

***Information Updates KISHPNI-IU-04-2020
(Restrictions before Discharge of Wash-water from Exhaust Gas Scrubbing)***

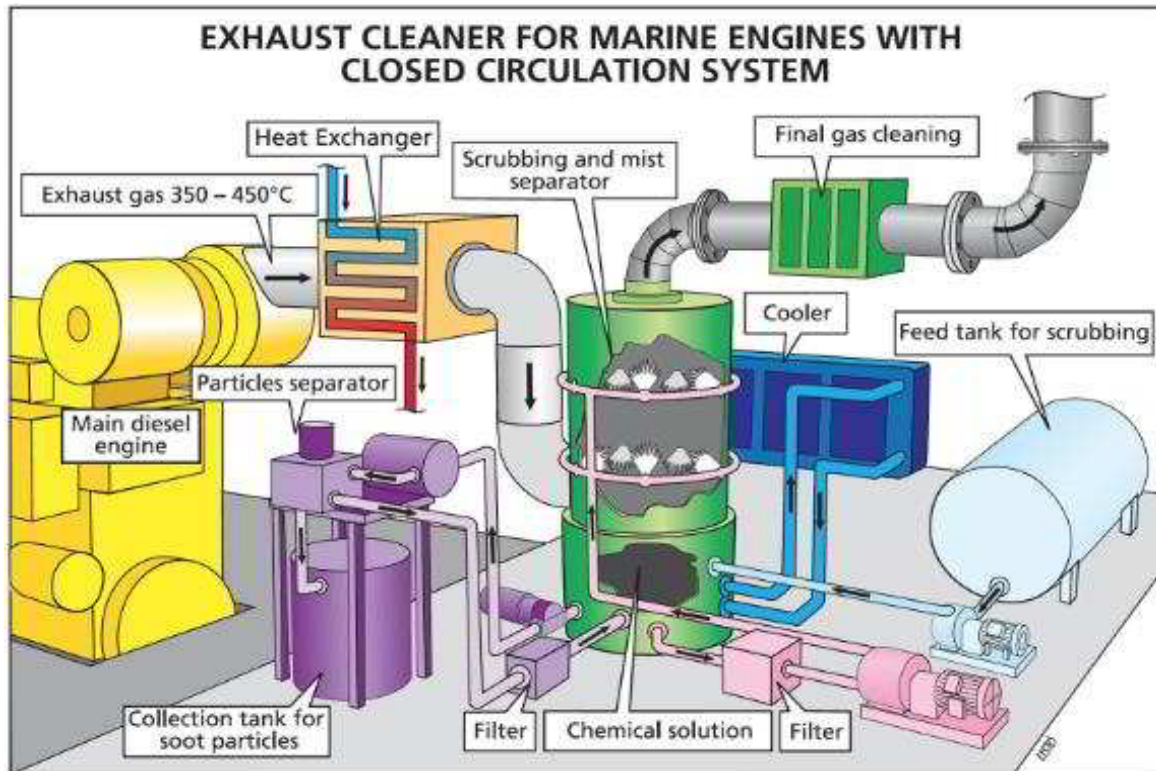
The IMO considers exhaust gas scrubbers to be an acceptable means of reducing vessels' sulphur emissions and ensuring compliance with MARPOL Annex VI. A separate guideline, Resolution MEPC.259 (68), specifies the requirements for the verification, testing, survey and certification of scrubber systems and sets out the criteria for discharging scrubber wash-water into the sea.

However, some coastal states and ports have implemented local regulations with more stringent requirements that restrict or completely prohibit the discharge of wash-water from open loop scrubbers or prohibit the use of scrubbers. There are many regions/states/ports with local regulations that have an effect on the discharge of exhaust gas scrubber wash-water.

Those which are the most pliable areas of our insured vessels are quoted below:

China:

China's Ministry of Transport (MOT) issued its 'Notice on Regulating the Implementation of Supervision and Management of Ship Air Pollutant Emission Control Areas' which states that from 1 January 2019 discharge of wash-water from scrubbers is prohibited in the country's inland emission control areas (ECAs), port water areas of coastal domestic ECAs and Bohai Bay waters. The document also states that a ban in the entire coastal domestic ECA will be announced in due course. China MOT recently circulated a draft recommending that the ban on the discharge of wash-water be extended to within 12nm of all coastal areas and regions near the southern island province of Hainan.



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Hong Kong:

If a ship intends to use scrubbers in Hong Kong waters, to meet the sulphur cap requirements, application must be made to the Hong Kong authorities requesting for an exemption from using compliant fuel. The exemption application must be made at least 14 days prior to a ship's first visit to Hong Kong after 1st January 2019. For details of the exemption application process, please refer to Sections 7 to 11 of the new 'Air Pollution Control (Fuel for Vessels) Regulation'.

Singapore:

According to the Maritime and Port Authority of Singapore (MPA), discharge is prohibited in Singapore port waters from 1 January 2020. MPA has published useful guidance on IMO's 2020 Sulphur limits which can be accessed on their web-site. The document advises ships fitted with open loop scrubbers to '*carry out the switch to either closed-loop mode or to compliant fuel well in advance of the vessel's arrival at the port waters*'. Residues from scrubbers have been classified as toxic industrial waste under Singapore's Environmental Public Health (Toxic Industrial Waste) Regulations. It can only be collected by licensed Toxic Industrial Waste Collectors.

India:

In DG Engineering Circular 05 of 2018, India seems to indicate that scrubber wash-water discharges are allowed if the criteria set out in MEPC.259 (68) are met. However, this is qualified with a requirement that local regulations should also be followed. As of now, it is not clear if local restrictions will be imposed in some areas.

UAE:

Abu Dhabi: In 2013 Abu Dhabi authorities issued 'Vessel Discharge and Maintenance Guidelines for Owners, Masters and Agents'. It states that scrubber wash-water can be discharged in port waters if free form pollutants whilst scrubber sludge should be discharged from the vessel to an Abu Dhabi Ports Company (ADPC) licensed waste disposal contractor.

Fujairah: As per notice to mariners no. 252, Harbour Master of Fujairah has announced that use of open loop scrubbers will be banned in port waters.

Belgium:

The European Commission's 2016 note on discharge of scrubber wash-water, bans the discharge in ports and inland waters.

Germany:

Discharge is not allowed in inland waterways and the Rhine, pursuant to Articles 1 and 3 of the CDNI Convention (Convention on the Collection, Deposit and Reception of Waste Produced during Navigation on the Rhine and Inland Waterways).

Norway:

Under the amendments of 1 March 2019 to Regulation No.488 on the environmental safety of ships and mobile offshore units, use of open loop scrubbers is prohibited in the Norwegian fjords. Also, for ships using closed or hybrid type scrubbers, a device for reducing visible emissions to air is required.

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Lithuania & Latvia:

The authorities are currently studying the impact of scrubber wash-water on the marine environment and will provide its conclusions upon completion of the study. Meanwhile, the current position seems to be that discharge is not allowed in port waters, according to port rules and conditions of use approved by the Ministry of Transport. Reference is made to the European Commission's 2016 note on discharge of scrubber wash-water.

Australia:

As of now, bans on the discharge of wash-water from open loop scrubbers have not been imposed by any state. This is indicated in the summary of the 6th roundtable discussion hosted by AMSA and MIAL. It is stated that authorities are currently looking at the impact of scrubber discharges.

South Africa:

In marine notice no. 08 of 2019 South Africa has indicated that it accepts all types of approved scrubbers including open loop scrubbers as long as the IMO discharge criteria set out in Resolution MEPC.259 (68) is met. However, recent reports indicate that South Africa may reconsider its position on the acceptance of open loop scrubbers.

Recommendations:

Various other coastal states and ports are discussing enforcing similar bans citing the adverse effects of scrubber wash-water on the marine environment. It is therefore likely that the above list of states/ports which currently regulate open loop scrubber discharges in their waters will grow over time. In those areas where the discharge of wash-water is not permitted, vessel operators have two options to choose from to ensure compliance with the sulphur limits:

- *Use compliant fuel instead of open loop scrubbers; or*
- *Switch over to closed loop mode of operation, in which case it will be necessary to convert currently installed open loop systems to closed loop or hybrid systems, if not already done.*

Additionally; always ask for early information updates from your agents about the local regulations especially those concerning pollution prevention matters.

Any changeover should be carried out well in advance of the vessel entering the areas with prohibition or restrictions in place. This will help in identifying operational issues, if any, after the changeover, and will allow for sufficient time to rectify such before the vessel enters the area.

Advising Members and clients to monitor the situation closely and ensure that personnel onboard vessels fitted with open loop scrubbers are made aware of any relevant local discharge requirements in force. As a precautionary measure, it is advised that vessels with open loop scrubbers installed, approach the local agents for detailed up to date requirements on the discharge of scrubber wash-water as part of a vessel's voyage planning.

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