

IMO MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC 78), 6– 10 JUNE 2022

The seventy-eighth session of the Marine Environment Protection Committee (MEPC 78), held remotely from 6 to 10 June 2022, was chaired by Vice-Chair, Mr. Harry Conway (Liberia) since the Chair, Mr. Hideako Yoshida (Japan) was unable to be present. A total of 110 delegations submitted their credentials for the meeting, supplemented by Associate Member States, UN and Special Agencies, also IGOs and NGOs. Four participants from InterManager Associate member, SGS, also were present and attended plenary plus the following virtual groups:

DG Drafting Group on Amendments to mandatory instruments, Mr H Steinbock (Germany)

RG Review Group on Ballast Water, Ms L Page, (UK)

TG Technical Group, designation of Special Areas under MARPOL, Mr K Yoshida (Japan)

ADDRESS BY THE IMO SECRETARY-GENERAL. Mt Kitack Lim welcomed delegates to the meeting, undoubtedly a busy one with several high priority items on the agenda. He spoke of serious concerns about the safety and welfare of seafarers in the Black Sea and Sea of Azov, together with the impact on the marine environment, in the wake of the ongoing armed conflict in Ukraine. The Emergency Task Force he had established in the Secretariat continues to monitor the situation, giving advice where possible.

Turning to some of the major items on the agenda, he spoke of IMO's contribution aimed at preventing and preparing for a possible oil spill from the deteriorating FSO SAFER, moored off the coast of Yemen.

He saw one of the main topics during the meeting to be that of further discussion on the reduction of GHG emissions from international shipping, given recent reports from the International Panel of Climate Change (IPCC) making clear that the subject has become a very real threat to our generation, not just those of the future. It is therefore of the utmost importance for IMO to continue delivering concrete progress in transitioning international shipping from fossil fuels to low and zero-carbon alternatives.

Mr Lim next reported that the Intersessional Working Group on Reduction of GHG Emissions from Ships (ISWG) had made good progress with the development of lifecycle GHG intensity guidelines for all types of marine alternative fuels, a key to regulating the carbon and other GHG content of such fuels. The Committee will be invited to consider a set of guidelines finalised by the Group to support carbon intensity measures which will enter into force in November, whilst noting also, the Group's development of a "basket of candidate mid-term measures" integrating both technical and carbon pricing elements. Referring to other important issues, he included marine plastic pollution from ships; ballast water management in consideration of the data analysis report of the experience-building phase associated with the BWM Convention and, deciding the way ahead; also, the adoption of updated guidelines for brief sampling, inspection, survey and certificates of anti-fouling systems on ships post-cybutryne controls as amended in the AFS Convention. Finally, he stated that the Committee will also be invited to consider approving draft amendments to MARPOL, allowing States with ports in the Arctic region to enter into regional arrangements for port reception facilities, wishing everyone a successful meeting.

DECISIONS OF OTHER BODIES. The Committee noted the decisions and outcomes of other IMO bodies, in particular, the outcome of IMO Council meeting C/ES.35 commenting on the situation relating to the Black Seas and Sea of Azov.

Ongoing armed conflict between the Russian Federation and Ukraine and its effects on international shipping and the marine environment. In considering the impacts of the ongoing armed conflict, Council had:

- Requested IMO Committees to consider ways of enhancing Member States efforts in supporting affected seafarers and commercial vessels;
- Agreed to encourage the installation of a blue safe maritime corridor to allow safe evacuation of seafarers and ships from the high-risk and affected areas in the Black Sea and Sea of Azov; and,
- Invited the IMO S-G to collaborate with the relevant parties to initiate the establishment of such a corridor, and keep Member States informed.

In this regard, the Committee noted the action taken by the S-G in contacting both factions involved in the conflict but that, despite this initiative, there remain many safety and security issues hampering access to the corridor and the ability of ships to depart from their berths in Ukrainian ports.

Actions taken by the Legal Committee, the Maritime Safety Committee and the Facilitation Committee in response to the Councils instruction were duly noted, following which a large number of views were expressed, all of which condemned the actions of the Russian Federation. On the basis of such support by the delegations who spoke, the Committee took the following actions:

- Noted resolution MSC.495(105) strongly condemning the Russian Federation's invasion of Ukraine;
- Further noted discussions held at PPR 9 which highlighted the resulting impact of the armed aggression on the marine environment;
- In this regard, reaffirmed its strong commitment to Sustainable Development Goals (SDGs);
- Expressed concern about the consequences of Russian Federation attacks directed at peaceful commercial vessels, inter alia, **MV Millennial Spirit, MV Helt, MV Azburg** and other ships that had sustained damage, ending in spillage of substances harmful to the marine environment;
- Stressed the importance of protecting the environment in times of war, in compliance with international obligations and humanitarian law;
- Urged the Russian Federation to refrain from attacks aimed at commercial ships and critical port infrastructure; and,
- Resolved to keep this matter under review, inviting Member States to provide relevant reports to the Committee.

In response, the delegation of the Russian Federation specifically requested the following points to be included in the report of the meeting:

- Conclusions of the Committee should be based on fact, supported by evidence. The shelling of commercial vessels had been rebutted as unfounded, indeed existing facts point to the Ukrainian side employing the strategy of bombing innocent vessels and people;
- The lopsided character of the Committees outcomes in tackling this issue is inadmissible, where blame is expressly put only on one party while the actions of other Parties involved are equally expressly omitted;
- As to allegations of distorting supply chains, especially food, it had been demonstrated that this is the result of massive illegal unilateral restrictive measures undertaken against the Russian Federation; and,
- The efforts of the IMO S-G and Secretariat had been commended in facilitating the designation of blue safety maritime corridors in the Sea of Azov and Black Seas. The Committee had been informed of the newly established humanitarian corridor in the Sea of Azov for the safe departure of vessels from the port of Mariupol and the amendment in the route of an earlier established humanitarian corridor in the Black Sea due to security considerations.

CONSIDERATION AND ADOPTION OF AMENDMENTS TO MANDATORY INSTRUMENTS.

Following a short discussion in plenary, a Drafting Group (DG) on Amendments to Mandatory Instruments was established and in examining the DG's subsequent report, the Committee approved it in general, and in particular:

- Adopted the draft amendments to MARPOL Annex I concerning watertight doors;
- Adopted the draft amendments to MARPOL Annex II related to the revised GESAMP Hazard Evaluation Procedure;
- Adopted the draft amendments to the IBC Code concerning watertight doors; and,
- Authorised the Secretariat to effect any necessary editorial corrections.

HARMFUL AQUATIC ORGANISMS IN BALLAST WATER.

Matters considered by correspondence prior to the virtual meeting. A total of five documents were considered by correspondence prior to the virtual meeting during which the Committee reconfirmed all of the Chairs proposals. These included the organisational arrangements related to the evaluation and approval of ballast water management systems (BWMS); type approval of BWMS; and, matters arising from PPR 9.

Matters considered during the virtual meeting. During the virtual meeting, the Committee considered documents, both deferred from MEPC 76 and MEPC 77, and those submitted to this session, addressing the following issues:

- The experience-building phase associated with the BWM Convention (EBP);
- Application of the BMW Convention to ships operating at ports with challenging water quality;
- Proposals for amendments to the BMW Convention or its associated guidelines, relating to the temporary storage of treated sewage and grey water in ballast tanks, the form of the Ballast Water Record Book, the example ballast water reporting form, and the application of the BMW Convention to specific ship types; and,

- Other matters, including outcomes of PPR 9 and the Ninth Stocktaking Workshop of the GESAMP-BWWG.

In the interest of time, all documents were referred to the Ballast Water Review Group for detailed consideration.

The experience-building phase associated with the BWM Convention. MEPC 71 established the EBP whilst MEPC 72 approved the related data gathering and analysis plan (DGAP), later revised by MEPC 74. It was also recalled that the WMU had been engaged to gather and analyse data in preparation for a data analysis report. Seven associated documents were submitted on this issue, spear-headed by one from the Secretariat providing the data analysis report on the EBP and highlighting the main points identified during the analysis.

Application of the BWM Convention to ships operating at ports with challenging water quality. It was recalled that MEPC 77 had invited submissions on this subject, and as a result, seven documents were received regarding the problem.

Other proposals for amendments to the BWM Convention or its associated guidelines. The Committee recalled that MEPC 77 had noted proposals to revise the form of the Ballast Water Record Book (BWRB) and invited proposals on the application of the BWM Convention to specific ship types to this session. In response, seven submissions were received which were duly considered.

Other matters relating to ballast water management. The Committee recalled that:

- MEPC 75 had requested GESAMP-BWWG to prepare draft guidelines for re-evaluations in cases where modifications had been made;
- Regulation A-4 provided that exemptions shall be communicated to the Organisation, while the Assembly directed that the Global Integrated Shipping Information System (GISIS) was the appropriate platform for doing so;
- PPR 9 had agreed a unified interpretation of Appendix I to the BWM Convention (Form of International Ballast Water Management Certificate); and,
- MEPC had instructed the BWRG to consider developing procedures for re-evaluations of BWMS in cases where the GESAMP-BWWG recommendation might be challenged.

Three documents were then considered in relation to this aspect of BWM.

Establishment of the Ballast Water Review Group. Having considered the report of the Ballast Water Review Group, the Committee approved it in general and took action as follows:

- Agreed in principle to develop a BWM Convention Review Plan (CRP);
- Established a Correspondence Group on Review of the BWM Convention under appropriate terms of reference;

- Approved the draft unified interpretation of Appendix I to the BWM Convention (Form of International Ballast Water Management Certificate), thereby consolidating all existing unified interpretations to the BWM Convention by means of circulating BWM.2/Circ.66/Rev.3;
- Approved the draft guidelines for re-evaluations in cases where modifications have been made to a BWM system, instructing the Secretariat to issue the revised *Methodology for information gathering and conduct of work of the GESAMP-Ballast Water Working Group* incorporating these guidelines as a new chapter 12. This would apply to all cases where modifications are made after this session to an already approved BWM system (BWMS);
- Endorsed the Group's view that for re-evaluations of BWMS which make use of Active Substances to be conducted in cases where the recommendation of the GESAMP-BWWG may be challenged in the Committee:
 - .1 Sound scientific justification and clear rationale should be provided;
 - .2 The re-evaluation should not require substantial new information; and,
 - .3 An additional fee of US\$20.000 would be payable if the recommendation of the GESAMP-BWWG remains unchanged after the challenge.
- Instructed the Secretariat to resolve the problems with regard to registering exemptions based on a Same Risk Area (SRA) in the BWM Module in GISIS;
- Endorsed the Group's view that the relevant scope and objective for temporary stowage of treated sewage and grey water in ballast tanks should be to ensure that BW discharges from ballast tanks used also for other purposes would be compliant with the BWM Convention, whilst other associated issues should be addressed in the context of MARPOL Annex IV;
- Invited concrete proposals on additional aspects of guidance on the temporary stowage of treated sewage and grey water in ballast tanks under the BWM Convention, and consider any further action needed with respect to MARPOL;
- Invited submissions for further proposals on the fundamental issues regarding challenging water quality identification, aspects of BWE+BWT and other such overarching issues;
- Invited concrete proposals for amendments to appendix II of the BWM Convention (Form of ballast water record book) to MEPC 79 with a view to approval at that session;
- Noted that, owing to time constraints, the Group was not able to consider document MEPC 78/4/7 concerning amendments to the appendix of the 2017 Guidelines (G6) (Example ballast water reporting form); and,
- Re-established the BWRG at MEPC 79, in accordance with the provisions of regulation D-5 of the BWM Convention, to consider also those terms of reference that could not be considered or concluded at this session owing to time constraints.

AIR POLLUTION PREVENTION.

Matters considered by correspondence prior to the virtual meeting. The Committee considered by correspondence, a total of five documents and during the virtual meeting, reaffirmed the endorsement of the Chair's proposals. These comprised instructions to PPR 10 regarding the Global 0.50% Sulphur limit and matters arising from PPR 9.

Exhaust gas cleaning systems (EGCS) matters arising from PPR 9. The Committee considered two draft MEPC circulars concerning EGCS as prepared by PPR 9, and two submitted documents, one by Germany and the other by CLIA. During discussion, most delegations took the view that the use of common emission factors is important for consistent application of the risk assessment guidelines, but that time had been insufficient for them to be validated against additional data and other emission factors. Notwithstanding this, there was widespread support for the draft 2022 Guidelines for risk and impact assessments of the discharge water from EGCS, as prepared by PPR 9, with the understanding that they will be kept under review, and these were duly approved.

Reporting of flashpoint under MARPOL Annex VI. With regard to the proposed amendment to appendix V of MARPOL Annex VI to include flashpoint as mandatory information in the bunker delivery note, as prepared by the Correspondence Group on Data Collection and Analysis under regulation 18 of MARPOL Annex VI considered at a previous session, it was recalled that MSC 105 had been invited to note the status of the work undertaken at MEPC in relation to flashpoint of fuel oil. Subsequently, in light of the outcome of MSC 105 and considering the urgency of the matter, the Committee agreed that information on the flashpoint of fuel oil should be included in the bunker delivery note under MARPOL Annex VI.

ENERGY EFFICIENCY OF SHIPS.

The Committee considered two documents by correspondence, prior to the virtual meeting, one by ITTC and the other by the Secretariat. Note was taken of the information provided by ITTC in document MEPC 78/6 providing updates to the ITTC recommended procedure and guidelines concerning the determination and verification of the EEDI requirements whilst MEPC 78/INF.3 provided the eleventh summary of data and graphical representations of the information in the EEDI database. A total of eleven documents on Energy Efficiency of Ships were deferred for consideration to MEPC 79.

REDUCTION OF GHG EMISSIONS FROM SHIPS.

This was the longest and most complicated item on the agenda which I will attempt to summarise but if further detail is required, please get in touch.

Matters considered by correspondence prior to the virtual meeting. Eight documents were considered by correspondence prior to the virtual meeting when it was decided to reconfirm the endorsement of the Chair's proposals, which were as follows:

- **National Action Plans to address GHG emissions.** Noted the information regarding Finland's National Action Plan (NAP) and that by the Secretariat on a new guide entitled *National Action Plan to address GHG emissions from ships, from decision to implementation* developed by the IMO-Norway GreenVoyage2050 project;
- **Measurement of methane slip emissions from LNG dual fuel engines.** Noted the information from the Republic of Korea (RoK) on such measurement in terms of tank-to-wake emission factors by using relevant procedures specified in the NO_x Technical Code 2008;
- **United Nations Climate Change Conference (COP 26).** Noted the outcome;
- **Calculation of reference speed in the framework of the EEXI regulation.** Noted development of the 2022 IACS guidelines for the use of Computational Fluid Dynamics (CFD) for the purposes of deriving the reference speed in the framework of EEXI regulation, which will be incorporated in an IACS Recommendation;
- **Testbeds for alternative fuels and propulsion systems.** Noted the information provided by the Republic of Korea on the development of a land-based testbed for eco-friendly ship fuel and propulsion systems considering the ocean environment, and on a marine testbed ship for alternative fuels and electric propulsion systems; and,
- **NO_x compliance for engines using biofuels.** Instructed the PPR Sub-Committee to consider three documents (from Denmark et al, India and Canada) and advise the Committee accordingly.

Matters considered during the virtual meeting. The committee agreed to consider matters under this agenda item in the following order:

- .1 proposals related to revision of the initial IMO GHG Strategy;
- .2 outcome of ISWG-GHG 12 in conjunction with proposals for mid-term GHG reduction measures and the establishment of the IMRB submitted to this session;
- .3 outcome of ISWG GHG 11; and,
- .4 proposals related to onboard CO₂ capture.

Proposals related to the revision of the initial IMO GHG Strategy. Thirteen documents were submitted under this item for consideration.

The Committee recalled that the *Initial IMO Strategy on Reduction of GHG Emissions from Ships* foresaw the adoption of a Revised Strategy in Spring 2023 and to that end, MEPC 77 recognised the need to strengthen the ambition of the Initial Strategy and agreed its initiation with a final draft to be considered by MEPC 80, with a view to adoption.

Discussion on the proposals related to the revision of the Initial Strategy. In considering the proposals, delegates were invited to focus on the following elements:

- .1 the revision of the vision and levels of ambition;
- .2 how to ensure a fair and just transition; and,
- .3 how to ensure that the revision of the Initial Strategy will be finalised before MEPC 80.

Specific Views on the revision of the vision and levels of ambition. Suffice to say, a shed-load of views (many of them divergent and incompatible) were expressed. These included: the need for a timeframe consistent with the Paris agreement's 1.5 degrees C temperature goal; that the levels of ambition of zero-carbon shipping by 2050 without concrete and reliable data to support it would not be in line with the Glasgow Climate Pact; that the level of ambition should be achievable, credible, pragmatic, be based on the observed and expected technology readiness levels (TRLs) of zero-carbon alternatives and avoid hampering global trade whilst reflecting solutions with a pathway to achieve the goals. Others stated that raising the levels of ambition should be informed by an assessment of the readiness and availability of fuels and port infrastructure, a feasibility study and an assessment of the impacts of higher ambition on States based on scientific evidence, taking into account different national circumstances and capacities. Several delegations suggested that there is a need to clarify the meaning of terms such as "zero emissions", "zero-carbon", "net-zero", "climate neutrality" etc., and that further discussion is needed not only on the terminology but also on the formulation of targets. Others were of the view that clear intermediate targets for 2030 and 2040 are required to provide certainty to achieve the Paris Agreement goals though others proposed setting progress checkpoints every five years, starting in 2025. Referring to the document submitted by the ICS (MEPC 78/7/2), probably the most sensible of those tabled, a number of delegations agreed that the levels of ambition of the Revised Strategy should be set in terms of actual performance to be achieved and not in terms of aspirational "efforts to be pursued". A submission by India expressed the view that the Revised Strategy may set sector-wise targets with some ship types made to reach net-zero earlier than other ship types focusing efforts on the most polluting ship types and sizes. Some stressed the need to not only cover CO₂ but also other GHG emissions, including emissions of methane and nitrous oxide, also stating that an increased use of alternative low-carbon fuels may have the potential to generate non- CO₂ GHG emissions under certain circumstances. However, others highlighted the fact that CO₂ remains the dominant source of shipping's emissions and for that reason should remain the focal point in the Revised Strategy. Another proposal aired was that the level of ambition should be expressed in terms of Well-to-Wake emissions, i.e. over the entire life cycle of the fuel, in order to avoid shifting emissions from sea to land where fuels are produced. Finally, a delegation, supported by others, considered it problematic to legitimise the alignment of international shipping goals to the temperature goals of the Paris Agreement, given that the maritime sector is responsible for less than 3% of global emissions while being essential for the transport of

90% of global trade, questioning whether similar increases in levels of ambition had been adopted in other sectors.

Specific Views on how to ensure a fair and just transition. Many delegations referred to concepts such as, inter alia, an equitable, inclusive and proportionate transition; leaving no one behind; mutual support; common but differentiated responsibility and respective capabilities (CBDR-RC); the importance of carrying out impact assessments and addressing disproportionately negative impacts on States, in particular developing States, including SIDS and LDCs.

Integration of level of ambition and just transition. Several delegations referred to the ICS document and to the agreement of MEPC 77 to strengthen the level of ambition in the Revised Strategy, and thought the revision should be limited to a minimum number of issues, the most important being the levels of ambition. Several others referred to document MEPC 78/7/26 (Angola et al.), which advocated a comprehensive review addressing all elements in the Strategy rather than merely focusing on the vision and ambition levels. Others stressed throughout the discussion that a strengthened level of ambition and a just transition should go hand in hand in the Revised Strategy. In this context, the delegation of Argentina, supported by a number of other delegations, in highlighting that all elements of the initial Strategy are interconnected, felt that the revision of the Strategy should be addressed as a package, comprising a review of the following elements:

- .1 vision and level of ambitions
- .2 how to make operational, the guiding principles of the initial strategy;
- .3 assessment of impacts of candidate measures on States, using the procedure due to be revised as a basis in following the lessons-learned exercise;
- .4 monitoring of measures and monitoring of impacts, reviewing measures as necessary;
- .5 mechanism to address impacts on States; and,
- .6 adaption/just transition measures (i.e. financing for fuel supply and port infrastructure, technology transfer, and access to new fuels).

One delegation also mentioned that the Revised Strategy should include achievable and evidence-based levels of ambition; reinforce its guiding principles and clarify their application to guide development of mid- and long-term measures; clarify terminology issues, e.g. “carbon neutrality”, etc.; and, take into account the principle of adaptability, since developing countries would need to adapt their infrastructures and would require gradual support to this end.

Several delegations stressed the importance of an ambitious basket of mid-term measures in order to show IMO’s global leadership in addressing GHG emissions from ships. In this regard, it was suggested to update the list of mid- and long-term measures contained in the Initial Strategy and acknowledge the importance of action at all levels of governance in the Revised Strategy. Reference was made to document MEPC 78/7 (WSC) advocating that the development of green corridors or the production of zero-emission fuels, for example, could be envisaged to increase demand for such fuels which could accelerate the transition. A few delegations stated that such initiatives should be coordinated and

implemented at a national and/or regional level rather than globally whilst one delegation stated that the Revised Strategy should also identify when the Fifth IMO GHG Study should be initiated.

Comments and suggestions on how to ensure that the revision of the Initial Strategy is finalised before MEPC 80. Several delegations highlighted the magnitude of the work and referred in particular to document MEPC 78/14 (Australia et al.) supporting the establishment of a dedicated session of ISWG-GHG well before MEPC 79 in Autumn 2022 to begin the revision process. Several others referred to document MEPC 78/7/26 (Angola et al.) expressing the view that the Committee is already bearing a heavy workload on GHG-related issues and that there is a lack of evidence to make substantial revision to the Initial Strategy at this stage. They referred to the lack of translation and interpretation in ISWG-GHG meetings, and the difficulty for small delegations from developing countries in particular, to attend many meetings.

Way forward for the continuation of the revision of the initial IMO GHG Strategy.

Following the lengthy, extensive and constructive discussion, during which more than 70 delegations took the floor, the Committee noted an intervention by the Secretary-General encouraging the Committee to keep the levels of ambitions in line with the international community, whilst recognizing the needs of developing States.

The Committee then concluded its consideration on this issue and:

- Expressed its appreciation to all submitters of documents on the revision of the Initial Strategy to this session;
- Reiterated its commitment, as agreed at MEPC 77 and in view of the urgency of all sectors to accelerate their efforts to reduce GHG emissions, to strengthen the ambition of the Initial Strategy and to continue the revision process with a view to adopt the Revised Strategy by MEPC 80;
- Agreed to continue the pursuit of phasing out GHG emissions from international shipping and revision of the Initial Strategy accordingly;
- Agreed to recommend that the Council endorse the holding of one intersessional meeting before MEPC 79, i.e. ISWG-13, and to include the revision of the Initial Strategy in its terms of reference, also to establish a working group on reduction of GHG emissions from ships during MEPC 79;
- Agreed recommending to Council the holding of two intersessional working group sessions between MEPC 79 and MEPC 80;
- Invited further submissions containing concrete proposals to address all relevant sections of the Initial Strategy, taking into account the [many] comments expressed during this session;
- Requested the Secretariat to consider carrying out additional studies and organizing information session(s) and/or symposia, as appropriate, in support of the revision process; and,
- Encouraged all delegations to work together intersessionally on developing concrete proposals on the revision of the Strategy.

Outcome of ISWG-GHG 12 in conjunction with proposals for mid-term GHG reduction measures and the establishment of the IMRB submitted to this session

Outcome of ISWG-GHG 12. Having considered the report of ISWG-GHG 12, and the additional information provided orally by the Chair of the Working Group, Mr Sveinung Oftedal (Norway), the Committee approved it in general and took action as described.

Issues related to the short-term GHG reduction measure. The Committee recalled that the Correspondence Group on Carbon Intensity Reduction established by MEPC 76 had submitted its final report to this session. Five documents commenting on the report were tabled. These:

- Addressed consideration of ships using cargo as a fuel;
- Suggested amendments to the draft 2022 Interim Guidelines on correction factors and voyage adjustments for CII calculations (G5) addressing boil off gas management issues for LNG carriers prior to entry into force of the GHG short-term measure;
- Presented the results of a study evaluating the effect of port infrastructure and efficiency affecting the ship operational efficiency and in turn the CII ratings;
- Proposed that the text pertaining to the port time correction factor within the 2022 *Interim Guidelines on correction factors and voyage adjustments for CII calculations (G5)*; and,
- Calibration of the port time correction factor for cruise passenger ships

The Committee noted the Group's discussion on finalisation of the draft guidelines supporting the implementation of the short-term GHG reduction measure.

SEEMP issues. The Committee adopted two resolutions on the Ship Energy Efficiency Management Plan.

DCS guidelines. The Committee adopted two further resolutions related to guidelines on the IMO Ship Fuel Oil Consumption Database (DCS guidelines).

Procedures for port State control. Draft amendments to the *Procedures for port State control, 2021* were forwarded to the III Sub-Committee for their consideration.

EEXI issues. Two resolutions relating to the attained *Energy Efficiency Existing Ship Index (EEXI)* were adopted.

Correction factors and voyage adjustments for CII. Following consideration of this item, four resolutions were adopted on various aspects of Carbon Intensity Indicators.

Consideration of proposals for mid-term GHG reduction measures and the establishment of the IMRB. The Committee noted the discussions of ISWG-GHG 12 on mid-term measures and associated impact assessments in the context of phase I of the Work plan as well as the proposal to establish an International Maritime Research Board (IMRB), together with three relevant documents submitted to this session. Following discussion by the Committee, it was concluded that ISWG-GHG had finalised the various

proposals under phase 1 of the Work plan for the development of mid-term measures and is now developing a “basket of candidate mid-term measures” under phase II.

How to address the increasing workload on reduction of GHG emissions from ships and proposals for possible alternative working arrangements. The Committee noted the Group’s discussion on how to address the increasing workload on reduction of GHG emissions from ships and proposals for possible alternative working arrangements. In this regard, most notable was the view expressed by Australia and others that establishing a correspondence group at this session for further discussions would allow for a timely, transparent and inclusive discussion on addressing the excessive workload in the Committee and in ISWG-GHG on all GHG-related workstreams.

FOLLOW-UP WORK EMANATING FROM THE ACTION PLAN TO ADDRESS MARINE PLASTIC LITTER FROM SHIPS.

Outcome of PPR 9. Action points for the Committee regarding marine plastic litter from ships included: the marking of fishing gear; draft amendments to MARPOL Annex V making the Garbage Record Book mandatory for ships of 100 GT and above and less than 400 GT; and, reducing the environmental risk of plastic pellets transported by ships.

Other matters related to marine plastic litter. The Committee thanked the Secretariat for the update on efforts to engage a consultant to review the terms of reference for the IMO Study on Marine Plastic Litter, noting that the TORs will be submitted to MEPC 79. It was also noted that since October 2019, Indian-flagged ships implemented a phased reduction on usage and carriage of materials made of single-use plastics whilst Germany informed the Committee of research conducted in Germany and international research Institutes on the subject of marine plastic litter, including microplastics.

POLLUTION PREVENTION AND RESPONSE.

Matters considered by correspondence prior to the virtual meeting. Document MEPC 78/9/1 (Secretariat) set out the action requested of the Committee with matters emanating from the ninth session of the PPR Sub-Committee. During the virtual meeting, the Committee reconfirmed the Chair’s proposals in annex 3 to document MEPC 78/1/1 as follows:

Safety and pollution hazards of chemicals. With regard to the categorization of liquid substances, the Committee:

- Concurred with the evaluation of products;
- Noted that advice on how to assess mixtures against the criteria discharge requirement in regulation 13.7.1.4 of MARPOL Annex II had been provided by GESAMP/EHS 58;
- Concurred with the evaluation of cleaning additives;
- Noted that ESPH 27 had undertaken a review and amendments had been made, including the deletion of products that had reached their expiry dates; and,

- Urged reporting countries that had products in list 2 or 3 to contact the respective manufacturers, requesting them to assess whether any changes in the carriage requirement were necessary.

Inventory of Hazardous Materials under the Hong Kong Convention. The Committee concurred 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 text in Appendix I to the Hong Kong convention is generic enough.

Updated guidelines for brief sampling, inspection, and survey and certification of anti-fouling systems on ships. Having considered the draft updated guidelines concerning anti-fouling systems on ships, as prepared by PPR 9 following the adoption by MEPC 76 of amendments to the AFS Convention introducing controls on cybutryne, the Committee adopted three MEPC accompanying resolutions for sampling, inspection and survey and certification.

Draft amendments to MARPOL and associated guidelines to allow States with ports in the Arctic region to enter into regional arrangements for port reception facilities. The Committee approved draft amendments to MARPOL Annexes I, II, IV, V and VI concerning regional reception facilities in the Arctic, and in this connection, approved in principle, draft amendments to the 2012 *Guidelines for the development of a regional reception facility plan*.

Review of the IBTS Guidelines and amendments to the IOPP Certificate and Oil Record Book. The Committee recalled that PPR 7 had requested it to consider the updated IBTS (Integrated Bilge water Treatment System) Guidelines for the recording of operations in the Oil Record Book, as a package, with a view to deciding whether they could be approved. In addition, the Committee had for its consideration, two documents by IACS and one from Intertanko. Following a largely inconclusive discussion on the outcome of PPR 7 regarding this matter, the relevant documents that had been submitted, and the comments made during the debate at this session, the Committee nevertheless agreed, in principle, that forced evaporation was acceptable as a means for the disposal of oily bilge water and invited proposals to PPR 10 to add an appropriate regulation in MARPOL Annex I accordingly.

REPORTS OF OTHER SUB-COMMITTEES.

Outcome of SDC 8. The Committee noted the progress made at SDC 8 on the review of the *Guidelines for the reduction of underwater noise from commercial shipping to address adverse impacts on marine life* (MEPC.1/Circ.833), including the agreed work plan for its revision and the identification of next steps.

Outcome of HTW 8. The Committee concurred with the decision of MSC 105 to approve the draft revised checklist for considering and addressing human element issues and associated draft amendments to the *Organisation and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary*

bodies and associated draft MSC-MEPC circular. Progress made at HTW 8 was noted in relation to output 6.11 (Development of training provisions for seafarers related to the BWM Convention).

Outcome of III 7. The outcome of the analysis of the four consolidated audit summary reports (CASRs) under the IMO Member State Audit Scheme (IMSAS) was endorsed by the Committee. In addition, the Committee noted the identified areas that may need technical assistance and agreed to forward them to the Technical Cooperation Committee for consideration and reporting to the Council, as appropriate.

List of certificates and documents required to be carried on board ships. The Committee concurred with the decision made by LEG 108, MSC 105 and FAL 46 to approve the draft joint FAL.2-MEPC.1-LEG.2 circular on the List of certificates and documents required to be carried on board ships.

IDENTIFICATION AND PROTECTION OF SPECIAL AREAS, ECAs AND PSSAs.

Proposal to Designate the Mediterranean Sea, as a whole, as an Emission Control Area for Sulphur oxides and particulate matter. Following discussion on this item, the Committee recognized the broad support for the proposed designation and associated amendments to MARPOL Annex VI, while noting the different comments and concerns. Consequently a Technical Group on the Designation of Special Areas under MARPOL was established to review the matter.

Report of the Technical Group. The Committee noted that the Technical Group determined that the ECA for Sulphur oxides and particulate matter proposed for the Mediterranean Sea satisfied the criteria set forth in section 3 of Appendix III of MARPOL Annex VI and having endorsed the proposal, approved the draft amendments to MARPOL Annex VI.

ANY OTHER BUSINESS. The Committee considered by correspondence, prior to the virtual meeting, a total of six documents. During the virtual meeting, the Committee reconfirmed the Chair's proposals as follows:

Recent inter-agency activities. Noted the information contained in document MEPC 78/15 (Secretariat) on recent inter-agency activities and invited the Secretariat to continue its cooperation with other United Nations Agencies on issues relating to the marine environment.

Certified true copies of consolidated texts of IMO instruments. The Committee endorsed the list of mandatory instruments under its purview for which a consolidated version would be most beneficial.

Updates to the footnotes in the MARPOL Convention. The Secretariat was requested to take into account the proposals in document MEPC 78/15/2 (China) when preparing the new edition of the MARPOL Convention.

Survey and certification under the AFS Convention. The III Sub-Committee was instructed to consider the information and proposals in document MEPC 78/13/1 (World Coatings Council) and advise the Committee accordingly.

Study assessing washwater substances. The Committee noted the information contained in document MEPC 78/INF.9 on results from a recent study assessing the quality of the washwater substances discharged into the sea by individual ships.

European Maritime Transport Environmental Report. Information contained in document MEPC 78/INF.26 (Austria et al.) on the first edition of the “European Maritime Transport Environmental Report” developed by the European Maritime Safety Agency and released in September 2021 was noted.

DATES OF NEXT MEETINGS.

MEPC 79 has been scheduled for the period 12 –16 December 2022 whilst,

MEPC 80 has been scheduled for the period 3 – 7 July 2023.

Intersessional meetings. The Committee approved, subject to Council’s endorsement, the holding of:

- .1 the thirteenth meeting of the Intersessional Group on Reduction of GHG Emissions from Ships from 5 to 9 December 2022;
- .2 two meetings of the ISWG on Reduction of GHG Emissions from Ships between MEPC 79 and MEPC 80; and,
- .3 an intersessional meeting of the ESPH Working Group in 2023.

End

Captain Paddy McKnight