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OUR REF: (Annex1) in EP 150/NV/26 pt.3

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YOUR REF:
電話
TEL NO.: (852) 2594 6070

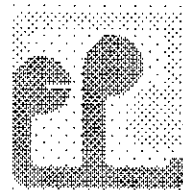
傳真
FAX NO.: (852) 2827 8040

電子郵件
E-MAIL: ogvfuelswitch@epd.gov.hk

網址:
HOMEPAGE: <http://www.epd.gov.hk>

Environmental Protection Department
Revenue Tower Office

33/F, Revenue Tower,
5 Gloucester Road,
Wan Chai, Hong Kong.



環境保護署
稅務大樓辦事處

香港
灣仔告士打道五號
稅務大樓二十三樓

12 March 2015

Dear Sir / Madam,

Air Pollution Control (Ocean Going Vessels) (Fuel at Berth) Regulation

We would like to inform you that the Air Pollution Control (Ocean Going Vessels) (Fuel at Berth) Regulation (the Regulation) will be gazetted this Friday (13 March 2013). It will be tabled to Legislative Council on 18 March 2015 and, if approved by the Council, will become effective on 1 July 2015.

2. The Regulation prohibits ocean going vessels (OGVs) from using non-compliant fuel while at berth. Its key provisions are as follows-

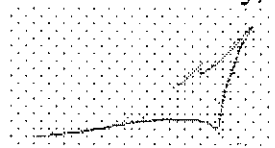
- (a) During the prohibition period (i.e. the period that an OGV is at berth excluding the first hour upon arrival and the last hour before departure), the OGV is prohibited from using any fuel other than compliant fuel for the operation of the main engines (except when used for propulsion of the OGVs), auxiliary engines, boilers or generators. Compliant fuel means any of the following:
 - (i) low sulphur marine fuel (sulphur content not exceeding 0.5% by weight);
 - (ii) liquefied natural gas; or
 - (iii) other fuels approved by the air pollution control authority ("the Authority", i.e. the Director of Environmental Protection) on the ground that its use can achieve SO₂ reduction at least as effectively as using low sulphur marine fuel.

The Regulation also contains defences to the offence for contravening this prohibition.

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- (b) The particulars about an OGV's arrival and departure and the fuel switch operations will need to be recorded in the log book of the OGV concerned.
 - (c) The relevant log book(s) and bunker delivery notes of the relevant OGV are required to be kept on board for 3 years and be made readily available for inspection by the Authority.
 - (d) The Authority may, by written notice, require the owner or the master of an OGV to submit copies of the documents referred to in (c) above.
3. The maximum penalty for contravention of the Regulation is a fine of \$200,000 and imprisonment for 6 months.
4. You can view the details of the Regulation in the webpage below.
[http://library.legco.gov.hk:1080/search~S10?/Xm:\(ocean+going+vessels\)&searchscope=10&b=lcdms&SORT=D/Xm:\(ocean+going+vessels\)&searchscope=10&b=lcdms&SORT=D&SUBKEY=m%3A\(ocean+going+vessels\)/1%2C404%2C404%2CB/frameset&FF=Xm%3A%28ocean+going+vessels%29&SORT=D&4%2C4%2C](http://library.legco.gov.hk:1080/search~S10?/Xm:(ocean+going+vessels)&searchscope=10&b=lcdms&SORT=D/Xm:(ocean+going+vessels)&searchscope=10&b=lcdms&SORT=D&SUBKEY=m%3A(ocean+going+vessels)/1%2C404%2C404%2CB/frameset&FF=Xm%3A%28ocean+going+vessels%29&SORT=D&4%2C4%2C)
5. Please feel free to contact me at 2594 6070 or my colleague Ms LUI at 2594 6223 if you have any enquiries.

Yours faithfully,



(MM YEUNG)

for Director of Environmental Protection