Subject

Additional information regarding regulations on the sulphur content of fuel oil within Chinese emission control areas



No. TEC-1063 Date 18 March 2016

To whom it may concern

With regard to regulations on the sulphur content of fuel oil within Chinese emission control areas as detailed in ClassNK Technical Information TEC-1060 dated 22 December 2015, please be informed of the additional information as follows.

1. Implementation of regulations within the Yangtze River Delta from 1 April 2016

On the website of the China Maritime Safety Administration, it was published that, from 1 April 2016, ships berthing at core ports within the Yangtze River Delta (Port of Shanghai, Port of Zhoushan, Port of Ningbo, Port of Suzhou including Zhangjiagang, Changshu and Taicang, and Port of Nantong) are required to use fuel oils whose sulphur content does not exceed 0.5% m/m. The URL for this information is as follows.

http://en.msa.gov.cn/index.php?m=content&c=index&a=show&catid=343&id=175

In this regard, the Shanghai Municipal Transport Commission and the Shanghai Maritime Safety Administration have issued a work plan on the implementation of regulations from 1 April 2016. (Please refer to Attachment 1.)

2. Necessary on-board documents and inspection requirements

The China Maritime Safety Administration issued documents related to necessary on-board documents and inspection requirements (Attachment 2 and 3). Please note the following points.

Ships changing over fuel oils are to record the information of each fuel changeover. The start/end dates and times of changeover, ship position, sulphur content of fuel oils, used amount of low sulphur fuel oil and operation staff name are to be recorded in the engine logbook. A written procedure for fuel oil changeover is to be provided to the ship. The bunker delivery note is to be kept on board for a period of three years and the bunker sample is to be kept on board for a period of one year.

(To be continued)

NOTES:

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- In cases where shore-power facilities are available for both the ship and the quay, the use of shore power is to take precedence. Ships using shore power are to record the information of each shore-power use including the start/end dates, times of the use and operation staff name in the engine logbook.
- In case of ships using 'clean energy' such as liquefied natural gas, the kind of 'clean energy' is to be noted in the IAPP Certificate. Dual-fueled ships are to record the information of each changeover to 'clean energy' including used amount of each fuel, dates and times of changeover operation, ship position and operation staff name in the engine logbook.
- In case of ships using exhaust gas after treatment systems as alternative measures, the certificate of the system is to be provided and the relevant information is to be noted in the IAPP Certificate. Ships are to record the information of each use of the exhaust gas after treatment system including the start/end dates and times of the use, ship position and operation staff name in engine logbook.

For any questions about the above, please contact:

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Attachment:

- Announcement of Shanghai Municipal Transport Commission and Shanghai Maritime Safety Administration on Implementation of Domestic Emission Control Area in Waters of Shanghai Port
- 2. Notifications from China Maritime Safety Administration (original Chinese version)
- 3. Notifications from China Maritime Safety Administration (provisional translation)

Announcement of Shanghai Municipal Transport Commission and Shanghai Maritime Safety Administration on Implementation of Domestic Emission Control Area in Waters of Shanghai Port

In order to improve the air quality of Shanghai and to facilitate the development of Shanghai International Shipping Center, according to "Implementation Plan on Domestic Emission Control Areas in Waters of the Pearl River Delta, the Yangtze River Delta and Bohai Rim (Beijing, Tianjin, Hebei) " (hereinafter referred to as "Implementation Plan") and the "Ministry of Transport's reply on earlier implementation of the Yangtze River Delta Domestic Emission Control Area by core ports", Shanghai Municipal People's Government issues the "Work Plan on Implementing the Domestic Emission Control Areas in Waters of Shanghai Port" (hereinafter referred to as "Work Plan"). The requirements of the Work Plan are as follows:

- I. Higher emission control requirements will be imposed in Shanghai Port (including sea areas and inland waters) within the Yangtze River Delta Domestic Emission Control Area (hereinafter referred to as "Yangtze River Delta DECA") on and after 1 April 2016.
- **II.** Vessels navigating, anchoring or operating in the waters of Shanghai Port within the Yangtze River Delta DECA, excluding military vessels, sport vessels and fishing boats, shall meet the requirements of the Implementation Plan and the Work Plan.
- **III.** Any fuel oil used on vessels engaged in international voyages and domestic sea-going vessels shall be in compliance with applicable international conventions and the Work Plan.

The sulphur content of any fuel oil used on board vessels berthing at Shanghai Port (excluding the first hour after arrival and the last hour before departure) shall not exceed 0.5% m/m on and after 1 April 2016.

IV. Inland waterways ships and river-sea intermodel ships shall use diesel oil in compliance with the GB252 criteria. Residual fuel oil is not allowed to be used on these vessels.

The sulphur content of diesel oil used on public service ships, recreational ships, passenger ferries, garbage and sewage collection ships and vessels navigating, berthing or operating in the core area of the Huangpu River and in the Suzhou River (inside the Middle Ring of Shanghai) shall not exceed the limits required by the national IV standards for diesel fuels used on motor vehicles.

- V. Based on the monitoring and assessment of the implementation of the aforementioned control measures, and with consent of the Shanghai Municipal People's Government, Shanghai Municipal Transport Commission and Shanghai Maritime Safety Administration will declare the dates for implementing the following control measures in due time in advance:
- (I)The sulphur content of any fuel oil used on board vessels entering waters of the Shanghai Port within the Yangtze River Delta DECA shall not exceed 0.5% m/m.
- (II) The sulphur content of any fuel oil used on board vessels berthing at Shanghai Port (excluding the first hour after arrival and the last hour before departure) shall not exceed 0.1% m/m.
- (III) The sulphur content of any fuel oil used on board vessels entering waters of the Shanghai Port within the Yangtze River Delta DECA shall not exceed 0.1% m/m.
- VI. Vessels can take alternative measures approved by the Maritime Safety

Administration of the People's Republic of China equivalent to the aforementioned control measures, inter alia, using shore power and clean energy.

VII. This Announcement is valid until 31 December 2020.

In case of any divergence of implementation, interpretation or application, the Chinese text shall prevail.

中华人民共和国海事局文件

海船检〔2016〕48号

中华人民共和国海事局关于加强船舶排放控制 区监督管理工作的通知

各有关单位:

根据《中华人民共和国大气污染防治法》、《中华人民共和国海洋环境保护法》、《防治船舶污染海洋环境管理条例》、《防治船舶污染内河水域环境管理规定》等法律法规规章的要求,为落实交通运输部发布的《珠三角、长三角、环渤海(京津冀)水域船舶排放控制区实施方案》(交海发〔2015〕177号,以下简称《方案》),便利船舶在船舶排放控制区(以下简称"控制区")航行、停泊和作业,加强船舶大气污染防治监督管理,改善大气环境质量,现将有关要求通知如下:

一、按照《方案》控制要求在控制区内需要转换低硫燃油的船舶,应将换油的起止日期、时间、船舶经纬度和燃油含硫量,以及低硫燃油的使用量、换油操作人员等信息记录在轮机日志中。需要换油的船舶应配备一份书面的燃油转换程序,作为船舶安全管理体系的组成部分。

船舶燃油供给单位应对每批次燃油进行检测,并按规定将检测报告留存备查,已经检测的燃油又经调和或者与其它燃油混装的,应当重新检测。船舶燃油供给单位应当依法向船舶提供船舶燃油供受单证和燃油样品。船舶应将燃油供受单证保存3年,将燃油样品保存至少1年并直至所加燃油用完为止。

二、船舶和码头具备岸基供受电条件,且已就供受电程序做出了适当安排,在不影响船岸安全的前提下,船舶应优先使用岸电。船舶应将岸电使用起止日期及时间、操作人员等信息记录在轮机日志中。

船舶使用岸电的,船岸双方应当按照规定的程序操作,岸电提供方应为船舶提供书面的使用程序手册和安全作业指南。

三、使用液化天然气或其他低排放船舶燃料等清洁能源作为 替代措施的船舶,应在船舶检验机构签发的船舶防止空气污染证 书的记事栏中备注使用清洁能源的种类。双燃料动力船舶应将各 种燃料的使用量、换用燃料的日期、时间和船舶经纬度、操作人 员等信息记录在轮机日志中。 四、使用尾气后处理装置作为替代措施的船舶,应持有船舶检验机构签发的尾气后处理装置产品证书,并在船舶防止空气污染证书中签注。船舶应将使用尾气后处理装置的起止日期、时间和船舶经纬度、操作人员等信息记录在轮机日志中。

五、为保障船舶安全或实施海上人命救助,或因船舶及其设备损坏、故障而产生不符合《方案》排放控制要求的,船舶应及时向就近的海事管理机构报告,并将相关信息记录在航海日志中。

六、各级海事管理机构应当加强对控制区内船舶大气污染防治的监督管理工作,我局制定了《船舶排放控制区监督管理指南》 (详见附件)供执法时参考使用,各单位在执行中发现的问题应及时报告我局。

附件:船舶排放控制区监督管理指南

中华人民共和国海事局 2016年1月29日

附件

船舶排放控制区监督管理指南

1 总则

1.1 目的

本指南的目的是为保障交通运输部发布的《珠三角、长三角、环渤海(京津冀) 水域船舶排放控制区实施方案》(以下简称"《方案》")的实施,为各级海事管理 机构开展控制区内船舶大气污染防治监督管理而提供的指导性文件。

1.2 依据

本指南依据《中华人民共和国大气污染防治法》、《中华人民共和国海洋环境保护法》、《防治船舶污染海洋环境管理条例》、《防治船舶污染内河水域环境管理规定》等法律法规规章进行编制。

1.3 适用对象

本指南适用于在排放控制区内航行、停泊、作业的船舶,军用船舶、体育运动船 艇和渔业船舶除外。

2 船舶换用低硫燃油的检查要求

2.1 文书检查

海事管理机构应结合现场监督和安全检查工作,对船舶的轮机日志、燃油供受单证等材料进行检查。具体检查内容如下:

- (1) 轮机日志:核查船舶换油起止日期、时间和船舶经纬度等信息记录是否完整规范;核查换油起止船舶位置、燃油含硫量及低硫燃油使用量是否满足控制区要求;核查每一燃油舱中燃油的存量记录是否完整规范。
 - (2) 燃油供受单证: 核查是否持有燃油供受单证, 单证记录的燃油是否符合要求。
- (3) 燃油转换程序:核查是否持有书面燃油转换程序,该程序是否符合船舶安全管理体系要求,燃油转换操作记录是否规范完整。

2.2 燃油检查

- (1)对于文书检查不合格、有违规记录,或者经监测存在违规嫌疑的船舶,海事管理机构应进行船舶燃油检测。
- (2) 对于文书检查合格、无违规记录且无违规嫌疑的船舶,海事管理机构可进行船舶燃油抽检。
- (3) 对于需要进行燃油样品检查的船舶,海事管理机构应安排执法人员上船进行燃油样品取样,并送至具备国家规定资质的检测单位进行检测,由检测单位出具检测结果。
 - a)取样: 执法人员可参照《MARPOL 公约》附则 VI 中规定的燃油取样指南 (MEPC.96(47)号决议),结合实际情况,从被检测船舶管路中取样,或使用船舶燃油样品。如从管路中进行取样,样品份数为至少 3 份,每份样品量不少于 400ml。
 - b)送检:海事执法人员应在取样后2个工作日内将样品送至燃油检测单位,燃油检测单位按照《MARPOL公约》附则VI中的附录VI规定的验证程序,以及现

行有效的国家标准明确的检测方法进行样品检测。如果不能立即送往燃油检测单位,应将样品封存在低温、遮光和安全的地方。

- c) 检测报告: 检测报告应当给出油品的含硫量, 也可同时给出其它影响安全和 环境保护的油品指标值, 并与《船用燃料油》等国家标准中列明的数值进行比较。
- d)核查:海事执法人员应在接到检测报告后,确认船舶燃油是否满足《方案》要求。

2.3 处理

- (1) 使用不符合标准或者要求燃油的船舶,应当根据违法情节,依据法律法规或 国际公约相关规定,按照下列一种或者几种方式进行处理:
 - a) 警示教育;
 - b) 纠正违规行为;
 - c) 滞留;
- d) 依据《中华人民共和国大气污染防治法》第一百零六条进行处罚。若船舶已 离港, 当地海事管理机构可通报下一港海事管理机构协助调查。
- (2) 船舶燃油供给单位未如实填写燃油供受单证的,或未按照规定向船舶提供燃油供受单证和燃油样品的,按照《防治船舶污染海洋环境管理条例》第六十三条进行处罚:
- (3)船舶和船舶燃油供给单位未按照规定保存燃油供受单证和燃油样品的,按照 《防治船舶污染海洋环境管理条例》第六十三条进行处罚。

3 替代措施的检查要求

3.1 文书检查

海事管理机构应结合现场监督和安全检查工作,对船舶文书进行检查,具体检查内容如下:

- (1)对于使用岸电的船舶,应核查船舶轮机日志中的岸电使用起止时间记录是否完整规范;确定岸电使用起止时间是否满足控制区要求;确认船舶是否具备使用岸电的条件等。
- (2) 对于使用清洁能源的船舶,应核查船舶防止空气污染证书是否备注该船舶使用清洁能源。其中,对于双燃料动力船舶,应核查换用燃料时间记录是否完整规范;核查换用燃料时的船舶经纬度记录是否完整规范;确定换用燃料时的船舶位置是否满足控制区要求;核查清洁能源和燃油的使用量记录是否完整规范等。
- (3) 对于加装尾气后处理装置的船舶,应对核查船舶轮机日志中尾气后处理装置使用起止时间记录是否完整规范;装置使用起止时的船舶经纬度记录是否完整规范;确认装置使用起止时船舶位置是否满足控制区要求;核查是否持有尾气后处理装置产品相关证书以及是否在船舶防止空气污染证书有相应的签注等。

3.2 现场检查

对于文书检查不合格、有违规记录或存在违规嫌疑的船舶,海事管理机构应对船舶使用岸电、清洁能源和加装尾气后处理装置进行现场巡查。

3.3 结果处理

船舶采取替代措施未满足与使用低硫燃油等效排放要求的,应当根据违法情节, 依据法律法规或国际公约相关规定,按照下列一种或者几种方式进行处理:

- (1) 警示教育;
- (2) 纠正违规行为;
- (3) 滞留。

抄送:

中华人民共和国海事局

2016年1月29日印发

The Public Document of China MSA

China MSA Ref. No. [2016] 48

China MAS Notifications on the Enhancement of the Supervision and Management Work for Chinese ECA

Each unit concerned:

According to the requirements of the laws, rules and regulations, such as 'Law of the People's Republic of China on the Prevention and Control of Atmospheric Pollution',' Law of the People's Republic of China on Maritime Environmental Protection', 'Regulation on prevention and control of vessel-induced pollution to the Marine environment', 'Regulation on the prevention and control of vessel-induced pollution to inland water', etc., our bureau enacted the relevant requirements for the following purposes:

- i) Implement the implementation plan of ship emission regulation within designated emission control areas of the Pearl River Delta, the Yangtze River Delta and Bohai Sea waters (China MSA Ref. No. [2015] 177, hereafter referred to as 'The Plan');
- *ii)* Facilitate the vessels` voyaging, berthing and operation within the ship emission control area (hereafter referred to as 'ECA');
- iii) Strengthen the supervision and management of ship air pollution prevention;
- iv) Improve the air environment quality;

The relevant requirements are hereby notified as follows:

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1. According to the requirement of *The Plan* mentioned above, for the vessels which have to change fuel to low sulphur fuel oil, the following information should be recorded in Engine Log Book:

The fuel oil change over operation date, time, latitude-longitude of vessel location, sulphur content of fuel oil, usage amount of low sulphur fuel oil, operation staff, etc.

The document of 'Fuel Oil Change-Over Procedure' is to be prepared for the vessels which have to change fuel to low sulphur fuel oil, as a component part of the vessel's Safety Management System.

The Fuel Oil Supply Company should make an analysis for every batch of fuel oil, and keep the analysis report for future audit according to relevant requirements. In case the analyzed fuel oil is blended or mixed with other fuel oil, the subject analysis is to be made again. The fuel supplier should supply the fuel sample and the bunker delivery note to ship side. Vessels should keep the bunker delivery note for 3 years, and keep the fuel sample for at least 1 year or until the subject bunkering fuel oil is used up.

- 2. If the vessels and ports have the ability of receiving and supplying the shore power, and have the appropriate arrangement for the procedure of shore power receiving and supplying, under the premise that shore power makes no effect on the safety of ship and shore, the vessel should use shore power in preference. The vessel should record the information of commencing and ending time of using the shore power, operation staff, etc., in Engine Log Book. For the vessel which will use the shore power, operation is to follow the required procedure for both ship side and port side. Shore power supplier should supply
- 3. For the vessels which use clean energy such as LNG or other low-emission fuels, etc. as alternative measures, the type of clean energy is to be noted in the Ship Air Pollution Prevention Certificate issued by the Ship Survey Administration. For the dual fueled vessels, information of using amount of each kind of fuel, date and timing for fuel change over operation, latitude-longitude of vessel location, operation staff, etc., are to be recorded in Engine Log Book.

the document of user manual and safety operation guideline to ship side.

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4. For the vessels which use Exhaust After Treatment Unit as an alternative measure, the product certificate for Exhaust After Treatment Unit which issued by the Ship Survey Administration is to be kept onboard, and noted in the Ship Air Pollution Prevention Certificate.

The information of commencing and ending date and time for using the Exhaust After Treatment Unit, latitude-longitude of vessel location, operation staff, etc., are to be recorded in Engine Log Book.

- 5. For the cases which are unsatisfied with the requirements of The Plan due to the following reasons, vessel should report to the maritime administration nearby as soon as possible, and record the relevant information in Log Book.
 - i) In order to guarantee the vessel safety or implement the rescue of human life at sea.
 - ii) The vessel and its equipments are broken and failure,
- 6. All maritime administrations should strengthen the supervision and management of the vessel air prolusion prevention in ECA, and our bureau enacted the 'Guideline of Supervision and Management for the Ship Emission Control Area' as reference for law enforcement. Each unit should report the problems found during implementation to our bureau as soon as possible.

Attachment:

Guideline of Supervision and Management for the Ship Emission Control Area

Maritime Safety Administration of the People's Republic of China

29th January 2016

Attachment

Guideline of Supervision and Management for Ship Emission Control Area

1. General Rules

1.1 Purpose

The purpose of this Guideline is to guarantee the implementation of *Implementation Plan of Ship Emission Regulation within Designated Emission Control Areas of the Pearl River Delta, the Yangtze River Delta and Bohai Rim Waters (Beijing-Tianjin-Hebei)* (hereinafter referred to as 'The Plan') published by Ministry of Transport of the People's Republic of China, to provide a guidance document for the maritime administrations to implement the supervision and management of air pollution from ships within control area.

1.2 Basis

This Guideline is based on Law of People's Republic of China on the Prevention and Control of Atmospheric Pollution, Law of the People's Republic of China on Maritime Environmental Protection, Regulation on Prevention and Control of Vessel-induced Pollution to the Marine Environment and Regulation on Prevention and Control of Vessel-induced Pollution to Inland Water, etc.

1.3 Applicable Ships

Ships voyaging, berthing and operating within emission control areas excluding military ships, sports ships and fishery ships.

2. Inspection Requirements of Ship Low Sulphur Oil Change-over

2.1 Document reviewing

The maritime administrations check Engine Logbook, Bunker Delivery Note, etc. The detailed contents are as follows:

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(1) Engine Logbook:

- Checking whether the commencing and ending date, time and ship's longitude and latitude when fuel change-over is conducted are complete and normative;
- Checking whether the ship's position at commencing and ending of Fuel Oil Change-over, content of sulphur content and amount of low-sulphur oil usage can satisfy the requirements of Emission Control Area;
- Checking whether the record of fuel oil storage in fuel oil tanks is complete and normative.

(2) Bunker Delivery Notes:

- Checking whether the Bunker Delivery Notes are available and the record of Bunker Delviery Notes can satisfy the requirements.

(3) Fuel Oil Change-over Procedure:

- Checking whether the document of Fuel Oil Change-over Procedure is available, whether the procedure can satisfy the requirements of ship safety management system;
- Checking whether the record of Fuel Oil Change-over is complete and normative.

2.2 Fuel Oil Inspection

- (1) In case the document review is unqualified or there is violation record or suspicion of violation by supervision, the maritime administrations should conduct fuel oil analysis.
- (2) In case the document review is qualified and there is no violation record and suspicion of violation, the maritime administrations may conduct fuel oil analysis by sampling.
- (3) In case the ship is required to conduct fuel oil analysis, the maritime administrations should arrange law enforcement officers to take fuel oil sample on-board and send the fuel oil sample to the qualified company which satisfies state regulation for analysis and issuing analysis report.
 - a) Sampling:

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The law enforcement officers take the fuel oil sample in accordance with Guideline for fuel oil sampling of Annex VI, MARPOL (Resolution MEPC. 96 (47)). The fuel oil sample should be taken from fuel oil pipe or fuel oil sample of the ship. In case the fuel oil sample is taken from fuel oil pipe, the number of sample should be not less than 3 and the quantity of each sample should be not less than 400ml.

b) Analysis:

Maritime law enforcement officer should send the fuel oil samples to Fuel Oil Analysis Company within 2 days after getting the sample. The fuel oil analysis company analyzes the fuel oil in accordance with the verification procedure of Appendix VI, Annex VI of MARPOL and current effective notional standard. In case the fuel oil sample cannot be sent to the fuel oil analysis company immediately, the fuel oil sample should be sealed and kept at low temperature, shading and safety place.

c) Analysis Report:

The analysis report should show the content of sulphur, and the analysis report may show other influence on safety and environment protection index at the same time, and the analysis report should be compared with the value listed in national standard such as *The Marine Fuel Oil*, etc.

d) Verification:

Maritime law enforcement officers should confirm whether the fuel oil can satisfy the requirement of *The Plan* after getting the analysis report.

2.3 Treatment

- (1) In case the vessel uses fuel oil which cannot satisfy the standard or requirements, the vessel shall be treated by one or more of the following methods in accordance with related stipulation of legislation and international convention;
 - a) Warning Education;
 - b) Correction of Violations;
 - c) Detention;

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- d) The ship is to be punished in accordance with Reg. 106 of Law of People's Republic of China on the Prevention and Control of Atmospheric Pollution. In case the vessel has already departed, the local maritime administration should inform the maritime administration of next port to assist the investigation.
- (2) In case the Fuel Oil Supply Company does not truthfully fill in the bunker delivery note, or the Fuel Oil Supply Company does not provide providing-receiving document and fuel oil sample, the Fuel Oil Supply Company shall be punished in accordance with Reg. 63 of Regulation on Prevention and Control of Vessel-induced Pollution to the Marine Environment;
- (3) In case the ship and Fuel Oil Supply Company do not save the bunker delivery note and fuel oil sample, the ship and Fuel Oil Supply Company shall be punished in accordance with Reg. 63 of Regulation on Prevention and Control of Vessel-induced Pollution to the Marine Environment.

3. Inspection Requirements for Alternative Measures

3.1 Documents Reviewing

The maritime administrations review the documents of the ship. The detailed contents are as follows:

- (1) For the ship which uses shore power:
 - Checking whether the record of commencing and ending time of shore power in Engine Logbook is complete and normative;
 - Checking whether the time of commencing and ending time of shore power can satisfy the requirement of Emission Control Area;
 - Checking whether the condition of using shore power is feasible, etc.
- (2) For the ship which uses clean energy:
 - Checking whether the Ship Air Pollution Prevention certificate has the note for using clean energy.

For dual fuelled ship,

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- Checking whether the record of fuel oil change time is complete and normative; checking whether the ship's longitudinal and latitude at fuel oil change is complete and normative;
- Checking whether the ship's position at fuel oil change can satisfy the requirement of Emission Control Area.
- Checking whether the record of using amount of clean energy and fuel oil is complete and normative.

(3) For the vessel which is installed After Treatment Unit:

- Checking whether the record of commencing and ending time of using After Treatment Unit is complete and normative;
- Checking whether the ship's longitudinal and latitude at commencing and ending of using After Treatment Unit is complete and normative;
- Checking whether the commencing and ending time of using After Treatment Unit can satisfy the requirement of Emission Control Area;
- Checking whether the After Treatment Unit has the relevant certificate and the ship Air Pollution Prevention Certificate has the relevant note, etc.

3.2 Field Inspection

In case the document reviewing is unqualified or there is violation record or suspicion of violation, the maritime administrations should conduct patrol inspection for the ship's Shore Power, Clean Energy and After Treatment Unit.

3.3 Treatment

In case the vessel using alternative methods cannot satisfy the equivalent emission requirements of using low sulphur fuel oil, the vessel shall be treated by one or more of the following methods in accordance with related stipulation of legislation and international convention:

- a) Warning Education;
- b) Correction of Violations;
- c) Detention.

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