

UK P&I CLUB



LP Bulletin

Friday 28th September 2012

Bulletin 846 - 09/12 - Sulphur Limit Bunker Dispute - Rotterdam

The Club has been made aware of a case concerning an entered vessel which was detained for breaching the SECA regulations despite the bunker fuel being supplied in the same port as the vessel was detained.

An entered vessel was detained recently in the port of Rotterdam for burning fuel in the SECA area which had a higher than regulated amount of Sulphur. The bunker fuel in question was supplied to the vessel by a bunker supplier in the port of Rotterdam on a previous visit to the port.

However on the vessels return to Rotterdam the port authorities carried out an inspection of the vessel including an analysis of the bunkers on board and found Sulphur content of the bunker fuel to exceed those permitted under the SECA regulations. The vessel was subsequently detained.

The vessel owner protested this punitive action and sought to have the detention expunged from the vessels record on the grounds that the liability rested with the bunker supplier for supplying the vessel with off spec bunkers. Dutch authorities refused to acknowledge the role of the bunker supplier and rejected the members appeal.

This case raises the concern that a vessel can be caught in between the bunker suppliers and the port authorities. Bunker delivery notes are received in good faith and taken at face value however, in this particular case this has proven to be detrimental to the vessel.

The Club would stress the importance of collecting and maintaining meticulous records of all bunker fuel received. Recording and logging all bunker delivery notes for use in defending any future claims.

Additionally the proper and concise upkeep and maintenance of the Oil Record Book (ORB) is imperative.

The Club points to advise previously issued in **Technical Bulletin 35: Oil Record Book Entries** which can be viewed and downloaded at the following web address:

<http://www.ukpandi.com/loss-prevention/technical-bulletins/>

Source of Information:

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