

MARITIME SAFETY COMMITTEE
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Agenda item 3

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AMENDMENTS TO MANDATORY INSTRUMENTS

Comments on document MSC 110/3 pertaining to draft amendments to SOLAS regulations II-1/2.29, II-1/56 and II-1/57

Submitted by the Marshall Islands and IACS

SUMMARY

<i>Executive summary:</i>	This document comments on document MSC 110/3 (Secretariat) pertaining to draft amendments to SOLAS regulations II-1/2.29, II-1/56 and II-1/57 and proposes an editorial improvement to the draft amendments to SOLAS regulation II-1/56.1.
<i>Strategic direction, if applicable:</i>	3
<i>Output:</i>	3.8
<i>Action to be taken:</i>	Paragraph 14
<i>Related documents:</i>	MSC 108/20; CCC 10/10/3; MSC 109/6, MSC 109/WP.9 and MSC 110/3

Introduction

1 This document is submitted in accordance with the provisions of paragraph 6.12.5 of the *Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.5/Rev.5) and provides comments on document MSC 110/3 which contains draft amendments to SOLAS regulations II-1/2.29, II-1/56 and II-1/57.

Background

2 MSC 108 considered the application of the IGF Code to ships using low-flashpoint fuels and other gaseous fuels, and noted a need to clarify whether or not the IGF Code applies to ships using gas as fuel irrespective of flashpoint (MSC 108/20, paragraph 5.31). Further, the Committee agreed to refer the issue to CCC 10 for consideration and advice to MSC 109 (MSC 108/20, paragraph 5.32).

3 CCC 10, having considered document CCC 10/10/3 (IACS) proposing a unified interpretation (UI) aiming to clarify that gas fuels, irrespective of flashpoint, should fall under the scope of the IGF Code, decided that the proposed UI had not met the safeguards put in place by the Committee when considering UI proposals (MSC 108/20, paragraph 19.6.3).

4 Notwithstanding that decision, the Sub-Committee agreed to the general approach in paragraph 20 of document CCC 10/10/3, namely that the IGF Code should apply to low-flashpoint fuels and gas fuels, and agreed to report the above outcome of the consideration of document CCC 10/10/3 to MSC 109 as an urgent matter, and recommended that SOLAS chapter II-1 would require an amendment in line with paragraph 20 of document CCC 10/10/3.

5 In connection with the invitation of CCC 10 to the Committee to consider document CCC 10/10/3 (IACS), as an urgent matter, at its 109th session, the Committee also considered document MSC 109/6 (United Kingdom) proposing relevant amendments to SOLAS to clarify the application of the IGF Code to ships using gas fuels.

6 Having reviewed the submitted proposals, the Committee approved draft amendments to SOLAS regulations II-1/2.29, II-1/56 and II-1/57 for adoption by MSC 110 and entry into force in 2027, having relaxed the four-year amendment cycle (MSC.1/Circ.1481) (MSC 109/22, paragraph 6.27 and annex 4).

Discussion

7 The title of the IGF Code states that it should apply to ships using fuels that are gases or have a low-flash point, while, in accordance with part G of the existing SOLAS chapter II-1, the IGF Code applies to ships using low-flashpoint fuels regardless of whether they were in liquid or gaseous form.

8 The current definition of low-flashpoint fuel in SOLAS regulation II-1/2.29 states that:

"Low-flashpoint fuel means gaseous or liquid fuel having a flashpoint lower than otherwise permitted under regulation II-2/4.2.1.1."

9 The Working Group on Development of a safety regulatory framework to support the reduction of GHG emissions from ships using new technologies and alternative fuels, established at MSC 109, discussed the matter and agreed to introduce a new definition of "gaseous fuel" as any fluid used as fuel which either has a vapour pressure exceeding 0.28 MPa absolute at a temperature of 37.8°C or is completely gaseous at 20°C at a standard pressure of 101.3 kPa.

10 The Working Group also agreed to change the title of part G of SOLAS chapter II-1 by adding the words "gaseous fuel or" to read "Ships using gaseous fuels or low-flashpoint fuels".

11 Similarly, the Group agreed to add the wording "gaseous fuel or" to various instances of the expression "Ships using low-flash point fuels" and similar wording in SOLAS regulations II-1/56 and II-1/57.

12 While doing so, the Working Group may have inadvertently overlooked the presence of the phrase "...ships using low-flashpoint fuels..." in the last sentence of paragraph 1 of SOLAS regulation II-1/56, which reads:

"Such ships using low-flashpoint fuels shall comply with the requirements of this part in addition to any other applicable requirements of the present regulations."

and, therefore, did not propose to amend that paragraph 1 of SOLAS regulation II-1/56, which appears unchanged in annex 1 to document MSC 110/3.

Proposal

13 The co-sponsors propose that the last sentence in paragraph 1 of SOLAS regulation II-1/56 be also amended similarly to the other paragraphs, to read:*

"1 Except as provided for in paragraphs 4 and 5, this part shall apply to ships using gaseous fuels or low-flashpoint fuels:

- .1 for which the building contract is placed on or after 1 January 2017;
- .2 in the absence of a building contract, the keels of which are laid or which are at a similar stage of construction on or after 1 July 2017;
or
- .3 the delivery of which is on or after 1 January 2021.

Such ships using gaseous fuels or low-flashpoint fuels shall comply with the requirements of this part in addition to any other applicable requirements of the present regulations."

Action requested of the Committee

14 The Committee is invited to consider the proposal in paragraph 13, and take action, as appropriate.

* Modifications made are indicated using "grey shading" to highlight new insertions against the text in annex 1 to document MSC 110/3.