

State of California
Air Resources Board

Executive Order G-09-020

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

**Wallem Shipmanagement Inc, as managers for
Sonangol Shipping Girassol, Ltd.
Sonangol Shipping Kassanje, Ltd.
Sonangol Shipping Kizomba, Ltd.
Sonangol Shipping Luanda, Ltd.
Sonangol Shipping Namibe, Ltd.
(Collectively Called Sonangol Shipping Companies)**

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, Wallem Shipmanagement Inc. submitted Essential Modification Reports dated June 23, 2009, June 24, 2009, June 27, 2009, and July 3, 2009 and additional materials provided between June 22, 2009 and July 22, 2009, requesting essential modification exemptions for the following vessels and equipment listed in Table 1;

Table 1. Vessel and Auxiliary Boiler Information

Owner	Ship Name	IMO	Auxiliary Boiler Make and Model	Quantity
Sonangol Shipping Girassol, Ltd.)	Sonangol Girassol	9180114	Aalborg Industries CPH30-2 T/Hr	2
(Sonangol Shipping Kassanje, Ltd.)	Sonangol Kassanje	9315654	Aalborg Industries-Mission OL	2
(Sonangol Shipping Kizomba, Ltd.)	Sonangol Kizomba	9203772	Aalborg Industries CPH-30	2
(Sonangol Shipping Luanda, Ltd.)	Sonangol Luanda	9203760	Aalborg Industries CPH-30	2
(Sonangol Shipping Namibe, Ltd.)	Sonangol Namibe	9325049	Aalborg Industries-Mission TM OL	2

WHEREAS, the Essential Modification Report states that the aforementioned vessel(s) 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 Report and additional supporting materials provided by Wallem Shipmanagement Inc., as managers for Sonangol Shipping Companies 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 an essential modification exemption for the auxiliary boilers;

NOW, THEREFORE, IT IS ORDERED, Wallem Shipmanagement Inc., as managers for Sonangol Shipping Companies 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, that notwithstanding the exemption, Wallem Shipmanagement Inc, as managers, or Sonangol Shipping Companies are required by subdivision (g)(3) of the OGV Fuel Regulation and by this order to comply with the fuel use requirements in subdivisions (e)(1) of the OGV Fuel Regulation to the maximum extent possible without making the essential modifications that are the basis of this order, as identified in the Essential Modification Report and supplemental materials submitted by Wallem Shipmanagement Inc, as managers for Sonangol Shipping Companies;

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 in 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 Wallem Shipmanagement Inc, as managers, or Sonangol Shipping Companies;

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 Wallem Shipmanagement Inc, as managers, or the Sonangol Shipping Companies 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 auxiliary boilers on the vessels listed in Table 1 must use the required fuels while in Regulated California Waters, and Wallem Shipmanagement Inc., as managers, or the Sonangol Shipping Companies must provide ARB with immediate written notification that modifications have been made;

BE IT FURTHER ORDERED, the Executive Officer encourages Wallem Shipmanagement Inc., as managers, or the Sonangol Shipping Companies 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 California Regulated Waters to benefit the health and welfare of California's citizens.

Executed at Sacramento, California this 23 day of July, 2009.

James Goldstene
Executive Officer

by



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