



**REPUBLIC OF
THE MARSHALL ISLANDS**
MARITIME ADMINISTRATOR

Marine Notice

No. 2-013-10

Rev. 11/14

**TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF
MERCHANT SHIPS, AND RECOGNIZED ORGANIZATIONS**

**SUBJECT: Implementation of MARPOL Annex I, Chapter 8 – Prevention of Pollution
During Transfer of Oil Cargo Between Oil Tankers at Sea.**

Reference: MARPOL Consolidated Edition 2011, Annex I, Chapter 8

PURPOSE:

The purpose of this Notice is to highlight the policy of the Republic of the Marshall Islands (RMI) Maritime Administrator (the “Administrator”) regarding operations plans, including plan approval, for transfer of oil cargo required under MARPOL Annex I Chapter 8. This Notice supersedes Rev. 7/14, to reflect the deletion of references to various Marine Environmental Protection Committee (MEPC) resolutions that have been fully incorporated into MARPOL 2011, the updating of footnote 2 identifying a more recent best practices guideline, and the addition of new sections 1.3, 1.4 and 1.5 providing verification responsibility and a timeframe by which updated guidance must be incorporated into a plan, with the rest renumbered.

APPLICABILITY (Regulation 40):

This Notice applies to RMI flagged oil tankers of 150 gross tonnage and above engaged in the transfer of oil cargo between oil tankers at sea (STS operations).

Exempt from the Requirements of this Notice are:

- (1) Oil transfer operations associated with fixed or floating platforms, including drilling rigs; floating production, storage and offloading facilities (FPSOs) used for the offshore production and storage of oil; and floating storage units (FSUs) used for the offshore storage of produced oil¹;
- (2) Bunkering operations;
- (3) STS operations necessary for the purpose of securing the safety of a ship or saving life at sea, or for combating specific pollution incidents in order to minimize the damage from pollution; and

¹ Annex I of MARPOL 2011, Chapter 7 and UNCLOS article 56 are applicable and address these operations.

- (4) STS operations where either of the ships involved is a warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on government non-commercial service. However each State shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities of such ships that the STS operations are conducted in a manner consistent, so far as is reasonable and practicable, with these regulations.

REQUIREMENTS

1.0 STS Operations Plan (Regulation 41)

- 1.1 Any oil tanker subject to MARPOL Annex I, Chapter 8 involved in STS operations shall carry on board an STS operations Plan prescribing how to conduct STS operations. Each oil tanker's STS operations Plan shall be approved by the Administrator (see section 3.0 below). The STS operations Plan shall be written in both the working language of the ship and in English.
- 1.2 The STS operations Plan shall be developed taking into account the information contained in the best practice guidelines, as updated from time-to-time, for STS operations identified by the International Maritime Organization (IMO)². The STS operations Plan may be incorporated into an existing Safety Management System (SMS) required by Chapter IX of the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended, if that requirement is applicable to the oil tanker in question.
- 1.3 Where the STS operations Plan is a standalone document, the Recognized Organization (RO) which issues the vessel's International Oil Pollution Prevention (IOPP) certificate shall be responsible for verifying and/or approving the Plan including any relevant changes. Where the STS operations Plan is incorporated into the ship's SMS, it may be similarly verified and/or approved by the RO responsible for issuing the ship's Safety Management Certificate (SMC).
- 1.4 The presence of an up-to-date approved STS operations Plan is to be verified by the RO responsible for the IOPP certificate before issuing a new certificate at initial or renewal surveys or endorsing the existing certificate at annual/intermediate surveys.
- 1.5 Beginning 1 July 2015, the STS operations Plan shall be updated, taking into account information contained in subsequent versions of the guidelines referenced in paragraph 1.2, above. Updates shall be carried out by the date of the first annual, intermediate or renewal IOPP survey, following the latest revised version, as applicable.³

2 IMO's "Manual on Oil Pollution, Section 1, Prevention" as amended, and the latest version of the "Ship-to-ship Transfer Guide, Petroleum" which is the CDI/ICS/OCIMF/SIGTTO publication "Ship-to-Ship Transfer Guide for Petroleum, Chemicals, and Liquefied Gases," first edition 2013., as may be amended...

3 This is a National requirement that specifies when new guidance must be considered for incorporation into STS plans.

- 1.6 The person in overall advisory control of STS operations shall be qualified to perform all relevant duties, taking into account the qualifications contained in the best practice guidelines for STS operations as identified in paragraph 1.2 above.
- 1.7 Records⁴ of STS operations shall be retained on board for three (3) years and be readily available for inspection by a Party to the present Convention.
- 1.8 Every oil tanker subject to MARPOL Annex I, Chapter 8 must operate in compliance with its approved STS operations Plan.

2.0 Notification (Regulation 42)

- 2.1 Each oil tanker subject to this chapter that plans STS operations within the territorial sea, or the exclusive economic zone of a Party to the present Convention shall notify that Party⁵ not less than 48 hours in advance of the scheduled STS operations. Such notification shall include at least the following:
 - .1 name, flag, call sign, IMO Number and estimated time of arrival of the oil tankers involved in the STS operations;
 - .2 date, time and geographical location at the commencement of the planned STS operations;
 - .3 whether STS operations are to be conducted at anchor or underway;
 - .4 oil type and quantity;
 - .5 planned duration of the STS operations;
 - .6 identification of STS operations service provider or person in overall advisory control and contact information; and
 - .7 confirmation that the oil tanker has on board an STS operations Plan meeting the requirements of Regulation 41.
- 2.2 Where, in an exceptional case, all of the information specified in section 2.1, above, is not available within the required timeframe of “not less than 48 hours in advance,” the oil tanker discharging the oil cargo shall notify the Party to the present Convention, that an STS operation will occur. This notification must take place not less than 48 hours in advance; and the information specified in paragraph 2.1 above provided at the earliest opportunity.

⁴ Annex I of MARPOL 2011, Chapters 3 and 4; requirements for recording bunkering and oil cargo transfer operations in the Oil Record Book, and any records required by the STS operations Plan.

⁵ The national operational contact point as listed in document MSC-MEPC.6/Circ.12 of 31 December 2013 or its subsequent amendments.

2.3 If the estimated time of arrival of an oil tanker at the location or area for the STS operations changes by more than six (6) hours, the Master, owner or agent of that oil tanker shall provide a revised estimated time of arrival.

3.0 Delegation of Authority

3.1 The Administrator has delegated to the following duly appointed ROs authorization to approve STS operations Plans for and on behalf of the Administrator in accordance with the provisions of MARPOL Annex I regulation 41.1:

- American Bureau of Shipping
- Bureau Veritas
- China Classification Society
- ClassNK
- Croatian Register of Shipping
- DNV GL AS
- Indian Register of Shipping
- Korean Register
- Lloyd's Register
- Polski Rejestr Statkow
- RINA Services S.p.A.
- Russian Maritime Register of Shipping