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EMSA releases Sulphur Inspection Guidance

The guidance is intended to provide guidelines for a harmonized approach to the inspection of ships, identifying non-compliances and applying control procedures for the enforcement of the Directive regarding the sulphur content of marine fuels.

Notice to: Owners/ Managers/ Operators/ Surveyors
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The European Maritime Safety Agency (EMSA) has released an updated **Sulphur Inspection Guidance**.

The publication is intended to provide guidelines for a harmonized approach to the inspection of ships, ascertaining their compliance, identifying non-compliances and applying control procedures for the enforcement of Directive (EU) 2016/802 (codification of Council Directive 1999/32/EC), regarding the sulphur content of marine fuels.

The provisions of the Directive apply to all ships of all flags, including domestic shipping and those whose journey began outside the EU. It sets sulphur content limits in the marine fuels that can be used by ships in territorial seas, exclusive economic zones and pollution control zones of the EU Member States, including SO_x Emission Control Areas (SECA).

The limitations on the sulphur content of certain fuels shall in principle not apply to e.g. fuels used by warships and other vessels under military service, and to fuels used on board vessels employing emission abatement methods in accordance with the Directive. Under some exceptional circumstances, the limitations on the sulphur content of fuels used by ships shall also not apply.

Any sulphur inspection can only focus on the operation and behaviour of a ship while in areas and ports of the geographical jurisdiction of the Member State. However, additional enforcement actions may be required in accordance with international maritime law.

To establish whether a ship is in compliance with the requirements of the Directive, the below documentation on board the ship shall be examined:

1. Bunker delivery notes
2. Ships' log books
3. Written procedure for fuel oil change over
4. IAPP Certificate and Supplement
5. Nautical charts, Electronic Chart Display and Information System (ECDIS)
6. Tank plans and piping diagrams

Non-compliance with the Directive

In the case where the master of the ship claims that it has not been possible to purchase low sulphur fuel, evidence must be provided that all reasonable measures were taken to source this fuel.

In the case where the master claims that non-compliant fuels have been used due to damage sustained to the ship or its equipment, suitable evidence must be provided. The master must also prove that all reasonable measures were taken after the occurrence of the damage to prevent excessive emissions, the flag Administration and port State authorities were notified, and that measures have been taken as soon as possible to repair the damage.

In the case where the master claims that the fuel switch-over had to be delayed due to inclement weather or to maintain the safety of the ship, the master must be able to provide suitable evidence and should have informed the port before arrival.

If non-compliances are found during the Sulphur Inspection, any follow up or corrective actions should be taken in accordance with the national legislation transposing the Directive in each Member State.

Act now

Ship Owners/ Managers/ Operators should utilize the provisions of the guidance to avoid non-compliance.

DromonClass Surveyors should take into consideration the inspection guidance for a harmonized approach to the next IAPP inspection of ships, irrespective of scope.

Should you require further information please contact our Marine Division at marine@dromon.com

(source: EMSA Sulphur Inspection Guidance)