



MARITIME SAFETY COMMITTEE
85th session
Agenda item 10

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FLAG STATE IMPLEMENTATION

Applicability of IMO Conventions to FPSOs and FSUs

Submitted by Panama, IACS, IADC, ITF, OCIMF and OGP

SUMMARY

Executive summary:	This document provides comments on the views expressed at STW 39 and FSI 16 concerning the safety regime under IMO Conventions applicable to FPSOs and FSUs
Strategic direction:	2
High-level action:	2.1
Planned output:	2.1.1.5
Action to be taken:	Paragraph 15
Related documents:	Resolution A.891(21), MSC 83/28, STW 39/12, FSI 16/18, FSI 16/14/1, FSI 16/14/2, FSI 16/14/3, resolution MEPC.139(53) and MSC 76/23

Introduction

1 This document is submitted in accordance with paragraph 4.10.5 of the Guidelines on the organization and method of work of the Committees and their subsidiary bodies (MSC-MEPC.1/Circ.2) and comments upon the outcome of STW 39 and FSI 16 regarding the issue of the applicability of IMO Conventions to FPSOs and FSUs, as reported in MSC 85/8 and MSC 85/10, respectively.

Background

2 The Maritime Safety Committee requested, at paragraph 27.23 of MSC 83/28, the advice of the STW and FSI Sub-Committees on the applicability of IMO Conventions to FPSOs and FSUs, before considering the establishment of any new work programme item.

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3 At the sixteenth session of the FSI Sub-Committee, two principal views were expressed (paragraph 14.22 of FSI 16/18):

- .1 the majority of the delegations which spoke expressed the view that the existing safety regime for FPSOs and FSUs provided by IMO conventions and industry guidelines is adequate and, therefore, the fundamental requirements to both demonstrate the compelling need and take account of industry standards before a new work programme is agreed, according to the Guidelines on the organization and method of work of the MSC and the MEPC and their subsidiary bodies (MSC-MEPC.1/Circ.2), had clearly not been satisfied; and
- .2 those delegations which expressed concerns, mainly as coastal States, that the potential threat to the maritime safety and the marine environment would require that a technical review of the matter be conducted by the Organization with a view to developing guidelines for the application of safety requirements to FPSOs and FSUs.

4 FSI 16 also discussed the knowledge required by marine staff and operators to safely manage FPSOs and FSUs, which are readily disconnectable and capable of transiting under their own means of propulsion, and the interface needed between marine and production personnel on board to safely carry out such operations.

5 Paragraph 14.24 of FSI 16/18 invites “*those Member States supporting a technical review to develop guidelines for the application of safety requirements to FPSOs and FSUs to make proposals for new work programme items to MSC 85*”.

6 The STW Sub-Committee (paragraph 11.35 of STW 39/12) agreed that requirements of the STCW Convention applied to self-propelled and detachable FPSOs and FSUs when they were underway.

Discussion

7 Although it may appear that the invitation to make submissions to MSC 85 by the FSI Sub-Committee was directed to Member States in support of a new work programme, the co-sponsors of this document consider this submission to be appropriate and in line with the principle agreed at MSC 83 in that “*criteria should not prejudice the rights of the coastal State*” when considering the need to develop guidelines for the application of safety requirements to FPSOs and FSUs.

8 Notwithstanding the majority view at FSI 16, as reported in paragraph 3.1 above, and the principle in paragraph 6 above, the co-sponsors submit at annex to this document a succinct clarification regarding the application of the current safety regime for FPSOs/FSUs in light of the concern raised by some delegations as referred to in paragraph 3.2 above.

9 Additionally, the co-sponsors draw the Committee’s attention to two industry guidelines which may be found at www.ocimf.com/view_document.cfm?id=1132, and www.ogp.org.uk/pubs/377.pdf, respectively:

- .1 new “*Competence Assurance Guidelines for FPSOs*”, developed by OCIMF, with industry partners. These Guidelines recommend appropriate knowledge for marine staff and operators to safely operate FPSOs/FSUs; and
- .2 *Guideline for Managing Marine Risks Associated with FPSOs*, developed by OGP. Particular attention is drawn to page 52 of the Guidelines, “Maintenance Activities”, wherein it emphasizes that the maintenance regime to ensure the continued operation of safety critical elements, with particular emphasis on marine equipment, should be identifiable as a key part of the planned maintenance programme.

10 In presenting the above-mentioned information, the co-sponsors recognize that unlike MODUs, which are designed to be mobile, FPSOs/FSUs are designed to remain on location, except in the rare circumstances as noted in the annex.

11 The co-sponsors note that the conclusion of STW 39, as referred to in paragraph 6 above, is consistent with the international recommendations for training personnel to carry out maritime safety and maintenance on board disconnectable FPSOs/FSUs as contained in resolution A.891(21).

12 The co-sponsors recognize the value that certification has in demonstrating the implementation of socially and environmentlly responsible management system. Therefore, the application of SOLAS chapter IX and the ISM Code to self-propelled and readily disconnectable FPSOs and FSUs is recommended, whether or not they engage in “international voyages”, to establish an effective safety management system and integration of the marine staff.

Viewpoint of the co-sponsors

13 In light of:

- .1 the view of STW 39, as referred to in paragraph 6 above;
- .2 the industry guidelines referenced in paragraph 9 above;
- .3 the provisions in A.891(21) referred to in paragraph 11 above;
- .4 the provisions in SOLAS chapter IX and the ISM Code, referred to in paragraph 12 above;
- .5 the principle agreed at MSC 83 that criteria should not prejudice the rights of the coastal State; and
- .6 the lack of evidence of a compelling need in accordance with the Guidelines on the organization and method of work of the MSC and the MEPC and their subsidiary bodies (MSC-MEPC.1/Circ.2),

the co-sponsors are of the view that there is no need for a new work programme to develop guidelines for the application of safety requirements to FPSOs and FSUs during their normal operation on location.

14 However, to address the views of some delegations, as noted in paragraphs 3.2 and 4 above, the co-sponsors consider that an MSC circular based on the information provided in the annex, with appropriate references to the guidance and recommendations as noted in paragraphs 9, 11 and 12 above, would provide useful information.

Action requested of the Committee

15 The Committee is invited to consider the above, agree to the opinions expressed in paragraph 13 above, and also consider the benefit of issuing an MSC circular as noted in paragraph 14, above, and take action as appropriate.

ANNEX

CLARIFICATION OF THE SAFETY REGIME FOR FPSOs/FSUs

General

1 In reviewing the current safety regime for FPSOs/FSUs, it is essential to recognize the sovereign rights that the coastal State has over:

- .1 *non-disconnectable* FPSOs/FSUs which are designed to be permanently moored in the jurisdictional waters of the coastal State and have no mechanical means to transit under their own propulsion; and
- .2 *disconnectable and self-propelled* FPSOs/FSUs while operating on location.

Operations on location

2 For both of the above scenarios, SOLAS, STCW and the Load Line Conventions do not apply as the FPSO/FSU is neither underway nor engaged on an international voyage. However, the Annexes of MARPOL 73/78 apply in light of the definition of a ship in article 2(4) of MARPOL 73/78, which includes floating platforms such as FPSOs/FSUs, and the general applicability of the Convention to ships not engaged in international voyages. MARPOL Annex I should be applied to the extent recommended by resolutions MEPC.139(53) and MEPC.142(54).

3 To ensure that *disconnectable and self-propelled* FPSOs/FSUs can be readily and efficiently disconnected in the event of severe environmental conditions, it is however recommended that *disconnectable and self-propelled* FPSOs/FSUs should possess a level of safety equivalent to that afforded by the SOLAS and Load Line Conventions. In instances where hardware and arrangements of marine-related systems are impacted by production systems, arrangements which may be more properly addressed by other standards (e.g., based on the MODU Code) may be accepted by the flag State with the concurrence of the coastal State.

4 An approved safety management system, including a maintenance programme particularly for essential marine systems and equipment, should remain effective at all times^[1, 4]. The competency of onboard personnel, both marine and production, should also be maintained to an adequate level^[2, 3, 5].

Operations off location

5 Depending on the mooring and riser capabilities relative to the selected design environmental conditions at the location under question, it may be necessary for the self-propelled FPSO/FSU to disconnect and move off location to avoid environmental conditions/loads which exceed the capabilities/limits of the FPSO/FSU while on location. Additionally, FPSOs/FSUs may need to be taken off location for drydocking, repair or maintenance work.

6 When it is necessary to disconnect and transit under its own propulsion, the FPSO/FSU, if flying the flag of a State other than the coastal State in whose waters the FPSO is transiting, is undertaking an international voyage and would therefore be subject to the SOLAS (including ISM), STCW, and Load Line Conventions, in addition to MARPOL.

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- [1] – *Guideline for Managing Marine Risks Associated with FPSOs*, OGP
[2] – *Recommendations on Training of Personnel on Mobile Offshore Units*, A.891(21)
[3] – “*Competence Assurance Guidelines for FPSOs*”, OCIMF
[4] – ISM Code, SOLAS chapter IX
[5] – STCW Convention and Code