

SUB-COMMITTEE ON POLLUTION
PREVENTION AND RESPONSE
7th session
Agenda item 14

PPR 7/14/6
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**DEVELOPMENT OF MEASURES TO REDUCE RISKS OF USE AND CARRIAGE OF
HEAVY FUEL OIL AS FUEL BY SHIPS IN ARCTIC WATERS**

**Comments on document PPR 7/14/4, "Draft language for a ban of use and carriage of
heavy fuel oil as fuel by ships in Arctic waters"**

Submitted by FOEI, WWF, Pacific Environment and CSC

SUMMARY

Executive summary: This document sets out the views of the co-sponsors on document PPR 7/14/4, "Draft language for a ban of use and carriage of heavy fuel oil as fuel by ships in Arctic waters". The co-sponsors support the process outlined in document PPR 7/14/4 but do not agree that delays or exemptions to a ban are necessary.

*Strategic direction,
if applicable:* 6

Output: 6.11

Action to be taken: Paragraph 7

Related documents: MEPC 71/14/4; MEPC 72/11/1; MEPC 73/9/1, MEPC 73/9/2; PPR 6/12/3, PPR 6/INF.21; PPR 7/14/1, PPR 7/14/2, PPR 7/14/3, PPR 7/14/4, PPR 7/INF.13, PPR 7/INF.14, PPR 7/INF.16 and PPR 7/INF.19

1 This document is submitted in accordance with the provisions of paragraph 6.12.5 of 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.5/Rev.1) and provides comments on document PPR 7/14/4 (Denmark et al.).

2 The co-sponsors welcome the submission from Denmark et al., document PPR 7/14/4, "Draft language for a ban of use and carriage of heavy fuel oil as fuel by ships in Arctic waters", which proposes draft amendments to MARPOL Annex I and the Polar Code on use and carriage of heavy fuel oil (HFO) as fuel by ships in Arctic waters. In addition, the document sets out a clear process for the working group at PPR 7 to discuss the proposed text, incorporate results of impact assessments submitted to PPR 7, and finalize the amendments to regulation 43 of MARPOL Annex I and Part II-A of the Polar Code at PPR 7.

3 The co-sponsors support the process outlined in document PPR 7/14/4 to develop text for a ban of use and carriage of HFO as fuel by ships in Arctic waters and request Member States to take the views of Indigenous groups and individuals into special consideration while developing the ban on use and carriage of HFO as fuel by ships in Arctic waters, as outlined in document PPR 7/14/1.

4 While strongly supporting any effort to finalize the amendments to regulation 43 of MARPOL Annex I and Part II-A of the Polar Code at PPR 7 and forward the draft amendments to MEPC for approval and adoption, the co-sponsors do not support any provision allowing for a five-year delay in implementation for vessels already complying with the oil fuel tank protections of regulation 12A of MARPOL Annex I or Part II-A of the Polar Code. Of the HFO-fuelled ships operating in the IMO Polar Code Arctic in 2015, around one quarter would qualify for such an exemption. These ships were responsible for 32% of the HFO used and 40% of the HFO carried as fuel in Arctic waters in 2015.* Delays or exemptions will only prolong the threat of an HFO spill in the Arctic.

5 It has been ten years since the Arctic Marine Shipping Assessment, which was published by the Arctic Council, found that the most significant threat from ships to the Arctic marine environment was the release of oil through accidental or illegal discharge, and eight years since a ban on the use and carriage of HFO was introduced for ships operating in the Antarctic. The timescale for discussions on a ban on the use and carriage of HFO as fuel by ships in Arctic waters has already required a significant amount of time. An Arctic HFO ban was first considered during the development of the Polar Code in 2013/14. It is nearly two years since a proposal for a ban was submitted by Finland, Germany, Iceland, the Netherlands, Norway, New Zealand, Sweden and the United States, and an amendment to MARPOL Annex I to introduce an Arctic ban regulation will require a further 2-3 years before it comes into effect. Ships qualifying for the five-year exemption could continue using HFO and carrying HFO for use until 2027, at a minimum. In the meantime, the volume of shipping traffic in the Arctic is increasing and between 2015 and 2017 there was a 57% increase in the volume of HFO use by ships in the Arctic. The co-sponsors do not believe that there is any basis for a five-year delay.

6 For these reasons, the co-sponsors reiterate that delays or exemptions to a ban on the use and carriage of HFO as fuel in the Arctic are not supported as they will result in increasing risk to the Arctic from an HFO spill as vessel traffic in the region increases.

Action requested of the Sub-Committee

7 The Sub-Committee is invited to consider the views of the co-sponsors during further consideration of the draft language for a ban of use and carriage of heavy fuel oil as fuel by ships in Arctic waters.

* Based on analysis of 2015 AIS data by the International Council for Clean Transportation.