246(66) and MEPC.265(68), shall apply as regulation. In MARPOL, "ship" also means mobile offshore unit.

All ships entering the Antarctic area south of 60°S shall have sufficient capacity for the retention on board of all garbage produced on board while operating in the area and have arrangements for the discharge of retained garbage at a reception facility.

Amended by Regulations of 18 December 2012 No. 1295, 31 July 2013 No. 938 (in force on 1 August 2013), 23 November 2016 No. 1362 (in force on 1 January 2017).

## Section 12

### *Prevention of air pollution from ships and mobile offshore units – MARPOL Annex VI*

MARPOL consolidated edition 2011 Annex VI on the prevention of air pollution, as amended by MEPC.202(62), MEPC.203(62), MEPC.217(63), MEPC.247(66), MEPC.251(66), MEPC.258(67), MEPC.271(69) and MEPC.278(70), and the NO<sub>x</sub> Technical Code, as amended by MEPC.177(58), MEPC.217(63), MEPC.251(66) and MEPC.272(69), shall apply as regulation. In MARPOL, "ship" also means mobile offshore unit.

MARPOL Annex VI chapter 4 and regulation VI/5.4, cf. the first paragraph, shall apply correspondingly to ships of 400 gross tonnage and upwards engaged on domestic voyages, with the exception of the amendments laid down in MEPC.251(66).

New ship engaged on domestic voyages means, cf. MARPOL regulation VI/2.23, a ship:

- a) for which the building contract is placed on or after 1 July 2015;
- b) 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 January 2016; or
- c) the delivery of which is on or after 1 January 2018.

Amended by Regulations of 18 December 2012 No. 1295, 31 July 2013 No. 938 (in force on 1 August 2013), 5 June 2015 No. 616 (in force on 1 July 2015), 31 August 2015 No. 1038 (in force on 1 September 2015), 23 November 2016 No. 1362 (in force on 1 January 2017), 1 September 2017 No. 1333, 20 December 2017 No. 2379 (in force on 1 January 2018), 5 June 2018 No. 842.

## Section 12a

### *Monitoring, reporting and verification of greenhouse gas emissions from ships*

The EEA Agreement Annex XIII point 56b and Annex XX point 21aw (Regulation (EU) 2015/757 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport, and amending Directive 2009/16/EC, as amended by Annex XX point 21aw of the EEA Agreement (Regulation (EU) 2016/2071) shall apply as regulation with the adaptations that follow from Annex XIII, Protocol 1 to the Agreement and the Agreement in general.

The EEA Agreement Annex XX point 21awb (Regulation (EU) 2016/1927 on templates for monitoring plans, emissions reports and documents of compliance shall apply as regulation with the adaptations that follow from Annex XX, Protocol 1 to the Agreement and the Agreement in general.

The EEA Agreement Annex XX point 21awc (Regulation (EU) 2016/1928 on determination of cargo carried for categories of ships other than passenger, ro-ro and container ships shall apply as regulation with the adaptations that follow from Annex XX, Protocol 1 to the Agreement and the Agreement in general.

The EEA Agreement Annex XX point 21awa (Regulation (EU) 2016/2072 on the verification activities and accreditation of verifiers shall apply as regulation with the adaptations that follow from Annex XX, Protocol 1 to the Agreement and the Agreement in general.

Added by Regulation of 1 June 2017 No. 691, amended by Regulation of 5 June 2018 No. 842.

## Section 13

### *Sulphur content of fuel oil used while the ship is berthed or anchored*

The sulphur content of fuel oil used on board while a ship or mobile offshore unit is securely moored at berth or at anchor in port shall not exceed 0.10% m/m.

Fuel transfer shall be made as quickly as possible and entered in the engine-room log book.

The first and second paragraphs do not apply when the scheduled stay in port according to the published timetable is less than two hours.

Amended by Regulation of 30 June 2014 No. 940.

## Section 14

### *Sulphur content of fuel oil for passenger ships on a regular service in the EEA*

Outside emission control areas, the sulphur content of the fuel shall not exceed 1.50% m/m for passenger ships on a regular service to and from ports within the European Economic Area (EEA) and which are in Norwegian territorial waters or in the Norwegian economic zone.

Regular service means a series of crossings between two or more ports, or a series of voyages from and to the same port without intermediate calls, either according to a published timetable, or with crossings so regular or frequent that they constitute a recognisable voyage plan.

## Section 14a

### *Trials of new emission abatement methods*

The Norwegian Maritime Authority may approve trials of emission abatement methods on board Norwegian ships and mobile offshore units or foreign ships and mobile offshore units in Norwegian waters, for a period not exceeding 18 months.

During the trials, exemption is granted from the requirements of sections 13 and 14 provided that all the following conditions are met:

- a) tamper-proof equipment for the continuous monitoring of funnel gas emissions is installed and used throughout the trial period;
- b) emission reductions are achieved, which are at least equivalent to those which would be achieved through the sulphur limits for fuels laid down in these Regulations;
- c) there are proper waste management systems in place for any waste generated by the emission abatement methods throughout the trial period;
- d) an assessment is made of impacts on the marine environment, particularly ecosystems in enclosed ports, harbours and estuaries throughout the trial period; and
- e) complete reports are made publicly available within six months of the end of the trials.

Added by Regulation of 30 June 2014 No. 940.

## Section 14b

### *Special rules regarding emission of sulphur oxides (SO<sub>x</sub>) from ships in the world heritage fjords*

Ships in the world heritage fjords shall use either:

- a) fuel with a sulphur content not exceeding 0.10% by weight; or;
- b) an approved closed loop exhaust gas cleaning system; or
- c) an approved hybrid exhaust gas cleaning system in closed loop mode.

Ships using an exhaust gas cleaning system to meet the sulphur requirement are required to use a device for reducing visible emissions to air.

Added by Regulation of 1 March 2019.

## Section 14c

### *Special rules regarding emission of nitrogen oxides (NO<sub>x</sub>) from ships in the world heritage fjords*

Ships of 1,000 gross tonnage and upwards shall, irrespective of the requirements in force at the year of the ship's construction, in the world heritage fjords comply with:

- a) the Tier I requirements, cf. MARPOL regulation VI/13 by 1 January 2020;
- b) the Tier II requirements, cf. MARPOL regulation VI/13 by 1 January 2022;
- c) the Tier III requirements, cf. MARPOL regulation VI/13 by 1 January 2025.

The Norwegian Maritime Authority may upon written application from the company grant exemption for a ship from the Tier I requirements set out in MARPOL regulation VI/13 cf. section 12, if it can be documented that the ship will comply with the Tier III requirements not later than 1 January 2022.

Added by Regulation of 1 March 2019.

## Section 14d

### *Environmental instruction for ships of more than 10,000 gross tonnage sailing in the world heritage fjords*

Ships of 10,000 gross tonnage and upwards sailing in the world heritage fjords shall have an environmental instruction specially adapted to the ship and operation in these areas. The environmental instruction shall ensure that the ship is operated as environmentally friendly as possible through technical and operational measures and crew training. The instruction shall as a minimum include:

- a) operational and technical measures for reducing particle matter emissions and visible smoke;
- b) speed as a measure for reducing emissions and discharges.

Added by Regulation of 1 March 2019.

## Section 14e

### *Special rules regarding incineration of waste on board ships in the world heritage fjords*

In the world heritage fjords, incineration of waste on board ships is prohibited.

Added by Regulation of 1 March 2019.

## Section 14f

### *Special rules on ships in the world heritage fjords which are protected or given status as historical by the Directorate for Cultural Heritage*

The Norwegian Maritime Authority may upon written application grant exemption from the requirements of sections 10a, 14b and 14c for ships which are protected or given status as historical by the Directorate for Cultural Heritage. When considering whether an exemption may be granted, emphasis is placed on whether the implementation of the requirements may interfere with the historical importance of the ship, whether the ship has a historical affiliation with the world heritage fjords, and the purpose of the special regulation of the world heritage fjords.

Added by Regulation of 1 March 2019.

## Section 15

### *Sampling of marine gas oil sold in Norway to ships in domestic trade*

A sample, as specified in MARPOL Annex VI regulation 18.8.1, cf. section 12, is not required for marine gas oil sold in Norway to ships in domestic trade.

## Section 16

### *Duty to deliver waste and cargo residues*

The master shall ensure delivery of waste and cargo residues to a port reception facility prior to departure.

Ships with sufficient dedicated storage capacity for all ship-generated waste and cargo residues in addition to waste already on board may continue to the next port without delivering waste and cargo residues prior to departure.

For oily waste, the residue capacity shall be at least 75% of the total capacity.

If there are reasons to believe that adequate reception facilities are not available at the next port of call, or if this port is unknown, the Norwegian Maritime Authority may order the ship to deliver waste and cargo residues prior to departure, even if the storage capacity on board is considered sufficient pursuant to the second and third paragraphs.

## Section 17

### *Prohibition of organotin compounds on ships and mobile offshore units*

Annex XIII point 56p of the EEA Agreement (Regulation (EC) No 782/2003 as amended by Regulation (EC) No 536/2008) on the prohibition of organotin compounds on ships shall apply as regulation with the adaptations that follow from Annex XIII, Protocol 1 to the Agreement and the Agreement in general.

## Section 18

### *International certificates*

Ships and mobile offshore units operating in trade area "Great coasting", "Bank fishing I" or greater trade area shall have relevant certificates as specified in sections 4, 7, 9 and 12.

Amended by Regulations of 31 July 2013 No. 938 (in force on 1 August 2013), 20 December 2017 No. 2379 (in force on 1 January 2018).

## Section 19

### *The Polar Code Part II-A*

MEPC.264(68) regarding an international code for ships operating in polar waters (Polar Code) Part II-A, and the environment-related provisions in the introduction, shall apply as regulation.

Category A ships constructed before 1 January 2017 that cannot comply with the requirements of the Polar Code Part II-A paragraph 1.1.1 for oil or oily mixtures from machinery spaces and are operating continuously in Arctic waters for more than 30 days shall comply with these requirements not later than the first intermediate or renewal survey, whichever comes first, after 1 January 2018. Until such date these ships shall comply with the discharge requirements of MARPOL Annex I regulation 15.3.

Added by Regulation of 23 November 2016 No. 1362 (in force on 1 January 2017).

## Section 20

### *Entry into force*

These Regulations enter into force immediately.

From the same date, the following regulations are repealed:

1. Regulations of 20 February 2003 No. 254 on the accelerated phasing-in of double hull or equivalent design requirements for single-hull oil tankers.
2. Regulations of 16 June 1983 No. 1122 concerning the prevention of pollution from ships (MARPOL Regulations).
3. Regulations of 22 July 1983 No. 1331 concerning the prevention of pollution from the maritime operation of mobile offshore units.
4. Regulations of 20 November 2003 No. 1388 concerning the prohibition of organotin compounds on ships.

Amended by Regulation of 23 November 2016 No. 1362 (in force on 1 January 2017, formerly section 19).

## Section 21

### *Amendments to other regulations*

From the day these Regulations enter into force, the following amendments are made to other regulations:

1. In the Regulations of 15 September 1992 No. 693 on the form and keeping of log books for ships and mobile offshore units, the following sections are repealed:

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Amended by Regulation of 23 November 2016 No. 1362 (in force on 1 January 2017, formerly section 20).