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CIRCULAR

2019 Guidelines for Port State Control under MARPOL Annex VI Chapter 3

The Marine Environment Protection Committee at its 74th session approved the 2019 Guidelines for port State control under MARPOL Annex VI Chapter 3.

Notice to: Ship Owners/ Managers/ Operators | Surveyors/Auditors

C20003 | 15 January 2020

The **2019 Guidelines for Port State Control** provide basic guidance on the conduct of PSC inspections for compliance with MARPOL Annex VI and afford consistency in the conduct of these inspections, the recognition of deficiencies and the application of control procedures. The 2019 Guidelines revoke the 2009 Guidelines for port State control under the revised MARPOL Annex VI adopted by resolution MEPC.181(59).

Port State Control Officers upon inspection on board vessels shall:

1. apply 2019 PSC Guidelines from **1 January 2020**;
2. apply the provisions of MARPOL Annex VI concerning the prohibition on the carriage of non-compliant fuel oil for combustion purposes for propulsion or operation on board a ship from **1 March 2020**; and
3. apply the provisions of MARPOL Annex VI concerning electronic record books from **1 October 2020**.

If the certificates and documents are valid and appropriate and, after an inspection of the ship to check that the overall condition of the ship meets generally accepted international rules and standards, the PSCO's general impressions and observations on board confirm a good standard of maintenance, the inspection should be considered **satisfactorily concluded**.

If, however, the PSCO's general impressions or observations on board give clear grounds for believing that the condition of the ship or its equipment **do not correspond substantially with the particulars of the certificates or the documents**, the PSCO should proceed to a **more detailed inspection**.

DromonClass has prepared a **checklist** that can be found herein this Circular, in order to assist Shipowners to prepare for the upcoming Port State Control Inspections and reduce the risk of having a detention on board their vessels.

Act now

Ship Owners / Managers / Operators must ensure that their vessels fully comply with MARPOL Regulations, in order to achieve clear inspections and avoid any possible detentions, according to the 2019 Guidelines for Port State Control.

MARPOL REGULATIONS COMPLIANCE CHECKLIST

No.	Item	Checked
INSPECTIONS OF SHIPS REQUIRED TO CARRY THE IAPP CERTIFICATE		
A.	Initial inspection	
1	The IAPP Certificate, including its Supplement;	<input type="checkbox"/>
2	The EIAPP Certificate including its Supplement, for each applicable marine diesel engine;	<input type="checkbox"/>
3	The Technical File for each applicable marine diesel engine;	<input type="checkbox"/>
4	Depending on the method used for demonstrating NOX compliance for each applicable marine diesel engine:	
4.1	the Record Book of Engine Parameters for each marine diesel engine demonstrating compliance with regulation VI/13 by means of the marine diesel engine parameter check method; or	<input type="checkbox"/>
4.2	documentation relating to the simplified measurement method; or	<input type="checkbox"/>
4.3	documentation related to the direct measurement and monitoring method;	<input type="checkbox"/>
5	for a ship to which regulation VI/13.5.1 applies for a particular NOX Tier III emission control area and that has one or more installed marine diesel engines certified to both Tier II and Tier III or which has one or more marine diesel engines certified to Tier II only that there are the required log book and the recordings for the tier and on/off status of those marine diesel engines while the ship is within an applicable NOX Tier III emission control area;	<input type="checkbox"/>
6	the Approved Method File;	<input type="checkbox"/>
7	the written procedures covering fuel oil change over operations (in a working language or languages understood by the crew), where separate fuel oils are used in order to achieve compliance;	<input type="checkbox"/>
8	the approved documentation relating to exceptions and/or exemptions granted under regulation VI/3;	<input type="checkbox"/>
9	the approved documentation (SECC where issued, ETM, OMM, SECP) and relating to any installed Exhaust Gas Cleaning System (EGCS) or equivalent means, to reduce SOX emissions;	<input type="checkbox"/>
10	that the required EGCS monitoring records have been retained and show compliance. The EGCS Record Book including nitrate discharge data and performance records, or approved alternative, has been duly maintained;	<input type="checkbox"/>
11	the bunker delivery notes (BDNs) and representative samples or records thereof;	<input type="checkbox"/>
12	the copy of the type approval certificate of applicable shipboard incinerator;	<input type="checkbox"/>
13	the Ozone Depleting Substances Record Book;	<input type="checkbox"/>
14	the VOC Management Plan;	<input type="checkbox"/>
15	any notification to the ship's flag Administration issued by the master or officer in charge of the bunker operation together with any available commercial documentation relevant to non-compliant bunker delivery, regulation VI/18.2; and	<input type="checkbox"/>
16	if the ship has not been able to obtain compliant fuel oil, the notification to the ship's flag Administration and the competent authority of the relevant port of destination as set out in the appendix.	<input type="checkbox"/>
B.	Initial inspection on ships equipped with equivalent means of SOx Compliance	
1	For Ships equipped with equivalent means of compliance:	
1.1	evidence that the ship has received an appropriate approval for any installed equivalent means (approved, under trial or being commissioned);	<input type="checkbox"/>
1.2	evidence that the ship is using an equivalent means, as identified on the Supplement of the IAPP certificate, for fuel oil combustion units on board or that compliant fuel oil is used in equipment not so covered; and	<input type="checkbox"/>
1.3	BDNs on board which indicate that the fuel oil is intended to be used in combination with an equivalent means of SOX compliance or the ship is subject to a relevant exemption to conduct trials for SOX emission reduction and control technology research.	<input type="checkbox"/>
2	In the case where an EGCS is not in compliance with the relevant requirements for other than transitory periods and isolated spikes in the recorded output, the master or officer in charge may have documented that through a Notification to the ship's flag Administration with copies to the competent authority of the relevant port of destination, and present those corrective actions taken in order to rectify the situation in accordance with the guidance given in the EGCS Technical Manual. If a malfunction occurs in the instrumentation for the monitoring of emission to air or the monitoring of washwater discharge to sea, the ship may have alternative documentation demonstrating compliance.	<input type="checkbox"/>
C.	Initial inspection within an ECA	<input type="checkbox"/>
1	Evidence of fuel oil delivered to and used on board with a sulphur content of not more than 0.10% m/m through the BDNs and appropriate onboard records including records of bunkering operations as set out in the Oil Record Book Part 1; and	<input type="checkbox"/>
2	For those ships using separate fuel oils for compliance with regulation VI/14, evidence of a written procedure (in a working language or languages understood by the crew) and records of changeover to fuel oil with a Sulphur content of not more than 0.10% m/m before entering the ECA such that compliant fuel was being used while sailing in the entire ECA as required in regulation VI/14.6.	<input type="checkbox"/>
3	When a ship to which regulation VI/13.5.1 applies for a particular NOX Tier III emission control area is inspected in a port in that area:	<input type="checkbox"/>

No.	Item	Checked
3.1	the records in respect of the tier and on/off status, together with any changes to that status while within that NOX Tier III emission control area, which are to be logged as required by regulation VI/13.5.3 in respect of an installed marine diesel engine certified to both Tier II and Tier III or which is certified to Tier II only; and	<input type="checkbox"/>
3.2	the status of an installed marine diesel engine which is certified to both Tier II and Tier III showing that that engine was operating in its Tier III condition on entry into that NOX Tier III emission control area and that status was maintained at all times while that marine diesel engine was in operation within that area; or	<input type="checkbox"/>
3.3	the records related to the conditions associated with an exemption granted under regulation VI/13.5.4 have been logged as required by that exemption and that the terms and duration of that exemption have been complied with as required.	<input type="checkbox"/>
D.	Initial inspection outside an ECA or first port after transiting an ECA	
1	Evidence that the sulphur content of the fuel oil is in accordance with regulation VI/14.1 6 through the BDNs and appropriate onboard records including records of bunkering operations as set out in the Oil Record Book Part 1.	<input type="checkbox"/>
2	Evidence of a written procedure (in a working language or languages understood by the crew) and records of changeover from fuel oil with a sulphur content of not more than 0.10% m/m after leaving the ECA such that compliant fuel was being used while sailing in the in the entire ECA.	<input type="checkbox"/>
3	When a ship to which regulation VI/13.5.1 applies for a particular NOX Tier III emission control area is inspected in a port outside that area, the PSCO should look at the records required by 2.3.2.1 and 2.3.2.2 or 2.3.2.3 to ensure that the relevant requirements were complied with for the whole period of time the ship was operating in that area.	<input type="checkbox"/>
E.	More detailed inspections	<input type="checkbox"/>
1	There are effectively implemented maintenance procedures for the equipment containing ozone-depleting substances.	<input type="checkbox"/>
2	There are no deliberate emissions of ozone-depleting substances.	<input type="checkbox"/>
3	Each installed marine diesel engine with a power output of more than 130 kW is approved by the Administration in accordance with the NOX Technical Code and maintained appropriately. Particular attention to the following:	<input type="checkbox"/>
3.1	examine such marine diesel engines to be consistent with the EIAPP Certificate and its Supplement, Technical File and, if applicable, Record Book of Engine Parameters or Onboard Monitoring Manual and related data;	<input type="checkbox"/>
3.2	examine marine diesel engines specified in the Technical Files to verify that no unapproved modifications, which may affect NOX emission, have been made to the marine diesel engines;	<input type="checkbox"/>
3.3	in the case of an installed marine diesel engine certified to Tier III that the required records, if applicable, in accordance with regulation VI/13.5.3 or in the Technical File, including those required by 2.3.6 of the NOX Technical Code, have been maintained as necessary and that the marine diesel engine, including any NOX control device and associated ancillary systems and equipment, including, where fitted, bypass arrangements, is maintained in accordance with the associated Technical File and is in good order;	<input type="checkbox"/>
3.4	if applicable, examine whether the conditions attached to an exemption granted under regulation VI/13.5.4 have been complied with as required;	<input type="checkbox"/>
3.5	examine marine diesel engines with a power output of more than 5,000 kW and a per cylinder displacement at or above 90 litres installed on a ship constructed on or after 1 January 1990 but prior to 1 January 2000 to verify that they are certified, if so required, in accordance with regulation VI/13.7;	<input type="checkbox"/>
3.6	in the case of ships constructed before 1 January 2000, verify that any marine diesel engine which has been subject to a major conversion, as defined in regulation VI/13, has been approved by the Administration; and	<input type="checkbox"/>
3.7	emergency marine diesel engines intended to be used solely in case of emergency are still in use for this purpose.	<input type="checkbox"/>
4	The fuel oil complies with the provisions of regulation VI/14 taking into account appendix of MEPC.371(74).	<input type="checkbox"/>
5	The record required in regulation VI/14.6 in order to identify the sulphur content of fuel oil used by the ship depending on the area of trade, or that other equivalent approved means have been applied as required. The fuel oil consumed in and outside the ECA, and that there is enough fuel in compliance with regulation VI/14 to reach the next port destination.	<input type="checkbox"/>
6	Where EGCS is used, it has been installed and operated, together with its monitoring systems, in accordance with the associated approved documentation according to the survey procedures as established in the OMM.	<input type="checkbox"/>
7	If the ship is equipped with an EGCS as an equivalent means of SOX compliance, the system is properly functioning, is in operation, there are continuous-monitoring systems with tamper-proof data recording and processing devices, if applicable and the records demonstrate the necessary compliance when set against the limits given in the approved documentation and applies to relevant fuel combustion units on board.	<input type="checkbox"/>
8	If the ship is a tanker, as defined in regulation VI/2.21, the vapour collection system approved by the Administration, taking into account MSC/Circ.585, is installed, if required under regulation VI/15.	<input type="checkbox"/>
9	If the ship is a tanker carrying crude oil, on board there is an approved VOC Management Plan.	<input type="checkbox"/>
10	Prohibited materials are not incinerated.	<input type="checkbox"/>
11	Shipboard incineration of sewage sludge or sludge oil in boilers or marine power plants is not undertaken while the ship is inside ports, harbours or estuaries (regulation VI/16.4).	<input type="checkbox"/>
12	Shipboard incinerator, if required by regulation VI/16.6.1, is approved by the Administration.	<input type="checkbox"/>

No.	Item	Checked
13	For these units, the incinerator is properly maintained, therefore:	
13.1	the shipboard incinerator is consistent with the certificate of shipboard incinerator;	
13.2	the operational manual, in order to operate the shipboard incinerator within the limits provided in appendix IV to the Annex, is provided; and	
13.3	the combustion chamber flue gas outlet temperature is monitored at all times the unit is in operation.	
14	If there are clear grounds ¹ , operational procedures shall be examined confirming that:	
14.1	the master or crew are familiar with the procedures to prevent emissions of ozone-depleting substances;	<input type="checkbox"/>
14.2	the master or crew are familiar with the proper operation and maintenance of marine diesel engines, in accordance with their Technical Files or Approved Method file, as applicable, and with due regard for Emission Control Areas for NOX control;	<input type="checkbox"/>
14.3	the master or crew are familiar with fuel oil bunkering procedures in connection to the respective bunker delivery notes and onboard records including the Oil Record Book Part 1 (regulation VI/18.5 and VI/14.4) and retained samples as required by regulation VI/18;	<input type="checkbox"/>
14.4	the master or crew are familiar with the correct operation of an EGCS or other equivalent means on board together with any applicable monitoring and recording, and record keeping requirements;	<input type="checkbox"/>
14.5	the master or crew are familiar and have undertaken the necessary fuel oil changeover procedures, or equivalent, associated with demonstrating compliance within an Emission Control Area;	<input type="checkbox"/>
14.6	the master or crew are familiar with the garbage screening procedure to ensure that prohibited garbage is not incinerated;	<input type="checkbox"/>
14.7	the master or crew are familiar with the operation of the shipboard incinerator, as required by regulation VI/16.6, within the limits provided in appendix IV to the Annex, in accordance with its operational manual;	<input type="checkbox"/>
14.8	the master or crew are familiar with the regulation of emissions of VOCs, when the ship is in ports or terminals under the jurisdiction of a Party to the 1997 Protocol to MARPOL 73/78 in which VOCs emissions are to be regulated, and are familiar with the proper operation of a vapour collection system approved by the Administration (in case the ship is a tanker as defined in regulation VI/2.21); and	<input type="checkbox"/>
14.9	the master or crew are familiar with the application of the VOC Management Plan, if applicable.	<input type="checkbox"/>

INSPECTIONS OF SHIPS OF NON-PARTIES TO THE ANNEX AND OTHER SHIPS NOT REQUIRED TO CARRY THE IAPP CERTIFICATE²

1	The procedures for ships referred to in point A of this checklist are followed and the ship and crew do not present a danger to those on board or an unreasonable threat of harm to the marine environment.	<input type="checkbox"/>
2	If the ship has a form of certification other than the IAPP Certificate, such documentation may be taken into account in the evaluation of the ship.	<input type="checkbox"/>

¹"Clear grounds" to conduct a more detailed inspection include:

1. evidence that certificates required by the Annex are missing or clearly invalid;
2. evidence that documents required by the Annex are missing or clearly invalid;
3. the absence or malfunctioning of equipment or arrangements specified in the certificates or documents;
4. the presence of equipment or arrangements not specified in the certificates or documents;
5. evidence that serious deficiencies exist in the equipment or arrangements specified in the certificates or documents;
6. information or evidence that the master or crew are not familiar with essential shipboard operations relating to the prevention of air pollution, or that such operations have not been carried out;
7. evidence of inconsistency between information in the bunker delivery note and paragraph 2.3 of the Supplement to the IAPP certificate;
8. evidence that an equivalent means has not been used as required; or
9. evidence, for example by fuel calculators, that the quantity of bunkered compliant fuel oil is inconsistent with the ship's voyage plan; and
10. receipt of a report or complaint containing information that the ship appears to be non-compliant including but not limited to information from remote sensing surveillance of SOX emissions or portable fuel oil sulphur content measurement devices indicating that a ship appears to use non-compliant fuel while in operation/underway;
11. evidence that the tier and/or on/off status of applicable installed marine diesel engines has not been maintained correctly or as required;
12. receipt of a report or complaint containing information that one or more of the installed marine diesel engines has not been operated in accordance with the provisions of the respective Technical File or the requirements relevant to a particular NOX Tier III emission control area; and
13. receipt of a report or complaint containing information that the conditions attached to an exemption granted under regulation VI/13.5.4 have not been complied with.

² The ship's condition and equipment satisfy the requirements set out above. In accordance with article 5(4) of the MARPOL Convention, no more favourable treatment is to be given to ships of non-Parties.