



Loss Prevention Circular No. 04-06

## MARPOL Annex I –

### Concentrated inspection campaign and US Coast Guard Policy letter

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#### Introduction

Port state control detentions, investigations, fines and prison sentences demonstrate the considerable challenges that still exist in complying with MARPOL Annex I. Conflicts have also regularly arisen between inspectors and ship's crew due to the inconsistent practices of the control officers. This underlines the need for improved mutual understanding and proper procedures. Several important developments in this respect are outlined in this circular.

#### Co-ordinated Concentrated Inspection Campaign (CIC)

The maritime authorities of the Paris MoU countries have begun a concentrated inspection campaign focusing on the implementation of requirements for preventing marine pollution from ships (MARPOL 73/78, Annex I). The inspection campaign will end on 30 April 2006. This campaign will be carried out in parallel with a similar campaign by the authorities of the Tokyo MOU countries. Shipowners and operators should expect every port state control inspection to include scrutiny of the oily water separation equipment as well as the record keeping required for that equipment under MARPOL and in compliance with international standards.

As reported in other Gard publications, some inspections have revealed illegal by-passes of the oil the vessel's filtering system and illegal overboard connections from sludge tanks have also been found. During the campaign, port state control officers will focus on 13 selected items of inspection. The list of the 13 items in the CIC in the Tokyo MOU region can be found at: [www.tokyo-mou.org](http://www.tokyo-mou.org). If deficiencies are found, the port state control officer will conduct an in-depth investigation into other aspects of the MARPOL legislative area, including operational performance by the responsible crew.

#### USCG – enforcement of MARPOL Annex I

As a measure to implement a Coast Guard wide consistent application of the MARPOL Convention the U.S. Coast Guard has issued a Policy Letter, "Guidance for the Examination of MARPOL Annex I During Port State Control Examinations". This letter advises its port state control officers on how they should conduct port state control examinations to enforce MARPOL Annex I. The emphasis is on the oily water separator (OWS), the oil content monitor (OCM), and the oil record book (ORB). The letter provides details on what to look for and how to conduct various tests. The information in this document will be of great value to chief engineers, masters, and shore side management. Shipowners and operators should compare their internal procedures and training regimes with this letter on a regular basis to ensure that the ship is in full compliance with the applicable requirements and that the crew members are prepared to demonstrate this when inspected, whether by the U.S. Coast Guard, another port state administration or during an internal inspection carried out by the shipowner to ensure compliance.

The Policy Letter can be downloaded at: <http://www.uscg.mil/hq/g-m/moc/pol0601.pdf>

#### Conclusion

Lack of proper training and inoperative equipment are two common grounds for detentions by PSC. The above mentioned campaigns should be used as tools by shipowners to emphasize the importance of complying with MARPOL. It is important to remember that this responsibility rests with every individual involved in the operation or management of the vessels both on the ship and ashore. Deliberate breaches of MARPOL can result in heavy fines and severe penalties including possible jail sentences when discovered by PSC authorities. All shipowners and operators are expected to have a zero-tolerance policy for deliberate pollution, and to communicate this clearly to their crews and have systems in place to insure compliance.

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