

The 2020 Global Sulphur Cap

Dear Members:

Background

We refer Members to our previous publications on the 2008 amendments to Annex VI of the IMO's International Convention for the Prevention of Pollution from Ships 1973 (as modified by the Protocol of 1978) (MARPOL) and which will come into force on 1 January 2020. The amendments will ensure a significant reduction in the sulphur emissions from ships (the 2020 Global Sulphur Cap) and thereby demonstrate that the shipping industry is committed to meeting its environmental obligations.

The 2020 Global Sulphur Cap

On and after 1 January 2020, the MARPOL permitted limit for sulphur content in ships' bunker fuel oil will be reduced from 3.50% mass by mass (m/m) to 0.50% m/m for ships operating outside designated emission control areas. The MARPOL Emission Control Area (ECA) limit of 0.10% will still apply, as will any applicable local regulations.

The IMO's Marine Environment Protection Committee (MEPC 73) has approved a prohibition on the carriage of non-compliant bunker fuel which will come into force on 1 March 2020 (Regulation 14 MARPOL Annex VI), with certain caveats. Ships fitted with exhaust gas cleaning systems (scrubbers), which are designed to remove sulphur oxides from the ship's engine and boiler exhaust gases in order to reduce sulphur emissions to a level not exceeding the required fuel oil sulphur limit, can continue to carry fuel with a sulphur content of more than 0.50%. Members should check before calling at a port if the port has any ban or additional requirements relating to the use of open loop scrubbers or for dealing with wash waters from scrubbers.

The IMO has developed further guidance, including a fuel oil non-availability report (FONAR), which is on the IMO's website

<http://www.imo.org/en/MediaCentre/PressBriefings/Pages/10-MEPC-74-sulphur-2020.aspx>.

Under Regulation 18 of MARPOL Annex VI, it will be possible to submit a FONAR to State parties recording the steps taken when a ship cannot acquire compliant fuel. It is important to note that a FONAR is not an exemption; it is one of a number of documents to be taken into account by State parties when considering enforcement action against a non-compliant ship and Port State Control (PSC) guidelines have also been published by the IMO to assist in this regard. When facing enforcement action, Members should be able to fully document the efforts which they have taken to comply.

A limited exception to the 2020 Global Sulphur Cap requirements is allowed for any emission necessary to secure the safety of the ship, saving life at sea or any emission resulting from accidental damage to a ship or its equipment (subject to certain conditions).

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