



LR

IMO Marine Environment Protection Committee - Eightieth Session (MEPC 80)

Summary Report

Executive Summary

Below is an overview of some of the outcomes from MEPC 80. More detail can be found under the associated headings in the report.

Greenhouse Gas reduction

This was a key topic of discussion throughout the week. The agreements made will have global significance across the maritime industry in the coming decades. Key decisions made included:

- Adoption of MEPC.377(80) IMO Strategy for the reduction of greenhouse gases from ships.
- Adoption of MEPC.376(80) the *Guidelines on Life Cycle GHG Intensity of Marine Fuels* (LCA Guidelines).
- Agreement of a timeline for the selection, development, and further adoption of mid-term measures.

Air Pollution Prevention

- Approved MEPC.1/Circ.905 *Interim guidance on the use of biofuels under regulations 26, 27 and 28 of MARPOL Annex VI*.
- Approved draft amendments to regulation 2, 14, 18 and appendix I of MARPOL Annex VI on “fuel oil” related issues.
- Approved the draft amendments to regulation 13.2.2 of MARPOL Annex VI on a marine diesel engine replacing a steam system.
- Agreed an update to MEPC.1/Circ.795/Rev.8 *Unified Interpretations to MARPOL Annex VI - Regulation 13.2.2 concerning identical replacement engines and 18.5 and 18.6 (concerning electronic bunker delivery notes) of MARPOL Annex VI*.

Energy efficiency of Ships

- Agreed the plan for review of the short-term measures.
- Approved the draft amendments to regulation 27 and appendix IX of MARPOL Annex VI in relation to the IMO ship fuel oil consumption Data Collection System (DCS).
- Adopted MEPC.374(80) Amendments to the 2022 *Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI)* (MEPC.365(79) to clarify the filling rate for a gas fuel tank in the EEDI calculation.
- Adopted MEPC.375(80) Amendments to the 2021 *Guidelines on the Shaft/Engine Power limitation system to comply with the EEXI requirements and use of a power reserve* (MEPC.335(76)).

Pollution Prevention Response

- Adopted MEPC.378(80) *2023 Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species*.
- Adopted MEPC.373(80) *2023 Guidelines for thermal waste treatment devices*.
- Adopted MEPC.379(80) *2023 Guidelines for the development of the Inventory of Hazardous Materials*.
- Approved the *Operational Guide on the Response to Spills of Hazardous and Noxious Substances (HNS)*.
- Agreed amendments to PPR.1/Circ.7 *Decisions with regard to the categorization and classification of products*.

Special Areas, ECAs PSSA

- Adopted MEPC.382(80) *Establishment of the date on which regulations 15.3, 15.5, and 34.3 to 34.5 of MARPOL Annex I, in respect of the Red Sea and Gulf of Aden Special Areas, shall take effect*.
- Adopted MEPC.381(80) *Establishment of the date on which regulation 6 of MARPOL Annex V, in respect of the Red Sea Special Area shall take effect*.
- Adopted MEPC.377(80) *Designation of the north-western Mediterranean Sea as a Particularly Sensitive Sea Area*.

Underwater Noise

- Approved MEPC.1/Circ.906 *Revised Guidelines for the reduction of underwater radiated noise from shipping to address adverse impacts on marine life* (MEPC.1/Circ.833).
- Approved MEPC.1/Circ.907 *Guidelines for underwater radiated noise reduction in Inuit Nunaat and the Arctic*.

Ballast water management

- Approved BWM.2/Circ.79 *Convention Review Plan under the experience-building phase associated with the BWM Convention*.
- Adopted MEPC.369(80) *Amendments to Appendix II of the BWM Convention - concerning the form of Ballast Water Record Book (BWRB)*.
- Approved BWM.2/Circ.80 *Guidance for completing entries in the Ballast Water Record Book (BWRB)*.
- Adopted MEPC.372(80) *Guidelines for the use of electronic record books under the Ballast Water Management Convention*.
- Approved BWM.2/Circ.78 *Protocol for verification of ballast water compliance monitoring devices*.
- Approved BWM.2/Circ.66/Rev.5 *Unified Interpretation to the BWM Convention - form of the International Ballast Water Management Certificate and regulations B-3.5 and B-3.10 of the BWM Convention*.

Webinar

MEPC 80: Transform ambition into strategy

Join us for our post-MEPC 80 webinar, where LR's trusted advisors will discuss key topics, such as adopting the IMO's 2023 GHG strategy and implementing mid-term measures to reduce GHG emissions from ships. Gain valuable insights and guidance on the implications of these changes and strategies for success.

Click below or [signup for MEPC 80 webinar](#).



LR

MEPC 80: Protect the future of your fleet, explore IMO regulations and energy transition strategies

Date: 13 July 2023
Time: 09:30 am (BST)

[Register for webinar](#)

Introduction

MEPC 80 took place 3-7 July 2023. This report summarises the outcome of discussions and the agreements which are significant to LR's work with our customers.

Additional Information

LR's [Agenda Preview MEPC 80](#), [Summary Report MEPC 79](#) and [Summary Report PPR 10](#)

Reduction of GHG emissions from ships

The 2023 GHG Strategy on reduction of GHG emissions from ships

MEPC.377(80) 2023 IMO Strategy for the reduction of Green House gases from Ships

MEPC 80 adopted the 2023 IMO GHG strategy (revised strategy) which includes a revised level of ambitions and a timeline for a comprehensive impact assessment for the selection of candidate mid-term measures.

The levels of ambitions agreed within the revised strategy include the following:

- To peak GHG emissions as soon as possible and to reach net-zero by or around, i.e. close to 2050, mindful of different national circumstances.
- To reduce GHG emissions on a well-to-wake basis, as addressed in the LCA Guidelines.
- To reduce GHG emissions within the boundaries of the energy system of international shipping and prevent a shift of emissions to other sectors.
- A reduction in CO₂ emissions per transport work (carbon intensity) by 2030 to be at least 40% as an average across international shipping compared to 2008 levels.
- Indicative checkpoints to reach net-zero GHG emissions from international shipping of 20% striving for 30% by 2030, and 70% striving for 80% by 2040, compared to 2008.
- Low-carbon and zero-carbon fuels/energy source uptake for international shipping to be at least 5%, striving for 10%, by 2030.
- Recognition of the need for a broad approach to regulating the safety of using zero or near-zero GHG emission technologies, fuels and/or energy sources, including addressing the human element, to ensure a safe implementation of the Strategy.
- Review, with the aim of strengthening, the energy efficiency design requirements for ships.

The finalised report for the impact assessment is to be expected to be reviewed at MEPC 82. The timeline for further approval and adoption for the mid-term measures has been agreed in the 2023 strategy with an expected entry into force date in 2027. The timeline includes the completion date for the review of short-term measures i.e. 1 January 2026.

The next revision of the strategy will be in 2028. A timeline for its revision is also included within the 2023 strategy.

The below table is the agreed comprehensive timeline for the milestones under the revised strategy:

Target dates	Milestones		
	Comprehensive impact assessment (CIA) of the basket of candidate mid-term measures	Development of candidate mid-term measures	Other milestones
MEPC 80 (Summer 2023)	Initiation of CIA	Initiate Phase III of the Work Plan on the development of mid-term measures	
MEPC 81 (Spring 2024)	Interim report	Finalisation of basket of measures	
MEPC 82 (Autumn 2024)	Finalised report		
MEPC 83 (Spring 2025)		Approval of measures	Review of the short-term measure to be completed by 1 January 2026
Extraordinary 1 or 2-day MEPC (six months after MEPC 83 in Autumn 2025)		Adoption of measures	
16 months after adoption (2027)		Entry into force of measures	
MEPC 86 (Summer 2027)			Initiate the review of the 2023 IMO GHG Strategy
MEPC 88 (Autumn 2028)			Finalisation of the review of the 2023 IMO GHG Strategy with a view to adoption of the 2028 IMO GHG Strategy

Selection of mid-term measures for further development

MEPC agreed that further work and an impact assessment is to be carried out to select mid-term measures which should consist of both a technical and an economic element. The work scope and the timeline has been agreed in line with the 2023 GHG Strategy. An interim report is expected to be considered at MEPC 81.

The Committee identified (a) the various forms of a goal-based marine fuel standard regulating the phased reduction of the marine fuel's GHG intensity; and (b) the various forms of maritime GHG emissions pricing mechanism, in line with the 2023 IMO GHG Strategy as “the measures matrix”. Further the technically possible

combination of parameters defined within “the measures matrix” will be considered in the agreed impact assessment.

The agreed timeline considers completion of the impact assessment and finalisation of the report by MEPC 82 and provides the basis for approval of mid-term measures at MEPC 83 (2025) with a view to adoption through an extraordinary MEPC session between MEPC 83 and MEPC 84 (Spring 2026).

LCA Guidelines

MEPC.376(80) Guidelines on Life Cycle GHG Intensity of Marine Fuels (LCA guidelines)

MEPC adopted the LCA guidelines which will be used to support any mid-term measures adopted by MEPC at future sessions. The LCA guidelines allow for a Well-to-Wake calculation, including Well-to-Tank and Tank-to-Wake emission factors, of total GHG emissions related to the production and use of marine fuels.

MEPC established a correspondence group to continue development of the LCA framework within the LCA guidelines and agreed for an experts’ workshop to be conducted ahead of IMO ISWG-GHG 16 on the life cycle GHG intensity of marine fuels.

In addition to the above work, the committee requested the secretariat to conduct a review of existing practices on sustainability aspects/certification and third-party verification issues to be considered further by the planned expert workshop.

The outcome of the expert workshop along with the report of correspondence group on the LCA guidelines will be considered at ISWG-GHG 16 and then at MEPC 81.

Onboard carbon capture systems

At MEPC 79 and 80 there were several proposals to include CO₂ capture in the IMO GHG regulatory framework, including EEDI, EEXI and CII, to remove regulatory barriers to innovative technology and to provide a level playing-field and cost-effective opportunity for decarbonisation of the shipping industry.

However, due to differences in opinion over whether the CO₂ capture should be considered a part of the fuel life-cycle analysis framework, or as a separate workstream, all the proposals related to the onboard CCS have been forwarded to ISWG-GHG 16 for further consideration if time permits, prior to review by MEPC 81.

Air Pollution prevention

Biofuels and biofuel blends

There was insufficient time to consider submissions on a comparative study on exhaust gas emissions using biofuel and marine gas oil or a proposal for interim guidelines for the use of biofuels and blends of biofuels as fuel. These will be deferred to MEPC 81.

MEPC.1/Circ.905 *Interim guidance on the use of biofuels under regulations 26, 27 and 28 of MARPOL Annex VI*

Pending the development of the comprehensive method to account for well-to-wake GHG emissions and removals based on the IMO LCA Guidelines, MEPC agreed to develop some interim guidelines for the use of biofuels.

MEPC approved *Interim guidance on use of biofuels under regulations 26,27 and 28 of MARPOL Annex VI (DCS and CII)* which will come into effect on 1 October 2023. The guidance allows the assignment of a CO₂ emission conversion factor (C_f) considering the below elements:

- Biofuels must be certified by an international certification scheme (Refer to ICAO's Approved Sustainability Certification Schemes and the CORSIA Sustainability Criteria (Chapter 2) for CORSIA Eligible Fuels)
- Well-to-wake GHG reductions must be at least 65% compared to the well-to-wake emission of fossil MGO of 94 gCO₂e/MJ.
- C_f is equal to value of the well-to-wake GHG emissions of the fuel according to the certificate multiplied by its Lower calorific value (LCV) and cannot be less than 0.
- For blends, the C_f should be based on the weighted average of the C_f for the respective amount of fuels by energy.

Matters relating to Exhaust Gas Cleaning Systems (EGCS)

Amendments to MARPOL Annex VI were proposed to put the onus on individual States to regulate the discharge of discharge water within the territorial waters under their jurisdiction. The proposed work was referred to PPR 11 for further discussion, before considering it again at MEPC 81.

Corrigenda to the 2021 EGCS Guidelines (MEPC.340(77)) on Electronic Record Books

The *2021 Guidelines for exhaust gas cleaning systems* (MEPC.340(77)) adopted previously at MEPC 77 included provisions for the use of an electronic record book. However, these guidelines do not contain specific provisions regarding approval of the ERB by the Administration or by recognised organisations acting on their behalf. A footnote will be added to MEPC.340(77) referring to the Guidelines for the use of electronic record books under MARPOL (resolution MEPC.312(74)).

Draft Amendments to MARPOL Annex VI, regulations 2, 14, and 18 and appendix I

At MEPC 79, inconsistencies were identified with the reporting of the fuel flashpoint on the bunker delivery note due to the different terminology used in SOLAS chapter II-2 and MARPOL Annex VI as they apply to low-flashpoint fuels and their sampling. Additionally, several other "fuel oil" related issues have also been identified. It was agreed that several amendments and consequential amendments are to be made to MARPOL Annex VI to update the definition of "fuel oil" and to include a definition of "gas fuel" which refers to the IGF Code, along with amendments to regulations 14 and 18 that result in them not being applicable to gas fuels.

During the MEPC 80 session, the amendments to regulations 2, 14, 18 and appendix I of MARPOL Annex VI were agreed with a view for adoption at MEPC 81 (April 2024) and are expected to then enter into force from September 2025. Further it was also agreed that the MEPC.1/Circ.795/Rev.8 *Unified Interpretations to MARPOL Annex VI* on regulation 2.1.4 would be amended upon entry into force.

Matters related to Nitrogen Oxides (NO_x)

Draft Amendments to regulation 13.2.2 of MARPOL Annex VI on a marine diesel engine replacing a steam system

Following work at PPR 10, MEPC 80 considered and approved draft amendments to regulation 13.2.2 of MARPOL Annex VI on a marine diesel engine replacing a steam system. These amendments will confirm that a marine diesel engine replacing a steam system will not constitute a major modification to the ship which would mean that it would be considered as a new ship and are anticipated to be adopted at MEPC 81.

Draft 2023 Guidelines as required by regulation 13.2.2 in respect of non-identical replacement engines not required to meet the Tier III limit

MEPC 80 deferred consideration of the *Draft 2023 Guidelines as required by regulation 13.2.2 in respect of non-identical replacement engines not required to meet the Tier III limit* to MEPC 81 with a view to adoption. These guidelines clarify that Replacement of the steam engine on existing vessels will require compliance with Regulation 13 of MARPOL Annex VI, taking into account the additional requirements outlined in these Guidelines. The committee has deferred consideration of the draft 2023 guidelines to the MEPC 81.

MEPC.1/Circ.795/Rev.8 Unified Interpretations to MARPOL Annex VI - Regulation 13.2.2 concerning identical replacement engines

This UI clarifies:

- The term “identical engine” as applied to engines under regulation 13 in comparison to the engine being replaced.
- The date referred to by the phrase “time of replacement of an engine”.

Energy Efficiency of Ships

Revision of the IMO Ship Fuel Oil Consumption Data Collection System (DCS) and GISIS database

Several proposals related to the IMO Data Collection System for Fuel Oil Consumption and GISIS submission requirements were under consideration:

- Transferring IMO DCS reporting requirements from Appendix IX of MARPOL Annex VI into new guidelines.
- Implementing TEU-miles as the sole metric for measuring cargo transported by containerships.
- Revising the IMO DCS to increase the granularity of reported fuel oil consumption data collection.

In terms of database accessibility and management, there were proposals to:

- Enhance access to the GISIS database.
- Amend and improve the 2022 *Guidelines for the development and management of the IMO Ship Fuel Oil Consumption Database* (MEPC.349(78)) and the GISIS Ship Fuel Oil Consumption Database Module.

Draft Amendments to MARPOL Annex VI regulation 27 and appendix IX

Draft amendments to MARPOL Annex VI, regulation 27, and appendix IX, were agreed which:

- allow non-anonymised data of a company's ships to be made public at the request of the company;
- incorporate total transport work in the IMO DCS using actual tonne-mile, TEU-mile and/or passenger-mile data. The requirement to collect and report transport work data would only apply to ships to which regulation 28 of MARPOL Annex VI applied; and
- containerships should report both tonne-mile and TEU-mile data.

These amendments are expected to be adopted at MEPC 81 and enter force in 2025.

It was noted that consequential amendments to the SEEMP Guidelines, the DCS administration verification guidelines and the DCS database guidelines would be required, and concrete proposals were invited to be submitted to MEPC 81.

The proposal on transferring IMO DCS reporting requirements to the relevant guidelines did not gain enough consensus and therefore it is agreed that IMO DCS reporting requirements will remain in place under Appendix IX of MARPOL Annex VI.

Implementation and review of short-term GHG reduction measures

Proposals were submitted to MEPC 79 and 80 to amend the *2022 Interim Guidelines on correction factors and voyage adjustments for CII calculations (CII Guidelines, G5)* (MEPC.355(78)), to include correction factors for:

- Refrigerated cargo carriers.
- Short voyages and port waiting time.
- Tanker STS operations with multiple/partial discharge activity during a voyage for transport of single cargo load.
- Fuel consumption relating to the boiler.
- Inert gas generator for cargo operations.
- Self-unloading bulk carriers.

In addition to the above proposals, the following were submitted to MEPC 80 which are related to the CII:

- Amendment to regulation 19.3 to clarify that regulation 26.3 is not applicable to category A ships as defined in the Polar Code.
- Amendments to the sample format for the Confirmation of Compliance (MEPC.1/Circ.876) to be consistent with the latest MARPOL Annex VI regulations and relevant guidelines.
- Development of an alternative CII metric for cruise passenger ships.
- Highlight the challenges in application of CII and EEXI for Steam driven LNG carriers and further revise the CII rating system for acceptance of fleet compliance rather than individual ships).

The above proposals have been noted and will be considered as part of the scope for review of short-term measures due to complete by 1 January 2026.

MEPC agreed a review plan which would focus on the following elements:

- Effectiveness of the short-term measure in reducing the carbon intensity of international shipping;
- Experiences with enforcement of the short-term measure by flag and port States, including the review of (plans of) corrective actions, and the use of incentives by relevant stakeholders;
- Data needs and need for enhancement of the ship fuel oil consumption data collection system (IMO DCS);
- Impacts on States;

- Revision of the Z factor and CIIR values as set out in the CII guidelines G3 and G2 to reduce the carbon intensity of international shipping in accordance with regulation 20 of MARPOL Annex VI;
- Consideration on further amendment to the CII metrics, as set out in the CII guidelines G1;
- Consideration of further amendments to the correction factors and voyage adjustments for CII (Guidelines G5);
- Application of the LCA Guidelines; and
- Any consequential amendments to existing instruments.

Considering the availability of relevant data and the meeting schedule of the committee, the timeline for the review of the short-term measure is described as follows:

- *Data gathering stage*: from MEPC 80 to MEPC 82 (Autumn 2024);
- *Data analysis stage*: working group at MEPC 82 to be continued by a correspondence group; and
- *Convention and Guidelines review stage*: an intersessional working group between MEPC 82 and MEPC 83 (Spring 2025) as well as a working group at MEPC 83.

Matters related to the Energy Efficiency Design Index

MEPC.374(80) Amendments to the 2022 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI) (MEPC.365(79) to clarify the filling rate for a gas fuel tank in the EEDI calculation

To clarify that the "Filling rate" used in the EEDI calculations refers to the "Loading limit" in the IGF Code and not the "Filling limit" in the IGF Code, it was agreed that the note to the table in paragraph 4.2.3.2 (MEPC.365(79)) will be amended. This clarifies that the "Filling rate" in the EEDI calculation is subject to the verification of the tank loading limit in the IGF and/or IGC Codes, where applicable, corresponding to the normal density used in the calculation of the fuel availability ratio of gas fuel corrected for the power ratio of gas engines to total engines ($f_{Df_{gas}}$), as defined in the *2022 Guidelines on the method of calculation of the attained energy efficiency design index (EEDI) for new ships* (MEPC.364(79)).

MEPC.375(80) Amendments to the 2021 Guidelines on the Shaft/Engine Power limitation system to comply with the EEXI requirements and use of a power reserve (MEPC.335(76))

Amendments to the *2021 Guidelines on the Shaft/Engine Power limitation system to comply with the EEXI requirements and use of a power reserve* (MEPC.335(76)) were adopted to:

- Clarify that the supporting evidence and records required by 3.2.8 and 3.2.9 should be submitted to the flag Administration or to the Recognised Organisation for verification and do not need to be submitted to the IMO as part of the annual submission on the use of the power reserve.
- Clarify the period of reporting and deadline for the Administration to report to the IMO.
- Include a new appendix with the format for reporting of overridable EPL/ShaPoLi activation, use of a power reserve and reactivation of EPL/ShaPoLi.

Harmful aquatic organisms in ballast water

Approval of Ballast Water Management Systems (BWMS) and Ballast Water Treatment Systems (BWTS)

The following freshwater ballast water treatment system was considered and approved by the committee:

- ERMA FIRST BWTS, model FIT 75-3000

The following ballast water management systems were considered and approved by the committee:

- BalClor® Smart
- EcoGuardian NFTM

The following ballast water management system were considered and granted basic approval by the committee:

- HiBallast 2.0TM

Information on the following approved BWMS was also noted:

- BlueBallast II Plus NK-O3
- ECS-HYCHLOR 2.0
- One-Pass Mode of the KBAL BWMS

BWM Convention review

BWM.2/Circ.79 Convention Review Plan under the experience-building phase associated with the BWM Convention

This approved circular notes the amendments to be made across the 14 outstanding issues to be addressed or resolved across the Convention. It is expected that the amendments to the Convention should be ready for adoption at MEPC 85 (Autumn 2026) and entry into force in 2027.

A Correspondence Group was established tasked with defining specific objectives to address the identified issues within the Convention and report back to MEPC 81.

Type Approval of modified approved BWMS

It is not clear how BWMS which undergo modification should be re-type approved. Proposals were submitted to MEPC 80 to clarify the testing standards for Type Approval (TA) of BWMS, including strengthening existing standards for TA test water, and development of specific testing requirements/ guidance for BWMS treatment methods when a design change is made to a previously type approved BWMS.

As part of the Convention review, proposals for guidance or a unified interpretation to address this issue are invited to be submitted to MEPC 81.

Ports with challenging water quality

Due to a lack of time and consensus, draft interim guidance on the application of the BWM Convention to ships operating in challenging water quality was not finalised. However, it is anticipated that work will continue intersessionally to achieve this at MEPC 81 at the latest.

Ballast Water Record Book (BWRB)

MEPC.369(80) Amendments to Appendix II of the BWM Convention

The information gathered to date in the Experience-Building Phase of the BWM Convention has noted that 70% of deficiencies reported by port States are related to incorrect entries in the BWRB. It was recognised during MEPC 78 that the current form of the BWRB did not provide sufficient clarity to meet the requirements of Appendix II of the BWM Convention. MEPC 80 adopted amendments to Appendix II of the BWM Convention updating the existing version of the BWRB, including additional information on entries to be included in the BWRB and an updated BWRB page. Ships' crews will need to complete and maintain the newly agreed format of the BWRB. The amendments will enter into force on 1 February 2025.

BWM.2/Circ.80 Guidance on completing the ballast water record book

MEPC 80 approved *Guidance on ballast water record keeping and reporting*, supporting the adopted amendments to Appendix II of the BWM Convention. The guidance includes an updated example ballast water reporting form, a draft format for voluntary tank-by-tank logging of ballast water operations to assist ships' crews in completing the reporting form and example BWRB entries. To cross reference this newly approved guidance, consequential amendments were adopted as:

MEPC.370(80) Amendments to the Guidelines for Ballast Water Management and Development of Ballast Water Management Plans (G4).

MEPC.371(80) Amendments to the Guidelines for ballast water exchange (G6).

Electronic record books

MEPC.372(80) Guidelines for the use of electronic record books under the BWM Convention

Regulation B-2.1 of the BWM Convention provides for the record book to be electronic. However, there is no associated guidance to support this to ensure a harmonised approach with the MARPOL Annexes and the NO_x Technical Code. To assist in harmonising the approach to electronic record keeping, MEPC 80 has adopted *Guidelines for the use of electronic record books under the Ballast Water Management Convention (MEPC.372(80))*. This guidance should be used as soon as possible or when the draft amendments to regulations A-1 and B-2 of the BWM Convention on the use of electronic record books enter into force.

Draft Amendments to regulations A-1 and B-2 of the BWM Convention on the use of electronic record books

Draft amendments to the text of the BWM Convention on the use of electronic record books have been approved with a view to adoption at MEPC 81 and entry into force in November 2025. They include:

- A definition for the “Electronic Record Book”.
- Reference to the requirements for an electronic record book to be approved by the Administration, taking into account the necessary guidelines developed by the IMO.

Verification of ballast water compliance monitoring devices

BWM.2/Circ.78 Protocol for verification of ballast water compliance monitoring devices

To support the effective implementation of the Ballast Water Management (BWM) Convention, a protocol has been developed to provide a framework for the verification of the performance of ballast water compliance monitoring devices (CMD) to ensure they have a common level of quality.

Guidance on the temporary storage of sewage/treated grey water in ballast tanks

The temporary storage of grey water and treated sewage in ballast tanks has become a global practice, and the demand is increasing. Discussion on the topic at MEPC 78 found diverse views on the subject with no clear consensus reached on whether the practice should be prohibited or supported. Proposals for guidelines were invited for submission to MEPC 79, however the topic was deferred for discussion to MEPC 80.

There was discussion on this topic, but time constraints and the complexity of the topic including the ongoing review of MARPOL Annex IV and any potential safety considerations meant that it was not concluded. Further proposals on guidance on the temporary storage of sewage/treated grey water in ballast tanks have been requested to be submitted to MEPC 81.

Port State control inspections

The Experience Building Phase (EBP) of the Convention provides for non-penalisation due to exceedance of the D-2 performance standard, provided that certain conditions have been met, including the correct installation and maintenance of approved BWMS and ensuring there is an approved Ballast Water Management Plan (BWMP) onboard including operational instructions and manufacturers’ specifications.

MEPC 80 encouraged all port State control authorities to conduct more sampling and analysis as part of port State control inspections, to gather more meaningful knowledge on the operation of installed ballast water management systems, while maintaining the non-penalisation elements of the experience-building phase associated with the BWM Convention.

Unified interpretations

BWM.2/Circ.66/Rev.5 Unified Interpretation to the BWM Convention - form of the International Ballast Water Management Certificate

The Ballast Water Management (BWM) Convention provides definitions for both "Constructed" and "Major conversion". However, the Form of the International Ballast Water Management Certificate (IBWMC) only includes provision for the "Date of construction" to be noted. When a ship undergoes a major conversion and needs a new IBWMC it is unclear if the original "Date of construction" field should be updated to show the "Date of major conversion". This UI clarifies for a ship that has undergone a major conversion, the date of the commencement of the major conversion should be filled in the item "Date of construction".

BWM.2/Circ.66/Rev.5 Unified Interpretation to the BWM Convention and BWMS Code - regulations B-3.5 and B-3.10 of the BWM Convention.

For ships constructed before 8 September 2017 and subsequently having undergone major conversion on or after 8 September 2017, it is unclear when the D-2 standard for BWM should be applied. This UI clarifies that a ship constructed before 8 September 2017, and having undergone a major conversion after this date, should be considered as being constructed on or after this date. As such, the ship will need to comply with the D-2 BWM standard. However:

- If the major conversion has taken place before the first or second IOPPC renewal survey (as noted in Regulation B-3.10) the ship should meet the D-2 standard from the date of completion of the major conversion.
- If the major conversion has taken place after the first or second IOPPC renewal survey (as noted in Regulation B-3.10) the ship should meet the D-2 standard from the date of completion of the first or second IOPCC renewal survey.

Pollution Prevention and Response

MEPC 80 was requested by PPR 10 to adopt, approve and note the following documents.

Adopted documents

MEPC.378(80) 2023 Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species.

The guidelines will assist shipowners and operators in minimising the transfer of potentially harmful aquatic species following globally agreed guidance.

MEPC.373(80) 2023 Guidelines for thermal waste treatment devices.

Ship operators, owners and managers will need to be aware of the applicable requirements under the guidelines and obtain the relevant certification for any thermal waste devices that are to be fitted in lieu of shipboard incinerators as an equivalent to shipboard incinerators under MARPOL Annex VI regulation 16.

MEPC.379(80) 2023 Guidelines for the development of the Inventory of Hazardous Materials

Following amendment to the Anti Fouling System (AFS) Convention (MEPC.331(76)) which introduced controls on Cybutryne from 1 January 2023, the 2015 Guidelines for the development of the Inventory of Hazardous Materials and the associated MEPC resolution has been updated. These guidelines should be applied no later than the date of entry into force of the 2009 IMO Hong Kong Convention which is 26 June 2025.

MARPOL Annex II

Operational Guide on the Response to Spills of Hazardous and Noxious Substances (HNS)

MEPC 80 approved the draft *Operational Guide on the Response to Spills of Hazardous and Noxious Substances (HNS)*. This guide has built on information in the Marine HNS Response Manual - developed under the Multi-Regional Bonn Agreement, Helsinki Commission (HELCOM) and Regional Maritime Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) to provide operational guidance to first responders and decision makers on marine incidents involving HNS. The guide is divided into two parts (volumes 1 and 2). Volume 1 of the document provides guidance on preparedness for any spills, while volume 2 provides guidance on response to the spills.

GESAMP Composite List of hazard profiles

MEPC noted PPR.1/Circ.12 Report of the fifty-ninth session of the GESAMP Working Group on the Evaluation of the Hazards of Harmful Substances Carried by Ships, which contains the updated list of GESAMP Composite List of hazard profiles.

Matters related to the IBC Code

MEPC 80 noted the publication of MEPC.2/Circ.28 *Provisional categorization of liquid substances in accordance with MARPOL Annex II and the IBC Code*, on 1 December 2022. This circular has been updated to reflect the:

- Evaluation and inclusion of products in lists 1, 2, 3 and 5.
- Evaluation and inclusion of cleaning additives in annex 10 of the circular.
- Removal of products that have reached their expiry dates, or are no longer shipped, or have been re-evaluated and noted to meet the criteria for complex mixtures in paragraph 9.2 of the *Guidelines for the provisional assessment of liquid substances transported in bulk* (MEPC.1/Circ.512/Rev.1).

MEPC also noted the pending publication (December 2023) of MEPC.2/Circ.29 *Provisional categorization of liquid substances in accordance with MARPOL Annex II and the IBC Code*, agreeing with:

- The evaluation of products and their inclusion in lists 1, 3 and Annex 10 of the next edition of the MEPC.2/Circular, with validity for all countries and no expiry date.
- The trade-named product "RBHC (Exxon Mobil)" has been re-evaluated and found to meet the criteria for complex mixtures in paragraph 9.2 of MEPC.1/Circ.512/Rev.1 and consequently will be deleted from the next edition of the MEPC.2/Circular.

Additionally, MEPC 80 approved:

PPR.1/Circ.7 Decisions with regard to the categorization and classification of products

This update agrees to keep the historical revisions to PPR.1/Circ.7 and additionally included requirements for a qualifier to reassessed products, along with the revised carriage requirements for methyl acrylate and methyl methacrylate.

Unified Interpretations

MEPC.1/Circ.795/Rev.8 Unified Interpretations to MARPOL Annex VI - Regulations 18.5 and 18.6 of MARPOL Annex VI, concerning electronic bunker delivery notes

There is no stipulation in MARPOL Annex VI on the form (physical or electronic) of the BDN, however typically they are provided in physical hard copy. Bunker delivery Notes (BDNs) that are produced and managed electronically face recognition challenges. This UI confirms that BDNs are acceptable in either physical or electronic form providing they meet the requirements of MARPOL Annex VI.

Marine Plastic Litter from ships

Reducing the loss of fishing gear

MEPC considered measures to reduce the loss of fishing gear including:

- The development of a new requirement for fishing vessels to be provided with a ship-specific "Plan for onboard management of fishing gear", including updating MARPOL Annex V to address this issue.
- Updating the guidelines for the development of garbage management plans or developing new guidance to facilitate a requirement for a plan for the management of fishing gear onboard.
- The application of a management plan for fishing gear to specific fishing vessel types.

Generally, there was support for the development of such measures, with additional discussion around whether requirements should be mandatory or voluntary. It was agreed to refer this matter back to PPR for further discussion and development.

Transport of plastic pellets

MEPC 80 noted:

- The two-stage approach (development of an MEPC circular followed by amendment to mandatory instruments) agreed by PPR 10 in relation to reducing the environmental risk associated with the maritime transport of plastic pellets in freight containers.
- The drafted MEPC circular and request from PPR 10 to the CCC sub-committee for substantive input in its further development.
- The request for concrete proposals on possible mandatory measures and regulatory changes to prevent the shipping of plastic pellets in bulk.
- The establishment of the Correspondence Group on Pollution Response to develop a draft guide on clean-up of plastic pellets from ship-source spills.

Action plan on marine plastic litter

Discussion on the action plan on marine plastic litter from ships was deferred to MEPC 81, due to lack of substantive submissions to this session. Future submissions will be considered on revised terms of reference for IMO study on marine plastic litter and or comment on how the GLO litter partnership can work to fulfil the terms of reference for the study.

Work outputs

MEPC agreed the following proposed changes of titles/outputs for future work to be undertaken on:

- Biofouling to develop in water cleaning guidelines in addition to the pending revision of the Biofouling Guidelines.
- Multiple engine operational profiles for a marine diesel engine under MARPOL Annex IV and the NO_x Technical Code.
- The carriage of heavy fuel oil (HFO) as fuel by ships in Arctic waters under MARPOL Annex I to include an upper pour point limit in regulation 43.1.2 in MARPOL Annex I.
- Sewage management plan and record-keeping on all ships (i.e. not only ships with an STP) under MARPOL Annex IV.

Special Areas, Emission Control Areas (ECAs), Particularly Sensitive Sea Areas (PSSAs) and Traffic Separation Schemes (TSS)

Establishment of the date for MARPOL Annex I and V Special Areas in respect to the Red Sea and Gulf of Aden to take effect

MEPC.382(80) Establishment of the date on which regulations 15.3, 15.5, and 34.3 to 34.5 of MARPOL Annex I, in respect of the Red Sea and Gulf of Aden Special Areas, shall take effect

MEPC adopted resolution on *Establishment of the date on which regulations 15.3, 15.5, and 34.3 to 34.5 of MARPOL Annex I, in respect of the Red Sea and Gulf of Aden Special Areas, shall take effect*. This establishes that the Red Sea and Gulf of Aden Special Areas under MARPOL Annex I will take effect from 1 January 2025.

MEPC.381(80) Establishment of the date on which regulation 6 of MARPOL Annex V, in respect of the Red Sea Special Area shall take effect.

MEPC adopted a resolution on *Establishment of the date on which regulation 6 of MARPOL Annex V, in respect of the Red Sea Special Area, shall take effect*. This establishes that the Red Sea Special Area under MARPOL Annex V will take effect from 1 January 2025.

Establishment of Emission Control Areas (ECAs) in the Canadian Arctic and north-east Atlantic Ocean

MEPC noted two new proposed ECAs under MARPOL Annex VI, ahead of a substantive submission at MEPC 81:

- Emissions Control Area in Canadian Arctic Waters
- North-East Atlantic Ocean Emission Control Area

Establishment of a Particularly Sensitive Sea Area (PSSA) in the North-Western Mediterranean Sea

MEPC.377(80) Designation of the north-western Mediterranean Sea as a Particularly Sensitive Sea Area

MEPC adopted a resolution on the *Designation of the north-western Mediterranean Sea as a Particularly Sensitive Sea Area* to minimise the risk of ship strikes with cetaceans and to protect the area from pollution. The sea area is located between the coastlines of France, Italy, Monaco and Spain.

Establishment of a new traffic separation scheme (TSS) south of Sri Lanka

There was some discussion on the establishment of a new TSS south of Sri Lanka, roughly 15nm south of the existing TSS, to address current environmental and safety concerns. However, due to the proposal being developed independently of the relevant coastal state, MEPC noted the document and discussions and invited further consultation on this matter with submissions to future sessions of the Committee.

Decisions of other bodies

Outcomes of LC 44/LP 17

MEPC 80 noted the outcomes of the 44th meeting of contracting parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (London Convention), and the seventeenth Meeting of Contracting Parties to the 1996 Protocol to the London Convention, 1972 (London Protocol), in particular:

- The completion of a review of the *Revised guidance on best management practices for removal of anti-fouling coatings from ships, including TBT hull paints* (AFS.3/Circ.3/Rev.1) considering the adoption of amendments to the Anti-fouling Systems (AFS) Convention to introduce controls on cybutryne.
- The re-establishment of a correspondence group on marine litter and microplastics.
- The development of recommendations and guidance for end-of-life management and disposal of Fibre Reinforced Plastic (FRP) vessels.
- The agreement to remove sewage sludge from the list of wastes or other matter that could be considered for dumping under the London Protocol, which entered into force on 15th January 2023.

Outcome of TC 72, MSC 106 and 107, C 128, LEG 110 and FAL 47

MEPC 80 noted the outcomes of the:

- 72nd Technical Cooperation Committee (TC 72).
- 128th session of the Council (C 128).
- 47th session of the Facilitation Committee (FAL 47).
- 110th session of the Legal Committee (LEG 110).

Regarding 106th session of the Maritime Safety Committee (MSC 106) MEPC:

- Noted the outcomes of the session; and
- Approved the draft Assembly resolution on *Guidelines on places of refuge for ships in need of assistance*, for submission to A33 in December 2023.

Regarding urgent matters resulting from NCSR 10:

- MEPC 80 noted the Associated Protective Measures (APM) which were agreed in order to designate a particularly sensitive sea area in the North-Western Mediterranean Sea.

Reports of other sub committees

CCC 8

Draft amendments to Article V of Protocol I of MARPOL

The committee approved draft amendments to Article V of Protocol I of the MARPOL Convention, in conjunction with related draft amendments to SOLAS chapter V approved by MSC 107. This amendment is part of a set of measures to address the detection, tracking, recovery, and mandatory reporting of containers lost at sea.

SDC 9 – Underwater radiated noise

Following SDC 9, MEPC endorsed the updated work plan for the continued work on underwater radiated noise and approved the convening of an expert workshop on the relationship between energy efficiency and underwater noise, which is anticipated to be held 18-19 September 2023 (details to be released by the secretariat).

Additionally, the following circulars were approved:

MEPC.1/Circ.906 Revised Guidelines for the reduction of underwater radiated noise from shipping to address adverse impacts on marine life (MEPC.1/Circ.833)

These guidelines provide an overview of approaches applicable to designers, shipbuilders and ship operators to reduce the URN of any given ship and assist relevant stakeholders in establishing mechanisms and programmes through which noise reduction efforts can be realized. As such they may be applied to any ship,

taking into account their design and construction, and modifications, as well as their operation. These Guidelines revoke MEPC.1/Circ.822 and will take effect on 1 August 2023.

MEPC.1/Circ.907 Guidelines for underwater radiated noise reduction in Inuit Nunaat and the Arctic

These Guidelines are intended to supplement the MEPC.1/Circ.906 Revised Guidelines the reduction of underwater radiated noise from shipping to address adverse impacts on marine life and provide additional information and guidance to operators transiting Inuit Nunaat and the Arctic. A

HTW 9

The committee noted the outcome of HTW 9 and agreed that model courses should not be converted into e-learning model courses.

Any Other Business

Ship to Ship transfers at sea

In recent years there has been an increase in the frequency of ship-to-ship (STS) crude oil transfers in international waters, including by ships using "dark operations" (i.e. turning off satellite transponders and using other methods of obfuscation such as location tampering, course deviations, etc.) to circumvent sanctions and high insurance costs. This undermines the shared liability and compensation regimes as well as global efforts to fight pollution and apply the polluter pays principle. It also increases the risk of a maritime incident if ships cannot be located or deviate off set courses.

Draft Assembly resolution Urging member states and all relevant stakeholders to promote actions to prevent illicit operations of "dark shipping" in the maritime sector

Following discussion at LEG 110, MEPC 80 discussed the issues around STS transfers and agreed to send the draft resolution to Assembly 33 for adoption, together with the comments and views expressed at MEPC 80.

Future meetings

ISWG-GHG 16 and MEPC 81 are expected to be held as back-to-back meetings, 15-19 April 2024 and 22-26 April 2024 respectively.

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