

RESOLUTION MEPC.202(62)

Adopted on 15 July 2011

AMENDMENTS TO THE ANNEX OF THE PROTOCOL OF 1997 TO AMEND THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973, AS MODIFIED BY THE PROTOCOL OF 1978 RELATING THERETO

(Designation of the United States Caribbean Sea Emission Control Area and exemption of certain ships operating in the North American Emission Control Area and the United States Caribbean Sea Emission Control Area under regulations 13 and 14 and Appendix VII of MARPOL Annex VI)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee (the Committee) conferred upon it by international conventions for the prevention and control of marine pollution,

NOTING article 16 of the International Convention for the Prevention of Pollution from Ships, 1973 (hereinafter referred to as the "1973 Convention"), article VI of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 (hereinafter referred to as the "1978 Protocol") and article 4 of the Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (hereinafter referred to as the "1997 Protocol"), which together specify the amendment procedure of the 1997 Protocol and confer upon the appropriate body of the Organization the function of considering and adopting amendments to the 1973 Convention, as modified by the 1978 and 1997 Protocols,

NOTING ALSO that, by the 1997 Protocol, Annex VI entitled Regulations for the Prevention of Air Pollution from Ships was added to the 1973 Convention (hereinafter referred to as "Annex VI"),

NOTING FURTHER that the revised Annex VI was adopted by resolution MEPC.176(58) and entered into force on 1 July 2010,

HAVING CONSIDERED draft amendments to the revised Annex VI,

1. ADOPTS, in accordance with article 16(2)(d) of the 1973 Convention, the amendments to Annex VI, the text of which is set out at annex to the present resolution;
2. DETERMINES, in accordance with article 16(2)(f)(iii) of the 1973 Convention, that the amendments shall be deemed to have been accepted on 1 July 2012, unless prior to that date, not less than one third of the Parties or Parties the combined merchant fleets of which constitute not less than 50 per cent of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objection to the amendments;
3. INVITES the Parties to note that, in accordance with article 16(2)(g)(ii) of the 1973 Convention, the said amendments shall enter into force on 1 January 2013 upon their acceptance in accordance with paragraph 2 above;
4. REQUESTS the Secretary-General, in conformity with article 16(2)(e) of the 1973 Convention, to transmit to all Parties to the 1973 Convention, as modified by the 1978 and 1997 Protocols, certified copies of the present resolution and the text of the amendments contained in the Annex;
5. REQUESTS FURTHER the Secretary-General to transmit to the Members of the Organization which are not Parties to the 1973 Convention, as modified by the 1978 and 1997 Protocols, copies of the present resolution and its Annex.

ANNEX

AMENDMENTS TO REGULATIONS 13 AND 14 AND APPENDIX VII OF THE REVISED MARPOL ANNEX VI

1 Paragraph 6 of regulation 13 is replaced by the following:

"6 For the purpose of this regulation, emission control areas shall be:

.1 the North American area, which means the area described by the coordinates provided in Appendix VII to this Annex;

.2 the United States Caribbean Sea area, which means the area described by the coordinates provided in Appendix VII to this Annex; and

.3 any other sea area, including any port area, designated by the Organization in accordance with the criteria and procedures set forth in Appendix III to this Annex."

2 Paragraph 7.3 of regulation 13 is amended to read as follows:

"7.3 With regard to a marine diesel engine 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, the International Air Pollution Prevention Certificate shall, for a marine diesel engine to which paragraph 7.1 of this regulation applies, indicate that either an approved method has been applied pursuant to paragraph 7.1.1 of this regulation or the engine has been certified pursuant to paragraph 7.1.2 of this regulation or that an approved method does not yet exist or is not yet commercially available as described in paragraph 7.2 of this regulation."

3 Paragraph 3 of regulation 14 is replaced by the following:

"3 For the purpose of this regulation, emission control areas shall include:

.1 the Baltic Sea area as defined in regulation 1.11.2 of Annex I and the North Sea area as defined in regulation 1.14.6 of Annex V;

.2 the North American area as described by the coordinates provided in Appendix VII to this Annex;

.3 the United States Caribbean Sea area as described by the coordinates provided in Appendix VII to this Annex; and

.4 any other sea area, including any port area, designated by the Organization in accordance with the criteria and procedures set forth in Appendix III to this Annex."

4 A new subparagraph 4 is added to paragraph 4 of regulation 14 to read as follows:

".4 Prior to 1 January 2020, the sulphur content of fuel oil referred to in paragraph 4 of this regulation shall not apply to ships operating in the North American area or the United States Caribbean Sea area defined in paragraph 3, built on or before 1 August 2011 that are powered by propulsion boilers that were not originally designed for continued operation on marine distillate fuel or natural gas."

5 Paragraph 7 of regulation 14 is replaced by the following:

"7 During the first twelve months immediately following entry into force of an amendment designating a specific emission control area under paragraph 3 of this regulation, ships operating in that emission control area are exempt from the requirements in paragraphs 4 and 6 of this regulation and from the requirements of paragraph 5 of this regulation insofar as they relate to paragraph 4 of this regulation¹."

¹ The 12 month exemption provided by paragraph 7 will apply for the North American emission control area until 1 August 2012. The 12 month exemption provided by paragraph 7 will apply for the United States Caribbean Sea emission control area until 1 January 2014.

6 Appendix VII is amended as follows:

"Appendix VII Emission Control Areas (regulation 13.6 and regulation 14.3)

.1 The boundaries of emission control areas designated under regulations 13.6 and 14.3, other than the Baltic Sea and the North Sea areas, are set forth in this appendix.

.2 (Existing text for the North American area)

.3 The United States Caribbean Sea area includes:

.1 the sea area located off the Atlantic and Caribbean coasts of the Commonwealth of Puerto Rico and the United States Virgin Islands, enclosed by geodesic lines connecting the following coordinates:

POINT	LATITUDE	LONGITUDE	POINT	LATITUDE	LONGITUDE
1	17° 18' 37" N.	67° 32' 14" W.	29	18° 21' 57" N.	64° 40' 15" W.
2	19° 11' 14" N.	67° 26' 45" W.	30	18° 21' 51" N.	64° 38' 23" W.
3	19° 30' 28" N.	65° 16' 48" W.	31	18° 21' 22" N.	64° 38' 16" W.
4	19° 12' 25" N.	65° 6' 8" W.	32	18° 20' 39" N.	64° 38' 33" W.
5	18° 45' 13" N.	65° 0' 22" W.	33	18° 19' 15" N.	64° 38' 14" W.
6	18° 41' 14" N.	64° 59' 33" W.	34	18° 19' 7" N.	64° 38' 16" W.

7	18° 29' 22" N.	64° 53' 51" W.	35	18° 17' 23" N.	64° 39' 38" W.
8	18° 27' 35" N.	64° 53' 22" W.	36	18° 16' 43" N.	64° 39' 41" W.
9	18° 25' 21" N.	64° 52' 39" W.	37	18° 11' 33" N.	64° 38' 58" W.
10	18° 24' 30" N.	64° 52' 19" W.	38	18° 3' 2" N.	64° 38' 3" W.
11	18° 23' 51" N.	64° 51' 50" W.	39	18° 2' 56" N.	64° 29' 35" W.
12	18° 23' 42" N.	64° 51' 23" W.	40	18° 2' 51" N.	64° 27' 2" W.
13	18° 23' 36" N.	64° 50' 17" W.	41	18° 2' 30" N.	64° 21' 8" W.
14	18° 23' 48" N.	64° 49' 41" W.	42	18° 2' 31" N.	64° 20' 8" W.
15	18° 24' 11" N.	64° 49' 0" W.	43	18° 2' 3" N.	64° 15' 57" W.
16	18° 24' 28" N.	64° 47' 57" W.	44	18° 0' 12" N.	64° 2' 29" W.
17	18° 24' 18" N.	64° 47' 1" W.	45	17° 59' 58" N.	64° 1' 4" W.
18	18° 23' 13" N.	64° 46' 37" W.	46	17° 58' 47" N.	63° 57' 1" W.
19	18° 22' 37" N.	64° 45' 20" W.	47	17° 57' 51" N.	63° 53' 54" W.
20	18° 22' 39" N.	64° 44' 42" W.	48	17° 56' 38" N.	63° 53' 21" W.
21	18° 22' 42" N.	64° 44' 36" W.	49	17° 39' 40" N.	63° 54' 53" W.
22	18° 22' 37" N.	64° 44' 24" W.	50	17° 37' 8" N.	63° 55' 10" W.
23	18° 22' 39" N.	64° 43' 42" W.	51	17° 30' 21" N.	63° 55' 56" W.
24	18° 22' 30" N.	64° 43' 36" W.	52	17° 11' 36" N.	63° 57' 57" W.
25	18° 22' 25" N.	64° 42' 58" W.	53	17° 4' 60" N.	63° 58' 41" W.
26	18° 22' 26" N.	64° 42' 28" W.	54	16° 59' 49" N.	63° 59' 18" W.
27	18° 22' 15" N.	64° 42' 3" W.	55	17° 18' 37" N.	67° 32' 14" W.
28	18° 22' 22" N.	64° 40' 60" W.			

Replaced by MEPC 62/24/Corr.4
