



Advisory

CRUISE SHIP INSPECTIONS

Number 334

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LEGISLATION ON CRUISE SHIP INCINERATION

In 2004 the Legislature passed and the governor signed AB 471 prohibiting cruise ships from using their incinerators within 3 miles of the California coast. The new law went into effect on January 1, 2005. Please note that it has not been standard practice for cruise ships to burn their refuse while "hoteling" in port, however, what is new is that the Air Resources Board (ARB) staff confirm and document compliance during this period.

Each of the four air districts visited by cruise ships (Bay Area, Monterey, South Coast, and San Diego) currently conduct visible emission inspections and enforce a 20 percent opacity limit on vessels. Unfortunately, the incinerator emissions are indistinguishable from the diesel-electric propulsion generator emissions since they all typically exhaust from the same funnel. The only way to satisfy AB 471 would be to board the vessel and confirm that the incinerator is not in use. While inspector credentials were normally sufficient to board in previous years, the September 11, 2001, terrorist attacks necessitated increased ship security. Now full identification and clearance by social security number a week in advance of any boarding is required. As such, we are asking the four districts to designate boarding inspectors who will occasionally board and confirm inactivity of the vessel's incinerator. In addition, we request you notify the cruise ship Port Authorities under your jurisdiction of the new law and advise them to report any violations to your air district's port inspectors and the ARB staff. At the present we have no plans to board ships that are under way, however we will be contacting the US Coast Guard at each port and will be advising them of the new law.

We anticipate that the occasional boarding by district and ARB staff during normal port inspections will result in at least annual confirmation of compliance with AB 471 for each ship visiting California. As this legislation includes no requirements to report to the legislature, no formal data collection will be required on your part beyond contacting ARB Enforcement Division staff with the inspection results. Of course, if a violation is observed, a Notice of Violation should be issued. ARB staff is currently developing a Cruise Ship Inspection Form and will be sending it out for your review, along with the latest in boarding procedures and the 2005 cruise ship port schedule. We will also be coordinating our activities with the cruise ship operators so they are fully aware of our intentions.

For questions about this matter, or for a copy of the regulation, please contact Terone Preston 916-323-0255. You may also view this advisory and all other Enforcement Advisories at <http://www.arb.ca.gov/enf/advs/advs.htm>.

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