

California Environmental Protection Agency
Air Resources Board

Marine Notice 2006-3 (12/2006)

Recordkeeping Requirements and Suggested Forms Ocean-Going Vessel Auxiliary Diesel Engine Regulation

For the purposes of this Notice, “**YOU**” means the vessel master, owner, operator, or any other person that charters, rents, or leases any ocean-going vessel that visits California ports. “**NONCOMPLIANCE**” means your vessel does not meet the emission limits in the regulation, or is not operating under a pre-approved Alternative Control of Emissions Plan.

Authority

California Health and Safety Code, sections 43013, 43018, and 39666; title 13, California Code of Regulations (CCR), section 2299.1 and title 17, CCR, section 93118.

Purpose

The purpose of this Marine Notice is to advise you of the recordkeeping requirements in subsection (e)(2)(A), “Recordkeeping,” in California’s regulation on ship diesel auxiliary engines and diesel-electric engines (“regulation”). This regulation imposes air emission limits on you when you operate 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 will become effective on January 1, 2007, and can be found in 13 CCR §2299.1, and 17 CCR §93118. It can also be found at ARB’s website at <http://www.arb.ca.gov/regact/marine2005/marine2005.htm>.

The regulation limits emission rates of diesel particulate matter (PM), oxides of nitrogen (NO_x), and oxides of sulfur (SO_x) from auxiliary diesel engines and diesel-electric engines on ocean-going vessels to levels equivalent to using the following fuels:

Beginning January 1, 2007: (1) marine gas oil (MGO); or
(2) marine diesel oil (MDO) with a sulfur content of no more than 0.5% by weight.

This Marine Notice contains excerpts from and adaptations of 13 CCR §2299.1(e) and 17 CCR §93118(e). They are simplified and 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 §2299.1 and 17 CCR §93118 for the exact regulatory language.

The recordkeeping requirements under section (e)(2)(A)(1.) through (e)(2)(A)(5.) require that beginning January 1, 2007, 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 and departure from any of the Regulated California Waters, excluding any voyages exempted from the requirements of this section under subsection (c)(1);
- (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;
- (3) The date, local time, and position (longitude and latitude) of the vessel at the initiation and completion of any fuel switching procedures within any of the 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 each fuel used (e.g. marine gas oil) in each auxiliary engine operated in any of the 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 forms OGV-3A and OGV-3B 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 forms 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.

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 32.48 degrees North, 117.67 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

Ship Operation	Date (mo/day/yr)	Local Time (Pacific)	Location (Long & Lat)	Auxiliary Engine Number/s ₂ :			
				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)				Same as row above	Same as row above	Same as row above	Same as row above
Entry to RCW ₁							
Begin Fuel Switch within RCW ₁ (if applicable) ₃							
Complete Fuel Switch in RCW ₁ (if applicable) ₃				Same as row above	Same as row above	Same as row above	Same as row above
Leave RCW ₁							

Notes:

1. RCW means Regulated California Waters as defined in the Ship Auxiliary Engine Regulations. 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.
3. May not apply to most ship port visits

Recordkeeping Form—Fuel Use Summary Form OGV-3B

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

Fuel Use Summary for Regulated California Waters

Auxiliary Engine I.D. Number	Fuel Type Used During Voyage ¹ (e.g. MGO, MDO, etc.)	Sulfur Content (% by wt.)

Notes:

1. List all fuels used in the auxiliary engines (or diesel-electric engines) in Regulated California Waters during the voyage, whether fuels listed in Form OGV-3A (i.e. associated with fuel switches) or not.