



California Air Resources Board
Marine Notice 2009-4



June 25, 2009

Advisory to Owners or Operators of Ocean-Going Vessels Visiting California Ports

Regulation on Fuel Sulfur and Other Operational Requirements for Ocean-Going Vessels within California Waters and 24 Nautical Miles of the California Baseline

The purpose of this Marine Notice is to advise owners and operators of ocean-going vessels of the recordkeeping requirements in subsection (e)(2), "Recordkeeping, Reporting, and Monitoring Requirements" in California's regulation establishing fuel sulfur requirements for ocean-going vessels ("regulation"). This regulation imposes fuel sulfur limits on vessels in Regulated California Waters (a zone approximately 24 nautical miles seaward of the California baseline; see Attachment A), or moor, dock, or otherwise visit a California port, roadstead, or terminal facility ("port"). The requirements in this regulation become legally effective on June 28, 2009 with vessel compliance with new requirements beginning on July 1, 2009. The entire regulatory language can be found in 13 CCR §2299.2, and 17 CCR §93118.2. It can also be found at ARB's website at <http://www.arb.ca.gov/regact/2008/fuelogv08/fuelogv08.htm>.

The fuel requirements in the proposed regulation are summarized in Table 1 below. These fuel requirements apply to ocean-going vessel main (propulsion) diesel engines, auxiliary diesel engines, and auxiliary boilers when operating within the 24 nautical mile regulatory zone off the California Coastline.

Table 1: Fuel Requirements for Ocean-going Vessel Main (Propulsion) Diesel Engines, Auxiliary Diesel Engines, and Auxiliary Boilers

Fuel Requirement	Effective Date	Fuel
Phase I	July 1, 2009*	Marine gas oil (DMA) at or below 1.5% sulfur; or Marine diesel oil (DMB) at or below 0.5% sulfur
Phase II	January 1, 2012	Marine gas oil (DMA) or Marine diesel oil (DMB) at or below 0.1% sulfur

*All initial effective dates have been administratively aligned to begin July 1, 2009.

This Marine Notice contains excerpts from 13 CCR §2299.2(e) and 17 CCR §93118.2(e). They are condensed versions of the recordkeeping requirements and do not in any way modify the requirements of the regulation. You are advised to refer to the entire regulation in 13 CCR §2299.2 and 17 CCR §93118.2 for the exact regulatory language.

The recordkeeping requirements under section (e)(2)(A)(1) through (e)(2)(A)(5) require that beginning upon the effective date of the regulation, any person subject to the regulation shall retain and maintain records in English that contain the following information for at least three years following the date when the records were made:

- (1) The date, local time, and position (longitude and latitude) of the vessel for each entry into Regulated California Waters from waters outside Regulated California Waters, and each departure from Regulated California Waters to waters outside Regulated California Waters;
- (2) The date, local time, and position (longitude and latitude) of the vessel at the initiation and completion of any fuel switching procedures used to comply with subsection (e)(1) prior to entry into any of the Regulated California Waters from waters outside Regulated California Waters;
- (3) The date, local time, and position (longitude and latitude) of the vessel at the initiation and completion of any fuel switching procedures within Regulated California Waters; completion of fuel switching procedures occurs the moment all engines subject to this section have completely transitioned from operation on one fuel to another fuel;
- (4) The type of fuel used (e.g., marine gas oil, marine diesel oil or heavy fuel oil) in each auxiliary engine, main engine, and auxiliary boiler operated in Regulated California Waters; and
- (5) The types, amounts, and the actual percent by weight sulfur content of all fuels purchased for use on the vessel, as reported by the fuel supplier or a fuel testing firm.

Under the regulation, these records (as well as other information necessary to determine compliance with the regulation) must be provided within 24 hours of a request by the Executive Officer (or a later date approved by the Executive Officer).

For your convenience, we are providing you with the attached form OGV-3A that can be used to fulfill the requirements of subsections (e)(2)(A) (1 through 4). In general, we believe ship operators already keep fuel purchase records that will satisfy the requirements of subsection (e)(2)(A)(5), so we are not providing a form for this information. However, this information must also be provided if requested.

You are **not** required to use the attached form to notify ARB; you can use your own form and format, provided you maintain all the information required by the regulation. Regardless of how the information is maintained, you will be subject to substantial penalties under State law if you do not keep the required records or provide them as specified in the regulation.

In addition to the information specified in (e)(2)(A), the regulation also requires in (e)(2)(B) that you retain and maintain records in English onboard ship that contain the following information for auxiliary engines, main engines and auxiliary boilers:

1. A fuel system diagram that shows all storage, service, and mixing tanks, fuel handling, pumping, and processing equipment, valves, and associated piping. The diagram or other documentation shall list the fuel tank capacities and locations, and the nominal fuel consumption rate of the machinery at rated power;

2. Description of the fuel switch over procedure with detailed instructions and clear identification of responsibilities; and
3. The make, model, rated power, and serial numbers of all main engines, and auxiliary engines and make, model, rated output, and serial numbers of all auxiliary boilers subject to subsection (e)(1).

Due to the unique characteristics of each vessel's operating parameters and crew procedures we are not providing a form for this information. However, this information must also be provided if requested.

Attachment A

Regulated California Waters

“Regulated California Waters” means all of the following:

- (A) all California internal waters;
- (B) all California estuarine waters;
- (C) all California ports, roadsteads, and terminal facilities (collectively “ports”)
- (D) all waters within 3 nautical miles of the California baseline, starting at the California-Oregon border and ending at the California-Mexico border at the Pacific Ocean, inclusive;
- (E) all waters within 12 nautical miles of the California baseline, starting at the California-Oregon border and ending at the California-Mexico border at the Pacific Ocean, inclusive;
- (F) all waters within 24 nautical miles of the California baseline, starting at the California-Oregon border to 34.43 degrees North, 121.12 degrees West, inclusive; and
- (G) all waters within the area, not including any islands, between the California baseline and a line starting at 34.43 degrees North, 121.12 degrees West; thence to 33.50 degrees North, 118.58 degrees West; thence to 32.65 degrees North, 117.81 degrees West; and ending at the California-Mexico border at the Pacific Ocean, inclusive.

“Regulated California Waters” is shown on the map below as indicated (note: chart is not to scale).



Recordkeeping Form—Fuel Switching Summary Form OGV-3A

Vessel Name & IMO #: _____
 Voyage: _____
 Port/s Visited: _____
 Port Call Date/s: _____

Fuel Switching Summary for Regulated California Waters

				Main Engine Number/s ₂ :			
Ship Operation	Date (mo/day/yr)	Local Time (Pacific)	Location (Long & Lat)	Fuel #1 Type	Fuel #1 % Sulfur	Fuel #2 Type	Fuel #2 % Sulfur
Begin Fuel Switch (Should be prior to Entry to RCW ₁)							
Complete Fuel Switch (Should be prior to Entry to RCW ₁)							
Entry to RCW ₁							
Leave RCW ₁							

Notes:

1. RCW means Regulated California Waters as defined in the Ocean-Going Vessel Fuel Regulation. This is approximately 24 nm offshore of the California coastline (baseline).
2. For the main engine/s list the type of marine fuel (e.g. IFO 380, IFO 180, MDO(DMB), MGO(DMA) and percent by weight sulfur. Fuel #1 is the fuel that is being switched from, while fuel #2 is the fuel switched to. Add columns if different fuels apply to different main engines.

Recordkeeping Form—Fuel Switching Summary Form OGV-3A

Vessel Name & IMO #: _____
 Voyage: _____
 Port/s Visited: _____
 Port Call Date/s: _____

Fuel Switching Summary for Regulated California Waters

				Auxiliary Engine Number/s ₂ :			
Ship Operation	Date (mo/day/yr)	Local Time (Pacific)	Location (Long & Lat)	Fuel #1 Type	Fuel #1 % Sulfur	Fuel #2 Type	Fuel #2 % Sulfur
Begin Fuel Switch (Should be prior to Entry to RCW ₁)							
Complete Fuel Switch (Should be prior to Entry to RCW ₁)							
Entry to RCW ₁							
Leave RCW ₁							

Notes:

1. RCW means Regulated California Waters as defined in the Ocean-Going Vessel Fuel Regulation. This is approximately 24 nm offshore of the California coastline (baseline).
2. For the auxiliary engine/s list the type of marine fuel (e.g. IFO 380, IFO 180, MDO(DMB), MGO(DMA) and percent by weight sulfur. Fuel #1 is the fuel that is being switched from, while fuel #2 is the fuel switched to. Add columns if different fuels apply to different auxiliary engines.

Recordkeeping Form—Fuel Switching Summary Form OGV-3A

Vessel Name & IMO #: _____
 Voyage: _____
 Port/s Visited: _____
 Port Call Date/s: _____

Fuel Switching Summary for Regulated California Waters

				Boiler Number/s ₂ :			
Ship Operation	Date (mo/day/yr)	Local Time (Pacific)	Location (Long & Lat)	Fuel #1 Type	Fuel #1 % Sulfur	Fuel #2 Type	Fuel #2 % Sulfur
Begin Fuel Switch (Should be prior to Entry to RCW ₁)							
Complete Fuel Switch (Should be prior to Entry to RCW ₁)							
Entry to RCW ₁							
Leave RCW ₁							

Notes:

1. RCW means Regulated California Waters as defined in the Ocean-Going Vessel Fuel Regulation. This is approximately 24 nm offshore of the California coastline (baseline).
2. For boiler/s list the type of marine fuel (e.g. IFO 380, IFO 180, MDO(DMB), MGO(DMA) and percent by weight sulfur. Fuel #1 is the fuel that is being switched from, while fuel #2 is the fuel switched to. Add columns if different fuels apply to different boilers.