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REPORT OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE ON ITS SIXTY-EIGHTH SESSION

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1 INTRODUCTION – ADOPTION OF THE AGENDA

1.1 The sixty-eighth session of the Marine Environment Protection Committee was held at IMO Headquarters from 11 to 15 May 2015, under the chairmanship of Mr. A. Dominguez (Panama). The Vice-Chairman of the Committee, Dr. N. Parker (New Zealand), was also present.

1.2 The session was attended by delegations from Members and Associate Members; by representatives from United Nations Programmes, specialized agencies and other entities; by observers from intergovernmental organizations with agreements of cooperation; and by observers from non-governmental organizations in consultative status, as listed in document MEPC 68/INF.1.

1.3 The session was also attended by the Chairman of the Council, Mr. J. G. Lantz (United States); the Chairman of the Facilitation Committee, Mr. Y. Melenas (Russian Federation); the Chairman of the Sub-Committee on Implementation of IMO Instruments (III), Mr. D. Hutchinson (Bahamas); the Chairman of the Sub-Committee on Navigation, Communications and Search and Rescue (NCSR), Mr. C. Salgado (Chile); the Chairman of the Sub-Committee on Pollution Prevention and Response (PPR), Mr. S. Oftedal (Norway); the Chairman of the Sub-Committee on Ship Design and Construction (SDC), Mrs. A. Jost (Germany); and the Chairman of the Sub-Committee on Ship Systems and Equipment (SSE), Mr. S. Ota (Japan).

Opening address of the Secretary-General

1.4 The Secretary-General welcomed participants and delivered his opening address, the full text of which can be downloaded from the IMO website at the following link: http://www.imo.org/MediaCentre/SecretaryGeneral/Secretary-GeneralsSpeechesToMeetings

The Chairman thanked the Secretary-General for his opening address and stated that his advice and requests would be given every consideration in the deliberations of the Committee.

Statements by delegations

1.5 The delegation of the Cook Islands informed the Committee of the recent attack on the dry cargo ship **MV Tuna 1**, sailing under the Cook Islands' flag, near the Libyan port city of Tobruk, during which a Turkish ship's officer was killed and several crew members injured. The ship was first shelled from the shore as it was approaching the area and was then attacked twice from the air as it was trying to leave the area. The delegation requested that MSC be informed of the incident. Relevant statements of the delegations of the Cook Islands, Georgia, Libya and Turkey are set out in annex 25 and were supported by the delegation of the Republic of Korea. The Chairman, on behalf of the Committee, expressed his sympathy and condolences to the families and friends of the victims of the incident.

Adoption of the agenda

1.6 The Committee adopted the agenda (MEPC 68/1) and agreed to be guided by the provisional timetable (MEPC 68/1/1, annex 2, as revised), on the understanding that it was subject to adjustments depending on the progress made each day. The agenda, as adopted, with a list of documents considered under each agenda item, is set out in document MEPC 68/INF 41.

Credentials

1.7 The Committee noted that the credentials of the delegations attending the session were in due and proper order.

Arrangements for the meeting

1.8 Having noted that the Chairman would conduct the larger part of the meeting in English, the delegation of Spain, supported by the delegations of Argentina and France, expressed their concerns with that decision. The statements of the delegations of France and Spain are set out in annex 25.

2 HARMFUL AQUATIC ORGANISMS IN BALLAST WATER

Status of the BWM Convention

2.1 The Committee noted that the number of Contracting Governments to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM Convention) is currently 44, representing 32.86% of the world's merchant fleet tonnage. The Committee urged those States which have not yet ratified the Convention to do so at the earliest possible opportunity.

Consideration and approval of ballast water management systems that make use of Active Substances

2.2 The Committee noted that the thirtieth and thirty-first meetings of the GESAMP-Ballast Water Working Group (GESAMP-BWWG) were held from 8 to 12 December 2014 and 9 to13 February 2015, respectively, at IMO Headquarters, under the chairmanship of Mr. J. Linders. During the two meetings, the GESAMP-BWWG reviewed a total of eight proposals for approval of ballast water management systems (BWMS) that make use of Active Substances, submitted by Denmark, Japan, the Republic of Korea and Singapore.

Basic Approval

2.3 The Committee, having considered the recommendations contained in annexes 4 to 7 of the report of GESAMP-BWWG 30 (MEPC 68/2/10) and in annexes 6 and 7 of the report of GESAMP-BWWG 31 (MEPC 68/2/21), agreed to grant Basic Approval to:

.1 NK-Cl BlueBallast System, proposed by the Republic of Korea in document MEPC 68/2;

.2 ECS-HYCHLOR™ System, proposed by the Republic of Korea in document MEPC 68/2/1;

.3 ECS-HYCHEM™ System, proposed by the Republic of Korea in document MEPC 68/2/2;

.4 ECS-HYBRID™ System, proposed by the Republic of Korea in document MEPC 68/2/3; and

.5 VARUNA Ballast Water Treatment System, proposed by Singapore in document MEPC 68/2/6.

2.4 The Committee invited the Administrations of the Republic of Korea and Singapore to take into account all the recommendations made in the aforementioned reports of GESAMP-BWWG 30 and 31 (MEPC 68/2/10, annexes 4 to 7 and MEPC 68/2/21, annex 6) during the further development of the systems.

2.5 The Committee concurred with the recommendation in annex 7 of the report of GESAMP-BWWG 31 (MEPC 68/2/21) not to grant Basic Approval to the ClearBal Ballast Water Management System proposed by Denmark in document MEPC 68/2/7.

Final Approval

2.6 The Committee, having considered the recommendations contained in annex 5 to the report of GESAMP-BWWG 31 (MEPC 68/2/21), agreed to grant Final Approval to the Ecomarine-EC Ballast Water Management System proposed by Japan in document MEPC 68/2/5.

2.7 The Committee invited the Administration of Japan to verify that all recommendations contained in the report of GESAMP-BWWG 31 (MEPC 68/2/21, annex 5) are fully addressed prior to the issuance of the Type Approval Certificate.

2.8 The Committee concurred with the recommendation in annex 4 to the report of GESAMP-BWWG 31 (MEPC 68/2/21) not to grant Final Approval to the ATPS-BLUE$_{sys}$ Ballast Water Management System proposed by Japan in document MEPC 68/2/4.

Other matters emanating from the GESAMP-BWWG meetings

2.9 Having considered the recommendations of the GESAMP-BWWG as set out in document MEPC 68/2/10, paragraphs 3.5 to 3.8, regarding the optimization of the evaluation of the proposals for approval of BWMS, the Committee:

.1 recognized the importance of applicants following their submitted Quality Assurance Project Plan (QAPP) for test water quality and reporting any deviation from the process both for Basic and Final Approval;

.2 recommended the use of three sets of test water to determine the worst-case concentration of Relevant Chemicals as well as for ecotoxicity tests at Basic Approval and whole effluent (WET) tests at Final Approval, unless the intended BWMS excludes use in a certain type of water;

.3 urged applicants, test facilities and Administrations to provide sufficient scientific information when wishing to waive a test required by the *Procedure for approval of ballast water management systems that make use of Active Substances (G9)*; and

.4 recommended not to use tap water to adjust the salinity of test water.

Future meetings of the GESAMP-BWWG

2.10 The Committee noted that the next regular meeting of the GESAMP-BWWG (i.e. the thirty-second meeting) has been tentatively scheduled for 9 to 13 November 2015, and invited Members to submit their proposals for approval (application dossiers) and the non-confidential description of their BWMS to MEPC 69 as soon as possible, but not later than 2 October 2015.

2.11 The Committee further noted that, recognizing the possibility that more than four proposals may be submitted for review by the Group and subsequent approval by MEPC 69, the GESAMP-BWWG had expressed its availability to have an additional meeting (GESAMP-BWWG 33), tentatively scheduled for 11 to 15 January 2016, to accommodate as many proposals as possible, provided that all the necessary conditions for organizing such a meeting are met. Any proposal for approval not reviewed at the thirty-second meeting and the additional meeting (i.e. the thirty-third meeting), due to time constraints, will be reviewed at the earliest meeting of the Group after MEPC 69 and reported to MEPC 70 (MEPC 68/2/21, section 3 of the report of GESAMP-BWWG 31).

Organizational arrangements related to the evaluation and approval of BWMS

2.12 The Committee, having recalled that MEPC 62 had endorsed the proposal to conduct the stocktaking meetings on a yearly basis, noted that the Sixth Stocktaking Workshop on the activity of the GESAMP-BWWG had been held at IMO Headquarters from 9 to 11 July 2014, under the chairmanship of Mr. J. Linders, and its outcome has been circulated in document MEPC 68/2/8.

2.13 Having noted the outcome of the Sixth Stocktaking Workshop, the Committee considered document MEPC 68/2/19 (Denmark and Singapore), commenting on the proposal by the Stocktaking Workshop to recommend a five-day period for the determination of Relevant Chemicals in treated ballast water. The document also contained other proposals, which the Committee agreed to consider in the context of the review of Guidelines (G8).

2.14 Following discussion, the Committee instructed the Ballast Water Review Group to consider the action requested of the Committee in paragraph 30 of document MEPC 68/2/8, including the revised Methodology for information gathering and conduct of work of the GESAMP-BWWG, taking into account document MEPC 68/2/19 and the comments made in plenary. The Committee further instructed the Review Group to advise the Committee on the date the revised Methodology should be applied to allow sufficient time for the applicants to fully implement the new provisions.

2.15 In responding to a request for more information on changes to the Methodology, including anticipated future revisions, the Vice-Chairman of the GESAMP-BWWG, Ms. A. Dock, clarified that the Group is not in a position to propose such changes to the Methodology which would require additional testing to be performed by BWMS manufacturers, as this would require amending the *Procedure for approval of ballast water management systems making use of Active Substances* (G9).

Review of the availability of ballast water treatment technologies

2.16 The Committee noted information regarding the latest type-approved BWMS provided in the following documents, which increases the total number of type approved BWMS to 57:

.1 MEPC 68/INF.4 (China) on the type approval of the OceanDoctor® Ballast Water Management System;

.2 MEPC 68/INF.5 (China) on the type approval of the PACT marine™ Ballast Water Management System;

.3 MEPC 68/INF.9 (Denmark) on the type approval of the Bawat™ BWMS ballast water management system;

.4 MEPC 68/INF.10 (Denmark) on the type approval of the RayClean™ BWTS ballast water management system;

.5 MEPC 68/INF.19 (Greece) on the amended type approval of the ERMA FIRST BWTS ballast water management system;

.6 MEPC 68/INF.27 (United Kingdom) on the type approval of the Coldharbour GLD™ Ballast Water Management System, incorporating types SeaGuardian™ IGG500 to IGG6000; and

.7 MEPC 68/INF.28 (Japan) on the type approval of the SKY-SYSTEM® Ballast Water Management System.

2.17 The Committee thanked the delegations of China, Denmark, Greece, Japan and the United Kingdom for the information provided and instructed the Ballast Water Review Group to take this information into consideration when conducting its future reviews.

Proposed amendments and interpretations to BWM Guidelines

2.18 The Committee recalled that MEPC 67 had adopted resolution MEPC.253(67) on *Measures to be taken to facilitate entry into force of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004* and established a Correspondence Group on the Review of the *Guidelines for approval of ballast water management systems (G8)*.

2.19 The Committee recalled also that MEPC 67 had invited the Secretariat to initiate a Study on the implementation of the ballast water performance standard described in regulation D-2 of the BWM Convention and urged Member States and other stakeholders to support the study by providing data and financial contributions.

2.20 The Committee had for its consideration the following documents related to the Study and the review of Guidelines (G8):

.1 MEPC 68/2/9 (Japan), containing an interim report of Japanese voluntary activity related to ballast water sampling and analysis for trial use;

.2 MEPC 68/2/11 (Secretariat) on the progress of the Study on the implementation of the ballast water performance standard described in regulation D-2 of the BWM Convention;

.3 MEPC 68/2/12 (Ireland), containing the report of the Correspondence Group on the Review of the Guidelines (G8);

.4 MEPC 68/2/13 (Singapore), containing a report of a voluntary trial study conducted by Singapore on onboard sampling and analysis of ballast water compliance within the framework of the BWM Convention;

.5 MEPC 68/2/14 (Secretariat) on legal advice on the application of the Guidelines (G8);

.6 MEPC 68/2/15 (Republic of Korea) encouraging the ratification of the BWM Convention;

.7 MEPC 68/2/16 (ICS et al.), containing a proposed clarification of resolution MEPC.253(67) on *Measures to be taken to facilitate the entry into force of the BWM Convention*;

.8 MEPC 68/2/17 (Norway) on the revision of Guidelines (G8) and "grandfathering" of ballast water management systems;

.9 MEPC 68/2/19 (Denmark and Singapore) on issues related to the application of Guidelines (G8) on holding time during land-based testing of ballast water management systems; and

.10 MEPC 68/2/20 (IPTA and WSC) commenting on document MEPC 68/2/16.

2.21 The Committee also noted document MEPC 68/INF.17 (Singapore), containing information on a workshop preceding the International Conference on Ballast Water Management (ICBWM 2014), and agreed to take it into consideration in the further work related to the revision of Guidelines (G8).

2.22 The Committee, having extensively discussed the general view of the correspondence group that the guidelines should provide mandatory guidance, supported the view of the group in principle, but agreed that the review of the Guidelines (G8) should be finalized before deciding on their possible mandatory status.

2.23 Having considered the proposal by the correspondence group to request the MSC to review the use of ballast water management bypass arrangements in relation to SOLAS, the Committee agreed to invite the Ballast Water Review Group (Review Group) to discuss the matter further when considering the report of the group.

2.24 The Committee invited interested parties to take note of the information on validated test methods provided in annex 3 of the report of the correspondence group (MEPC 68/2/12).

2.25 The Committee instructed the Review Group to consider the report of the correspondence group, specifically with a view to removing all remaining square brackets and agreeing on other unresolved matters; all remaining actions requested by the group; the way forward with the review of Guidelines (G8); and to prepare terms of reference for a correspondence group, if appropriate.

2.26 Having considered documents MEPC 68/2/16 and MEPC 68/2/17 on the issue of not penalizing early movers, as agreed by MEPC 67, taking into consideration the legal advice provided in document MEPC 68/2/14 and the views expressed in document MEPC 68/2/20, the Committee agreed that it was not possible to develop an MEPC resolution on the matter at this stage.

2.27 In the ensuing discussion, views were expressed and questions raised, inter alia, on the following matters:

.1 Can a decision on non-penalization of early movers be taken at this stage, or is more information needed; and should the review of Guidelines (G8) and the Study on the implementation of regulation D-2 of the Convention be completed first?

.2 How will the Organization provide confidence to shipowners that early movers will not be penalized?

.3 Could the trial period associated with the *Guidance on ballast water sampling and analysis* (BWM.2/Circ.42) be expanded into an experience building phase to collect data?

.4 Should shipowners who have correctly installed, maintained and operated BWMS approved in accordance with Guidelines (G8) (MEPC.174(58)) not be required to replace these systems, for the life of the ship or for the life of the BWMS?

.5 Should the ballast water performance standard described in regulation D-2 be met at all times or are there situations when exceedance of the standard is acceptable? What are the reasonable limits for acceptable non-compliance?

.6 What contingency measures are available for situations when a ship is not able to meet the D-2 standard?

.7 What are the consequences to Administrations and BWMS manufacturers if the validity of the Type Approval Certificate is limited to five years?

2.28 There was, however, general agreement on many of the elements outlined in the documents specified in paragraph 2.26 above. Consequently, the Committee agreed to instruct the Review Group to advise it on a way forward on the issue of non-penalization of early movers, including a roadmap for the implementation of the BWM Convention, using paragraph 9 of document MEPC 68/2/16 as the basis, and taking into account documents MEPC 68/2/14, MEPC 68/2/17 and MEPC 68/2/20.

2.29 The Committee, following a proposal in document MEPC 68/2/20, invited the delegation of the United States to inform it of the situation with regard to type approval of BWMS in accordance with their national requirements and noted information by the delegation that the United States' type approval of BWMS requires review by an independent laboratory, four of which, from various parts of the world, have been accepted; that to date no BWMS has been type approved by the United States, but 17 BWMS manufacturers have confirmed their intent to seek type approval; and that currently three BMWS are undergoing testing for type approval, but it is not yet known when the first system will be granted approval.

Proposed amendments to the BWM Convention

2.30 The Committee had for its consideration document MEPC 68/2/18 (Liberia) proposing amendments to regulation B-3 of the Convention, based on the recommended relaxation of the enforcement schedule of regulation B-3 adopted by the Assembly (resolution A.1088(28)).

2.31 The Committee agreed in principle with the proposed amendments to regulation B-3, but noted that some modifications to the text set out in annex 1 to document MEPC 68/2/18 were needed to align it with resolution A.1088(28). With this in mind, the Committee instructed the Review Group to finalize the proposed amendments for its approval.

2.32 The Committee did not agree with the proposal in document MEPC 68/2/18 to request the Secretary-General to circulate the draft amendments before the BWM Convention has entered into force and concluded that they should be adopted in accordance with the amendment procedure set out in article 19 of the Convention and that further consideration of the draft resolution set out in annex 2 to document MEPC 68/2/18 was therefore not necessary.

Outcome of PPR 2

2.33 The Committee noted that actions requested of it by PPR 2 concerning ballast water management were set out in paragraphs 2.11 and 2.12 of document MEPC 68/12/2 (Secretariat) (see paragraph 12.2.2 below).

2.34 Having considered the aforementioned actions, the Committee:

.1 approved the *Revised guidance on ballast water sampling and analysis for trial use in accordance with the BWM Convention and Guidelines (G2)* (PPR 2/21, paragraph 5.9 and annex 11), for dissemination as BWM.2/Circ.42/Rev.1; and

.2 noted PPR 2's deliberation on the application of regulations A-3 and A-4 and Guidelines (G7) in the context of exceptions and exemptions under the BWM Convention (PPR 2/21, paragraphs 5.11 to 5.15).

2.35 The Committee considered document MEPC 68/12/11 (INTERFERRY), commenting on the outcome of PPR 2 in relation to issues concerning regulations A-3 and A-4 of the Convention; proposing an amendment to article 2 (Application) to enable the establishment of "same risk areas"; and seeking clarification with regard to the application of resolution A.1088(28) in areas prohibiting ballast water exchange in accordance with regulation D-1.

2.36 While the Committee supported the proposals in document MEPC 68/12/11 in principle, it was of the general view that developing guidance on the matter would be more appropriate than amending the Convention. Consequently, the Committee instructed the Review Group to consider the proposals in detail, taking into account the views expressed in plenary and at PPR 2, and advise the Committee as appropriate.

Information on application of the BWM Convention

2.37 The Committee noted the following documents:

.1 MEPC 68/INF.20 (Denmark et al.) on workshops on organism detection technologies, compliance control, monitoring and enforcement and ecotoxicity testing during land-based testing;

.2 MEPC 68/INF.21 (Germany) containing an update of a project concerning effective new technologies for the assessment of compliance with the BWM Convention;

.3 MEPC 68/INF.23 (Republic of Korea) on development of an indicative analysis device for the compliance check with the BWM Convention;

.4 MEPC 68/INF.34 (Canada) on the current availability of appropriate technologies to permit Great Lakes ships to achieve the performance standard of the BWM Convention; and

.5 MEPC 68/INF.36 (Malaysia) on information on baseline studies conducted in waters within ports in Malaysia.

Establishment of the Ballast Water Review Group

2.38 The Committee established the Ballast Water Review Group and instructed it, taking into consideration the comments and decisions made in plenary, to:

.1 consider the action requested by the Sixth Stocktaking Workshop of the GESAMP-BWWG (MEPC 68/2/8), including the revisions to the Methodology for information gathering and conduct of work of the GESAMP-BWWG (MEPC 68/2/8, annex 2);

.2 advise on the date the revised Methodology should be applied to allow sufficient time for the applicants to fully implement the new provisions;

.3 consider the report of the Correspondence Group on the Review of Guidelines (G8) (MEPC 68/2/12) with a view to removing all remaining square brackets in the proposed draft amendments and agreeing on other unresolved matters, as well as to consider all remaining actions requested by the group;

.4 consider the way forward with the review of Guidelines (G8), and prepare terms of reference for a correspondence group, if appropriate;

.5 using paragraph 9 of document MEPC 68/2/16 as the basis, and taking into account documents MEPC 68/2/14, MEPC 68/2/17 and MEPC 68/2/20, advise the Committee on a way forward on the issue of non-penalization of early movers, including a roadmap for the implementation of the BWM Convention;

.6 finalize the proposed amendments to regulation B-3 of the BWM Convention as provided in document MEPC 68/2/18; and

.7 consider the proposals in document MEPC 68/12/11 on regulations A-3 (Exceptions) and A-4 (Exemptions) of the BWM Convention in detail, noting the views expressed at PPR 2, and advise the Committee as appropriate.

Report of the Ballast Water Review Group

2.39 Having considered the report of the Ballast Water Review Group (MEPC 68/WP.8), the Committee approved it in general and took action as outlined hereunder.

Organizational arrangements related to the evaluation and approval of BWMS

2.40 The Committee approved the revised Methodology for information gathering and conduct of work of the GESAMP-BWWG for dissemination as BWM.2/Circ.13/Rev.3, to supersede the existing BWM.2/Circ.13/Rev.2 of April 2014; and agreed that the revised Methodology should be applied to all submissions for Basic Approval to MEPC 71 and onwards, and subsequent submissions for Final Approval of those systems. In this context, the Committee encouraged proponents to make use of the revised Methodology at their earliest opportunity.

2.41 The Committee endorsed the conclusion of the Sixth Stocktaking Workshop of the GESAMP-BWWG that the value of the maximum allowable discharge concentration of total residual oxidants (TRO) of 0.2 mg/L as Cl_2 should be changed to 0.1 mg/L as Cl_2, to be applied for proposals for Basic Approval of BWMS submitted to MEPC 69 and onwards and subsequent proposals for Final Approval of those systems.

2.42 The Committee recommended that, for the purpose of Procedure (G9), a five-day period for the determination of Relevant Chemicals in treated ballast water should be maintained for future proposals for approval of BWMS and noted the agreement by the Review Group to consider this recommendation further in the context of the review of Guidelines (G8).

2.43 The Committee recommended that the information on TRO monitoring provided by applicants for proposals of approval of BWMS making use of Active Substances should include the installation and control scheme (engineering aspects) and the physical/chemical factors (including salinity and water temperature) that affect the accurate reading of TRO in automated in-line monitoring.

Review of the Guidelines (G8)

2.44 The Committee invited the Study on the implementation of regulation D-2 of the BWM Convention to consider the matter identified by the correspondence group on whether or not operational training manuals for ships' crew should be a standardized template and part of the type approval procedure.

2.45 The Committee noted the consideration of the Review Group on the need to develop an MEPC resolution urging Member States to allow discharges of treated ballast water from ships with BWMS undergoing testing for type approval and invited Member Governments and international organizations to submit relevant proposals to MEPC 69.

2.46 The Committee re-established the Correspondence Group on Review of Guidelines (G8), coordinated by the United Kingdom[1], and instructed it, taking into consideration the outcome of this session, to:

.1 continue the review of the Guidelines (G8), focusing on the issues identified in paragraphs 14 and 16 of document MEPC 68/WP.8, taking into account any available data provided from the Study on the implementation of the ballast water performance standard described in regulation D-2 of the Convention and any other relevant information provided during the timeline of the review;

.2 develop and use an interface for incoming data of the Study; and

.3 submit a report to MEPC 69.

2.47 The Committee requested Member Governments and international organizations to provide information on the issues to be considered in connection with the review of Guidelines (G8), as set out in paragraph 14 of document MEPC 68/WP.8, to the correspondence group.

2.48 The Committee did not agree with the proposal by the Review Group to hold an official meeting of the members of the correspondence group during PPR 3, having noted that PPR 3 has been scheduled to take place only eight weeks before MEPC 69.

[1] **Coordinator:**
Ms. L. Page
Maritime and Coastguard Agency
Environmental Policy Branch
Email: leanne.page@mcga.gov.uk
Tel: +44 (0)2380 329100

Roadmap for the implementation of the BWM Convention

2.49 The Committee agreed to the Roadmap for the implementation of the BWM Convention set out in annex 2 to document MEPC 68/WP.8; agreed to use it in the development of measures to facilitate the implementation of the Convention; and invited submissions to MEPC 69 on any outstanding issues identified in the Roadmap, for further consideration, with a view to finalizing any further guidance by MEPC 70.

2.50 The delegation of the United States reserved its position on the principle of non-penalization of early movers as reflected in the Roadmap.

Draft amendments to the BWM Convention

2.51 The Committee noted the draft amendments to regulation B-3 of the BWM Convention as set out in annex 3 to document MEPC 68/WP.8, while also noting that the simplified text set out in annex 4 thereof may be useful as an alternative when the Convention enters into force.

2.52 In this regard, the Committee noted that referring to the MARPOL Annex I International Oil Pollution Prevention Certificate in the draft amendments to regulation B-3 was not consistent with correct treaty practice since it is a certificate of a different convention. However, the Committee agreed that since resolution A.1088(28) on the application of the BWM Convention is still valid, its objectives should be reflected in an appropriate manner in the amended regulation B-3.

2.53 The Committee agreed that further consideration was needed before the amendments to regulation B-3 could be approved and consequently invited Member Governments and international organizations to submit relevant proposals to MEPC 69 and requested the Secretariat to submit a document containing legal advice on the matter to that session.

2.54 The Committee concurred with the understanding that the intentions of resolution A.1088(28) apply also to ships operating in sea areas where ballast water exchange in accordance with regulations B-4.1 and D-1 of the BWM Convention is not possible.

Exemptions and exceptions under the BWM Convention

2.55 The Committee invited submissions on exemptions and exceptions under the BWM Convention to MEPC 69.

Future work

2.56 The Committee agreed to re-establish the Ballast Water Review Group at MEPC 69, in accordance with the provisions of regulation D-5 of the BWM Convention, with, as a minimum, the following terms of reference:

.1 develop measures to facilitate the implementation of the BWM Convention using the Roadmap for the implementation of the BWM Convention set out in annex 2 to document MEPC 68/WP.8;

.2 define the term "same location" in the context of regulation A-3 of the BWM Convention; and

.3 develop guidance for exemptions under regulation A-4 of the BWM Convention regarding assessment of ports or locations of the "same risk area" focusing on short sea shipping (i.e. not intercontinental/transoceanic voyages), taking into account scientific methodologies and having reference to documents MEPC 67/2/12, MEPC 67/INF.23; MEPC 68/12/2, PPR 2/21, as well as other relevant submissions.

2.57 The observer from ICS, supported by the observer from BIMCO, stated that the decisions taken by the Committee would go a long way in building confidence for the implementation of the BWM Convention, but expressed concern with regard to unilateral action taken by one country. The full text of the statement is set out in annex 25.

2.58 The observer from WSC, supported by the observers from CLIA, INTERCARGO and INTERTANKO, thanked the Committee for the progress made, but expressed concern with regard to the ability of BWMS to reliably meet the ballast water performance standard described in regulation D-2 of the BWM Convention. The full text of the statement is set out in annex 25.

3 AIR POLLUTION AND ENERGY EFFICIENCY

3.1 In addition to the 44 documents submitted, the Committee agreed to also consider under this agenda item the following documents:

.1 MEPC 68/12/1 (Secretariat), concerning the outcome of the CCC 1, regarding as to whether any action is necessary for low-flashpoint fuels in respect of MARPOL Annex VI certification;

.2 MEPC 68/12/5 (Canada), MEPC 68/12/7 (Finland et al.), MEPC 68/12/8 (EUROMOT), MEPC 68/12/9 (EUROMOT), MEPC 68/12/12 (SIGTTO), MEPC 68/12/13 (Russian Federation), MEPC 68/12/14 (India) and MEPC 68/12/15 (Denmark), concerning the outcome of PPR 2;

.3 MEPC 68/13 (Secretariat), concerning fuel oil quality matters; and

.4 MEPC 68/20/2 (IBIA) and MEPC 68/20/3 (Norway), concerning the sulphur verification procedure.

3.2 The Committee agreed to refer documents MEPC 68/3/6 (ISO and ITTC), MEPC 68/3/12 (Denmark et al.), MEPC 68/3/14 (IACS et al.), MEPC 68/INF.14 (ISO and ITTC) and MEPC 68/INF.30 (IACS et al.) directly to the Working Group on Air pollution and energy efficiency for consideration, without introduction in plenary.

TECHNICAL COOPERATION AND TRANSFER OF TECHNOLOGY

Implementation of resolution MEPC.229(65) on *Promotion of technical co-operation and transfer of technology relating to the improvement of energy efficiency of ships*

3.3 The Committee recalled that MEPC 66 had established the Ad Hoc Expert Working Group on Facilitation of Transfer of Technology for Ships (TT-EG) and endorsed the work plan of the group, which anticipated that the outcome of the first three of its four tasks would be reported in full to MEPC 68 and that the Chairman of the group provided a progress report to MEPC 67.

3.4 The Committee considered document MEPC 68/3/1 (Chairman of the TT-EG), providing a progress report on the work carried out to date by the TT-EG, and noted that full reports on the first three of the four tasks identified in the group's work plan were provided in the annex to the document, and that a complete report of all four tasks would be provided to MEPC 69.

3.5 Several delegations expressed their appreciation for the progress made by the group, noting in particular the usefulness of relevant regional workshops that had taken place, as a means to increase awareness of technology transfer in the context of energy efficiency of ships.

3.6 The delegation of Singapore informed the Committee of a forthcoming international Conference on Maritime Technology Transfer and Capacity Building, to be held in Singapore on 28 and 29 September 2015, which is being organized in direct support of the work carried out by the Committee and the TT-EG. The Committee noted that the aim of the Conference was to generate a greater momentum towards more energy-efficient and low-carbon shipping through technology transfer; and that the Conference would provide a platform for the international shipping community to discuss, exchange ideas and identify priority areas on facilitating maritime technology transfer.

3.7 Following discussion, the Committee noted the information provided in the report of the group, and in particular:

.1 requested the Secretariat to forward the scoping document on the establishment of an inventory of energy efficiency technologies for ship (task 2) as outlined in annex 2 of the group's report, to the IMO-GEF-UNDP Project entitled "Transforming the global maritime transport industry towards a low carbon future through improved energy efficiency" (GloMEEP), for inclusion in its activities, as the project has now been approved;

.2 noted the group's plan of work for the intersessional period until MEPC 69, including the holding of its fourth meeting, tentatively scheduled for the end of September 2015; and

.3 invited input from Member States, non-governmental organizations, industry and intergovernmental organizations to be made directly to the group ahead of its next meeting.

AIR POLLUTION FROM SHIPS

Outcome of CCC 1

3.8 The Committee referred to the action requested of it by CCC 1 (MEPC 68/12/1, paragraph 2.1) and, having noted the discussion regarding the relationship between the draft IGF Code and the IAPP Certificate, considered whether any action was necessary for low-flashpoint fuels in respect of MARPOL Annex VI certification. Having recalled that gas fuels have been included in the revised MARPOL Annex VI definition of fuel oil adopted at MEPC 67 (resolution MEPC.258(67)), the Committee agreed that no action is necessary for low-flashpoint fuels in respect of MARPOL Annex VI certification.

Outcome of PPR 2

3.9 The Committee noted that the outcome of PPR 2 concerning air pollution prevention is reported in paragraphs 2.1 to 2.3, 2.13 to 2.16 and 2.20 of document MEPC 68/12/2.

Amendments to the 2009 Guidelines for exhaust gas cleaning systems

3.10 The Committee, having recalled that MEPC 67, following consideration of document MEPC 67/4/22 (Austria et al.) proposing a calculation-based methodology for verification of washwater discharge criteria of pH for exhaust gas cleaning systems, had referred it to PPR 2 for detailed consideration (MEPC 67/20, paragraph 4.19), noted that PPR 2 prepared draft amendments to the *2009 Guidelines for exhaust gas cleaning systems* (resolution MEPC.184(59)), as set out in annex 1 to document PPR 2/21.

3.11 Following consideration, the Committee adopted resolution MEPC.259(68) on the *2015 Guidelines for exhaust gas cleaning systems*, as set out in annex 1.

Amendments to the NO_X Technical Code 2008 (dual fuel engines and engines fuelled solely by gaseous fuels)

3.12 The Committee recalled that MEPC 67, having considered documents MEPC 67/7/5 (Norway et al.) proposing draft amendments to the NO_X Technical Code 2008 related to engines fuelled solely by gaseous fuels and MEPC 67/7/6 (United States) proposing draft amendments to MARPOL Annex VI and the NO_X Technical Code 2008 related to the use of dual fuel engines as a Tier III NO_X control strategy, had instructed PPR 2 to consider these documents, taking into account that the proposed draft amendments contained modifications to the amendments to the NO_X Technical Code adopted by resolution MEPC.251(66), which are expected to enter into force on 1 September 2015.

3.13 The Committee noted that PPR 2 had prepared draft amendments to the NO_X Technical Code concerning dual fuel engines and engines fuelled solely by gaseous fuels, for approval at this session, as set out in annex 2 to document PPR 2/21.

3.14 In this regard, the Committee considered document MEPC 68/12/13 (Russian Federation), providing comments on the draft amendments to the NO_X Technical Code prepared by PPR 2; expressing the view that the amendments to regulation 2 of MARPOL Annex VI (definition of "marine diesel engine") adopted by MEPC 67 were incorrect in principle; stating that approval of the draft amendments is premature; and proposing that the title of the NO_X Technical Code should be amended to read "Technical Code on Control of Emission of Nitrogen Oxides from Marine Reciprocating Internal Combustion Engines".

3.15 Many delegations that spoke, while understanding the technical issues raised by the Russian Federation, did not support their proposals but instead supported the draft amendments to the NO_X Technical Code 2008 as prepared by PPR 2. A statement made by the delegation of the Russian Federation in this regard is set out in annex 25.

3.16 The Committee also had for its consideration the following documents:

.1 MEPC 68/3/8 (Germany), providing information on practical issues related to the logging of engine data on a ship's entry into or exit from a NO_X Tier III emission control area and proposing a draft new regulation 5.3 of MARPOL Annex VI; and

.2 MEPC 68/3/21 (IMarEST), expressing disagreement with the proposed draft amendments to MARPOL Annex VI proposed in document MEPC 68/3/8 and requesting the Committee to agree to the outcome of PPR 2.

3.17 Germany clarified that the proposal for draft amendments to MARPOL Annex VI in document MEPC 68/3/8 was an alternative proposal to paragraph 6.1.2 of the draft amendments to the NO_X Technical Code 2008, and, therefore, this paragraph as prepared by PPR 2 could be deleted.

3.18 In the ensuing discussion, the following comments were, inter alia, made:

.1 the draft amendments to the NO_X Technical Code 2008 agreed by PPR 2 covered the proposal by Germany, therefore, the outcome of PPR 2 should be retained; and

.2 information with regard to the changeover of an engine from Tier II to Tier III and vice versa should not be recorded in the ship's official logbook, but instead in a logbook as prescribed by the Administration.

3.19 Following discussion, the Committee instructed the Working Group on Air pollution and energy efficiency to:

.1 finalize the draft amendments to the NO_X Technical Code 2008, using annex 2 to document PPR 2/21 as the basis, with a view to approval at this session; and

.2 prepare relevant draft amendments to MARPOL Annex VI, using document MEPC 68/3/8 as the basis, with a view to approval at this session.

Guidance on the application of regulation 13 of MARPOL Annex VI Tier III requirements to dual fuel and gas-fuelled engines

3.20 The Committee recalled that PPR 2, in conjunction with the preparation of the draft amendments to the NO_X Technical Code 2008, had prepared draft *Guidance on the application of regulation 13 of MARPOL Annex VI Tier III requirements to dual fuel and gas-fuelled engines*, as set out in annex 3 to document PPR 2/21, and invited the Committee to consider and decide on the square brackets around paragraphs 7 to 9 of the draft guidance.

3.21 The Committee had for its consideration the following commenting documents:

.1 MEPC 68/12/7 (Finland et al.), providing comments on the aforementioned draft guidance and proposing modifications;

.2 MEPC 68/12/8 (EUROMOT), proposing to modify paragraph 9 of the draft guidance to avoid potential misinterpretation;

.3 MEPC 68/12/12 (SIGTTO), proposing to modify the draft guidance taking into account the cases of a ship equipped with dual fuel engines that is entering a dry dock located inside a NO_X ECA and is required to be in gas-free condition or seeking to get its first LNG bunker fuel or gas cargo and a ship not normally intended to sail in NO_X ECAs entering or departing a shipyard located inside a NO_X ECA; and

.4 MEPC 68/12/15 (Denmark), proposing to modify the title of the draft guidance to read: Guidance on the application of regulation 13 of MARPOL Annex VI Tier III requirements to dual fuel and gas fuelled engines using gas fuel in a pre-mix combustion process.

3.22 Following consideration, the Committee instructed the Working Group on Air pollution and energy efficiency to finalize the draft guidance, using annex 3 to document PPR 2/21 as the basis and taking into account documents MEPC 68/12/7, MEPC 68/12/8, MEPC 68/12/12 and MEPC 68/12/15, with a view to approval at this session.

Impact on the Arctic of emissions of Black Carbon from international shipping

3.23 The Committee recalled that MEPC 67, having considered the outcome of PPR 1 regarding the impact on the Arctic of emissions of Black Carbon from international shipping and related documents, had instructed PPR 2 to further consider the matter, under the same terms of reference as given to PPR 1 (MEPC 62/24, paragraph 4.20), and to make a clear recommendation for a single definition of Black Carbon to a future session of the Committee, identifying as part of that recommendation why the Committee should consider the recommended definition, as opposed to any other (MEPC 67/20, paragraph 4.8).

3.24 The Committee noted that PPR 2 had prepared a single definition of Black Carbon and invited the Committee to approve it as the definition of Black Carbon for international shipping, for the primary reason that this definition is measurement method neutral and widely supported by the scientific community (MEPC 68/12/2, paragraph 2.13); and invited the Committee to further consider the related action requested of it in paragraphs 2.14 to 2.16 of document MEPC 68/12/2.

3.25 The Committee had for its consideration the following commenting documents:

.1 MEPC 68/12/5 (Canada), supporting the Bond et al. definition as the appropriate definition of Black Carbon for international shipping; discussing initial suggestions for elements to be considered in the development of sample pre-treatment and measurement protocols; encouraging and inviting interested parties to participate in ongoing research into Black Carbon emissions; and proposing that the Committee should task the PPR Sub-Committee to recommend standardized pre-sample treatment and measurement protocols for use in future measurement studies;

.2 MEPC 68/12/9 (EUROMOT), proposing possible terms/criteria for consideration in the development process of Black Carbon measurement protocols;

.3 MEPC 68/3/5 and MEPC 68/3/5/Corr.1 (Russian Federation), presenting data on Black Carbon emissions from shipping in ice conditions of the Arctic seas adjacent to the Russian Federation territory. Their assessment of the Black Carbon emissions from ships operating in the Arctic in ice conditions demonstrates that their impact is only regional and cannot pose a threat to climate change, and that Black Carbon emissions from ships can influence ice and snow properties only in cases where the emissions occur less than 100 km from the ice edge;

.4 MEPC 68/3/19 (CSC), providing comments on document MEPC 68/3/5; pointing out that the document does not follow any scientific standard for citations and assessment of difference to previous studies; and concluding

that the document provides no contribution to support the proposal to remove the consideration of Black Carbon emissions from international shipping from IMO's work programme;

.5 MEPC 68/3/20 (CSC), providing comments on document MEPC 68/12/2; requesting the Committee to recognize the significant contribution of Black Carbon from international shipping to global climate issues and continue to consider the impacts of international shipping on the Arctic region;

.6 MEPC 68/INF.18 (CSC), discussing the principle by which filter-based light absorption methods work and the corrections needed for these methods to produce accurate measurements; and

.7 MEPC 68/3/22 (Norway), providing comments on document MEPC 68/3/5; supporting the outcome of PPR 2; and requesting the Committee to continue its work on Black Carbon in accordance with the work plan agreed at MEPC 62.

3.26 The Committee, having considered the proposed definition of Black Carbon (Bond et al. definition) agreed by PPR 2 (MEPC 68/12/2, paragraph 2.13), approved it as the definition of Black Carbon for international shipping as follows:

"Black Carbon is a distinct type of carbonaceous material, formed only in flames during combustion of carbon-based fuels. It is distinguishable from other forms of carbon and carbon compounds contained in atmospheric aerosol because it has a unique combination of the following physical properties:

.1 strongly absorbs visible light with a mass absorption cross section of at least 5 m^2g^{-1} at a wavelength of 550 nm;

.2 is refractory; that is, retains its basic form at very high temperatures, with vaporization temperature near 4,000 K;

.3 is insoluble in water, in organic solvents including methanol and acetone, and in other components of atmospheric aerosol; and

.4 exists as an aggregate of small carbon spherules."

3.27 The Committee noted that there is a need for Black Carbon measurement studies to be conducted so as to gain experience with the application of the definition and measurement methods, to enable a comparison of the measurement methods and assess the scale of possible variation in the data collected; and that PPR 2 had invited interested Member Governments and international organizations to initiate, on a voluntary basis, Black Carbon measurement studies to collect data.

3.28 The Committee agreed to the need for a protocol for any voluntary measurement studies to collect data, focussing on using the agreed definition of Black Carbon to support data collection, to identify the most appropriate measurement method(s) of Black Carbon emissions from international shipping; and invited interested Member Governments and international organizations to submit additional relevant proposals/information to PPR 3.

3.29 The Committee noted that it was not possible at this stage to consider possible control measures to reduce the impact on the Arctic of emissions of Black Carbon from international shipping.

Amendments to the 2011 Guidelines addressing additional aspects to the NO_X Technical Code 2008 with regard to particular requirements related to marine diesel engines fitted with Selective Catalytic Reduction (SCR) Systems (MEPC.198(62))

3.30 The Committee noted that PPR 2 had prepared draft amendments to the *2011 Guidelines addressing additional aspects to the NO_X Technical Code 2008 with regard to particular requirements related to marine diesel engines fitted with Selective Catalytic Reduction (SCR) Systems* (resolution MEPC.198(62)), as set out in annex 15 to document PPR 2/21, for adoption at this session.

3.31 Following consideration, the Committee adopted resolution MEPC.260(68) on *Amendments to the 2011 Guidelines addressing additional aspects to the NO_X Technical Code 2008 with regard to particular requirements related to marine diesel engines fitted with Selective Catalytic Reduction (SCR) Systems (resolution MEPC.198(62))*, as set out in annex 2.

Bunker delivery note to permit the supply of fuel oil not in compliance with regulation 14 of MARPOL Annex VI

3.32 The Committee recalled that MEPC 67, having considered document MEPC 67/12/7 (Austria et al.) proposing to insert an additional sentence in appendix V (Information to be included in the bunker delivery note (BDN)) of MARPOL Annex VI, taking into account the "equivalent" provisions set forth in regulation 4 of MARPOL Annex VI, had instructed PPR 2 to consider and prepare draft amendments to appendix V of MARPOL Annex VI for consideration at this session (MEPC 67/20, paragraph 4.21).

3.33 The Committee noted that PPR 2 had noted (PPR 2/21, paragraphs 2.24 and 2.25) that its Working Group on Prevention of air pollution from ships:

.1 had agreed that the provisions of MARPOL Annex VI should be amended to clarify that fuel oil, other than those meeting the sulphur limit values set out in regulation 14 of MARPOL Annex VI, can continue to be supplied to a ship for use with an equivalent method allowed under regulation 4; and

.2 while having recognized that draft amendments to appendix V of MARPOL Annex VI were required, had not been able to agree on the text of such draft amendments.

3.34 The Committee considered the relevant parts of document MEPC 68/12/14 (India) (paragraphs 3 and 4), supporting the proposed draft amendments to the bunker supplier declaration clause in document PPR 2/2/2 (IMarEST). Some delegations, recalling the discussion at PPR 2, supported document MEPC 67/12/7 (Austria et al.) which proposed modifications to appendix V of MARPOL Annex VI.

3.35 Following discussion, the Committee, having noted the discussion at PPR 2 (PPR 2/21, paragraphs 2.24 and 2.25), instructed PPR 3 to further consider this issue, taking into account the relevant parts of document MEPC 68/12/14, and report back to MEPC 70.

Review of fuel oil availability as required by regulation 14.8 of MARPOL Annex VI

3.36 The Committee noted that, according to regulation 14.8 of MARPOL Annex VI, a review of the standard set forth in regulation 14.1.3, i.e. 0.50% m/m maximum sulphur content fuel oil on and after 1 January 2020, shall be completed by 2018 to determine the availability of compliant fuel oil.

3.37 The Committee recalled that MEPC 66 had re-established the Correspondence Group on the Assessment of Availability of Fuel Oil required under regulation 14.8 of MARPOL Annex VI, under the coordination of the United States, and instructed it to develop the methodology to determine the availability of fuel oil to comply with the fuel oil standard set out in regulation 14.1.3 of MARPOL Annex VI (MEPC 66/21, paragraph 4.44).

3.38 The Committee also recalled that MEPC 67, having considered a progress report by the group (MEPC 67/4/5/Rev.1 and MEPC 67/INF.11) and having noted the progress made, had instructed the group to continue its work and submit a final report to this session (MEPC 67/20, paragraph 4.23).

3.39 The Committee considered the final report of the correspondence group and a summary of all comments received during the discussion of the group (MEPC 68/3/3 and MEPC 68/INF.11, submitted by the United States) and, noting that the group had prepared draft terms of reference for the assessment of availability of fuel oil (MEPC 68/3/3, annex), approved the report in general.

3.40 The Committee also had for its consideration the following commenting documents:

.1 MEPC 68/3/23 and MEPC 68/INF.35 (CSC), providing legal advice on the compatibility of collecting confidential information on future refinery capacity with competition law in the context of the review of the availability of fuel compliant with the global 0.50% sulphur limit to be introduced in 2020; and

.2 MEPC 68/3/26 (IPIECA and OCIMF), providing comments on the report of the correspondence group; reminding the Committee of the restrictions imposed by competition law on the refinery industry on the exchange of information related to future business plans; and being of the view that the fuel availability in 2020 should be evaluated on the basis of confirmed refinery investment plans only.

Draft terms of reference for the assessment of availability of fuel oil

3.41 The Committee considered the draft terms of reference for the assessment of availability of fuel oil, as set out in the annex to the report of the group, including the square brackets in paragraphs 6.2.2, 9 and 13.

3.42 In the ensuing discussion, the following comments were, inter alia, made:

.1 geographical fuel availability should be included in the terms of reference;

.2 the fuel oil availability assessment should be conducted for industry; therefore, both refinery and shipping industry should be represented; and

.3 the final report of the assessment study should be submitted to MEPC 70.

3.43 Following discussion, the Committee instructed the working group to further consider the draft terms of reference for the fuel oil availability review, with a view to approval at this session.

Establishment of a Steering Committee and its role

3.44 The Committee noted that:

.1 the report of the correspondence group contained draft terms of reference for a Steering Committee to provide input to the IMO tender process, as proposed in paragraph 8 of the draft terms of reference (MEPC 68/3/3, annex);

.2 in accordance with regulation 14.9 of MARPOL Annex VI, the Organization shall establish a group of experts, comprising representatives with the appropriate expertise in the fuel oil market and appropriate maritime, environmental, scientific and legal expertise, to conduct the review and to develop the appropriate information to inform the decision to be taken by the Parties; and

.3 paragraph 28 of the report states that "… if the Committee desires, the Steering Committee could develop the appropriate information to inform the decision to be taken by the Parties …".

3.45 Consequently, the Committee considered the establishment of a Steering Committee (and its terms of reference) as the de facto "group of experts" required by regulation 14.9 of MARPOL Annex VI to develop the appropriate information to inform the decision to be taken by the Parties and noted that all delegations that expressed a view on the establishment of a Steering Committee supported the proposal.

3.46 Following discussion, the Committee:

.1 agreed to establish a Steering Committee;

.2 agreed that the Steering Committee is de facto the "group of experts" mentioned in regulations 14.9 and 14.10 of MARPOL Annex VI and so responsible for the development of the appropriate information to inform the decision to be taken by the Parties;

.3 instructed the working group to finalize the draft terms of reference of the Steering Committee for the fuel oil availability review, using paragraph 8 of the annex to document MEPC 68/3/3 as the basis, with a view to approval at this session, taking into account comments and decisions made in plenary; and

.4 requested Member States and observer organizations to inform the Secretariat of their nominations for the Steering Committee not later than 14 May 2015 and forward nominations to: info@imo.org.

Financial contribution to the work related to the assessment of availability of fuel oil

3.47 The Committee thanked the United Kingdom and the United States for their financial contributions to this work and invited other Member States and international organizations to consider contributing financially towards the assessment so as to ensure its timely delivery.

Fuel oil quality

3.48 The Committee recalled that MEPC 67 had established a Correspondence Group on fuel oil quality, under the coordination of the United States, to develop draft guidance for assuring the quality of fuel oil delivered for use on board ships and to consider the adequacy of the current legal framework in MARPOL Annex VI; had requested the Secretariat to inform MSC 94 of the outcome of the discussion on fuel oil quality; and invited MSC to forward relevant documents submitted to MSC 94 to the aforementioned correspondence group.

3.49 In this connection, the Committee noted that documents MSC 93/INF.8 (ICS and IPTA) and MSC 94/INF.8 (Singapore) related to fuel oil quality matters had been forwarded to the correspondence group on fuel oil quality and that MSC 94 had invited interested delegations to join the group in order to ensure that safety considerations are taken into account (MEPC 68/13, paragraph 2.12).

3.50 The Committee considered documents MEPC 68/3/4 and MEPC 68/INF.12 (United States), providing the report of the correspondence group and a summary of all comments received during the discussion of the group, and noted that the group had requested the Committee to instruct it to continue its work after this session, as it had not been possible to complete the draft guidance on fuel oil quality, due to shortage of time.

3.51 The Committee considered document MEPC 68/3/24 (Netherlands), informing the Committee on work in progress on the development of a list of undesirable substances in order to prevent and detect such substances in fuel oil.

3.52 In the ensuing discussion, the following comments were, inter alia, made:

.1 it should be borne in mind that there are two issues, namely compliance with the sulphur regulations in MARPOL Annex VI and the quality of the fuel delivered in terms of its potential to endanger the safety of the ship; and in respect of the latter point it is arguable that the current regulatory framework is inadequate;

.2 the proposed draft guidance on fuel oil quality set out in annex 3 to the correspondence group report had used a "key elements level approach" which was not proper as the guidance should reflect "best practice";

.3 there are no requirements for a fuel oil supplier to supply compliant fuel oil and so the responsibility for procuring and using compliant fuel oil rests solely with the ship;

.4 contrary to the interim report of the correspondence group, the legal framework is not adequate and that the proposed way forward was not sufficient as the current situation presents a risk to ship safety;

.5 the correspondence group has not concluded on the adequacy of the legal framework and that further examination of the issue could be undertaken;

.6 amendment of the provisions to require an "approved fuel oil supplier" may be sufficient to address the issue;

.7 regulation 18.3 of MARPOL Annex VI requires fuel oil to be supplied and used that does not jeopardize the safety of ships or adversely affects the performance of machinery;

.8 casualty analysis indicates fuel oil quality as a causal factor in engine blackouts;

.9 if provisions for fuel oil suppliers are included in the regulatory framework, it is unclear whether Member States can effectively enforce those provisions due to the complexity of the fuel oil supply chain for ships; and

.10 the development by the Netherlands of a list of undesirable substances in order to prevent and detect such substances in fuel oil was useful work and should be considered further.

3.53 The Committee, noting that the majority of delegations that expressed a view agreed that there was a need to further examine the adequacy of the current legal framework in MARPOL Annex VI and the draft guidance, re-established the Correspondence Group on Fuel oil quality, under the coordination of the United States[2], and instructed it, taking into account document MEPC 68/3/24 and the discussion at this session, to:

.1 further develop draft guidance on best practice for assuring the quality of fuel oil delivered for use on board ships;

.2 further examine the adequacy of the current legal framework in MARPOL Annex VI for assuring the quality of fuel oil for use on board ships; and

.3 submit a report to MEPC 69.

Matters relating to fuel oil quality beyond the scope agreed by MEPC 67

3.54 The Committee, noting submissions to the session that identify matters related to fuel oil quality beyond the scope agreed by MEPC 67, considered the following relevant documents:

.1 MEPC 68/20/2 (IBIA), pointing out a conflict between the fuel verification procedure set forth in appendix VI of MARPOL Annex VI and ISO standard 4259 for the interpretation of sulphur test results and proposing aligning the verification procedure set forth in appendix VI of MARPOL Annex VI with ISO 4259;

.2 MEPC 68/20/3 (Norway), providing comments on document MEPC 68/20/2 and proposing to retain the fuel verification procedure set forth in appendix VI of MARPOL Annex VI; and

.3 MEPC 68/12/14 (India), supporting the proposal in document PPR 2/2/7 (IBIA) to align the sulphur verification procedure set forth in appendix VI of MARPOL Annex VI with ISO 4259.

3.55 Following discussion, the Committee, having noted that the proposal in document MEPC 68/20/2 was not sufficiently supported, agreed not to take it forward.

[2] **Coordinator:**
Mr. W. M. Lundy
Marine Safety, Security and Stewardship
Systems Engineering Division
U.S. Coast Guard
Tel.: +1 202 372-1379
Email: Wayne.M.Lundy@uscg.mil

3.56 The Committee also considered document MEPC 68/3/18 (Denmark and Norway), discussing a procedure for onboard sampling of fuel oil from the fuel oil service system for port State control and flag State inspection and proposing draft amendments to MARPOL Annex VI and draft guidelines for onboard sampling and verification of the sulphur content of the fuel oil used on board ships.

3.57 In the ensuing discussion, the following comments were, inter alia, made:

.1 guidelines for onboard sampling and verification of the sulphur content of the fuel oil used on board ships were required for consistency and safety reasons;

.2 any consequential amendments to MARPOL Annex VI should be submitted as a new output to the Committee;

.3 there was a need to consider whether the advice prepared should be in the form of guidelines or guidance; and

.4 onboard sampling should only follow on from objective evidence identifying "clear grounds" for sampling and analysis to be undertaken, and it should not be a means to penalize a ship that has purchased and used fuel oil correctly.

3.58 Following discussion, the Committee:

.1 instructed PPR 3 to initiate the work on development of guidelines for onboard sampling and verification of the sulphur content of the fuel oil used on board ships; and

.2 agreed that a proposal for associated amendments to MARPOL Annex VI would constitute a new output and would, therefore, require a relevant proposal from a Member Government, in accordance with the *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (Committees' Guidelines) (MSC-MEPC.1/Circ.4/Rev.4).

Guidelines pertaining to equivalent methods set forth in regulation 4 of MARPOL Annex VI

3.59 The Committee recalled that MEPC 67 had considered the request of PPR 1 to provide advice and clarification on specific issues pursuant to the implementation of regulation 4 of MARPOL Annex VI to facilitate the further development and finalization of the draft guidelines pertaining to equivalent methods set forth in regulation 4 of MARPOL Annex VI and not covered by other guidelines and, following discussion, deferred further consideration of the matter to this session.

3.60 Having noted that no relevant documents had been submitted to this session, the Committee reiterated its agreement at MEPC 67 that the provisions on equivalents are a matter for Parties to MARPOL Annex VI to interpret, and invited any Parties that have developed relevant information or guidance not already considered relating to application of equivalents to a group of ships, to submit this information to a future session of the Committee. The Committee agreed that this concluded its discussion on the matter.

Sulphur monitoring for 2014

3.61 The Committee noted that, in accordance with regulation 14.2 of MARPOL Annex VI and the *2010 Guidelines for monitoring the worldwide average sulphur content of fuel oils supplied for use on board ships* (resolution MEPC.192(61)), the results of sulphur monitoring should be presented to a subsequent session of the Committee every year.

3.62 The Committee noted the information provided in document MEPC 68/3/2 (Secretariat) on the outcome of the monitoring of the worldwide average sulphur content of marine fuel oils supplied for use on board ships for 2014, based on information submitted by the four approved sampling and testing service providers, which identified the worldwide average sulphur content (i.e. three-year rolling average) of residual fuel oil as 2.47% and for distillate fuel oil as 0.13%; and that the Secretariat would continue to provide information on this matter annually to the Committee.

Ozone-depleting substances used by ships

3.63 The Committee, having recalled that MEPC 66 had requested the Secretariat to continue liaising with the Ozone Secretariat and provide an update on the work of the Montreal Protocol for consideration at this session (MEPC 66/21, paragraph 4.28), noted relevant information by the Secretariat (MEPC 68/3), in particular that the 26th Meeting of Parties to the Montreal Protocol (MOP 26) in November 2014 adopted its decision XXVI/7 according to which the Organization would be approached by the Technology and Economic Assessment Panel (TEAP), through its Halons Technical Options Committee (HTOC) in order to estimate the amount and purity of halon 1211 and 1301 available from the breaking of ships.

3.64 Consequently, the Committee requested the Secretariat to forward document MEPC 68/3 to the TEAP for information only; continue liaising with the Ozone Secretariat; and provide an update on the work of the Montreal Protocol for consideration at MEPC 70.

Guidelines for the discharge of exhaust gas recirculation bleed-off water

3.65 The Committee recalled that BLG 16, having considered whether guidelines for exhaust gas recirculation (EGR) should be developed, had agreed that there was no need for specific guidelines for engines with EGR systems at that stage (BLG 16/16, paragraph 8.38).

3.66 In this regard, the Committee, having considered document MEPC 68/3/13 (Denmark et al.), proposing to develop guidelines for the discharge of bleed-off water from EGR NO_X emission reduction systems, established an appropriate planned output (see annex 18) and instructed PPR 3 to commence the development of such guidelines.

Volatile Organic Compounds (VOC)

3.67 The Committee noted document MEPC 68/INF.2 (Canada), providing information on a case study in the region of Vancouver, Canada, to provide a better understanding of the impact of current and future marine source fugitive VOCs from marine petroleum transport and loading, including an overview of the methodology and preliminary results.

Studies on emission control in port areas

3.68 The Committee noted the following documents:

.1 MEPC 68/INF.16 (Secretariat), providing the report of a study of emission control and energy efficiency measures for ships in the port area, undertaken to investigate existing control measures to reduce emissions from ships in ports and identify possible future innovative measures to address such emissions; and

.2 MEPC 68/INF.39 (Canada), providing a brief introduction to Canada's Port Emission Inventory Tool (PEIT) which was developed to facilitate the completion of port emission inventories with an aim to improving the understanding of port activity, port and terminal contribution to air pollutant and greenhouse gas emissions and ambient air quality.

ENERGY EFFICIENCY OF SHIPS

EEDI reviews required under regulation 21.6 of MARPOL Annex VI

3.69 The Committee recalled that:

.1 in accordance with regulation 21.6 of MARPOL Annex VI, at the beginning of phase 1 and at the midpoint of phase 2, the Organization shall review the status of technological developments and, if proven necessary, amend the time periods, the EEDI reference line parameters for relevant ship types and the reduction rate;

.2 MEPC 66 had agreed to establish an EEDI database to assist the Organization in its future reviews of technological development and the minimum data to be included in the database; and

.3 MEPC 67 had established a Correspondence Group on EEDI review, under the coordination of Japan, in order to review the status of technological developments relevant to implementing phase 2 of the EEDI regulations.

3.70 The Committee noted document MEPC 68/INF.13 (Secretariat), providing the second summary of data and information on the EEDI, and requested the Secretariat to continue to submit this information to the Committee. In this regard, the Committee, having recalled its agreement at MEPC 67 not to include the ship identification number in the database (MEPC 67/20, paragraph 4.55), considered document MEPC 68/3/9 (Germany), proposing to include the number as an index in the database to avoid multiple count of data.

3.71 Following discussion, the Committee agreed that the ship identification number should be included in the data set submitted to the Secretariat for inclusion in the EEDI database, noting that such information would be held and used by the Secretariat only, and urged Member Governments and classification societies to continue submitting data to the Secretariat to support the mandatory EEDI review. The Committee also agreed that data already submitted to the Secretariat for inclusion in the EEDI database did not need to be updated with regard to the ship identification number.

3.72 The Committee considered documents MEPC 68/3/15, MEPC 68/3/16, MEPC 68/3/17, MEPC 68/INF.31 and MEPC 68/INF.38 (Japan), providing a progress report of the Correspondence Group on EEDI review, the coordinator's summary of the work of the

group, comments provided to the group and the EEDI database figures, based on document MEPC 67/INF.4; and noted the progress made. In this regard, the Committee also noted that a new coordinator[3] for the group had been assigned by Japan.

3.73 Having noted the issues raised in paragraph 38 of the coordinator's summary (part 2) (MEPC 68/3/17, annex) for consideration at this session, the Committee instructed the working group to consider them and advise it accordingly.

3.74 The Committee instructed the group to continue its work, taking into account the discussions at this session and the EEDI database information in document MEPC 68/INF.13, and submit an interim report to MEPC 69, in accordance with the terms of reference agreed at MEPC 67.

3.75 The Committee noted documents MEPC 68/3/27 and MEPC 68/INF.25 (CSC), providing reports on two studies on Estimated Index Value (EIV) trends a study to analyse changes in the design efficiency of new ships between 2009 and 2014 which showed that a number of ship types can easily meet future EEDI requirements, but did not support the establishment of a relevant expert working group as proposed in document MEPC 68/3/27.

Guidelines on survey and certification of EEDI

3.76 The Committee, having recalled that MEPC 67 had adopted the *2014 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI)* by resolution MEPC.254(67), also recalled that all documents related to the 2014 Guidelines, i.e. MEPC 68/3/6 and MEPC 68/INF.14 (ISO and ITTC) concerning the work progress on revision of ISO 15016: 2002; and MEPC 68/3/12 (Denmark et al.) proposing draft amendments to the guidelines, had been forwarded to the working group directly (see paragraph 3.2).

3.77 The Committee instructed the working group to review and consider the proposed draft amendments to the 2014 Guidelines, taking into account documents MEPC 68/3/6, MEPC 68/3/12 and MEPC 68/INF.14.

Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions

3.78 The Committee recalled that MEPC 67, following an extensive discussion and having noted the need to undertake further work on the *2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions* (resolution MEPC.232(65)), had adopted amendments to the 2013 Interim guidelines by resolution MEPC.255(67).

3.79 The Committee had for its consideration the following related documents:

.1 MEPC 68/3/7 and MEPC 68/INF.32 (Denmark and Japan), providing the summary, and the full version, respectively, of a study on the effect of the draft revision of the 2013 Interim guidelines proposed in document

[3] **Coordinator:**
Mr. A. Ishihara
Director of International Negotiation Office
Ocean Development and Environment Policy Division
Marine Bureau
Ministry of Land, Infrastructure, Transport and Tourism
Japan
Tel: +81 3 5253 8643
Email: ishihara-a2ue@mlit.go.jp

MSC 93/21/5 (Greece), which showed that approximately 36% of bulk carriers and 28% of tankers would fail to meet level 1 assessment criteria if the proposed modification of level 1 assessment are applied; it is required to install engines whose power are significantly larger than that of those originally installed if the proposed level 2 assessment are applied; and the attained EEDI would significantly increase if the proposed level 2 assessment are applied;

.2 MEPC 68/3/11 (Denmark and Japan), proposing that a thorough review should be undertaken in order to appropriately revise the 2013 Interim guidelines and a possible way forward and time frame to undertake the review;

.3 MEPC 68/3/25 (Japan), providing information on an International Workshop on Environmentally Friendly Ships, held in Japan on 4 March 2015, to exchange opinions and information in relation to minimum propulsion power needed to maintain the manoeuvrability of ships under adverse conditions; and

.4 MEPC 68/3/28 (Greece), providing comments on documents MEPC 68/3/7, MEPC 68/3/11 and MEPC 68/INF.32; agreeing with the proposals in document MEPC 68/3/11 that level 1 should be strengthened and level 2 requires a thorough review; and proposing a possible way forward.

3.80 In the ensuing discussion, the following comments were, inter alia, made:

.1 safety is paramount for ship design and that a thorough review of the interim guidelines is required;

.2 it is inappropriate to simply strengthen the current level assessment parameters and so to enable a balanced review the two international research projects that are currently ongoing should be completed before further revisions are made to the interim guidelines;

.3 use of an emergency override is a simple solution and can be readily implemented; and

.4 the design of the EEDI formula is problematic as it results in the use of optimal design power for the ship's engine so leaving no margin for power use in adverse conditions; and

.5 that when the parameter f_w coefficient is greater than zero, it would not imply manoeuvrability in adverse conditions and further there is a need to consider whether this factor can be used to identify a power margin under adverse conditions.

3.81 The Committee agreed that there was no support to amend the level 2 assessment until related international research projects are completed, but that there was some support for consideration and evaluation of possible amendments to the level 1 assessment parameters.

3.82 Following discussion, the Committee instructed the working group to consider any possible amendments to level 1 assessment in the *2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions, as amended*, taking into account documents MEPC 68/3/7, MEPC 68/3/11, MEPC 68/3/25, MEPC 68/3/28 and MEPC 68/INF.32, and advise the Committee accordingly.

Interim guidelines for the calculation of the coefficient f_w for decrease in ship speed in a representative sea condition for trial use

3.83 The Committee noted document MEPC 68/INF.33 (China and Japan), providing information on the present status of the collaborative work by China and Japan related to the *Interim guidelines for calculation of the coefficient f_w for decrease in ship speed in a representative sea condition for trial use* (MEPC.1/Circ.796).

Conditions for exemption from SEEMP requirements

3.84 The Committee considered document MEPC 68/3/10 (Republic of Korea), proposing to exempt a ship solely engaged in domestic voyage from the requirement of having a Ship Energy Efficiency Management Plan (SEEMP) on board in case the ship makes a single international voyage.

3.85 Following consideration, the Committee agreed:

.1 to keep document MEPC 68/3/10 in abeyance until MEPC 69 where, should it be established, the Working Group on Air pollution and energy efficiency would be instructed to review the document and advise the Committee accordingly; and

.2 should the recommendation from the working group be that there is a need for an amendment to MARPOL Annex VI, then a new output would be required.

Industry guidelines on calculation and verification of the EEDI

3.86 The Committee noted that the *2014 Guidelines on survey and certification of the EEDI* (resolution MEPC.254(67)) contain a note stating "a joint industry standard to support the method and role of the verifier is expected to be developed"; and that the *2015 Industry guidelines for calculation and verification of the EEDI*, as set out in the annex to document MEPC 68/INF.30 (IACS et al.), had been submitted to the Organization to address this expectation.

3.87 Having recalled that documents MEPC 68/3/14 and MEPC 68/INF.30 (IACS et al.), providing information on the development of the aforementioned 2015 Industry guidelines and proposed amendments to the *2014 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships* (resolution MEPC.245(66)), had been forwarded to the working group directly (see paragraph 3.2), the Committee instructed the group to consider the information provided and advise it accordingly.

ESTABLISHMENT OF THE WORKING GROUP ON AIR POLLUTION AND ENERGY EFFICIENCY

3.88 The Committee established the Working Group on Air pollution and energy efficiency and instructed it, taking into account relevant documents as well as comments and decisions made in plenary, to:

.1 finalize the draft amendments to the NO_X Technical Code 2008, using annex 2 to document PPR 2/21 as the basis, with a view to approval at this session;

.2 prepare relevant draft amendments to MARPOL Annex VI, using document MEPC 68/3/8 as the basis, with a view to approval at this session;

.3 finalize the draft MEPC circular on *Guidance on the application of regulation 13 of MARPOL Annex VI Tier III requirements to dual fuel and gas-fuelled engines*, using annex 3 to document PPR 2/21 as the basis, taking into account documents MEPC 68/12/7, MEPC 68/12/8, MEPC 68/12/12 and MEPC 68/12/15, with a view to approval at this session;

.4 finalize the draft terms of reference for the fuel oil availability review, using the annex to document MEPC 68/3/3 as the basis, with a view to approval at this session;

.5 finalize the draft terms of reference of the Steering Committee for the fuel oil availability review, using paragraph 8 of the annex to document MEPC 68/3/3 as the basis, with a view to approval at this session;

.6 consider the issues concerning the EEDI review identified in paragraph 38 of the annex to document MEPC 68/3/17 and advise the Committee accordingly;

.7 review and consider proposed draft amendments to the *2014 Guidelines on survey and certification of Energy Efficiency Design Index (EEDI)*, taking into account documents MEPC 68/3/6, MEPC 68/3/12 and MEPC 68/INF.14;

.8 consider any possible amendments to level 1 assessment in the *2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions, as amended*, taking into account documents MEPC 68/3/7, MEPC 68/3/11, MEPC 68/3/25, MEPC 68/3/28 and MEPC 68/INF.32, and advise the Committee accordingly;

.9 consider documents MEPC 68/3/14 and MEPC 68/INF.30 setting out industry guidelines on calculation and verification of EEDI and advise the Committee accordingly; and

.10 review and update the work plan and schedule for further development of technical and operational measures for ships, endorsed by MEPC 65, using annex 9 to document MEPC 65/WP.10 as the basis.

REPORT OF THE WORKING GROUP

3.89 Having considered the report of the working group (MEPC 68/WP.9), the Committee approved it in general and took action as indicated hereunder. Having noted that the annexes in the Spanish version of document MEPC 68/WP.9 contain some discrepancies to the English version, the Committee requested the Secretariat to rectify them.

Amendments to the NO_X Technical Code 2008 (dual fuel engines and engines fuelled solely by gaseous fuels)

3.90 The Committee approved draft amendments to the NO_X Technical Code 2008 regarding testing of gas-fuelled and dual fuel engines for NO_X Tier III strategy, as set out in annex 3, and requested the Secretary-General to circulate them in accordance with MARPOL Article 16(2), with a view to adoption at MEPC 69.

Amendments to MARPOL Annex VI (Record requirements for operational compliance with NO_X Tier III emission control areas)

3.91 The Committee approved draft amendments to MARPOL Annex VI regarding record requirements for operational compliance with NO_X Tier III emission control areas, as set out in annex 4, and requested the Secretary-General to circulate them in accordance with MARPOL Article 16(2), with a view to adoption at MEPC 69.

3.92 In this connection, the Committee instructed the III Sub-Committee to review and amend, if necessary, the *2009 Guidelines for port State control under the revised MARPOL Annex VI* (resolution MEPC.181(59)), in light of the aforementioned draft amendments to MARPOL Annex VI.

Guidance on the application of regulation 13 of MARPOL Annex VI Tier III requirements to dual fuel and gas-fuelled engines

3.93 Having agreed to delete the words "or without" in paragraph 5 of the draft guidance (MEPC 68/WP.9, annex 3), the Committee approved MEPC.1/Circ.854 on *Guidance on the application of regulation 13 of MARPOL Annex VI Tier III requirements to dual fuel and gas-fuelled engines*.

Terms of reference for review of fuel oil availability as required by regulation 14.8 of MARPOL Annex VI

3.94 The Committee approved the terms of reference for the review of fuel oil availability as required by regulation 14.8 of MARPOL Annex VI, including the terms of reference of the Steering Committee, as set out in annex 5.

3.95 The Committee, having noted that 20 nominations for the Steering Committee of the fuel oil availability review had been received (see paragraph 3.46.4), considered them and agreed to the composition of the Steering Committee as follows:

Member States

Brazil, China, France, Japan, India, Liberia, Marshall Islands, Netherlands, Nigeria, Republic of Korea, Singapore, South Africa, United States

Intergovernmental organization

EC

Non-governmental organizations

ICS, BIMCO, IPIECA, IBIA, IMarEST, CSC.

3.96 The Committee requested the Secretariat to initiate the fuel oil availability review in accordance with the agreed terms of reference, including the establishment of the Steering Committee, so that the review could begin on 1 September 2015, with a view to the final report being submitted to MEPC 70.

3.97 The Committee noted that an invitation for tendering for the fuel oil availability review will be posted on the IMO website and encouraged Member States to convey this information to relevant organizations, which, in their judgment, would be interested in tendering for the review.

EEDI reviews required under regulation 21.6 of MARPOL Annex VI

3.98 The Committee noted the discussions of the group on issues raised by the Correspondence Group on EEDI review (MEPC 68/WP.9, paragraphs 21 to 30) and conveyed them to the correspondence group.

Amendments to the 2014 Guidelines on survey and certification of the EEDI

3.99 The Committee adopted resolution MEPC.261(68) on *Amendments to the 2014 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI)* (resolution MEPC.254(67)), as set out in annex 6, and requested the Secretariat to issue a consolidated text of the guidelines, as amended, for dissemination as MEPC.1/Circ.855.

3.100 In this regard, the Committee endorsed the use of ISO 15016:2015 for ships for which the sea trial is conducted on or after 1 September 2015, and encouraged the application of the standard prior to that date.

Amendments to the 2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions

3.101 The Committee adopted resolution MEPC.262(68) on *Amendments to the 2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions,* as amended (resolution MEPC.232(65), as amended by resolution MEPC.255(67)), as set out in annex 7, and, having endorsed the group's view that it would be necessary to have a phase-in period of six months for the application of the amendments, requested the Secretariat to issue a consolidated text of the Interim guidelines, as amended, as MEPC.1/Circ.850/Rev.1.

Amendments to the 2014 Guidelines on the method of calculation of the attained EEDI for new ships

3.102 The Committee adopted resolution MEPC.263(68) on *Amendments to the 2014 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships* (resolution MEPC.245(66)), as set out in annex 8.

Work plan for EEDI related issues

3.103 The Committee endorsed the updated plan for the work on EEDI related issues, as set out in annex 9.

4 FURTHER TECHNICAL AND OPERATIONAL MEASURES FOR ENHANCING THE ENERGY EFFICIENCY OF INTERNATIONAL SHIPPING

4.1 The Committee recalled that MEPC 67 re-established the intersessional Correspondence Group on Further Technical and Operational Measures for Enhancing Energy Efficiency and instructed it, on the basis of the outcome of MEPC 67, the report of the working group (MEPC 67/WP.13), and the general description of the data collection system as set out in the annex to the report, to develop full language for a data collection system for fuel consumption that can be readily used for voluntary or mandatory application of the system (MEPC 67/20, paragraph 5.11.3).

Report of the correspondence group and related documents

4.2 The Committee had for its consideration the following documents:

.1 MEPC 68/4, MEPC 68/INF.7 and MEPC 68/INF.7/Add.1/Rev.1 (Cyprus), containing the report of the correspondence group on the progress made in developing full language for the data collection system for fuel consumption that can be readily used for voluntary or mandatory application of the system;

.2 MEPC 68/4/1 (Austria et al.), providing information about the future EU system for monitoring, reporting and verification (MRV) of CO_2 emissions from ships and the energy efficiency of maritime transport;

.3 MEPC 68/4/2 (ICHCA), expressing concern that a data collection system restricted to collecting data on fuel consumption only will not assist shippers in reporting on their supply chain emissions, and therefore arguing that data to enable an assessment of the energy efficiency of ships should be incorporated into the system;

.4 MEPC 68/4/3 (Belgium et al.), addressing the questions raised in document MEPC 67/5 concerning the suitability of possible further operational measures for enhancing the energy efficiency of the maritime sector;

.5 MEPC 68/4/4 (United States), encouraging the Committee based on the stepwise way forward as set out in the document, to approve the establishment of a data collection system that includes the collection and reporting of data on transport work and/or proxies thereof;

.6 MEPC 68/4/5 and MEPC 68/INF.29 (Germany), presenting main findings of a study investigating how the four specific metrics for calculating operational energy efficiency that have been proposed to the MEPC respond when applied to actual ship data; and containing the full study report;

.7 MEPC 68/4/6 (India), providing comments on the EU MRV system (MEPC 68/4/1) and expressing deep concern regarding the parallel development of a data collection system on a regional basis;

.8 MEPC 68/4/7 (China), commenting on documents MEPC 68/4/5 and MEPC 68/INF.29, and providing preliminary findings of a similar study that uses actual ship data to investigate how the operational energy efficiency indicators correlate with each other and whether they could serve as a basis for energy efficiency management;

.9 MEPC 68/4/8 (Japan), commenting on the correspondence group report (MEPC 68/4), and providing comments on the currently proposed full language for the data collection system set out in the annex to the report;

.10 MEPC 68/4/9 (BIMCO et al.), commenting on document MEPC 68/4/3, and offering views on the policy and commercial issues relating to proposals before the Committee to develop mandatory fleet wide operational efficiency standards;

.11 MEPC 68/4/10 (United States), commenting on the correspondence group report (MEPC 68/4), and proposing edits to the full language for the data collection system set out in the annex to the report;

.12 MEPC 68/4/11 (CSC), commenting on the correspondence group report (MEPC 68/4), and considering that publication of ships' efficiency levels will provide shippers with data to identify the most energy efficient ships and practices, and concluding that it is imperative for the Committee to adopt a mandatory and transparent MRV system containing fuel consumption and operational energy efficiency data;

.13 MEPC 68/INF.3 (IMarEST), providing information on the factors which contribute to uncertainty of the fuel and CO_2 emissions monitoring approaches presented in document MEPC 65/INF.3/Rev.1 (IMarEST); and

.14 MEPC 68/INF.24/Rev.1 (Secretariat), providing in the annex a study on "The Existing Shipping Fleet's CO_2 Efficiency" and presenting Energy Efficiency Operational Index (EEOI) values for a sample of ships within each of the ship type and size categories used in the Third IMO GHG Study 2014.

4.3 The Committee noted that the correspondence group, as instructed by MEPC 67, had developed a proposed text for the full language of the data collection system for fuel consumption that can be readily used for voluntary or mandatory application of the system (MEPC 68/4, annex).

4.4 The Committee also noted that the correspondence group had identified a number of issues that needed to be further considered, inter alia: transfer of flag or ownership; the data to be submitted to the flag State and by whom; whether or not issues like survey and port State control should be included in the text itself or form part of guidelines; as well as the need for shifting the requirement of reporting to the "company" rather than the ship itself.

4.5 In the ensuing discussion, the following comments were, inter alia, made:

.1 as the full language for the data collection system for ships had not been fully developed, it was premature to decide whether the data collection system should be voluntary or mandatory;

.2 the three-step approach proposed by the United States in document MEPC 68/4/4, that is, data collection, data analysis, followed by decision-making, is the usual approach adopted by bodies of the Organization when considering additional measures;

.3 inclusion of transport work in the data collection system would only be acceptable if confidential commercial data is not made available publicly, as the use of such data could lead to market distortions;

.4 inclusion of transport work data was imperative and the energy efficiency of ships should be fully transparent and made publicly available to enable those using ships to transport goods to make an informed decision and so reduce market distortions;

.5 inclusion of transport work needed to be considered further to ensure that the data collected captured the wide variety of factors impacting the energy efficiency of a ship such as: type of ship, type of cargo (weight/volume, need for heating/cooling, pumping of cargo, use of inert gas generators, tank cleaning), weather conditions, ballast voyages, etc.;

.6 there was a need for further examination of transport work and in this regard cooperation between industry and research organizations should be encouraged;

.7 the purpose and scope of the data collection system for fuel consumption needed to be identified so that the administrative burden could be appropriately assessed and concerns over possible economic impacts addressed, for example, on trade especially for those countries located at a significant distance from major consumer markets, and therefore dependent on shipping;

.8 there was a need to consider the provisions of the current international agreement on climate change under UNFCCC and the fact that a new global agreement was currently under negotiation;

.9 unilateral action would hamper the future adoption of a global data collection system for international shipping, and the delegation of Argentina requested that their views in this regard be reflected in the report (see paragraph 4.6 below), in particular their general reservation regarding to the European Union's Monitoring, Reporting and Verification (EU MRV) system described in document MEPC 68/4/1;

.10 the draft text prepared by the correspondence group is not suitable for use in guidelines/guidance and, therefore, cannot be used for voluntary application and as such there was a need for additional text to be developed;

.11 there was a need for a clear understanding of the factors influencing the energy efficiency of existing ships in order that the data collected, and consequently any energy efficiency metric, could be appropriately evaluated;

.12 consideration should be given to the possibility of integrating the SEEMP into the ISM Code; and

.13 if transport work is not included, then reference should be made to the methodology for calculating the energy efficiency of a ship as set out in document MEPC 68/INF.24/Rev.1.

4.6 The full text of relevant statements made by the delegations of Argentina and China and the observer from IPTA, supported by several other delegations, is set out in annex 25.

4.7 The Committee recalled that it had agreed at previous sessions to develop a data collection system for adoption by the Organization for global application, and there had been general support for the work undertaken.

4.8 The Committee agreed that development of a data collection system for ships should progress and follow a three-step approach: data collection, data analysis, followed by decision-making on what further measures, if any, are required.

4.9 In this regard, the Committee noted that a purpose of the data collection system was to analyse energy efficiency and that for this analysis to be effective some transport work data needs to be included but at this stage the appropriate parameters had not been

identified. Therefore, work at this session should primarily focus on the development of the full language for a data collection system for fuel consumption and consideration be given to transport work and/or other proxies for inclusion in the data collection system.

4.10 The Committee, noting that the full language had to be further developed, did not take a decision at this stage as to whether the data collection system should be voluntary or mandatory.

4.11 The Committee noted that at this stage the text of the full language for the data collection system should provide for both options of either voluntary or mandatory application and agreed that following a decision on whether the data collection system is to be voluntary or mandatory, the appropriate structure and language will be used.

4.12 The Committee agreed that data collected by the Organization, particularly related to transport work, needs to be confidential and not publicly available, and that there is a need to address resulting administrative burdens, impact on industry and the variables that influence energy efficiency.

4.13 The Committee noted that the annex to document MEPC 67/WP.13 provided a general description of the data collection system only, whereas the correspondence group (MEPC 68/4, annex) had developed a proposed text for the full language of the data collection system.

4.14 Consequently, the Committee agreed to forward all documents submitted to this session under this agenda item, together with the annex to document MEPC 67/WP.13, to the working group for consideration and reference, as appropriate.

Establishment of the Working Group on Further technical and operational measures for enhancing energy efficiency

4.15 The Committee established the Working Group on Further technical and operational measures for enhancing energy efficiency and instructed it, using the annex to document MEPC 68/4, and taking into account the comments made in plenary, to:

.1 further develop the full language for the data collection system for fuel consumption; taking into consideration additional issues identified by the correspondence group (MEPC 68/4, paragraphs 2 and 3) such as:

.1 transfer of flag or ownership;

.2 data to be submitted to the flag State and by whom;

.3 whether or not issues like survey and port State control should be included in the text itself or form part of the guidelines; and

.4 need for shifting the requirement of reporting to the "company" rather than the ship itself;

.2 consider transport work and/or proxies for inclusion in the data collection system and advise the Committee accordingly; and

.3 consider the need for any further intersessional work.

Report of the working group

4.16 Having considered the report of the working group (MEPC 68/WP.10), the Committee approved it in general and took action as indicated hereunder.

4.17 With regard to the report, the Committee noted information by the Chairman of the working group as follows:

.1 contrary to paragraph 2 of the report, the delegation of New Zealand had not participated in the working group;

.2 the first sentence of paragraph 4 of the report should read as follows:

"The group agreed that the data collection system should be applicable to ships of 5,000 gross tonnage and above."

.3 paragraph B.1 of the annex to the report should read as follows:

"**B. Collection and reporting of ship fuel consumption data**

1 Beginning [DATE], each ship of 5,000 GT and above [should/shall] collect the following data, according to the methodology included in the SEEMP:

.1 fuel consumption for each type of fuel used on board the ship; and

.2 additional data specified in the appendix."

Small Island Developing States (SIDS) and Least Developed Countries (LDCs)

4.18 The Committee noted that, in accordance with the *High-level Action Plan of the Organization and priorities for the 2014-2015 biennium* (resolution A.1061(28)), it is required to:

.1 seek to ensure that measures to promote safe, secure and environmentally-sound shipping do not unduly affect the efficiency of shipping;

.2 identify the emerging needs of developing States in general and the developmental needs of SIDS and LDCs in particular; and

.3 pay special attention to the shipping needs of SIDS and LDCs.

4.19 In this regard, the Committee noted the need for timely scheduled voyages, in particular to SIDS dependent upon maritime transport, and that such a special need should be carefully considered to ensure SIDS are not penalized by any measures developed and adopted in respect of operational energy efficiency.

Data collection system for fuel consumption of ships

4.20 The Committee agreed on the text as set out in the annex to document MEPC 68/WP.10, including the modifications set out in paragraph 4.17 above, for its further development as the full language for the data collection system for fuel consumption of ships that can be readily used for voluntary/mandatory application of the system.

Intersessional meeting

4.21 The majority of the delegations that took the floor considered that, given the importance of the issue and the interest of all stakeholders in the matter, a face to face meeting was necessary for appropriate deliberations, which would also demonstrate the activities of the Organization on the subject, as well as the urgency of the work, in order to make progress.

4.22 Several delegations expressed concerns that, in respect of the holding of an intersessional meeting, the additional resource implications may lead to some Member States, particularly developing States, being unable to participate in the meeting.

4.23 The Committee recalled that when it had discussed the reduction of GHG emissions from ships, almost every Member State that intervened had emphasized its commitment to developing the data collection system as a matter of priority in order to better apprise the Committee about GHG emissions and energy efficiency of the sector so as to enable it to take an informed decision about next steps to be taken.

4.24 The Committee also noted that achieving significant progress intersessionally required an in-depth, technical discussion that would not be possible through a correspondence group, and that to limit the resource impact on Member States this could be done by holding an intersessional meeting back-to-back (not concurrently) with an already scheduled meeting.

4.25 Following an extensive debate, the Committee agreed, subject to endorsement by C 114, to the holding of an intersessional meeting of the Working Group on Further technical and operational measures for enhancing the energy efficiency of international shipping during the week preceding CCC 2, to be chaired by the Vice-Chairman of the Committee, Mr. H. Saito (Japan), and instructed it, on the basis of the outcome of MEPC 68, the report of the working group (MEPC 68/WP.10) and the full language for the data collection system (mandatory/voluntary) as set out in the annex to the report, to:

.1 further consider transport work and/or proxies for inclusion in the data collection system;

.2 further consider the issue of confidentiality;

.3 consider the development of guidelines identified in the text; and

.4 submit a written report to MEPC 69.

4.26 The Committee noted that some delegations reiterated their earlier expressed concerns in respect of the holding of an intersessional meeting, in particular that the additional resource implications may lead to some Member States, especially most developing States, being unable to participate and that it was premature to have further considerations prior to a policy decision being made at the UNFCCC COP 21 meeting in Paris, France, in December 2015. In this regard, the delegation of Argentina reserved its position regarding the holding of an intersessional meeting. The full text of the statement made by the delegation is set out in annex 25.

5 REDUCTION OF GHG EMISSIONS FROM SHIPS

UNFCCC matters

5.1 The Committee considered document MEPC 68/5 (Secretariat), providing information on the outcomes of the United Nations Climate Change Conferences held in Lima, Peru, in December 2014 and in Geneva, Switzerland, in February 2015.

5.2 In this regard, the Committee noted a statement by a representative of the UNFCCC Secretariat, set out in annex 25, on the status of global climate change negotiations ahead of the climate change conference (COP 21) to be held in Paris, France, in December 2015.

5.3 In the ensuing discussion on the global climate change negotiations the following general comments were, inter alia, made:

.1 reporting of the work of the Organization by the Secretariat to the UNFCCC is very important and the Secretariat should continue to report to that body;

.2 the development of further measures to enhance the energy efficiency of international shipping was the most appropriate way forward and a specific sector reduction target for emissions may hinder the activity of international shipping which supports the international community;

.3 it is inappropriate for a specific sector to carry the financial burden and UNFCCC Decision 10/CP.7 clearly states that the Adaptation Fund shall be financed from the proceeds of the Clean Development Mechanism activities and there is no agreement for specific industry sectors to be sources of funding;

.4 the forthcoming new UNFCCC climate change agreement should encourage the Organization and ICAO to consider and take into account the needs of developing countries, in particular SIDS and LDCs; and

.5 the proposal for a levy set out in the "Negotiating Text" prepared by UNFCCC, to be developed by the Organization and ICAO, may require a joint working group of the two organizations to be established.

5.4 The Committee noted the comments made and requested the Secretariat to continue its cooperation with the UNFCCC Secretariat, to attend relevant UNFCCC meetings; and to bring the outcome of the work of IMO to the attention of appropriate UNFCCC bodies and meetings, as necessary.

Reduction target for international shipping

5.5 The Committee considered document MEPC 68/5/1 (Marshall Islands) providing justification for and requesting the Committee to undertake the work necessary to establish a GHG emission reduction target for international shipping consistent with keeping global warming below 1.5°C, and to agree the measures necessary to reach that target. The statement made by the delegation of the Marshall Islands in this regard is set out in annex 25.

5.6 The Committee noted document MEPC 68/INF.40 (Republic of Korea) providing an introduction to the Target Management Scheme implemented in the Republic of Korea in order to cut greenhouse gas emissions and energy consumption.

5.7 The Secretary-General, in responding to the statement of the Marshall Islands and indicating his and the Organization's solidarity and commitment to reduce GHG emissions from shipping, provided, inter alia, the following general comments:

.1 the Organization recognizes that the consequence of climate change for some SIDS is an issue of their survivability and so the weight of the matter must be fully understood;

.2 recognition by the statement of the Marshall Islands regarding the action taken to date by the Organization is appreciated, for example, the Energy Efficiency Design Index (EEDI) will lead to substantial reduction in a ship's emissions, and the Organization will continue to ensure improvements to ship's energy efficiency that will lead to significant reduction of emissions on a ship basis;

.3 shipping is a servant of the world community and trade between countries, and so if the world economy and seaborne trade would grow in future then shipping will also need to grow to support the world economy; and

.4 it is important that we consider what has been achieved at IMO, what can be done further and what message we can disseminate at the Paris meeting later this year.

5.8 In the ensuing discussion the following general comments were, inter alia, made:

.1 climate change is the defining challenge for the world; all industry sectors need to contribute to a global reduction in GHG emissions; and a future quantifiable and ambitious reduction target for international shipping is required;

.2 the establishment of emissions reporting for international shipping is a matter of priority;

.3 the Third IMO GHG Study 2014 indicates that emissions from international shipping are forecast to increase by 2050 if no further action is taken;

.4 there is a need to decide on further energy efficiency measures that contribute fairly to global efforts to reduce GHG emissions;

.5 whilst shipping is the most energy efficient mode of transport, and mandatory action to increase the energy efficiency of ships has already been taken by the Organization, more could be done in this regard;

.6 to focus on practical measures and defining and agreeing on a robust data collection system is the first step and should be a priority for the Organization;

.7 a quantifiable and ambitious emission mitigation target needs the joint efforts of all the parties to work together to find a balanced and effective solution; however, the proposal by the Marshall Islands is not aligned with the current IMO discussions and may even hamper future work;

.8 it was premature to agree on a reduction target for international shipping prior to the conclusion of the international negotiations in the UNFCCC and whilst the consideration of further technical and operational measures to enhance the energy efficiency of international shipping is ongoing;

.9 there was a need to respect the fundamental principles of the UNFCCC and that as international shipping was an integral part of global efforts to reduce GHG emissions, the outcome of COP 21 in Paris, France, in December 2015 should be awaited;

.10 in sharing the ambition of the Organization to address climate change there is a need for both economically and ecologically effective decisions to ensure that future controls are effective;

.11 climate change affects different countries in a different manner and the different capabilities of countries to respond to the impacts is recognized by the international community and is taken into account;

.12 the Organization's good progress on related matters, including technical cooperation, should be recognized but a cautious approach is required and the ongoing work should progress in a balanced way;

.13 some of the good work done by the shipping industry is not sufficiently acknowledged, such that the credentials of the maritime sector to address emissions reduction are not always recognized;

.14 SIDS in the Pacific, in particular, are impacted by the effects of climate change and a constructive and purposeful role by Member States in the negotiations at UNFCCC is needed;

.15 the Organization has been a willing and responsible partner in the global efforts to reduce GHG emissions, is on the right trajectory and as a technical body will have a key role in developing further measures based on sound analysis of data; and

.16 the debate remains as to whether the Organization is committed to reduce emissions from international shipping along with other sectors and countries in Paris later this year, and as the answer is not a clear "yes" then it is a poor reflection on the Organization and shipping.

5.9 In summarizing the views expressed and conclusions thereof, the Committee:

.1 expressed gratitude to the Marshall Islands for the submission of document MEPC 68/5/1 and the information therein, acknowledging and recognizing the importance of the issue raised;

.2 recognized the measures already adopted by the Organization in relation to the reduction of emissions from ships, also recognizing that more could be done;

.3 was of the opinion that current work should continue to focus on further reduction of emissions from ships, particularly through the finalization of a data collection system;

.4 considered the issues raised by the Marshall Islands could be further addressed at a future session of the Committee, acknowledging the need to move forward cautiously; and

.5 looked forward to a successful meeting of UNFCCC COP 21 in Paris later this year.

6 CONSIDERATION AND ADOPTION OF AMENDMENTS TO MANDATORY INSTRUMENTS

Amendments to mandatory instruments and new mandatory instrument

6.1 The Committee was invited to consider and adopt the environment-related requirements of the International Code for Ships Operating in Polar Waters (Polar Code) and approve the associated draft MEPC circular on *Guidance for issuing revised MARPOL certificates, manuals and record books for compliance with the environment-related requirements of the Polar Code*.

6.2 The Committee was also invited to consider and adopt proposed amendments to:

.1 MARPOL Annexes I, II, IV and V to make use of environment-related provisions of the Polar Code mandatory; and

.2 Regulation 12 of MARPOL Annex I, concerning tanks oil residues (sludge).

6.3 The Committee noted that the text of the aforementioned amendments had been circulated, in accordance with article 16(2)(a) of MARPOL, to all IMO Members and Parties to MARPOL by Circular Letter No.3495 of 30 October 2014.

Draft International Code for Ships Operating in Polar Waters (Polar Code)

6.4 The Committee recalled that MEPC 67 had considered and approved the Preamble, Introduction and part II of the draft Polar Code, with a view to adoption at MEPC 68.

6.5 In this regard, the Committee noted that MSC 94 had adopted the Introduction and parts I-A and I-B of the Polar Code by resolution MSC.385(94) (MSC 94/21, annex 6).

6.6 The Committee considered the draft Polar Code, as contained in the annex to MEPC 68/6/2, together with document MEPC 68/6/4 (China and Republic of Korea), proposing modifications to regulation 1.2.2 of chapter 1 of part II-A of the draft Polar Code to correct an unintended loophole in the current text.

6.7 Having considered the proposal and further clarification provided by co-sponsors of the document, the Committee agreed in principle with the proposed modifications to regulations 1.2.2 and instructed the drafting group to modify the text accordingly taking into account the additional comments provided in plenary. Consequently, the Committee confirmed the text of the draft Polar Code, as further modified, subject to editorial improvements, if any.

6.8 The Committee noted the information contained in MEPC 68/INF.37 (FOEI, WWF and CSC) related to the Polar Code, identifying issues regarding polar shipping which the submitters believe require further consideration.

6.9 The Committee agreed that the Polar Code would take effect on 1 January 2017, upon entry into force of the associated amendments to MARPOL Annexes I, II, IV and V (see paragraph 6.15).

Guidance for issuing revised MARPOL certificates, manuals and record books for compliance with environment-related requirements of the Polar Code

6.10 The Committee recalled that MEPC 67 had approved, with a view to adoption at this session, relevant amendments to MARPOL certificates, manuals and record books, in lieu of requiring the issuance of additional separate certificates related to requirements under the Polar Code.

6.11 The Committee also recalled that, in this regard, MEPC 67 had requested the Secretariat to consolidate relevant recommendations developed by the Polar Code Working Group concerning reissuing of certificates and revisions of manuals and record books in a guidance document, for submission to MEPC 68.

6.12 The Committee, having considered document MEPC 68/6/3 (Secretariat) containing the draft guidance for issuing revised MARPOL certificates, agreed to refer the draft guidance to the drafting group, instructing it to prepare the final text, for dissemination as an MEPC circular, taking into account the outcome of agenda item 7 related to the Form of Garbage Record Book (see paragraph 6.27).

Draft amendments to MARPOL Annexes I, II, IV and V

6.13 The Committee recalled that MEPC 67 had considered and approved draft amendments to MARPOL Annexes I, II, IV and V to make use of the environment-related provisions of the Polar Code mandatory, with a view to adoption at this session, as set out in the annex to document MEPC 68/6 (Secretariat).

6.14 The Committee noted that no comments had been submitted on the draft amendments and confirmed their contents, subject to editorial improvements, if any.

6.15 The Committee agreed that the entry-into-force date of the above-mentioned draft amendments should be 1 January 2017.

Draft amendments to regulation 12 of MARPOL Annex I

6.16 The Committee recalled that MEPC 67 had considered and approved draft amendments to regulation 12 of MARPOL Annex I, with a view to adoption at this session, as set out in the annex to document MEPC 68/6/1 (Secretariat).

6.17 The Committee noted that no comments had been submitted on the draft amendments and confirmed their contents, subject to editorial improvements, if any.

6.18 The Committee agreed that the entry-into-force date of the above-mentioned draft amendments should be 1 January 2017.

Establishment of the Drafting Group on Amendments to mandatory instruments

6.19 The Committee established the Drafting Group on Amendments to mandatory instruments and instructed it, taking into account comments, proposals and decisions made in plenary, to prepare:

.1 the final text of the draft International Code for Ships Operating in Polar Waters (Polar Code), together with the associated MEPC resolution;

.2 the final text of the *Guidance for issuing revised MARPOL certificates*, *manuals and record books for compliance with environment-related requirements of the Polar Code,* together with the associated covering MEPC circular;

.3 the final text of the draft amendments MARPOL Annexes I, II, IV and V to make use of the environment-related provisions of the Polar Code mandatory, together with the associated MEPC resolution; and

.4 the final text of the draft amendments to regulation 12 of MARPOL Annex I, together with the associated MEPC resolution.

Report of the drafting group

6.20 Having considered the report of the drafting group (MEPC 68/WP.7), the Committee approved it in general and took action as indicated hereunder.

Adoption of the International Code for ships operating in polar waters (Polar Code)

6.21 The Committee considered the final text prepared by the drafting group (MEPC 68/WP.7, annex 1) and adopted the Introduction and parts II-A and II-B of the International Code for ships operating in polar waters (Polar Code) by resolution MEPC.264(68), as set out in annex 10.

Adoption of amendments to MARPOL Annexes I, II, IV and V

6.22 The Committee considered the final text of the draft amendments to MARPOL Annexes I, II, IV and V to make use of environment-related provisions of the Polar Code mandatory, prepared by the drafting group (MEPC 68/WP.7, annex 2), and adopted the amendments by resolution MEPC.265(68), as set out in annex 11.

6.23 In adopting resolution MEPC.265(68) the Committee determined, in accordance with article 16(2)(f)(iii) of MARPOL, that the adopted amendments to MARPOL Annexes I, II, IV and V shall be deemed to have been accepted on 1 July 2016 (unless, prior to that date, objections are communicated to the Secretary-General of the Organization, as provided for in article 16(2)(f)(iii) of the Convention) and shall enter into force on 1 January 2017, in accordance with article 16(2)(g)(ii) of the Convention.

Adoption of amendments to regulation 12 of MARPOL Annex I

6.24 The Committee considered the final text of the draft amendments to regulation 12 of MARPOL Annex I, prepared by the drafting group (MEPC 68/WP.7, annex 3) and adopted the amendments by resolution MEPC.266(68), as set out in annex 12.

6.25 In adopting resolution MEPC.266(68) the Committee determined, in accordance with article 16(2)(f)(iii) of MARPOL, that the adopted amendments to MARPOL Annex I shall be deemed to have been accepted on 1 July 2016 (unless, prior to that date, objections are communicated to the Secretary-General of the Organization, as provided for in article 16(2)(f)(iii) of the Convention) and shall enter into force on 1 January 2017, in accordance with article 16(2)(g)(ii) of the Convention.

6.26 In this regard, the observer from IACS reminded the Committee that MEPC 67, having noted that SSE 1 had prepared a draft revised unified interpretation of regulation 12.3.3 of MARPOL Annex I (SSE 1/21, annex 12) intended to replace the unified

interpretation circulated by MEPC.1/Circ.753 when the aforementioned amendments to regulation 12 of MARPOL Annex I enter into force, had agreed to keep the draft revised unified interpretation in abeyance for approval by MEPC 70, after the deemed acceptance date of the amendments.

Guidance for issuing revised MARPOL certificates, manuals and record books for compliance with environment-related requirements of the Polar Code

6.27 The Committee approved MEPC.1/Circ.856 on *Guidance for issuing revised MARPOL certificates, manuals and record books for compliance with environment-related requirements of the Polar Code*, as prepared by the drafting group, after having removed the square brackets and deleted the final sentence in paragraph 15 of the guidance, noting that the sentence pertained to the Form of Garbage Record Book to be discussed under agenda item 7, the consideration of which had been deferred to MEPC 69 (see paragraph 7.1).

Instructions to the Secretariat

6.28 In adopting the aforementioned amendments and the relevant parts of the Polar Code, the Committee authorized the Secretariat, when preparing the authentic texts of the amendments and the Code, to make any editorial corrections that may be identified as appropriate, including updating references to renumbered paragraphs, and to bring to the attention of the Committee any errors or omissions which require action by the Parties to MARPOL.

7 AMENDMENTS TO MARPOL ANNEX V, FORM OF GARBAGE RECORD BOOK

7.1 The Committee, due to time constraints, agreed to defer consideration of this agenda item to MEPC 69.

8 REVIEW OF NITROGEN AND PHOSPHORUS REMOVAL STANDARDS IN THE 2012 GUIDELINES ON THE IMPLEMENTATION OF EFFLUENT STANDARDS AND PERFORMANCE TESTS FOR SEWAGE TREATMENT PLANTS

8.1 The Committee recalled that MEPC 67 had concluded its review of the nitrogen and phosphorus removal standards in the *2012 Guidelines on implementation of effluent standards and performance tests for sewage treatment plants* (resolution MEPC.227(64)) by agreeing that they should not be amended. The Committee further recalled that, due to the lack of available information on reception facilities at MEPC 67, it had agreed to consider the issue of the effective dates of the Baltic Sea Special Area at this session, pending notification from Parties bordering that Special Area (see paragraphs 10.14 to 10.23).

8.2 The Committee, having noted that no documents had been submitted under this agenda item and having recalled that the work had been concluded at MEPC 67 (see paragraph 8.1), agreed to delete this item from its agenda.

Application of the provisions of the 2012 Guidelines

8.3 The observer from IACS requested the Committee to clarify the implementation dates for the provisions of the 2012 Guidelines (resolution MEPC.227(64)), in particular the references to 1 January 2016 therein, in view of the suspension until MEPC 69 of the consideration of the entry into effect of the Baltic Sea Special Area provisions (see paragraph 10.22). The Committee agreed that the relevant provisions of the guidelines will apply, in general, from 1 January 2016; however, this excludes those provisions that relate to

Special Areas, which will only apply from the date when the Special Area will take effect. The observer from IACS further suggested that the principles of the Unified Interpretation to the *Revised guidelines on implementation of effluent standards and performance tests for sewage treatment plants* (resolution MEPC.159(55)) with regard to the term "date of installation" (MEPC 56/23, annex 17) should also apply for the implementation of the guidelines and informed the Committee that IACS intends to make a relevant submission to MEPC 69.

9 USE OF ELECTRONIC RECORD BOOKS

9.1 The Committee, due to time constraints, agreed to defer consideration of this agenda item to MEPC 69.

10 IDENTIFICATION AND PROTECTION OF SPECIAL AREAS AND PSSAs

Consequential amendments to the Revised guidelines for the identification and designation of particularly sensitive sea areas

10.1 The Committee considered documents MEPC 68/10 and MEPC 67/10 by the Secretariat and noted that document MEPC 68/10 sets out information and action to be taken on matters related to the identification and protection of Special Areas and Particularly Sensitive Sea Areas (PSSAs), based on documents submitted to MEPC 67 under this agenda item, the consideration of which was deferred to this session owing to time constraints.

10.2 The Committee noted that following the adoption of the *2013 Guidelines for the Designation of Special Areas under MARPOL* (resolution A.1087(28)), revoking the previous guidelines set out in annex 1 of resolution A.927(22), it was necessary to adopt consequential amendments to the *Revised guidelines for the identification and designation of particularly sensitive sea areas* (resolution A.982(24)) (Revised PSSA guidelines), which were adopted on 1 December 2005, as set out in the annex to document MEPC 67/10.

10.3 Consequently, the Committee adopted resolution MEPC.267(68) on *Amendments to the Revised guidelines for the identification and designation of particularly sensitive sea areas* (resolution A.982(24)), as set out in annex 13.

10.4 The observer from WWF, in recalling the discussions at MEPC 65 on the need to evaluate the effectiveness of PSSAs, urged Member Governments with PSSAs in their waters to review the effectiveness of such PSSAs and the respective associated protective measures (APMs), as provided for in paragraph 8.4 of the Revised PSSA guidelines.

Extension of the Great Barrier Reef and Torres Strait PSSA to include the south-west part of the Coral Sea

10.5 The Committee considered document MEPC 68/10/1 (Australia), proposing to extend the eastern boundary of the existing Great Barrier Reef and Torres Strait Particularly Sensitive Sea Area to include an area of the south-west Coral Sea that is vulnerable to damage by international shipping activities. The Committee noted that the proposed extension would comprise approximately 12% of the entire Coral Sea and is situated within Australia's Exclusive Economic Zone and the Coral Sea Commonwealth Marine Reserve; that the Coral Sea Commonwealth Marine Reserve is an area protected under national environmental legislation; and that the proposed area is considered particularly vulnerable to damage by shipping due to a combination of increasing shipping activity, the remoteness of the area, its ecological sensitivity and the recognized natural and heritage attributes that occur throughout the entire area. The proposal includes the implementation of three new ships

routeing systems as APMs, in the proposed extended area, with the aim of minimizing the risk of damage to the fragile coral reef ecosystem from shipping, taking into account projected increases in shipping activity throughout the area. The following measures were agreed by NCSR 2 (NCSR 2/23, paragraph 3.13), pending final approval by MSC 95 in June 2015:

.1 two five-nautical mile wide two-way routes in the south-west Coral Sea; and

.2 an area to be avoided in the south-west Coral Sea.

10.6 In the ensuing discussion, several delegations expressed their support for the proposal. In reminding the Committee of the trend of more PSSAs coming into effect, one delegation expressed caution that PSSAs might have some negative effects on the normal operations of vessels and was of the view that there was a need for a balance between shipping development and environmental protection since setting up too many PSSAs might influence the development of shipping negatively.

10.7 Subsequently, the Committee forwarded the proposal to extend the Great Barrier Reef and Torres Strait PSSA to include the south-west part of the Coral Sea (MEPC 68/10/1) to the Technical Group on PSSAs for review, with a view to assessing whether the proposal meets the provisions of the Revised PSSA guidelines.

Information documents on PSSAs

10.8 The Committee noted documents:

.1 MEPC 67/INF.25 (Philippines and UNESCO), concerning the protection of the Tubbataha Reefs Natural Park and World Heritage Site; and

.2 MEPC 68/INF.22 (Malaysia), concerning the protection of Pulau Kukup (Kukup Island) and Tanjung Piai (Cape Piai).

Prospective PSSA in Mauritania

10.9 The delegation of Mauritania informed the Committee of its intention to propose a PSSA within its Exclusive Economic Zone, in waters adjacent to the Banc d'Arguin National Park which possessed an "Outstanding Universal Value" for being the most important habitat in the Western Atlantic for nesting birds and migratory waders and was inscribed on the UNESCO World Heritage List in 1989; that Mauritania had conducted a Feasibility Study over the last two years that concluded that the proposed area both meets the PSSA criteria and is intrinsically vulnerable to the environmental impacts of international shipping; and that UNESCO's World Heritage Committee, in its most recent Decision 38 COM 7B.62 (2014), also requested this action in order to maintain the Outstanding Universal Value of the Banc d'Arguin National Park. The Committee further noted Mauritania's intention to submit a relevant proposal to MEPC 69 for consideration, which would be the first such proposal for the designation of a PSSA on the African continent.

Establishment of a Technical Group on PSSAs

10.10 The Committee established a Technical Group on PSSAs and instructed it to review the proposal by Australia to extend the Great Barrier Reef and Torres Strait PSSA to include the south-west part of the Coral Sea (MEPC 68/10/1), with a view to assessing whether it meets the provisions of the Revised PSSA guidelines and whether all the information required by the *Guidance document for submission of PSSA proposals to IMO* (MEPC.1/Circ.510) has been provided; and advise the Committee on action as appropriate.

Report of the Technical Group on PSSAs

10.11 Having considered the report of the Technical Group (MEPC 68/WP.11), the Committee approved it in general, and in particular,

.1 noted that the proposal by Australia (MEPC 68/10/1) meets the requirements of the Revised PSSA guidelines (resolution A.982(24)), as detailed in annex 1 to document MEPC 68/WP.11; and

.2 adopted resolution MEPC.268(68) on *Designating the south-west part of the Coral Sea as an extension to the Great Barrier Reef and Torres Strait PSSA*, as set out in annex 14.

10.12 The delegation of Singapore supported the outcome of the Technical Group and appreciated Australia's robust and comprehensive submissions for both the extension of the Great Barrier Reef and Torres Strait PSSA into the south-west part of the Coral Sea, as well as the associated protective measures agreed at NCSR 2. While stressing the need to protect the marine environment, the delegation, in referring to document MEPC 68/INF.22, reiterated the importance that any measures that may be proposed to protect the marine environment are in accordance with the regulations and guidelines adopted by IMO and consistent with international law, including UNCLOS. In this regard, they encouraged applicants, where other coastal states might be affected, to consult on PSSA proposals with such coastal states before submitting their PSSA application to IMO. The full statement by the delegation of Singapore is set out in annex 25.

10.13 The delegation of the United States welcomed the information provided in document MEPC 68/INF.22, stating that, as the waters concerned are a strait used for international navigation subject to the right of transit passage under international law, they were looking forward with great interest to the submission of further information by Malaysia regarding these efforts. The delegation also noted that the Revised PSSA guidelines provide that where two or more Governments have a common interest in a particular area, they should formulate a coordinated proposal.

Establishment of effective dates for the Baltic Sea Special Area under MARPOL Annex IV

10.14 The Committee recalled that, owing to the lack of available information on sewage reception facilities, MEPC 67 had agreed to consider the issue of the effective date of the Baltic Sea Special Area under MARPOL Annex IV at this session; had invited Member Governments and international organizations to submit information and proposals; and had invited Member Governments to submit information on reception facilities in the Baltic Sea Special Area at the earliest opportunity.

10.15 The Committee recalled that the implications related to the implementation of regulations 1.10, 11.3 and 13.2 of MARPOL Annex IV, with regard to the application of the Special Area provisions to new ships had been discussed at MEPC 67 (MEPC 67/20, paragraphs 8.7 and 8.8).

10.16 The Committee had for its consideration the following documents:

.1 MEPC 68/10/2 (Denmark et al.), providing notification by eight of the nine Baltic Sea States on the availability of port reception facilities and requesting the Committee to establish the effective dates for the Baltic Sea Special Area, in respect of the marine areas within their sovereignty or subject to their sovereign rights and jurisdiction, for new passenger ships on or after 1 June 2019; and for existing passenger ships on or after 1 June 2021;

.2 MEPC 68/10/3 (Russian Federation), commenting on document MEPC 68/10/2, expressing the opinion that the dates proposed needed a more sound grounding and could, therefore, not be agreed at this session; and

.3 MEPC 68/10/4 (CLIA), also commenting on document MEPC 68/10/2, arguing that this document did not provide a sufficient basis for the Organization to appropriately consider the request to establish an effective date for the Special Area.

10.17 The Committee considered whether sufficient notification had been received on the availability of port reception facilities, in accordance with regulation 13 of MARPOL Annex IV, to allow the Baltic Sea Special Area provisions to take effect, as well as the definition of the area for which the Special Area provisions could take effect, taking into account that the notification had only been provided by eight of the nine Baltic States.

10.18 Several delegations supported the view expressed in documents MEPC 68/10/3 and MEPC 68/10/4 that the submitted notification was not sufficient in accordance with the requirements of regulation 13 of MARPOL Annex IV and that the definition of the area for which the Special Area provisions could take effect was problematic. Those delegations concluded that, at this stage, it was premature for the Committee to set effective dates for the Baltic Sea Special Area and suggested that this should be reconsidered at a later time, following the receipt of more complete notifications from all the Baltic Sea States.

10.19 However, several other delegations were of the view that sufficient notification had been received and that the definition of the area for which the Special Area provisions could take effect could be agreed. Those delegations therefore suggested that the Committee was in a position to establish effective dates for the Baltic Sea Special Area.

10.20 Following an intensive discussion, the Committee agreed that sufficient notification had been received and that, therefore, effective dates could be established for the area as defined in document MEPC 68/10/2. However, one delegation requested legal advice on the proposed definition of the area for which the Special Area provisions could take effect, since the proposed area differed from that defined in MARPOL Annex IV.

10.21 Legal advice provided by the Secretariat confirmed that the proposed definition of the area differed from that defined in MARPOL Annex IV and that an amendment to MARPOL Annex IV would be needed for the area as defined in document MEPC 68/10/2 to take effect.

10.22 The co-sponsors of document MEPC 68/10/2 informed the Committee that, following consideration of the issue, they had decided to work intersessionally and submit proposals for amendments to MARPOL Annex IV, with a view to adoption, to MEPC 69, in accordance with article 16 of MARPOL. Subsequently, the Committee agreed to suspend the discussion until MEPC 69. In making this decision, the Committee confirmed that it had agreed on the definition of the applicable area and on the sufficiency of the received notifications of that area, whereas the legal implications would be further considered at MEPC 69, following the submission of the aforementioned proposals for amendments to MARPOL Annex IV.

10.23 The delegation of the Bahamas expressed its concerns and regret on the process that was followed with regard to the submission of the proposal and its subsequent endorsement by the Committee, and urged the co-sponsors of document MEPC 68/10/2 to ensure that their entries on port reception facilities in GISIS were complete and up to date. The full text of their statement, which was supported by the delegations of Dominica, Liberia, the Marshall Islands, Panama, the Russian Federation and Venezuela, as well as the observers from ICS and BIMCO, is set out in annex 25.

Collective arrangement between competent international organizations

10.24 The Committee considered document MEPC 67/10/1 (France and Norway) concerning the collective arrangement between competent international organizations on cooperation and coordination regarding selected areas in areas beyond national jurisdiction in the North East Atlantic, noting that the annex to the document contains a collective arrangement adopted by the North-East Atlantic Fisheries Commission (NEAFC) and the OSPAR Commission for the protection of the marine environment of the North East Atlantic, and the invitation to the Organization to join the arrangement.

10.25 The Committee noted that the collective arrangement goes beyond the current Agreement of Co-operation that exists between IMO and the OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic (adopted by the Assembly in 1999 (A 21/26, annex 3). The duties of the parties in the new agreement mainly refer to cooperation, notification and consultation, are rather non-obligatory in nature and would apply to "areas beyond national jurisdiction" in the North-East Atlantic.

10.26 The majority of the delegations that spoke supported the proposal that the Organization should enter into this agreement since it would further enhance cooperation and dialogue between the competent organizations concerned, provided that the primacy of the Organization in dealing with shipping issues was respected.

10.27 Other delegations were of the view that the activities of regional organizations in areas beyond national jurisdiction were a delicate matter since these organizations, with a restricted structure or membership, do not necessarily represent the interests of the international community as a whole and could lead to the establishment of measures being applied to States who are not members of these regional organizations. As a consequence, these delegations did not support the proposal in the document.

10.28 Following consideration, the Committee agreed that entering into the arrangement was a policy decision for Member States to decide and noted that, under Article 25(a) of the IMO Convention, the proposal would first need to go to the Council before it could be approved by the Assembly and that the Council may request the advice of other bodies on the matter, if considered necessary. Consequently, the Committee invited the proponents to submit a relevant proposal to the Council.

11 INADEQUACY OF RECEPTION FACILITIES

Revision of the IMO Comprehensive Manual on Port Reception Facilities

11.1 The Committee recalled that MEPC 67, due to time constraints, had deferred the consideration of the documents submitted under this agenda item to this session. In this connection, the Committee noted document MEPC 68/11 (Secretariat), setting out information and action to be taken on matters related to the revision of the IMO Comprehensive Manual on Port Reception Facilities, based on documents submitted to MEPC 67.

11.2 The Committee recalled also that, as requested by MEPC 61, the revision of the IMO Comprehensive Manual on Port Reception Facilities had been included as a priority item in the Global Programme of the ITCP for 2012-2013. In this context, the Committee noted that two consultants had been recruited to undertake a full revision of the Manual on the basis of the guidance prepared by the Correspondence Group on Tackling the inadequacy of port reception facilities (FSI 18/5, annex 2).

11.3 The Committee had for its consideration the following documents:

.1 MEPC 67/11 (Secretariat), providing the revision of the IMO Comprehensive Manual on Port Reception Facilities with three annexes: annex 1 providing an overview of the main amendments; annex 2 containing the draft text of the revised Manual; and annex 3 providing an alternative and shorter draft text for sections 8.1.2 to 8.1.5; and

.2 MEPC 67/11/1 (Secretariat of the Basel Convention), proposing amendments to the revised Manual, with a view to ensuring consistency in the cross-referencing to the Basel Convention.

11.4 In the ensuing discussion, several delegations suggested that a further thorough review of the text of the revised Manual was needed, including rephrasing mandatory language and ensuring consistency with the *2012 Guidelines for the development of a regional reception facilities plan* (resolution MEPC.221(63)).

11.5 Following discussion, the Committee:

.1 agreed to change the title of the publication to "Port reception facilities – How to do it", with a view to aligning it with those of other IMO publications;

.2 agreed to use the longer version of sections 8.1.2 to 8.1.5, as contained in annex 2 to document MEPC 67/11, in the Manual;

.3 agreed, owing to time constraints, to defer consideration of the amendments proposed by the Secretariat of the Basel Convention to MEPC 69; and

.4 requested the Secretariat, taking into account the comments made in plenary, to prepare an updated version of the revised Manual for further consideration at MEPC 69, where a drafting group could be established to finalize it.

Regional reception facilities plan for SIDS in the Pacific region

11.6 The Committee considered document MEPC 68/11/1 (Australia et al.), proposing a Regional Reception Facilities Plan (RRFP) for the Small Island Developing States in the Pacific Region, in accordance with the *2012 Guidelines for the development of a regional reception facilities plan* (resolution MEPC.221(63)).

11.7 Several delegations expressed their support for the RRFP as, owing to the unique circumstances of SIDS, such regional arrangements are the only practical means to satisfy requirements for reception facilities.

11.8 Following discussion, the Committee invited Member Governments and international organizations to submit any comments on the RRFP to the Secretariat by the end of the session. Having noted, at the end of the session, in the absence of any concrete comments, the general support for the proposal, the Committee, after consultation with the co-sponsors and recognizing that all necessary procedures have been followed, requested the Secretariat to circulate the Regional Reception Facilities Pan for the Small Island Developing States in the Pacific Region, as set out in the annex to document MEPC 68/11/1, to all Parties as required by article 11(2) of MARPOL by means of MEPC.1/Circ.859. In this regard, the Committee noted that the RRFP will take effect on 1 May 2016.

Netherland's agreement on ship-generated waste

11.9 The Committee noted information provided by the Netherlands concerning an agreement on ship-generated waste signed by the Government, port authorities and the maritime industry of the country (MEPC 68/INF.8).

12 REPORTS OF SUB-COMMITTEES

Outcome of PPR 2

12.1 The Committee approved, in general, the report of the second session of the Sub-Committee on Pollution Prevention and Response (PPR) (PPR 2/21, PPR 2/21/Add.1 and MEPC 68/12/2) and took action as indicated hereunder.

12.2 The Committee noted that, of the action requested of it as listed in paragraph 2 of document MEPC 68/12/2:

.1 points .1 to .3, .13 to .16 and .20, concerning prevention of air pollution from ships, together with commenting documents MEPC 68/12/5, MEPC 68/12/7, MEPC 68/12/8, MEPC 68/12/9, MEPC 68/12/12, MEPC 68/12/13, MEPC 68/12/14 and MEPC 68/12/15, have been dealt with under agenda item 3 (see paragraphs 3.10 to 3.37);

.2 points .11 and .12, concerning ballast water management, together with commenting document MEPC 68/12/11, have been dealt with under agenda item 2 (see paragraphs 2.35 to 2.38); and

.3 points .23 and .24, concerning the work programme of the Sub-Committee, have been dealt with under agenda item 17 (see paragraph 17.5).

Issue date of the MEPC.2/Circular and expiry dates for tripartite agreements

12.3 The Committee endorsed the modifications proposed by PPR 2 to the issue date of the annual MEPC.2/Circular on *Provisional categorization of liquid substances in accordance with MARPOL Annex II and the IBC Code* and to the expiry dates for tripartite agreements (i.e. issue date of 1 December and expiry dates for tripartite agreements of 31 December) and agreed that these changes would be implemented in December 2015.

Carriage requirements for used cooking oil

12.4 The Committee endorsed the establishment by PPR 2 of a generic entry for Used cooking oil in list 1 of the MEPC.2/Circular, as set out in annex 4 to document PPR 2/21, with validity for all countries, without an expiry date.

Evaluation of trade-named mixtures products

12.5 The Committee endorsed the evaluation by PPR 2 of trade-named mixtures presenting safety hazards, as set out in annex 5 to document PPR 2/21, for inclusion in list 3 of the MEPC.2/Circular, with validity for all countries and no expiry date.

Evaluation of cleaning additives

12.6 The Committee endorsed the evaluation by PPR 2 of cleaning additives, as set out in annex 6 to document PPR 2/21, for inclusion in annex 10 to the MEPC.2/Circular.

Draft Amendments to MARPOL Annex II

12.7 The Committee approved draft consequential amendments to MARPOL Annex II, emanating from the revision of chapter 21 of the IBC Code (PPR 2/21, annex 7), as set out in annex 15, and requested the Secretary-General to circulate them in accordance with article 16(2) of MARPOL, with a view to adoption at MEPC 69.

Unified interpretations of paragraph 15.13.5 of the IBC Code

12.8 The Committee approved, subject to concurrent approval by MSC 95, unified interpretations of paragraph 15.13.5 of the IBC Code for products requiring oxygen-dependent inhibitors, as set out in annex 16, and requested the Secretariat to issue them as an MSC-MEPC circular.

Revised PPR Product Data Reporting Form

12.9 The Committee approved MEPC.1/Circ.857 on *Revised PPR Product Data Reporting Form and related guidance notes,* as set out in annex 10 to document PPR 2/21.

2015 Guidelines for the development of the Inventory of Hazardous Materials

12.10 The Committee adopted resolution MEPC.269(68) on *2015 Guidelines for the development of the Inventory of Hazardous Materials,* as set out in annex 17.

Guidelines on international offers of assistance in response to a marine oil pollution incident

12.11 The Committee approved the *Guidelines on international offers of assistance in response to a marine oil pollution incident*, as set out in annex 13 to document PPR 2/21/Add.1, and requested the Secretariat to carry out final editing and publish the guidelines through the IMO Publishing Service.

Guidelines for the use of dispersants for combatting oil pollution at sea

12.12 The Committee approved part III of the *Guidelines for the use of dispersants for combatting oil pollution at sea*, as set out in annex 14 to document PPR 2/21/Add.1, and requested the Secretariat to carry out final editing and publish part III of the guidelines, together with parts I and II approved by MEPC 65, through the IMO Publishing Service.

Guidance for issuing a revised Certificate of Type Approval for oil content meters

12.13 The Committee approved MEPC.1/Circ.858 on *Guidance for issuing a revised Certificate of Type Approval for oil content meters intended for monitoring the discharge of oil-contaminated water from the cargo tank areas of oil tankers*, as set out in annex 16 to document PPR 2/21.

Disposal of used cooking oil

12.14 The Committee noted that PPR 2 did not reach agreement on a unified interpretation pertaining to MARPOL Annex V concerning the disposal of used cooking oil, but had agreed, nevertheless, that such disposal should comply with the requirements of MARPOL Annex V.

Assessing products classified under Annexes I and II of MARPOL

12.15 The Committee considered document MEPC 68/12/6 (United Kingdom), commenting on the development of guidance/procedures for assessing products classified under Annexes I and II of MARPOL.

12.16 Following consideration, the Committee instructed the PPR Sub-Committee to develop guidance for MARPOL Annex I petroleum-based products submitted for assessment under MARPOL Annex II, to ensure the products are shipped under the correct Annex of MARPOL, under its agenda item "Safety and pollution hazards of chemicals and preparation of consequential amendments to the IBC Code", taking into account document MEPC 68/12/6.

Outcome of HTW 2

12.17 The Committee considered matters of relevance to its work emanating from the second session of the Sub-Committee on Human Element, Training and Watchkeeping (HTW) (HTW 2/19) and MEPC 68/12/3 (Secretariat) and took action as indicated hereunder.

Guidelines for the development, review and validation of model courses

12.18 The Committee approved, subject to concurrent approval by MSC 95, MSC-MEPC.2/Circ.15 on *Guidelines for the development, review and validation of model courses* (HTW 2/19, annex 1).

Guidelines for port State control officers on the ISM Code

12.19 The Committee recalled that MEPC 67 had referred the draft *Guidelines for port State control officers on the ISM Code*, as prepared by III 1 (III 1/18, annex 4) to the HTW Sub-Committee for comments, taking into account the views expressed by the observer from IACS on further definitions needed, prior to their approval.

12.20 Having noted that HTW 2 had reviewed the draft guidelines and had suggested a number of modifications concerning the terms "serious failure" and "professional judgement", the Committee agreed to forward the draft guidelines, as amended, to III 2, subject to concurrent action by MSC 95, for review and finalization, with a view to subsequent approval by the Committees.

Outcome of III 1

12.21 The Committee recalled that MEPC 67, having considered matters emanating from III 1, had taken action as recorded in paragraphs 12.11 and 12.29 of its report (MEPC 67/20), and that owing to time constraints, MEPC 67 had deferred the consideration of the draft MEPC circular on *Guidelines for exemption of unmanned non-self-propelled barges from the survey and certification requirements under the MARPOL Convention* (III 1/18, annex 7) to this session.

12.22 The Committee considered the above-mentioned draft guidelines, together with the following two documents commenting on matters related to the exemption of Unmanned Non-Self-Propelled (UNSP) barges from survey and certification requirements:

.1 MEPC 68/12/4 (Republic of Korea), proposing draft amendments to MARPOL Annexes I, IV and VI to facilitate the exemption of UNSP barges from survey and certification requirements; and

.2 MEPC 68/12/10 (New Zealand), commenting on the draft MARPOL amendments proposed in document MEPC 68/12/4 and proposing alternative text for draft amendments to MARPOL Annex I.

12.23 In the ensuing discussion, the Committee noted the support for the development of amendments to relevant MARPOL Annexes to provide a legal basis for exempting UNSP barges from survey and certification requirements. A number of delegations considered the draft text in document MEPC 68/12/4 to be simple and pragmatic while, at the same time, expressing concerns on the use of the term "certain ship type" rather than "UNSP barges"; as this may lead to ambiguity and much broader interpretations. Other delegations, in supporting the alternative text provided in document MEPC 68/12/10, stressed that the conditions for the issue of an exemption should be included in the text of the MARPOL amendments rather than in the guidelines and that a renewal survey was necessary to confirm that conditions allowed for an exemption are continuously being met.

12.24 Following discussion, the Committee instructed III 2 to further consider, with a view to finalization, the draft amendments to MARPOL concerning the exemption of UNSP barges from survey and certification requirements, under its agenda item "Updated Survey Guidelines under the Harmonized System of Survey and Certification", taking into account documents MEPC 68/12/4 and MEPC 68/12/10, and to finalize the associated draft guidelines, as contained in annex 7 to document III 1/18, ensuring consistency with the draft MARPOL amendments.

Outcome of CCC 1

12.25 The Committee approved, in general, the report of the first session of the Sub-Committee on Carriage of Cargoes and Containers (CCC) (CCC 1/13, CCC 1/13/Add.1 and MEPC 68/12/1) and, having noted that of the action requested of it, as listed in paragraph 2 of the document, point .1 concerning the IAPP Certificate had been dealt with under agenda item 3 (see paragraphs 3.8), took action as indicated hereunder.

Method of work of the E&T Group and the ESPH Working Group

12.26 The Committee noted the discussion of CCC 1 regarding the current practice on method of work of the E&T Group and the ESPH Working Group, in particular concerning the processing of submissions and meeting arrangements and that the Sub-Committee had invited Member Governments to submit relevant proposals to the Committees.

Development of amendments to the IMSBC Code for the implementation of the revised MARPOL Annex V

12.27 The Committee recalled that MEPC 63 had adopted the *2012 Guidelines for implementation of MARPOL Annex V* (resolution MEPC.219(63)) which, inter alia, contain the criteria for classifying solid bulk cargoes as harmful to the marine environment (HME), and provide that solid bulk cargo should be classified and declared by the shipper (in the information required in section 4.2 of the IMSBC Code) as to whether or not they are harmful to the marine environment.

12.28 The Committee recalled also that MEPC 64 had approved the *Provisional classification of solid bulk cargoes under the revised MARPOL Annex V between 1 January 2013 and 31 December 2014* (MEPC.1/Circ.791); had agreed that as of 1 January 2015, shippers' classification should be made using the seven criteria listed in paragraph 3.2 of the aforementioned 2012 Guidelines; and had instructed the then DSC Sub-Committee to consider how the long-term implementation of the provisions of MARPOL Annex V concerning cargo residues could be facilitated by amendments to be IMSBC Code.

12.29 The Committee recalled further that MEPC 65 had instructed the then DSC Sub-Committee to compile a list of solid bulk cargoes classified as HME.

12.30 The Committee concurred with the recommendation of CCC 1 not to prepare any indicative lists of HME substances, taking into account the Sub-Committee's views regarding their lack of practical value and the difficulties that would be encountered in developing such lists.

12.31 The Committee considered the draft amendments to the IMSBC Code related to HME substances (i.e. a draft new paragraph 4.2.2.2 on non-mandatory provisions for cargo information, draft amendments to the Form for cargo information for Solid Bulk Cargoes and a draft new section 14 related to HMEs) prepared by CCC 1. A number of delegations expressed concerns that the proposed new section 14, which is of recommendatory nature, duplicates mandatory requirements in MARPOL Annex V, and would thus create confusion in its implementation and also cause harmonization problems when MARPOL Annex V is amended.

12.32 Following consideration, the Committee approved the draft amendments, as set out in the annex to document CCC 1/WP.4, subject to removal of the duplicated text of MARPOL Annex V regulations from the draft new section 14 and revision of the introductory part of that section accordingly; and invited MSC 95 to concur with the action taken before adopting the amendments.

12.33 The Committee noted that in the context of the long-term implementation of the requirements of MARPOL Annex V concerning cargo residues, CCC 1 had considered the possible establishment of a legal link between MARPOL and the IMSBC Code in relation to HME substances, as recommended by the working group tasked with the preparation of the relevant amendments to the IMSBC Code but had not been able to reach consensus on the matter.

12.34 Following consideration, the Committee agreed that the classification criteria for HME and the shipper's declaration of solid bulk cargoes as to whether or not they were harmful to the marine environment, as set out in paragraph 3.2 and 3.4 of the *2012 Guidelines for the implementation of MARPOL Annex V*, should be made mandatory. However, the Committee did not agree to the need to develop guidance for the application of the United Nations Globally Harmonized System for Classification and Labelling of Chemicals (UN GHS) for classification of solid bulk cargoes to determine whether they were harmful to the marine environment, as the Sub-Committee of Experts on the GHS of the United Nations would be the primary source for such guidance, if needed.

12.35 The Committee noted that the CCC Sub-Committee (and also the previous DSC Sub-Committee) had been working on the issues of the implementation of MARPOL Annex V concerning cargo residues under its output "Amendments to the IMSBC Code and supplements"; however, was of the view that this went beyond the routine work under the periodic amendments to the IMSBC Code. To facilitate the future work in this respect, the Committee agreed to add a specific output on "Mandatory requirements for classification and declaration of solid cargoes as harmful to the marine environment" to the biennial agenda of the CCC Sub-Committee and the provisional agenda for CCC 2 (see paragraph 17.16.2 and annex 19) and invited Member Governments and international organizations to submit relevant proposals and comments to CCC 2, with a view to expediting the work.

CCC circulars

12.36 The Committee noted the decision of CCC 1 to issue revisions to DSC circulars and future circulars as CCC circulars, where appropriate.

13 WORK OF OTHER BODIES

13.1 The Committee, having noted the decisions of FAL 39 (MEPC 68/13/3), MSC 94 (MEPC 68/13), C 113 (MEPC 68/13/1 and MEPC 68/13/2) with regard to its work and information on the outcome of LEG 102, took appropriate action under the relevant agenda items and as indicated hereunder.

Outcome of FAL 39

List of certificates and documents required to be carried on board ships

13.2 The Committee recalled that FAL 39 agreed that electronic certificates viewed on a computer should be considered as meeting the requirements to be "on board", provided that the certificates and the website used to access them conform to the guidelines approved by the Organization and specific verification instructions are available on board the ship and, in this respect, invited the Committee to consider amending the *List of certificates and documents required to be carried on board ships, 2013* (FAL.2/Circ.127-MEPC.1/Circ.817-MSC.1/Circ.1462) so as to reflect this understanding. In this regard, the Committee, having noted that MSC 94, having considered the same request, had instructed III 2 to consider amending the list to reflect the provisions of FAL.5/Circ.39/Rev.1 on *Guidelines for the use of electronic certificates*, concurred with the action taken by MSC 94.

Outcome of C 113

13.3 The Committee considered the outcome of C 113 as summarized in documents MEPC 68/13/1 and MEPC 68/13/2, having noted that the Council had approved the report of MEPC 67 (C 113/7) and had decided to transmit it, together with its comments and recommendations, to A 29, in accordance with Article 21(b) of the IMO Convention.

IMO Member State Audit Scheme

13.4 In response to the request by C 113 to consider the eighth consolidated audit summary report, the Committee decided to refer it to III 2 for consideration and analysis under its specific agenda item on "Analysis of consolidated audit summary reports", and advice to the Committee as appropriate.

Periodic review of administrative requirements in mandatory IMO instruments

13.5 The Committee considered the request of C 113 to the committees to review administrative requirements under their purview and to consider how to proceed with the outcome of the Ad Hoc Steering Group on Reducing Administrative Requirements (SG-RAR) work during their meetings in 2015, with a view to developing appropriate outputs to be included in the High-level Action Plan (HLAP) for 2016-2017 (C 113/11).

13.6 In this regard, the Committee noted that the Secretariat had compiled the relevant requirements in environment-related IMO instruments considered to be administrative burdens by the SG-RAR in the annex to document MEPC 68/13/2, along with the recommendations of the SG-RAR on how to alleviate the burden, as well as a summary of feedback obtained during the public consultation, subsequently analysed by the SG-RAR.

13.7 Following a brief discussion, the Committee requested the Secretariat to analyse the information in the annex to document MEPC 68/13/2, taking into consideration resolution A.1074(28) on *Notification and circulation through the Global Integrated Shipping Information System (GISIS)* and the outcome of the work of the correspondence group on

the use of electronic record books under MARPOL, and to report the outcome to MEPC 69 as early as possible to enable Member Governments to submit comments and proposals on the matter to that session.

13.8 The Committee also agreed to keep in mind the possible impacts of an accumulation of administrative requirements and the possible indirect impact of non-mandatory instruments when developing new or amending existing mandatory and/or non-mandatory instruments.

13.9 Taking the above into account, and in response to the Council's request to include a relevant output in the HLAP for the 2016-2017 biennium (C 113/11, paragraph 6.2), the Committee agreed to include a planned output on "Analysis and consideration of recommendations to reduce administrative burdens in IMO instruments as identified by the SG-RAR" in the 2016-2017 HLAP, with a target completion year of 2017. The Committee also decided that sub-committees could be included as associated organs to enable the Committee to consult them on pertinent matters, as appropriate (see paragraph 17.25 and annex 23).

Outcome of LEG 102

13.10 Pending finalization of the report of LEG 102 (LEG 102/12), the Committee noted information by the Secretariat on the outcome of LEG 102 relevant to its work, in particular that the Committee:

.1 extended the mandate of the HNS Correspondence Group until the next session of the Committee to develop a publication entitled "Understanding the HNS Convention", HNS Scenarios and a Legal Committee resolution on implementation and entry into force of the 2010 HNS Convention which would have the main goal of encouraging States to implement the HNS Convention and bring it into force within a reasonable time frame; and

.2 in response to the request of C 113 to consider the future work to reduce administrative burdens, agreed on the inclusion of a planned output on "Analysis and consideration of recommendations to reduce administrative burdens in IMO instruments as identified by the SG-RAR," in the HLAP for the 2016-2017 biennium, with the proviso that there would be some flexibility with regard to these measures, and a target completion year of 2017 (LEG 102/12, paragraphs 6.3 to 6.7).

14 PROMOTION OF IMPLEMENTATION AND ENFORCEMENT OF MARPOL AND RELATED INSTRUMENTS

14.1 The Committee recalled that this was a standing item in its work programme with the purpose of fostering compliance and dealing with implementation issues in respect of MARPOL and other related instruments, mandatory or recommendatory. The Committee also recalled that, owing to time constraints, MEPC 67 had deferred consideration of the documents submitted to that session under this agenda item to this session.

Notification and circulation through GISIS

14.2 The Committee considered documents MEPC 67/14 and MEPC 68/14/1 (Secretariat), referring to resolution A.1074(28) on *Notification for submission and circulation through the Global Integrated Shipping Information System (GISIS)* whereby A 28 agreed that notification through GISIS should be considered as one effective way for Contracting Governments or Parties to IMO instruments to fulfil their reporting obligations under the various mandatory

IMO instruments and that once Contracting Governments or Parties have notified through GISIS in respect of a reporting requirement to the Organization, the requirement for the Organization to circulate any such notification under the IMO instrument concerned would have been met.

14.3 In this regard, the Committee noted that the Secretariat currently enters communications and notifications from Contracting Governments or Parties into the relevant GISIS module on behalf of the submitter. Moreover, allowing the provisions of resolution A.1074(28), the entering of information to be submitted to the Organization by Member Governments in the relevant GISIS modules means that this information has been duly circulated and, therefore, no separate circulars are issued by the Secretariat upon receipt of such communications and notifications.

14.4 Consequently, the Committee, in accordance with the decisions of A 28, concurred to urge Member States to use GISIS for notification purposes and agreed that separate circulars would only be issued in exceptional circumstances, if and when requested by Member States. Moreover, the Committee requested the Secretariat to review all reporting requirements under MARPOL and the availability of relevant GISIS modules in connection with the ongoing work concerning reporting requirements identified by the Council as administrative burdens (see paragraphs 13.5 to 13.7).

Proposed amendments to the 2011 HSSC Guidelines

14.5 The Committee considered document MEPC 67/14/1 (Democratic People's Republic of Korea), identifying an incorrect reference to a regulation of MARPOL Annex I in the *Survey Guidelines under the Harmonized System of Survey and Certification (HSSC) 2011* (resolution A.1053(27)), caused by amendments to Annex I leading to a change in numbering of regulations, which first emerged in the 2003 version of the HSSC Guidelines and has been carried over since.

14.6 Following consideration, the Committee concurred with the proposed amendment to the 2011 HSSC Guidelines (MEPC 67/14/1, paragraph 9) and referred it to the III Sub-Committee for inclusion in the next set of amendments to the guidelines.

14.7 In this respect, with regard to paragraph 4.8.1 of the 2011 HSSC Guidelines, the Committee noted that:

.1 the reference to the IBC Code also appears to be incorrect, since it refers to regulation 1.5.1.3, when it should refer to regulation 1.5.1.4;

.2 the reference to regulation 3.4 of MARPOL Annex I should be to regulation 6.3.3; and

.3 a reference to regulation 8.2.5 of MARPOL Annex II should be added,

and consequently requested the III Sub-Committee to check all the references in paragraph 4.8.1 of the guidelines and correct them as appropriate.

15 TECHNICAL COOPERATION ACTIVITIES FOR THE PROTECTION OF THE MARINE ENVIRONMENT

15.1 The Committee noted the information provided in document MEPC 68/15 (Secretariat) on the Organization's technical cooperation activities related to the protection of the marine environment, implemented between 1 July 2014 and 31 January 2015, under the

Integrated Technical Cooperation Programme (ITCP) as well as under major projects financed through external sources. These activities were aimed at assisting Member States in the implementation of the provisions of relevant IMO Conventions (AFS, BWM, MARPOL, OPRC, OPRC-HNS, Ship Recycling), also including the London Protocol. The Committee also noted that several regional organizations partnered with the Secretariat and contributed towards the implementation of these activities, including BSC, CPPS, PEMSEA, PERSGA, RAC-REMPEITC-Caribe, REMPEC, ROPME, SACEP and SPREP, among others.

15.2 The Committee further noted that, during the period under review, significant progress has been achieved in executing a number of projects financed mainly by external sources and implemented under the direct supervision of the Marine Environment Division of the Organization.

15.3 The Committee also noted the information provided in document MEPC 68/15/1 (Secretariat) on additional activities carried out during the reporting period with support from REMPEC, related to the implementation of the Protocol to the Barcelona Convention concerning cooperation in preventing pollution from ships and, in case of emergency, combating pollution of the Mediterranean Sea.

15.4 The delegation of the Cook Islands indicated that technical cooperation is one of the cornerstones of the Organization, particularly for developing countries and Small Island Developing States and thanked the Organization for delivering a regional workshop to review and update the Pacific Ocean Pollution Prevention Programme (PACPOL) which benefitted all the Pacific Islands States.

15.5 The delegations of Argentina and Colombia expressed their appreciation for the GloBallast project activities carried out in the South-East Pacific region and for the ballast water sampling regional workshop hosted by Colombia.

15.6 The delegations of Georgia and the Philippines highlighted the importance of the GEF-UNDP-IMO project on ships' energy efficiency, expressed their appreciation for the efforts made by the Secretariat, and thanked the Secretary-General for his vision with regard to this proactive initiative.

15.7 The delegation of Malaysia informed the Committee of their participation in activities related to the Global Initiative for south-east Asia (GI SEA) for Oil Spill Preparedness and Response, as well as the IMO-Norad projects and offered to share the results once the projects are completed.

15.8 The delegation of the Islamic Republic of Iran expressed the view that the marine environmental protection related technical cooperation in the Caspian region has been neglected for the last few years and urged the Secretariat to reconsider including technical cooperation activities in the Caspian region in its future plan of work. They also highlighted the importance of the delivery of the ITCP, including its major projects, as technical cooperation programmes are the best tools for proper implementation of the treaties ratified by Member States. The delegation further stated that the various outputs and products generated through such activities would be very useful for many Member States who are implementing IMO treaties and requested for their presentation in a more detailed manner in future sessions of the Committee, possibly and preferably through side presentations. A number of delegations supported this view and the importance of technical cooperation and further requested the Committee to allocate adequate time for the consideration of this agenda item in future sessions of the Committee.

15.9 The full text of the statements by the delegations of Argentina, Georgia and the Islamic Republic of Iran is set out in annex 25.

15.10 Summarizing, the Chairman recalled that the constituent programmes of the ITCP could only be delivered if the required funding is secured from internal resources and/or external donor contributions; expressed appreciation for all the financial and in-kind contributions to the ITCP and major projects; and invited Member States and international organizations to continue and, if possible, increase their support for IMO's technical cooperation activities so that successful delivery of the programme could be achieved.

16 CAPACITY BUILDING FOR THE IMPLEMENTATION OF NEW MEASURES

16.1 The Committee recalled that MEPC 67 (MEPC 67/20, paragraph 7.23) had requested the Vice-Chairman of the Committee, in consultation with the Chairman and assisted by the Secretariat, to submit to MEPC 68 a preliminary assessment of the capacity-building implications and technical assistance needs related to the amendments to mandatory instruments that had been approved at that session.

16.2 The Committee considered document MEPC 68/16 (Vice-Chairman), providing the outcome of the preliminary assessment referred to above, and noted that, generally, the amendments to mandatory instruments assessed (MEPC 68/16, annex 2) had been found to have no capacity-building implications. However, there was an identified need for technical assistance related to updates to domestic legislation that could be undertaken through the Organization's technical cooperation and assistance to Member States.

16.3 The Committee, having agreed that it would not be necessary to establish the Ad Hoc Capacity-building Needs Analysis Group (ACAG), requested the Vice-Chairman, in consultation with the Chairman and with the assistance of the Secretariat, to submit to MEPC 69 a preliminary assessment of capacity-building implications or technical assistance needs related to the amendments to mandatory instruments and the new outputs related to proposed new measures approved at the current session.

17 WORK PROGRAMME OF THE COMMITTEE AND SUBSIDIARY BODIES

Amendments to the titles of continuous outputs identified by C/ES.27

17.1 The Committee recalled that MEPC 66 had decided to defer the discussion on the request of C/ES.27 to review continuous planned outputs 5.3.1.1, 10.0.1.1 and 10.0.1.2 contained in annex 2, part A, of document C/ES.27/3, pending the outcome of MSC 93 on the matter which subsequently deferred consideration of the matter to MSC 94.

17.2 In considering document MEPC 68/17/1 (Secretariat), the Committee noted that MSC 94, after considering the three continuous outputs identified by C/ES.27 and subject to the concurrent decision of MEPC 68, agreed to modify the description of the outputs as follows:

.1 5.3.1.1: "Measures to harmonize port State control (PSC) activities and procedures worldwide";

.2 10.0.1.1: "Verified goal-based new ship construction standards for tankers and bulk carriers"; and

.3 10.0.1.2: "Consideration of development of goal-based ship construction standards for all ship types".

17.3 Having considered the decision of MSC 94 (MSC 94/21, paragraph 18.2), the Committee concurrently approved the modified titles of continuous outputs 5.0.1.1, 10.0.1.1 and 10.0.1.2 as set out in paragraph 17.2.

Proposals for new outputs

Standard for shipboard gasification waste to energy systems

17.4 The Committee considered document MEPC 67/16 (Canada), deferred by MEPC 67 (MEPC 68/17, paragraph 1.1), proposing to develop standards that would allow the use of emerging waste to energy technology. Having considered the proposal, together with the preliminary assessment of the Chairman (MEPC 67/WP.4), the Committee agreed to include an output on "Development of standards for shipboard gasification waste to energy systems and associated amendments to regulation 16 of MARPOL Annex VI" in the biennial agenda of the PPR Sub-Committee and the provisional agenda of PPR 3, with a target completion date of 2017.

Review of the MARPOL Annex I and Annex II in order to include technically suitable bio-fuels in the scope of MARPOL Annex I

17.5 The Committee considered documents MEPC 67/16/1 (Brazil and Finland), MEPC 67/INF.10, deferred by MEPC 67 (MEPC 68/17, paragraph 1.2), proposing to amend MARPOL Annexes I and II in order to include technically suitable bio-fuels in the scope of MARPOL Annex I, together with document MEPC 68/17/6 (Finland and Italy), providing additional environmental, health and safety background information to support the proposal.

17.6 Having considered the proposal and the views expressed by several delegations, together with the preliminary assessment of the Chairman (MEPC 67/WP.4), the Committee agreed not to include a relevant new output to amend Annex I of MARPOL in the biennial agenda of the PPR Sub-Committee. However, the Committee requested the Sub-Committee to consider products identified in documents MEPC 67/16/1 and MEPC 68/17/6 when developing guidance for assessing petroleum-based products submitted under the provisions of MARPOL Annex II, as referred to in document MEPC 68/12/6 (see paragraph 12.16).

Review of MARPOL Annex II requirements relating to the discharge requirements for tank washings containing high-viscosity and persistent floating products

17.7 The Committee considered document MEPC 68/17/2 (Germany et al.), proposing to review Annex II of MARPOL and the IBC Code with regards to the discharge requirements relating to the cleaning and discharging of tank washings containing high-viscosity and persistent floating products to reduce the impact on the environment.

17.8 In the ensuing discussion, a number of delegations supported the proposal while other delegations did not support it and expressed the view that sources of these releases are not necessarily cargo residues and effective enforcement of already existing regulations would be a better way to address the problem. Furthermore, any amendments to MARPOL Annex II in the context of the proposal could have a significant economic impact, as pointed out by the delegation of Malaysia. The full text of the statement of the delegation in this regard is set out in annex 25.

17.9 The Committee, having noted the views expressed and taking into account the preliminary assessment of the Chairman (MEPC 68/WP.6), agreed to include an output on "Review of MARPOL Annex II requirements that have an impact on cargo residues and tank washings of high viscosity, solidifying and persistent floating products and associated definitions and preparation of amendments" in the biennial agenda of the PPR Sub-Committee and the provisional agenda of PPR 3, with a target completion date of 2018.

Evaluation of the contribution of merchant ships and other sources to underwater noise levels

17.10 The Committee considered document MEPC 68/17/3 (Russian Federation), proposing to evaluate the contribution of merchant ships and other sources (land-based sources, drilling, breaking ice, etc.) to underwater noise levels.

17.11 After a lengthy discussion, having considered the views expressed by a number of delegations and taking into account the preliminary assessment of the Chairman (MEPC 68/WP.6), the Committee decided that more information was needed to take a decision on the acceptance of the new output and consequently invited the Russian Federation to submit a revised proposal to a future session of the Committee.

Further research and study of the potential operational and environmental effects of using SCR technology to reduce nitrogen oxides emission to reach the Tier III NO_x emission standards

17.12 The Committee considered document MEPC 68/17/4 (Russian Federation), proposing further research and study of the potential operational and environmental effects from the use of selective catalytic reduction (SCR) technology to reduce nitrogen oxides emissions to reach the Tier III NO_x emission standards, together with document MEPC 68/17/4 (Canada et al.) stating that the proposal is inconsistent with the Committee's previous decisions and the Organization's HLAP and is not justified as the issues raised have been addressed at previous sessions of the Committee and the PPR Sub-Committee.

17.13 Having considered the views expressed by several delegations regarding the proposal and taking into account the preliminary assessment of the Chairman (MEPC 68/WP.6), the Committee did not approve the proposal for a new output.

Sub-Committee on Pollution Prevention and Response (PPR)

Biennial agenda for 2016-2017 and provisional agenda for PPR 3

17.14 The Committee, taking into account the outcome of PPR 2 and the progress made at the session and the inclusion of proposed new outputs (see paragraphs 17.4 to 17.9), approved the biennial agenda of the Sub-Committee for 2016-2017 and the provisional agenda for PPR 3, as set out in annex 18.

Sub-Committee on Carriage of Cargoes and Containers (CCC)

Biennial agenda and provisional agenda for CCC 2

17.15 The Committee noted that MEPC 67 and MSC 94 had approved the biennial status report of the Sub-Committee and the provisional agenda for CCC 2.

17.16 In this regard, the Committee:

.1 noted that MSC 94 had endorsed the approach suggested by the Chairman of the CCC Sub-Committee that for output 5.2.1.2 on "Amendments to the IGF Code and development of guidelines for low-flashpoints fuels", the Sub-Committee would consider matters related to LNG, based on experience gained with the application of the IGF Code to be adopted at MSC 95, in addition to low-flashpoint fuels other than LNG, which should be considered in the second phase of the IGF Code (MSC 94/21, paragraph 18.6); and

.2 recalled that, under agenda item 12, it had agreed to add a specific output on "Mandatory requirements for classification and declaration of solid cargoes as harmful to the marine environment" to the biennial agenda of the CCC Sub Committee and the provisional agenda for CCC 2 and invited Member Governments and international organizations to submit relevant proposals and comments to CCC 2, with a view to expediting the work (see paragraph 12.35).

17.17 The Committee approved the biennial agenda of the Sub-Committee and the provisional agenda for CCC 2, as set out in annex 19.

Sub-Committee on Implementation of IMO Instruments (III)

Biennial agenda and provisional agenda for III 2

17.18 The Committee noted that MEPC 67 and MSC 94 had approved the biennial status report of the Sub-Committee and the provisional agenda for III 2.

17.19 In this regard, the Committee, having recalled that MEPC 67 had not agreed to include either the existing output 1.1.1.1 on "Cooperation with the United Nations on matters of mutual interests, as well as provide relevant input/guidance", nor a new output on "Consideration of the recommendations of the third meeting of the Joint FAO/IMO Ad Hoc Working Group on IUU Fishing and Related Matters (JWG)", in the biennial agenda of the Sub-Committee, noted that MSC 94 agreed that consideration of the report of the JWG would be maintained under the scope of MSC and MEPC, and not at the Sub-Committee level, and that MSC would address the matter under output 1.1.1.1.

17.20 The Committee confirmed the biennial agenda of the Sub-Committee and the provisional agenda for III 2, as set out in annex 20.

Items on the biennial agendas of the HTW, NCSR, SDC and SSE Sub-Committees relating to environmental issues

17.21 The Committee, having considered document MEPC 68/WP.2, listing the environment-related items on the biennial agendas of the HTW, NSCR, SDC and SSE Sub-Committees for the 2014-2015 biennium, taking into account the outcome of HTW 2, NSCR 2, SDC 2 and SSE 2, approved the items on the biennial agendas of these Sub-Committees relating to environmental issues, as set out in annex 21.

Status of planned outputs for the 2014-2015 biennium

17.22 Having recalled that the status of planned outputs would only be produced after the session as an annex to the Committee's report, to avoid any unnecessary duplication of work, the Committee invited the Council to note the biennial status report of the planned outputs of the Marine Environment Protection Committee, as set out in annex 22.

Proposals for inclusion in the HLAP and priorities for the 2016-2017 biennium

17.23 The Committee noted that:

.1 in the context of resolution A.1060(28) on *Strategic Plan for the Organization (for the six-year period from 2014 to 2019)* and resolution A.1061(28) on *High-level Action Plan of the Organization and priorities for the 2014-2015 biennium*, proposals for planned outputs of the Committee for the next biennium need to be prepared for consideration by MEPC 68 for inclusion in the Organization's HLAP and priorities for the 2016-2017 biennium;

.2 the Secretariat, in consultation with the Chairman and taking into account the progress made during the current biennium (MEPC 67/20, annex 17), has prepared proposals for the HLAP and priorities for the 2016-2017 biennium for the MEPC in the form of modifications to the planned outputs for the 2014-2015 biennium, for submission to C 114; and

.3 pursuant to the decision of C 109 (C 109 D, paragraph 3.2(ii)) to use the GISIS Organizational Planning Database formats, the changes to the 2014-2015 biennial agenda are set out in annex 1 to document MEPC 68/WP.4 and new outputs proposed for the Committee's biennial agenda in annex 2.

17.24 In considering the proposals for the HLAP and priorities for the 2016-2017 biennium for MEPC (MEPC 68/WP.4), the Committee noted that the existing outputs concerning air pollution, energy efficiency and reduction of GHG emissions from ships are too general and not phrased in SMART terms. With a view to facilitating the Committee's work on those important aspects, the Secretariat, in consultation with the Chairman, had prepared a list of diversified outputs addressing the above matters based on the Committee's existing work, as set out in annex 2 to the document. The list was further modified taking into account the outcome of this session, and the resulting outputs were included in the Committee's biennial agenda for 2016-2017.

17.25 The Committee recalled that, under agenda item 13, in response to the Council's request to include a relevant output on addressing administrative burdens in IMO instruments in the HLAP for the 2016-2017 biennium, it had agreed to include a planned output on "Analysis and consideration of recommendations to reduce administrative burdens in IMO instruments as identified by the SG-RAR" in the HLAP, with a target completion year of 2017 (see paragraph 13.9).

17.26 Consequently, the Committee approved the proposals for inclusion in the HLAP of the Organization and priorities for the 2016-2017 biennium in respect of MEPC, as set out in annex 23, and instructed the Secretariat to undertake a holistic review of the outputs to ensure consistency across the work of the Organization and to submit any further changes to the annexed proposals emanating from III 2 and CCC 2 to CWGSP 14 and/or C/ES.28, as appropriate.

Items to be included in the agendas of MEPC 69 and MEPC 70

17.27 The Committee, having considered document MEPC 68/WP.5 and taking into account the decisions made at this session, approved the items to be included in the agendas for MEPC 69 and MEPC 70, as set out in annex 24.

Tentative dates for MEPC 69 and MEPC 70

17.28 The Committee noted that MEPC 69 and MEPC 70 have been tentatively scheduled to take place from 18 to 22 April 2016 and from 24 to 28 October 2016, respectively.

Working/review/drafting groups at MEPC 69

17.29 The Committee, taking into account the decisions made under the respective agenda items, anticipated that the following groups may be established at MEPC 69:

.1 Working Group on Air pollution and energy efficiency;

.2 Working Group on Further technical and operational measures for enhancing the energy efficiency of international shipping;

.3 Drafting Group on Amendments to mandatory instruments;

.4 Drafting Group on Manual on "Port Reception Facilities – How to do it"; and

.5 Review Group on Ballast water treatment technologies.

Correspondence groups

17.30 The Committee recalled that it had established or confirmed, as appropriate, the following intersessional correspondence groups, which would report to MEPC 69:

.1 Correspondence Group on Review of the guidelines for approval of ballast water management systems (G8) (see paragraph 2.46);

.2 Correspondence Group on Fuel Oil Quality (see paragraph 3.53); and

.3 Correspondence Group on Review of the status of technological developments for implementation of the EEDI (see paragraph 3.72).

Intersessional meeting

17.31 The Committee, taking into account the relevant decisions made under agenda item 4, approved the holding of an intersessional meeting of the Working Group on Further technical and operational measures for enhancing the energy efficiency of international shipping during the week preceding CCC 2 and invited the Council to endorse that decision (see paragraph 4.25).

18 APPLICATION OF THE COMMITTEES' GUIDELINES

18.1 The Committee noted that MSC 94, in considering document MSC 94/13/1 (IACS), which proposed to amend subparagraphs 5, 6 and 7 of paragraph 4.14 of the Committees' Guidelines (MSC-MEPC.1/Circ.4/Rev.3) in order to make reference to the *Revised guidelines for Formal Safety Assessment (FSA) for use in the IMO rule-making process* (FSA Guidelines) (MSC-MEPC.2/Circ.12) to clarify the role of FSA in the context of unplanned outputs, instructed its GBS/FSA Working Group to develop draft guidelines for the MSC on consideration and review of the outcome of the FSA studies and prepare related draft amendments to the Committees' Guidelines.

18.2 The Committee also noted that MSC 94, having considered proposals to amend the FSA Guidelines, in particular relating to Risk Control Options (RCOs), also instructed its GBS/FSA Working Group to prepare draft amendments to the FSA Guidelines.

18.3 The Committee further noted that MSC 94, having considered the report of its GBS/FSA Working Group (MSC 94/WP.8), approved, subject to concurrent approval by MEPC 68:

.1 *Guidelines for considering and reviewing the outcomes of FSA studies*, for inclusion in the Committees' Guidelines as a new annex 6, and associated amendments to section 4 of the guidelines (MSC 94/21, annex 23); and

.2 amendments to paragraph 9.3.3 of the FSA Guidelines (MSC 94/21, annex 24).

18.4 Consequently, the Committee, in considering the information provided in document MEPC 68/18 (Secretariat) and the decisions taken by MSC 94:

.1 concurrently approved the guidelines for considering and reviewing the outcome of FSA studies, for inclusion in the Committees' Guidelines as a new annex 6, and associated amendments to section 4, for circulation of the revised Guidelines as MSC-MEPC.1/Circ.4/Rev.4;

.2 concurrently approved the draft amendments to paragraph 9.3.3 of the FSA Guidelines, for circulation of the revised guidelines as MSC-MEPC.2/Circ.12/Rev.1; and

.3 requested the Secretariat to make any editorial corrections that may be identified when preparing the aforementioned circulars for dissemination and refer the revised Committees' Guidelines to the Council's Correspondence Group on the GAP as requested by C 113 (C 113/D, paragraph 8.3(xi)).

19 ELECTION OF THE CHAIRMAN AND VICE-CHAIRMAN FOR 2016

19.1 The Committee, in accordance with Rule 17 of its Rules of Procedure, unanimously re-elected Mr. A. Dominguez (Panama) as Chairman and unanimously elected Mr. H. Saito (Japan) as Vice-Chairman, both for 2016.

19.2 The Committee, in acknowledging the contribution of its outgoing Vice-Chairman, Dr. N. Parker (New Zealand), to its work, thanked her and wished her success in her future endeavours.

20 ANY OTHER BUSINESS

20.1 The Committee noted that it had for consideration nine documents, including four documents deferred from MEPC 67, as reflected in document MEPC 68/20 (Secretariat). Of these, documents MEPC 68/20/2 (IBIA) and MEPC 68/20/3 (Norway), concerning the sulphur verification procedure in MARPOL Annex VI, were considered under agenda item 3 (see paragraphs 3.54 to 3.58).

Ships' biofouling

20.2 The Committee noted document MEPC 67/19 (New Zealand), which provides information for the Committee on the introduction, in May 2014, of biofouling management requirements for all ships coming into New Zealand, to minimize the risk of introduction of invasive aquatic species. The requirements are initially voluntary, becoming mandatory by May 2018 and New Zealand is working closely with the shipping industry to ease their effective implementation. The national requirements align with the *2011 Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species* (resolution MEPC.207(62)). During implementation, New Zealand will be collecting information and reporting these findings to the MEPC as appropriate.

20.3 The Committee also noted that New Zealand had initiated the study outlined in document MEPC 67/INF.24. The time frame for the project is extended until December 2015 and the delegation of New Zealand encouraged anyone interested in participating to contact John Lewis (jlewis@eslinkservices.com.au). The delegation will provide the Committee with the outcomes of the study and welcomed other information being provided to the Committee to help support the implementation of the Biofouling Guidelines and their future review, perhaps including a follow-up phase of the GloBallast work.

20.4 The delegation of Japan thanked New Zealand for providing information on the project to support effective hull maintenance practices as such efforts would be beneficial for future review of the 2011 Biofouling Guidelines. The delegation informed the Committee of an ongoing project on the same issue conducted by Japan to examine the effectiveness of key recommendations in the guidelines from a practical point of view and to identify good practice and challenges for implementation in actual ships' operations. It is expected that this project could contribute to a review of the guidelines and the *Guidance for evaluating the 2011 Biofouling Guidelines* (MEPC.1/Circ.811). The outcome of the project would be provided to IMO in a timely manner.

20.5 The delegation of Brazil, as Contracting Government to the BWM Convention, fully supported the proposal for a similar GEF-UNDP-IMO Project aiming at preventing biofouling on ships, which would be followed by Brazil by means of the maritime authority supported by the Instituto de Estudos do Mar Almirante Paulo Moreira (IEAPM), which has developed many tools on this issue.

20.6 Having noted the information provided by New Zealand, the Committee invited Member States to disseminate it to affected parties within their jurisdiction, as deemed appropriate.

Proposed amendments to the IOPP Certificate

20.7 The Committee considered document MEPC 68/20/1 (Liberia et al.) on proposed changes to the format of Form B of the Supplement to the International Oil Pollution Prevention (IOPP) Certificate with respect to Segregated Ballast Tank (SBT) and Protective Location (PL) arrangements on double hull tankers, and dedicated Clean Ballast Tanks (CBTs) (annex 1), indicating that the lack of consistency in the completion of sections 5.1 and 5.2 of Form B for double hull tankers had created significant confusion and uncertainty in the industry and could be improved by having single entries for SBT, PL and Crude oil washing (COW). The Committee also considered a proposal to delete entries in Form B relating to dedicated Clean Ballast Tanks (CBTs) and to revise sections 5.1 and 5.2 of the Form B for double hull tankers, as set out in annex 2 to the document.

20.8 The delegation of Spain noted that there were a number of detailed technical questions which would need to be reviewed before the proposed amendments to sections 5.1 and 5.2 of Form B of the Supplement to the IOPP Certificate suggested by the co-sponsors could be approved by the Committee. Consequently, due to time constraints, the Committee invited Member Governments and international organizations to submit further comments and proposals on the matter to MEPC 69.

Oil pollution/HNS preparedness and response

20.9 The Committee noted documents MEPC 67/INF.13 and MEPC 68/INF.6 (ISCO) on knowledge-acceptance and belief-rejection, which recommended the adoption by Member States of "knowledge only" decisions for oil/HNS release and response.

Anti-fouling coatings

20.10 The Committee noted document MEPC 68/INF.15 (Secretariat) on the *Revised guidance on best management practices for removal of anti-fouling coatings from ships, including TBT hull paints,* approved by the governing bodies to the London Convention and Protocol at their last joint session (3 to 7 November 2014) and circulated as LC-LP.1/Circ.31/Rev.1 on 2 December 2014.

Underwater noise

20.11 The Committee noted document MEPC 68/INF.26 (IUCN) on new information on the impact of underwater noise from ships on fish and invertebrates.

Interagency cooperation relating to the protection of the marine environment

20.12 The Committee noted document MEPC 67/INF.32 (Secretariat), providing an overview of the work carried out by the Secretariat in cooperation with other United Nations entities on issues relating to the protection of the marine environment.

21 ACTION REQUESTED OF OTHER IMO BODIES

21.1 The Council, at its 114th session, is invited to:

.1 consider the report of the sixty-eighth session of the MEPC and, in accordance with Article 21(b) of the IMO Convention, transmit it, with any comments and recommendations, to the twenty-ninth session of the Assembly;

.2 note the action taken by the Committee on issues related to the BWM Convention (section 2);

.3 note the action taken by the Committee on issues related to air pollution and energy efficiency measures for ships and the progress made by the Ad Hoc Expert Working Group on Facilitation of Transfer of Technology for Ships (section 3);

.4 note the action taken by the Committee on issues related to further technical and operational measures for enhancing energy efficiency of international shipping (section 4);

.5 note the action taken by the Committee on issues related to the reduction of GHG emissions from international shipping (section 5);

.6 note that the Committee adopted the Introduction and parts II-A and II-B of the International Code for ships operating in polar waters (Polar Code), together with associated amendments to MARPOL Annexes I, II, IV and VI; and amendments to regulation 12 of MARPOL Annex I (paragraphs 6.21 to 6.25);

.7 note that the Committee adopted an extension to the Great Barrier Reef and Torres Strait PSSA (paragraph 10.11 and annex 14);

.8 note that the submitters of a proposal for the Organization to join a collective arrangement adopted by the North East Atlantic Fisheries Commission (NEAFC) and the OSPAR Commission for the protection of the marine environment of the North East Atlantic were advised to submit that proposal to the Council (paragraph 10.28);

.9 note the action taken by the Committee on the reports of relevant sub-committees (section 12);

.10 note that the Committee considered the request of C 113 to review administrative requirements under its purview; requested the Secretariat to analyse such requirements (MEPC 68/13/2) and to report the outcome to MEPC 69; and included an output on "Analysis and consideration of recommendations to reduce administrative burdens in IMO instruments as identified by the SG-RAR" in the 2016-2017 HLAP, with a target completion year of 2017 (paragraphs 13.5 to 13.9);

.11 note that the Committee, in accordance with the decisions of A 28 (resolution A.1074(28)), urged Member States to use GISIS for notification purposes and agreed that separate circulars would only be issued in exceptional circumstances, if and when requested by Member States (paragraph 14.4);

.12 note the biennial status report of the planned outputs of the MEPC for the 2014-2015 biennium (paragraph 17.22 and annex 22);

.13 endorse the proposals for inclusion in the HLAP of the Organization and priorities for the 2016-2017 biennium in respect of MEPC (paragraph 17.26 and annex 23);

.14 endorse the holding of an intersessional meeting of the Working Group Working Group on Further technical and operational measures for enhancing the energy efficiency of international shipping during the week preceding CCC 2 (paragraph 17.31); and

.15 note the action taken by the Committee with regard to the application of the Committees' Guidelines, in particular the approval of the revised *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.4/Rev.4) and refer them to the Council's Correspondence Group on the GAP as requested by C 113 (section 18).

21.2 The Maritime Safety Committee, at its ninety-fifth session, is invited to:

.1 note the information on the recent attack on the dry cargo ship **MV Tuna 1** (paragraph 1.5);

.2 note the outcome of the Committee's discussion on the issue of fuel oil quality, in particular the re-establishment of the correspondence group on the matter (paragraphs 3.48 to 3.53);

.3 note the outcome of the Committee's continued discussion on the *2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions* (resolution MEPC.232(65), as amended by resolution MEPC.255(67)), in particular the adoption of further amendments to the guidelines by resolution MEPC.262(68) (paragraphs 3.78 to 3.82 and 3.101 and annex 7);

.4 note that the Committee adopted the Introduction and parts II-A and II-B of the International Code for ships operating in polar waters (Polar Code) and associated amendments to MARPOL Annexes I, II, IV and V (paragraphs 6.21 to 6.23);

.5 note the approval of draft consequential amendments to MARPOL Annex II, emanating from the revision of chapter 21 of the IBC Code, with a view to adoption at MEPC 69 (paragraph 12.7 and annex 15);

.6 concurrently approve the unified interpretations of paragraph 15.13.5 of the IBC Code for products requiring oxygen-dependent inhibitors, for dissemination as an MSC-MEPC circular (paragraph 12.8 and annex 16);

.7 concurrently approve MSC-MEPC.2/Circ.15 on *Guidelines for the development, review and validation of model courses* (paragraph 12.18);

.8 concur with the forwarding of the draft *Guidelines for port State control officers on the ISM Code*, as amended, to III 2 for review and finalization, with a view to subsequent approval by the Committees (paragraph 12.20);

.9 note that the Committee approved the draft amendments to the IMSBC Code related to HME substances prepared by CCC 1 (CCC 1/WP.4, annex), subject to removal of the duplicated text of MARPOL Annex V regulations from the draft new section 14 and revision of the introductory part of that section accordingly and concur with the action taken before adopting the amendments;

.10 note that the Committee concurred with the action taken by MSC 94 to instruct III 2 to consider amending the *List of certificates and documents required to be carried on board ships, 2013* (FAL.2/Circ.127-MEPC.1/Circ.817-MSC.1/Circ.1462) to reflect the provisions of FAL.5/Circ.39/Rev.1 on *Guidelines for the use of electronic certificates* (paragraph 13.2),

.11 note that the Committee, having considered the relevant decision of MSC 94, concurrently approved the modified titles of continuous outputs 5.0.1.1, 10.0.1.1 and 10.0.1.2 (paragraph 17.3);

.12 note that the Committee approved the biennial agenda of the PPR Sub-Committee and the revised provisional agenda for PPR 3 (paragraph 17.14 and annex 18);

.13 concurrently approve the biennial agenda of the CCC Sub-Committee and the provisional agenda for CCC 2, including a new output on "Mandatory requirements for classification and declaration of solid cargoes as harmful to the marine environment" added by the Committee (paragraphs 12.35, and 17.16.2 and annex 19);

.14 concurrently approve the biennial agenda of the III Sub-Committee and the provisional agenda for III 2 (paragraph 17.17 and annex 19);

.15 note that the Committee approved the items on the biennial agendas of the HTW, NCSR, SDC and SSE Sub-Committees relating to environmental issues (paragraph 17.21 and annex 21);

.16 note that the Committee concurrently approved MSC-MEPC.1/Circ.4/Rev.4 on *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (paragraph 18.4.1); and

.17 note that the Committee concurrently approved MSC-MEPC.2/Circ.12/Rev.1 on *Revised guidelines for Formal Safety Assessment (FSA) for use in the IMO rule-making process (FSA Guidelines)* (paragraph 18.4.2).

21.3 The Technical Cooperation Committee, at its sixty-fifth session, is invited to:

.1 note the progress made by the Ad Hoc Expert Working Group on Facilitation of Transfer of Technology for Ships (TT-EG) (paragraphs 3.3 to 3.7); and

.2 note that the Committee noted, with appreciation, information provided on the Organization's TC activities related to the protection of the marine environment, implemented between 1 July 2014 and 31 January 2015 under the ITCP, as well as under the major projects financed through external sources, and invited Member Governments and international organizations to continue and, if possible, increase their support for IMO's TC activities (section 15).

21.4 The Facilitation Committee, at its fortieth session, is invited to note that the Committee concurred with the action taken by MSC 94 to instruct III 2 to consider amending the *List of certificates and documents required to be carried on board ships, 2013* (FAL.2/Circ.127-MEPC.1/Circ.817-MSC.1/Circ.1462) to reflect the provisions of FAL.5/Circ.39/Rev.1 on *Guidelines for the use of electronic certificates* (paragraph 13.2).

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(The annexes will be issued as an addendum to this document)