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USCG detains vessel for failure to use low sulphur fuel oil in the North American ECA

Gard has recently been advised that the United States Coast Guard (USCG) included in its list of IMO reportable detentions, which is part of the US Port State Control (PSC) program, the detention of a foreign bulk carrier for using fuel oil exceeding the 1.0% sulphur limit content whilst operating within the North American Emission Control Area (ECA). According to the report published on the USCG website, the vessel had low sulphur fuel available on board for use, but neither the Master nor the Chief Engineer was familiar with the current North American ECA regulations, and the compliant fuel was therefore not used.¹

The referenced incident clearly indicates that not all Masters and Chief Engineers are fully aware of their responsibilities under MARPOL Annex VI and the requirements when operating in ECAs. Gard's Members and clients are therefore strongly advised to make sure that their Masters and relevant crew are properly trained and familiar with all air pollution prevention requirements within their areas of operation - and with their shipboard procedures concerning use of compliant fuel oil in particular.²

- For Gard's specific advice on operation in the North American ECA, we refer to our previous Gard alert: "[North American ECA requirements after 1 August 2012](#)" dated 4 July 2012.
- Further to the details provided in our previous Gard Alert regarding the submission of "Fuel Oil Non-Availability Reports" to the Environmental Protection Agency (EPA), Members and clients should note that a new electronic portal has been launched by the EPA through which vessel owners and operators can electronically submit a disclosure of fuel oil non-availability. The electronic portal is managed through the EPA's Central Data Exchange (CDX) and instructions on how to access the electronic portal is available through the following URL: <http://www.epa.gov/enforcement/air/marpolannex.html#fueloil>
- In addition, useful information for ensuring compliance with the North American ECA requirements can be found in the document "[Frequently Asked Questions about the North American ECA by USCG](#)" which is also accessible via the EPA URL included above. The USCG and the EPA have compiled a joint list of FAQs and associated responses as a result of queries received since the implementation of the North American ECA. At the end of the document is a list of questions received which are currently under review by the USCG/EPA.

¹ The requirements for the North American area as an ECA under MARPOL Annex VI took full effect on 1 August 2012, while for the United States Caribbean Sea area, the requirements shall take full effect on 1 January 2014 (ref. also IMO MEPC.1/Circ. 756).

² For Gard's advice concerning fuel changeover procedures and fuel oil treatment in general, see Loss Prevention Circulars No.15-09 "[Low sulphur changeover](#)" and No.05-12 "[Fuel handling and treatment on board](#)"

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