

**Draft Merchant Shipping Notice xxxx of 2023**

**[Implementation of MARPOL Annex VI: Consolidation of all DGS Order/MS Notices/Circulars and Amendments to MARPOL Annex VI]**

**[For stakeholder comments to Vikrant.raai@gov.in by 3rd October, 2023]**

1. Recognizing that MARPOL Annex VI entered into force May 2005 and the Government of India acceded to the Convention on 23 February 2012.
2. Recognizing also that since then the Directorate has issued a number of MS Notices and Circulars related to implementation of same and as detailed below:
  - i. Implementation of NOx Limits to Indian Ships: Engineering Circular 98 dated 25.11.2008.
  - ii. Mandatory Sulphur Content of Fuel Oil used on Ships: Engineering Circular 99 of 2008 dated 25.11.2008.
  - iii. Approved standard formats for Ozone Depleting Substances Record Book vide Engineering Circular 133 dated 17.03.2011.
  - iv. Application of NOx Certification Requirements on RSV Type III & IV vide Engineering Circular 137 dated 18.08.2011.
  - v. Compliance to MARPOL Annex VI after accession by India on 23 February 2012 vide Engineering Circular 1 of 2012 dated 30 January 2012.
  - vi. Regulations on Energy Efficiency of Ships vide Engineering Circular 9 of 2012 dated 10 December 2012.
  - vii. IMO Data Collection System vide Engineering Circular 02 of 2018 dated 30 July 2018.
  - viii. Imposition of maximum Sulphur Limit of 0.5% on Indian Ships and Foreign Ships visiting India and Compliance to Regulation 14 of MARPOL Annex VI vide Engineering Circular 05 of 2018 dated 14 December 2018.
  - ix. Compliance with the provisions of MARPOL Annex VI. Regulation 14 superseding Engineering Circular 5 of 2018 vide Engineering Circular 02 of 2019 dated 28 August 2019.
  - x. Application of IMO Resolution MEPC 328 (76) to Indian Ships: Amendments to Chapter 4 of MARPOL Annex VI vide MS Notice 07 of 2021-dated 10.11.2021.

- xii. Collection of data from all Indian Ships irrespective of size for Implementation of EEXI, CII, Single Use of Plastics, and issuance of E-BDN by Bunker Suppliers vide Engineering Circular 4 of 2023-dated 20.01.2023.
  - xiii. Corrigendum to DGS Circular No. 02 of 2019 – Compliance with the provisions of MARPOL Annex VI, Regulation 14 vide DGS Circular 02 of 2023 dated 31.01.2023
3. Recognizing now the need for a consolidated text and the efforts undertaken by Directorate in the interim period to enforce the requirements and latest amendments has created a number of Notices/Circulars, and the need to consolidate all the requirements at one place.
  4. Pursuant to above, the Directorate hereby issue this MS Notice to consolidate all requirements.
  5. The application of revised MARPOL VI issued vide MEPC 328 (76) on Indian Ships shall be applied and the interpretation shall be in accordance with MEPC.1/Circ.795/Rev.8 dated 10 June 2022 as may be further amended.
  6. The various guidelines etc. and application of the requirements on Indian Flag is attached as an Annexure to this MSN.

#### **Categorization of Indian Vessels for the Purpose of this MSN**

7. The Indian ships are categorized into following categories:
  - i. Ships Certified under Merchant Shipping Act, 1958 and rules framed there-under.
  - ii. Ships Certified as River Sea Vessels (RSV) under Notification for Construction, Survey, Certification & Operation of Indian River-Sea Vessels - Type 1,2,3 & 4 issued vide DGS Order 18 of 2013.
  - iii. Ships certified as Indian Coastal Vessels (ICV) Notification for Construction, Survey, Certification & Operation of Indian River-Sea Vessels - Type 1,2,3& 4 issued vide DGS Order 1 of 2014.

#### **Certification to be issued:**

8. **International Air Pollution Prevention (IAPP) Certificate:** An International Air Pollution Prevention (IAPP) Certificate shall be issued, after an initial or renewal survey in accordance with the provisions of regulation 5 of MARPOL Annex VI, to:
  - i. Any ship of 400 GT & above certified under MS Act, 1958.

- ii. Platforms and drilling rigs platforms and drilling rigs engaged in voyages to waters under the sovereignty or jurisdiction of other Parties.
- iii. Propelled accommodation barges.

**9. Indian Air Pollution Prevention (IAPP) Certificate:** An Indian Air Pollution Prevention (IAPP) Certificate shall be issued, after an initial or renewal survey to:

- i. any ship less than 400 GT
- ii. Platforms and drilling rigs platforms and drilling rigs engaged in voyages to waters under the sovereignty or jurisdiction of India.
- iii. Non-propelled accommodation barges and other manned non-propelled ships.

**10. International Energy Efficiency Certificate:** An International Energy Efficiency Certificate for the ship shall be issued after a survey in accordance with the provisions of regulation 5.4 of MARPOL Annex VI to any ship of 400 gross tonnage and above.

**11. Statement of Compliance related to fuel oil consumption reporting and operational carbon intensity rating** shall be issued to all ships of 5000 GT and above as those certified under RSV & ICV Notification.

#### **Port State Control**

**12.** Regulation 10 (Port State Control on Operational Requirements), Regulations **18.2.1, 18.2.2, 18.2.3, 8.2.4, 18.2.5** (Fuel Oil Availability) & Regulation 14.1 and 14.4 (Acceptance of Alternative Compliance Method)

- i. Refer to IOMOU PSC Procedures for MARPOL Annex VI
- ii. Refer to DGS Circular 02 of 2023 [Corrigendum to DGS Circular No. 02 of 2019 – Compliance with the provisions of MARPOL Annex VI, Regulation 14]
- iii. Refer to Engineering Circular 02 of 2019 dated 28 August 2019 [Compliance with the provisions of MARPOL Annex VI. Regulation 14].

#### **Application of Specific Requirements of MARPOL Annex VI to Indian Ships.**

**13.** River Sea Vessels (RSV) and Indian Coastal Vessel as stated above

- i. The survey and certification shall be in accordance with respective Notifications as stated in Para 7 above.
- ii. All RSV & ICV have to maintain an ODS record book as part of Pollution Prevention Record Book.
- iii. Regulation 14, 15, 16 and 18 shall apply to these ships.
- iv. RSV I & II granted exemption from NOx Certificationvide Engineering Circular 137 dated 18.08.2011 is withdrawn with the date of issue of this MSN and all

RSV I & II registered under Indian Flag after the date of issue of this circular shall be complying with Regulation 13 and carry EIAPP certificate and NOx Technical File.

- v. All RSV I & II granted dispensation from NOx shall not be permitted to be certified as RSV III or IV or under MS Act, 1958. ROs within 15 days of issue of this MSN to confirm that none such vessels exist.
  - vi. The Chapter 4 of MARPOL Annex VI shall apply to RSV & ICV with Certification and taking into account MSN 07 of 2021 along with Survey and Certification with immediate effect and all existing RSV & ICV to ensure compliance by next due annual/intermediate/renewal survey from date of issuance of this MSN.
- 14. List of equipment containing ozone-depleting substances as required by Regulation 12.5:** To be maintained by all ships including RSV & ICV.
- 15. Ozone-depleting substances record book as required by Regulation 12.6** to be maintained by all ships including RSV & ICV.
- 16. Electronic Record Books:** An Electronic Record Book as referred to in regulation 12.6 is acceptable for the following records shall be acceptable, provided the electronic recording system is approved by the RO taking into account Resolution MEPC 312(74) [Guidelines for the use of Electronic Record Books under MARPOL] and in accordance with DGS Order 6 of 2013:
- i. Regulation 12.6: Ozone-depleting substances record book.
  - ii. Regulation 13.5.3: Tier and on/off status of marine diesel engines.
  - iii. Regulation 14.6: Fuel Oil Change over Record
- 17. Regulation 14.6: Fuel Oil Change Over Record:** These records can be maintained in an electronic record book or the engine room logbook or a Company designed SECA Fuel Change-Over and Bunker Sample Record Book. As a minimum the following information to be recorded:
- i. Record the tracking and control for the representative fuel oil samples;
  - ii. To document any necessary custody transfer of the representative fuel oil sample;
  - iii. To record the receipt and storage of low sulphur fuel oil. This does not replace the record of bunkering operations in the Oil Record Book Part I, as required by MARPOL Annex I;
  - iv. To record the changeover for low sulphur fuel operation
- 18. Fitment of In use Fuel Oil Sampling Points as per Regulation 14.10** of MARPOL Annex VI:

- i. The non-propelled vessels and those vessels registered under RSV or ICV Notifications and Ships of less than 400 GT registered under MS Act, 1958 are not required to comply with this requirement.
  - ii. In case the vessels of less than 400 GT registered under MS Act, 1958 intend to operate internationally or in coastal waters of another state, these vessels may comply with the requirement.
- 19. Exemption to UNSP Barge as per Regulation 3.4:** Refer to MSN XXXX OF 2023.
- 20. Alternative Compliance method Regulation 14.1& 14.4:**
- i. Refer to Engineering Circular 02 of 2019 dated 28 August 2019 [Compliance with the provisions of MARPOL Annex VI. Regulation 14].
  - ii. Reference to Resolution MEPC.259 (68) in the above Circular to be replaced with Resolution MEPC.340(77) for:
    - a) exhaust gas cleaning systems installed on ships the keels of which are laid or which are at a similar stage of construction on or after 1 June 2022; or
    - b) exhaust gas cleaning systems installed on ships the keels of which are laid or
    - c) which are at a similar stage of construction before 1 June 2022 which have a contractual delivery date of EGCS to the ship on or after 1 June 2022 or, in the absence of a contractual delivery date, the actual delivery of the exhaust gas cleaning system to the ship on or after 1 June 2022; or amendments, as those specified in paragraphs 4.2.2.4 or 5.6.3 of the 2021 EGCS Guidelines, to existing exhaust gas cleaning systems undertaken on or after 1 June 2022, when allowing the use of an exhaust gas cleaning system in accordance with regulation 4 of MARPOL Annex VI;
  - iii. Use of Biofuel and its blends as Fuel Oil: Refer to MSN XXX of 2023
  - iv. Reference with respect to Port Entry may be made to
  - v. All ROs are directed to intimate the approvals granted as per above DGS Circular & MSN to the Competent Authority for uploading on GISIS within 15 days of approval and prior usage of same.
- 21. Regulation 5.3.1:** Refer to:
- i. Specific Agreement with RO and
  - ii. Resolution A. 1156(32) [Survey Guidelines under Harmonized System of Survey and Certification (HSSC), 2021].

**22. Fuel Oil Availability: Regulation 18.1:**

- i. Refer to Engineering Circular 02 of 2019 dated 28 August 2019 [Compliance with the provisions of MARPOL Annex VI. Regulation 14].

**23. Regulation 18.8.1:** The bunker delivery note shall be accompanied by a representative sample of the fuel oil delivered taking into account guidelines developed by the Organization. The guidelines are the 2009 Guidelines for the sampling of fuel oil for determination of compliance with the revised MARPOL Annex VI (resolution MEPC.182 (59)).

**24. Chapter 4 of MARPOL Annex VI:**

- i. Refer to 'Application of IMO Resolution MEPC 328 (76) to Indian Ships: Amendments to Chapter 4 of MARPOL Annex VI vide MS Notice 07 of 2021- dated 10.11.2021 and
- ii. Revised MARPOL VI issued vide MEPC 328 (76) and
- iii. Guidelines/resolutions/interpretations referred to in attached Annexure.

Sd/-  
(Vikrant Rai)  
E&SS-cum-DDG(Tech.)

**Annexure to MS Notice No. XX OF 2023**

<b>Guidelines related to Air Pollution from Ships</b>			
<b>Resolution/ Circular</b>	<b>Title</b>	<b>Status</b>	<b>Relevant Regulation in MARPOL Annex VI</b>
MEPC 363(79)	Amendments to the 2012 Guidelines for the development of a regional reception facilities plan (Resolution MEPC.221(63))	-	Regulation 17.2
MEPC 368(79)	Amendments to the 2014 Standards Specification for shipboard incinerators (Resolution MEPC 244(66))		Regulation 16.6.1
MEPC 340(77)	2021 Guidelines for Exhaust Gas Cleaning Systems	Supersedes MEPC 259(68) & its corrigendum MEPC 184(59)	Regulation 4.3
MEPC.1/Circ. 883/Rev.1	Guidance on indication of ongoing compliance in the case of the failure of a single monitoring instrument, and recommended actions to take if the exhaust gas cleaning system (EGCS) fails to meet the provisions of the EGCS Guidelines.	Supersedes MEPC.1/Circ.883	Regulation 4.3
MEPC 307(73)	2018 Guidelines for the Discharge of Exhaust Gas Recirculation (EGR) Bleed-Off Water		
MEPC 313(74)	Amendments to the 2017 Guidelines addressing additional aspects to the NOx technical code 2008 with regard to particular requirements related to marine diesel engines fitted with selective catalytic reduction (SCR) systems (Resolution MEPC 291(71)).		Regulation 13
MEPC 291(71)	2017 Guidelines addressing additional aspects to the NOx technical code 2008 with regard to particular requirements related to marine diesel engines fitted with selective catalytic reduction (SCR) systems	Supersedes MEPC 198(62) & MEPC 260(68)	Regulation 13
MEPC.1/Circ. 854			Regulation 13
MEPC 230(65)	2013 Guidelines as required by regulation 13.2.2 of MARPOL Annex VI in respect of non-identical replacement engines not required to meet the tier III limit.		Regulation 13.2.2
MEPC 243(66)	2014 Guidelines on the approved method process.		Regulation 13.7.1

MEPC.1/Circ. 678	Definitions for the Cost Effectiveness Formula in Regulation 13.7.5 of the Revised MARPOL ANNEX VI		Regulation 13.7.5
MEPC.1/Circ. 864/Rev.1	2019 Guidelines for on board sampling for the verification of the Sulphur Content of the Fuel Content used on Board Ships.	MEPC.1/Circ.864	Regulation 14 & 18
MEPC.185(59)	Guidelines for development of VOC Management Plan.		Regulation 15.6
MEPC.1/Circ. 680	Technical information on systems and operation to assist development of VOC management plans for tankers carrying crude oil		Regulation 15.6
MEPC.1/Circ. 719	Technical information on a vapour pressure control system in order to facilitate the development and update of VOC management plans.		Regulation 15.6
MEPC.244(66)	2014 Standard specification for shipboard incinerators	Supersedes MEPC 76(40) & MEPC 93(45)	Regulation 16.6.1
<b>Guidelines and Guidance on the Carbon Intensity</b>			
MEPC.364(79)	2022 Guidelines on the method of calculation of the Attained Energy Efficiency Design Index (EEDI) for new ships.	Supersedes MEPC.308(73)	Regulation 20 & 22
MEPC.365(79)	2022 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI)	Supersedes MEPC 254(67) & its amendments MEPC 261(68) and MEPC 309(73)	Regulation 5
MEPC.346(78)	2022 Guidelines for the Development of a Ship Energy Efficiency Management Plan (SEEMP).	Revokes MEPC 282(70) Supersedes MEPC 213(63)	Regulation 26
MEPC.347(78)	Guidelines for the verification and company audits by the administration of part iii of the ship energy efficiency management plan (SEEMP)		Regulation 26
MEPC.348(78)	2022 Guidelines for Administration Verification of Ship Fuel Oil Consumption Data and Operational Carbon Intensity	Revokes MEPC 292(71)	Regulation 27.7 & 28.6
MEPC.349(78)	2022 Guidelines for the development and management of the IMO ship fuel oil consumption database	Revokes MEPC 293(71)	Regulation 27.12 & 27.13
MEPC.350(78)	2022 Guidelines on the Method of Calculation of the Attained Energy Efficiency Existing Ship Index (EEXI)	Revokes MEPC 333(76)	Regulation 23
MEPC.351(78)	2022 Guidelines on survey and certification of the attained energy efficiency existing ship index (EEXI)	Revokes MEPC 334(76)	Regulation 5.4

MEPC.352(78)	2022 Guidelines on Operational Carbon Intensity Indicators and the Calculation Methods (CII Guidelines, G1).	Revokes MEPC 336(76)	Regulation 28.1
MEPC.353(78)	2022 Guidelines on the reference lines for use with operational carbon intensity indicators (CII reference lines Guidelines, G2)	Revokes MEPC 337(76)	Regulation 28.4
MEPC.354(78)	2022 Guidelines on the Operational Carbon Intensity Rating of Ships (CII Rating Guidelines, G4)	Revokes MEPC 339(76)	Regulation 28.6
MEPC.355(78)	2022 interim Guidelines on correction factors and voyage adjustments for CII calculations (CII Guidelines, G5)		Regulation 28.1 & 28.11
MEPC.1/Circ. 896	2021 Guidance on Treatment of Innovative Energy Efficiency Technologies for Calculation and Verification of the Attained EEDI and EEXI.	MEPC.1/Circ.815	Regulation 20
MEPC.332(76)	Amendments to the 2018 Guidelines on the method of calculation of the Attained Energy Efficiency Design Index (EEDI) for New ships (resolution MEPC.308(73), as amended by resolution MEPC.322(74))	Earlier amendments MEPC.322(74)	Regulations 20 and 22
MEPC.335(76)	2021 Guidelines on the Shaft/Engine Power Limitation Systems to comply with the EEXI Requirements and Use of a Power Reserve.		Regulations 23 and 25
MEPC.338(76)	2021 Guidelines on the operational carbon intensity reduction factors relative to reference lines (CII Reduction Factor Guidelines, G3)		Regulations 28.4 and 28.11
MEPC.254(67) and its amendments MEPC.261(68) ) MEPC.309(73)	2014 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI) Amendments to the 2014 Guidelines on Survey and Certification of the Energy Efficiency Design Index (EEDI) (Consolidated text : MEPC.1/Circ.855/Rev.2	Revokes MEPC.214 (63) and MEPC.234(65)	Regulations 5
MEPC.1/Circ. 901	Guidance on Methods, Procedures and Verification of In-Service Performance Measurements		Regulations 20.2

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