

KPI Information Update IU-34-2013 **(Emission Control Area enforcement in CANADA)**

Canada is further aligning its emission standards with the United States with the adoption of the North American Emission Control Area.

The amendments adopt the North American Emission Control Area (ECA), which was adopted by the IMO in March 2010 and applies to ships of 400 GT and above navigating in designated coastal waters under the jurisdictions of Canada, the United States and France (for Saint-Pierre and Miquelon) south of 60° north latitude. Air emissions standards under the ECA are stricter than global requirements.

It sets an initial 1.0% limit on content of marine fuel, followed by a 0.1% limit that will come into effect in 2015. It also sets standards that lower nitrogen oxide emissions for vessels transiting these waters.

The adoption amends the Canadian Vessel Pollution and Dangerous Chemicals Regulations. With respect to the ECA, be aware of the following in particular:

► **What is required:** Comply with the provisions on SOx and NOx:

- ✓ SOx: ships transiting in the North America ECA will be required to burn 1.0% sulphur fuel, or reach equivalent levels through abatement technologies. This standard will be tightened to 0.1% as of January 1, 2015.
- ✓ NOx: Vessels built on or after 1 January 2016 and operating in any ECA will be required to abide by Tier III standards, representing an 80% reduction in NOx emissions.

► **Where:** The North American ECA will stretch to the limits of the Exclusive Economic Zone

► **When:** The Regulations were registered as of 13 April 2013, and published on 8 May 2013. Although they are technically effective as per the registration date, Transport Canada has indicated that it will undertake a "compliance

promotion" approach, meaning that it will allow time for changes in fuel arrangements. However, this flexibility will occur for a limited time, as the MARPOL Annex VI requirements with respect to the ECA have been effective since 1 August 2012.

► **Compliance Approach:** Additional guidance documents will be issued by Transport Canada shortly. Meanwhile, the Federation recommends that ships entering Canadian waters burn compliant fuels. Should such fuels be unavailable, and pending the additional guidance to be issued shortly, we recommend that a notification be sent by normal reporting procedures for vessels entering Canadian waters on the East and West coasts (ECAREG and RMIC respectively), to communicate with the appropriate Marine Communications and Traffic Services Centre.

The notification should include the following information:

1. The vessel's name and, if applicable, the vessel's IMO ship identification number;
2. The vessel's port of origin and port of destination;
3. Details of the attempts that were made to obtain fuel oil that meets the requirements of this Division, including the names and addresses of the fuel oil suppliers contacted, and the dates on which contact was made;
4. The sulphur content of the fuel oil that was obtained; and
5. The measures that will be taken to obtain, as soon as feasible, fuel oil that meets the requirements of this Division.