

MARPOL Annex VI consultation:



Frequently asked questions

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Fuel requirements

Q. What do ship operators need to do to meet the low sulphur fuel requirements?

A. Ship operators should switch to low sulphur fuels (such as compliant diesel). Alternatively, they may choose to use an approved equivalent such as an exhaust gas cleaning system (scrubber). However, the scrubber option is expensive and unlikely to be feasible for smaller ships.

Q. How will New Zealand ensure that marine fuels supplied here are compliant?

A. Maritime NZ is working with of the Ministry of Business, Innovation and Employment (MBIE) to set up a regime that meets the Annex VI requirements for both fuel suppliers (MBIE) and ships (Maritime NZ). MBIE plans to expand its current fuel testing regime to incorporate marine fuels.

Q. Will New Zealand have enough compliant fuel?

A. Maritime NZ is not responsible for issues of fuel supply, but we understand the fuel industry is working to meet demand for compliant fuels.

Q. Can New Zealand ships be fitted with scrubbers?

A. Yes, Maritime New Zealand proposes to allow for ways of achieving equivalent compliance with emissions limits, including approved scrubbers. Installation and use of a scrubber is likely to be subject to restrictions and conditions.

Q. What are the rules for discharges from scrubbers in NZ coastal waters?

A. At this stage, there will be no change to the current requirements governing discharges from scrubbers within the 12 nautical mile limit. These discharges are administered under the Resource Management Act. The Ministry for the

Environment has issued guidance on the use of scrubbers¹ and some port authorities impose local restrictions on discharges.

NO_x – restrictions on nitrogen oxide emissions from engines

Q. Will we have to replace or upgrade our engine to meet the NO_x emission limits?

A. For ships that travel internationally, NO_x emissions limits apply to:

- new 130kW+ engines on ships built on or after 1 January 2000
- replacements (except identical replacements) or major conversions to 130kW+ engines after on or after 1 January 2000 (on ships of any age).

For ships that don't travel outside the Exclusive Economic Zone (EEZ), Maritime NZ proposes to change this date to 19 May 2005, as allowed by Annex VI. If your engine is not compliant and fits these criteria, you will need to replace or upgrade it to meet the limits by three years after the commencement of the rules at the latest. For more information see the section on survey, certification and transition arrangements below.

Q. What is a “major conversion”? Can we buy replacement parts for our engine without worrying about Annex VI compliance?

A. Routine maintenance that involves identical replacement parts, or replacing an engine with another identical one, are not counted as “major conversions”. However, any change to the engine that will impact on its emissions may be a major conversion. If in doubt, you should check with your marine engine specialist.

Q. We are thinking about buying an engine or boat – what should we look out for?

A. If the engine was built from 2000 onwards (or 2005 for ships that stay within the EEZ), you should make sure it has an approved NO_x Technical File issued by the manufacturer, which sets out the operational requirements for the engine to comply with Annex VI. Having an approved NO_x Technical File will enable Maritime NZ to issue the Engine International Air Pollution Prevention (EIAPP) certificate for the engine.

Engines need to be certified to:

- Tier I (for ships constructed between 2000 and 2010)
- Tier II (for ships constructed from 2011 onwards). Tier II ships that travel into

NO_x emission control areas (e.g. in North America or Europe) must meet Tier III emissions standards when in these areas. The tier levels are explained in more detail in the Invitation to Comment.²

Q. We have a newer marine engine but it didn't come with an EIAPP certificate or NO_x Technical File. What should we do?

¹ <https://environment.govt.nz/guides/guidance-on-the-use-of-exhaust-gas-cleaning-systems-scrubbers-for-ports-regional-authorities-and-ships/>

² <https://maritimenz.govt.nz/MARPOL>

- A.** Contact your marine engine specialist. They should be able to help you to obtain the right documentation. Note that there will be a charge for the issue of this documentation.
- Q.** Our boat has a marinised automotive or stationary engine that can't get an EIAPP certificate. What should we do?
- A.** Maritime NZ is proposing that ships that stay within the EEZ and have non-marine engines can continue to use those engines if they meet a NO_x emissions standard that is at least equal to the standard in Annex VI. Your boat will have to carry documentary evidence that the engine meets the alternative standard. Maritime NZ will issue guidance about acceptable emissions standards that can be used as an alternative to EIAPP certification by the time the rules come into effect.

Energy efficiency – reducing carbon intensity

- Q.** Why are you proposing to bring coastal ships into the energy efficiency requirements?
- A.** Party states must implement energy efficiency requirements consistent with Annex VI for ships that don't travel internationally, to the extent that it's "reasonable and practicable" to do so. We are proposing to apply the requirements to all ships of 400 gross tons (GT) or more, regardless of whether they travel internationally. This approach ensures that New Zealand will meet its Annex VI obligations, affords the highest level of environmental protection and climate change ambition, and minimises regulatory complexity. We considered a number of other options but they all either failed to meet Annex VI obligations or required the creation of an alternative domestic regime, which would be resource intensive and potentially confusing for operators.
- Q.** Why aren't fishing vessels covered by the Energy Efficiency Design/Existing Ship Indexes (EEDI/EEXI)?
- A.** Annex VI EEDI/EEXI requirements do not apply to certain types of ship, including fishing vessels and some passenger vessels. It is important to note that all vessels at or over 400 GT are required to have a Ship Energy Efficiency Management Plan (SEEMP). Maritime NZ is proposing to extend the SEEMP requirement to vessels over 400 GT that do not travel internationally.

Ozone depleting substances (ODS)

- Q.** Can we buy a boat equipped with ODS systems?
- A.** Under Annex VI, no ship built after 2005 should be equipped with systems containing ODS (except HCFCs which were allowed on ships until 2020). If you

buy a boat older than that, it may have ODS. If this is the case, you will need to ensure that you meet all the Annex VI requirements for managing those ODS systems.

Q. Do we have to get rid of our old refrigeration or firefighting system?

A. No, but if you are decommissioning your ship or its systems you have to dispose of ODS safely and lawfully. The Environmental Protection Authority can provide advice on how to do this. Under Annex VI rules some ports will have services for ships to dispose of ODS.

Q. What about the old fridge in our galley?

A. Free-standing appliances are not covered by the Annex VI requirements, but are already covered by existing New Zealand law which includes rules for their safe disposal.

Survey, certification and transitional arrangements

Q. How will Maritime NZ ensure compliance is met by New Zealand-flagged ships?

A. Many large ships will already be compliant with Annex VI because they travel internationally and are subject to the International Air Pollution Prevention (IAPP) and International Energy Efficiency (IEE) certificates. For ships of 400 GT or over that do not receive the IAPP and IEE certificates, Maritime NZ is proposing a New Zealand equivalent (the NZAPP and NZEE certificates), which will be issued by Maritime NZ after survey by class societies.

Maritime NZ is currently considering how survey requirements will be implemented for commercial ships under 400 GT to which Annex VI requirements apply, e.g. MOSS ships.

Q. It will take time for ships to become compliant. How do the proposed rules cater for this?

A. The proposal is that the rules will come into force in February or March 2022. Some additional rules come into force in November 2022, when new Annex VI requirements take effect. Maritime New Zealand is proposing to allow ships of 400 GT and over until their next intermediate or renewal survey after the rules come into effect to demonstrate compliance with Annex VI. However, in any case ships must be compliant by three years after the commencement of the rules at the latest.

Maritime NZ is currently considering how transitional requirements will be implemented for commercial ships under 400 GT to which Annex VI requirements apply, e.g. MOSS ships. Again we are proposing that these ships demonstrate compliance by three years after the commencement of the rules at the latest; however, there are likely to be some survey or certification requirements that apply before then.

