

ship enters the NO<sub>x</sub> Tier III emission control area(s) or when it is degassed in the NO<sub>x</sub> Tier III emission control area(s) and proceeds directly to the shipyard or other repair facility, and ending at the time when the ship is released from the shipyard or other repair facility and directly exits the NO<sub>x</sub> Tier III emission control area(s) or proceeds directly to the nearest gas fuel bunkering facility appropriate to the ship located in the NO<sub>x</sub> Tier III emission control area(s).

### **Emission control area**

**6** For the purpose of this regulation, a NO<sub>x</sub> Tier III emission control area shall be any sea area, including any port area, designated by the Organization in accordance with the criteria and procedures set forth in appendix III to this Annex. The NO<sub>x</sub> Tier III emission control areas are:

- .1** the North American Emission Control Area, which means the area described by the coordinates provided in appendix VII to this Annex;
- .2** the United States Caribbean Sea Emission Control Area, which means the area described by the coordinates provided in appendix VII to this Annex;
- .3** the Baltic Sea Emission Control Area as defined in regulation 1.11.2 of Annex I; and
- .4** the North Sea Emission Control Area as defined in regulation 1.14.6 of Annex V.

### **Marine diesel engines installed on a ship constructed prior to 1 January 2000**

**7.1** Notwithstanding paragraph 1.1.1 of this regulation, a marine diesel engine with a power output of more than 5,000 kW and a per cylinder displacement at or above 90 litres installed on a ship constructed on or after 1 January 1990 but prior to 1 January 2000 shall comply with the emission limits set forth in paragraph 7.4 of this regulation, provided that an approved method<sup>4</sup> for that engine has been certified by an Administration of a Party and notification of such certification has been submitted to the Organization by the certifying Administration. Compliance with this paragraph shall be demonstrated through one of the following:

- .1** installation of the certified approved method, as confirmed by a survey using the verification procedure specified in the approved method file, including appropriate notation on the ship's International Air Pollution Prevention Certificate of the presence of the approved method; or
- .2** certification of the engine confirming that it operates within the limits set forth in paragraph 3, 4, or 5.1.1 of this regulation and an appropriate notation of the engine certification on the ship's International Air Pollution Prevention Certificate.

**7.2** Paragraph 7.1 of this regulation shall apply no later than the first renewal survey that occurs 12 months or more after deposit of the notification in paragraph 7.1. If a shipowner of a ship on which an approved method is to be installed can demonstrate to the satisfaction of the Administration that the approved method was not commercially available despite best