

Subject

Frequently Asked Questions (FAQs) regarding the Use of Environmentally Acceptable Lubricants (EAL)
(in association with the U.S. Environmental Protection Agency's 2013 VGP)

ClassNK

Technical Information

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To whom it may concern

On 18 October 2013, ClassNK issued Technical Information No. 0968 on the subject of "Final 2013 Vessel General Permit issued by U.S. Environmental Protection Agency" (hereinafter referred to as "2013 VGP"). Since the issuance of Technical Information No. 0968, many inquiries, particularly about the use of Environmentally Acceptable Lubricants (hereinafter referred to as "EAL"), have been received. Therefore, more detailed explanations about the use of EALs are given in the table below.

ClassNK is now issuing a "Statement of Fact" (hereinafter referred to as "SOF") as part of its new "EAL Usage Assessment Service" to verify that a ship is in full compliance with the 2013 VGP requirements. SOFs can be issued for the following cases:

- (1) An air seal system is being used;
- (2) An EAL is being used for lubrication on a newly built ship;
- (3) An existing ship switches from a conventional lubricant to an EAL; and,
- (4) The use of an EAL is technically infeasible.

We are providing this service as part of our continued commitment to provide our customers with the best support possible. If you are a company which has ships navigating in US waters, then we feel that our service is an excellent way to ensure that your ships are in full compliance with the 2013 VGP requirements. Applications for this new service can be submitted to your nearest ClassNK branch or office. We are very much looking forward to hearing from you.

More specific information about the 2013 VGP can be downloaded from the US EPA's website at <http://cfpub.epa.gov/npdes/vessels/vgpermit.cfm>

(To be continued)

NOTES:

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FAQs regarding the use of EAL

	Question	Answer
1	What are the requirements for the use of EAL in the 2013 VGP?	All vessels subject to the 2013 VGP must use an EAL in all oil to sea interfaces, unless technically infeasible. (2013 VGP Part 2.2.9)
2	What is an EAL?	"Environmentally acceptable lubricants (EAL)" means lubricants that are "biodegradable", "minimally-toxic" and are "not bioaccumulative" as defined in Appendix A of the 2013 VGP.
3	Are there any kinds of oils that qualify as an EAL?	<p>Some environmental labelling programs designed to indicate environmentally-friendly products have been established. Standards for environmentally-friendly products are specified by third party organizations. For the purposes of the 2013 VGP, products satisfying the U.S. Environmental Protection Agency's definition of an "EAL" include those labelled by the following programs: Blue Angel, European Ecolabel, Nordic Swan, the Swedish Standards SS 155434 and 155470, Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR) requirements, and the EPA's Design for the Environment (DfE)</p> <p>Products without any labelling still may be considered EALs under the 2013 VGP as long as they are, based upon the results of analysis conducted by the EAL's producer, deemed to be "biodegradable", "minimally-toxic" and "not bioaccumulative" in accordance with Appendix A of the 2013 VGP.</p>
4	What is the "Environmental Labelling Program"?	According to JISQ 14024 and ISO 14024, environmental labelling programs are multi criteria based, third party certified programs. Such programs create a standard under which products can be assessed against set criteria and compared with others within the same category, awarding labels to those which are environmentally preferable throughout their life cycle.

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5	Where are "oil to sea interfaces"?	According to Part 2.2.9 of the 2013 VGP, "oil to sea interfaces" include items such as the following: lubrication discharges from paddle wheel propulsion, stern tubes, thruster bearings, stabilizers, rudder bearings, azimuth thrusters, propulsion pod lubrication, and wire ropes and mechanical equipment subject to immersion, etc.
6	What actions need to be taken by a shipowner who is replacing a conventional lubricant with an EAL?	<ol style="list-style-type: none"> 1. The following documentation needs to be maintained on board: <ul style="list-style-type: none"> • Material Safety Data Sheets (MSDS) for all EALs • Documentation issued by the EAL producer stating that their product complies with the definition for EAL in the 2013 VGP (e.g., a "2013 VGP Declaration of Compliance", etc.) • Documentation verifying approval, if registered under an environmental label program, such as Blue Angel, European Ecolabel, etc. 2. Submission of an Annual Report to the EPA Descriptions of the EALs used have to be included in the report. A report must be completed for each calendar year and may be submitted by email (electronic data) or by regular mail (printed materials). Reports submitted by email must be received no later than 28 February of the following year (e.g., the annual report for 2014 must be received no later than 28 February 2015) and reports submitted by regular mail must be postmarked no later than 21 February of the following calendar year (e.g., the annual report for 2014 must be postmarked no later than 21 February 2015). Note: The period from 19 December 2013 through 31 December 2013 is to be included in the annual report for the 2014 and to be submitted by the February 2015 (see above).

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7	What does "technically infeasible" mean?	<p>According to Part 2.2.9 of the 2013 VGP, "technically infeasible" refers to any of the following:</p> <ol style="list-style-type: none"> 1. No EAL products are approved for use in a given application that meet manufacturer specifications for the equipment in question; 2. The product in question comes pre-lubricated (e.g., wire ropes) and has no available alternatives manufactured using EALs; 3. Products satisfying manufacturer specifications are not available within any of the vessel's ports of call; or, 4. Change over and use of an EAL must wait until the vessel's next drydocking.
8	What actions need to be taken by a shipowner in the case of "technically infeasible"?	<ol style="list-style-type: none"> 1. Documentation needs to be maintained on board regarding the reason(s) why it is technically infeasible to use an EAL in an oil-to-sea interface. 2. The reason(s) why it is technically infeasible to use an EAL in an oil-to-sea interface must be included in the annual report. Annual reports must be completed each calendar year and received by 28 February of the following year if submitted by email (e.g., the annual report for 2014 is due by 28 February 2015), or be postmarked by 21 February of the following calendar year (e.g., the annual report for 2014 must be postmarked by 21 February 2015) if submitted by regular mail. <p>Note: The period from 19 December 2013 through 31 December 2013 is to be included in the annual report for the 2014 and to be submitted by February 2015 (see above).</p>
9	Are EALs required when an air seal is equipped?	<p>The EPA's reply is as follows: If an air seal, when properly maintained, completely and permanently eliminates oil drips or leakage into surrounding waters, the use of an EAL in the lubricated stern tube is not required. However, if there is any possibility of a system failure which could lead to any oil leakage, then an EAL must be used if technically feasible.</p> <p>ClassNK is now providing an appraisal service where regarding this matter and will issue a SOF verifying that the use of an air seal and describing the performance of said air seal when such is requested by a shipowner.</p>

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10	Can a SOF be issued by ClassNK when a conventional lubricant is changed to an EAL or the use of an EAL is "technically infeasible"?	<p>A SOF can be issued by ClassNK in both cases. The procedure for issuing a SOF is as follows:</p> <ol style="list-style-type: none"> 1. In cases where a conventional lubricant is changed to an EAL, a SOF will be issued after confirming that the following documents are being maintained on board the ship: <ul style="list-style-type: none"> • A declaration from the EAL producer stating that their product complies with the 2013 VGP. • A declaration from the stern tube seal maker stating their seal is compatible with the used an EAL. 2. In cases where the use of EAL is "technically infeasible", a SOF will be issued after confirming that documentation issued by the manufacturer of the product in question that using an EAL with their product is "technically feasible" is being maintained on board ship. <p>Although the ultimate interpretation of the 2013 VGP requirements and any judgements related to compliance fall within the sole purview of the U.S. EPA, there have been no issues of non-compliance raised to date by the EPA regarding vessels possessing SOFs issued by ClassNK.</p>
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For any questions about the above, please contact:

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