

MARINE ENVIRONMENT PROTECTION
COMMITTEE
78th session
Agenda item 9

MEPC 78/9/1
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POLLUTION PREVENTION AND RESPONSE

Outcome of PPR 9

Note by the Secretariat

SUMMARY

Executive summary: This document provides the list of actions requested of the Committee on matters emanating from PPR 9

Strategic direction, if applicable: Not applicable

Output: Not applicable

Action to be taken: Paragraph 2

Related documents: PPR 9/WP.1/Rev.1 and PPR 9/21

Introduction

1 The Sub-Committee on Pollution Prevention and Response (PPR) held its ninth session from 4 to 8 April 2022 and its draft report of that session has been issued as document PPR 9/WP.1/Rev.1.¹

Action requested of the Committee

2 The Committee is invited to take action on the following matters emanating from PPR 9:²

- .1 concur with the evaluation of products and their respective inclusion in lists 1, 2, 3 and 5 of MEPC.2/Circ.27 (published on 1 December 2021), with validity for all countries and with no expiry date, where appropriate (paragraphs 3.3.1 and 3.3.2);

¹ The draft report has been circulated for comments by Member States and international organizations. Should comments received result in further amendments to the draft report concerning the matters reported in this document, the Committee will be informed by the Secretariat accordingly.

² References are to paragraphs of, and annexes to, the report of PPR 9 which will be issued as document PPR 9/21 after the commenting period has ended.

- .2 note that advice on how to assess mixtures against the criteria for the discharge requirement in regulation 13.7.1.4 of MARPOL Annex II had been provided by GESAMP/EHS 58 and will be taken into consideration by the Sub-Committee and the ESPH Technical Group, on a case-by-case basis, when assessing mixtures to which special requirement 16.2.7 of the IBC Code might be applicable (paragraphs 3.2.3 and 3.3.3);
- .3 concur with the evaluation of cleaning additives and their inclusion in annex 10 to MEPC.2/Circ.27 (paragraph 3.3.4);
- .4 note that prior to MEPC.2/Circ.27 being published, a review was undertaken by ESPH 27 and amendments were made, including the deletion of products that had reached their expiry dates, or were no longer shipped, or had been re-evaluated and met the criteria for complex mixtures in paragraph 9.2 of the *Guidelines for the provisional assessment of liquid substances transported in bulk* (MEPC.1/Circ.512/Rev.1) (paragraph 3.3.5);
- .5 urge reporting countries that have products listed in list 2 or list 3 of the MEPC.2 circular on *Provisional categorization of liquid substances in accordance with MARPOL Annex II and the IBC Code* to contact the respective manufacturers and request them to review their products for the purpose of assessing whether any changes in the carriage requirements would be necessary, taking into account the revised chapter 21 of the IBC Code, the latest GESAMP Hazard Profiles for the components, MEPC.1/Circ.512/Rev.1 and PPR.1/Circ.10 (paragraph 3.3.6);
- .6 approve the revised *Guidance on methodologies that may be used for enumerating viable organisms for type approval of ballast water management systems* for dissemination as BWM.2/Circ.61/Rev.1 (paragraph 5.4 and annex 2);
- .7 adopt the draft MEPC resolutions on:
 - .1 *2022 Guidelines for brief sampling of anti-fouling systems on ships* (paragraph 6.10 and annex 3);
 - .2 *2022 Guidelines for inspection of anti-fouling systems on ships* (paragraph 6.10 and annex 4); and
 - .3 *2022 Guidelines for survey and certification of anti-fouling systems on ships* (paragraph 6.10 and annex 5);
- .8 instruct the III Sub-Committee to review the *2022 Guidelines for inspection of anti-fouling systems on ships*, with a view to them being added as a new appendix to a future version of the *Procedures for port State control* in accordance with the methodology agreed by the Committees (paragraph 6.11);
- .9 concur with the view that there is no need for an update to the list of materials for the Inventory of Hazardous Materials under the Hong Kong Convention to include cybutryne following the entry into force of the respective controls, as the existing relevant text in appendix I to the Hong Kong Convention is generic enough (paragraph 6.12);

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- .10 note that there may be a need to consider amending the *2015 Guidelines for the development of the Inventory of Hazardous Materials* (resolution MEPC.269(68)), which contain more specific guidance currently limited to organotin compounds (paragraph 6.13);
 - .11 approve the draft MEPC circular on the 2022 Guidelines for risk and impact assessments of the discharge water from exhaust gas cleaning systems (paragraph 10.25 and annex 6);
 - .12 approve the draft MEPC circular on the 2022 Guidance regarding the delivery of EGCS residues and stored discharge water to port reception facilities (paragraph 10.26 and annex 7);
 - .13 note that the proposal in document MEPC 77/11/1 (Finland, United States and IACS) to extend the scope of output 2.15 (Development of amendments to MARPOL Annex VI and the NO_x Technical Code on the use of multiple engine operational profiles for a marine diesel engine) to cover engine test-cycles, will be further considered by a Correspondence Group in conjunction with all other documents relating to output 2.15 that the Sub-Committee had for its consideration (paragraphs 11.7 and 19.23);
 - .14 approve the draft amendments to MARPOL Annexes I, II, IV, V and VI, concerning regional reception facilities in the Arctic, with a view to subsequent adoption (paragraph 13.6 and annex 8);
 - .15 approve, in principle, the draft amendments to the *2012 Guidelines for the development of a regional reception facility plan* (resolution MEPC.221(63)), along with the associated draft MEPC resolution, with a view to subsequent adoption in conjunction with the adoption of the amendments to MARPOL Annexes I, II, IV, V and VI (paragraph 13.7 and annex 9);
 - .16 agree to amend the title of output 1.26 to "Revision of MARPOL Annex IV and associated guidelines to introduce provisions for record-keeping and measures to confirm the lifetime performance of sewage treatment plants; and further, on new ships, a prohibition of fitting comminuting and disinfecting systems (CDS)" (paragraph 14.7);
 - .17 note that, with regard to marking of fishing gear, the Sub-Committee agreed that an MEPC circular could be developed by the Sub-Committee as a short-term measure to promote the implementation of fishing gear marking systems and the FAO Voluntary Guidelines for the Marking of Fishing Gear, taking into account additional work by FAO, such as the technical manual on marking of fishing gear being developed by FAO (paragraph 15.22);
 - .18 note that divergent views on the potential regulatory options with regard to marking of fishing gear and on the feasibility of making marking of fishing gear mandatory were expressed, as well as the need for clarity on high-level policy in order for the Sub-Committee to progress its future work in this regard in an effective manner (paragraph 15.23)
 - .19 provide further advice to the Sub-Committee on possible regulatory options for addressing marking of fishing gear, taking into account:

- .1 the proposed mandatory goal-based approach to be developed under the framework of MARPOL Annex V, as proposed in document MEPC 75/8/4 (Vanuatu) and further elaborated in document PPR 9/15 (Cook Islands et al.);
 - .2 the alternative voluntary approach, as described in document MEPC 77/8/2 (Japan and United Kingdom), focusing on enhanced cooperation with FAO and regional fisheries management organizations (RFMOs);
 - .3 the legal advice provided by the Secretariat in document PPR 9/15/6 on available options; and
 - .4 relevant information provided by FAO, including the statement by FAO annexed to the Sub-Committee's report and the report of MEPC 77 (paragraph 15.23);
- .20 approve the draft amendments to MARPOL Annex V to make the Garbage Record Book mandatory also for ships of 100 gross tonnage and above and less than 400 gross tonnage, with a view to subsequent adoption (paragraph 15.32 and annex 10);
- .21 with regard to the reduction of the environmental risk of plastic pellets transported by ships:
- .1 note that interested Member States and international organizations were invited to submit documents with draft guidelines on best practices related to response to and the clean-up of plastic pellet spills to a future session of the Sub-Committee (paragraph 15.12); and
 - .2 note that document MEPC 77/8/3 (Sri Lanka), together with other relevant documents submitted to the Sub-Committee, will be further considered by a Correspondence Group and all possible options on how to reduce the environmental risk of plastic pellets transported by ships will be reviewed (paragraphs 15.7 and 15.37.1);
- .22 approve the draft amendment to the unified interpretation of paragraph 4.4.6.1 of the NO_x Technical Code 2008, for inclusion in a revision of MEPC.1/Circ.895 (i.e. MEPC.1/Circ.895/Rev.1) (paragraph 16.6 and annex 11);
- .23 approve the draft unified interpretation of regulation 18.3 of MARPOL Annex VI, with regard to the use of biofuels, for inclusion in a further revision of MEPC.1/Circ.795 (i.e. MEPC.1/Circ.796/Rev.6) (paragraph 16.9 and annex 12);
- .24 note that the remaining two requests in document MEPC 77/7/7 (IACS), pertaining to the revision of MARPOL Annex VI and the NO_x Technical Code would need to be further considered (paragraph 16.11);
- .25 approve the draft unified interpretation of appendix I to the BWM Convention (Form of International Ballast Water Management Certificate), for inclusion in a further revision of BWM.2/Circ.66 (i.e. BWM.2/Circ.66/Rev.3) (paragraphs 16.12, 16.15.2 and 16.17; and annex 13);

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- .26 note that the Sub-Committee, having considered document MEPC 77/4/11 (IACS) and a commenting document, could not agree on a unified interpretation of regulation B-3 of the BWM Convention (paragraphs 16.15.1 and 16.19);
- .27 approve the biennial status report of the Sub-Committee for the current biennium and the provisional agenda for PPR 10 (paragraphs 17.3 and 17.4; and annexes 14 and 15, respectively);
- .28 approve the holding of an intersessional meeting of the ESPH Technical Group in 2023 (paragraph 17.8);
- .29 with regard to documents MEPC 77/11/2 (Marshall Islands et al.) and MEPC 77/INF.6 (EUROMOT):
- .1 note that, while there was support, in general, for a new output on revision of the 2017 SCR Guidelines, the proposal in document MEPC 77/11/2 could not be supported (paragraph 19.20); and
- .2 invite Member States and international organizations to submit proposals for a new output on the revision of the 2017 SCR Guidelines to a future session of the Committee, taking into account document MEPC 77/INF.6 and the view that the output proposed in document MEPC 77/11/2 could be subject to further improvement, in particular as to the scope of the revision of the 2017 SCR Guidelines (paragraph 19.20); and
- .30 note that, following consideration of document MEPC 77/14/2 (China), along with a commenting document and the relevant comments made at MEPC 77, the Sub-Committee invited interested Member States and international organizations to submit a proposal to the Committee for a new output on development of amendments to the *Revised guidelines and specifications for pollution prevention equipment for machinery space bilges of ships* (resolution MEPC.107(49)) (paragraphs 19.24 to 19.28).
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