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MAJOR ISSUE OF THE MONTH

IMO – Air emission reductions approved

The IMO issued a [news release](#) stating that the Marine Environment Protection Committee (MEPC) approved major changes to MARPOL Annex VI regulations to reduce harmful air emissions from ships. Sulphur oxide (SOx) emissions would be reduced by lowering the global cap on sulphur in fuel from 4.50% to 3.50% on 1 January 2012 and then progressively to 0.50% on 1 January 2020 (subject to a feasibility study to be completed no later than 2018).

In Sulphur Emission Control Areas (SECAs), limits would be reduced from 1.50% to 1.00% on 1 March 2010 and then to 0.10% on 1 January 2015.

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Tier III engines (those with stringent controls on nitrogen oxide (NOx) emissions) would be required on certain ships constructed on or after 1 January 2016. The MEPC also endorsed a proposal to expedite reduction of greenhouse gas (GHG) emissions from ships.

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IMO CONTACT POINTS UPDATE

IMO - MSC-MEPC.6/Circ.4 (ANNEX 2 for SOPEP/SMPEP)

IMO has issued the latest ([SOPEP Contact points updated as of 31/3/2008](#)) List Of National Operational Contact Points Responsible For The Receipt, Transmission And Processing Of Urgent Reports On Incidents Involving Harmful Substances, Including Oil From Ships To Coastal States. This information enables compliance with Regulation 37 of MARPOL Annex 1 and Regulation 17 of MARPOL Annex II which, inter alia, require that the shipboard marine pollution emergency plans for oil (SOPEP) and/or noxious liquid substances (SMEP) shall contain a list of authorities or persons to be contacted in the event of a pollution incident involving such substances.

IMO - MSC-MEPC.6/Circ.4 Annex 1 (National Authorities and PSC Contact Points)

IMO has issued the latest ([NATIONAL Authorities Contact points updated as of 1/2008](#)) Amalgamated list of national inspection services - head offices (originally MSC/Circ.630), national inspection services - local offices (originally MSC/Circ.630), inspection services acting as representatives of flag States for port State control matters and responsible authorities in charge of casualty investigation (originally MSC/Circ.542), as well as the Secretariats of Memoranda of Understanding on Port State Control. Effective 29 February 2008, Member States will directly update their respective information in the Global Integrated Shipping Information System (GISIS), using the reporting facilities of the Contact Points module.

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IMO NEWS

IMO – reoccupying its headquarters

The IMO issued a [news release](#) stating that, following a 20-month renovation, its headquarters building on London's Albert Embankment is again ready for occupancy.

IMO – summary of MEPC session

The IMO issued a [news release](#) summarizing the latest session of the Marine Environment Protection Committee (MEPC) – other than the air emission results that were reported earlier. Basic approval was granted to four ballast water management systems and final approval was granted to one ballast water management system that makes use of active substances. A Particularly Sensitive Sea Area (PSSA) was designated in the northwestern Hawaiian Islands. The Mediterranean Sea Special Area for MARPOL Annex V (garbage) is scheduled to come into effect on 1 May 2009. Substantial progress was made in developing the draft text of the International Convention for the Safe and Environmentally Sound Recycling of Ships.

UN General Assembly – resolution on oceans and law of the sea

The UN General Assembly adopted a resolution on oceans and the law of the sea ([A/Res/62/215](#)). Among other things, the resolution:

1. encourages states to cooperate to address threats posed by piracy;
2. encourages states to implement IMO Resolution A.1002(25) regarding acts of piracy against ships off the coast of Somalia;
3. welcomes efforts to implement the Marine Electronic Highway Demonstration Project for the Straits of Malacca and Singapore;
4. calls upon all states to cooperate in delivery ashore of persons rescued at sea; and
5. encourages states to become party to MARPOL Annex VI – Regulations for the Prevention of Air Pollution from Ships.

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NATIONAL ADMINISTRATION AND PORT STATE CONTROL NEWS

Australia – award nomination

The Australian Maritime Safety Authority (AMSA) issued a [media release](#) stating that the helicopter crew that rescued the 22 crewmembers of the PASHA BULKER in severe weather conditions off Newcastle in June 2007 has been nominated for the IMO Award for Exceptional Bravery at Sea.

USA, USCG – reminder to replace older EPIRBs

The US Coast Guard issued a [press release](#) reminding mariners that older model Emergency Position Indicating Radio Beacons (EPIRBs) that broadcast on 121.5 MHz or 243 MHz will not be monitored by satellite as of February 1, 2009. Effective that date, the satellites will only monitor for radio beacons broadcasting on 406 MHz. Some of the newer EPIRBs are equipped with embedded GPS, which will automatically signal the location of the distress.

USA, USCG – guidance re shore leave and access to ships

The US Coast Guard issued a bulletin ([PSIB 04-08](#)) providing guidance to owners and operators of waterfront facilities regarding facilitation of shore leave for crew members of ships moored at such facilities and access to those ships by third parties.

USA, Caribbean Sea USCG – tanker rescues mariners after sinking

The US Coast Guard issued a [press release](#) stating that a nearby tanker diverted to rescue the 11-man crew of a Korean freighter that sank in the Caribbean Sea. The freighter sank after its cargo shifted in a storm.

USA, Freeport, Texas USCG – arrival of LNG carrier

The US Coast Guard issued a [press release](#) stating that it enforced a security zone as the first liquefied natural gas (LNG) carrier arrived at the new LNG import terminal in Freeport, Texas.

Hong Kong – air emission restrictions

The Hong Kong Marine Department issued a notice ([Notice No. 46 of 2008](#)) reminding owners and operators of commercial local vessels that, in conjunction with the implementation of MARPOL Annex VI, Hong Kong will shortly apply various air emission regulations to local vessels not directly subject to MARPOL.

Hong Kong – Electronic Business System

The Hong Kong Marine Department issued a notice ([Notice No. 55 of 2008](#)) stating that its enhanced Electronic Business System will be launched on 28 April. The new system will allow for, among other things, application of pre-arrival clearance from the Immigration Department and radio pratique from the Department of Health, as well as online submittal of applications.

Singapore – IMO unique company and registered owner ID number scheme

The Singapore Maritime and Port Authority (MPA) issued a circular ([Shipping Circular No. 9 of 2008](#)) reminding owners and managers of ships of the importance of registering under the IMO Unique Company and Registered Owner Identification Scheme. Commencing 1 January 2009, various required ship documents must include that IMO number.

Singapore, MPA – maritime legislation

The MPA issued a circular ([Shipping Circular No. 10 of 2008](#)) stating that it will soon commence posting on its Web site all of Singapore's maritime legislation.

UK – grounded ferry to be dismantled on site

The UK Maritime and Coastguard Agency (MCA) issued a [press notice](#) stating that the ro-ro ferry RIVERDANCE that has been grounded since 31 January 2008 near Blackpool will be dismantled on site. The operation is expected to take 12-14 weeks.

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UK – pre-arrival notification procedures

The UK Department for Transport issued [Pre-Arrival Notification Procedures](#) for ships intending to enter UK ports. The procedures, which focus on communications between the ship and the port facility, are intended to comport with both IMO and EU requirements.

UK – MAIB business plan

The UK Marine Accident Investigation Branch (MAIB) released its [Business Plan 2008-09](#).

EU – seriously damaging the environment should be a crime

The European Parliament issued a [news release](#) stating that, by a close vote (15-11-2), the Legal Affairs Committee agreed that seriously damaging the environment should be made a criminal offense in all EU Member States.

EU – investigation of Scottish ferry subsidies

The European Commission (EC) issued a [press release](#) stating that it decided to open a formal investigation procedure to look into complaints about subsidies paid by the Scottish Executive to two Scottish ferry companies.

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VIOLATIONS & PENALTIES

Canada, Transport Canada – administrative monetary penalties for marine violations

Transport Canada issued a [news release](#) stating that new regulations have established administrative monetary penalties for marine violations. These regulations allow for enforcement of marine safety and marine environmental protection requirements without resort to the criminal justice system.

USA, Alaska USCG – deliberate pollution thwarted

The US Coast Guard issued a [press release](#) stating that one of its helicopters observed a fisherman underway in Southeast Alaska deliberately pumping oily bilge water overboard. The incident is under investigation.

USA, DOJ – pilot charged with lying re medications

The US Attorney for the Northern District of California issued a [news release](#) stating that the pilot of the COSCO BUSAN when it allided with an abutment of the San Francisco-Oakland Bay Bridge on November 7, 2007 has been charged with lying to the US Coast Guard regarding his medications. Making a material false statement to a government agency is punishable by five years in prison and a fine of \$250,000.

USA, DOJ – violation of Ocean Dumping Act charged

The US Attorney for the District of Oregon issued a [news release](#) stating that a terminal operator has been charged with violation of the Ocean Dumping Act. It is alleged that the terminal operator had off-specification potash loaded on a freighter and dumped at sea in order to avoid the costs of proper disposal. The expected penalty is \$240,000.

USA, DOJ – bid-rigging re marine hose

The Department of Justice issued a [news release](#) stating that a former executive of a foreign marine hose manufacturer has agreed to plead guilty and serve 12 months and one day in jail for participating in a conspiracy to rig bids, fix prices, and allocate market shares of marine hose in the United States and elsewhere.

USA, DOJ – ship operator pleads guilty to concealing pollution

The issued a [news release](#) stating that a ship operator pleaded guilty to obstructing justice and utilizing false records to conceal improper transfers and discharges of oily waste. The company has agreed to pay a criminal fine of \$1.7 million, contribute \$400,000 toward community service, and serve four years probation during which it will implement an environmental compliance program.

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INCIDENT INVESTIGATION REPORTS

UK – MAIB Safety Digest

The UK Marine Accident Investigation Branch (MAIB) released its [Safety Digest 1-08](#). During 2007, there were twelve fatalities in UK merchant vessels over 100 gross tons, the highest death level since 1992. Many of these fatalities could have been averted through proper implementation of team management.

UK, MAIB – report on structural failure of the MSC NAPOLI

The UK Marine Accident Investigation Branch (MAIB) released the report of its investigation ([Report No. 9/2008](#)) of the structural failure of the container ship MSC NAPOLI in the English Channel on 18 January 2007. The report found that the ship's hull did not have sufficient buckling strength in way of the engine room; that there was an insufficient safety margin between the hull's design loading and its ultimate strength; and that the load on the hull was increased by whipping effect.

Recommendations have been made to the International Association of Classification Societies (IACS) that are intended to increase the requirements for container ship design, consolidate current research into whipping effect, and to initiate research into the development and use of technological aids for measuring hull stresses. As ships get larger, simple extrapolation is deemed insufficient.

UK, MAIB – anchor dragging

The MAIB issued a [summary](#) of its preliminary examination of an anchor dragging incident in Weymouth Bay on 9 January 2008. The examination indicates that a significant factor in the incident was the failure to take extra precautions in the circumstances, such as deploying more cable on the port anchor and preparing the starboard anchor for letting go.

UK – MAIB preliminary examination

The UK Marine Accident Investigation Branch (MAIB) issued a summary of its [Preliminary Examination](#) of contact between a ro-ro ferry that broke loose of its mooring and a submersible oil platform docked nearby. The incident was complicated because a diver was in the water freeing mooring lines that had fouled the ferry's bow thrusters.

UK, MAIB – report re collision of fishing vessels

The UK Marine Accident Investigation Branch (MAIB) released the report of its investigation ([Report 8/2008](#).) into the collision of two fishing vessels in Falmouth Bay on October 3, 2007. Neither skipper saw the other vessel immediately before or after the collision. The liferaft of one vessel did not inflate because it had not been properly serviced. The Maritime and Coastguard Agency (MCA) intends to require skippers of small vessels such as these to hold a certificate of competency.

USA, Savannah USCG – investigation of container ship allision

The US Coast Guard issued a [press release](#) stating that it is investigating an allision involving a container ship that broke free of its mooring in the Port of Savannah. The ship drifted downstream and allided with another ship that was moored in the port. Both ships incurred minor damage. There were no reports of injury or pollution.

USA, NTSB – report on cruise ship heeling incident

The National Transportation Safety Board (NTSB) released the report of its investigation ([NTSB/MAR-08/01](#)) of the heeling incident on a cruise ship in the Atlantic Ocean off Port Canaveral on July 18, 2006. The primary cause of the incident was that the watch officer on the bridge took manual control of the steering in an effort to counteract a perceived high rate of turn. He then overreacted, causing more severe turns. Other safety issues included training, reporting of safety incident, and emergency response.

New Zealand – report on fishing vessel casualty

The New Zealand Transport Accident Investigation Commission (TAIC) released the report of its investigation of the loss of fishing vessel [KOTUKU](#) in Foveaux Strait on 13 May 2006. The casualty resulted in the loss of six persons. Safety issues identified in the report include the effectiveness of the safety

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management system to maintain vessel compliance. Maritime New Zealand issued three news releases.

The **first release** states that progress is well underway in implementing safety recommendations of the TAIC report. The **second release** states that a range of initiatives, some commencing prior to the incident, are improving safety across the commercial maritime sector. The **third release** itemizes the actions taken by the agency with regard to the specific recommendations of the TAIC report.

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SECURITY AND PIRACY REPORTING UPDATE

France – video of capture of pirates

The French Government released a video of the **capture of six pirates** involved in the seizure and ransom of the cruise ship LE PONANT off the coast of Somalia. The pirates were captured ashore while attempting to flee. Some of the ransom was recovered. The ship's crew of 30 was rescued unharmed. Coverage of this event was augmented by CNN.

IMO – French actions to thwart piracy praised

The IMO issued a **news release** stating that Secretary-General Efthimios Mitropoulos commended the recent intervention of French naval forces in releasing the crew of the cruise ship hijacked off the coast of Somalia and capturing six of the pirates.

USA, USCG – security conditions for vessels having called in Cuba

The US Coast Guard issued **Port Security Advisory 4-08** stating that, effective April 18, it will impose conditions of entry on vessels arriving from Cuba.

Any vessel arriving in the United States that called in Cuba during its previous five port calls must demonstrate the following:

1. that it implemented measures in accordance with the ship's security plan equivalent to Security Level 2;
2. that each access point to the vessel was guarded and that the guards had total visibility of the exterior to the ship while in the Cuban port;
3. that it attempted to execute a Declaration of Security;
4. that it logged all security actions in the ship's log;
5. that it reported such actions to the USCG Captain of the Port (COTP) prior to arrival in the United States; and
6. that each access point to the vessel is guarded and that the guards have total visibility of the exterior to the ship during US port calls.

Note: Similar conditions of entry have been imposed on ships arriving in the United States from Cameroon, Equatorial Guinea, Guinea-Bissau, Indonesia, Iran, Liberia, Mauritania, and Syria.

Important Notice:

- This Advisory may be considered of symbolic nature due to the fact that ships that have called in Cuba are banned from calling in the United States for 180 days.
- This advisory was previously published in the Federal Register (**[73 Fed. Reg. 18546](#)**)

Piracy reporting update

Reporting of incidents

In accordance with IMO and other third parties all ships are advised to maintain anti-piracy watches and report all piratical attacks and suspicious movements of craft to the IMB Piracy Reporting Centre, Kuala Lumpur, Malaysia.

Tel ++ 60 3 2078 5763

Fax ++ 60 3 2078 5769

Telex MA 31880 IMBPCI

24 Hours Anti Piracy HELPLINE Tel: ++ 60 3 2031 0014

E-mail **imbkl@icc-ccs.org**

To view the latest Weekly Piracy Report please see **[IMB website](#)**.

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