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

SUBJECT: MARPOL Recordkeeping and Reporting Requirements.

References:
(a) MARPOL Consolidated Edition, 2011
(b) Marine Notice 2-013-4, Shipboard Oil Pollution Emergency Plan (SOPEP) Approval for Marshall Islands Ships
(c) Marine Notice 2-013-7, MARPOL Annex I Amendments and Instructions
(d) Marine Notice 2-013-8, Implementation of MARPOL Annex VI, Regulations for the Prevention of Air Pollution from Ships
(e) Marine Notice 2-013-10, Implementation of MARPOL Annex I, Chapter 8, Prevention of Oil Pollution During Transfer of Oil Cargo Between Tankers at Sea
(f) Marine Notice 2-013-12, Regulations on Energy Efficiency for Ships
(g) Marine Notice 2-013-11, Requirements for MARPOL Surveys for Commercial and Private Yachts
(h) Marine Notice 2-013-5, MARPOL Annex V-Prevention of Garbage Pollution from Ships
(i) Marine Guideline 2-13-4, Revised MARPOL Annex VI
(j) Marine Guideline 2-13-3, Oil Record Book Guidelines

PURPOSE:

This Notice provides an overview, with a focus on reporting and recordkeeping, of the Republic of the Marshall Islands (RMI) Maritime Administrator (the “Administrator”) requirements for compliance with the MARPOL Convention.\(^1\) This Notice supersedes Rev. 12/09 and has been updated to reflect current requirements.

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\(^1\) The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 is known as MARPOL 73/78. However, the IMO Marine Environmental Protection Committee, at its fifty-sixth session, decided that when referring to the Convention and its six Annexes, the term “MARPOL” as opposed to MARPOL 73/78” is preferred as the latter would leave Annex VI on Prevention of air pollution from ships, which had been adopted in the 1997 Protocol, outside its scope.
APPLICABILITY:

This Notice outlines requirements applicable to all ships based on their particular type of operation and trade. Ships crews must be familiar with and aware of these requirements. Yachts should refer to Marine Notice 2-013-11, reference (g) above, in conjunction with this Notice.

REQUIREMENTS:

1.0 The MARPOL Convention

1.1 Protocol I (Reports on incidents involving harmful substances) – Adopted by IMO in November 1973, this Protocol requires a master or other person in charge of a ship to report incidents involving harmful substances. The Administrator’s requirements for such reports are contained in Attachment 1 of this Notice.

1.2 Protocol II (Arbitration) – This Protocol establishes an arbitration procedure for disputes between Parties to the Convention concerning its interpretation or application in accordance with Article 10.

1.3 Annex I (Oil Pollution) – This Annex came into force on 2 October 1983 with full compliance by 2 October 1987. Annex I applies to all ships unless expressly provided otherwise (Regulation 2). Oil tankers of 150 tons gross tonnage and above, and every other ship of 400 tons gross tonnage and above are subject to the surveys specified in Regulation 6. See Marine Notice 2-013-7, reference (c), above, and Marine Notice 2-013-10, reference (e), above.

1.4 Annex II (Noxious Liquids) – This Annex entered into force on 6 April 1987 and full compliance was required by 2 October 1994. Annex II, including Regulation 8 regarding surveys, applies to all ships carrying noxious liquid substances in bulk unless expressly provided otherwise (Regulation 2). For further particulars, please see Chapter VII, Part B and C of the International Convention for the Safety of Life at Sea, 1974 (SOLAS) and also the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC) and Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH) [Chemical Tankers] and the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC) [Gas Carriers].

1.5 Annex III (Harmful Substances in Package Form) – This Annex became effective for all ships by 1 October 1992. Please also see Chapter VII, Part A of SOLAS as well as the International Maritime Dangerous Goods Code (IMDG Code) and the Code of Safe Practice for Solid Bulk Cargoes (BC Code).

1.6 Annex IV (Sewage) – This Annex was ratified by the RMI on 26 April 1988 and came into full force and effect on 27 September 2003.
1.7 **Annex V (Garbage)** – This Annex became effective on 31 March 1989 and subsequently amended. Ships are required to maintain a Garbage Management Plan and a Garbage Record Book in accordance with Regulation 9. See Marine Notice 2-013-5, reference (h), above.

1.8 **Annex VI (Air Pollution)** – The RMI acceded to the new Annex VI for the Prevention of Air Pollution from Ships on 27 February 2002. Regulation 13 of Annex VI establishes mandatory procedures for the testing, survey, and certification of marine diesel engines of more than 130 kW (175 hp) installed in vessels of any gross tonnage built after 1 January 2000. Additionally, any such existing diesel engines that have undergone major conversion after 1 January 2000 must similarly meet these requirements. In accordance with IMO guidelines, vessel owners shall ensure that the diesel engines falling into either of these categories have undergone the necessary testing and surveys and have received the required certification. For compliance with Annex VI, refer to Marine Notice 2-013-8, reference (d) above, Marine Notice 2-013-12, reference (f) above, and Marine Guideline 2-13-4, reference (i), above.

2.0 **Vessel Onboard Requirements**

2.1 Vessels are also required to have on board the following:

.1 **International Oil Pollution Prevention (IOPP) Certificate** – issued by an IACS Classification Society on behalf of the Administrator.

.2 **Shipboard Oil Pollution Plans (SOPEPs)** – as per Annex I, Regulation 37, are to be carried on the vessel at all times. The SOPEP is to be approved by a Recognized Organization on behalf of the Administrator. In the case of ships to which Regulation 17 of Annex II of the present Convention also apply, the SOPEP may be combined with the shipboard marine pollution emergency plan for noxious liquid substances required under Regulation 17 of Annex II of the present Convention. *In this case the title of such a plan shall be “Shipboard marine pollution emergency plan (SMPEP).”* Refer to Marine Notice 2-013-4 for details.

.3 **MARPOL Oil Record Book and a Cargo Record Book (Annex I, Regulations 17 and 36 respectively) or (Annex II, Regulation 15)** – Every oil tanker of 150 gross tonnage and above and every ship other than an oil tanker and yachts of 400 gross tonnage and above are to maintain these record books, as applicable. The books are to be used to record on a daily and tank by tank basis all operations relating to loading, transfer, unloading, cleaning, ballasting and discharge of cargoes, oily residues or oily-water mixtures from machinery spaces, and bunkering of fuel or bulk lubricating oil. Record Book forms shall conform with and supply the information recommended in Annex I, or Annex II as applicable, of MARPOL.

MARPOL Oil and Cargo Record Books are available from the Administrator. To order such books it is preferred that form TCMI-03 be filled out. The form can be downloaded from the website, [www.register-iri.com](http://www.register-iri.com). It can be filled out electronically and emailed to publications@register-iri.com. If the form cannot be
obtained, send either an email or a fax (+1-703-476-8522) to Publications with a request for the number and type of books, the address, contact name and phone number where the books should be sent and the address, contact name and phone number where the invoice should be sent if different from the delivery address. See Marine Guideline 2-13-3, reference (j), above.

.4 **International Bulk Chemical (IBC) or a Bulk Chemical Code (BCH) fitness Certificate** – for every vessel carrying noxious liquid substances in bulk of Category A, B or C and every chemical tanker carrying noxious liquid substances of category A, B, C and D as applicable.

.5 **International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk** – for every vessel carrying noxious liquid substances of Category D only, which are not regulated for safety by the IBC or BCH Codes.

.7 **Procedures and Arrangement Manual** – All ships certified for the carriage of noxious liquid substances in bulk (Annex II) shall be provided with a Procedures and Arrangement (P&A) Manual in accordance with Regulation 14.

.8 **MARPOL Annex V** – MARPOL Annex V applies to all ships, unless expressly provided otherwise. A ship means a vessel of any type operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft, fishing vessels and fixed or floating platforms. It also includes commercial and private yachts.

For the purposes of this Annex, where the number of persons carried on board is a stipulated criteria, the figure to be used shall be that number shown on the Cargo Ship Safety Equipment Certificate (supplement) or the Passenger Ship Safety Certificate. If the vessel does not hold either of these certificates the figure to be used shall be the number of persons for whom permanent overnight accommodations can be provided.

.9 **Garbage Management Plan, Annex V** – Every ship of 100 gross tonnage and above, and every ship regardless of tonnage which is certified to carry 15 or more persons, and fixed or floating platforms shall carry a garbage management plan. See Marine Notice 2-013-5, reference (h), above.

.10 **Garbage Record Book, Annex V** – Every ship of 400 gross tonnage and above and every ship regardless of tonnage which is certified to carry 15 or more persons and every fixed or floating platform shall maintain a Garbage Record Book. See Marine Notice 2-013-5, reference (h), above.
3.0 **Publication Carriage**

The Administrator recommends that copies of the most recent MARPOL Regulations are carried on board each vessel and that the ship’s officers are knowledgeable and responsible for effecting compliance with them.

The MARPOL 2011 Consolidated Edition, the most recent publication at this writing, contains all six (6) Annexes of the MARPOL Convention, its unified interpretations and protocols. It is available as follows:

International Maritime Organization (IMO)  
Publications Section  
4 Albert Embankment  
London SE1 7SR  
UNITED KINGDOM  
Sales No. IB520E
ATTACHMENT 1

PROTOCOL I

Provisions Concerning Reports on
Incidents Involving Harmful Substances
(in accordance with Article 8 of the Convention)

Article I - Duty to Report

(1) The Master of a ship involved in an incident referred to in Article II of this Protocol, or other person having charge of the ship, shall report the particulars of such incident without delay and to the fullest extent possible in accordance with the provisions of this Protocol.

(2) In the event of the ship referred to in paragraph (1) of the present Article being abandoned, or in the event of a report from such ship being incomplete or unobtainable, the owner, charterer, manager or operator of the ship, or their agents shall, to the fullest extent possible, assume the obligations placed upon the Master under the provisions of this Protocol.

Article II - When to Make Reports

The report shall be made on all incidents involving harmful substances and/or marine pollutants whenever:

(a) a discharge has occurred other than as permitted under the present Convention; or

(b) a discharge is permitted under the present Convention:

   (i) for the purpose of securing the safety of a ship or saving life at sea; or

   (ii) because it results from damage to the ship or its equipment; or

(c) a discharge of a harmful substance has been made for the purpose of combating a specific pollution incident or for purposes of legitimate scientific research into pollution abatement or control; or

(d) there is the probability of a discharge of the type referred to in sub-paragraphs (a), (b) or (c) of the present Article.
Article III - Contents of Reports

(1) Each report shall contain in general:
   (a) the identity of the ship;
   (b) the time and date of the occurrence of the incident;
   (c) the geographic position of the ship when the incident occurred;
   (d) the wind and sea conditions prevailing at the time of the incident; and
   (e) relevant details respecting the condition of the ship.

(2) Each report shall contain, in particular:
   (a) a clear indication or description of the harmful substances involved, including, if possible, the correct technical names of such substances (trade names should not be used in place of the correct technical names);
   (b) a statement or estimate of the quantities, concentrations and likely conditions of harmful substances discharged or likely to be discharged into the sea; and
   (c) where relevant, a description of the packaging and identifying marks; and
   (d) if possible, the names of the consignor, consignee or manufacturer.

(3) Each report shall clearly indicate whether the harmful substance discharged, or likely to be discharged is oil, a noxious liquid substance, a noxious solid substance or a noxious gaseous substance and whether such substance was or is carried in bulk or contained in packaged form, freight containers, portable tanks, or road and rail tank wagons.

(4) Each report shall be supplemented as necessary by any other relevant information requested by a recipient of the report or which the person sending the report deems appropriate.

Article IV - Supplementary Report

Any person who is obliged under the provisions of this Protocol to send a report shall, when possible:
   (a) supplement the initial report, as necessary, with information concerning further developments; and
   (b) comply as fully as possible with requests from affected States for additional information concerning the incident.
Article V - Methods of Reporting

(1) Each report shall be made by radio whenever possible, but in any case by the fastest channels available at the time the report is made. Reports made by radio shall be given the highest possible priority.

(2) Reports shall be directed to the appropriate officer or agency specified in paragraph (2)(a) of Article 8 of the Convention. IMO Resolution A.851(20) as amended by MEPC.138(53) on the general principles of reporting provides that the officer or agency of the nearest coastal State shall be the recipient of the report.

(3) Owners and Masters of Marshall Islands vessels and any other persons subject to the provisions of the foregoing Protocol are instructed that any Report of an Incident involving Harmful Substances as described in Article II or Oil Discharges (Annex I) shall also be directed to:

Office of the Maritime Administrator
Republic of the Marshall Islands
Marshall Islands Maritime and Corporate Administrators, Inc.
Attn: Investigations
Maritime Services Group
11495 Commerce Park Drive
Reston, Virginia 20191-1506 USA

Fax: +1-703-476-8522
Telephone: +1-703-620-4880
Email: investigations@register-iri.com