

March 11, 2009

Clerk of the Board
Air Resources Board
1001 "I" Street, 23rd Floor
Sacramento
California 95814

Dear Sirs,

**Regulations on fuel sulfur content and other operational requirements for ocean going vessels within California waters and 24 nautical miles of the California base line.
California Code of Regulations Title 13, Section 2299.2**

Further to our clarifying email correspondence dated February 25 2009 with Mr. Paul Milkey we feel compelled to express on behalf of our tanker members, their operational and safety concerns related to the requirement to burn marine diesel oil or marine gas oil in auxiliary boilers effective July 1 2009.

Whilst auxiliary engine and main engines modifications are understood and uncomplicated, the question of *auxiliary boiler essential modifications* is rather more complex in large tankers.

Our members are in communication with auxiliary boiler specialists, however, as yet no engineering specification of modifications has been concluded.

Marine diesel and gas oil operations for auxiliary boilers is a significant safety issue most especially with respect to the potential for furnace explosions. As you may be aware, even while using fuel oil, a number of instances of ignition and boiler explosions have been recorded, the risk of same increasing quite alarmingly if this category of vessel is legislated to use marine diesel or gas oil ahead of *technical design solutions and essential modification*.

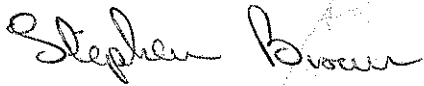
As conveyed by Mr. Milkey, we are appreciative that an exemption from the regulation is possible under subsection (g) for vessel operators based on the need for "*essential modifications*" as defined in the regulation. It is understood that this would apply only to the auxiliary boiler requiring modifications and that an "Essential Modification Report" would need to be submitted to ARB at least 45 days prior to a vessel's first reliance on this subsection. We further understand that there may be rule changes to provide flexibility in the notification requirements under subsection (g)(2) for cases where a vessel will be visiting California less than 45 days after the effective date of the regulation.

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Unfortunately, practical operating conditions will often render a lead time of 45 days prior to a California port call difficult, if not impossible to predict. We would therefore suggest that a more reasonable notice period of 15 days could be regulated for first and subsequent calls to allow submission of the "Essential Modification Report" without compromising the objectives of this provision.

We ask your serious consideration to this question since CARB obviously shares our concern not to compromise any safety aspect related to the safe operation of tanker auxiliary boilers ahead of successfully implemented, tried, tested and certified modifications.

Yours sincerely,
Chamber of Shipping of British Columbia

A handwritten signature in cursive script, reading "Stephen Brown".

Capt. Stephen Brown
President

cc: Mr. J. Angelo, INTERTANKO