

# Ocean-Going Vessel Speed Reduction Survey

*December 2008*



RETURN DATE: *January 30, 2009*

**California Environmental Protection Agency**



**Air Resources Board**

# Ocean-Going Vessel Speed Reduction Survey

## TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
I. Survey Form.....	4
II. Confidential Information Submittal Form .....	27

Please feel free to contact one of the following staff for questions concerning the survey.

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Please return the completed survey by **January 30, 2009** and **mail to:**

Attention: Michelle Komlenic/Greg Harris (SSD)  
California Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95812

**Or email to:** Hafizur Chowdhury ([hchowdhu@arb.ca.gov](mailto:hchowdhu@arb.ca.gov))

In an effort to simplify and streamline the data gathering process, we have made the Survey forms available electronically. You may download a copy from our website:

<http://www.arb.ca.gov/ports/marinevess/vsr/vsr.htm>

# Ocean-Going Vessel Speed Reduction Survey

## Frequently Asked Questions

### **Who needs to complete this Survey?**

All owner/operators (including charterers/lessees) of domestic or foreign-flagged ocean-going vessels (OGVs) that meet the definition of an OGV and who visited a California port at least once in 2007 are required to fill out this Survey. An OGV is defined as a marine vessel that meets any one of the following criteria:

- (1) a vessel greater than or equal to 400 feet in length overall (LOA) as defined in 50 CFR § 679.2, as adopted June 19, 1996;
- (2) a vessel greater than or equal to 10,000 gross tons (GT ITC) per the convention measurement (international system) as defined in 46 CFR 69.51-.61, as adopted September 12, 1989; or
- (3) a vessel propelled by a marine compression ignition engine with a per-cylinder displacement of greater than or equal to 30 liters.

Generally, vessels such as container ships, bulk carriers, tankers, and cruise ships meet the definition of an OGV, while harbor craft such as ferries, fishing vessels, and tug/tow boats do not.

### **Why do we need ship owners/operators to forward this to charterers?**

The ARB is seeking a complete record of costs and business practices for each vessel to ensure that we can understand how best to design a VSR program that will protect public health, the environment, and your business operations.

### **Does the ARB have legal authority to request the Survey information?**

Yes. California Health and Safety Code section 39600, 39607, 39665, 39701, 41511, and 43013, and title 17, California Code of Regulations 91100 to 91102 provide the ARB with the authority to request information, including surveys.

### **What will the ARB do with the completed Survey?**

We will enter the information into a database for analysis. The results of this analysis may be presented in our technical evaluation report on VSR measures. A confidentiality statement is included with the Survey for those who desire to keep their information confidential.

## **Section I**

### **Survey Forms**

(These are the forms you will return to  
the California Air Resources Board)

# Ocean-Going Vessel Speed Reduction Survey

## PART 1. COMPANY AND CONTACT INFORMATION

Company Name:			
Division Name:			
Mailing Address:			City:
State / Province:	Postal/Zip Code:		Country:
Contact Person:		Title:	
Phone:	Fax:	Email Address:	
Do your responses contain confidential information? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please complete the confidentiality form under <b>Section II</b>			

Print Name:	Title:
Signature:*	Date:

\*if submitting by e-mail, please type your name in the signature box

# Ocean-Going Vessel Speed Reduction Survey

## PART 2. OCEAN-GOING SHIP INFORMATION

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**Please answer these questions for vessels that called on a California port in 2007.**

Please complete **Table 2.1: Vessel Log** for each vessel in your fleet that **called on a California port in 2007**. For each vessel, please list the vessel category (e.g., auto, container, etc.), vessel class (i.e., for container vessels - C1000, C2000, etc.), and Lloyd's/IMO number. The vessel categories and classes (for container vessels only) that should be used are listed here.

Auto; Bulk; Container (classes are C1000, C2000, C3000, C4000, C5000, C6000, C7000, and C8000); Cruise; General; Refrigeration (Reefer); Roll-on Roll-off (Ro-Ro); Tanker; or Other

If your vessel category is not listed here, please categorize it as "Other" and supply the appropriate vessel information. Add additional pages when needed to complete the information for your fleet.

**If you have vessel(s) that are chartered or leased for use by other companies (charterers), please forward this survey to those charterers so they can provide their survey information to the Air Resources Board (ARB).** Please use the following information when filling in **Table 2.1**.

- **Ship Flag:** Check the appropriate box under the columns "United States (U.S.)" or "Foreign" that identifies the flag for this vessel.
- **Vessel Schedule:** Identify the type of schedule this vessel follows when coming to California ports.
  - **Reg:** Vessel has a planned, routine, and "**Regular**" schedule for trips to California (i.e., calls monthly, quarterly, etc.).
  - **Int:** Vessel has no established schedule. Vessel schedule is "**Intermittent**" (i.e., calls are random throughout year).
- **Owner AND Lessor:** please check this box ONLY when you are the "owner/operator" or "disponent operator" of the vessel AND this vessel was chartered/leased to other companies (charterers) in 2007. **Note:** This box should be checked only when both conditions occur for a vessel.
- **Charterer/Lessee:** please check this box if you leased this vessel from a ship owner/operator or disponent operator in 2007.



# Ocean-Going Vessel Speed Reduction Survey

## PART 3. COST INFORMATION

For all vessels in Table 2.1 that operate under a **United States Flag**, please complete Tables 3A and 3B. **If you only operate vessels under a foreign flag, go to Tables 3C and 3D.**

Complete **Table 3A** assuming **typical operations for each vessel category** (e.g., auto, bulk, container, etc.) and container class (e.g., C1000) listed in *Table 2.1* that **called on California in 2007 and operates under a U.S. flag**. Please list the vessel category and vessel class at the top of Table 3A. In the body of Table 3A, please provide average cost estimates for all vessels in your fleet that correspond to this vessel category and class. **Please choose Option 1 or Option 2 to estimate cost**. If you choose **Option 1**, provide the estimated average daily (24 hours) cost for this vessel category and class assuming typical vessel operating conditions. If you choose **Option 2**, provide the information for a transit segment for this vessel category and class assuming typical vessel operating conditions. For either option, if other cost categories exist, please add them to the cost category column. Under “Comments/Reasons” provide a brief description of the items/activities included in each cost category. Please add additional sheets as needed. Sum all costs at the bottom of *Table 3A*.

**Table 3A: U.S. Flagged Vessels (Typical Operational Costs)**

Vessel Category:		Class:			
Cost Category	Comments/Reasons (Provide description of items/activities included in each cost category)	Option 1	Option 2		
		Daily (24 hr) Cost for Typical Operation (U.S. Dollars)	Cost Per Transit Segment for Typical Operations (U.S. Dollars)	Define Transit Segment to or from a California Port*	Total Time of Transit Segment (hrs)
		Average	Average		
Onboard Labor					
General Overhead (exclude fuel costs)					
Crew Supplies					
Ship Maintenance: parts/labor (e.g. lube oil, cylinders, filters, turbo chargers, injectors) (exclude dry-dock)					
<b>Other:</b>					
<b>Total Costs for all Categories</b>					

\***For example:** Singapore to Long Beach or reversed; Hawaii to a Bay Area Port or reversed; a Southern California Port (San Diego (POSD), Los Angeles/Long Beach (POLA/POLB), or Hueneme (POH)) to a Bay Area Port (e.g., any port within the Bay) or reversed.

Complete **Table 3B** assuming a **vessel speed reduction (VSR) program is in place for each vessel category** (e.g., auto, bulk, container, etc) and container class (e.g., C1000) listed in *Table 2.1* that **called on California in 2007 and operates under a U.S. flag**. Please list the vessel category and vessel class at the top of *Table 3B*. In the body of *Table 3B*, please provide average cost estimates for all vessels in your fleet that correspond to this vessel category and class. **Please choose Option 1 or Option 2 to estimate cost.** If you choose **Option 1**, provide the estimated average daily (24 hours) cost for this vessel category and class assuming your vessel(s) are delayed one hour from slowing to 12 knots out to 24 nautical miles (nm) with VSR. If you choose **Option 2**, provide the information for a transit segment for this vessel category and class assuming your vessel(s) are delayed one hour from slowing to 12 knots out to 24 nm with VSR. For either option, if other cost categories exist, please add them to the cost category column. Under “Comments/Reasons” provide a brief description of the items/activities included in each cost category. If **all** the costs are the same as those listed in **Table 3A**, then write “same” in the total cost column at the bottom of the table. Please add additional sheets as needed. Sum all costs at the bottom of *Table 3B*.

**Table 3B: U.S. Flagged Vessels (Operational Costs with VSR)**

Vessel Category:		Class:			
Cost Category	Comments/Reasons (Provide description of items/activities included in each cost category)	Option 1	Option 2		
		Daily (24 hr) Cost with VSR at 12 knots (U.S. Dollars)	Cost Per Transit Segment with VSR at 12 knots (U.S. Dollars)	Define Transit Segment to or from a California Port*	Total Time of Transit Segment (hrs)
		Average	Average		
Onboard Labor					
General Overhead (exclude fuel costs)					
Crew Supplies					
Ship Maintenance: parts/labor (e.g. lube oil, cylinders, filters, turbo chargers, injectors) (exclude dry-dock)					
<b>Other:</b>					
<b>Total Costs for all Categories</b>					

\*For example: Singapore to Long Beach or reversed; Hawaii to a Bay Area Port or reversed; a Southern California Port (San Diego (POSD), Los Angeles/Long Beach (POLA/POLB), or Hueneme (POH)) to a Bay Area Port (e.g., any port within the Bay) or reversed.

For all vessels in Table 2.1 that operate under a ***Foreign Flag***, please complete Tables **3C** and **3D**.

Complete **Table 3C** assuming **typical operations for each vessel category** (e.g., auto, bulk, container, etc.) and container class (e.g., C1000) listed in Table 2.1 that **called on California in 2007 and operates under a foreign flag**. Please list the vessel category and vessel class at the top of Table 3C. In the body of Table 3C, please provide average cost estimates for all vessels in your fleet that correspond to this vessel category and class. **Please choose Option 1 or Option 2 to estimate cost**. If you choose **Option 1**, provide the estimated average daily (24 hours) cost for this vessel category and class assuming typical vessel operating conditions. If you choose **Option 2**, provide the information for a transit segment for this vessel category and class assuming typical vessel operating conditions. For either option, if other cost categories exist, please add them to the cost category column. Under “Comments/Reasons” provide a brief description of the items/activities included in each cost category. Please add additional sheets as needed. Sum all costs at the bottom of Table 3C.

**Table 3C: Foreign Flagged Vessels (Typical Operational Costs)**

Vessel Category:		Class:			
Cost Category	Comments/Reasons (Provide description of items/activities included in each cost category)	Option 1	Option 2		
		Daily (24 hr) Cost for Typical Operation (U.S. Dollars)	Cost Per Transit Segment for Typical Operations (U.S. Dollars)	Define Transit Segment to or from a California Port*	Total Time of Transit Segment (hrs)
		Average	Average		
Onboard Labor					
General Overhead (exclude fuel costs)					
Crew Supplies					
Ship Maintenance: parts/labor (e.g. lube oil, cylinders, filters, turbo chargers, injectors) (exclude dry-dock)					
<b>Other:</b>					
<b>Total Costs for all Categories</b>					

\***For example:** Singapore to Long Beach or reversed; Hawaii to a Bay Area Port or reversed; a Southern California Port (San Diego (POSD), Los Angeles/Long Beach (POLA/POLB), or Hueneme (POH)) to a Bay Area Port (e.g., any port within the Bay) or reversed.

Complete **Table 3D** assuming a **VSR program is in place for each vessel category** (e.g., auto, bulk, container, etc) and container class (e.g., C1000) listed in **Table 2.1** that **called on California in 2007 and operates under a foreign flag**. Please list the vessel category and vessel class at the top of **Table 3D**. In the body of **Table 3D**, please provide average cost estimates for all vessels in your fleet that correspond to this vessel category and class. **Please choose Option 1 or Option 2 to estimate cost**. If you choose **Option 1**, provide the estimated average daily (24 hours) cost for this vessel category and class assuming your vessel(s) are delayed one hour from slowing to **12 knots out to 24 nautical miles (nm) with VSR**. If you choose **Option 2**, provide the information for a transit segment for this vessel category and class assuming your vessel(s) are delayed one hour from slowing to **12 knots out to 24 nm with VSR**. For either option, if other cost categories exist, please add them to the cost category column. Under “Comments/Reasons” provide a brief description of the items/activities included in each cost category. If **all** the costs are the same as those listed in **Table 3C**, then write “same” in the total cost column at the bottom of the table. Please add additional sheets as needed. Sum all costs at the bottom of **Table 3D**.

**Table 3D: Foreign Flagged Vessels (Operational Costs with VSR)**

Vessel Category:		Class:			
Cost Category	Comments/Reasons (Provide description of items/activities included in each cost category)	Option 1	Option 2		
		Daily (24 hr) Cost with VSR at 12 knots (U.S. Dollars)	Cost Per Transit Segment with VSR at 12 knots (U.S. Dollars)	Define Transit Segment to or from a California Port*	Total Time of Transit Segment (hrs)
		Average	Average		
Onboard Labor					
General Overhead (exclude fuel costs)					
Crew Supplies					
Ship Maintenance: parts/labor (e.g. lube oil, cylinders, filters, turbo chargers, injectors) (exclude dry-dock)					
<b>Other:</b>					
<b>Total Costs for all Categories</b>					

\*For example: Singapore to Long Beach or reversed; Hawaii to a Bay Area Port or reversed; a Southern California Port (San Diego (POSD), Los Angeles/Long Beach (POLA/POLB), or Hueneme (POH)) to a Bay Area Port (e.g., any port within the Bay) or reversed.

Category: \_\_\_\_\_

Class (containers only): \_\_\_\_\_

## Ocean-Going Vessel Speed Reduction Survey

### PART 4. PRACTICES AND IMPACTS

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If you **DO NOT** have any vessels that currently call on the *POLA* or the *POLB*, skip to question 4.17.

**START HERE** if any of your vessels call on POLA or POLB.

4.1 Which port(s) do your vessels currently call upon?  
**(Pick one answer)**

POLA  POLB  Both

4.2 Is your vessel currently participating in the VSR program at POLA and POLB?

Yes  No      If yes, which port? **(Pick one answer)**  POLA  POLB  Both

If your answer is no, please explain why you do not participate in the VSR program.

4.3 What is your experience with the VSR program at POLA and POLB? Please explain.

4.4 While traveling to or from POLA or POLB, in general, do you speed up outside of the VSR zone to offset any potential time delays due to the VSR program?

Yes  No

**(Question continued on next page)**

(a) If yes, please check how much you increase your speed to make up time due to VSR only?

**(Pick one answer)**

- ¼ knot
- More than ¼ knot but less than ½ knot
- More than ½ knot but less than 1 knot
- More than 1 knot
- Other, please explain:

4.5 If you are leaving the POLA or POLB and traveling north to the Bay Area Ports (e.g., San Francisco, Oakland, etc.), which route do you routinely take? Please check **all** routes below that you use and provide an estimated percentage of frequency (time used) for each route.

- Not applicable
- Santa Barbara Channel \_\_\_ %
- Shipping lane between 24 and 40 nm of the California coastline \_\_\_ %
- Travel **through** the Point Mugu Naval Sea Range \_\_\_ %
- Travel **around** the Point Mugu Naval Sea Range \_\_\_ %
- Other, \_\_\_ %

If other, please explain:

4.6 If you answered that you travel through the Santa Barbara Channel after leaving POLA or POLB, would this route change if there was a VSR program in place that slowed all vessels (delay of 3 to 4 hours) in the Santa Barbara Channel?

**(Pick one answer)**

- Would not change routing
- Would change route to avoid Santa Barbara Channel
- Other

If other, please explain:

4.7 For your trips to the POLA and POLB, can your expenses for a one-hour delay due to a VSR program be multiplied by the total time of the delay? For example, is a two-hour delay due to VSR twice the cost of a one-hour delay; is a five-hour delay five times the cost, and so forth? Note, exclude the costs of onshore labor in this answer.

**(Pick one answer)**

- Yes
- No
- Sometimes

Provide explanation and include the point when this (time/cost) relationship is no longer proportional or appropriate?

4.8 How would a VSR program that slows all vessels within 24 nm of the California coastline to 12 knots south of Point Conception impact your business? Check **all** that apply.

- No hardship
- Would result in increased vessel costs
- Would result in increased shore side labor costs

**(Question continued on the next page)**

- Would result in a change to vessel routes
- Would result in increasing vessel speeds to maintain schedule and would increase fuel costs
- Would result in lost business due to scheduling delays
- Would result in missing port calls and loss of business
- Would result in cargo off-loading at fewer ports and that cargo being trucked or railed to market
- Would result in missing Panama Canal appointments
- Other

If other, please explain:

4.9 Overall, has there been an increase or decrease in operating costs per voyage due to the reduced speeds in and out of the POLA or POLB?

**(Pick one answer)**

- Increase in costs     Decrease in costs

Approximately how much (U.S. dollars) \$ \_\_\_\_\_

4.10 If you answered there is an increase in operating costs in question 4.9, how do you pay for those costs that you incur from the VSR program? Check **all** that apply.

- You absorb the additional cost of complying with the VSR
- The terminal operator absorbs the cost
- You charge the cargo owners
- Other, please explain:

4.11 Has the existing VSR program at the POLA and POLB ever been the **individual reason** for you to skip a port call or miss your slot in the vessel queue at the Panama Canal?

Yes  No

If yes, please explain.

4.12 Has your company experienced an overall increase or overall decrease in fuel use while participating in the VSR program at the POLA and POLB? **(Pick one answer)**  an increase in fuel use  a decrease in fuel use

Please identify the metric tonnage of fuel used or saved (specify units - e.g., metric tons per year, month, or voyage).

4.13 For this category and class of vessel, how far away from a VSR zone of 12 knots do you begin to slow your vessel?  
Distance: \_\_\_ nm

4.14 For this category and class of vessel, how much time does it take to slow your vessel from cruising speed down to 12 knots?

4.15 Do you need to turn on your auxiliary boiler(s) due to slowing your speed under the VSR program?

Yes  No

4.16 In general, how many onshore labor gangs are required to on-load or off-load this vessel category and class? \_\_\_

**VSR Program Implementation at Major Ports:**

**If you ONLY call on the POLA/POLB skip to Part 5.**

**Please answer questions 4.17 to 4.29 if you have vessels that called on ANY of the following major ports in 2007. These ports include all Bay Area Ports (e.g., any port within the Bay), POH, or the POSD.**

4.17 If a VSR program is implemented that slows your vessels to 12 knots within 24 nm of the California coastline at all major ports, would you speed up to offset any potential time delays due to the VSR program?

Yes  No

a) If yes, please check how much you increase your speed?

**(Pick one answer)**

- ¼ knot
- More than ¼ knot but less than ½ knot
- More than ½ knot but less than 1 knot
- More than 1 knot
- Other, please explain:

4.18 If you currently self-implement speed controls, what are your current practices by port for slowing your vessel into California ports? Please supply the speed and distance that you currently self-implement speed controls.

- POLA Speed: \_\_ knots Distance: \_\_\_\_ nm
- POLB Speed: \_\_ knots Distance: \_\_\_\_ nm
- Bay Area Ports (Ports of Oakland/San Francisco, etc.) Speed: \_\_ knots Distance: \_\_\_\_ nm
- Port of San Diego Speed: \_\_ knots Distance: \_\_\_\_ nm
- Port of Hueneme Speed: \_\_ knots Distance: \_\_\_\_ nm

4.19 Can your expenses listed in Tables 3B or 3D for a one-hour delay due to a VSR program be multiplied by the total time of the delay? For example, is a two-hour delay due to VSR twice the cost of a one-hour delay; is a five-hour delay five times the cost, and so forth? Note, exclude the costs of onshore labor in this answer.

**(Pick one answer)**

Yes  No  Sometimes

Provide explanation and include the point when this (time/cost) relationship no longer proportional or appropriate?

4.20 How would you pay for any costs that you may incur from a VSR program? Check **all** that apply.

You absorb the additional cost of complying with the VSR

The terminal operator absorbs the cost

You charge the cargo owners

Other, please explain:

4.21 When leaving the POLA, POLB, or POSD and traveling north to the Bay Area Ports (e.g., San Francisco, Oakland, etc.), what route do you routinely take? Please check **all** routes below that you use and provide an estimated percentage of frequency (time used) for each route.

Not applicable

Santa Barbara Channel \_\_\_ %

Shipping lane between 24 and 40 nm of the California coastline \_\_\_ %

Travel **through** the Point Mugu Naval Sea Range \_\_\_ %

**(Question continued on the next page)**

Travel **around** the Point Mugu Naval Sea Range \_\_\_ %

Other, \_\_\_ % If other, please explain

4.22 Please identify the routes that you would anticipate using if a **VSR program were in place at all major ports** that slowed your vessel to 12 knots within 24 nm. Assume for this question that you are leaving the POLA, POLB, or POSD and traveling north to the Bay Area Ports (e.g., San Francisco, Oakland, etc.). Please check **all** routes below that you would likely use and provide an estimated percentage of frequency (time used) for each route.

Not applicable

Santa Barbara Channel \_\_\_ %

Shipping lane between 24 and 40 nm of the California coastline \_\_\_ %

Travel **through** the Point Mugu Naval Sea Range \_\_\_ %

Travel **around** the Point Mugu Naval Sea Range \_\_\_ %

Other, \_\_\_ %

If other, please explain:

4.23 When leaving the Bay Area Ports (e.g., San Francisco, Oakland, etc.) and traveling south to POLA, POLB or POSD, what route do you routinely take? Please check **all** routes below that you use and provide an estimated percentage of frequency (time used) for each route.

Not applicable

Santa Barbara Channel \_\_\_ %

Shipping lane between 24 and 40 nm of the California coastline \_\_\_ %

**(Question continued on the next page)**

- Travel **through** the Point Mugu Naval Sea Range \_\_\_ %
- Travel **around** the Point Mugu Naval Sea Range \_\_\_ %
- Other, \_\_\_ %

If other, please explain:

4.24 Please identify the routes that you would anticipate using if a **VSR program were in place at all major ports** that slowed your vessel to 12 knots within 24 nm of the California coastline. Assume for this question that you are leaving a Bay Area Ports (e.g., San Francisco, Oakland, etc.) and traveling south to POLA, POLB or POSD. Please check **all** routes below that you would likely use and provide an estimated percentage of frequency (time used) for each route.

- Not applicable
- Santa Barbara Channel \_\_\_ %
- Shipping lane between 24 and 40 nm of the California coastline \_\_\_ %
- Travel **through** the Point Mugu Naval Sea Range \_\_\_ %
- Travel **around** the Point Mugu Naval Sea Range \_\_\_ %
- Other, \_\_\_ %

If other, please explain:

4.25 If you travel through the Santa Barbara Channel, would your route change if there was a VSR Program that **slowed all vessels in the Santa Barbara Channel** within 24 nm of the California coastline? **(Pick one answer)**

- Not applicable
- Would not change routing

**(Question continued on the next page)**

Would change route to avoid Santa Barbara Channel

Other

If other, please explain:

4.26 How would a VSR program that **slows all vessels** to 12 knots within 24 nm of the California coastline **south of Point Conception** impact your business? Check **all** that apply.

No hardship

Would result in increased vessel costs

Would result in increased shore side labor costs

Would result in a change to vessel routes

Would result in increasing vessel speeds to maintain schedule and would increase fuel costs

Would result in lost business due to scheduling delays

Would result in missing port calls and loss of business

Would result in cargo off-loading at fewer ports and that cargo being trucked or railed to market

Would result in missing Panama Canal appointments

Other

If other, please explain:

4.27 For this category and class of vessel, how far away from a VSR zone of 12 knots will you need to begin to slow your vessel?  
Distance: \_\_\_ nm

4.28 For this category and class of vessel, how long will it take to slow your vessel from cruising speed to 12 knots?

4.29 In general, how many onshore labor gangs are required to on-load or off-load this vessel category and class? \_\_\_\_

Category: \_\_\_\_\_

Class (containers only): \_\_\_\_\_

## Ocean-Going Vessel Speed Reduction Survey

### PART 5. MISCELLANEOUS

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**Part 5 should be answered by ALL vessel operators.**

5.1 What types of incentives would encourage your company to slow to 12 knots if a voluntary VSR program was implemented? Check **all** that apply.

- Non-financial incentive (i.e. Green Flag program)
- Reduced port fees
- Direct compensation for additional onboard labor costs
- Emission reduction credits – including greenhouse gas credits
- Other

If other, please explain:

5.2 Do you feel a VSR measure within 24 nm of the California coastline that slows vessels **entering or exiting all major ports** will cause a hardship for your vessel or company? Check **all** that apply.

- No hardship
- Would result in increased vessel costs
- Would result in increased shore side labor costs
- Would result in a change to vessel routes
- Would result in increasing vessel speeds to maintain schedule and would increase fuel costs
- Would result in lost business due to scheduling delays

**(Question continued on next page)**

- Would result in missing port calls and loss of business
- Would result in cargo off-loading at fewer ports and that cargo being trucked or railed to market
- Would result in missing Panama Canal appointments
- Other

If other, please explain:

5.3 Would you comply if there is a voluntary VSR program within 24 nm of the California coastline that slows vessels **entering or exiting all major ports** (i.e., Bay Area ports, POH, POLA, POLB, and POSD)?

- Yes  No

5.4 Do you feel a VSR program that slows all vessels traveling **into, out of, or transiting through a zone** within 24 nm of all major ports will cause a hardship for your vessel or company? Check **all** that apply.

- No hardship
- Would result in increase vessel costs
- Would result in increase shore side labor costs
- Would result in rerouting of vessels
- Would result in vessel speed increases to maintain schedule & would increased fuel costs
- Would result in lost business due to scheduling delays
- Would result in missing port calls and loss of business
- Would result in cargo off-loading at fewer ports and being trucked or trained to market
- Would result in missing Panama Canal appointments
- Other

If other, please explain:

5.5 From your perspective, does a VSR program impact on-shore activities (e.g., trucking, railroad, labor etc.)?

Yes  No

If yes, please explain:

5.6 How much of a delay will cause you to consider **skipping a port call and redirecting your vessel?**

**(Pick one answer)**

1 hour

2 hours

3 hours

4 hours

5 hours

6 hours

7 hours

8 hours

Other, please specify the delay \_\_ hour(s)

5.7 What is the cost (e.g., fees, penalties, etc.) at the Panama Canal if your vessel misses it's time slot in queue (U.S. dollars)?

\$ \_\_\_\_\_

5.8 Estimate the time delay that would result once your vessel missed a Panama Canal appointment.

Please specify the approximate delay \_\_ hour(s)

5.9 Explain the steps you would take to avoid missing a Panama Canal appointment. Check **all** that apply.

Accelerate vessel speed

Add additional labor crews/shifts to off-load/load vessel

Handle less cargo to shorten berth time

Other

If other, please explain:

5.10 Provide the circumstances when a VSR measure **could be the individual reason** for missing your spot in the vessel queue at the Panama Canal. **Please explain how this situation could not be addressed with appropriate scheduling.**

5.11 Are there any concerns with inefficiency or engine damage when maintaining engine speed at 12 knots? Check **all** that apply.

- No concerns
- Increased fuel consumption under low loads
- Increased engine wear under low loads
- Increased maintenance due to low load operations (describe specific maintenance below)
- Other (explain below)

5.12 Will slowing your vessel to 12 knots cause any issues that have not been addressed in this survey? Please identify the issue(s) and provide supporting data, if available.

***Thank you for taking the time to complete this survey regarding a potential VSR program. Your participation is greatly appreciated. Your expertise, technical information, and opinions are instrumental for our agency to understand when determining how to best protect the environment, public health, and the economic stability of your business.***

# Ocean-Going Vessel Speed Reduction Survey

## Section II

**NOTE: This section only needs to be filled out if your survey contains confidential information.**

**CONFIDENTIAL INFORMATION SUBMITTAL FORM  
AND  
EXCERPTS FROM THE CALIFORNIA CODE OF  
REGULATIONS PERTAINING TO THE HANDLING OF  
CONFIDENTIAL INFORMATION**

# Ocean-Going Vessel Speed Reduction Survey

## **Section II. CONFIDENTIAL INFORMATION SUBMITTAL FORM**

If you wish to designate any information contained in your survey data as **CONFIDENTIAL INFORMATION**, please provide the information requested below and return it with your completed Survey form.

In accordance with Title 17, California Code of Regulations (CCR), Sections 91000 to 91022, and the California Public Records Act (Government Code Section 6250 et seq.), the information that a company provides to the Air Resources Board (ARB) may be released (1) to the public upon request, except trade secrets which are not emissions data or other information which is exempt from disclosure or the disclosure of which is prohibited by law, and 2) to the Federal Environmental Protection Agency, which protects trade secrets as provided in Section 114(c) of the Clean Air Act and amendments thereto (42 USC 7401 et seq.) and in federal regulation, and 3) to other public agencies provided that those agencies preserve the protections afforded information which is identified as a trade secret, or otherwise exempt from disclosure by law (Section 39660(e)).

Trade secrets, as defined in Government Code 6254.7, are not public records and therefore will not be released to the public. However, the California Public Records Act states that air pollution emission data are always public records, even if the data comes within the definition of trade secrets. Even so, the information used to calculate air pollution data is not "emission data," and will not be released to the public if it is a trade secret.

If any company believes that any of the information it may provide is a trade secret or otherwise exempt from disclosure under any provision of law, it **must identify the confidential information as such at the time of submission to the ARB and must provide the name, address, and telephone number of the individual to be consulted.** If the ARB receives a request for disclosure or seeks to disclose the data claimed to be confidential, the ARB may ask the company to provide documentation of its claim of trade secret or exemption at a later date. Data identified as confidential will not be disclosed unless the ARB determines, in accordance with the above referenced regulations that the data do not qualify for a legal exemption from disclosure. The regulations establish substantial safeguards before any such disclosure.

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 In accordance with the provisions of Title 17, California Code of Regulations, Sections 91000 to 91022, and the California Public Records Act (Government Code Sections 6250 et seq.)

<b>Enter Company Name:</b>			
<b><i>declares that the information submitted in response to the California Air Resources Board's Survey are confidential "trade secret" information, and requests that it be protected as such from public disclosure.</i></b>			
<b>Print Name:</b>			<b>Title:</b>
<b>Signature:</b>			<b>Date:</b>
<b>Mailing Address:</b>			
<b>City/State:</b>			<b>Zip/Country:</b>
<b>Telephone Number:</b>			<b>E-mail Address:</b>

**EXCERPTS FROM THE CALIFORNIA CODE OF REGULATIONS  
PERTAINING TO THE HANDLING OF CONFIDENTIAL INFORMATION:  
TITLE 17, CALIFORNIA CODE OF REGULATIONS,  
SECTIONS 91000 TO 91122**

**Division 3, Air Resources Board  
Chapter 1, Air Resources Board**

Subchapter 4. Disclosure of Public Records  
Article 1. General

**§91000. Scope and Purpose.**

This subchapter shall apply to all requests to the state board under the California Public Records Act (Government Code Sections 6250 et seq.) for the disclosure of public records or for maintaining the confidentiality of data received by the state board. Written guidelines shall govern the internal review of such requests.

NOTE: Authority cited: Sections 39600 and 39601(a), Health and Safety Code. Reference: California Public Records Act, Chapter 3.5 (commencing with Section 6250), Division 7, Government Code.

**§91001. Disclosure Policy.**

It is the policy of the state board that all records not exempted from disclosure by state law shall be open for public inspection with the least possible delay and expense to the requesting party.

NOTE: Authority cited: Sections 39600 and 39601(a), Health and Safety Code. Reference: Section 6253, Government Code; Black Panther Party v. Kehoe (1974) 42 Cal.App.3d 645.

**Article 2. Board's Requests for Information**

**§91010. Request Procedure.**

The state board shall give notice to any person from whom it requests information that the information provided may be released (1) to the public upon request, except trade secrets which are not emission data or other information which is exempt from disclosure or the disclosure of which is prohibited by law, and (2) to the federal Environmental Protection Agency, which protects trade secrets as provided in Section 114(c) of the Clean Air Act and amendments thereto (42 USC 7401 et seq.) and in federal regulations.

NOTE: Authority cited: Sections 39600, 39601 and 39602, Health and Safety Code.

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SECTIONS 91000 TO 91122**

**Reference: Sections 39701, 41510, 41511, 41512 and 42705, Health and Safety Code; and Section 6253, Government Code.**

**§91011. Submissions of Confidential Data.**

Any person submitting to the state board any records containing data claimed to be “trade secret” or otherwise exempt from disclosure under Government Code Section 6254 or 6254.7 or under other applicable provisions of law shall, at the time of submission, identify in writing the portions of the records containing such data as “confidential” and shall provide the name, address and telephone number of the individual to be contacted if the state board receives a request for disclosure of or seeks to disclose the data claimed to be confidential. Emission data shall not be identified as confidential. The state board shall not disclose data identified as confidential, except in accordance with the requirements of this subchapter or Section 39660(e) of the Health and Safety Code.

NOTE: Authority cited: Sections 39600 and 39601, Health and Safety Code. Reference: Sections 39660, 39701, 41500, 41511, 41512 and 42705, Health and Safety Code; Sections 6253, 6254 and 6254.7, Government Code; Natural Resources Defense Council v. EPA, 489 F.2d 390 (5th Cir. 1974) (6 ERC 1248); Northern California Police Practices Project v. Craig (1979) 90 Cal.App.3d 116; Uribe v. Howie (1971) 19 Cal.App.3d 194.

**Article 3. Inspection of Public Records**

§91020. Disclosure Policy.

§91021. Disclosure Procedure.

NOTE: Authority cited: Section 39601, Health and Safety Code. Reference: Sections 6253-6257, Government Code.

§91022. Disclosure of Confidential Data.

- (a) This section shall apply to all data in the custody of the state board
  - (1) designated “trade secret” prior to the adoption of this subchapter,
  - (2) considered by the state board or identified by the person who submitted the data as confidential pursuant to this subchapter, or

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- (3) received from a federal, state or local agency, including an air pollution control district, with a confidential designation, subject to the following exceptions:
- (A) Except for the time limits specifically provided in subsection (b), only subsections (c) and (d) of this section shall apply to information submitted pursuant to Health and Safety Code section 39660(e).
- (B) Appropriate portions of an application for approval, accreditation, or certification of a motor vehicle emission control device or system shall be kept confidential until such time as the approval, accreditation, or certification is granted, at which time the application (except for trade secret data) shall become a public record, except that estimates of sales volume of new model vehicles contained in an application shall be kept confidential for the model year, and then shall become public records. If an application is denied, it shall continue to be confidential but shall be subject to the provisions of this section.
- (C) If disclosure of data obtained after August 9, 1984 from a state or local agency subject to the provisions of the Public Records Act is sought, the state board shall request that the agency which provided the data determine whether it is confidential. The state board shall request that it be notified of the agency's determination within ten days. The state board shall not release the data if the agency determines that it is confidential and so notifies the state board; provided, however, that the data may be released with the consent of the person who submitted it to the agency from which it was obtained by the state board.
- (b) Upon receipt of a request from a member of the public that the state board disclose data claimed to be confidential or if the state board itself seeks to disclose such data, the state board shall inform the individual designated pursuant to Section 91011 by telephone and by mail that disclosure of the data is sought. The person claiming confidentiality shall file with the state board documentation in support of the claim of confidentiality. The documentation must be received within five (5) days from the date of the telephone contact or of receipt of the mailed notice, whichever first occurs. In the case of information submitted pursuant to Health and Safety Code section 39660(e), the documentation must be received within 30 days of the date notice was mailed pursuant to that section. The deadlines for filing the documentation may be extended by the state board upon a showing of good cause made within the deadline specified for receipt of the documentation.

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PERTAINING TO THE HANDLING OF CONFIDENTIAL INFORMATION:  
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- (c) The documentation submitted in support of the claim of confidentiality shall include the following information:
  - (1) the statutory provision(s) under which the claim of confidentiality is asserted;
  - (2) a specific description of the data claimed to be entitled to confidential treatment;
  - (3) the period of time for which confidential treatment is requested;
  - (4) the extent to which the data has been disclosed to others and whether its confidentiality has been maintained or its release restricted;
  - (5) confidentiality determinations, if any, made by other public agencies as to all or part of the data and a copy of any such determinations, if available; and
  - (6) whether it is asserted that the data is used to fabricate, produce, or compound an article of trade or to provide a service and that the disclosure of the data would result in harmful effects on the person's competitive position, and, if so, the nature and extent of such anticipated harmful effects.
- (d) Documentation, as specified in subsection (c), in support of a claim of confidentiality may be submitted to the state board prior to the time disclosure is sought.
- (e) The state board shall, within ten (10) days of the date it sought to disclose the data or received the request for disclosure, or within 20 days of that date if the state board determines that there are unusual circumstances as defined in Government Code Section 6256.1, review the request, if any, and supporting documentation, if received within the time limits specified in subsection (b) above, including any extension granted, and determine whether the data is entitled to confidential treatment pursuant to Government Code Section 6254, 6255 or 6254.7 or other applicable provisions of law and shall either:
  - (1) decline to disclose the data and, if a request was received, provide to the person making the request and to the person claiming the data is confidential a justification for the determination pursuant to Government Code Section 6255; or
  - (2) provide written notice to the person claiming the data is confidential and,

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if a request was received, to the person requesting the data that it has determined that the data is subject to disclosure, that it proposes to disclose the data, and that the data shall be released 21 days after receipt of the notice by the person claiming confidentiality, unless the state board is restrained from so doing by a court of competent jurisdiction. The state board shall release the data in accordance with the terms of the notice unless so restrained.

- (f) Should judicial review be sought of a determination issued in accordance with subsection (e), either the person requesting data or the person claiming confidentiality, as appropriate, may be made a party to the litigation to justify the determination.

NOTE: Authority cited: Section 39601, Health and Safety Code.  
Reference: Sections 6253, 6254, 6254.7, 6255, 6256, 6256.1, 6258 and 6259,  
Government Code.