

China Maritime Safety Administration (MSA) Notice - Implementation plan of 2020 global sulphur limit



DISCLAIMER: This is ONLY for reference use, the Chinese original copy shall always prevail in case of any discrepancy or inconsistency.

BACKGROUND

In order to effectively implement the IMO's 2020 global sulphur limit, China Maritime Safety Administration (MSA) issued the **NOTICE ON THE IMPLEMENTATION PLAN OF 2020 GLOBAL SULPHUR LIMIT** (hereinafter referred to as Implementation Plan or this Plan) on 23rd October 2019. China Classification Society (CCS) Overseas Technology Center developed this bulletin based on translation of the key points of the implementation plan for stakeholders' reference. In case of any discrepancy or inconsistencies, the Chinese original copy of the implementation plan shall always prevail.

KEY POINTS OF THE IMPLEMENTATION PLAN

REQUIREMENTS ON SHIPS USING, CARRYING FUEL OIL AND ALTERNATIVE MEASURES

Article 1 From January 1st 2020 onward, international ships entering waters under the jurisdiction of the People's Republic of China are to use fuel oil of sulphur content not exceeding 0.50%*m/m* (hereinafter referred to as compliant fuel oil). The term "fuel oil", for the purpose of this Plan, means oils delivered onboard ship for combustion in connection with the propulsion and operation of the ship, including distillate marine fuels and residual marine fuels.

Article 2 From January 1st 2020 onward, international ships entering China inland waterway emission control areas are to use fuel oil of sulphur content not exceeding 0.10%*m/m*. From January 1st 2022 onward, international ships entering Hainan waters within China emission control areas are to use fuel oil of sulphur content not exceeding 0.10%*m/m*.

Article 3 From March 1st 2020 onward, international ships entering waters under the jurisdiction of the People's Republic of China are prohibited to carry fuel oil of sulphur content exceeding 0.50%*m/m* (hereinafter referred to as non-compliant fuel oil) on board ships.

Article 4 For ships using alternative measures complying with the equivalent requirement as set out in MARPOL Annex VI Regulation 4, the requirements of above Article 1, Article 2 and Article 3 can be exempted. The term "alternative measures", for the purpose of this Plan, means ships using any installation, appliance or alternative fuels capable of achieving the same or better emission reduction level compared to that required by regulations. From January 1st 2020 onward, ships are prohibited to discharge wash water from open-loop scrubbers in China emission control areas.

-----*Note from CCS*-----

The above requirements are summarized in Table 1, Table 2 as below.

Table 1 Brief on fuel oil sulphur content(*m/m*) limit for international ships entering China waters

Effective date	Inland waterway ECA	Hainan waters within ECA	Other waters
January 1 st 2020	0.10%	0.50%	0.50%
January 1 st 2022	--	0.10%	--

Note: not applicable to ships using alternative measures (e.g. scrubbers, LNG, etc)

Table 2 Ban on carriage of non-compliant fuel oil and discharge of wash water from open-loop scrubbers

Effective date	Requirement
January 1 st 2020	ships are prohibited to discharge wash water from open-loop scrubbers in China emission control areas.
March 1 st 2020	international ships entering waters under the jurisdiction of China are prohibited to carry non-compliant fuel oil onboard.

-----End of this note-----

REQUIREMENTS ON INFORMATION SUBMISSION RELATED TO THE USE AND CARRIAGE OF NON-COMPLIANT FUEL OIL BY SHIPS

Article 5 From January 1st 2020 onward, a China-flagged ship using or carrying non-compliant fuel oil due to the non-availability of compliant fuel oil is to:

- immediately report to the MSA of ship's homeport and submit Fuel Oil Non-Availability Report (FONAR) to the competent authority of the next arrival port if it is a foreign port; or
- submit FONAR to the MSA of next arrival port if it is a China domestic port.

The copy of FONAR is to be kept onboard for a minimum of 36 months for possible check.

-----Note from CCS-----

This Plan included a Chinese version of the FONAR template (see Appendix). However it was stated clearly in the Plan that the English FONAR template takes precedence in case of any discrepancies in the Chinese translation. As such, ships are advised to follow the IMO FONAR template which can be accessed at IMO website:

<http://www.imo.org/en/OurWork/Environment/PollutionPrevention/Documents/Resolution%20MEPC.320%2874%29.pdf>

-----End of this note-----

Article 6 From January 1st 2020 onward, a foreign ship using or carrying non-compliant fuel oil due to the non-availability of compliant fuel oil is to submit FONAR to the MSA of next arrival port if it is a China port, before entering waters under the jurisdiction of China.

Article 7 From January 1st 2020 onward, a China-flagged ship is to immediately submit the information of non-compliant fuel oil including the port of bunkering, supplier and test report to the MSA of ship's homeport, in case it's found the quality of bunkered fuel oil does not meet the requirements as set out in MARPOL Annex VI Regulation 14 or Regulation 18.

Article 8 China MSA will periodically submit verified FONARs and information of non-compliant fuel oil bunkered by China-flagged ships to IMO.

REQUIREMENTS ON DISPOSAL OF NON-COMPLIANT FUEL OIL CARRIED ON BOARD SHIPS

Article 9 From March 1st 2020 onward, a foreign ship carrying non-compliant fuel oil in the waters under the jurisdiction of China is to:

- discharge the non-compliant fuel oil; or

- as permitted by the MSA of calling port, to retain the non-compliant fuel oil on board with a commitment letter stating it will not be used in waters under the jurisdiction of China.

in accordance with IMO MEPC.1/Circ.881 *GUIDANCE FOR PORT STATE CONTROL ON CONTINGENCY MEASURES FOR ADDRESSING NON-COMPLIANT FUEL OIL*.

Article 10 Discharge of non-compliant fuel oil from a foreign ship is to be reported to the local MSA and carried out in accordance with the requirements on fuel oil loading/unloading as set out in the *People's Republic of China Regulations on the Prevention and Control of Marine Environment Pollution by Ships and Related Activities*, as well as the *People's Republic of China Regulations on the Prevention and Control of Marine Environment Pollution in Inland Waters by Ships*. All safety and pollution precautions shall be implemented.

REQUIREMENTS ON RECORDING OF FUEL OIL SUPPLIERS

Article 11 Bonded fuel oil suppliers (hereinafter referred to as suppliers) are to submit the data regarding their capacity of supplying compliant fuel oil in China ports and contact details to China MSA before November 30th 2019, then China MSA will submit the data to IMO in an unified manner. The suppliers are to keep the China MSA updated if there's any change of supply capacity and other information.

Article 12 Suppliers are to submit relevant documents to the MSA for recording, in accordance with the requirements on suppliers' recording as set out in the *People's Republic of China Regulations on the Prevention and Control of Marine Environment Pollution by Ships and Related Activities*, as well as *China MSA Service Directory*; Suppliers intending to operate in inland waterways are to report to the MSA.

REQUIREMENTS ON SUPERVISION AND ENFORCEMENT

Article 13 Site inspection will be imposed to international ships and bunkering vessels by MSA affiliate. Ships infringing this regulation will be penalized in accordance with the *Law on the Prevention and Control of Air Pollution of the People's Republic of China* and this Plan, suppliers who delivered non-compliant fuel oil to ships will be reported to competent authority and the information will be disclosed to the public periodically.

Article 14 Fuel oil sampling and testing may be taken by MSA for supervision and enforcement, judgment on the testing result will be made in accordance with IMO MEPC.1/Circ.882 *EARLY APPLICATION OF THE VERIFICATION PROCEDURES FOR A MARPOL ANNEX VI FUEL OIL SAMPLE (REGULATION 18.8.2 OR REGULATION 14.8)* and relevant Amendments to MARPOL Annex VI to be effective.

Article 15 MSA affiliates are to review and examine the completeness and authenticity of the FONARs submitted by ships. Ship shall not be penalized but treated in accordance with this Plan if its FONAR examined as compliant and true, otherwise penalty will be imposed in accordance with this Plan.

----- End -----

合规燃油不可获得报告

(样本)

注意:

1. 该文件为《2019年MARPOL附则VI 0.50% m/m硫含量限值的统一实施导则》附录1的中译本,若遇争议,以英文版为准。
2. 根据MARPOL附则VI第18.2.4条的规定,《合规燃油不可获得报告》(以下简称“本报告”)应发送给船旗国主管机关和目的港当局。船方/经营人一旦确定无法获得合规燃油,须尽可能在离开无法获得合规燃油的港口/码头之前发送本报告。本报告的副本应在船保留36个月以备检查之需。
3. 如果船舶无法获得符合MARPOL附则VI中第14.1或14.4规定的燃油,则应提交本报告用以证明。
4. 在填写本报告之前,船方/经营人应当注意以下事项:
 - 4.1 本报告不代表免除。根据MARPOL附则VI第18.2条规定,目的港相关方有责任通过其主管当局审查提供的资料,并采取适当行动。
 - 4.2 如果出现不充分和/或重复申请,缔约方可要求提供更多证明燃油不可获得的文件和证据。船方/经营人在港期间也可能受到更详细地检查或审查。
 - 4.3 船方/经营人在计划加装燃油时,应考虑码头、港口的物流条件及相关政策,包括但不限于为了获得合规燃油在港口或码头内更换泊位或者锚位。
 - 4.4 船方/经营人应尽可能合理地准备,包括但不限于规定内不同粘度和不同硫含量的燃油所需的不同类型润滑油,以及加热和其他处理设备,以便船舶能够使用合规燃油。

1 船舶明细

- 1.1 船名:
- 1.2 IMO 编号:
- 1.3 船旗国:
- 1.4 (如有其他相关登记号码,请在此填写):

2 航次计划

- 2.1 提供船舶进入“X国”水域(船舶排放控制区,如适用)时的航次计划(请附上计划副本,如有):

2.2 航次详情

1. 上一港

2. 到达“X国”的第一港

3. 离开上一港日期（年/月/日）

4. 到达“X国”的第一港日期（年/月/日）

5. 船舶首次接到通知将经过“X国”水域（船舶排放控制区，如适用）日期（年/月/日）

6. 接到上述通知时的船位信息

7. 船舶经营人预计船舶进入“X国”水域（船舶排放控制区，如适用）日期（年/月/日）

8. 船舶经营人预计船舶进入“X国”水域（船舶排放控制区，如适用）时间（世界时/时/分）

9. 船舶经营人预计船舶离开“X国”水域（船舶排放控制区，如适用）日期（年/月/日）

10. 船舶经营人预计船舶离开“X国”水域（船舶排放控制区，如适用）时间（世界时/时/分）

11. 船舶主机在X国水域内（船舶排放控制区，如适用）预计运行天数

12. 进入“X国”水域（排放控制区，如适用）及在该水域作业时所使用的燃油的硫含量：

3. 试图购买合规燃油的证明

3.1 提供在进入“X国”水域（船舶排放控制区，如适用）前为获得合规燃油采取的措施描述，包括寻找合规燃油替代来源的所有尝试，以及未能

获得合规燃油的原因说明：

3.2 供应商的名称、邮箱、地址、电话和联络时间（年/月/日）

请附上与供应商联络的文件副本（例：邮件往来记录）

4. 仅适用于燃油供应中断

4.1 船舶计划加装合格燃油的港口名称

4.2 原定供应商名称，邮箱和电话号码（临时无法提供合规燃油）：

5. 操作限制（如适用）

5.1 如因考虑到可用的合规燃油可能会引起船舶操纵或安全问题而加装不合规燃油，由此引起的相应顾虑应完整记录。

5.2 描述所有妨碍在使用合规燃油的操作限制：

5.3 列举已采取，或将要采取的以解决操作限制的详细步骤：

6. 获取合规燃油的计划

6.1 “X国”的第一个停靠港是否有合规燃油供应，如有请提供获取计划：

6.2 如在“X国”的第一个停靠港没有合规燃油，请列出该港可用燃油的最低硫含量或下一港可用燃油的最低硫含量：

7. 之前的《合规燃油不可获得报告》

7.1 如船舶/经营人在过去12个月之内曾向“X国”提交燃油不可获得报告，请列明先前提交的报告，并提供使用不合规燃油的时间及到港详情，如下所示：

报告：

日期（年/月/日）：

港口：

燃油类型：

备注

8 船长/公司信息

船长姓名：

“X国”代理名称：

船舶经营人名称：

船东名称：

官员姓名和职位：

邮箱：

地址（街道，城市，国家，邮编）：

电话号码：

船长签名：

打印名：

日期（年/月/日）：