



Monday 04th January 2010

Bulletin 671 - 01/10 - EU low-sulphur fuel update part 3 - Europe

Following Bulletins 669 and 670, please find below the latest information regarding the EU low-sulphur requirements.

With reference to the EU Directive 2005/33/EC effective on January 1st, 2010, whereby ships at berth in European Union community ports shall use only marine fuels with maximum 0.1% sulphur content, the European Commission accepted a 'Commission Recommendation' to grant an eight-month transitional period to ships which have not made the necessary technical modifications to facilitate consumption of such fuels yet. The transitional period is subject to the following conditions:

1. As part of the Member States enforcement actions against ships which fail to comply with the requirement to use fuels with a maximum permitted sulphur content of 0.1 % while at berth, Member States should request those ships to provide detailed evidence of the steps they are taking to achieve compliance.

This should include

(a) a contract with a manufacturer and

(b) an approved retrofit plan which should be approved by the ship's classification society or, for ships flying the flag of a Member State, by the organisation having recognition in accordance with Regulation (EC) 391/2009 of the European Parliament and the Council.

The retrofit plan should clearly state the date of completion of the adaptation and certification process.

2. Member States may consider the existence of an approved retrofit plan when assessing the degree of penalties to be applied to non-complying ships.

3. Member States should take appropriate measures to raise awareness among owners, operators and seafarers of the safety risk related to fuel changeover in the absence of any necessary technical adaptation to a ship's fuel system and the necessity for training to be provided.

Ship operators should further note that while Member States will take the Commission Recommendation into consideration, it remains a 'recommendation' from a legal point of view and that individual Member States may decide not to follow it.

Finally, the required documentation in order to benefit from the transitional period as explained has to be provided by the ship owners to PSC inspectors.

The complete announcement of the European Union can be accessed via the following link:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:348:0073:0074:EN:PDF>

Members should liaise with their flag state or agents for the most up to date local information.

Source of information: European Union