

## **Introduction**

1. MARPOL Annex I, regulation 12 was revised by resolution MEPC.187(59), which entered into force on 1 January 2011. The associated MARPOL UI's were revised as contained in MEPC 61/24, Annex 14.

2. In reviewing the above revisions, IACS notes the following principal changes to the equipment and arrangement requirements for oil residue sludge systems and oil bilge-water systems as summarized below:

1. System Interconnections

Revised regulation 12 specifies that there are to be no sludge discharge connections to the bilge system, oily bilge water holding tank(s), tank top or oily water separators, except for sludge tank drains leading to an oily bilge water holding tank or bilge well but not connect directly to the bilge piping system. MARPOL UI 17 no longer contains the provision to allow for an interconnection between the sludge tank discharge piping and bilge-water piping using common piping leading to the standard discharge connection.

2. Designated Pump

The revised regulation 12 incorporated the provision in the previous MARPOL UI 17 for oil residue (sludge) tanks to be provided with a designated pump. The revised MARPOL UI describes the pump's discharge insofar as the permitted means of sludge disposal.

3. Oil residue (sludge)

Oil residue (sludge) is now defined in the revised regulation 12 and includes separated waste oil from oil filtering equipment.

3. The most significant revision from the perspective of system design concerns paragraph 2.1, above, in that there is no mention on the use of common piping leading to the standard discharge connection.

## **Scope of Application**

4, Read literally, MARPOL I, regulation 12.1 requires every ship (new and existing) of 400 gt and above to comply with the provisions of resolution MEPC.187(59), together with its associated MARPOL UI's, by the 1 January 2011 entry into force date.

5. However, IACS Members understand MEPC.187(59) differently and do not share a common view that this regulation is to be retroactive applied primarily because there was no implementation scheme (e.g., first dry docking on/after the entry into force date) provided in resolution MEPC.187(59) so as to allow time to carry out plan review, allow for system modifications and complete the survey for the 40,000 plus ships certified by IACS Members.

6. Further, in reviewing the development of the revisions to MARPOL I by the Committee and the DE Sub-Committee as contained in resolution MEPC.187(59), IACS draws the Committee's attention to the following:

- The initial new work program item proposed in MEPC 55/6/1 contained clarifications of the definitions of oil residues (sludge) tanks and bilge water holding tanks and noted that ...*"because the regulations have been open for interpretation some vessels may be in need of retroactive modifications to their systems lay-out"*... and that ... *"the cost associated with bringing existing systems in line with the requirements of the revised MARPOL Annex I is insignificant compared with the potential environmental consequences and the consequences for crews using systems not compatible with the MARPOL requirements"*
- MEPC 55/6/12 commented on MEPC 55/6/1: ...*"it might be perceived the improvements could be achieved through simple quick fixes and insignificant costs"* but that *"in many cases it would be not that easy"*.
- At its 55<sup>th</sup> Session, the Committee noted that the proposal was to ensure *"that the requirements could be easily translated into actual operational practice aboard ships"* and agreed to task the DE Sub-Committee to take into account MEPC 55/6/1.
- DE 51 had for consideration proposals by a Correspondence Group in DE 51/18/1, concerning definitions for engine-room bilge water, oil residues (sludge), bilge water holding tanks, and oil residues (sludge) holding tanks. DE 51 finalized the revisions to MARPOL Annex I which were approved at MEPC 58 and adopted as resolution MEPC.187(59) by MEPC 59. There is no mention of the scope of application (retroactive or otherwise) in the submissions to, or in the discussions reported at, to DE 51, MEPC 58 and MEPC 59.

#### **Proposed Course of Action**

7. If the Committee is of the view that the provisions in MEPC.187(59) summarized in paragraph 2, above:

1. apply to new and existing ships, then IACS would request the Committee to consider establishing a realistic implementation scheme to accommodate the tasks that need to be carried out in order to certify that existing ships are compliant; or
2. apply only to ships constructed on/after the 1 January 2011, then IACS certify these ships accordingly

#### **Proposed Interpretation**

8. IACS proposes, for consideration, the following interpretation:

A screw-down non-return valve which is arranged in the line to the standard discharge connection required by Regulation 13, to prohibit sludge from discharging to the oil water bilge system, provides a means equivalent to an

arrangement that "does not connect directly to the bilge piping system" as so specified in regulation 12.2.2.

**Action requested of the Sub-Committee**

9. The Sub-Committee is invited to:

- note the above summary of the situation;
- take action as appropriate on the application of MARPOL Annex I, regulation 12 as revised by resolution MEPC.187(59) concerning the scope of application as presented in paragraph 7; and
- take action as appropriate on the proposed interpretation contained in paragraph 8 in the event the Committee were to conclude that regulation applies retroactively.