

February 28, 2022

Nick Black
Phillips 66 – Richmond Marine Terminal
nick.black@p66.com

Dear Nick Black:

Thank you for submitting the Terminal Plan (Plan) on behalf of the Phillips 66 Richmond Marine Terminal to the California Air Resources Board (CARB) as required by the Control Measure for Ocean-Going Vessels At Berth ("Regulation"). It is not clear from the terminal Plan why Phillips 66 is electing for a low activity terminal exception in addition to a third-party barge-based capture and control system for their chosen control strategies. 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 the information for the barge-based capture and control system required by the following provisions:

- 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 terminal restrictions via the Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS) and the Richmond Marine Operations Manual, the Plan does not provide sufficient detail and we request detail on which specific berthing restrictions would present themselves with the barge-based capture and control system that Phillips 66 elected to use at the Richmond Marine Terminal (Dock 11);
- Section 93130.14(a)(3)(F) of the Regulation requires the terminal to provide a schedule for installing equipment; and
- 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:
 - The Phillips 66 Richmond Marine Terminal Plan did not include a technical feasibility study and we request a study that evaluates whether any other control options could be implemented more quickly at the terminal. In addition, for the barge-based capture and control system, the terminal Plan claims a physical and/or operational constraint exists since "there needs to be at least two third-party barge-based capture and control system providers that are CARB and IMO approved...to ensure that competitive bids can be obtained before executing a contract with the successful bidder". The assurance of terminals to receive competitive bids for the purchase of emissions control equipment is not an exemption from compliance with the At Berth Regulation.

With respect to the division of responsibilities, we request clarifying language to describe the relationship between the Port and the terminal. Although it is our understanding that the terminal is an independent marine terminal, we request information that specifically details the responsibilities of the terminal and any that the Port may have for infrastructure.

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. Please also provide more explanation on why both a low activity terminal exception and barge-based capture and control system are listed as control options for Richmond Dock 11.

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,



Bonnie Soriano, Branch Chief, Freight Activity Branch

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