



CIRCULAR FOR P&I CLUBS

10 MAY 2021

GLOBALPANDI, S.A.
P&I CORRESPONDENTS

IMO 2020 SULPHUR CAP IN VENEZUELA (UPDATE)

As an update for our previous circulars on this matter dated 15 and 30 January 2020, we must recall that although Venezuela has not ratified Annex VI of the MARPOL Convention and not included in any emission control area (ECA), the National Institute of Aquatic Spaces (INEA) issued Circular No. 19 dated 30 December 2019 on the IMO 2020 Sulphur Cap. The maritime authority emphasizes the fact that the resolutions emanating from the International Maritime Organization are adopted based on the sustainable development goals established by the United Nations and must be considered and incorporated into national legislation, taking into account the Constitutional provisions related to the obligation of the state to protect the environment for present and future generations, thereby contributing to the strengthening of maritime and port activity, navigation safety, life at sea and environmental protection. The Circular is based on the Regulation 14.1.3. of Annex VI of the 1997 Protocol amending the MARPOL agreement 73/78 requiring the reduction of sulphur content in fuel used by vessels from 3.5% to 0.5% m/m, which in accordance with rule 5.1. is applicable to any vessel equal to or greater than 400 gross tonnage and all fixed or floating oil rigs and other platforms.

Therefore, the INEA informed to all those working in the aquatic sector that as from 1 January 2020 the fuel used by vessels equal to or greater than 400 gross tonnage and all fixed or floating oil rigs and other platforms in their operations must contain a maximum of 0.5% m/m of sulphur, except for ships that have installed exhaust cleaning filters (Scrubbers). Nevertheless, those vessels of Venezuelan flag and foreign flag under the special permit regime, engaged in coastal and domestic navigation, will continue to use the fuel supplied by the national supplier, until there is availability of fuel in compliance with the IMO Resolution.

"requiring the reduction of sulphur content in fuel used by vessels from 3.5% to 0.5% m/m, which in accordance with rule 5.1. is applicable to any vessel equal to or greater than 400 gross tonnage and all fixed or floating oil rigs and other platforms...."

The Port State Control and the Port Captaincy, in their respective inspections or visits to ships, must verify compliance

with the regulations, checking the validity of the certificate and efficiency plan, bunker delivery notes, books of hydrocarbon registration, safeguarding of fuel samples, laboratory test reports, and when required, they may take fuel samples for laboratory analysis and verify the sulphur content provided in Appendix VI of the MARPOL Annex VI. The Circular under comment states that “In case of non-compliance, the Aquatic authority will inform the respective flag State, might set a period of time to correct the deficiency and, if necessary, impose other measures provided for in the law. Unfortunately, the Circular is not clear when referring to samples for laboratory analysis and subsequent steps, nor about the correction of deficiencies, giving rise to concerns on eventual delays and discretionality as a result of PSC’s inspections.

A key question regarding the exhaust gas cleaning system is whether vessels berthed at domestic ports may operate their ECGS in open loop mode (with wash water discharge); it should be borne in mind that scrubbers are of three types: Open loop (with wash water discharge) - Closed loop (without wash water discharge) and Hybrid (can operate in both modes). It is important to point out that there are no local regulations regarding permissible ECGS and their use

in closed or open loop mode, so if the vessel is fitted with a hybrid system it would be recommendable using it in closed loop mode while at the port, just as a precautionary measure. In any case, Members are reminded about the strict compliance of the regulations, seeking advice if needed from local agents and Correspondents prior to arrival.

GLOBALPANDI, S.A.

P&I CORRESPONDENTS

Correspondents for:

Britannia, British Marine, Carina, Charterers P&I Club, China P&I Club, EF Marine, GARD, Hydor, ITIC, Korea P&I Club, Nordisk Defence Club (Through Sabatino Pizzolante), North of England P&I Club, MS Amlin, Shipowners P&I Club, Skuld, The Standard P&I Club, Steamship Mutual, The American Club, The London P&I Club, Thomas Miller Specialty, West of England and Through Transport Club (TTC)

Should you need any assistance or further information regarding the topic stated above, please feel free to contact us:

Phones & Fax:

+58-242-3618159/3614453

+58-412-4210545/4210546

E-mail: mail@globalpandi.com

Webpage: www.globalpandi.com

AOH:

Mr. José Alfredo Sabatino Pizzolante

+58-412-4210036 & +507 6469 1784

Mr. Oswaldo Guerreiro

+58-412-4445715

Disclaimer: This Circular is only intended to provide a general summary of the matter referred to, and so it does not constitute a legal advice as such. Specific legal advice should be taken with respect to particular cases.

CONTACT