

State of California
Air Resources Board

Executive Order G-09-055

Relating to Essential Modifications Exemption under California Code of Regulations,
title 13, section 2299.2(g) and title 17, section 93118.2(g)

Dynacom Tankers Management Limited

WHEREAS, pursuant to sections 39600, 39601, 41510, 41511, 43013, and 43018 of the Health and Safety Code, the California Air Resources Board (ARB) has established requirements for ocean-going vessels (OGV) to use marine gas oil (DMX or DMA grades) or marine diesel oil (DMB grades) at specified sulfur limits in the main engine, auxiliary engines, and auxiliary boilers within a 24 nautical mile zone of the California Coastline; these requirements are found at California Code of Regulations (CCR), title 13, section 2299.2 and title 17, section 93118.2 (OGV Fuel Regulation);

WHEREAS, subdivision (g) of the OGV Fuel Regulation authorizes the Executive Officer to provide an exemption in whole or part from using the specified fuels provided that a person submits an Essential Modification Report that: (1) includes information demonstrating it is not feasible to use the specified fuels unless essential modifications to the OGV are made; and (2) identifies the maximum extent with respect to trip distance or regulated equipment type to which the vessel can use the fuels without essential modifications where feasible and safe for each of the auxiliary engines, main engines, and auxiliary boilers;

WHEREAS, Dynacom Tankers Management Limited submitted Essential Modification Reports on July 17, 2009, and July 27, 2009, requesting essential modification exemptions for the vessels shown in Table 1. The July 17, 2009 submittal covered Group 1 and 2 vessels as listed in Table 1. The July 27, 2009 submittal covered Group 3, 4, and 5 vessels in Table 1. The vessels in each group are essentially identical sister ships with the same type main engine, auxiliary engine, and auxiliary boiler;

Table 1: Vessel Equipment Recommended for Exemption

Owner	Ship Group	Ship Name	IMO #	Auxiliary Boiler Make/Model*	Quantity
Dynacom	Group 1	M/T South Sea	9286657	MHI MAC 30B	2
Dynacom	Group 1	M/T Navigator	9296377	MHI MAC 30B	2
Dynacom	Group 1	M/T Equator	9296389	MHI MAC 30B	2
Dynacom	Group 1	M/T Gladiator	9378864	MHI MAC 30B	2
Dynacom	Group 1	M/T Samurai	9378876	MHI MAC 30B	2
Dynacom	Group 2	M/T Ice Explorer	9296391	MHI MAC 30B	2
Dynacom	Group 2	M/T Ice Transporter	9296406	MHI MAC 30B	2
Dynacom	Group 2	M/T Ice Traveller	9296418	MHI MAC 30B	2
Dynacom	Group 3	M/T Joelmare	9288019	MHI MAC 35B	1
Dynacom	Group 3	M/T Felicity	2927436	MHI MAC 35B	1
Dynacom	Group 3	M/T Fidelity	9297448	MHI MAC 35B	1
Dynacom	Group 3	M/T Sanko Commander	9280354	MHI MAC 35B	1
Dynacom	Group 3	M/T Sanko Confidence	9280366	MHI MAC 35B	1
Dynacom	Group 3	M/T Ice Energy	9301732	MHI MAC 35B	1
Dynacom	Group 3	M/T Ice Victory	9301744	MHI MAC 35B	1
Dynacom	Group 3	M/T Ice Fighter	9333656	MHI MAC 35B	1
Dynacom	Group 4	M/T Margarita	9426594	Mission OL 20000	2
Dynacom	Group 4	M/T Athina	9389564	Mission OL 20000	2
Dynacom	Group 4	M/T Kerala	9390927	Mission OL 20000	2
Dynacom	Group 4	M/T Sovereign	9390939	Mission OL 20000	2
Dynacom	Group 4	M/T Leader	9403542	Mission OL 20000	2
Dynacom	Group 4	M/T Serengeti	9403554	Mission OL 20000	2
Dynacom	Group 5	M/T Constantinos	9406910	Mission OL 20000	2
Dynacom	Group 5	M/T Maistros	9407847	Mission OL 20000	2
Dynacom	Group 5	M/T Scirocco	9407835	Mission OL 20000	2
Dynacom	Group 5	M/T Meltemi	9407823	Mission OL 20000	2

* Note: MHI is Mitsubishi Heavy Industries. Mission Boilers are manufactured by Aalborg Industries.

WHEREAS, the Essential Modification Reports state that the aforementioned vessels could not use the fuels specified in the OGV Fuel Regulation in the auxiliary boilers as listed in Table 1 without essential modifications;

WHEREAS, ARB has reviewed the Essential Modification Reports and additional supporting materials provided by Dynacom Tankers Management Limited, and determined that the submissions satisfactorily demonstrate that essential modifications are necessary for the auxiliary boilers on the vessels listed in Table 1 to fully comply with the fuel use requirements in the OGV Fuel Regulation;

WHEREAS, based on the determinations described above, the vessels listed in Table 1 qualify for essential modification exemptions for the auxiliary boilers as specified in Table 1;

NOW, THEREFORE, IT IS ORDERED, Dynacom Tankers Management Limited is granted an exemption from the fuel use specifications set forth in subdivision (e)(1) and from the recordkeeping, reporting and monitoring requirements in subdivision (e)(2) of the OGV Fuel Regulation for the auxiliary boilers on the vessels listed in Table 1, subject to the limitations and conditions in this order and the OGV Fuel Regulation;

NOW, THEREFORE, IT IS ORDERED, Dynacom Tankers Management Limited, is granted an exemption from the fuel use specifications set forth in subdivision (e)(1) and from the recordkeeping, reporting and monitoring requirements in subdivision (e)(2) of the OGV Fuel Regulation for the auxiliary boilers on the vessels listed in Table 1, subject to the limitations and conditions in this order and the OGV Fuel Regulation;

BE IT FURTHER ORDERED, the vessels listed in Table 1 shall comply with the fuel specifications set forth in subdivision (e)(1) and the recordkeeping, reporting and monitoring requirements in subdivision (e)(2) of the OGV Fuel Regulation for the main engines and auxiliary engines on the vessels listed in Table 1;

BE IT FURTHER ORDERED, that if the OGV Fuel Regulation is amended to modify any provisions relating to the essential modification exemption, the Executive Officer may revoke or modify this essential modification exemption as necessary to bring it into conformance with the revised regulation;

BE IT FURTHER ORDERED, if the Executive Officer issues written findings that federal requirements are in place that will achieve equivalent emissions reductions within the Regulated California Waters pursuant to subdivision (j) of the OGV Fuel Regulation, the Executive Officer shall revoke this exemption upon notice to Dynacom Tankers Management Limited;

BE IT FURTHER ORDERED, if the Executive Officer determines that the essential modification exemption is no longer warranted, the Executive Officer may modify or revoke this exemption after providing 30 days written notice to Dynacom Tankers Management Limited of its intent to modify or revoke the exemption;

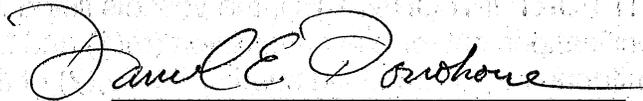
BE IT FURTHER ORDERED, if the essential modifications that are the basis for this exemption are made voluntarily, or due to other regulatory requirements, or for other reasons, then this exemption terminates and the vessels listed in Table 1 must use the required fuels while in Regulated California Waters, and Dynacom Tankers Management Limited must provide ARB with immediate written notification that modifications have been made;

BE IT FURTHER ORDERED, the Executive Officer encourages Dynacom Tankers Management Limited to voluntarily make the essential modifications noted above to the vessels listed in Table 1 and to use the specified fuels in the OGV Fuel Regulation while in Regulated California Waters to benefit the health and welfare of California's citizens.

Executed at Sacramento, California this 23 day of September, 2009

James N. Goldstene
Executive Officer

by



Daniel E. Donohue, Chief
Emissions Assessment Branch
Stationary Source Division