

IMO SUB-COMMITTEE ON POLLUTION PREVENTION AND RESPONSE, 24 – 28 APRIL 2023

The IMO Sub-Committee on Pollution Prevention and Response held its 10th session (PPR 10) in hybrid format from 24 – 28 April 2023 under the chairmanship of Dr Flavio Fernandes (BRAZIL) and his Vice Chair, Dr Anita Makinen (FINLAND), both of whom were re-elected for 2024. The meeting was attended by representatives from IMO Member Governments, Associate Members, International Organisations and Non-Governmental Organisations in consultative status..

The Agenda for the meeting was as follows, noting that items in red type are described in detail:

1. Adoption of the agenda.
2. Decisions of other IMO bodies.
3. Safety and pollution hazards of chemicals and preparation of consequential amendments to the IBC Code (page 4).
4. Development of an operational guide on the response to spills of Hazardous and Noxious Substances (HNS) (page 5).
5. Review of the 2011 Guidelines for the control and management of ships' biofouling to minimise the transfer of invasive aquatic species (resolution MEPC.207(62)) (page 5).
6. Reduction of the impact on the Arctic of Black Carbon emissions from international shipping (page 6).
7. Standards for shipboard gasification of waste systems and associated amendments to regulation 16 of MARPOL Annex VI (page 7).
8. Development of amendments to MARPOL Annex VI and the NOx Technical Code on the use of multiple engine operational profiles for a marine diesel engine (page 8).
9. Revision of regulation 13.2.2 of MARPOL Annex VI to clarify that a marine diesel engine replacing a boiler shall be considered a replacement engine (page 9).
10. Development of measures to reduce risks of use and carriage of heavy fuel oil as fuel by ships in Arctic waters (page 9).

11. Review of the IBTS Guidelines and amendments to the IOPP Certificate and Oil Record Book (page 10).
12. Revision of MARPOL Annex IV and associated guidelines (page 11).
13. Follow-up work emanating from the Action Plan to address marine plastic litter from ships (page 12).
14. Unified interpretation of provisions of IMO environment-related conventions (page 14)
15. Biennial agenda and provisional agenda for PPR 11.
16. Election of Chair and Vice-Chair for 2024.
17. Any other business (page 16).
18. Report to the Marine Environment Protection Committee.

Technical Group (TG), Working Group (WG) and Drafting Group (DG) arrangements were set up and chaired as follows:

- TG on Evaluation of Safety and Pollution Hazards of Chemicals (ESPH TG) (agenda item 3);
- WG on Marine Biosafety (WG 1) (agenda item 5, 14 and 17);
- WG on Prevention of Air Pollution from Ships (WG 2) (agenda items 6 and 7, 9, 14 and 17);
- WG on Marine Plastic Litter from Ships (WG 3) (agenda item 13); and,
- DG on Pollution Response (DG) (agenda item 4 and 13).

ADDRESS BY THE SECRETARY GENERAL.

The Director of the Marine Environment Division, Mr Arsenio Dominguez welcomed delegations to the meeting on behalf of the Secretary General of IMO, Mr Kitack Lim. He conveyed news of Mr Verner Wilson's passing, a long-standing member of Friends of the Earth International, and expressed his deepest condolences on behalf of the entire IMO family.

In respect of this year's World Maritime theme, "MARPOL at 50 – Our commitment goes on", Mr Dominguez considered the work of the PPR Sub-Committee to be highly relevant as it involves many of the regulatory developments concerning MARPOL.

Following a brief reflection of the topics to be considered at the meeting, he informed delegates of a possible oil spill from the FSO SAFER, a decaying floating storage offshore

unit off the coast of Yemen in the Red Sea, from which an attempt to remove the oil is set to start shortly, and for which the IMO is seeking in-kind contributions to off-set the costs of the operation. Finally, Mr Dominguez wished delegates a successful meeting.

MAIN OUTCOMES OF THE MEETING.

A summary of the outcomes achieved follows with a subsequent detailed report on agenda items depicted in red. In the event that any item of interest is not covered, full details are available from paddy@intermanager.org

SIGNIFICANT OUTCOMES OF THE MEETING.

- Finalisation of the revised Biofouling Guidelines;
- Finalisation of the draft Operational guide on the Response to Spills of Hazardous and Noxious Substances (HNS) in two volumes, for submission to MSC 80;
- Finalised the draft 2023 Guidelines for thermal waste treatment devices;
- A draft protocol; for verification of Ballast Water Compliance monitoring devices was agreed, for approval at MEPC 80;
- Draft 2023 Guidelines for the development of the Inventory of Hazardous Materials and it's associated draft MEPC resolution were developed for approval at MEPC 80;
- A draft scope of work on the Reduction of VOC emissions was developed for approval at MEPC 80;
- Potential measures to reduce the environmental risk associated with the maritime transport of plastic pellets were drawn up;
- Draft amendments to MARPOL Annex V to enhance the reporting of fishing gear losses and a goal-based standard approach for marking of fishing gear were further developed;
- Good progress was made on Reduction of the impact on the Arctic of emissions of Black Carbon from international shipping as well as other matters relating to atmospheric pollution; and,
- Detailed consideration was given to the outcome of ESPH 28 Technical Group.

2. OUTCOME OF OTHER IMO BODIES.

The Sub-Committee noted the outcomes of the following IMO bodies relevant to its work:

- MSC 105 and MEPC 78, as reported in document PPR 10/2 (Secretariat); and,

- NSCR 9, C 127, CCC 8, MSC 106, C 128 and MEPC 79, as reported in document PPR 10/2/1.

Subsequently, the Sub-Committee took action under the relevant agenda items.

3. SAFETY AND POLLUTION HAZARDS OF CHEMICALS AND PREPARATION OF CONSEQUENTIAL AMENDMENTS TO THE IBC CODE.

Report of ESPH 28 and related documents. ESPH 28 took place from 10 to 14 October 2022, and the subsequent report of the meeting (PPR 10/3) entailed a number of actions which were discussed in plenary. These involved:

- Outcome of GESAMP/EHS 59;
- Evaluation of products and cleaning additives;
- Revision of MEPC.1/Circ.590 on Revised tank cleaning additives guidance note and reporting form;
- Implications of the lack of toxic vapour detection equipment on the daily operation of chemical tankers; and,
- Provisional agenda for ESPH 29

Establishment/Report of the ESPH Technical Group. Having considered the report of the ESPH Technical Group, the Sub-Committee approved it in general and took action as follows:

- concurred with the evaluation of Fast pyrolysis bio-oil and its inclusion in list 1 of the MEPC.2/Circular, with validity for all countries and with no expiry date;
- concurred with the evaluation of trade-named mixtures and their inclusion in list 3 of the MEPC.2/Circular, with validity for all countries and with no expiry date;
- concurred with the evaluation of cleaning additives;
- noted that 19 tripartite agreements would expire in December 2023 and will be deleted from the next edition of MEPC.2/Circular.29, due to be issued on 1 December 2023, and invited Member Governments to take action as appropriate to avoid any delay in the carriage of these products beyond their expiry dates;
- noted the product to be deleted from the next edition of the MEPC.2/Circular.29 that was re-evaluated and found to meet the criteria for complex mixtures in paragraph 9.2 of MEPC.1/Circ.512/Rev.1;

- agreed to the draft amendments to *Decisions with regard to the categorisation and classification of products* (PPR.1/Circ.7) for endorsement by MEPC 80;
- noted the progress made by the Group with regard to the revision of MEPC.1/Circ.590 on *Revised tank cleaning additives guidance note and reporting form*; and,
- approved the proposed provisional agenda for ESPH 29.

DEVELOPMENT OF AN OPERATIONAL GUIDE ON THE RESPONSE TO SPILLS OF HAZARDOUS AND NOXIOUS SUBSTANCES (HNS).

The Sub-Committee had for its consideration document PPR 10/4 (REMPEC), containing the Marine HNS Response Manual developed by REMPEC, the Bonn Agreement and HELCOM, proposing potential changes that could be made to the Manual for it to be used as the basis for the development of an IMO guide on the response to HNS. Most of the delegations who took the floor noted that the development of the draft Operational Guide on the Response to Spills of Hazardous and Noxious Substances could be finalised at this session as the Manual was very well developed. Most delegations also supported a proposal to have two separate volumes covering preparedness and response respectively, and in light of this, the Sub-Committee agreed that a drafting group should be established to finalise the draft Operational Guide on the Response to Spills of Hazardous and Noxious Substances as two volumes.

Drafting Group on Pollution Response. Following work by the Drafting Group, the Sub-Committee approved its report in general, and in particular, agreed to the final draft of the Operational Guide on the Response to Spills of Hazardous and Noxious Substances (HNS) for submission to MEPC 80, with a view to approval and subsequent publication. The Secretariat, when preparing the final text of the Guide (volumes 1 and 2) was authorised to effect any editorial corrections that may be identified as appropriate including additional reference sources.

5. REVIEW OF THE 2011 GUIDELINES FOR THE CONTROL AND MANAGEMENT OF SHIPS' BIOFOULING TO MINIMISE THE TRANSFER OF INVASIVE AQUATIC SPECIES (RESOLUTION MEPC.207(62)).

The Sub-Committee recalled that PPR 7 had agreed to the key elements of the Biofouling Guidelines that required further attention and discussion and the corresponding areas for potential revision of the Guidelines, and had established a Correspondence Group on Review of the Biofouling Guidelines, under the coordination of Norway, which was subsequently re-established by PPR 8 and PPR 9.

Twenty-one documents were submitted for consideration, and noting that they expressed overwhelming support for completing the revision of the Biofouling Guidelines at this session, the Sub-Committee agreed that the discussions should be framed under this overarching objective, namely to finalise and approve revised Biofouling Guidelines at this session for adoption by MEPC 80.

In this regard, the Sub-Committee did not have any general discussion on the report of the Correspondence Group on Review of the Biofouling Guidelines, but instead proceeded directly to targeted discussions on the fundamental matters that required further consideration and decision by the Sub-Committee in order to provide clear direction to the Working Group. The matters requiring direction or decision by plenary were as follows:

- .1 fundamental approach to biofouling risk assessment and inspection frequencies, focusing on proposals for substantial reduction or deletion of chapter 7 and part of chapter 9 of the draft revised Biofouling Guidelines;
- .2 inclusion of a new chapter on contingency measures (chapter 8);
- .3 fouling ratings and corresponding actions (in chapter 9), including proposals for substantial amendments or deletions in the fouling ratings table;
- .4 requirements for in-water cleaning and capture rates (in chapter 10), including proposals for the development of separate guidance on matters relating to in-water cleaning;
- .5 development of forms for the Biofouling Management Plan and Biofouling Record Book (relating to appendices 3 and 4); and,
- .6 time permitting, currently missing content on best practices for biofouling inspections and cleaning actions (in appendices 5 and 6).

Following a lengthy discussion, WG 1 was established and instructed to finalise the text of the draft revised Biofouling Guidelines. Subsequently, having considered the relevant parts of WG 1's report, the Sub-Committee approved it in general, and in particular:

- invited Member States and international organisations to submit relevant information on best practices for biofouling inspections and cleaning actions to the Organisation as it becomes available in the future; and,
- approved the draft 2023 guidelines for the control and management of ships' biofouling to minimise the transfer of invasive aquatic species and the associated draft MEPC resolution, with a view to their adoption by MEPC 80, requesting the Secretariat to conduct an editorial review of the text prior to its submission for adoption.

6. REDUCTION OF THE IMPACT ON THE ARCTIC OF BLACK CARBON EMISSIONS FROM INTERNATIONAL SHIPPING.

PPR 9 established a Correspondence Group on Prevention of Air Pollution from Ships to progress the work relating to the reduction of the impact on the Arctic of Black Carbon emissions from international shipping intersessionally. Additionally, the Sub-Committee noted that document MEPC 79/5/5 (FOEI et al.), which, inter alia, outlined an approach to amend MARPOL Annex VI to incorporate a requirement for ships to use only marine

distillate fuel or other cleaner alternative fuels or methods of propulsion that are safe for ships when operating in or near to the Arctic, had been forwarded by the Committee to this session of the Sub-Committee for further consideration with a view to advising the Committee. A further eleven documents on this topic were submitted for consideration.

Discussion in plenary was conducted under the following headings:

- General comments on the conduct of the work under this output;
- Further development of draft guidelines on goal-based control measures to reduce the impact on the Arctic of Black Carbon emissions from international shipping;
- General comments on Black Carbon measurement methods and results;
- General comments on how to advance the further consideration of Black Carbon control measures;
- Geographical scope of the output; and,
- Consideration of a Statement from the ISO observer on relevant ongoing work regarding the characterisation of marine fuels.

Report of the Working Group on Prevention of Air Pollution from Ships. Having considered the relevant parts of WG 2's report, the Sub-Committee:

- noted the progress made by the Group in the development of draft guidelines on recommendatory goal-based control measures;
- noted the Group's discussion on the list of potential Black Carbon control measures and invited interested Member States and international organisations to work intersessionally on further developing proposals on potential Black Carbon control measures for submission to the next session;
- recommended that the Committee extend the target completion year for this output to 2025; and,
- established the Correspondence Group on Prevention of Air Pollution from Ships with the terms of reference specified.

7. STANDARDS FOR SHIPBOARD GASIFICATION OF WASTE SYSTEMS AND ASSOCIATED AMENDMENTS TO REGULATION 16 OF MARPOL ANNEX VI.

The Sub-Committee noted, in general, the discussion and progress made by the Correspondence Group (initiated by PPR 9) on the Development of Draft Standard Specification/Guidelines for Thermal Waste Treatment Devices. In addition, to the relevant sections of the report of the Correspondence Group, the Sub-Committee also had

two further documents (one each from India and Finland) for its consideration related to the draft standard specification/guidelines for thermal waste treatment devices.

Following further discussion, and considering the highly technical nature of the work, the Sub-Committee agreed to instruct the Working Group on Prevention of Air Pollution from Ships, taking into consideration the comments and decisions made in plenary, to finalise the draft 2023 Guidelines for thermal waste treatment devices using annex 2 to document PPR 10/6 as a basis and taking into account documents PPR 10/7 and PPR 10/7/1 referred to above and comments made in plenary.

Report of the Working Group on Prevention of Air Pollution from Ships. The Sub-Committee agreed the draft 2023 guidelines for thermal waste treatment devices, for submission to MEPC 80 with a view to adoption, and acknowledged that, with the finalisation of the guidelines, the terms of reference for this output should be considered to have been fulfilled.

8. DEVELOPMENT OF AMENDMENTS TO MARPOL ANNEX VI AND THE NO_x TECHNICAL CODE ON THE USE OF MULTIPLE ENGINE OPERATIONAL PROFILES (MEOPs) FOR A MARINE DIESEL ENGINE.

The Sub-Committee recalled that MEPC 73 had agreed to a new output on "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", with a clearly defined scope of work as follows:

"Taking into account the concept of Not to Exceed (NTE) Zones, as described in documents MEPC 73/11/1 and MEPC 73/INF.15, clarify whether multiple engine operational profiles are allowed, and if so, what regulatory controls should be applied; noting these may also need to include amendments to MARPOL Annex VI and the NO_x Technical Code 2008; and if not allowed, then what amendments would be necessary to MARPOL Annex VI and the NO_x Technical Code 2008 to explicitly prohibit multiple engine operational profiles."

PPR 9 had forwarded all relevant documents on multiple engine operational profiles (MEOPs) to the Correspondence Group on Prevention of Air Pollution from Ships established at that session with appropriate instructions, following which good progress was made as follows:

.1 with regard to MEOPs, there was a general agreement in the Correspondence Group that MEOPs could be allowed under certain circumstances; that amendments regarding MEOPs and not-to-exceed (NTE) zones should be placed in a new chapter 8 of the NO_x Technical Code 2008; and there was a general agreement on a definition of "engine operational profile"; and,

.2 with regard to the EIAPP test cycles, the Group identified a need for clear terminology and application related to EIAPP test cycles; and consequently, the Group supported to extend the scope of the output to cover definitions of terminology and application related to EIAPP test cycles and related amendments to the NTC 2008.

After consideration, the Sub-Committee endorsed the points on which the Correspondence Group reached general agreement and invited interested Member States and international organisations to submit proposed draft amendments to the NOx Technical Code regarding MEOPs and EIAPP test cycles to PPR 11, taking into account comments and decisions made at this meeting. The Sub-Committee requested the Committee to endorse the expansion of the scope of the output to cover definitions of terminology and application related to EIAPP test cycles and related amendments to the NOx Technical Code and to change the title of the output to "Development of amendments to MARPOL Annex VI and the NOx Technical Code on the use of multiple engine operational profiles for a marine diesel engine and on the clarification of test cycles".

9. REVISION OF REGULATION 13.2.2 OF MARPOL ANNEX VI TO CLARIFY THAT A MARINE DIESEL ENGINE REPLACING A BOILER SHALL BE CONSIDERED A REPLACEMENT ENGINE.

The Sub-Committee recalled that MEPC 77 had agreed to a new output on "Revision of regulation 13.2.2 of MARPOL Annex VI to clarify that a marine diesel engine replacing a boiler shall be considered a replacement engine", assigning the PPR Sub-Committee as the associated organ, with one session needed to complete the work. It was noted that the scope of the output also included the development of consequential amendments to the 2013 MARPOL Guidelines as required by regulation 13.2.2 in respect of non-identical replacement engines not required to meet the Tier III limit (resolution MEPC.230(65)). Two documents were submitted, one by Norway and the other by IMarEST, both of which were referred to WG 2.

Having considered the relevant parts of WG 2's report, the Sub-Committee:

- agreed to the draft amendments to regulation 13.2.2 of MARPOL Annex VI on a marine diesel engine replacing a steam system, for submission to MEPC 80 for approval, with a view to adoption at MEPC 81;
- agreed to the draft 2023 guidelines as required by regulation 13.2.2 in respect of non-identical replacement engines not required to meet the Tier III limit, for submission to MEPC 80 with a view to adoption; and,
- agreed the draft consequential amendments to the unified interpretations to regulation 13.2.2 of MARPOL Annex VI, for approval by MEPC 80 and inclusion in a revision of MEPC.1/Circ.795/rev.7.

10. DEVELOPMENT OF MEASURES TO REDUCE RISKS OF USE AND CARRIAGE OF HEAVY FUEL OIL AS FUEL BY SHIPS IN ARCTIC WATERS.

Draft guidelines on mitigation measures to reduce risks of use and carriage for use of heavy fuel oil as fuel by ships in Arctic waters. The Sub-Committee recalled that PPR 8 had agreed in principle, to the version of the draft guidelines on mitigation measures to reduce risks of use and carriage for use of heavy fuel oil (HFO) as fuel by

ships in Arctic waters, set out in annex 2 to document PPR 8/6 (Russian Federation), being advanced and eventually finalised.

Inputs provided by SDC 8, HTW 8, and NCSR were also noted and document PPR 10/10 (Russian Federation), provided clarification regarding comments made at SDC 8 on the draft guidelines on measures to reduce risks of use and carriage of heavy fuel oil as fuel by ships in Arctic waters. Furthermore, the Sub-Committee noted that NCSR 9 had invited the Sub-Committee to consider limiting the scope of the draft guidelines on mitigation measures to reduce risks of use and carriage for use of HFO as fuel by ships in Arctic waters only to ships using HFO as fuel, or carrying HFO for use, in Arctic waters, which are not currently covered by the Polar Code or other IMO instruments.

Having noted that no further groups could be established at this session in accordance with the Committees' Method of work, the Sub-Committee deferred further consideration of the draft guidelines, document PPR 10/10, and the related outcomes of NCSR 9 and HTW 9 to its next session with a view to the draft guidelines being finalised at PPR 11.

Proposal to amend the special requirements for the use and carriage of oils as fuel in Arctic waters. The Sub-Committee noted that MEPC 78 had considered document MEPC 78/14/1 (Iceland and Norway), proposing to expand the scope of the existing output 7.11 on Development of measures to reduce risks of use and carriage of heavy fuel oil (HFO) as fuel by ships in Arctic waters, to include an upper pour point limit for HFO in regulation 43.1.2 of MARPOL Annex I. Document PPR/10/10/1 (Norway) provided input to the technical considerations of MEPC 78/14/1 and responded to comments made during MEPC 78 discussions.

Following lengthy debate and having noted that there was not general consensus to move forward at this stage with the proposals in documents MEPC 78/14/1 and PPR 10/10/1, the Sub-Committee:

.1 agreed to revisit this matter in 2025 and to review documents MEPC 78/14/1 and PPR 10/10/1 again at PPR 12 following the effective date (1 July 2024) of the prohibition in regulation 43A of MARPOL Annex I; and,

.2 invited Member States and international organizations to submit information to future sessions of the Sub-Committee on bunker fuel properties available for Arctic shipping, including any trends in viscosity, density and pour point in the lead up to 1 July 2024 and after that date.¹

11. REVIEW OF THE IBTS GUIDELINES AND AMENDMENTS TO THE IOPP CERTIFICATE AND OIL RECORD BOOK.

The Sub-Committee recalled that, at PPR 7, it had prepared a draft MEPC circular on the 2020 Guidelines for systems for handling oily wastes in machinery spaces of ships incorporating guidance notes for an integrated bilge water treatment system (IBTS), as set out in annex 13 to document PPR 7/22/Add.1, the draft amendments to appendix II (Form of the IOPP certificate and Supplements) and appendix III (Form of Oil Record Book) of MARPOL Annex I, and the draft revised MEPC circular on Guidance for the recording of operations in the Oil Record Book Part I – machinery space operations (all ships), and had requested MEPC to consider them as a package and decide on whether they could be

approved. The Committee, had 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.

MEPC also forwarded three documents for further consideration, in addition to one by India to PPR 10 which provided comments and proposals concerning the automatic stopping device and clean bilge water pump mentioned in the draft revised IBTS guidelines. Additional comments related to the requirement for clean bilge water to be discharged overboard only when a ship is proceeding en route, certain safety aspects associated with forced evaporation, condensate drains of steam heating systems, and the changes to the IBTS flow diagram proposed in document MEPC 75/10/4.

In the absence of proposals to amend MARPOL Annex I to introduce requirements under which forced evaporation of oily bilge water would be considered an appropriate means of disposal, and without the option of establishing any additional groups at this session in accordance with the Committees' Method of work, the Sub-Committee agreed to defer further consideration of this agenda item and all remaining documents to its next session, with a view to completing the output at PPR 11 subject to interested Member States and international organisations developing and submitting to PPR 11 relevant proposals for amendments to MARPOL Annex I.

12. REVISION OF MARPOL ANNEX IV AND ASSOCIATED GUIDELINES.

The Sub-Committee recalled that MEPC 74 had considered document MEPC 74/14 (Norway), proposing to expand the scope of output 1.23 to include a revision of MARPOL Annex IV and associated guidelines, and had agreed to amend the title of the output 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". With regard to the renamed output, the Sub-Committee also recalled that MEPC 74 had instructed it to:

- .1 seek the input of the III and HTW Sub-Committees in relation to issues of port State control and human element, as appropriate;
- .2 give due consideration to the application of draft amendments to MARPOL Annex IV, taking into account the general principle that ships should not be unduly penalised; and,
- .3 further consider the comment by the observer from IACS, as noted by MEPC 74, seeking clarification on whether the scope of the work should include not only amendments to regulations of MARPOL Annex IV but also development of associated templates or guidelines in relation to sewage record-keeping and sewage management plan.

Report of the Correspondence Group and related documents. The Sub-Committee considered documents PPR 10/12 and PPR 10/INF.8 (Norway) containing the report of the Correspondence Group on Amendments to MARPOL Annex IV and Associated Guidelines, including draft amendments to MARPOL Annex IV; draft amendments to the 2012 Guidelines on implementation of effluent standards and performance tests for sewage treatment plants (resolution MEPC.227(64), as amended by MEPC.284(70))

(2012 Guidelines); proposed draft guidelines on the implementation of MARPOL Annex IV for sewage treatment plants (STP); summaries of the comments and work of the Correspondence Group; and reports of the four virtual meetings organised as a complement to the work of the Correspondence Group. Four other documents were discussed, in addition to PPR 9/WP.5/Add.1 (Chair of the Working Group), providing part 2 of the report of the Working Group on Sewage Treatment Plants and Marine Plastic Litter from Ships that was established at PPR 9 in relation to STP concerning modalities for intersessional work, draft amendments to MARPOL Annex IV, sampling points, also discharge requirements for effluent and screenings.

Having noted the Correspondence Group's recommendation that a sewage record book and sewage management plan should be required for all ships, the Sub-Committee concurred and subsequently requested of the Committee for a consequential expansion of the scope of work of output 1.23 to introduce provisions for a sewage management plan and record-keeping on all ships under MARPOL Annex IV.

Re-establishment of the Correspondence Group. Having agreed that the proposals and comments in documents PPR 10/12/2, PPR 10/12/3 and PPR 10/12/4 require detailed technical consideration, the Sub-Committee re-established the Correspondence Group on Amendments to MARPOL Annex IV and Associated Guidelines, under the coordination of Norway, with appropriate terms of reference, and instructions to submit a written report to PPR 11.

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

Reduction of the environmental risk associated with the maritime transport of plastic pellets. The Sub-Committee recalled that MEPC 77 had considered document MEPC 77/8/3 (Sri Lanka), commenting on document MEPC 75/8/3 and discussing the impacts of the MV X-Press Pearl spill of 11,000 tonnes of plastic pellets off the shore of Colombo, Sri Lanka in May 2021, and highlighting the hazardous nature of plastic pellets and the need to establish, inter alia, international guidelines and requirements for loading, unloading, packaging, and emergency response protocols, with clear labelling of containers carrying pellets, and improved stowage instructions. It also referred document MEPC 77/8/3 to PPR 9 for the Sub-Committee to further consider the proposals, requesting the input of the CCC Sub-Committee as appropriate, with a view to advising the Committee on how best to proceed. PPR 9 established the CG on Marine Plastic Litter from ships, under the coordination of Norway and Spain, instructing it to further consider the options for reducing the environmental risk associated with the maritime transport of plastic pellets and to advise the Sub-Committee on the way forward. The CG concluded that a two-stage approach could be adopted to reduce the environmental risk inherent in the maritime transport of plastic pellets in freight containers, as subsequently agreed by the Sub-Committee:

.1 at an initial stage, through the development of a circular containing recommendations for the carriage of plastic pellets by sea in freight containers, addressing in particular packaging, notification and stowage; and,

.2 at a later stage, through the development of amendments to appropriate mandatory instruments, which could be informed by the experience gained from the implementation of the voluntary measures.

The Sub-Committee also noted that the CG had developed a draft circular on recommendations for the carriage of plastic pellets by sea in freight containers, and was of the view that the CCC Sub-Committee should provide substantive input to the circular, given the nature of the Guidance which focuses on cargo related matters. In addition, CCC should be requested to consider the different instruments that could be used as a legal basis for mandatory regulations for the transport of plastic pellets and to also consider matters concerning the shipment of plastic pellets in bulk under the IMSBC Code.

Subsequently, the Sub-Committee agreed that the relevant part of the Correspondence Group's report (PPR 10/13), together with other related documents should be further considered in the Drafting Group on Pollution Response in order to prepare draft terms of reference for a CG to develop draft guidelines on clean-up of plastic pellets from ship-source spills.

Reporting of fishing gear that has been lost or discharged from a ship as provided for in regulation 7.1.3 and 7.1.4 of MARPOL Annex V, and marking of fishing gear.

With regard to reporting of fishing gear that has been lost or discharged from a ship as provided for in regulation 7.1.3 and 7.1.4 of MARPOL Annex V, the Sub-Committee recalled that, at PPR 7, it had established the Correspondence Group on Marine Plastic Litter from Ships, under the coordination of France, and did similarly at PPR 9, under the coordination of Norway and Spain. The Group was tasked to further consider the draft amendments to MARPOL Annex V to provide for the reporting mechanisms, the modalities and the information to be reported to Administrations and IMO to facilitate and enhance reporting of the loss or discharge of fishing gear; also. to develop appropriate draft amendments to the 2017 Guidelines for the implementation of MARPOL Annex V (resolution MEPC.295(71)) in order to support the implementation of the contemplated draft amendments to the Annex.

Report of the Working Group on Marine Plastic Litter from Ships. Having considered the report of the Working Group on Marine Plastic Litter from Ships, the Sub-Committee took action as follows:

- noted the Group's discussion with regard to packaging measures related to the carriage of plastic pellets by sea in freight containers;
- invited Member States and international organisations to submit any relevant information on packaging to the CCC Sub-Committee for consideration when it considers the most appropriate text for inclusion in paragraph 1.1 of the draft circular;
- noted the discussion on the definition of plastic pellets and invited interested Member States and international organizations to submit proposals on the definition, in particular the size limit, to PPR 11;

- agreed to the draft MEPC circular on recommendations for the carriage of plastic pellets by sea in freight containers for submission to the CCC Sub-Committee for their input;
- invited interested Member States and international organisations to submit concrete proposals on potential mandatory measures to a future session of the Sub-Committee taking into account discussions to date, the list prepared by the Working Group at PPR 10, and experience from the implementation of any non-mandatory measures;
- noted the table on "Potential instruments that could form a legal basis for mandatory provisions for the maritime transport of plastic pellets in freight containers"
- noted the Group's discussion in relation to the need for requesting the CCC Sub-Committee to provide input on shipments of plastic pellets in bulk, and concur with the Group's view that plastic pellets should not be carried in bulk;
- invited interested Member States and international organisations to submit relevant proposals to a future session of the Sub-Committee on potential regulatory changes that may be needed to prevent the shipment of plastic pellets in bulk;
- noted the Group's discussion on the reporting of the loss or discharge of fishing gear, in particular, espoused general agreement:
 - .1 that globally consistent thresholds to report lost or discharged fishing gear should be developed, taking into account the wide variety of fisheries and fishing gear;
 - .2 that recreational vessels should be exempted from mandatory reporting requirements without any prejudice to any other MARPOL requirements;
 - .3 on the purpose and objectives of the database; and,
- established the Correspondence Group on Marine Plastic Litter from Ships to progress the work intersessionally with terms of reference as proposed.

14. UNIFIED INTERPRETATION OF PROVISIONS OF IMO ENVIRONMENT-RELATED CONVENTIONS.

Unified interpretations of provisions of the BWM Convention. The Sub-Committee had for its consideration document PPR 10/14/1 (China), seeking clarification on the item "Date of construction" in the form of the IBWMC (International Ballast Water Management Certificate) for a ship which had undergone a major conversion, and proposing draft unified interpretations for "Date of construction" in the form of the IBWMC and regulations B3.5 and B3.10 of the BWM Convention. The Sub-Committee recalled established practice as being that unified interpretations are only agreed if there is effectively

unanimous support for them. In the ensuing discussion, there was support in general for the proposed unified interpretation, with different views expressed, in particular with regard to the proposed alternative options for the second part of the unified interpretation. In light of this, the Sub-Committee referred the proposed unified interpretation to the Working Group on Marine Biosafety for finalisation in accordance with relevant terms of reference.

Report of the Working Group. Having considered the relevant parts of the report of the Working Group, the Sub-Committee approved the report in general and:

- agreed to the draft consequential amendments to the unified interpretations to regulation 13.2.2 of MARPOL Annex VI, for approval by MEPC 80 and inclusion in a revision of MEPC.1/Circ.795/rev.7; and,
- agreed to the new unified interpretation to regulations 18.5 and 18.6 of MARPOL Annex VI, for approval by MEPC 80 and inclusion in a revision of MEPC.1/Circ.795/rev.7.

Unified interpretations of provisions of MARPOL Annex VI and the NOx Technical Code 2008. There were three submissions on this topic: UK et al proposing a draft UI for the form of the Bunker Delivery Note (BDN) referred to in regulation 18 (Fuel oil availability and quality) of MARPOL to confirm that BDNs are acceptable in either hard copy or digital form.; BIMCO, commenting on the UKs submission, in particular supporting the use and acceptance of electronic BDNs; and India, also commenting on the UK paper proposing a UI for the issuance of BDNs in electronic format.

Report of the Working Group on Prevention of Air Pollution from Ships. The Sub-Committee agreed to the new unified interpretation to regulations 18.5 and 18.6 of MARPOL Annex VI, for approval by MEPC 80 and inclusion in a revision of MEPC.1/Circ.795/rev.7.

15. BIENNIAL AGENDA AND PROVISIONAL AGENDA FOR PPR 11.

MEPC 78 and subsequently MEPC 79 confirmed the Sub-Committee's biennial status report for 2022-2023. Taking into account the progress made at this session, the Sub-Committee updated the biennial status report for the 2022-2023 biennium, for approval by MEPC 80.

Correspondence Groups established at this session. The Sub-Committee established Correspondence Groups (due to report to PPR 11) on: Pollution Response; Air Pollution from Ships; Amendments to MARPOL Annex IV and Associated Guidelines; and, Marine Plastic Litter from Ships.

Intersessional meetings. The ESPH Technical Group will meet from 30 October to 3 November 2023 and the Sub-Committee will invite MEPC 80 to approve a further ESPH meeting in 2024.

16. ELECTION OF CHAIR AND VICE-CHAIR FOR 2024. As already stated, both incumbents were re-elected.

17. ANY OTHER BUSINESS.

Development of a protocol for verification of ballast water compliance monitoring devices. The Sub-Committee, having considered a proposal for the development of a standard for the verification of ballast water compliance monitoring systems, had invited interested delegations to submit concrete proposals to PPR 7, and that PPR 7, PPR 8 and PPR 9 had debated consecutive proposed drafts for such a protocol.

PPR 8 established a Correspondence Group (CG) on Development of a Protocol for Verification of Ballast Water Compliance Monitoring Devices, under the coordination of the United Kingdom, which was subsequently re-established by PPR 9.

Three documents were considered, including the final draft of the protocol, together with ISO's update on key elements of the methods and timeline for completion of the standard, plus the second part of the WG on Marine Biosafety established during PPR 9. The Sub-Committee agreed to the draft Protocol for verification of ballast water compliance monitoring devices as set out in annex 2 to document PPR 10/17 and, having considered the draft circular set out in the annex to document PPR 10/WP.8, agreed to the draft BWM.2 circular, with a view to its approval by MEPC 80.

Revision of the 2015 Guidelines for the development of the Inventory of Hazardous Materials. In discussion, there was overwhelming support for the proposal in document PPR 10/17/1 with the necessary amendments to remove all references to the use of cybutryne as a biocide. There was also a proposal to further consider the relevant threshold values and clarify the references to the appropriate resolutions on guidelines under the AFS Convention. The Sub-Committee therefore referred the proposed amendments to the 2015 Guidelines for the development of the Inventory of Hazardous Materials (resolution MEPC.269(68)) to the Working Group on Marine Biosafety for further consideration in accordance with the relevant term of reference, taking into account the decision to delete all references to the use of cybutryne as a biocide.

Report of the Working Group. Having considered the relevant parts of the report of the Working Group, the Sub-Committee:

- agreed the draft unified interpretation to the form of the International Ballast Water Management Certificate and regulations B-3.5 and B-3.10 of the BWM Convention, and invited the Committee to approve it for inclusion in BWM.2/Circ.66/Rev.5, consolidating all unified interpretations to provisions of the BWM Convention; and,
- approved draft 2023 guidelines for the development of the Inventory of Hazardous Materials and the associated draft MEPC resolution, and invited the Committee to adopt them.

Draft amendments to the 2019 Guidelines for on board sampling for the verification of the sulphur content of the fuel oil used on board ships (MEPC.1/Circ.864/Rev.1).

The Sub-Committee recalled that MEPC 74 had approved the 2019 Guidelines for on

board sampling for the verification of the sulphur content of the fuel oil used on board ships (MEPC.1/Circ.864/Rev.1); and that MEPC 75 had adopted amendments to MARPOL Annex VI by resolution MEPC.324(75) which mandated the retrofitting of in-use fuel oil sampling points. The Sub-Committee considered document MEPC 78/5/1 (China), proposing draft amendments to MEPC.1/Circ.864/Rev.1 addressing sampling of fuel oil with poor fluidity in low-temperature environments, sampling in the event that unstable/incompatible fuel oil is mixed, and adequacy of the amount of fuel sampled. The delegation of China further commented on issues experienced with fuel oil accumulation leading to clogging at fuel sampling points in ships operating in low-temperature environments.

Recognising the highly technical nature of the proposal, it was decided to instruct the Working Group on Prevention of Air Pollution to further consider document MEPC 78/5/1 and the proposed amendments to MEPC.1/Circ.864/Rev.1 therein and advise the Sub-Committee on how to proceed. Subsequently, the Sub-Committee noted the Group's discussion on proposed draft amendments to the 2019 Guidelines for on board sampling for the verification of the sulphur content of the fuel oil used on board ships and agreed to keep the Guidelines unchanged.

Volatile organic compound (VOC) emissions. The Sub-Committee recalled that MEPC 77 had instructed the PPR Sub-Committee to investigate how the reduction of volatile organic compound (VOC) emissions could be further addressed and that PPR 9 had instructed the Correspondence Group on Prevention of Air Pollution from Ships to identify the outline of a scope of work on the reduction of VOC emissions, and to submit a written report to this session. In this context, the Sub-Committee considered the relevant sections of the report of the Correspondence Group. The Sub-Committee had for its consideration document PPR 10/17/5 (INTERTANKO), containing comments on the draft scope of work set out in annex 4 to the Correspondence Group report, notably with regard to the role of shore terminals in VOC reduction, the relevance of cargo temperatures and loading level of cargo tanks in VOC emissions, and on the proposed VOC measurement system. In further elaborating on document PPR 10/17/5, the observer from INTERTANKO highlighted that the majority of VOC emissions from shipping occur during cargo loading operations and that the main obstacle to the further reduction of VOC emissions from tankers was the lack of available reception facilities in oil terminals, thus stressing the importance of involving terminals in the envisaged work on the reduction of VOC emissions. Several delegations, in supporting this intervention, were of the view that it would be difficult to justify imposing additional measures on ships that would have little to no effect on VOC emissions unless there are corresponding mandatory obligations on shore facilities to enable the delivery of retained VOCs ashore.

Following discussion, the Sub-Committee instructed the Working Group on Prevention of Air Pollution from Ships, to finalise the draft scope of work on reduction of VOC emissions, taking into account the concerns raised in document PPR 10/17/5, and advise the Sub-Committee on how best to advance the work. Following the Groups deliberations, the Sub-Committee agreed to the draft scope of work on the Reduction of Volatile Organic Compound (VOC) emissions, and forwarded it to MEPC 80 for concurrence.

Studies concerning discharge water from exhaust gas cleaning systems. The Sub-Committee noted the information in document PPR 10/INF.3 (OSPAR Commission), in

relation to the OSPAR Commission's activities and the findings from a recent assessment of discharges from EGCS into marine waters, and the information in document PPR 10/INF.15 (Germany), concerning the final report of the German project ImpEx, which analysed discharge water from EGCS to assess the ecotoxicological effects of EGCS discharge water. Additionally, the Sub-Committee forwarded both documents to its next session, for the information to be taken into account, as appropriate.

18. REPORT TO THE MARINE ENVIRONMENT PROTECTION COMMITTEE.

The draft 87 page report of the session (PPR 10/WP.1), prepared by the Secretariat, was duly commented on by the Sub-Committee prior to forwarding it to the Committee (MEPC 80) for approval.

End.

Captain Paddy McKnight.