

February 28, 2022

Richard Vasquez, Ultramar, Inc. (Valero)

Richard.Vasquez@valero.com

Jerome Jackson, Shore Terminals LLC dba NuStar

jerome.jackson@nustarenergy.com

Wilmington Marine Terminal – Berth 163

Dear Richard Vasquez and Jerome Jackson:

Thank you for submitting the Terminal Plan (Plan) on behalf of Ultramar, Inc. and Shore Terminals LLC for the Wilmington Marine Terminal (Berth 163) to the California Air Resources Board (CARB) as required by the Control Measure for Ocean-Going Vessels At Berth (“Regulation”). CARB staff has reviewed your Plan submittal against the requirements set forth in section 93130.14(a) of the Regulation, and have identified the Plan is missing information required by the following provisions:

- Section 93130.14(a)(3)(A) of the Regulation requires the terminal plan to identify and describe all necessary equipment, including whether it will be located on the vessel, wharf, shore, or elsewhere:
 - The plan states that there is no way to comply with the Regulation but lists CARB-approved Emission Control Strategy (CAECS) as the equipment that will be used at berth 163. The requirement to reduce emissions from tankers in Southern California begins in 2025. Section 93130.14(a)(3)(H) of the Regulation requires a terminal operator claiming that a physical and/or operational constraint will delay its ability to implement its preferred CARB approved control strategy to achieve emission reductions from vessels at berth according to the requirements of section 93130 et seq., must also include with its terminal plan a technical feasibility study evaluating if there are any other emission control options that could be implemented more quickly at the terminal. In addition, please provide any supporting information such as the Moffatt Nichols and DNV GL USA, Inc. Maritime reports that you reference in your plan to provide evidence that the technology will not be available for use in 2025.
- Section 93130.14(a)(3)(E) of the Regulation requires the terminal to provide any terminal/port specific berthing restrictions for each emissions control strategy. While the plan does mention berthing restrictions are regulated by the existing Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS) terminal operating limits, we request that the plan specifically details which specific berthing restrictions would present themselves at berth 163 for each emissions control strategy; and
- Section 93130.14(a)(3)(F) of the Regulation requires the terminal to provide a schedule for installing equipment.

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CARB requests that a corrected Plan addressing the above deficiencies be re-submitted as an updated Plan to shorepower@arb.ca.gov within 90 days of receipt of this letter. Once CARB receives the updated Plan, staff will have 90 calendar days to review the corrected Plan and confirm completeness.

Additional information on Port and Terminal Plans can be found on CARB's website at: <https://ww2.arb.ca.gov/new-berth-regulation-implementation>.

If you have any questions about the deficiencies identified by CARB, please contact Elizabeth Melgoza, Air Pollution Specialist, Marine Strategies Section, by email at elizabeth.melgoza@arb.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bonnie Soriano".

Bonnie Soriano, Branch Chief, Freight Activity Branch

cc: Elizabeth Melgoza, Air Pollution Specialist, Marine Strategies Section