



MARINE ENVIRONMENT PROTECTION
COMMITTEE
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Agenda item 4

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PREVENTION OF AIR POLLUTION FROM SHIPS

Adoption of Micro-Emission Control Areas

Submitted by the International Chamber of Shipping (ICS) and BIMCO

SUMMARY

<i>Executive summary:</i>	The sponsors provide draft proposed text on adoption requirements for the micro-Emission Control Areas that form part of regulation 14 Option 3. It is also proposed that the designation should be changed from 'micro' to 'local'
<i>Strategic direction:</i>	7.3
<i>High-level action:</i>	7.3.1
<i>Planned output:</i>	7.3.1.1
<i>Action to be taken:</i>	Paragraph 6
<i>Related documents:</i>	BLG 12/17 and MEPC 57/4/23

1 This document provides comments on document MEPC 57/4/23 and is submitted in accordance with paragraph 4.10.5 of the Committees' Guidelines (MSC-MEPC.1/Circ.1) and the relaxed deadline for comments documents on the air pollution item to MEPC 57 with prior authorization of the MEPC Chairman following consultations with the Secretariat in line with paragraph 4.12 of the Committees' Guidelines.

Adoption Criteria for Micro-Emission Control Areas

2 The BLG 12 working group on the review of MARPOL Annex VI was particularly successful in reducing the six options available for regulation 14 down to three proposals for consideration and decision at MEPC 57. One of the three options (Option 3) describes the use of both Emission Control Areas (ECA) and so-called micro-Emission Control Areas in order to give effect to stringent emission limits in the areas where the most benefit can be achieved, in other words, close to shore and to centres of population. The working group at its previous session in Berlin had been able to develop text (Appendix III) on the proposed procedure for the adoption of ECAs but at BLG 12 there was insufficient time to take the next step of drafting text for the micro-ECAs.

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3 The annex to this document contains a first attempt at drafting text for the adoption of a micro-ECA for the Committee's consideration and in order to provide a basis for discussion. In principle, it was agreed in the BLG working group, that the process for adoption, in the case of these areas with very limited geographical size, should be simpler than that required for the potentially much larger ECA and where more than one Party could be involved.

4 The limitation in geographical size opens a useful opportunity to make the adoption of such areas relatively simple whilst at the same time preserving a uniform set of criteria for ships such that requirements do not vary from place to place. It is for this latter reason that the sponsors believe that adoption through IMO is the most important element.

5 It is suggested that the term 'micro-ECA' does not quite capture the aim of the area designation and it is therefore proposed that the term 'local ECA' (and hence LECA) could be used instead.

Action requested of the Committee

6 The Committee is invited to consider the information provided and the draft text at the annex and to decide as appropriate.

ANNEX

CRITERIA AND PROCEDURES FOR DESIGNATION OF [LOCAL] EMISSION CONTROL AREAS

1 OBJECTIVES

1.1 The purpose of this appendix is to provide the criteria and procedures to a Party for the formulation and submission of proposals for the [designation] [adoption] [recognition] of [Local] [Limited] Emission Control Areas and to set forth the factors to be considered in the assessment of such proposals by the Organization.

1.2 The specific objectives for the adoption of a [Local] [Limited] Emission Control Area (LECA) are to:

- .1 protect a geographically limited area in close proximity to the coast or within a port or harbour, in response to potential adverse impacts on public health and environmental effects;
- .2 provide less onerous criteria and procedures than those applied to Emission Control Areas (ECA) in order to encourage Parties to act through the Organization, thus ensuring the application of consistent criteria and procedures and avoiding the adoption of differing requirements under local legislation for the regulation of SO_x and PM emissions;
- .3 set forth guidance to Parties in the formulation and submission of proposals for the [designation][approval][recognition] of such areas by the Organization; and
- .4 provide for the assessments of such proposals by the Organization.

2 PROCESS FOR THE DESIGNATION OF LOCAL/LIMITED EMISSION CONTROL AREAS

2.1 A proposal to the Organization for designation of a LECA may be submitted only by a Party in whose jurisdiction the area will be established. Where two or more States are considering a joint proposal then the more rigorous Criteria and Procedures for the designation of an ECA shall apply.

2.2 A proposal to [designate][approve][recognize] an area as a LECA should be submitted to the Organization in accordance with the rules and procedures established by the Organization.

3 CRITERIA FOR DESIGNATION OF A LOCAL EMISSION CONTROL AREA

3.1 The proposal shall include:

- .1 a clear delineation of the proposed area of application, along with a reference chart on which the area is marked; and
- .2 a brief description of relevant public health and environmental areas at risk from the impacts of ship emissions of SO_x and PM.

3.2 A LECA should not, in accordance with regulation 13(5) of Annex VI, extend more than [24] nm from the baseline [or any applicable median line, whichever is the shorter distance]. The LECA should not extend for more than [100] nm along the coast. A LECA should not have any overlap with an international strait.

3.3 A Local/Limited Emission Control Area should be consistent with international law, including the navigational rights and duties as recognized by customary international law and set forth in the United Nations Convention on the Law of the Sea. Thus, in developing and submitting its proposal, a Party should take into account any impact on navigation rights as well as any potential impacts on neighbouring States.

4 PROCEDURES FOR THE ASSESSMENT AND ADOPTION OF LOCAL/LIMITED EMISSION CONTROL AREAS BY THE ORGANIZATION

4.1 The Organization shall consider each proposal submitted to it by a Party.

4.2 In assessing the proposal, the Organization shall take into account the criteria, which are to be included in each proposal for adoption as set forth in section 3 above.

4.3 A LECA shall be [designated][approved][recognized] by means of an amendment to this Annex, considered, adopted and brought into force in accordance with article 16 of the present Convention.

4.4 A LECA shall enter into force no earlier than [1] year after adoption by the Organization.

5 IMPLEMENTATION OF EMISSION CONTROL AREAS

5.1 Parties which have ships navigating in a LECA are encouraged to bring to the Organization any concerns regarding the establishment or operation of the area.