

[UNOFFICIAL TRANSLATION FOR INFORMATION PURPOSE ONLY]

Executive order number 151 from 6th of December 2017 on Air Pollution from Ships

Executive Order on Air Pollution from Ships

With provision in 14.4 and 15., 20., 35., 37., 40. and 45. in Parliamentary Act number 59 from 17th Mai 2005 on the protection of the marine environment as amended by Parliamentary Act number 64 from 17th of Mai 2013 is specified:

Field of Application

1. This executive order stipulates limits for sulphur in fuel oil that ships and offshore installations use and rules about incineration of waste on-board.

1.2 The executive order applies to Faroese ships in Faroese Territorial Water and in international waters, foreign ships in Faroese Territorial Water, offshore installations on the Faroese Continental Shelf and suppliers that supply fuel oil to ships from land or in Faroese Territorial Water.

2. The rules in this executive order shall not apply to any emission necessary for the purpose of saving life at sea or securing the safety of a ship or any emission resulting from damage to a ship or its equipment provided that all reasonable precautions have been taken for preventing or minimizing the emission

3. The rules in this executive order do not apply in instances when:

- (1) Fuel oil, that the authority has granted permission in connection with research and attempts to reduce emission or
- (2) emission in connection with exploration and processing of hydrocarbon and other fossilized materials on the seabed or from the underground and related activity.

Definitions

4. For the purpose of this executive order:

- (1) Annex VI: Annex VI to MARPOL Convention 1973 as amended by Protocol of 1978 related thereto and as modified by the Protocol of 1997 on the prevention of air pollution from ships.
- (2) Fuel oil: fuel regardless of type intended for combustion purposes or used on-board a ship or offshore installation for propulsion or other purposes.
- (3) Emission control area: the Baltic, the North Sea and the North American areas as described in line 14.3 in Annex VI.
- (4) IMO: International Maritime Organization.
- (5) Emission control systems: installations, materials, equipment, fittings, procedures, fuel or mixing material used to reduce emission of SO₂.

Fuel Oil for Ships and Offshore Installations

5. The content of sulphur in fuel oil that is used on ships and offshore installations must not exceed the following limits:

- (1) 3,50 % m/m until and including the 31st of December 2019 and
- (2) 0,50 % m/m from and including the 1st of January 2020.

5.2 In sulphur emission control areas the content of sulphur in fuel oil used on ships and offshore installations must not exceed 0,10 % m/m.

5.3 The provisions in 5.1 and 5.2 do not apply when the emission control systems and methods according to 8. are applied.

6. The content of sulphur that is used on-board ships and offshore installations that are in port in a Faroese harbour or at anchor closer than two nautical miles from land must not exceed 0,10 % m/m.

6.2 Ships must as soon as possible after they arrive in port or have dropped the anchor and as soon as possible before departure use fuel oil that adhere to the requirements in 6.1.

6.3 The provisions in 6.1 do not apply to ships in regular schedule route that are in port less than two hours.

Documentation for Sulphur Content

7. The supplier of fuel oil shall in an accompanying slip document that the content of sulphur in the fuel oil adheres to the requirements in 5.1 and 5.2. Together with the accompanying slip shall be a representative sample of the fuel oil that is confirmed by both supplier and recipient. The oil sample shall have been taken according to IMO guidelines.

7.2 The accompanying slip shall be stored on-board for three years after bunkering and shall be presented on demand from the inspection authorities. The test shall be stored on board for at least 12 months or until the oil is expended.

Emission Control Systems

8. The Faroese Environment Agency can grant that emission control systems be used instead of adhering to the provision in 5.1 and 5.2. These systems shall ensure that the emission of SO₂ is on a par with or lower than the threshold value allowed of fuel oil according to 5.

8.2 Ships can be granted time limited exemptions to the provisions in 5. and 6. in this executive order in connection with development of technology to reduce emission and surveying of this.

Shipboard incineration

9. In Faroese Territorial Waters it is prohibited for ships and offshore installations to incinerate waste generated during normal operation of the ship.

9.2 Outside of Faroese Territorial Waters it is only permitted to incinerate waste, residues and sludge from oil and sewage from the normal operation of the ship in, for the purpose approved, incinerators or boilers.

9.3 It is prohibited to incinerate:

- (1) residues of cargoes subjected to Annex I, II and III in MARPOL or related contaminated packing materials;
- (2) Polychlorinated biphenyl, (PCB);
- (3) Garbage, covered by Annex V to MARPOL, that contains more than traces of heavy metals;
- (4) Refined petroleum products containing halogen compound, and
- (5) Polyvinylchloride, PVC, with the exemption of incinerating in shipboard incinerators for which IMO Type Approval Certificates have been issued.

Inspection and appealing

10. The Faroese Environment Agency oversees that the rules, in this executive order, are adhered to.

11. The decisions from the Faroese Environment Agency according to this executive order can be appealed to the Minister. The closing date for appealing is four weeks after the decision has been notified.

Punishment

12. With penalty will the one be punished that

- (1) Uses fuel oil with too high sulphur content according to 5. and 6. without a emission control system according to 8.1 or without granted exemption according to 8.2,
- (2) Does not document the sulphur content or supplies an oil test in connection with the oil supply according to 7.,
- (3) Uses emission control systems that do not adhere to the provisions in 8.1,
- (4) Breaches provision for incineration according to 11.2. Companies and other legal identities will be penalised according to the rules in chapter 5 in the Crime Law.

Entering into Force

13. This executive order enters into force when announced.

13. 2 6.1 enters into force 1st of July 2018.

Ministry of Health and Interior, 6st of December 2017

Sirið Stenberg (sign.)
Minister

/Turid Arge (sign.)