



SHIP SAFETY BULLETIN

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Subject: INTERIM MEASURES FOR VESSEL AIR EMISSIONS

Purpose

The purpose of this bulletin is to inform stakeholders of interim measures to address air emissions from vessels operating in Canada from August 1, 2012, to the date that the proposed *Regulations Amending the Vessel Pollution and Dangerous Chemicals Regulations* (the proposed Regulations) will be published in Part II of the *Canada Gazette*.

The proposed Regulations would implement the North American Emission Control Area (NA-ECA) that was adopted under Annex VI to the *International Convention for the Prevention of Pollution from Ships* (MARPOL). The NA-ECA enters into force on August 1, 2012, and would set a 1% limit on the sulphur content of marine fuel, followed by a 0.1% limit in 2015. The proposed Regulations would also implement a regime to control air emissions from Canadian vessels in the Great Lakes and St. Lawrence waters.

Scope

This bulletin applies to all ships over 400 gross tonnage that are subject to the *Vessel Pollution and Dangerous Chemicals Regulations*.

Background

Due to significant additional discussions required with the domestic marine industry, the marine air emissions regulatory package will be delayed by a few months and will not come into effect on August 1, 2012, to implement the NA-ECA and standards for Canadian vessels operating in the Great Lakes and St. Lawrence waters.

Keywords:

1. Air Emissions
2. Marine Fuels
3. Interim Measures
4. Pollution Prevention

Questions concerning this Bulletin should be addressed to:

AMSEE
 Environmental Protection
 613-991-3168

Transport Canada
 Marine Safety and Security
 Tower C, Place de Ville
 10th Floor, 330 Sparks Street
 Ottawa, Ontario K1A 0N8

Contact us at: marinesafety-securitemaritime@tc.gc.ca or 1-855-859-3123 (Toll Free).

Until the proposed Regulations come into force, there would be no means to enforce international standards under the NA-ECA to limit the sulphur content in marine fuel to 1%, which come into effect internationally on August 1, 2012. As well, there would also be no means to implement new domestic standards for vessels voyaging in the Great Lakes and St Lawrence waters.

As a result of the above, interim measures are required for the period of August 1, 2012, to when the Regulations come into force, which is expected towards the end of 2012.

The NA-ECA includes waters under Canadian jurisdiction south of 60°N extending out to approximately 200 nautical miles. The NA-ECA includes waters under the jurisdiction of the United States, including Hawaii and Alaska south of 60°N. The NA-ECA also includes North American waters under the jurisdiction of France—the islands of St. Pierre and Miquelon. “Great Lakes and St. Lawrence waters” means the Great Lakes and the St. Lawrence River, their connecting waters, and the Gulf of St. Lawrence to the baseline of the territorial sea.

Transport Canada Policy

The following policy sets out interim measures to address air emissions from vessels operating in Canada from August 1, 2012, to the date that the Regulations are published in Part II of the *Canada Gazette*.

For all vessels trading in the NA-ECA, Marine Safety Inspectors will take the following interim measures as part of routine and planned inspections to enforce the *Canada Shipping Act, 2001* (CSA 2001).

Under the current *Vessel Pollution and Dangerous Chemicals Regulations*, Marine Safety Inspectors can take the following measures for all vessels in Canadian ports:

- International Air Pollution Prevention Certificates for Canadian vessels over 400 gross tonnage may be issued or endorsed, if so requested by their authorized representatives and that the vessels meets the applicable requirements set out in Annex VI to MARPOL.
- International Air Pollution Prevention Certificates held by any vessel over 400 gross tonnage may be examined.
- The bunker delivery notes of any vessel over 400 gross tonnage, which stipulate the sulphur content of fuel delivered to the vessel, may be examined. Under section 124 of the *Vessel Pollution and Dangerous Chemicals Regulations*, a vessel’s bunker delivery note must contain the information set out in Appendix 1.
- Canadian vessels and pleasure craft destined to the North Sea or the Baltic Sea are subject to section 8 of the *Vessel Pollution and Dangerous Chemicals*

Regulations, which requires them to comply with Emission Control Area standards when in those waters as set out in Annex VI to MARPOL.

In the event a vessel is found in the NA-ECA to have fuel onboard with sulphur content greater than 1%, Marine Safety Inspectors may verbally advise the Master of the pending air emissions standards and the fact that they will soon be enforceable.

For Canadian vessels that operate in the Great Lakes and St. Lawrence waters, Marine Safety and Security will take the following interim measures:

- An authorized representative may voluntarily submit to Marine Safety and Security their plans for fleet averaging that would have been submitted under section 111.1 of the Regulations. Plans should include elements as outlined in Appendix 2 to this Ship Safety Bulletin and may be sent to:

Environmental Protection (AMSEE)
Operations and Environmental Programs
Marine Safety and Security
Transport Canada
330 Sparks St, 10th floor
Ottawa, Ontario
K1A 0N8
Email: marinesafety-securitemaritime@tc.gc.ca

- Marine Safety and Security will issue pending Canadian Air Pollution Prevention Certificates to Canadian vessels that would have met the requirements of section 111.1 of the Regulations.
- All pending Certificates will become final on the day the Regulations are registered.
- All pending Certificates will include the following statement: “This Certificate will be in effect when accompanied by a notice indicating the date it comes into force.”
- If the Master consents, Marine Safety Inspectors may examine a Canadian vessel’s pending Certificate.
- Once the Regulations are registered, if the shipping season remains underway, Marine Safety and Security will provide a notice to each holder of a pending Certificate stating that the Certificate is in force and indicating the date the Regulations were registered.

This Policy will no longer apply once the Regulations are published in Part II of the *Canada Gazette*.

Appendix 1: Information to be included in the vessel's bunker delivery note

Pursuant to section 124(1) of the *Vessel Pollution and Dangerous Chemicals Regulations* and Regulation 18.5, Annex VI to the International Convention for the Prevention of Pollution from Ships (MARPOL) the vessel's bunker delivery note must contain the following information.

- Name and IMO Number of receiving ship
- Port
- Date of commencement of delivery
- Name, address, and telephone number of marine fuel oil supplier
- Product name(s)
- Quantity in metric tons
- Density at 15°C, kg/m³*
- Sulphur content (% m/m)**
- A declaration signed and certified by the fuel oil supplier's representative that the fuel oil supplied is in conformity with the applicable subparagraph of regulation 14.1 or 14.4 and regulation 18.3 of Annex VI to MARPOL.

* Fuel oil shall be tested in accordance with ISO 3675:1998 or ISO 12185:1996.

** Fuel oil shall be tested in accordance with ISO 8754:2003.

Appendix 2: Fleet averaging plans

The plans should include the following elements.

- Name of the authorized representative for the vessels in the fleet.
- The email and mailing address of the office of the authorized representative that the certificates should be sent to for distribution to the vessels.
- A brief description of how the vessels would be managed to attain an average of 1.5% sulphur in the fuel used by the fleet between August 1, 2012, and December 31, 2012.
- Please note:
 1. The average of 1.5% sulphur in the fuel used by the fleet may be met by the vessels using a range of conventional fuels over that time, alternative fuels, or emission control technology.
 2. A vessel delivered into service after December 31, 2008, may further apply an efficiency credit of 10% to reduce its sulphur content in its fuel used over the period—per subsection 111.1(3) of the proposed Regulations.
 3. If data is available, the plan may include other years out to 2020.
- The plan should list, for each vessel in the fleet, its:
 1. Name
 2. Official number
 3. Port of Registry
 4. Gross tonnage
 5. Date on which the last survey was completed for its current Air Pollution Prevention Certificate (either Canadian or International).