

RESOLUTION MEPC.78(43)

adopted on 1 July 1999

AMENDMENT TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

(Amendments to regulations 13G and 26 and IOPP Certificate of Annex I and addition of new regulation 16 to Annex II of MARPOL 73/78)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING article 38(a) of the Convention on the International Maritime Organization concerning the function of 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") and 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") which together specify the amendment procedure for the 1978 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 Protocol (MARPOL 73/78),

HAVING CONSIDERED the proposed amendments to make existing oil tankers between 20,000 and 30,000 tons deadweight carrying persistent product oil subject to the same construction requirements for crude oil tankers and the proposed amendments to the Supplement of the International Oil Pollution Prevention Certificate (IOPP Certificate),

HAVING ALSO CONSIDERED the proposed amendments to regulation 26 of Annex I and the proposed new regulation 16 of Annex II of MARPOL 73/78,

1. ADOPTS, in accordance with article 16(2)(d) of the 1973 Convention, the amendments to Annexes I and II of MARPOL 73/78, 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 2000, unless prior to the date, not less than one-third of the Parties or the Parties the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objections to the amendments;
3. INVITES the Parties to note that, in accordance with article 16(2)(g)(ii) of the 1973 Convention, the amendments shall enter into force on 1 January 2001 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 MARPOL 73/78 certified copies of the present resolution and the text of the amendments contained in the annex; and
5. REQUESTS FURTHER the Secretary-General to transmit to the Members of the Organization which are not Parties to MARPOL 73/78 copies of the resolution and its annex.

ANNEX

AMENDMENTS TO ANNEXES I AND II OF MARPOL 73/78

I AMENDMENTS TO ANNEX I OF MARPOL 73/78

Amendments to regulation 13G

- 1 The existing text paragraph (1)(a) is replaced by the following:

"(1) This regulation shall:

(a) apply to

(i) oil tankers of 20,000 tons deadweight and above carrying crude oil, fuel oil, heavy diesel oil or lubricating oil as cargo; and

(ii) oil tankers of 30,000 tons deadweight and above other than those referred to in subparagraph (i),

which are contracted, the keels of which are laid, or which are delivered before the dates specified in regulation 13F (1) of this Annex; and"

2 The existing text of paragraph (2) is replaced by the following:

"(2) the requirements of this regulation shall take effect as from 6 July 1995, except that the requirements of paragraph (1)(a) applicable to oil tankers of 20,000 tons deadweight and above but less than 30,000 tons deadweight carrying fuel oil, heavy diesel oil or lubricating oil as cargo shall take effect as from 1 January 2003."

3 The following new paragraph (2bis) is inserted after paragraph(2):

"(2bis) For the purpose of paragraphs (1) and (2) of this regulation:

(a) "Heavy diesel oil" means marine diesel oil, other than those distillates of which more than 50% by volume distils at a temperature not exceeding 340°C when tested by the method acceptable to the Organization*

* Refer to the American Society for Testing and Materials Standard Test Method(Designation d86

(b) "Fuel oil" means heavy distillates or residues from crude oil or blends of such materials intended for use as a fuel for the production of heat or power of a quality equivalent to the specification acceptable to the Organization.**

** Refer to the American Society for Testing and Materials' specification for Number Four Fuel Oil(Designation D396) or heavier.

Amendments to regulation 26

4 The following new paragraph (3) is added after the existing paragraph (2):

" In the case of ships to which regulation 16 of Annex II of the Convention also apply, such a plan may be combined with the shipboard marine pollution emergency plan for noxious liquid substances required under regulation 16 of Annex II of the Convention. In this case, the title of such a plan shall be "Shipboard marine pollution emergency plan"."

II AMENDMENTS TO THE IOPP CERTIFICATE UNDER ANNEX I OF MARPOL 73/78

1 Amendments to the Supplement to the IOPP Certificate (Form A)

The existing paragraphs 2.4 to 3.2 is replaced by the following:

"2.4 Approval Standards*:

* Refer to Recommendation on international performance and test specifications of oily-water separating equipment and oil content meters adopted by the Organization on 14 November 1977 by resolution A.393(X), which superseded resolution A.233(VII); see IMO sales publication IMO-608E. Further reference is made to the Guidelines and specifications for pollution prevention equipment for machinery space bilges adopted by the Marine Environment Protection Committee of the Organization by resolution MEPC.60(33), which, effective on 6 July 1993, superseded resolutions A.393(X) and A.444(XI); see IMO sales publication IMO-646E.

2.4.1 The separating/filtering equipment:

.1 has been approved in accordance with resolution A.393(X)

.2 has been approved in accordance with resolution MEPC.60(33)

.3 has been approved in accordance with resolution A.233(VII)

.4 has been approved in accordance with national standards not based upon resolution A.393(X) or A.233(VII)

.5 has not been

approved.

□

2.4.2 The process unit has been approved in accordance with resolution A.44(XI)

2.4.3 The oil content meter:

1. has been approved in accordance with resolution A.393(X)
2. has been approved in accordance with resolution MEPC.60(33)

2.5 Maximum throughput of the system ism³/h

2.6 Waiver of regulation 16:

2.6.1 The requirements of regulation 16(1) and 16(2) are waived in respect of the ship in accordance with regulation 16(3)(a). The ship is engaged exclusively on voyages within special area(s).....

2.6.2 The ship is fitted with holding tank(s) for the total retention on board of all lily bilge water as follow:

Tank Identification	Tank location		Volume (m ³)
	Frames (from)-(to)	lateral position	
			Total volume(m ³)

3 Means for retention and disposal of oil residues (sludge) (regulation 17) and bilge water holding tank(s)*

* Bilge water holding tank(s) are not required by the Convention, entries in the table under paragraph 3.3 are voluntary.

3.1 The ship is provided with oil residue (sludge) tanks as follow:

Tank identification	Tank location		Volume (m ³)
	Frames (from)-(to)	lateral position	
			Total volume(m ³)

3.2 Means for the disposal of residues in addition to the provisions of sludge tanks:

- 3.2.1 Incinerator for oil residues, capacity.....l/h
- 3.2.2 Auxiliary boiler suitable for burning oil residues
- 3.2.3 Tank for mixing oil residues with fuel oil, capacity.....m³
- 3.2.4 Other acceptable means:.....

3.3 The ship is fitted with holding tank(s) for the retention on board of oily bilge water as follows:

Tank identification	Tank location		Volume (m ³)
	Frames (from)-(to)	Lateral position	
			Total volume(m ³)

2.1 The following is added after the existing paragraph 1.11.2:

"1.11.2bis Product carrier not carrying fuel oil or heavy diesel oil as referred to in regulation 13G(2bis), or lubricating oil "

2.2 The existing paragraphs 2.4 to 3.2 is replaced by the following:

"2.4 Approval Standards*:

* Refer to Recommendation on international performance and test specifications of oily-water separating equipment and oil content meters adopted by the Organization on 14 November 1977 by resolution A.393(X), which superseded resolution A.233(VII); see IMO sales publication IMO-608E. Further reference is made to the Guidelines and specifications for pollution prevention equipment for machinery space bilges adopted by the Marine Environment Protection Committee of the Organization by resolution MEPC.60(33), which, effective on 6 July 1993, superseded resolutions A.393(X) and A.444(XI); see IMO sales publication IMO-646E.

2.4.1 The separating/filtering equipment:

- .1 has been approved in accordance with resolution A.393(X)
- .2 has been approved in accordance with resolution MEPC.60(33)
- .3 has been approved in accordance with resolution A.233(VII)
- .4 has been approved in accordance with national standards not based upon resolution A.393(X) or A.233(VII)
- .5 has not been approved

2.4.2 The process unit has been approved in accordance with resolution A.444(XI)

2.4.3 The oil content meter:

- .1 has been approved in accordance with resolution A.393(X)
- .2 has been approved in accordance with resolution MEPC.60(33)

2.5 Maximum throughput of the system ism³/h

2.6 Waiver of regulation 16:

2.6.1 The requirements of regulation 16(1) and 16(2) are waived in respect of the ship in accordance with regulation 16(3)(a). The ship is engaged exclusively on voyages within special area(s):.....

2.6.2 The ship is fitted with holding tank(s) for the total retention on board of all oily bilge water as follows:

Tank identification	Tank location		Volume (m ³)
	Frames (from)-(to)	lateral position	
			Total volume
		(m ³)

2.6.3 In lieu of the holding tank(s) the ship is provided with arrangements to transfer bilge water to the slop tank

3 Means for retention and disposal of oil residues (sludge) (regulation 17) and bilge water holding tank(s)*

* Bilge water holding tank(s) are not required by the Convention, entries in the table under paragraph 3.3 are voluntary.

3.1 The ship is provided with oil residue (sludge) tanks as follow:

Tank identification	Tank location		Volume (m ³)
	Frames (from)-(to)	lateral position	
			Total volume(m ³)

3.2 Means for the disposal of residues in addition to the provisions of sludge tanks:

3.2.1 Incinerator for oil residues, capacity..... l/h

3.2.2 Auxiliary boiler suitable for burning oil residues

3.2.3 Tank for mixing oil residues with fuel oil, capacity..... m³

3.2.4 Other acceptable means:.....

3.3 The ship is fitted with holding tank(s) for the retention on board of oily bilge water as follows:

Tank identification	Tank location		Volume (m ³)
	Frames (from)-(to)	lateral position	
			Total volume(m ³)

2.3 The following is added after existing paragraph 5.7.2:

"5.7.3 The ship is required to be constructed according to, and complies with the requirements of regulation 25A.

5.7.4 Information and data required under regulation 25A for combination carriers have been supplied to the ship in a written procedure approved by the Administration.

2.4 The existing paragraph 5.8.4. is replaced by the following:

"5.8.4 The ship is subject to regulation 13G and:

.1 is required to comply with regulation 13F not later than.....

.2 is so arrangement that the following tanks or spaces are not used for the carriage of oil.....

.3 has been accepted in accordance with regulation 13G(7) and resolution MEPC.64(36)

.4 is provided with the operational manual approved on in accordance with resolution MEPC.64(36) "

III AMENDMENTS TO ANNEX II OF MARPOL 73/78

The following new regulation 16 is added after the existing regulation 15:

"Regulation 16

Shipboard marine pollution emergency plan for noxious liquid substances

(1) Every ship of 150 gross tonnage and above certified to carry noxious liquid substances in bulk shall carry on board a shipboard marine pollution emergency plan for noxious liquid substances approved by the Administration. This requirement shall apply to all such ships not later than 1 January 2003.

(2) Such a plan shall be in accordance with Guidelines* developed by the Organization and written in a working languages understood by the master and officers. The plan shall consist at least of:

* Refer to "Guidelines for the development of shipboard marine pollution emergency plans for oil and/or noxious liquid substances".

(a) the procedure to be followed by the master or other persons having charge of the ship to report a noxious liquid substances pollution incident, as required in article * and Protocol I of the present Convention, based on the Guidelines developed by the Organization**;

** Refer to General principles for ship reporting systems and ship reporting requirements, including Guidelines for reporting incidents involving dangerous goods, harmful substances and /or marine pollutants adopted by the Organization by resolution A.851(20).

(b) the list of authorities or persons to be contacted in the event of a noxious liquid substance pollution incident;

(c) a detailed description of the action to be taken immediately by persons on board to reduce or control the discharge of noxious liquid substances following the incident; and

(d) the procedures and point of contact on the ship for co-ordinating shipboard action with national and local authorities in combating the pollution.

(3) In the case of ships to which regulation 26 of Annex I of the Convention also apply, such an plan may be combined with the shipboard oil pollution emergency plan required under regulation 26 of Annex I of the Convention. In this case, the title of such a plan shall be "shipboard marine pollution emergency plan".
