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Supersedes:

Reference to: Regulations of 30 May 2012 No. 488 concerning environmental safety for ships and mobile offshore units

The Circular should be entered into a special diagram or as appropriate in the latest editions of relevant NMA publications and kept until the next editions.

Regulation concerning amendments to the Regulations on environmental safety

The Norwegian Maritime Authority has laid down Regulation concerning amendment to the Regulations of 30 May 2012 No. 488 concerning environmental safety for ships and mobile offshore units.

This Regulation enters into force immediately.

The amendments concern:

1. Implementation of amendments to the Directive on sulphur (Directive 1999/32/EC, as amended by Directive 2012/33/EU)
2. Implementation of EEA Regulation 530/2012 on accelerated phasing-in of double-hull requirements

Specifically, amendments are made to sections 5 and 13 of the Regulations. In addition, a new provision has been added to the Regulations; section 14 a.

1. Review

The proposed Regulation was circulated for review from 6 June to 27 June 2014. The Norwegian Maritime Authority (NMA) was in accordance with the Instructions for Official Studies and Reports given the consent of the Ministry of Climate and Environment to set a shorter response period.

A total of 17 consultative statements came in, whereof 16 did not include comments to the proposal.

The Norwegian Coastal Administration did in principle not have any comments to the proposal, but made some remarks to the application of the opportunity to carry out trials of emission abatement methods and the sulphur content of fuel used during such trials.

2. Details of the amendments to the EU Directive on sulphur – amending Directive 2012/33/EU

2.1. The Norwegian Regulations on environmental safety, section 13

The provision has been amended, so that the sulphur limit in section 13 is now 0.10% compared to the previous 0.1%. This has been done in order to make the provision correspond with the amended Article 4b in the Directive.

2.2. The Norwegian Regulations on environmental safety, section 14 a

The Directive on sulphur provides an opportunity to permit trials of emission abatement methods to be carried out, cf. Article 4e of the Directive. The new section 14 a implements this provision.

The provision provides the opportunity to apply for permission to carry out trials of emissions abatement methods for a period of up to 18 months on specified conditions. Parts of the provision concerns reporting to the Commission (in practice the EFTA Surveillance Authority (ESA) for EFTA members) and any port State concerned, see Article 4e subparagraphs (a) and (g). In the NMA's opinion, these requirements are directed at the Authorities, whereas the responsibility for the actual publication of trial results should lie with each concerned company. Certain conditions must furthermore be fulfilled, such as the instalment of monitoring systems and waste management systems on board the ship, as well as the preparation of an impact assessment related to the environmental effect of the measure.

3. Details of Regulation 530/2012 on accelerated phasing-in of double-hull requirements

3.1. The Norwegian Regulations on environmental safety, section 5

The EU Regulation unifies several former legal acts into one legal act. No substantial amendments have been made. The NMA has therefore only amended the reference in section 5 of the Regulations on environmental safety, so that it is updated in accordance with the new EU Regulation.

The EU Regulation will be translated and EEA adapted, and made available together with the Regulations on environmental safety.

The text of the Regulation is enclosed.

John Malvin Økland
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