



SHIP POLLUTION REDUCTION: THE EU LEGAL CONTEXT

ECAs AND GLOBAL SULPHUR IN FUEL LIMITS

ISSUES OF ALTERNATIVE COMPLIANCE TECHNOLOGIES



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CLEAN ARCTIC ALLIANCE WEBMINAR
'THE END OF AN END OF PIPE SOLUTION'
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(Ship) Emissions under the EU Green Deal (I)

Zero pollution Action Plan - COM (2021) 400 – air, water & soil, 20+ COM law proposals -new *Nature Restoration Law/Environmental Crime Directive*

- **Ongoing:** Urban Waste Waters, Water pollutants;
- **Implementation:** Water Reuse; Drinking Water / microplastics.

COMMISSION WORK PLAN 2024 – water/sea

- ❑ **Evaluation of the Marine Strategy Framework Directive**
- ❑ **Water Resilience initiative– incl. source to sea aspects**

Synergies: **Ambient Air Quality Directive** review: aligns with WHO guidelines, ports, **environmental impacts (acid. eutroph.)**

2024 - 2nd Zero Pollution Monitoring and Outlook Report



(Ship) Emissions under the EU Green Deal (II)

Sustainable and Smart Mobility Strategy - COM(2020)789:

‘Zero-emission large scale ocean-going vessels market-ready by 2035‘

❑ Climate neutrality/Fit for 55:

- Fuel EU Maritime -> decarbonisation and energy/fuel transition, reduce ship emissions and noise at no harm levels also in ports (2030 OPS for big ships)! + compl. AFIR, RED, EE, ETS, ETD

❑ New Emission Control Areas in EU waters

❑ Review of Ship Source Pollution Directive

- illegal EGCS residue/water discharges

2024 - 2nd EMTER report (EMSA+EEA) – largest Ship water discharges (77%) are from EGCS OL



EU concerns on EGCS discharges to the sea

(1)

- ❑ **Scientific and technical Evidence** -several studies and data show clear-cut negative impacts/ toxicity of EGCS waters discharges on marine environment (*BE, SE, DE, EL, NL, FI, incl. EU funded, EC/EEA/EMSA reports under MSFD and WFD on contaminants, GESAMP, regional Quality Status Reports...*).
- ❑ **EU Policy Coherence after 2015 SECA rule** - protection of sea waters quality, marine biodiversity
- ❑ **Polluter Pays/Precautionary principles, Higher global Awareness** (incl. from IMO work) led to increasing number of bans (mostly ports) - but **increased patchwork of regional regulations**

EU concerns on EGCS discharges to the sea (2)

Economic considerations

- ❑ EGCS allowed as compliance technology given the *transitional 2015 SECA* high fuel costs -> but **high uptake for 2020 global cap** [~ 5%]
- ❑ Is the economic case for EGCS covering cost to health, environment and society at large? **~1 year return of investment for EGCS option**

Coherence with GHG developments (ships equipped with EGCS have higher speeds; delay phase out of high sulphur fossil fuels, ...)

Enforcement Issues: remote sensing detect non compliance, inspector knowledge/training, malfunctioning/use of high S fuel

Elements to be considered by PPR11

- ❑ Maturity of IMO process, 'clear cut' science?
- ❑ Need for Mandatory Requirements: compatibility content/language of a Regulation vs 2022 EGCS Guidelines?
- ❑ Geographical Scope, definitions: Interface - legal conflict with UNCLOS -
-> legal advice from IMO on Article 56(1)
- ✓ Restrictive application, conditions for adoption by States?
- ✓ Reference document?
- ✓ [Timeline/investment made - grand fathering ?]

EU Position in MEPC 80/5/5, not ready for PPR11

Other ship 'discharges' to the sea

- ❑ **North West Med protected area (PSSA):** to reduce ships collision with cetaceans, adopted by IMO in 2023 -> blue speeds
- ❑ 2023 IMO Guidelines on reduction of underwater radiated noise
- ❑ Work Plan -dissemination, incentivisation, R&I, measures (ship design and operation)
- ✓ linkages GHG/Energy Efficiency trade offs (fuel consumption, air pollutants, biofouling, ..)



Conclusions

- ❑ EU is highly concerned about the EGCSs discharges' impacts on the marine environment. Its poorer health also comes at a cost to society !
- ❑ IMO has a crucial role to play: we need now legal clarity also to ensure level playing field for all sea-related economic activities globally.
- ❑ MARPOL Rules and Investment made by industry should also focus on a 'life-cycle' approach through more sustainable compliance technologies.
- ❑ We need to establish a regulatory basis also in view of developments on alternative compliance for CO₂/NO_x/PM control developments
- ❑ EC/EU favours to work with IMO states and stakeholders before considering any action at the EU level

Thank you



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