



SUB-COMMITTEE ON STANDARDS OF
TRAINING AND WATCHKEEPING
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Agenda item 11

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ANY OTHER BUSINESS

Applicability of IMO Conventions to FPSOs and FSUs

Submitted by the International Transport Workers' Federation (ITF)

SUMMARY

- Executive summary:** This document requests a clarification on the applicability of the STCW Convention to FPSOs and FSUs designed to be released from their moorings and operate under their own power
- Action to be taken:** Paragraph 14
- Related documents:** Resolutions MEPC.139 (53) and MEPC.142 (54); MEPC/Circ.406; MEPC 56/6/9, MEPC 56/WP.10; MSC 74/21/3, MSC 76/23; MSC 83/27/8 and MSC 83/28

Introduction

1 Since 2001 the Marine Environment Protection Committee has worked on amendments to MARPOL Annex I to exempt Floating Production, Storage and Offloading Facilities (FPSOs) and Floating Storage Units (FSUs) from many of the requirements of an oil tanker as defined in chapter I regulation 1.

2 In the annex to resolution MEPC.139 (53), adopted on 22 July 2005, in introducing the Guidelines issued as MEPC/Circ.406, the following was recorded:

- .1 MEPC at its forty-ninth session noted the complex issues involved in applying the MARPOL Annex I to FPSOs and FSUs, whose arrangements, functions and operations fall under the over-riding control of coastal States;
- .2 FPSOs and FSUs are a form of floating platform and do not lie within the definition of oil tanker in regulation 1.5 of revised MARPOL Annex I; and
- .3 the Committee noted that the environmental hazards associated with the quantities of produced oil stored on board operational FPSOs and FSUs are similar to some of the hazards related to oil tankers.

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3 At the 56th session of the Marine Environment Protection Committee, in reply to ICFTU document MEPC 56/6/9, it was confirmed that article 2 of the MARPOL Convention on the definition of a ship was applicable, for the purposes of the (MARPOL) Convention, to FPSOs and FSUs, (MEPC 56/WP.10, paragraph 6.50). This could be taken to mean that companies cannot just consider the vessel as a production platform and must fully take into consideration its operational requirements as a ship.

4 Following a paper by Australia MSC 74/21/3 proposing the development of international requirements for the design, construction, survey and operation of FPSOs and FSUs, the seventy-fourth session of the Maritime Safety Committee (MSC) forwarded the matter to the Sub-Committee on Bulk Liquid and Gases (BLG) for consideration. Based on advice from the Sub-Committee on Bulk Liquid and Gases, the seventy-sixth session of the Maritime Safety Committee decided in its report MSC 76/23, that 'for the time being' it was not necessary to apply mandatory IMO instruments to address safety related issues for FPSOs and FSUs as the existing safety regime was adequate.

5 The eighty-third session of the Maritime Safety Committee considered the proposal by ITF (MSC 83/27/8) that, in light of the decision of MEPC 56 confirming that article 2 of the MARPOL Convention (definition of a ship) was applicable for the purposes of the MARPOL Convention, to floating production, storage and offloading facilities (FPSOs) and floating storage units (FSUs), the Committee should reconsider the decision of MSC 76 that it was not necessary to apply mandatory IMO instruments to address safety-related issues for FPSOs and FSUs, as the existing safety regime was adequate.

6 While there was wide support for developing adequate safety criteria for FPSOs and FSUs, it was recognized that these criteria should not prejudice the rights of the coastal State. Accordingly, the Committee agreed to forward document MSC 83/27/8 (ITF) to FSI 16 and STW 39 for consideration and requested their advice to MSC 85 on the applicability of IMO conventions to FPSOs and FSUs, before establishing any new work programme items for the sub-committees.

Discussion

7 The status of the FPSOs and FSUs as a ship is particularly relevant where these vessels have the provision to disconnect their moorings in an emergency and in extreme weather conditions operate under its own power, possibly to transit in international waters.

8 It appears that in the views of some Administrations, whilst these vessels must be capable, and regularly required, to operate as a ship they are exempt from all the IMO safety conventions. This is particularly problematic where the interface between production and maritime requirements are not easily defined and maritime crew, without being part of the vessel management process, are expected to assume full responsibility with little notice.

9 Recent incidents have exposed the dangers that this lack of clarity and good operating practice permits and in one case it came close to allowing 12,000 tonnes of crude to pollute the shoreline. This particular vessel had been released five times in one year, had excessive hull growth due to the lack of docking and an engine that had been de-rated and unsuitable to deal with the prevailing weather conditions.

10 Increasingly operators give little consideration to the normal maritime minimum competency or operational requirements of crews that are integrated into the production process and have removed qualified marine crew from these vessels.

11 In a recent study, conducted by DNV and submitted by Brazil to the fifty-third Sub-Committee on Safety of Navigation NAV 53/INF. 2, they expressed concerns that, with the development of offshore oilfields, ever greater numbers of FSUs, FPSOs and other exploration vessels and increased density of traffic, the risk and probability of collisions and accidents are substantially increased.

12 This danger can only be exacerbated by a vessel released from its mooring, poorly prepared, inadequately manned and without the maintenance to ensure a safe passage clear of extreme weather conditions.

Summary

13 We are of the view that any FPSO or FSU, capable and required to operate as a ship, and defined as a ship under MARPOL article 2 should also be in compliance with the minimum requirements of the STCW Convention and at all times they should be able to show compliance with the relevant IMO Conventions.

14 It would seem only realistic that, where the master and crew are expected to take on the responsibilities of operating a vessel in what is usually a dangerous situation, they must at all times have primary input into the maintenance and operating requirements.

15 The provisions of the STCW Convention are no less relevant for these large vessels, full of oil and capable of operating under their own power in both national and international waters.

Action requested of the Sub-Committee

16 The Sub-Committee is invited to consider the above information and take action as appropriate.
