



National
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Sulphur Consultation
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Maritime & Coastguard Agency Consultation

Consultation on the draft Merchant Shipping (Prevention of Air Pollution from Ships) and Motor Fuel (Composition and Content) (Amendment) Regulations 2014 implementing EU Directive 2012/33/EU on the sulphur content of marine fuel

Response from the Government Chemist

As UK Government Chemist, I am responsible under certain Acts of Parliament¹ for providing independent analytical measurement and expert opinion to help avoid or resolve the disputes over scientific data which arise from time to time between local authorities and the businesses that they regulate. My public remit also covers wider advice to UK government and other affected parties on the role of analytical measurement in effective policy, standards and regulations. My staff liaise with regulatory services involved in sampling, analysis and product testing linked to the investigation of alleged non-compliances. I am pleased to be able to respond to this consultation particularly as many of the aspects covered appear frequently as the subject of referee casework². I have looked at the consultation and can respond to those questions where there is an analytical measurement dimension.

I have looked at the changes proposed for the sulphur levels in marine fuels, and agree with your proposals. The sulphur levels proposed for European waters (0.1 % w/w) will present an analytical measurement challenge, but methods of analysis which have been developed for the measurement of lower sulphur levels in diesel fuels are available for laboratories testing marine fuels. These methods should be validated for use on marine fuels in order for the legislation to be fully enforceable.

Thank you for this opportunity to comment.

Yours sincerely

Derek Craston
The Government Chemist

¹ Boley, N. Government Chemist Legislation, Annual Statement of Statutory Scope, January 2014, available at <http://www.governmentchemist.org.uk/News.aspx?m=2&amid=1790>

² Michael J Walker and Kirstin Gray, 2013, *Quis custodiet* – a Review of the Resolution of Disputed Chemical Results in the UK Official Feed and Food Control System 2010 – 2011, *J Assoc Public Analysts* (Online) 2013, 41, 1-27