

R 301904Z DEC 08 ZUI ASN-A00365000013  
FM COMDT COGARD WASHINGTON DC//CG-543//  
SUBJ: U.S. RATIFICATION OF MARPOL ANNEX VI AND GENERAL APPLICABILITY  
FOR U.S. AND FOREIGN VESSELS

1. BACKGROUND

A. ON OCTOBER 8, 2008, THE UNITED STATES DEPOSITED AN INSTRUMENT OF RATIFICATION WITH THE INTERNATIONAL MARITIME ORGANIZATION FOR ANNEX VI OF THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION BY SHIPS, 1973 AS MODIFIED BY THE PROTOCOL OF 1978 (MARPOL 73/78).

B. MARPOL ANNEX VI ENTERS INTO FORCE FOR THE UNITED STATES ON JANUARY 8, 2009. STARTING ON THAT DATE, U.S. SHIPS AND FOREIGN- FLAG SHIPS OPERATING IN UNITED STATES WATERS MUST COMPLY WITH THE AIR POLLUTION PREVENTION REQUIREMENTS OF MARPOL ANNEX VI.

2. MARPOL ANNEX VI CERTIFICATES

A. THE INTERNATIONAL AIR POLLUTION PREVENTION (IAPP) CERTIFICATE ISSUED IN ACCORDANCE WITH ANNEX VI, REGULATION 6 IS USED TO DOCUMENT COMPLIANCE WITH ANNEX VI. UNTIL RECOGNIZED CLASS SOCIETIES ARE AUTHORIZED TO ISSUE IAPP CERTIFICATES ON BEHALF OF THE UNITED STATES, IAPP CERTIFICATES FOR U.S. SHIPS WILL BE ISSUED BY THE COAST GUARD.

B. THE ENGINE INTERNATIONAL AIR POLLUTION PREVENTION (EIAPP) CERTIFICATE IS USED TO DOCUMENT COMPLIANCE WITH REGULATION 13 OF ANNEX VI. FOR U.S. SHIPS, THE EIAPP CERTIFICATE IS ISSUED BY THE ENVIRONMENTAL PROTECTION AGENCY (EPA).

3. IAPP CERTIFICATE IMPLEMENTATION DATES FOR UNITED STATES SHIPS

A. U.S. SHIPS OF 400 GROSS TONS AND ABOVE, AS MEASURED UNDER THE INTERNATIONAL CONVENTION ON TONNAGE MEASUREMENT OF SHIPS, 1969 (ITC), ENGAGING IN VOYAGES TO PORTS OR OFFSHORE TERMINALS UNDER THE JURISDICTION OF A PARTY TO MARPOL ANNEX VI MAY BE ISSUED AN IAPP CERTIFICATE TO DEMONSTRATE COMPLIANCE WITH MARPOL ANNEX VI.

B. U.S. SHIPS THAT WERE CONSTRUCTED, OR WERE IN THE PROCESS OF CONSTRUCTION, BEFORE JANUARY 8, 2009 MUST HAVE ON BOARD A VALID IAPP CERTIFICATE NO LATER THAN THE FIRST SCHEDULED DRY-DOCKING AFTER JANUARY 8, 2009, BUT IN NO CASE LATER THAN JANUARY 8, 2012.

U.S. SHIPS CONSTRUCTED AFTER JANUARY 8, 2009, MUST HAVE ON BOARD A VALID IAPP CERTIFICATE UPON COMPLETION OF ITS INITIAL SURVEY BEFORE THE SHIP IS PLACED INTO SERVICE.

C. SOME OWNERS AND OPERATORS OF U.S. SHIPS CURRENTLY USE A STATEMENT OF VOLUNTARY COMPLIANCE (SOVC) ISSUED BY EITHER THE COAST GUARD OR THEIR CLASSIFICATION SOCIETY TO DEMONSTRATE COMPLIANCE WITH MARPOL ANNEX VI WHILE ENGAGED IN VOYAGES TO PORTS OR OFFSHORE TERMINALS UNDER THE JURISDICTION OF OTHER PARTIES TO MARPOL ANNEX VI. THESE SHIPS MAY CONTINUE TO OPERATE UNDER THE CONDITIONS OF THEIR SOVC UNTIL THEIR FIRST SCHEDULED DRY-DOCKING AFTER JANUARY 8, 2009, BUT IN NO CASE LATER JANUARY 8, 2012.

4. IAPP CERTIFICATE IMPLEMENTATION DATES FOR FOREIGN-FLAG SHIPS

A. AS A PARTY TO MARPOL ANNEX VI, THE UNITED STATES WILL VERIFY THAT FOREIGN-FLAG SHIPS OPERATING IN U.S. WATERS ARE IN COMPLIANCE WITH MARPOL ANNEX VI AND WILL VERIFY THAT SHIPS ENTITLED TO FLY THE FLAG OF A PARTY TO ANNEX VI HAVE AN IAPP CERTIFICATE ON BOARD IF THAT SHIP IS REQUIRED TO HAVE ONE UNDER THE ANNEX VI IMPLEMENTING SCHEDULE.

B. FOREIGN-FLAG SHIPS OF ADMINISTRATIONS PARTY TO MARPOL ANNEX VI MUST HAVE ON BOARD A VALID IAPP CERTIFICATE IN ACCORDANCE WITH THEIR FLAG ADMINISTRATION'S MARPOL ANNEX VI ENTRY INTO FORCE DATE.

SHIPS THAT WERE CONSTRUCTED, OR WERE IN THE PROCESS OF CONSTRUCTION, BEFORE THE ENTRY INTO FORCE DATE OF THEIR FLAG ADMINISTRATION, MUST HAVE ON BOARD A VALID IAPP CERTIFICATE NO LATER THAN THE FIRST SCHEDULED DRY-DOCKING AFTER THE ENTRY INTO FORCE DATE, BUT IN NO CASE

LATER THAN 3 YEARS AFTER THE ENTRY INTO FORCE DATE. SHIPS CONSTRUCTED AFTER THE ENTRY INTO FORCE DATE OF THEIR ADMINISTRATION MUST HAVE ON BOARD A VALID IAPP CERTIFICATE UPON COMPLETION OF ITS INITIAL SURVEY BEFORE THE SHIP IS PLACED INTO SERVICE.

C. IF A FOREIGN-FLAG SHIP DOES NOT HAVE AN IAPP, IT MAY BE ACCEPTABLE IN SOME SITUATIONS FOR THE VESSEL TO HAVE A SOVC OR AN EQUIVALENT CERTIFICATE THAT INDICATES THE FLAG ADMINISTRATION HAS DETERMINED THE VESSEL TO BE IN COMPLIANCE WITH MARPOL ANNEX VI.

D. FOREIGN-FLAG SHIPS OF ADMINISTRATIONS NOT PARTY TO MARPOL ANNEX VI AND WHICH ARE NOT PROVIDED WITH AN IAPP CERTIFICATE MAY HAVE ON BOARD A FORM OF CERTIFICATION, SOVC, OR STATEMENT ATTESTING TO COMPLIANCE WITH MARPOL ANNEX VI. THE COAST GUARD MAY TAKE SUCH DOCUMENTATION INTO ACCOUNT IN CONFIRMING THE SHIP COMPLIES WITH THE REQUIREMENTS SET OUT IN MARPOL ANNEX VI.

E. A LIST OF FLAG ADMINISTRATIONS THAT HAVE RATIFIED ANNEX VI ALONG WITH THEIR ENTRY INTO FORCE DATES ARE LOCATED IN CG CENTRAL -> FOREIGN VESSEL INSPECTIONS (PORT STATE) COMMUNITY -> GENERAL INFORMATION.

5. FURTHER INFORMATION

A. CG-543 MARPOL ANNEX VI COMPLIANCE/ENFORCEMENT POLICY LETTER, AS WELL AS UPDATED 840 BOOKS (FOREIGN VSLs ONLY) ARE CURRENTLY IN ROUTING FOR APPROVAL AND ARE EXPECTED TO BE RELEASED TO THE FIELD SHORTLY.

B. ANNEX VI COMPLIANCE QUESTIONS REGARDING U.S. SHIPS MAY BE ADDRESSED TO LCDR SCOTT MULLER, (202)372-1220. ANNEX VI COMPLIANCE QUESTIONS REGARDING FOREIGN-FLAG SHIPS MAY BE ADDRESS TO LCDR SCOTT KLINKE, (202)372-1236.

6. CAPTAIN ERIC CHRISTENSEN, CHIEF, OFFICE OF VESSEL ACTIVITIES (CG-543), SENDS.

7. INTERNET RELEASE AUTHORIZED.

BT

NNNN