



16715
CG-CVC
Policy Letter 13-02
MAY 05 2013

MEMORANDUM

From: 
K. P. MCAVOY, CAPT
COMDT (CG-CVC)

To: Distribution

Subj: MARPOL ANNEX VI INTERNATIONAL ENERGY EFFICIENCY (IEE)
CERTIFICATE IMPLEMENTATION GUIDANCE

Ref: (a) IMO Resolution MEPC.203(62)
(b) Title 33, Code of Federal Regulations (CFR)
(c) CG-543 Policy Letter 09-01, Guidelines for Ensuring Compliance with Annex VI to
MARPOL 73/78, Prevention of Air Pollution from Ships

1. Purpose. This policy letter provides interim guidance to ensure compliance with reference (a) by U.S. vessels required to hold MARPOL Annex VI IEE certificates until reference (b) is revised to reflect U.S. implementation. This policy letter also provides guidance for foreign vessels calling on U.S. ports. Reference (a) revises MARPOL Annex VI to include a new Chapter 4 and implements the mandatory requirements for a new International Energy Efficiency (IEE) Certificate and Shipboard Energy Efficiency Management Plan (SEEMP).

2. Action. Sector Commanders and Officers in Charge, Marine Inspection (OCMIs) should use this guidance in the oversight of their respective U.S. flag fleet and foreign vessels calling on U.S. ports subject to reference (a). Recognized Classification Societies (RCS) authorized to issue MARPOL Annex VI Certificates to U.S. flagged vessels on behalf of the Coast Guard are governed by written agreements issued under 46 CFR 8.320 (c). The RCS will issue IEE Certificates to existing ships to which they also issued an International Air Pollution Prevention (IAPP) Certificate after successful completion of the required surveys. All new U.S. flagged ships, new U.S. flagged ships that undergo a major conversion, and existing U.S. flagged ships that undergo a major conversion as defined in Annex VI Regulation 2 should make arrangements with a RCS to complete the requirements for IEE Certificate issuance. Existing vessels that received their IAPP Certificate from the Coast Guard should contact the cognizant OCMI to obtain their IEE Certificate.

3. Directives Affected. Reference (c) remains in effect.

4. Background. On July 15, 2011, the International Maritime Organization formally adopted Resolution MEPC.203(62), which amends MARPOL Annex VI. The requirements of MEPC.203(62) entered into force on January 1, 2013. The requirements of Annex VI Chapter 4 apply to any ship of 400 gross tonnage or more that engages in voyages to ports or offshore terminals under the jurisdiction of other Parties. The list of Parties to Annex VI may be found at <http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx> under the “Status of Conventions” link. U.S. vessels are not required to obtain an IEE Certificate if they are not engaged in voyages to nations that are party to Annex VI.

5. Definitions. The new MARPOL Annex VI Chapter 4 requires different actions for new and existing ships. The guidelines in enclosure (1) to reference (c) remain valid for purposes of issuance of Annex VI documents to U.S. vessels. The definitions of new and existing ship and major conversion for Chapter 4 purposes are found in MARPOL Annex VI Regulation 2.3:

- a. “*Existing ship* means a ship which is not a new ship.” (Regulation 2.3.22)
- b. “*New ship* means a ship:
 - .1 for which the building contract is placed on or after 1 July 2013; or
 - .2 in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction on or after 1 July 2013; or
 - .3 the delivery of which is on or after 1 July 2015.” (Regulation 2.3.23)
- c. “*Major conversion* means in relation to Chapter 4 a conversion of a ship:
 - .1 which substantially alters the dimensions, carrying capacity or engine power of the ship; or
 - .2 which changes the type of the ship; or
 - .3 the intent of which in the opinion of the administration is substantially to prolong the life of the ship; or
 - .4 which otherwise so alters the ship that, if it were a new ship, it would become subject to relevant provisions of the present Convention not applicable to it as an existing ship; or
 - .5 which substantially alters the energy efficiency of the ship and includes any modifications that could cause the ship to exceed the applicable required EEDI as set out in regulation 21.” (Regulation 2.3.24)

6. Energy efficiency requirements for existing U.S. flagged ships. For existing ships the IEE Certificate is to be issued on the first intermediate or renewal survey for the IAPP Certificate (whichever comes first) on or after January 1, 2013 provided the SEEMP is on board. The SEEMP may be part of the Safety Management System (SMS) (see Regulation 22.1). The SEEMP itself does not have to be approved by the Coast Guard or RCS but must follow the guidelines for preparation of a SEEMP in enclosure (1) (see Regulation 22.2 and 33 U.S.C. § 1908). Once issued the IEE Certificate is valid for the life of the ship unless the ship is withdrawn from service, undergoes a major conversion as defined in Annex VI Regulation 2, or is transferred to the flag of another State (see Regulations 9.10 and 9.11).

7. Energy efficiency requirements for new U.S. flagged ships, new U.S. flagged ships that undergo a major conversion, and existing U.S. flagged ships that undergo a major conversion.

- a. EEDI: New Annex VI Regulations 20 and 21 require an Energy Efficiency Design Index (EEDI) for (1) new ships, (2) new ships when they undergo a major conversion, and (3) existing ships that undergo a major conversion after January 1, 2013, so extensive that it is regarded as a newly constructed ship. Based on the definition of “major conversion” it is possible for a new ship to undergo a major conversion that alters the energy efficiency of the post-conversion ship, and as such a new EEDI must be determined. In keeping with reference (a), only certain types of vessels defined in MARPOL Annex VI Regulation 2.25 to 2.35 are required to have an EEDI calculated at this time (see Regulation 21.1). These ship types are: bulk carriers, gas carriers, tankers, containerships, general cargo ships, refrigerated cargo carriers and combination carriers. The definitions of these ship types are located in MARPOL Annex VI Regulations 2.25 to 2.31. Enclosure (2) provides guidance to vessel owners and designers regarding the calculation of the EEDI.
- b. SEEMP: In addition to the EEDI requirement new ships or ships that undergo a major conversion are also required to maintain a SEEMP as described for existing ships.

8. Issuance of IEE Certificates for U.S. flagged ships. On December 10, 2012, the Coast Guard published a final rule to amend 46 CFR 8.320. That rule, which became effective January 9, 2013, allows RCS to apply to issue IEE Certificates on behalf of the Coast Guard (see 77 FR 73334, December 10, 2012). We anticipate that RCS that applied to issue IAPP Certificates will also apply to issue IEE Certificates.

- a. Existing U.S. flagged vessels. For existing U.S. flagged vessels the IEE Certificate will be issued by the RCS or OCMI that issued the IAPP. The verification of the SEEMP is the sole survey item for IEE Certificate issuance.
- b. New U.S. flagged ships, new U.S. flagged ships that undergo a major conversion, and existing U.S. flagged ships that undergo a major conversion. For new U.S. flagged ships, new U.S. flagged ships that undergo a major conversion, and existing U.S.

flagged ships that undergo a major conversion, EEDI review and approval will not be completed directly by the Coast Guard. Owners or designers of new U.S. flagged ships, new U.S. flagged ships that undergo a major conversion, and existing U.S. flagged ships that undergo a major conversion should arrange with a RCS for EEDI review and approval. The attained EEDI will be specific to each ship and will indicate the estimated performance of the ship in terms of energy efficiency, and be accompanied by the EEDI technical file that contains the information necessary for the calculation of the attained EEDI and that shows the process of calculation. The attained EEDI should be provided by the ship owner following the guidelines in enclosure (2) to the RCS for purposes of precertification. The RCS will conduct a survey to verify the attained EEDI based on the guidelines in enclosure (3) and the EEDI technical file. If the results of the sea trial are inconsistent with the preliminary contents of the EEDI technical file, the ship owner or designer may be required to revise the EEDI technical file prior to issuance of the IEE Certificate. Following the final verification of the EEDI technical file and SEEMP, a Record of Construction Relating to Energy Efficiency (Supplement to the IEE Certificate) and IEE Certificate will be issued (see Annex VI Appendix VIII).

9. Exemptions/Waivers. Vessels using diesel-electric, turbine or hybrid propulsion systems are exempt from the requirements to prepare an EEDI technical file and obtain an IEE Supplement regardless of build date (see Regulation 19.3). In addition, the Coast Guard may waive the requirements for new ships to prepare an EEDI technical file and obtain an IEE Supplement in certain cases described in Annex VI Regulation 19. RCS will submit requests for waivers directly to CG-CVC-1 (see 46 CFR 46 CFR 8.130 (a)(13)). In addition, the Coast Guard, in consultation with the Environmental Protection Agency may approve a U.S. flag ship for a MARPOL Annex VI Regulation 3 trial program exemption or Regulation 4 equivalence.

10. Foreign Ships. Coast Guard Port State Control examiners should verify the IEE Certificate and SEEMP when checking the validity of the IAPP Certificate during port state control exams. The SEEMP does not require flag administration or classification society approval but must be on board (see Regulation 22.1). Port State Control Examiners should keep in mind that an IEE Certificate may not have been issued if the IAPP intermediate/renewal survey has not yet been performed for that vessel.

11. Disclaimer. Neither this guidance nor reference (c) is a substitute for applicable legal requirements, nor a rule. Neither is intended to nor does impose legally-binding requirements on any party. This guidance and reference (c) represent the Coast Guard's current thinking on this topic and may assist industry, mariners, the general public, and the Coast Guard, as well as other Federal and state regulators, in applying statutory and regulatory requirements. An alternative approach may be used for complying with these requirements if the approach satisfies the requirements of the applicable statutes and regulations. If you want to discuss an alternative approach, you may contact the Coast Guard

Subj: MARPOL ANNEX VI INTERNATIONAL ENERGY
EFFICIENCY (IEE) CERTIFICATE IMPLEMENTATION
GUIDANCE

16715
CG-CVC-1
Policy Letter 13-02
May 5, 2013

Office of Commercial Vessel Compliance (CG-CVC-1) who is responsible for implementing this policy.

12. Questions. Questions concerning this policy and guidance should be directed to COMDT (CG-CVC-1), Office of Commercial Vessel Compliance, at CG-CVC-1@uscg.mil. This policy and other Domestic Vessel Policy documents are posted on Homeport at <http://homeport.uscg.mil/USvsls>.

#

Enclosures: (1) IMO Resolution MEPC.213(63), 2012 Guidelines for Preparation of a SEEMP
(2) IMO Resolution MEPC.212(63), 2012 Guidelines on the Method of Calculation of the Attained EEDI for New Ships
(3) IMO Resolution MEPC.214(63), 2012 Guidelines on Survey and Certification of the EEDI