

DMA Circular no. 036

CII and E-rated ships – Issue of Statement of Compliance - corrective action plan for D or E-rated ships.

Instruction:

For ships being rated D for three consecutive years or E in accordance with MARPOL Annex VI regulation 28 the SEEMP shall be reviewed in accordance with regulation 28.7 to 28.9 of MARPOL Annex VI to include a plan of corrective actions to achieve the required annual operational CII before issuing the Statement of compliance in accordance with MARPOL Annex VI regulation 6.6.

The action plan should include realistic timeline for achieving the required operational CII – the middle of the C-band – this plan will be approved in the first 5 month of an year [year 1] and the timeline for the corrective actions can be for a longer period than the issuing year [year 1] – accordingly the ship might be rated E again in [year 2] based on the [year 1] data.

This will result in a new plan of corrective action to be developed in [year 2]. Based on documentation that the ship has been operated in accordance with the principle in the first developed action plan – the [year 1] approved plan - the RO on behalf of DMA can issue new Statement of compliance [year 1] in accordance with MARPOL Annex VI regulation 6.8

This can in principle continue the next years as well, it will however be based on special consideration for each single ship/case and the ship/company must document that the ship/company has developed a realistic plan of actions and followed the plan within the agreed timelines.

In a scenario where a ships has not taken any action to improve the CII rating in accordance with its correction action plan and timeline, the DMA should be contacted on ro@dma.dk in order to consider if the ships should not be issued its statement of compliance.

Delegation:

The calculation of the CII and issuing of the Statement of compliance and access and report annual operational CII to IMO (IMO GISIS) are delegated to the RO by the annex to the Danish RO Agreement section 18.9.

Background:

MARPOL Annex VI, Regulation 6.6 – 6.8, Regulation 26.3 and Regulation 28.7 – 28.9

D and E-Rated ships:

The 2022 SEEMP Guidelines (Res MEPC.346(78) as amended.

Regulation 15 Plan of corrective actions States:

15.1 A plan of corrective actions is not required to be included in the SEEMP unless a ship has been rated D for three consecutive years or E for one year.

15.2 For a ship that is required to develop a plan of corrective actions in accordance with regulation 28.7 of MARPOL Annex VI, a revised SEEMP including the corrective actions for CII reduction shall be submitted to the Administration or any organization duly authorized by it for verification in accordance regulation 28.8 of MARPOL Annex VI. The revised SEEMP should be submitted together with, but in no case later than one month after reporting the attained annual operational CII in accordance with regulation 28.2.

15.3 Regulation 28.9 of MARPOL Annex VI further provides that "A ship rated as D for three consecutive years or rated as E shall duly undertake the planned corrective actions in accordance with the revised SEEMP."

15.4 Developing the plan of corrective actions

15.4.1 The purpose of the plan of corrective actions is to set out what actions a ship that was rated D for three consecutive years or E for one year should take to achieve at least a C rating for the calendar year following the adoption of the plan of corrective actions and ultimately the required annual operational CII.

15.4.2 The plan of corrective actions is ship-specific.

15.4.3 Many of the approaches described in section 5 of these guidelines or any other suitable measure may be applied to a ship to improve its fuel efficiency and thus its CII rating.

15.4.4 The plan for corrective action should describe the actions that the ship plans to take, the timeline in which those actions will be applied, and the expected impact their application will have on the ship's CII rating. It should be demonstrated how the corrective actions will contribute to achieving the required annual operational CII, so as to ascertain the effectiveness of the corrective actions. Experience gained from previously taken corrective actions and their degree of effectiveness should be taken into account when selecting the proper corrective actions.

15.4.5 The plan of corrective actions should be SMART (Specific, Measurable, Achievable, Realistic, and Time-bound). It should include:

- .1 an analysis of the cause of the inferior CII rating;
- .2 an analysis of the performance of implemented measures;
- .3 a list of additional measures and revised measures to be added to the implementation plan with time and method of implementation necessary for achieving the required operational CII;
- .4 designation of a company person to be responsible for the added and revised measures in the implementation plan, monitoring and recording performance throughout and reviewing of the effectiveness of the corrective actions; and

.5 identification of possible impediments to the effectiveness of the measures for improving the energy efficiency and reducing the carbon intensity of the ship, including possible additional contingency measures put in place to overcome and how these impediments will be overcome.

15.4.6 The implementation of the plan of corrective actions should be monitored and adjusted when necessary. Additional measures should be taken to strengthen corrective actions in case of insufficient intermediate results.

RESOLUTION MEPC.348(78) 2022 GUIDELINES FOR ADMINISTRATION VERIFICATION OF SHIP FUEL OIL CONSUMPTION DATA AND OPERATIONAL CARBON INTENSITY

Section 5 describe how the administration shall verify the CII and CII rating and section 6 how to issue a statement of compliance where item 6.2 specifies that:

6.2 Notwithstanding paragraph 6.1, the Administration should consider whether a corrective action plan is required according to regulation 6.8 of MARPOL Annex VI. In the case of a corrective actions plan being required but not submitted together with the attained annual operational CII, the administration should inform the company in a timely manner that a revised SEEMP including a plan of corrective actions, must be submitted for verification no later than one month after reporting the attained annual operational CII. The Statement of Compliance should not be issued in such a case unless a corrective action plan is duly developed and reflected in the SEEMP and verified by the Administration, taking into account the guidelines developed by the Organization (Res MEPC 347(78))

RESOLUTION MEPC.347(78) GUIDELINES FOR THE VERIFICATION AND COMPANY AUDITS BY THE ADMINISTRATION OF PART III OF THE SHIP ENERGY EFFICIENCY MANAGEMENT PLAN (SEEMP)

Section 5 describe initial, periodical additional verifications and company audits this includes:

Additional verifications (regulation 6.8 of MARPOL Annex VI)

5.7 The Administration should, in the case of a ship rated as D for three consecutive years or a ship rated as E, perform an additional verification to ensure that a plan of corrective actions has been established in accordance with regulations 28.7 and 28.8.

5.8 On satisfactory verification of the plan of corrective actions, the Administration can issue the Statement of Compliance according to regulation 6.8.

Section 6 Elements of verification

6.1.3 robustness of the three-year implementation plan and, where applicable, the plan of corrective actions, including whether realistic timelines for implementation of actions have been included.