



# IMO MEPC 80 Meeting Summary

18 July, 2023

The 80<sup>th</sup> meeting of the Marine Environment Protection Committee (MEPC 80) was held 3-7 July 2023 at the IMO Headquarters in London, supplemented by hybrid (remote) participation.

Among others, LISCR participated in the following groups in addition to the plenary:

Group	Subject
RG	Review Group on Ballast Water Management
WG 1	Working Group on Air Pollution and Energy Efficiency
WG 2	Working Group on GHG Emissions from Ships

## Opening

MEPC 80 noted that the entry-into-force conditions of the *Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships* (Hong Kong Convention) had been met on 26 June 2023 with the accession of Bangladesh and Liberia, and that the Convention would therefore enter into force on 26 June 2025.

Liberia extended its appreciation to the Secretariat for the advice and assistance provided during the preparation of its instrument of accession to the Hong Kong Convention.

## Reduction of GHG emissions

### IMO GHG Strategy

In 2018, the IMO adopted the *Initial IMO Strategy on reduction of greenhouse gas emissions from ships* (the 'Initial IMO Strategy') (MEPC.304(72)). The Initial IMO Strategy requires that a Revised Strategy should be adopted in 2023.

Following intense discussions during the 15th session of the Intersessional Working Group on Reduction of GHG Emissions from Ships (ISWG-GHG 15) held 26-30 June, and MEPC 80, MEPC 80 adopted 2023 IMO Strategy for the Reduction GHG Emissions from Ships, which revoked the initial IMO strategy. Key elements of the new strategy are summarized hereunder.

### Level of ambition

- With regard to the target per transportation (i.e. per ship), the 2030 reduction is unchanged (to reduce CO<sub>2</sub> emission by 40% by 2030, compared to 2008), however, the 2050 target (70% reduction) no longer exists.
- As a whole shipping sector, to reach net-zero GHG emission by or around, i.e. close to 2050. However, a note "taking into account different national circumstances" was inserted.

In addition, the following new elements are inserted:

- uptake of zero or near-zero GHG emission technologies, fuels and/or energy sources to represent at least 5%, striving for 10%, of the energy used by international shipping by 2030;
- Introduction of "indicative checkpoints" i.e.
  - to reduce the total annual GHG emissions from international shipping by at least 20%, striving for 30%, by 2030, compared to 2008; and
  - to reduce the total annual GHG emissions from international shipping by at least 70%, striving for 80%, by 2040, compared to 2008.

These are based on Lifecycle Fuel Assessment (LCA). Zero-emission fuel (e.g. hydrogen) must come from renewable sources.

### Measures

Subject to the development of concrete measures, the strategy addresses the following mid-term measures:

- a technical element, namely a goal-based marine fuel standard regulating the phased reduction of the marine fuel's GHG intensity; and
- an economic element, on the basis of a maritime GHG

emissions pricing mechanism.

Further consideration of the measures is subject to the comprehensive impact assessment in conjunction with the assessment of feasibility and effectiveness.

### **Synergies with existing measures**

The potential synergies with other existing measures such as the Carbon Intensity Indicator (CII) will be considered, in particular regarding incentives for energy efficiency and for the adoption of better operational practices in the shipping value chain or other technologies to reduce emissions from ships.

### **Capacity building**

In addition to those listed in the initial strategy, particular attention is paid to seafarers' training.

### **Comprehensive impact assessment**

As stated in the IMO GHG strategy, any decision on actual measures for GHG reduction is subject to the comprehensive impact assessment on States to be undertaken in accordance with MEPC.1/Circ.885/Rev.1 on *the Revised Procedure for assessing impacts on States of candidate measures*.

MEPC 80 invited the Secretary-General to establish the Steering Committee on the comprehensive impact assessment.

### **Mid-term measures**

MEPC 76 (June 2021) had decided to take the following phased action for developing the mid-term measures:

- Phase I (Spring 2021 – Spring 2022): Collation and initial consideration of proposals for measures.
- Phase II (Spring 2022 – Spring 2023): Assessment and selection of measures(s) to further develop and select measures identified by Phase I and prioritize them.
- Phase III: Development of (a) measure(s) to be finalized within (an) agreed target date(s).

Due to time constraints, ISWG-GHG 15 could not discuss these measures in detail.

MEPC 80 confirmed that the work was moved into phase III., i.e. development of the concrete measures, with a plan agreed upon under the IMO Strategy, i.e. adoption by autumn 2025 for entry into force in spring 2027.

The discussion will continue at the ISWG-GHG 16 scheduled for April 2024.

### **Timeline of the mid-term measures**

The 2023 GHG strategy stipulates that the mid-term measures are to be adopted in 2025 for entry into force in

2027 following a comprehensive impact assessment on States, which will be undertaken between 2023 and 2024.

Possible long-term measures beyond 2030 will be addressed at the next review of the IMO GHG strategy scheduled to be adopted in 2028.

### **LCA guidelines**

MEPC 80 adopted MEPC resolution *Guidelines on lifecycle GHG intensity of marine fuels* (LCA guidelines) as interim/initial guideline.

These guidelines:

- provide guidance on life cycle GHG intensity assessment for all fuels and other energy carriers (e.g. electricity) used on board a ship;
- aim at covering the whole fuel life cycle (with specific boundaries), from feedstock extraction/cultivation/recovery, feedstock conversion to a fuel product, transportation as well as distribution/bunkering, and fuel utilization on board a ship;
- also specify sustainability themes/aspects for marine fuels and define a Fuel Lifecycle Label (FLL), which carries information about fuel type, feedstock (feedstock type and feedstock nature/carbon source), conversion/production process, GHG emission factors, information on fuel blends and sustainability themes/aspects; and
- specify the elements of FLL subject to verification/certification and include a general procedure on how the certification scheme/standards could be identified.

The relevant GHGs included are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O).

These guidelines, at this moment, do not directly link to Energy Efficiency Design Index (EEDI), Energy Efficiency Existing Ship Index (EEXI) or Carbon Intensity Indicator (CII) calculation.

There were still issues to be resolved in relation to the sustainability criteria, default carbon value and lifetime GHG intensity of the electricity (including onshore power supply).

MEPC 80 set up the correspondence group (CG) for further review on the following:

- reviewing the template for the well-to-tank data collection;
- creating a template for tank-to-wake default emission factors;
- compile the default emission factor data received;
- the methodological elements of sustainability; and
- carbon GHG intensity of electricity (including Onshore Power Supply - OPS).

## Plan for reviewing short-term measures

When the IMO adopted short-term measures, i.e. EEXI and CII, it also adopted a provision for the review by 2026.

MEPC 80 agreed on the roadmap of the review, which includes the revision of correction factors.

## Correction factors

MEPC 80 had intended to address papers submitted to MEPC 78, 79 and 80, but due to time constraints, the Committee was unable to consider them, including papers on Short voyage correction and bulk carrier STS operations cosponsored/submitted by Liberia.

However, MEPC 80 included them in the review plan of the short-term measure, which aims to complete toward the end of 2025.

## Carbon capture

Liberia, together with other cosponsors, proposed a new work stream on onboard CO<sub>2</sub> capture.

During the discussion at MEPC 80, while some delegations considered that it was still premature to consider the technology, other delegations supported the proposal to initiate a dedicated workstream to ensure the timely development of a suitable regulatory framework. Several of these delegations also referred to the reports of the Intergovernmental Panel on Climate Change (IPCC), which recognized CO<sub>2</sub> removal and storage as one of the means to achieve carbon neutrality, especially in hard-to-abate sectors, such as shipping.

Following consideration, the Committee agreed to instruct ISWG-GHG 16, if time permits, to consider the proposals related to onboard CO<sub>2</sub> capture.

## Air pollution prevention and energy efficiency

### Biofuel

Following the submission by Liberia and other cosponsors, MEPC 80 approved *Interim guidance on the use of biofuels under regulations 26, 27 and 28 of MARPOL Annex VI*.

These interim guidelines will allow the flag Administration to accept biofuels that are certified under an internationally recognized certification scheme as zero-emission fuel under IMO Data Collection Systems (DCS) and CII rating.

### Fuel oil – flashpoint

MEPC 79 adopted amendments to MARPOL Annex VI to include the flashpoint of oil fuel in the bunker delivery note. However, as the “fuel oil” in the context of the MARPOL Annex VI include gas fuel, a question was raised about how to exclude the flashpoint requirement for low

flashpoint fuels, including gas fuels.

MEPC 80 approved draft amendments to regulations 2 (definition), 14 (sulphur and PM control), 18 (Fuel Oil Availability and Quality) and Appendices I and IX of MARPOL Annex VI for adoption by MEPC 81. The amendments exclude flashpoint requirements in the Bunker Delivery Note (BDN) in the low flashpoint fuel and sampling requirements.

### Electronic bunker delivery note

The tenth session of the Sub-Committee on Pollution Prevention and Response (PPR 10), noting that the industry is already using electronic BDN, developed a unified interpretation of MARPOL Annex VI regulation 18 for accepting an electronic bunker delivery note as a temporary measure.

MEPC 80 approved this interpretation as an MEPC circular.

### Exhaust Gas Cleaning systems

MEPC 78 had approved MEPC.1/Circ.899 on 2022 *Guidelines for risk and impact assessments of the discharge water from exhaust gas cleaning systems*, but amendments to the MARPOL Convention were left to a future discussion regarding the role of States, which is included in the agenda of PPR 11 (February 2024).

MEPC 80 reviewed submitted paper to the meeting, but opinions were divided with regard to the role and jurisdiction of the coastal States. MEPC agreed to refer the submitted documents to PPR 10.

### Emission Control Area (ECA)

#### Arctic ECA

MEPC 80 noted a submission, which informed the Committee that Canada is currently engaging with its stakeholders with a view to submitting a proposal to MEPC 81 to designate an Emission Control Area (ECA) in Canadian Arctic waters for reducing emissions of nitrogen oxides, sulphur oxides and particulate matter from ships in Canada's Arctic.

#### North-East Atlantic Ocean ECA

MEPC 80 welcomed information on the ongoing work regarding the possible designation of a North-East Atlantic Ocean Emission Control Area under MARPOL Annex VI.

### NO<sub>x</sub> control - Replacing a steam system with an internal combustion engine

MEPC 80 approved the draft amendments to regulation 13.2.2 of MARPOL Annex VI on a marine diesel engine replacing a steam system, with a view to subsequent adoption by MEPC 81.

### Electronic record book for Exhaust Gas Cleaning Systems

## (EGCS)

It was proposed that the EGCS Electronic Record Book (ERB) appearing in paragraphs 4.4.9 and 5.7.1 of *2021 Guidelines for exhaust gas cleaning systems* (MEPC.340(77)), should refer to *Guidelines for the use of electronic record books under MARPOL* (resolution MEPC.312(74)) by inserting a footnote.

MEPC 80 agreed on the insertion of the footnote as a minor correction.

## Reporting of the use of reserve power

MEPC 80 adopted amendments to *the 2021 Guidelines on the shaft/engine power limitation system to comply with the EEXI requirements and use of a power reserve* (MEPC.335(76)) to insert reporting details when the reserve power is used.

## EEDI calculation

### Filling late

MEPC 81 adopted amendments to the *2022 Guidelines on the survey and certification of the Energy Efficiency Design Index (EEDI)*, which replaces “filling limit” with “loading limit”.

## Fuel consumption database

MEPC 80 approved draft amendments to MARPOL Annex VI regulation 27 for adoption by MEPC 81. Key changes are:

- Increasing the granularity of the data
- allowing data access to owners of the ships and external consultants for data analyses on an ad-hoc base with a non-disclosure agreement.

## 2023 guidelines for thermal waste treatment devices

MEPC 80 adopted the resolution on *2023 Guidelines for Thermal Waste Treatment Devices* (TWTDD).

These Guidelines are written on the basis of technology-neutral and goal-based approaches that can be applied to any thermal waste treatment device using, for example, gasification, hydrothermal carbonization, pyrolysis, plasma or other thermal means for the disposal of permitted garbage and other shipboard wastes generated during a ship's normal service.

## Adoption of mandatory instruments

MEPC 80 adopted the amendments to the *International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004* (BWM Convention) on Appendix II (Form of Ballast Water Record Book), which will enter into force on 1 February 2025.

The revised format will use the codes and letters for standardized entries.

Entry guidance was also prepared and approved as BWM.2/Circ.80.

## Ballast water management

### Convention review plan

MEPC 71 (July 2017), through MEPC.290(71) on *the experience-building phase associated with the BWM convention*, agreed to relax enforcement until data gathering, data analysis and convention review are completed. The CG proposes MEPC 80 (July 2023) to complete the review at MEPC 85 scheduled for autumn 2026.

Following the discussion, MEPC 80 approved the *Convention Review Plan under the experience-building phase associated with the BWM Convention*, and instructed the Secretariat to disseminate it by means of BWM.2/Circ.79. This plan identified the focused areas, among others:

- Performance of the Ballast Water Management Systems (BWMS);
- Sampling;
- Crossover and overlap issues between conventions;
- Circumstances in which a BWMS may not be suitable for the intended voyage or operations;
- Mechanisms for ship compliance;
- Challenging water quality;
- Modifications to BWMS;
- Keeping BWMS in working order;
- Ballast water management plans; and
- Crew's familiarity with the equipment.

MEPC 80 also established the CG for further work.

### Ports with challenging water quality (PCWQ)

It has been a concern at the IMO that BWMS are not working properly for some ports (e.g. water with heavy mud etc.).

Liberia, together with other sponsors, submitted a paper which tried to clarify issues related to challenging water quality and highlighted the challenges.

Ballast Water Review Group (BWRG) at MEPC 80 identified the following issues to consider:

- pre-emptive bypassing of BWMS;
- crew familiarity with equipment and operations;
- stakeholder roles; and return to D-2 compliance following BWMS bypass.

However, due to time constraints and a lack of common



ground, MEPC 80 could not finalize the matter. There was broad support for the prioritization of this matter for conclusion at the next session.

### Ballast water record book

#### Record book entries

MEPC 80 approved *the Guidance on ballast water record-keeping and reporting*, and instructed the Secretariat to disseminate it by means of BWM.2/Circ.80. The Guidance explains how ballast water operations should be recorded and introduce entry (item) numbering scheme and attaches example entries. The Guidance also contains reporting form.

Consequentially, MEPC 80 also adopted amendments to:

- the Guidelines for ballast water management and development of Ballast Water management plans (G4)(MEPC.127(53)); and
- the Guidelines for ballast water exchange (G6) (MEPC.288(71))

#### Electronic record book

While the use of the electronic record book was established under the MARPOL Convention, this was not the case for the BWM Convention.

Having reviewed submission papers on this point, MEPC 80 adopted a resolution on *Guidelines for the use of electronic record books under the Ballast Water Management Convention*.

MEPC 80 also approved draft amendments to regulations A-1 and B-2 of the BWM Convention concerning the use of electronic record books for adoption by MEPC 81.

### Temporary storage of grey water and treated sewage in ballast tanks

While the issue has been addressed for the last few years, owing to time constraints, MEPC 80 was unable to finalize the proposed draft guidance on the temporary storage of grey water or treated sewage in ballast tanks.

#### Unified Interpretation

MEPC 80 agreed on interpretations of the renewal survey in Regulations B-3.5 and B-3.10 that governs the installation date of the ballast water management systems.

MEPC 80 also agreed on the interpretation regarding the entry of the date in the International Ballast Water Management Certificate when a major conversion takes place:

The interpretation will be circulated as BWM.2/Circ.66/Rev.5.

### Ballast Water Compliance Monitoring Devices

Indicative analyses are relatively quick and typically less precise than detailed analyses. They are usually conducted with discrete, easy-to-use, portable tools. These are referred to as "ballast water compliance monitoring devices" (CMDs).

MEPC 80 approved the Protocol for verification of ballast water compliance monitoring devices and instructed the Secretariat to disseminate it by means of BWM.2/Circ.78.

### Approval of ballast water management systems

MEPC 80 reviewed the assessment of basic and final approval under G9 guidelines (the systems that use active substances) and information submitted by the flag Administration on their approval.

#### Final approval (G9 guidelines)

- BalClor® Smart BWMS
- EcoGuardian NF™ Ballast Water Management System
- ERMA FIRST BWTS, model FIT 75-3000 (extension for use in freshwater)

#### Basic approval

- HiBallast 2.0™ BWMS

#### Information on the approval by the flag States (Type approval)

- BlueBallast II Plus NK-O3 ballast water management system
- TECHCROSS Inc., ECS HYCHLOR 2.0 ballast water management system
- One-Pass Mode of the KBAL ballast water management system

### Special Areas, ECAs and PSSAs

#### Red Sea area and the Gulf of Aden area as Special Areas under MARPOL Annexes I (Oil pollution) and V (Garbage)

MEPC 80 adopted the resolution on *Establishment of the date on which regulations 15.3, 15.5 and 34.3 to 34.5 of MARPOL Annex I in respect to the Red Sea and the Gulf of Aden Special Areas shall take effect*.

MEPC 80 also adopted the resolution on *Establishment of the date on which regulation 6 of MARPOL Annex V, in respect to the Red Sea Special Area shall take effect*.

Both areas will take effect on 1 January 2025.

#### Particular Sensitive Sea Area in the North-Western Mediterranean Sea

Following the discussion at NCSR 10 and the technical group during MEPC 80, MEPC 80 adopted the resolution on Designating the North-Western Mediterranean Sea as a Particularly Sensitive Sea Area. The associated protective

measures (APM) include voluntary speed reduction to 10 – 13 knots and reporting of a collision with a cetacean.

## Decision of other bodies

### Impact on shipping and seafarers of the situation in the Black Sea and the Sea of Azov

The IMO's facilitation committee (FAL), Legal Committee (LEG) and Maritime Safety Committee (MSC) addressed the issue from their respective perspectives. At MEPC 80, there was intense discussion on the destruction of the Kakhovka Hydroelectric Power Plant and its consequences, including the impact on the marine environment and the safety of navigation.

### Outcome of the 10th session of the Sub-Committee on Pollution Prevention and Response (PPR 10) – issues other than air pollution or BWM

PPR 10 was held from 24 to 28 April 2023. MEPC 80 reviewed the outcome as given below.

#### Biofouling

MEPC 80 adopted the resolution on *2023 guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species*.

The revised guidelines describe recommended biofouling management practices, including initial ship design and construction and maintenance of anti-fouling systems.

#### Inventory of Hazardous materials

MEPC 80 adopted the resolution on *2023 Guidelines for the development of the Inventory of Hazardous Materials*.

This is a reflection of amendments to the AFS Convention concerning controls on cybutryne, which had entered into force on 1 January 2023.

#### Other output of PPR 10

Among others, MEPC 80 took the following actions:

- approved the amendments to *the Decisions with regard to the categorization and classification of products* (PPR.1/Circ.7) as PPR.1/Circ.7/Rev.1; and
- approved *the Operational Guide on the Response to Spills of Hazardous and Noxious Substances (HNS)*, for subsequent publication.

### 8th session of the Sub-Committee on Carriage of Cargoes and Containers (CCC 8)

CCC 8 was held 14-23 September 2022. Among others, MEPC 80 approved the draft amendments to Article V of Protocol I of the MARPOL Convention, on lost container reporting, for adoption by MEPC 81.

### 9th session of the Sub-Committee on Ship Design and

### Construction (SDC 9)

SDC 9 was held 23 – 27 January 2023. Among others, MEPC 80 approved the MEPC circular on *revised guidelines for the reduction of underwater radiated noise from shipping to address impacts on marine life*.

MEPC 80 also approved the MEPC Circular on *Guidelines for underwater radiated noise reduction in Inuit Nunaat and the Arctic*.

### 9th Session of the Sub-Committee on Human Element, Training and Watchkeeping (HTW 9)

HTW 9 was held 6-10 February 2023. Among others, MEPC 80 agreed on the inclusion of the work under the output on "Development of training provisions for seafarers related to the BWM Convention" in the output on "Comprehensive review of the 1978 STCW Convention and Code".

## Any other business

### Ship to Ship transfer

A group of Member States raised awareness of the potential environmental risks and the consequences and concerns for the global pollution prevention and liability and compensation regimes that exist regarding the increase in ship-to-ship transfers at sea.

The paper attached the draft Assembly Resolution for the prevention of the dark operation.

Some Member States and Industry observers expressed concern in relation to vague terms such "going dark", "dark shipping" and "shadow fleet", and made comments in that regard and on a need to differentiate between legitimate and illicit STS operation.

MEPC 80 agreed to forward the draft Assembly resolution to the 33rd session of the Assembly scheduled for December 2023, together with the concerns expressed during the meeting.

## Further information

For further information please contact: [imo@lis.cr.com](mailto:imo@lis.cr.com)

## MEPC 80 – Summary of Major Decisions

### Provisional list of draft resolutions and circulars

ID	Title
MEPC.369(80)	Amendments to the Appendix of the BWM Convention concerning the form of the Ballast Water Record Book
MEPC.370(80)	Amendments to the Guidelines for Ballast Water Management and Development of Ballast Water Management Plans (G4)
MEPC.371(80)	Guidelines for the Use of Electronic Record Books Under the Ballast Water Management Convention
MEPC.372(80)	Guidelines for the Use of Electronic Record Books Under the Ballast Water Management Convention
MEPC.373(80)	2023 Guidelines for Thermal Waste Treatment Devices (TWTd)
MEPC.374(80)	Amendments to the 2022 Guidelines on Survey and Certification of the Energy Efficiency Design Index (EEDI) (Resolution MEPC.365(79))
MEPC.375(80)	Amendments to the 2021 Guidelines on the Shaft/Engine Power Limitation System to Comply with the EEXI Requirements and Use of a Power Reserve
MEPC.376(80)	Guidelines on Life Cycle GHG Intensity of Marine Fuels
MEPC.377(80)	2023 IMO Strategy for the Reduction GHG Emissions from Ships
MEPC.378(80)	2023 Guidelines for the Control and Management of Ships' Biofouling to Minimize the Transfer of Invasive Aquatic Species
MEPC.379(80)	2023 Guidelines for the Development of the Inventory of Hazardous Materials
MEPC.380(80)	Designation of The North- Western Mediterranean Sea as a PSSA
MEPC.381(80)	Establishment of the Date on Which the Discharge Requirements of Regulations 15.3, 15.5 And 34.3 To 34.5 Of MARPOL Annex I in Respect to the Red Sea and the Gulf of Aden Special Areas, Shall Take Effect
MEPC.382(80)	The Establishment of The Date on Which the Discharge Requirements of Regulation 6 Of MARPOL Annex V, In Respect to the Red Sea Special Area, Shall Take Effect
BWM.2/Circ.66/Rev.5	Unified Interpretations to the BWM Convention and The BWMS Code
BWM.2/Circ.78	Protocol for Verification of Ballast Water Compliance Monitoring devices
BWM.2/Circ.79	Convention Review Plan Under the Experience-Building Phase Associated with the BWM Convention
BWM.2/Circ.80	Guidance on Ballast Water Record-Keeping And Reporting
MEPC.1/Circ.795/Rev.8	Unified Interpretations to MARPOL Annex VI
MEPC.1/Circ.905	Interim Guidance on the Use of Biofuels under Regulations 26, 27, And 28 of MARPOL Annex VI (DCS and CII)
MEPC.1/Circ.906	Revised Guidelines for the Reduction of Underwater Radiated Noise from Shipping to Address Adverse Impacts On Marine Life
MEPC.1/Circ.907	Guidelines for Underwater Radiated Noise Reduction In Inuit Nunaat and the Arctic
MSC- MEPC.1/Circ.5/Rev.5	Organization and Method of Work of The Maritime Safety Committee and the Marine Environment Protection Committee and their Subsidiary Bodies
PPR.1/Circ.7/Rev.1	Decisions with Regard to the Categorization and Classification of Products