

Submitting a Fuel Oil Non-Availability Report (FONAR)



Best efforts should be made to obtain compliant fuel – this includes investigating alternative sources of fuel oil (at any cost) prior to commencing the voyage.

If there is no 0.50% max very-low-sulphur fuel oil (VLSFO) available, but there is 0.10% max ultra-low-sulphur fuel oil (ULSFO) available, then you will be obliged to bunker the ULSFO.

If you cannot procure compliant fuel, the FONAR system allows you to provide evidence of your efforts to comply with MARPOL Annex VI.

The FONAR must be sent as soon as it is determined that the ship/operator will be unable to get compliant fuel oil.

Preferably, the FONAR should be sent before the ship leaves the port/terminal where compliant fuel cannot be obtained.

Submit it to the vessel's Flag State and the port State administration of the destination port.

A FONAR does not provide a waiver or exemption – the vessel will still be non-compliant.

It is just one of the documents considered by authorities when considering whether to take enforcement action – it will need to be supported by evidence or it will not be considered:

- Describe the actions taken to achieve compliance prior to entering the waters of the destination country (and Emission Control Area, if applicable)
- Describe why compliant fuel was not available
- Provide details of the bunker suppliers you contacted when trying to procure compliant fuel (in case of vessels on time charter, this will probably need to be provided by Time Charterers)
- If there was compliant fuel available at the last port, but you had safety or operational concerns or constraints on its use, provide a detailed explanation as to why you decided against bunkering
- If there were any operational constraints that prevented the use of compliant fuel oil available at the port, explain what will be done to resolve these issues and allow future use of compliant fuel
- Provide a plan of how you will obtain compliant fuel and prove that you have explored availability at the next port.

The FONAR should only be used when absolutely necessary! It is likely that authorities will consider how many FONARs have been submitted when considering whether to take enforcement action

A copy of the FONAR must be kept on board for at least 36 months.

IMO Resolution MEPC.320(74) includes a FONAR template. Download it here: www.imo.org/en/OurWork/Environment/PollutionPrevention/Documents/Resolution%20MEPC.320%2874%29.pdf