



California Air Resources Board
Marine Notice 2013-1



November 21, 2013

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

Upcoming January 1, 2014 Requirements in the Regulation for Fuel Sulfur and Other Operational Requirements for Ocean-Going Vessels within California Waters and 24 Nautical Miles of the California Baseline (California OGV Fuel Regulation)

The California OGV Fuel Regulation, which has been enforced since July 2009, provides significant air quality benefits by requiring ships to use cleaner, low sulfur marine distillate fuel. The purpose of this advisory is to notify owners and operators of upcoming changes in the fuel sulfur requirements beginning January 1, 2014, and to remind operators that they must comply with both the California OGV Fuel Regulation and the North American Emission Control Area (ECA) requirements. There are also 2014 requirements for some vessels under California's At-Berth Regulation. More information on this regulation can be found here:

<http://www.arb.ca.gov/ports/shorepower/shorepower.htm>

What are the upcoming changes in the maximum allowable fuel sulfur content requirements under the California OGV Fuel Regulation?

Beginning January 1, 2014 the maximum fuel sulfur (S) limit for both marine gas oil (DMA) and marine diesel oil (DMB) will be 0.1% S. These Phase II requirements (shown in Table 1) will be enforced within the California OGV regulatory zone, which is 24 nm off the coast of California, including islands, as shown in Figure 1.

Table 1: Fuel Requirements for Ocean-Going Vessels

Fuel Requirement	Effective Date	ARB's California OGV Fuel Requirement Percent Sulfur Content Limit
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
	August 1, 2012	Marine gas oil (DMA) at or below 1.0% sulfur; or Marine diesel oil (DMB) at or below 0.5% sulfur
Phase II	January 1, 2014	Both marine gas oil (DMA) and marine diesel oil (DMB) at or below 0.1% sulfur

Do ships visiting California ports have to comply with *both* the California OGV Fuel Regulation and the ECA?

Yes. Vessels must meet both the requirements of the California OGV Fuel Regulation and the ECA. Information on the ECA can be found at:

<http://www.epa.gov/otaq/oceanvessels.htm#north-american>

What if I cannot find fuel that meets the 0.1% Sulfur Limit?

The California OGV Fuel Regulation contains a Noncompliance Fee Provision designed to accommodate vessel operators unable to find compliant fuel. Using this provision, vessel operators can pay a fee in lieu of direct compliance with the fuel standards. In addition, a vessel operator can use this provision without paying a fee once per vessel in 2014 if they are unable to source 0.1% sulfur fuel. To avoid paying the fee, a vessel operator must make a good faith effort to acquire compliant fuel, use marine distillate fuel that meets the Phase I requirements that began on August 1, 2012 (shown above) on the inbound voyage, and purchase and use compliant Phase II fuel for the remainder of the voyage in the California OGV regulatory zone. Vessel operators must also comply with the other provisions of the Noncompliance Fee Provision. For more information on this provision, please see Advisory 2011-3 here:

<http://www.arb.ca.gov/ports/marinevess/ogv/ogvadvisories.htm>

How can I get more information?

This advisory is only a summary of the requirements and does not contain all the information that may be needed to comply with the regulation. The regulation can be found at: <http://www.arb.ca.gov/regact/2011/ogv11/ogv11.htm>

Information on California's OGV Fuel Regulation can be found at:

<http://www.arb.ca.gov/ports/marinevess/ogv.htm>

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Figure 1. California's Ocean Going Vessel Regulatory Zone.