

**Subject**

Expansion of applicable ports subject to regulations on the sulphur content of fuel oil within Chinese emission control areas starting on 1 January 2018

# **ClassNK**

## ***Technical Information***

No. TEC-1138

Date 8 December 2017

To whom it may concern

As previously informed in ClassNK Technical Information Nos. TEC-1060, TEC-1063, TEC-1068, TEC-1088 and TEC-1130, the Chinese government has implemented regulations limiting the sulphur content of fuel oils used onboard ships to 0.5% m/m. Currently, as shown in the following table, ships only berthing at core port areas within the Pearl River Delta or the Bohai Rim, or at any ports within the Yangtze River Delta are required to use fuel oils whose sulphur content does not exceed 0.5% m/m; however, starting on 1 January 2018, all ships berthing at any ports within the Pearl River Delta, the Bohai Rim or the Yangtze River Delta will be required to use fuel oils whose sulphur content does not exceed 0.5% m/m. Therefore, at the time of bunkering, please make sure that the sulphur content of the fuel oil used onboard ship on and after that date satisfies the new limit value (0.5% m/m).

Applicable ports subject to the regulations on the sulphur content of fuel oil

	From 1 September 2017 until 31 December 2017	From 1 January 2018
The Pearl River Delta emission control area	Guangzhou, Shenzhen and Zhuhai	Any ports
The Bohai Rim emission control area	Tianjin, Qinhuangdao, Tangshan and Huanghua	
The Yangtze River Delta emission control area	Any ports	

For more information, please refer to Attachment 1 which is summary of the Chinese regulations as previously informed in prior ClassNK Technical Information.

(To be continued)

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For any questions about the above, please contact:

NIPPON KAIJI KYOKAI (ClassNK)

Machinery Department, Administration Center Annex, Head Office

Address: 3-3 Kioi-cho, Chiyoda-ku, Tokyo 102-0094, Japan

Tel.: +81-3-5226-2022 / 2023

Fax: +81-3-5226-2024

E-mail: [mcd@classnk.or.jp](mailto:mcd@classnk.or.jp)

Attachment:

1. Overview of the regulations on the sulphur content of fuel oil within Chinese emission control areas
2. Notifications from China Maritime Safety Administration (original Chinese version)
3. Notifications from China Maritime Safety Administration (provisional translation)
4. Notifications from Shenzhen Living Environment Commission, Shenzhen Municipal Transport Commission and Shenzhen Maritime Safety Administration (original Chinese version)
5. Notifications from Shenzhen Living Environment Commission, Shenzhen Municipal Transport Commission and Shenzhen Maritime Safety Administration (provisional translation)

### **Overview of the regulations on the sulphur content of fuel oil within Chinese emission control areas**

The Chinese government has announced that the sulphur content of fuel oil used onboard ships operating within Chinese emission control areas is limited to 0.5% m/m. Content of the regulation and the relevant requirements are summarized as follows.

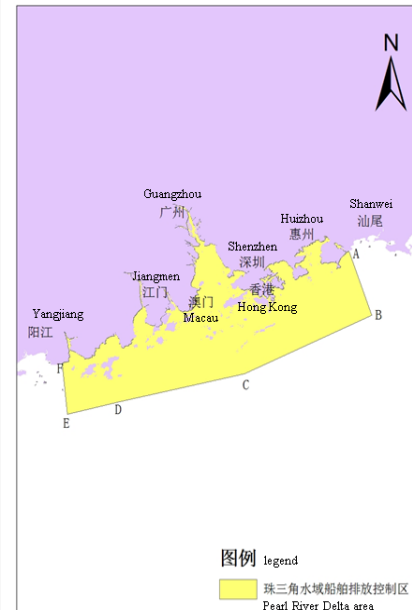
1. Applicable ships  
Ships voyaging, berthing and operating within the emission control areas excluding military ships, sports ships and fishery ships
2. Contents of the regulation
  - (1) Starting on 1 January 2016, ports in the emission control areas can require ships at berth to use fuel oils whose sulphur content does not exceed 0.5% m/m.
    - (i) From 1 April 2016, the regulation has been in effect for the ports of Shanghai, Zhoushan, Ningbo, Suzhou including Zhangjiagang, Changshu and Taicang, and Nantong.
    - (ii) From 1 October 2016, the regulation has been in effect for the port of Shenzhen.
  - (2) Starting on 1 January 2017, ships berthing at core port areas within the emission control areas are required to use fuel oils whose sulphur content does not exceed 0.5% m/m (except for the first hour after arrival and the last hour prior to departure)
  - (3) Starting on 1 January 2018, ships berthing at any ports within the emission control areas are required to use fuel oils whose sulphur content does not exceed 0.5% m/m (except for the first hour after arrival and the last hour prior to departure)\*
  - (4) Starting on 1 January 2019, ships entering emission control areas are required to use fuel oil whose sulphur content does not exceed 0.5% m/m

It will be decided by 31 December 2019, after assessing the effect of the above regulations, whether the sulphur limit value is to be strengthened to 0.10%, the emission control areas are to be expanded or other further action is to be taken.

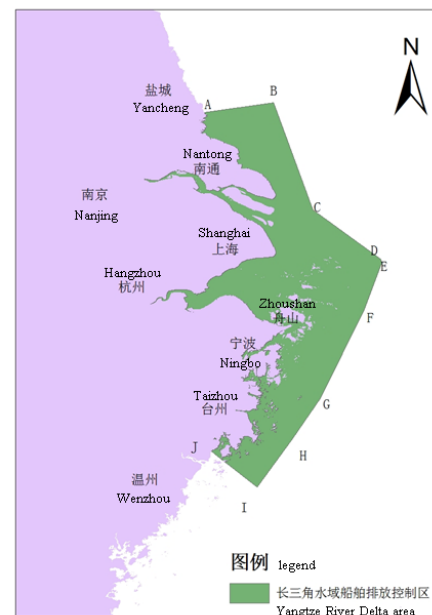
※ From 1 September 2017, early enforcement of the regulations starting on 1 January 2018 has been in effect for at any port within the Yangtze River Delta.

3. Emission control areas  
The Pearl River Delta, the Yangtze River Delta and the Bohai Rim waters are designated as emission control areas subject to this regulation as follows. In addition, the 11 ports in these emission control areas are designated as "core port areas" for implementation of the regulation.
  - (1) Pearl River Delta emission control area
    - (i) Sea boundaries  
The line connecting the following (a)-(f) (The places referred for defining the points (b)-(e) are baseline points of the Chinese territorial sea)
      - (a) The mainland coastline junction point of Huizhou and Shanwei
      - (b) The point 12 nautical miles away from Zhengtouyan
      - (c) The point 12 nautical miles away from the Jiapeng Islands
      - (d) The point 12 nautical miles away from Weijia Island
      - (e) The point 12 nautical miles away from Dafanshi Island

- (f) The mainland coastline junction point of Jiangmen and Yangjiang
- (ii) Inland water range  
All navigable rivers under the jurisdiction of the cities of Guangzhou, Dongguan, Huizhou, Shenzhen, Zhuhai, Zhongshan, Foshan, Jiangmen and Zhaoqing.
- (iii) Core ports  
Guangzhou, Shenzhen and Zhuhai
- (2) The Yangtze Delta emission control area
- (i) Sea boundaries  
The line connecting the following (a)-(j) (The places referred for defining the points (b)-(h) are baseline points of the Chinese territorial sea)
- The mainland coastline junction point of Nantong and Yancheng
  - The point 12 nautical miles away from Waikajiao Island
  - The point 12 nautical miles away from Sheshan Island
  - The point 12 nautical miles away from Haijiao
  - The point 12 nautical miles away from Dongnanjiao
  - The point 12 nautical miles away from Liangxiongyu
  - The point 12 nautical miles away from the Yushan Islands
  - The point 12 nautical miles away from the Taizhou Islands
  - The point 12 nautical miles away from the mainland coastline junction point of Taizhou and Wenzhou
  - The mainland coastline junction point of Taizhou and Wenzhou



Note: Waters under the jurisdiction of Hong Kong and Macau are excluded



- (ii) Inland water range  
All navigable rivers under the jurisdiction of the cities of Nanjing, Zhenjiang, Yangzhou, Taizhou(Zhejiang), Nantong, Changzhou, Wuxi, Suzhou, Shanghai, Jiaxing, Huzhou, Hangzhou, Shaoxing, Ningbo, Zhoushan and Taizhou(Jiangsu).
- (iii) Core ports  
Shanghai, Ningbo-Zhoushan, Suzhou and Nantong

(3) The Bohai Rim emission control area

(i) Sea boundaries

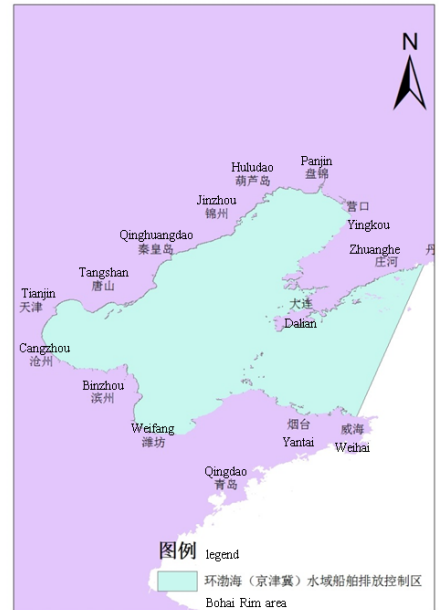
The line connecting the two mainland coastline junction points; Dalian and Dandong, Yantai and Weihai

(ii) Inland water range

All navigable rivers under the jurisdiction of the cities of Dalian, Yingkou, Panjin, Jinzhou, Huludao, Qinhuangdao, Tangshan, Tianjin, Cangzhou, Bingzhou, Dongying, Weifang and Yantai.

(iii) Core ports

Tianjin, Qinhuangdao, Tangshan and Huanghua



4. Necessary on-board documents and inspection requirements

(1) The China Maritime Safety Administration issued documents related to necessary on-board documents and inspection requirements (see Attachments 2 and 3). In particular, please note the following main 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.
- 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.

(2) Shenzhen Living Environment Commission, Shenzhen Municipal Transport Commission and Shenzhen Maritime Safety Administration issued notification documents (see Attachments 4 and 5). In particular, please note the following points.

- Within the Shenzhen port area, ships using alternative measures except shore power and LNG clean energy are required to receive permission to use such measures from the Shenzhen Living Environment Commission in advance.
- Arrival means the time when the first mooring rope is tied and departure means the time when the last mooring rope is untied.

# 中华人民共和国海事局文件

海船检〔2016〕48号

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## 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。

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抄送：

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中华人民共和国海事局

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2016 年 1 月 29 日印发

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ClassNK provisional translation

# The Public Document of China MSA

China MSA Ref. No. [2016] 48

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## 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;

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

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.

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 pollution 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*

*29<sup>th</sup> 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:

(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 Delivery 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:

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;

- 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,

- 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.

# 深圳市人居环境委员会 深圳海事局 深圳市交通运输委员会 文件

深人环规〔2016〕1号

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## 深圳市人居环境委员会 深圳海事局 深圳市 交通运输委员会关于船舶靠泊深圳港期间 使用低硫燃油的通告

为贯彻实施《中华人民共和国大气污染防治法》，进一步改善我市环境空气质量，促进深圳港口航运业绿色健康发展，落实《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）和《深圳港实施靠泊船舶污染控制措施工作方案》（深府办函〔2016〕125号）要求，决定强制要求船舶靠泊深圳港期间使用低硫燃油。现将有关事项通告如下：



一、自 2016 年 10 月 1 日起,船舶在深圳港靠岸停泊期间(靠港后的第一小时和离港前的最后一小时除外)应使用硫含量 $\leq 0.5\%$  m/m 的低硫燃油。靠港时间自系第一根缆绳时起算,离港时间自解最后一根缆绳时起算。

二、船舶应按要求保存燃油转换记录、燃油供受单证、油类记录簿、轮机日志等燃油使用的文书资料,以备相关部门和机构查验。

三、船舶在靠岸停泊期间如有特殊情况无法执行本通告要求的,可向深圳海事局提出豁免或免责,可豁免或免责的具体情形见本通告附件。

四、船舶可采取与上述减排要求等效的替代措施,除使用岸电或液化天然气清洁能源外,其他措施的替代效果须经深圳海事局会同市人居环境委员会事先认可。

五、深圳海事局将加强对到港船舶的监管,强化燃油质量和船舶排放的抽检工作。对使用不符合标准或者要求的低硫燃油的船舶,将依据《中华人民共和国大气污染防治法》第一百零六条进行处罚。

六、本通告所指船舶是除军用船舶、渔业船舶和体育运动船艇外的所有船舶。

特此通告。



附件：船舶可豁免或免责的情形



深圳市人居环境委员会



深圳海事局



深圳市交通运输委员会

2016年8月16日

公开方式：主动公开

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深圳市人居环境委员会秘书处

2016年08月16日印发



附件：

## 船舶可豁免或免责的情形

### 一、豁免

由于以下三种情形之一导致船舶在靠岸停泊期间无法执行《关于船舶靠泊深圳港期间使用低硫燃油的通告》要求的，船方可事先提出豁免。提出豁免的船舶，应由其所属公司或代理人事先向海事局提出豁免请求，并提交充分的证明材料。经海事局核查属实后，可予以豁免：

（一）船方能提供充分的证据，表明其已作出一切应尽的努力，但还是未能获得低硫燃油的。

（二）船方能提供充分的证据，表明船舶需要进行改造才可使用低硫燃油，并确保能在 2017 年 1 月 1 日前完成改造。

（三）船方能提供充分的证据，表明船舶在靠岸停泊期间如使用低硫燃油会对船舶安全造成危险。

### 二、免责

船方能提供充分的证据，表明发生了不可抗力或其他紧急情况，不能在靠泊期间使用符合标准或者要求的低硫燃油，应当立即通过高频、电话等方式向海事局提出，并在事后补齐书面材料。经海事局核查属实后，可予以免责。

**ClassNK provisional translation**

**Announcement of Shenzhen Living Environment  
Commission, Shenzhen Municipal Transport Commission,  
and Shenzhen Maritime Safety Administration on use of Low  
Sulphur Fuel Oil while berthing at Shenzhen Port**

In order to enforce *“Laws of the People’s Republic of China on Prevention and Control of Atmospheric Pollution”*, improve the air quality of Shenzhen, facilitate the development of Shenzhen Shipping, implement *“Implementation Plan on Domestic Emission Control Areas in Waters of the Pearl River Delta, the Yangtze River Delta and Bohai Rim (Beijing, Tianjin, Hebei)”*, and *“Working Plan on Implementation of Ship Pollution Control Measures at Shenzhen Port”*, it will be mandatorily required for the ship to use low sulphur fuel oil while berthing at Shenzhen Port. The requirements of the Work Plan are as follows:

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

“Berthing in Shenzhen Port” is defined as the period of time when the first mooring rope of the ship is firmly fastened to a bollard till the last mooring rope of the ship is untied.

- II. The Fuel Oil Change-over Record, Bunker Delivery Notes, Oil Record Book, Engine Logbook, etc., are to be kept onboard ships, and checked by relevant organizations.
- III. In case the ship cannot comply with this announcement due to special situations, it may apply for exemption or impunity to Shenzhen MSA. The detailed requirements are shown in the attachment of this announcement.

- IV. Ships can take alternative measures equivalent to the aforementioned control measures. The use of alternative measures except shore power and LNG clean energy, is to be accepted by Shenzhen Living Environment Commission in advance.
- V. Shenzhen MSA will enhance the supervision of ships arriving Shenzhen port, strengthen the sampling inspection of fuel oil quality and ship emission. The ship which does not use the required low sulphur fuel oil will be punished in accordance with the Regulation 106, "Laws of the People's Republic of China on Prevention and Control of Atmospheric Pollution".
- VI. The applicable ships of this announcement are all the ships excluding military vessels, sport vessels and fishing boats.

## Attachment

### Exemption and Impunity for the ships

#### I. Exemption

Ships may apply for the exemption in advance in case the ship cannot conduct the requirements of *Announcement of Using of Low Sulphur Fuel Oil while Berthing at Shenzhen Port* during berthing due to one of the following three reasons. The exemption application with sufficient evidentiary material is to be submitted to Shenzhen MSA by the belonging company or agent of the ship. After approved by Shenzhen MSA, the ship can receive the exemption.

1. Sufficient evidence can be submitted to show that all efforts have been made, but still cannot acquire the low sulphur fuel oil.
2. Sufficient evidence can be submitted to show that the ship retrofit is necessary for using Low Sulphur Fuel oil, and the retrofit work can be finished before 1st Jan. 2017.
3. Sufficient evidence can be submitted to show that using low sulphur fuel oil during berthing may cause danger to the ship.

#### II. Impunity

The ship shall submit sufficient evidence to show that force majeure or other emergencies occurred, so that the ship cannot use the required low sulphur fuel oil during berthing. In this case, the ship should submit the impunity application to Shenzhen MSA immediately by the means of VHF, telephone and so on.

Then written material for impunity application are to be submitted afterwards. After approved by Shenzhen MSA, the ship can receive the impunity.