
Ship to Ship Transfer Regulations 2010/2012

Notice to all Shipowners, Masters, bunker suppliers and operators engaged in ship-to-ship transfer operations

This notice should be read with the Merchant Shipping (Ship-To-Ship Transfers) Regulations 2010/1228 as amended by the Merchant Shipping (Ship-To-Ship Transfers) (Amendment) Regulations 2012/742.

PLEASE NOTE:-

Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel and you should consider seeking independent legal advice if you are unsure of your own legal position.

Summary

This notice sets out detailed requirements regarding Ship to Ship Transfers of a cargo consisting wholly or mainly of oil. Additionally it incorporates guidance on the revised Annex I of MARPOL 73/78 which addresses STS operations.

This Notice is given statutory force by the Merchant Shipping (Ship to Ship Transfers) Regulations 2010 as amended by the Merchant Shipping (Ship to Ship Transfers) (Amendment) Regulations 2012 and should be read in conjunction with those Regulations, which specify in detail what can and cannot be transferred and the penalties for any offences that are committed.

Key points

- Ship to Ship transfers, including most bunkering operations, outside of port authority areas are prohibited within the UK territorial sea with the exception of an identified area near Southwold on the east coast, for operations
- For transfers within the area this notice establishes detailed technical requirements to apply to STS operations including a need to provide 72 hours notice
- Outside of the UK territorial sea but within the UK Pollution Control Zone, ship to ship transfers are permitted but must be notified to the MCA no less than 48 hours before the transfer on a 'for information' basis
- Additionally UK flagged oil tankers involved in STS operations internationally are required to carry a plan prescribing how to conduct STS operations in line with MARPOL Annex I

1. Introduction and Background

- 1.1 The Merchant Shipping (Ship to Ship Transfers) Regulations 2010 as amended by the Merchant Shipping (Ship to Ship Transfers) (Amendment) Regulations 2012 entered into force on 31 March 2012 and prohibit within the UK Territorial Sea the transfer between ships of cargoes and bunkers consisting wholly or mainly of oil unless completed within a permitted area and approved by the Maritime and Coastguard Agency (MCA). The permitted area is located off Southwold in Suffolk and is defined by a circle of radius 1.5 nautical miles centred on position 52° 16'N.01° 57.3'E. Such operations can only be undertaken in adherence with strictly controlled conditions and with the written approval of the MCA.
- 1.2 In addition to the associated documents noted above when developing operational procedures for cargo transfer operations, owners and operators are advised to take account of the latest edition of the *Ship to Ship Transfer Guide (Petroleum)* produced jointly by the International Chamber of Shipping (ICS) and the Oil Companies' International Marine Forum (OCIMF), and also the *Manual on Oil Pollution (Section 1)*, produced by the International Maritime Organization (IMO).
- 1.3 Outside of the UK territorial sea but within the UK Pollution Control Zone, there is a requirement to notify the MCA in advance of operations as a result of the 2010 amendments to Annex I of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78) implemented in UK law through the Merchant Shipping (Ship to Ship Transfers) Regulations 2010 as amended. These elements are discussed under point 10 of this MSN.

2. Transfers within harbour authority waters

- 2.1 Bunkering operations conducted solely within waters under the control of a harbour authority are not restricted by these regulations.
- 2.2 For the purposes of these regulations 'under the control' should be interpreted to include areas actively managed by harbour VTS such as some outer anchorages.
- 2.3 Harbour Authorities should ensure the implications of bunkering operations in waters under their control are covered in their oil spill contingency planning.
- 2.4 Cargo transfer operations within harbour limits are permitted if a harbour authority is in possession of an oil transfer licence covering the scope of the operation as outlined in regulation 5 of the 2010 regulations (as amended). Applications should be made to the MCA, marked 'Oil Transfer Licence Application' and sent via e-mail to:

Coastal Safety Technical Support Team: csst@mcga.gov.uk

3. Mother-craft/daughter-craft refuelling arrangements

- 3.1 The regulations provide a specific exemption for vessels to refuel, or be refuelled by daughter-craft (eg: tenders, rescue boats, safety boats) so as not to impair local, operationally necessary refuelling where returning to shore is not practicable.
- 3.2 Examples of 'operationally necessary' refuelling include, but are not limited to, the fuelling of jack ups, platforms and other temporary installations as well as vessels with extremely restricted capability to leave station to take on fuel such as dredgers, workboats operating offshore from mother-craft and accommodation vessels.
- 3.3 Transfers of fuel to and from daughter-craft should be carried out with due regard to crew and vessel safety and with appropriate environmental safeguards.

3.4 Particular care should be taken to ensure that appropriate training has been provided to those carrying out the transfer and that equipment is maintained correctly on both the supplying and receiving craft.

4. Transfers to offshore installations

4.1 The regulations cover transfers between vessels, they do not regulate transfers from a vessel to an offshore or renewable energy installation.

4.2 Transfers of fuel from vessels to such installations should be carried out with due regard to crew and vessel safety and with appropriate environmental safeguards.

5. Making an Application for transfers in the permitted area (Southwold)

5.1 The Regulations make it an offence for ship to ship transfers of cargoes consisting wholly or mainly of oil to take place in this area without the approval of the MCA. Written applications and the appropriate fees must be with the MCA at least 72 hours before the transfer is scheduled to start. Applications involving a series of transfers must be with the MCA at least 10 working days before the first transfer in that series is due to start. Applications should be marked "URGENT - Ship to Ship Transfer Application" and e-mailed to:-

Coastal Safety Technical Support Team: csst@mcga.gov.uk

5.2 The Conservation (Natural Habitats &c.) Regulations 1994 as amended by the Conservation of Habitats and Species Regulations 2010, place a statutory duty on the MCA to ensure that applications are in accordance with the provisions of the EC Habitats Directive. Applications will be carefully scrutinised by the MCA to determine likely significant effect on a European site. In cases where there is likely to be a significant effect, an appropriate assessment will need to be undertaken in accordance with the applicable elements of the Conservation (Natural Habitats, &c.) Regulations 1994 and the Conservation of Habitats and Species Regulations 2010.

5.3 It is essential that the MCA is given as much information as possible about how the transfer will be conducted and what safeguards and contingencies will be put in place to guard against the risk of any accidental pollution.

5.4 The application to carry out a transfer operation must therefore include the following details:-

- a. the ships involved and their safety certification, including a signed declaration by the owner or master that each ship is fit and equipped for the purposes of a transfer operation;
- b. the manning of those ships during the operation, including details of manning certificates;
- c. the qualifications and relevant experience of those overseeing the transfer (Chapter 1 of the ICS/OCIMF Guide);
- d. the properties of the cargo to be transferred;
- e. the area of operation;
- f. the expected duration of the operation;

- g. the detailed safety precautions to be taken (Chapter 3, ICS/OCIMF Guide);
- h. the communications arrangements (Chapter 4, ICS/OCIMF Guide);
- i. the operational preparations (Chapter 5, ICS/OCIMF Guide);
- j. the manoeuvring, mooring and fendering arrangements (Chapter 6, ICS/OCIMF Guide);
- k. the procedures with vessels alongside one another and the management of the transfer operation itself (Chapter 7, ICS/OCIMF Guide);
- l. the unmooring arrangements (Chapter 8, ICS/OCIMF Guide);
- m. the equipment to be deployed (Chapter 9, ICS/OCIMF Guide);
- n. the limiting weather criteria to be applied before mooring and during the transfer, noting that the MCA will not approve any transfer in more than a 2 metre sea or wind speeds greater than 27 knots;
- o. a Contingency Plan setting out the steps to be taken in the event of:-
 - i. deteriorating weather;
 - ii. mooring rope failure;
 - iii. pollution following damage, such as a collision; and
 - iv. fire;
- p. an Oil Spill Contingency Plan (including pollution resources commensurate with the risk, both at sea and on shore) to guard against the threat of oil pollution; and
- q. where appropriate (see below), the equipment, manning and operation of a suitable oil recovery vessel.

5.5 Details of applications will be shared internally with the appropriate elements of the MCA including HM Coastguard and Marine Survey and Inspection functions.

5.6 An outline example of a contingency plan is attached at 'Annex A' to this MSN.

6. Attendance of an MCA official where deemed necessary

6.1 This may involve a preliminary ship inspection and/or be followed by attendance throughout all transfer operations (although each aspect may be overseen by different officials). The MCA's attendance will be at the expense of the transfer operator and the relevant charging information can be found on the MCA's website.

7. Oil Response And Recovery Equipment

7.1 Adequate Oil Pollution response equipment shall be provided by the STS operator and forward located at immediate readiness to provide sufficient response resource to deal with an estimated worst case scenario 300t spill of Heavy Fuel Oil. Because many oils are not readily amenable to dispersants, resources, recovery systems and associated recovery vessels shall be capable of operating effectively when dealing with oils with the following properties:

- a kinematic viscosity greater than 1,500 centistokes at 15° Celsius; or

- a pour point greater than sea temperature at the time of transfer; or
- an asphaltene content greater than 0.5% by weight.

7.2 Any oil recovery vessel provided must have:-

- the capability to take oil recovered from the sea into its tanks;
- a system capable of recovering the transferred oil in seas up to 2 metres;
- enough boom to contain a spill until it can be recovered; and
- personnel trained to safely operate the oil recovery system and boom.

8. Navigational Warnings

8.1 Immediately before commencing an approved ship to ship transfer operation, a navigational warning should be broadcast on VHF in accordance with the procedures described in Section IV of Article S33 of the International Telecommunication Union (ITU) Radio Regulations. The warning should be preceded by the appropriate safety signal (SECURITE) and should be broadcast on VHF Channels 6, 8, 72 or 77 following an initial announcement on Channel 16. The VHF/DSC installation should also be used to transmit an "ALL SHIPS SAFETY ALERT" on VHF Channel 70, indicating the Channel to be used for the subsequent voice broadcast. The navigational warning should include:-

- the names of the ships involved;
- details of the area where manoeuvres will take place and the precise position of the transfer operation; and
- the estimated start and finish times.

8.2 Once the transfer is complete, a further advisory broadcast should be made, again following a short announcement on VHF Channel 16 and use of the DSC facility on VHF Channel 70. The message should not be preceded by the safety signal (SECURITE).

8.3 Due to the potentially increased vessel activity associated with ship to ship transfers, vessels operating in the vicinity of transfers and those involved in the transfers themselves should ensure that good watch keeping and navigational practices are followed at all times.

9. Some key safety issues to be considered during STS operations

9.1 It is essential during STS operations that account is taken of the need for clear, effective communication between those involved in the operation. When planning, consideration should be given to the use of appropriate, common language and special emphasis placed on the communication channels to be used and the roles of the persons involved when determining the composition and organisation of bridge teams.

9.2 When carrying out the unmooring operation and departure manoeuvre, care should be taken to ensure that it is properly planned and that all personnel are briefed correctly and understand their roles in the process.

9.3 It is essential the service provider takes steps to monitor the hours of work and rest of its superintendents. The responsibilities of the superintendent in an STS operation is wide ranging, time consuming and demanding and the risk of overload could be reduced by the provision of a second superintendent or an assistant.

10. Volatile Organic Compounds

10.1 The ship to ship transfer process can result in the release of volatile organic compounds (VOC's) associated with pungent odours.

10.2 When planning an STS operation operators should include consideration of emissions of VOCs, should seek to mitigate against such emissions and should consider the use of VOC recovery systems where available.

10.3 Best management practices regarding the emission of Volatile Organic Compounds (VOC) can be found in IMO Circular MEPC.1/Circ.680 Technical Information on Systems and Operation to Assist Development of VOC Management Plans.

11. Exemptions

11.1 Applications for exemptions to these arrangements may be considered on a case by case basis by the MCA. Guidance on exemptions is available within the regulations.

12. Regulation of STS operations in the UK Counter Pollution Control Zone (CPZ) – UK Implementation of Revised Annex I of MARPOL 73/78

12.1 A new Chapter 8 entitled “Prevention of Pollution During Transfer of Oil Cargo Between Oil Tankers at Sea” has been added to MARPOL Annex I. These new elements are brought into force in the UK through the Merchant Shipping (Ship to Ship Transfers) Regulations 2010 as amended.

12.2 These elements apply to oil tankers of 150 gross tons and above engaged in the transfer of oil cargo between oil tankers at sea.

12.3 Any UK flagged oil tanker involved in STS operations must carry a ship specific Plan prescribing how to conduct STS operations not later than the date of the first annual, intermediate or renewal survey of the ship carried out on or after 1 January 2011. Any foreign flagged vessel intending to carry out STS operations in UK waters must be compliant with this requirement.

12.4 Any oil tanker subject to these requirements which plans to conduct STS operations in the UK CPZ shall notify the UK not less than 48 hours in advance of the scheduled STS operations.

12.5 In relation to UK flagged tankers the Record of Construction and Equipment for Oil Tankers, Form B, new section 8A is amended as follows:

“8A Ship-to-Ship oil transfer operations at sea (regulation 41)

8A.1 The oil tanker is provided with an STS operations Plan in compliance with Regulation 41.”

12.6 Full details of the new chapter 8 of MARPOL Annex I can be found in IMO Resolution MEPC.186 (59)

12.7 Approval of a Ship Specific STS Operations Plan for a UK flagged vessel is fully delegated to Class.

13. Review

- 13.1 The 2010 Regulations (as amended) will be reviewed within five years of their entry into force to ensure that they continue to meet the needs of the environment and industry.
- 13.2 As a component of this review process the MCA will undertake an assessment of the existing industry guidance on the issue and may, if deemed appropriate, develop a national standard for STS operations. Any changes of this sort to the regime will be subject to full public consultation.

Annex A

EXAMPLE CONTINGENCY PLAN FOR STS OPERATIONS BETWEEN THE VESSELS

**REC VESSELS:
DISCHARGING VESSEL:**

Reference

DATE :

	Discharging vessel	Discharging vessel	Receiving vessel
Name			
Port of Registry			
Call Sign			
Operator			
LOA			
SDWT			
Draft			
Cargo			
Port of Origin			
Port of Destination			

PRODUCT TO BE TRANSFERRED:

A) VESSELS INVOLVED

B) PRODUCT TO BE TRANSFERRED

1. Quantity of product to be transferred.
2. Kinematic viscosity property of the oil (in centistokes).
3. Asphaltene content (expressed as % by weight).

C) AREA OF OPERATION

To be included

**The final position will be communicated to HM Coast Guard on VHF Channel 16.
Communications during operation will be conducted on VHF Channel 10.**

D) DURATION OF OPERATION

Entire operation should take approximately X days to complete.

E & F MANNING AND QUALIFICATIONS

Each vessel carries a full complement of officers and crew trained and certified for transfer Petroleum cargoes.

G) GENERAL SAFETY PRECAUTIONS

To include response equipment

H) COMMUNICATIONS

I) OPERATIONAL PRECAUTIONS

Prudent and customary safe practices will be followed, as provided in the ICS/OCIMF Ship to Ship Transfer Guide, Petroleum (Chapter 5), and the Company's Fleet Operations Manual.

J) MANOEUVERING, MOORING AND FENDERING ARRANGEMENTS

Prudent and customary safe practices will be followed, as provided in the ICS/OCIMF Ship to Ship Transfer Guide, Petroleum (Chapter 6), and the Company's Fleet Operations Manual.

K) PROCEDURES ALONGSIDE AND TRANSFER OPERATION

Prudent and customary safe practices will be followed, as provided in the ICS/OCIMF Ship to Ship Transfer Guide, Petroleum (Chapter 7), and the Company's Fleet Operations Manual.

L) UNMOORING ARRANGEMENTS

Prudent and customary safe practices will be followed, as provided in the ICS/OCIMF Ship to Ship Transfer Guide, Petroleum (Chapter 8), and the Company's Fleet Operations Manual.

M) EQUIPMENT

Appropriated equipment to conduct this operation will be provided byas outlined in the ICS/OCIMF Ship to Ship Transfer Guide, Petroleum (Chapter 9).

N) LIMITING WEATHER CRITERIA

This transfer will not commence or will be stopped should the local weather conditions exceed Beaufort Force 6, sea / swell heights in excess of 2m, and winds exceeding 27 knots, or at any time the Masters of both vessels deem it prudent to do so due to the local sea and weather conditions.

O) CONTINGENCY PLANS

- i) Deteriorating weather (See above)
- ii) Mooring rope failure
- iii) Pollution
- iv) Fire

P) OIL POLLUTION EMERGENCY PLAN

To be provided

More Information

Counter Pollution Branch
Maritime and Coastguard Agency
Bay 2/11
Spring Place
105 Commercial Road
Southampton
SO15 1EG

Tel : +44 (0) 23 8032 9100
Fax : +44 (0) 23 8032 9485
e-mail: csst@mcga.gov.uk

General Inquiries: infoline@mcga.gov.uk

MCA Website Address: www.dft.gov.uk/mca

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