

# The Public Document of China MSA

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## China MAS Notifications on the Enhancement of the Supervision and Management Work for Chinese ECA

Each unit concerned:

According to the requirements of the laws, rules and regulations, such as '*Law of the People's Republic of China on the Prevention and Control of Atmospheric Pollution*,' '*Law of the People's Republic of China on Maritime Environmental Protection*,' '*Regulation on prevention and control of vessel-induced pollution to the Marine environment*,' '*Regulation on the prevention and control of vessel-induced pollution to inland water*,' etc., our bureau enacted the relevant requirements for the following purposes:

- i)* Implement the implementation plan of ship emission regulation within designated emission control areas of the Pearl River Delta, the Yangtze River Delta and Bohai Sea waters (China MSA Ref. No. [2015] 177, hereafter referred to as '**The Plan**');
- ii)* Facilitate the vessels` voyaging, berthing and operation within the ship emission control area (*hereafter referred to as 'ECA'*);
- iii)* Strengthen the supervision and management of ship air pollution prevention;
- iv)* Improve the air environment quality;

The relevant requirements are hereby notified as follows;

1. According to the requirement of *The Plan* mentioned above, for the vessels which have to change fuel to low sulphur fuel oil, the following information should be recorded in Engine Log Book:

The fuel oil change over operation date, time, latitude-longitude of vessel location, sulphur content of fuel oil, usage amount of low sulphur fuel oil, operation staff, etc.

The document of 'Fuel Oil Change-Over Procedure' is to be prepared for the vessels which have to change fuel to low sulphur fuel oil, as a component part of the vessel's Safety Management System.

The Fuel Oil Supply Company should make an analysis for every batch of fuel oil, and keep the analysis report for future audit according to relevant requirements. In case the analyzed fuel oil is blended or mixed with other fuel oil, the subject analysis is to be made again. The fuel supplier should supply the fuel sample and the bunker delivery note to ship side. Vessels should keep the bunker delivery note for 3 years, and keep the fuel sample for at least 1 year or until the subject bunkering fuel oil is used up.

2. If the vessels and ports have the ability of receiving and supplying the shore power, and have the appropriate arrangement for the procedure of shore power receiving and supplying, under the premise that shore power makes no effect on the safety of ship and shore, the vessel should use shore power in preference. The vessel should record the information of commencing and ending time of using the shore power, operation staff, etc., in Engine Log Book.

For the vessel which will use the shore power, operation is to follow the required procedure for both ship side and port side. Shore power supplier should supply the document of user manual and safety operation guideline to ship side.

3. For the vessels which use clean energy such as LNG or other low-emission fuels, etc. as alternative measures, the type of clean energy is to be noted in the Ship Air Pollution Prevention Certificate issued by the Ship Survey Administration. For the dual fueled vessels, information of using amount of each kind of fuel, date and timing for fuel change over operation, latitude-longitude of vessel location, operation staff, etc., are to be recorded in Engine Log Book.

4. For the vessels which use Exhaust After Treatment Unit as an alternative measure, the product certificate for Exhaust After Treatment Unit which issued by the Ship Survey Administration is to be kept onboard, and noted in the Ship Air Pollution Prevention Certificate.

The information of commencing and ending date and time for using the Exhaust After Treatment Unit, latitude-longitude of vessel location, operation staff, etc., are to be recorded in Engine Log Book.

5. For the cases which are unsatisfied with the requirements of The Plan due to the following reasons, vessel should report to the maritime administration nearby as soon as possible, and record the relevant information in Log Book.

- i) In order to guarantee the vessel safety or implement the rescue of human life at sea,

- ii) The vessel and its equipments are broken and failure,

6. All maritime administrations should strengthen the supervision and management of the vessel air pollution prevention in ECA, and our bureau enacted the 'Guideline of Supervision and Management for the Ship Emission Control Area' as reference for law enforcement. Each unit should report the problems found during implementation to our bureau as soon as possible.

***Attachment:***

***Guideline of Supervision and Management for the Ship Emission Control Area***

*Maritime Safety Administration of the People`s Republic of China*

*29<sup>th</sup> January 2016*

# Attachment

## Guideline of Supervision and Management for Ship Emission Control Area

### 1. General Rules

#### 1.1 Purpose

The purpose of this Guideline is to guarantee the implementation of *Implementation Plan of Ship Emission Regulation within Designated Emission Control Areas of the Pearl River Delta, the Yangtze River Delta and Bohai Rim Waters (Beijing-Tianjin-Hebei)* (hereinafter referred to as 'The Plan') published by Ministry of Transport of the People's Republic of China, to provide a guidance document for the maritime administrations to implement the supervision and management of air pollution from ships within control area.

#### 1.2 Basis

This Guideline is based on *Law of People's Republic of China on the Prevention and Control of Atmospheric Pollution*, *Law of the People's Republic of China on Maritime Environmental Protection*, *Regulation on Prevention and Control of Vessel-induced Pollution to the Marine Environment* and *Regulation on Prevention and Control of Vessel-induced Pollution to Inland Water*, etc.

#### 1.3 Applicable Ships

Ships voyaging, berthing and operating within emission control areas excluding military ships, sports ships and fishery ships.

### 2. Inspection Requirements of Ship Low Sulphur Oil Change-over

#### 2.1 Document reviewing

The maritime administrations check Engine Logbook, Bunker Delivery Note, etc. The detailed contents are as follows:

(1) Engine Logbook:

- Checking whether the commencing and ending date, time and ship's longitude and latitude when fuel change-over is conducted are complete and normative;
- Checking whether the ship's position at commencing and ending of Fuel Oil Change-over, content of sulphur content and amount of low-sulphur oil usage can satisfy the requirements of Emission Control Area;
- Checking whether the record of fuel oil storage in fuel oil tanks is complete and normative.

(2) Bunker Delivery Notes:

- Checking whether the Bunker Delivery Notes are available and the record of Bunker Delivery Notes can satisfy the requirements.

(3) Fuel Oil Change-over Procedure:

- Checking whether the document of Fuel Oil Change-over Procedure is available, whether the procedure can satisfy the requirements of ship safety management system;
- Checking whether the record of Fuel Oil Change-over is complete and normative.

## **2.2 Fuel Oil Inspection**

(1) In case the document review is unqualified or there is violation record or suspicion of violation by supervision, the maritime administrations should conduct fuel oil analysis.

(2) In case the document review is qualified and there is no violation record and suspicion of violation, the maritime administrations may conduct fuel oil analysis by sampling.

(3) In case the ship is required to conduct fuel oil analysis, the maritime administrations should arrange law enforcement officers to take fuel oil sample on-board and send the fuel oil sample to the qualified company which satisfies state regulation for analysis and issuing analysis report.

a) Sampling:

The law enforcement officers take the fuel oil sample in accordance with Guideline for fuel oil sampling of Annex VI, MARPOL (Resolution MEPC. 96 (47)). The fuel oil sample should be taken from fuel oil pipe or fuel oil sample of the ship. In case the fuel oil sample is taken from fuel oil pipe, the number of sample should be not less than 3 and the quantity of each sample should be not less than 400ml.

b) Analysis:

Maritime law enforcement officer should send the fuel oil samples to Fuel Oil Analysis Company within 2 days after getting the sample. The fuel oil analysis company analyzes the fuel oil in accordance with the verification procedure of Appendix VI, Annex VI of MARPOL and current effective notional standard. In case the fuel oil sample cannot be sent to the fuel oil analysis company immediately, the fuel oil sample should be sealed and kept at low temperature, shading and safety place.

c) Analysis Report:

The analysis report should show the content of sulphur, and the analysis report may show other influence on safety and environment protection index at the same time, and the analysis report should be compared with the value listed in national standard such as *The Marine Fuel Oil*, etc.

d) Verification:

Maritime law enforcement officers should confirm whether the fuel oil can satisfy the requirement of *The Plan* after getting the analysis report.

## **2.3 Treatment**

(1) In case the vessel uses fuel oil which cannot satisfy the standard or requirements, the vessel shall be treated by one or more of the following methods in accordance with related stipulation of legislation and international convention;

- a) Warning Education;
- b) Correction of Violations;
- c) Detention;

- d) The ship is to be punished in accordance with Reg. 106 of *Law of People's Republic of China on the Prevention and Control of Atmospheric Pollution*. In case the vessel has already departed, the local maritime administration should inform the maritime administration of next port to assist the investigation.
- (2) In case the Fuel Oil Supply Company does not truthfully fill in the bunker delivery note, or the Fuel Oil Supply Company does not provide providing-receiving document and fuel oil sample, the Fuel Oil Supply Company shall be punished in accordance with Reg. 63 of *Regulation on Prevention and Control of Vessel-induced Pollution to the Marine Environment*;
- (3) In case the ship and Fuel Oil Supply Company do not save the bunker delivery note and fuel oil sample, the ship and Fuel Oil Supply Company shall be punished in accordance with Reg. 63 of *Regulation on Prevention and Control of Vessel-induced Pollution to the Marine Environment*.

### **3. Inspection Requirements for Alternative Measures**

#### **3.1 Documents Reviewing**

The maritime administrations review the documents of the ship. The detailed contents are as follows:

- (1) For the ship which uses shore power:
- Checking whether the record of commencing and ending time of shore power in Engine Logbook is complete and normative;
  - Checking whether the time of commencing and ending time of shore power can satisfy the requirement of Emission Control Area;
  - Checking whether the condition of using shore power is feasible, etc.
- (2) For the ship which uses clean energy:
- Checking whether the Ship Air Pollution Prevention certificate has the note for using clean energy.

For dual fuelled ship,

- Checking whether the record of fuel oil change time is complete and normative; checking whether the ship's longitudinal and latitude at fuel oil change is complete and normative;
- Checking whether the ship's position at fuel oil change can satisfy the requirement of Emission Control Area.
- Checking whether the record of using amount of clean energy and fuel oil is complete and normative.

(3) For the vessel which is installed After Treatment Unit:

- Checking whether the record of commencing and ending time of using After Treatment Unit is complete and normative;
- Checking whether the ship's longitudinal and latitude at commencing and ending of using After Treatment Unit is complete and normative;
- Checking whether the commencing and ending time of using After Treatment Unit can satisfy the requirement of Emission Control Area;
- Checking whether the After Treatment Unit has the relevant certificate and the ship Air Pollution Prevention Certificate has the relevant note, etc.

### **3.2 Field Inspection**

In case the document reviewing is unqualified or there is violation record or suspicion of violation, the maritime administrations should conduct patrol inspection for the ship's Shore Power, Clean Energy and After Treatment Unit.

### **3.3 Treatment**

In case the vessel using alternative methods cannot satisfy the equivalent emission requirements of using low sulphur fuel oil, the vessel shall be treated by one or more of the following methods in accordance with related stipulation of legislation and international convention;

- a) Warning Education;
- b) Correction of Violations;
- c) Detention.