



DTO
WEB PORTALI GÜNCEL HABERLER TAKİP FORMU

Haber Tarihi: 25.07.2012

Haber Başlığı: **US EPA Tarafından Kuzey Amerika Sınırlarında Yapılan Geçici Rehberlik Hakkında Bilgilendirme**

Yayından Kaldırılma Tarihi: 31.07.2012

Viswa Lab TÜRKİYE' nin, "ABD Çevre Koruma Ajansı(US EPA) Tarafından Kuzey Amerika Sınırlarında Yapılan Geçici Rehberlik Hakkında Bilgilendirme"yi içeren İngilizce soru ve cevaplar ile Türkçe özet Bilgi Dökümanına ait 222/1 ve 223 No'lu Bültenler Ek'te yer almaktadır.

EKLER:

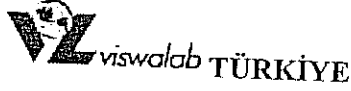
Ek-1: 222-1 No'lu Bülten

Ek-2: 223 No'lu Bülten

Koor: Derya BAYKAL

Hazırlayan: H.DEMİROĞLU

Onay: Hüseyin ERTAN



VISWA LAB TÜRKİYE
VISWA LAB. FUEL ANALYSIS
BULTEN #223

TEKNİK GÜNCELLEME: 2012/7/10

Her zaman regülasyonların uygulama tarihleri yaklaştıkça, aklımıza bir sürü soru gelmektedir. Bizler de, sizler için aşağıdaki en çok sorulan sorularla ilgili bir bülten hazırladık. Bunu yaparken US EPA'nın düzenlediği dokümanlardan faydalandık.

KUZEY AMARIKA ECA'DAKI US EPA TARAFINDAN GECİCİ ÖNERİ İÇİN SIKÇA GELEN SORULAR

IMO Marine Environment Protection Committee (MEPC) Marpol Annex VI için (13,14 ve yeni Appendix VII regülasyonları için değişiklikler) Kuzey Amerika Emisyon Kontrol bölgesi için Nox, Sox ve parçacıkları belirlemek adına bazı değişiklikleri benimsedi. Bununla ilgili olarak, EPA 26 Haziran 2012 tarihindeki Sıkça sorulan soruları kapsayan genelgesini yayınladı. Biz bu soruları olabildiğince anlaşılır bir biçimde kısaltarak, müşterilerimizin ilgilendikleri, dikkatlerini çeken konulara yoğunlaşarak sizlere sunmaya çalıştık. Unutmayınız ki kelimesi kelimesine, bire bir EPA genelgesinden alıntı yapmadık. Konu ile ilgili 28 Haziran tarihinde Tacoma'da EPA toplantısında yapılan sözlü açıklamalarını da ekledik.

1- Neden Amerika Birleşik Devletleri hükümeti bu öneriyi tanzim ediyor?

A- Marpol Annex VI regülasyonları Kuzey Amerika Emisyon Kontrol Bölgesi (North America ECA) için Ağustos 2012 tarihinden itibaren etkisini gösterecektir. Bu tarihten itibaren bu bölgede kullanılan yakıtların sülfür oranı %1.00 (10,000 ppm) den Yüksek olamayacaktır.

2- Kuzey Amerika ECA 'nın coğrafi sınırları nedir?

A- Spesifik coğrafi koordinatları içeren liste Marine Environment Protection Committee Resolution (MEPC.190 -60-) da yer almaktadır. Detaylar için Ek 1 bölümüne bakınız.

3- MARPOL ANNEX VI 'da fuel oil sülfür standartları nedir?

A- Marpol Annex VI fuel oil sülfür standartları Annex VI regülasyonları 14 ve 40 C.R.F page: 1043.60 b'de belirtilmektedir. Kuzey Amerika ECA'da fuel oil için maksimum sülfür seviyesi 1 Ağustos 2012 tarihi itibarıyla uygulanmaya koyulacaktır ve limit %1.00 m/m (10,000ppm) olacaktır.

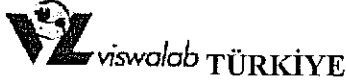
Lütfen her türlü sorunuzda bizlerle iletişime geçmekten çekinmeyiniz.

Saygılarımızla

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VISWA LAB TÜRKİYE
VISWA LAB. FUEL ANALYSIS
BULTEN #222/1

TEKNİK GÜNCELLEME: 2012/7/05

Every time an implementation date approaches for a regulation, many questions arise in our mind with minute details regarding implementation. We have attempted below, a Question & Answer format to address all such questions. In this we have been assisted by a document issued by US EPA. We have taken their format and also added our own FAQ's and the document below addresses the whole issue.

SIK SORULAN SORULAR VE CEVAPLARI ILE EPA TARAFINDAN KUZAY AMERIKA SINIRLARINDA YAPILAN GEÇİCİ REHBERLİK HAKKINDA BİLGİLENDİRME

IMO's Marine Environment Protection Committee (MEPC) adopted amendments to MARPOLAnnex VI (amendments to regulation 13, 14 and new Appendix VII) to designate the North American Emission Control Area for NOx, SOx and particulates. With regard to this, EPA has released a memorandum on June 26th 2012 containing Frequently Asked Questions. Please note that we have tried to shorten the answers and make them more relevant and focused on what is likely to be of interest to our customers. This is not a verbatim reproduction of the EPA memorandum. We are also adding verbal clarifications provided by EPA in the meeting held on June 28th in Tacoma. We expect the verbal clarifications to be confirmed through written notifications

1. Why is the United States government issuing this guidance?

A. Since Marpol Annex VI regulations will kick in from August 1, 2012 for North American Emission Control Area (North American ECA). From this date, the fuel oil used in ECA area shall not contain sulfur greater than 1.00% (10,000 ppm)

2. What are the geographic boundaries of the North American ECA?

A. The specific geographic coordinates that comprise the North American ECA are listed in the Marine Environment Protection Committee Resolution MEPC.190(60). See Appendix 1 for details.



3. What are the MARPOL Annex VI fuel oil sulfur standards?

A. The MARPOL Annex VI fuel oil sulfur standards are set out in Annex VI Regulation 14 and 40 C.F.R. § 1043.60(b). The maximum sulfur content of fuel oil used in the North American ECA, which becomes enforceable on August 1, 2012, will be limited as follows: 1.00% m/m (10,000 ppm) from August 1, 2012

4. Which vessels are required to comply with the Annex VI ECA fuel oil sulfur standard while operating in the North American ECA?

A. With limited exceptions, including for certain “public vessels”, all vessels that operate in the North American ECA are required to be in compliance with the Annex VI ECA fuel oil sulfur standard. Vessels under 400 GRT are assumed to use distillate fuels.

5. How do I comply with the Annex VI ECA fuel oil sulfur standards while operating in the North American ECA?

A. Use fuel compliant with Annex VI ECA regulations or install and use equivalent Exhaust Gas Scrubbers.

6. How do I demonstrate that the fuel oil used on my ship complies with the Annex VI ECA fuel oil sulfur standard while operating in the North American ECA?

A. You are required to maintain the following documents

- a. Bunker Delivery Notes.*
- b. Fuel oil records.*
- c. Representative oil sample.*
- d. Written Fuel Oil changeover procedures.*
- e. Oil log book*

7. If compliant fuel oil meeting the 1.00% m/m (10,000 ppm) sulfur standard is not available when I purchase fuel oil, what should I do?

- The compliant fuel is expected to be available. If unable to obtain this, US authorities will consider relevant circumstances and take appropriate action including not taking control measures.*
- Notify the US and your flag administration that you are unable to procure compliant fuel oil.*
- Fill up Fuel Oil Non Availability report detailing your efforts to obtain complaint fuel. This must be submitted no later than 96 hours prior to entering North American ECA.*

8. Does making a best effort mean that I am required to deviate from my intended voyage to purchase compliant fuel oil for use in the North American ECA?

A. It is expected that you will take every effort to bunker a compliant fuel from a US port of call prior to further transit in North American ECA. However, there is no need to deviate from intended voyage in order to purchase compliant fuel.

9. If marine distillate fuel is available where I bunker, does making a best effort mean I am required to use this fuel?

A. While evaluating the data submitted under Fuel Oil Non Availability Report, the authorities will only consider availability of residual fuels and blends thereof.

10. If I am unable to purchase 1.00% m/m (10,000 ppm) compliant fuel oil, but through my best efforts I purchase the cleanest fuel oil possible, will any consideration be given to my efforts?

A. Yes. But authorities expect that you will take and continue to take actions necessary to burn regulation compliant commercially available residual fuel oil blends.

The United States government does not consider the cost of compliant fuel oil to be a valid basis for claiming you were unable to purchase 1.00% m/m (10,000 ppm) fuel oil. Nor is the cost of compliant fuel oil a valid basis for claiming that such fuel oil was not available.

11. In evaluating my efforts to purchase residual fuel oil blends meeting the 1.00% m/m (10,000 ppm) fuel oil sulfur standard, will consideration be given to the unique operating requirements of my vessel?

A. Yes. If you have specific operational constraints you must convince authorities about steps taken to resolve these constraints and enable you to use commercially available residual fuel oil blends.

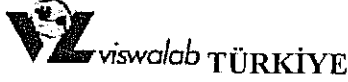
12. What should my Fuel Oil Non-Availability Report contain?

A. MARPOL Annex VI Regulation 18.2, as incorporated by reference in 40 C.F.R. § 1043.100, provides that a vessel not in compliance with the fuel oil sulfur standards will "(1) present a record of the actions taken to attempt to achieve compliance; and (2) provide evidence that it attempted to purchase compliant fuel oil in accordance with its voyage plan and, if it was not made available where planned, that attempts were made to locate alternative sources for such fuel oil and that despite best efforts to obtain compliant fuel oil, no such fuel oil was made available for purchase."

Consistent with these requirements, the following information should be included in the Fuel Oil Non-Availability Report:

- *The vessel's name, flag, and IMO identification number or other relevant registration number;*

- A copy (or description) of the ship's voyage plan in place at the time of entry into the North American ECA, including the vessel's port of origin and port of destination, and the name of the first U.S. port of arrival;
- When the vessel first received notice it would be conducting a voyage involving transit in the North American ECA, and the vessel's location when it first received such notice;
- The date and time the ship operator expects to enter and exit the North American ECA, as well as the projected days on which the ship's main propulsion engines will be in operation;
- A description of the actions taken to attempt to achieve compliance prior to entering the North American ECA, including a description of all attempts that were made to locate alternative sources of compliant fuel oil, and a description of the reason why compliant fuel oil was not available (e.g., compliant fuel oil was not available at ports on "intended voyage;" fuel oil supply disruptions at port; etc. As mentioned above, the United States government does not consider the cost of compliant fuel oil to be a valid basis for claiming the non-availability of compliant fuel oil). Include names and addresses of the fuel oil suppliers contacted and the dates on which the contact was made;
- In cases of fuel oil supply disruption, the name of the port at which the vessel was scheduled to receive compliant fuel oil and the name of the fuel oil supplier that is now reporting the non-availability of compliant fuel oil;
- If applicable, identify and describe any operational constraints that prevented you from using available compliant fuel oil, for example with respect to viscosity or other fuel oil parameters. Specify steps you have taken, or are taking, to resolve these operational constraints that will allow you to use all commercially available residual fuel oil blends;
- The availability of compliant fuel oil at the first port-of-call in the United States, and your plans to obtain that fuel oil;
- If compliant fuel oil is not available at the first port-of-call in the United States, the lowest sulfur content of available fuel oil, or the lowest sulfur content of available fuel oil at the next port-of-call in the United States;
- If the vessel has operated in the North American ECA in the prior 12 months, provide the names of all U.S. ports visited, the dates of the port calls, and whether the vessel used compliant fuel oil;
- If the vessel or owner/operator has submitted a Fuel Oil Non-Availability Report to the United States government in the previous 12 months, identify the number of Fuel-Oil Non-Availability Reports previously submitted, and provide details on the dates and ports previously visited while using non-compliant fuel oil; and



- All relevant contact information, including the ship master, ship operator, legal agent in the United States, ship owner, and any related parent companies. Also include a designated corporate official who is authorized to answer additional questions relating to claims of fuel oil unavailability and his or her full contact information.

The United States government will consider the information submitted in a Fuel Oil Non-Availability Report to be reliable only if the report is signed by an authorized representative of your company and contains the following affirmation: The sulfur content of the fuel oil that will be used when entering and operating in the North American ECA;

I certify under penalty of law that the statements and information made herein are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines and imprisonment pursuant to 18 U.S.C. § 1001.

13. When should I file my Fuel Oil Non-Availability Report?

A. This must be submitted no later than 96 hours prior to entering North American ECA.

14. Where do I send my Fuel Oil Non-Availability Report?

A. The United States government is currently in the process of implementing an electronic system to receive Fuel Oil Non-Availability Reports. Information on the electronic system, including the launch date of the system, will be announced on U.S. EPA's website at <http://www.epa.gov/otaq/oceanvessels.htm>, and on the United States Coast Guard's website at <http://homeport.uscg.mil>, then select Domestic Vessels then Domestic Vessel General, then select MARPOL Annex VI. You may also sign up for an e-mail notification of the launch of the electronic system, as well as future marine alerts, using U.S. EPA's EnviroFlash application at:

<https://enviroflash.epa.gov/enviroflashOTAQPublic/Subscriber.do?method=start>.

Prior to the implementation of the electronic system, you may send your Fuel Oil Non-Availability Report to the following e-mail address: marine-eca@epa.gov.

You must also notify your flag administration if you cannot purchase compliant fuel oil. See Annex VI Regulation 18.2.4, as incorporated by reference in 40 C.F.R. § 1043.100.

Additionally, the United States government is obligated to notify the IMO when a ship presents evidence of the non-availability of compliant fuel oil. See Annex VI Regulation 18.2.5, as incorporated by reference in 40 C.F.R. § 1043.100.

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15. By filing a Fuel Oil Non-Availability Report, will my ship be deemed to be in compliance with the MARPOL Annex VI fuel oil sulfur standard that applies in the North American ECA?

A. No. The filing of Non-Availability report does not mean your vessel is compliant with Marpol Annex VI. However, authorities will consider all information provided in the Non Availability report to determine appropriate action to take. In this determination, the following points will be considered.

- *The sulfur content of the fuel oil that was used onboard the ship, and whether it was the lowest sulfur fuel oil available at the time of fuel oil purchase and/or available along the ship's intended voyage;*
- *Whether the ship obtained compliant fuel oil at its first port-of-call in the United States and used that fuel oil for the remainder of the voyage in the North American ECA;*
- *What actions have been taken to address any engine-related constraints with respect to using compliant fuel oil that is available on the specified route;*
- *Whether other vessels on similar voyages submitted Fuel Oil Non-Availability Reports; and*
- *any other relevant factors. How many Fuel Oil Non-Availability Reports have been previously filed by the ship, the operating company, and the vessel owner;*

16. What other actions may be required?

A. Once you enter North American ECA, purchase compliant fuel if available from US port of call as soon as possible and prior to further transit through North American ECA. You must also buy sufficient quantity to take care of your needs while the vessel is in North American ECA. If you expect to return to North American ECA, you must take sufficient quantity of compliant fuel to allow the vessel to re-enter North American ECA. Authorities reserve the right to ask for substantiation of Non Availability claims and, if considered necessary conduct more extensive inspections on the ship.

Verbal Clarifications by US Coast Guard on 28th June 2012

1. The interpretation of sulfur results will be based on ISO standards and not IMO guidelines. This means that a single test result of 1.06% will be acceptable. IMO guidelines would not allow anything over 1.00% sulfur.
2. US Coast Guard (USCG) will first check the Bunker Delivery Note (BDN), the oil log book with full entries. Only if there is suspicion, USCG will test fuel samples for sulfur.
3. While choosing samples for testing, USCG would consider testing Marpol samples (and NOT service tank samples as practiced by some port states)
4. If the vessel has two fuels, one with 1.20% sulfur and the other with 0.8%, can the vessel mix it and show it in the oil record book? Yes, the USCG confirmed that if the documents are all in order, this may be acceptable.
5. While USCG will go along with 1.00% sulfur from 1st August 2012, the changeover to 0.1% sulfur in ECA area will commence from 1st July 2014, one year ahead of IMO requirement which is from 1st July 2015.

FREQUENTLY ASKED QUESTIONS BY VESSEL OPERATORS

1. Are there any exemptions for Great Lakes?

A. As per EPA, the ECA requirements apply in US internal waters shoreward of a designate ECA. This includes the Great Lakes and St. Lawrence Seaway.

To address the Great Lakes, EPA regulations 40 CFR 1043.95 include three provisions

- 1. Steamship Exemption which exempts Great Lakes steamships from ECA fuel standards.*
- 2. Economic Hardship Provision*
- 3. Residual Fuel Availability Waiver*

Please refer to attachment Appendix 2 for further information.

2. What are the recommended steps to be taken with regard to fuel changeover to LSFO?

A. For ships using separate fuel oils to comply with the ECA requirements, proper changeover procedures for entry into an ECA should be carried and implemented in accordance to Regulation 14.6 of MARPOL Annex VI. This should include calculations of time needed to changeover from high sulfur to the low sulfur fuel including time to ensure that the vessel's system is fully flushed of all fuel oils exceeding the applicable sulfur content prior to entering the ECA.

3. What are the upcoming changes in the maximum allowable fuel sulfur content requirements under the California OGV Fuel Regulation? (From CARB Marine Notice 2012-1)

A. Beginning August 1, 2012 the maximum fuel sulfur (S) limit for marine gas oil (DMA) will decrease from 1.5% to 1.0% S. The maximum fuel S limit for marine diesel oil (DMB) will continue to be 0.5% S. These requirements are summarized in Table 1 and are enforced within the California OGV regulatory zone, which is 24 nm off the coast of California, including the islands.

Table 1: Fuel Requirements for Ocean-Going Vessels

Fuel Requirement	Effective Date	ARB's California OGV Fuel Requirement Percent Sulfur Content Limit
Phase I	July 1, 2009	Marine gas oil (DMA) at or below 1.5% sulfur; or Marine diesel oil (DMB) at or below 0.5% sulfur
	August 1, 2012	Marine gas oil (DMA) at or below 1.0% sulfur; or Marine diesel oil (DMB) at or below 0.5% sulfur
Phase II	January 1, 2014	Marine gas oil (DMA) at or below 0.1% sulfur; or marine diesel oil (DMB) at or below 0.1% sulfur

4. Do ships visiting California ports have to comply with both the California OGV Fuel Regulation and the ECA? (From CARB Marine Notice 2012-1)

A. Yes. Ships must meet both the requirements of the California OGV Fuel Regulation and the ECA.

5. Why does California continue to enforce the California OGV Fuel Regulation when the ECA is also being implemented? (From CARB Marine Notice 2012-1)

A. It is important for the California OGV Fuel Regulation to continue to be enforced until ECA implementation provides equivalent emission reductions. This is not expected to occur until 2015 when the ECA fuel sulfur limit is 0.1% S. This is because the ECA does not require the use of marine distillate fuels. Significantly more emission reductions are realized when ships use marine distillate fuel as opposed to heavy fuel oil. Because of this and due to the immediate need to improve air quality and public health in California, the California OGV Fuel Regulation will continue to be enforced.