



SHIP SAFETY BULLETIN

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Subject: New Regulations for Vessel Air Emissions: REPORTING WHEN COMPLIANT FUEL IS UNAVAILABLE

Purpose

The purpose of this bulletin is to inform stakeholders of new regulations now in place to address air emissions from vessels over 400 gross tonnage operating in Canada. The *Regulations Amending the Vessel Pollution and Dangerous Chemicals Regulations* (the Amendments) were published in Part II of the *Canada Gazette* on May 8, 2013.

Please note this bulletin complements Ship Safety Bulletin 06/2013 and provides information on reporting when compliant fuel is unavailable.

Background

The Amendments implement standards for the North American Emission Control Area (NA-ECA), energy efficiency of vessels and a regime for Canadian vessels in the Great Lakes and St. Lawrence waters. For full text of the Amendments and the Regulatory Impact Analysis Statement, please see the [Canada Gazette, Part II](#).

Please note some requirements for air emissions are already in place under *Vessel Pollution and Dangerous Chemicals Regulations* (the Regulations). As the Amendments will be incorporated into the text of the Regulations, please consult the [Regulations](#).

The Regulations will be enforced in accordance with the [Policy on Compliance and Enforcement of the Canada Shipping Act, 2001](#)- TP13585.

With the Amendments published, Canadian regulations to implement these international standards are now in place.

Keywords:

1. Air Emissions
2. Marine Fuels
3. Regulations
4. Pollution Prevention
5. Fuel Availability

Questions concerning this Bulletin should be addressed to:

AMSEE
Environmental Protection
613-991-3168

Transport Canada
Marine Safety and Security
Tower C, Place de Ville
10th Floor, 330 Sparks Street
Ottawa, Ontario K1A 0N8

Contact us at: marinesafety-securitemaritime@tc.gc.ca or 1-855-859-3123 (Toll Free).



Guidance

In the event a vessel destined to a Canadian port has not been able to obtain compliant fuel, the Amendments require that vessel to report its situation to Transport Canada.

Please note, such a vessel that is only transiting Canadian jurisdiction is not required to report to Transport Canada. A vessel destined to a port either in the United States or France (St. Pierre and Miquelon) is required to report to those Administrations.

A vessel is not required to deviate from its planned route. However, the authorized representative is expected to have considered the availability of compliant fuel oil when planning the voyage. If it is not available where planned, the vessel should attempt to locate alternative sources. Having to change berth or anchor within a port in order to obtain compliant fuel oil is not considered a deviation from a planned route.

The Amendments do not require a vessel to purchase distillate fuel to meet the 1.00% sulphur content standard. The vessel may purchase fuel with a sulphur content that is as close to the standard as possible. As well, a vessel is not expected to purchase fuel that would not comply with quality specifications set by the vessel's engine manufacturer.

Once in Canada, a vessel is expected to obtain compliant fuel at its the first port of call. The vessel should have onboard a copy of the report to Transport Canada, which must include a plan for how it intends to obtain compliant fuel.

A vessel may engage a fuel supply firm to blend distillate fuel with intermediate or heavy fuel oil to attain a fuel that meets the 1.00% sulphur content standard. This may also be carried out by the vessel, while in port. A record must be kept of the fuels that were blended and details of the blending procedures that were followed along with bunker delivery notes of the component fuels. A sample of the final blended fuel must be retained on board in accordance with the Regulations.

Please note, as of January 1, 2014, a prohibition of the blending of bulk liquid cargoes and production processes during sea voyages comes into force under Chapter VI of the International Convention for the Safety of Life at Sea. For details, please see resolution number MSC.325 (90) at the [International Maritime Organization](#).

In the event that compliant fuel will not be available for a long time, the authorized representative should consider submitting a proposal for an alternative compliance option. Details are set out in Ship Safety Bulletin 02/2013.

Procedure

To assist reporting, Transport Canada Marine Safety's has set out a new [form #85-0493](#) "[Compliant fuel oil non-availability report – North American Emission Control Area \(NA-ECA\)](#)" which is now available in the Forms Catalogue.

The report must provide details of the attempts to obtain compliant fuel oil including investigating alternate sources of fuel oil prior to the vessel commencing its voyage or while enroute prior to entering the North American Emission Control Area. Reasons why compliant fuel is not available, if they are known, must be included in the documentation submitted.

A report must be submitted by the authorized representative or vessel, preferably at least 24 hours before the vessel's entry into Canada's Exclusive Economic Zone.

The report can be submitted by normal reporting procedures for vessels entering Canadian waters on the East and West Coasts (ECAREG and RMIC respectively) to communicate with the appropriate Marine Communications and Traffic Services centre. Otherwise, the report can be transmitted by email or fax directly to:

- For the East Coast and Quebec: email TCMSDutyOfficer-TCSMOfficierdepermanence@tc.gc.ca or fax (902) 426-6657
- For the West Coast: email offshore@rmic.gc.ca or fax (604) 666-9177

A vessel without compliant fuel destined to the United States must follow the guidance published by the [United States Environmental Protection Agency](#), which is available in English only.

A vessel without compliant fuel destined to the islands of St Pierre or Miquelon must report to the following contact with the Government of France:

Chef du bureau en charge du contrôle par l'Etat du port
La Grande Arche
Arche Paroi Sud
92055 La Défense Cedex
Tel +33-1 40 81 39 87 Fax +33-1 40 81 39 86

Questions

Questions should be directed to:

Environmental Protection (AMSEE)
Operations and Environmental Programs
Marine Safety and Security
Transport Canada
330 Sparks St, 10th floor
Ottawa, Ontario K1A ON8
Email: marinesafety-securitemaritime@tc.gc.ca