

SUB-COMMITTEE ON SHIP DESIGN AND
EQUIPMENT
57th session
Agenda item 11

DE 57/11/23
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**DEVELOPMENT OF A MANDATORY CODE FOR SHIPS OPERATING
IN POLAR WATERS**

Operational oil pollution in Polar waters

**Submitted by Friends of the Earth International (FOEI), World Wide Fund for Nature
(WWF) and Pacific Environment**

SUMMARY

Executive summary: In this document, FOEI, WWF and Pacific Environment support the establishment in the Polar Code of more stringent operational oil pollution standards for vessels in Polar waters

Strategic direction: 5.2

High-level action: 5.2.1

Planned output: 5.2.1.17

Action to be taken: Paragraph 7

Related documents: MEPC 60/21/1; DE 53/18/3; DE 54/13/7, DE 54/13/8, DE 54/INF.5; DE 55/12/5; DE 56/10/1, DE 56/10/12, DE 56/INF.3 and DE 57/11/9

Introduction

1 This document¹ is submitted in accordance with the provisions of paragraph 6.12.5 of the Committees' *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.4/Rev.2) and comments on document DE 57/11/9 (Denmark et al).

2 The co-sponsors of this submission appreciate the efforts of the Arctic Council countries that are endeavouring to develop the environmental chapter of the Polar Code. We share their concerns about vessel oil pollution entering sensitive Polar waters, and thus

¹ The preparation of this document for the IMO's DE Sub-Committee was assisted by the Antarctic and Southern Ocean Coalition (ASOC), an umbrella NGO with expert observer status at the Antarctic Treaty Consultative meetings (ATCM) and meetings of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR).

support proposals that seek to eliminate its introduction into these waters via various shipboard operations and practices.

3 The co-sponsors again call for a ban on routine, operational oil and oily mixture discharges by vessels in Arctic waters, as they did initially in document DE 54/13/8. The level of protection sought would be equivalent to what is afforded Antarctic waters (annex I, regulation 15(b)(4)).

MARPOL Annex I

4 Discharges from oil tanker cargo areas are currently regulated under MARPOL I/34 which, according to the co-sponsors in document DE 57/11/9, "allows for the release of an unacceptable amount of oil into Polar waters."² We concur with that statement, and we believe that a prohibition on this type of discharge is indeed warranted.

5 Moreover, we agree with the statement in document DE 57/11/9 that "leakages through lubricated hull fittings represent additional unwanted release of oil into Polar waters."³ We, therefore, think that mandatory use of water-based stern tube bearing systems by all new and existing ships operating in Polar waters would be a prudent policy choice. From a precautionary standpoint, we would prefer no input of lubricants into Polar environments, since at very low temperatures and with the potential absence of ultraviolet light biodegradability may not be as rapid as in non-Polar conditions.

6 Finally, we support the position also expressed in document DE 57/11/9 that "discharge of oil and oily mixtures other than discharges described in 6.1 [i.e. MARPOL I/34] as currently regulated in MARPOL I/15⁴ allow[s] for the release of an unacceptable amount of oil into Arctic waters."⁵ We again concur, and ask that these discharges be prohibited as well.

Action requested of the Sub-Committee

7 The Sub-Committee is invited to include strong, environmentally protective provisions in the Code related to operational releases of oil and oily mixtures by ships in Arctic waters, and stern tube oil leakage in both Polar regions.

² See also U.S. National Research Council, *Oil in the Sea III: Inputs, Fates, and Effects*, 208 (2003), available at <http://www.nap.edu/>.

³ See also Etkin, Dagmar Schmidt. Environmental Research Consulting "Worldwide Analysis of In-Port Vessel Operational Lubricant," Arctic and Marine Oil Spill Program Technical Seminar of Environment Canada, 8 June 2010, Halifax, Canada ("...total worldwide use of stern tube lubricants from operational leaks and discharges would then be about 130 million to 244 million litres annually.").

⁴ See generally US Environmental Protection Agency, *Oily Bilgewater Separators*, EPA 800-R-11-007 (2011), available at http://www.epa.gov/npdes/pubs/vgp_bilge.pdf.

⁵ Globally, oily bilgewater discharges into seas are not insignificant, totaling 16,736 metric tons in 1999. Oil in the Sea III, *supra* note 2, at 211.