

September 21, 2022

K.J. May
Engineering Manager
The Port of Hueneme, Oxnard Harbor District
333 Ponoma Street
Port Hueneme, California 93041
kmay@portofh.org

Dear K.J. May:

The California Air Resources Board's (CARB) At Berth Regulation (Regulation) provides that applications for innovative concepts must contain, at a minimum, the specific information detailed under section 93130.17. The application your organization submitted on December 1, 2021, did not contain the minimum information identified by the Regulation and is therefore incomplete. Specifically, the following information was not included in the application as required in sections 93130.17 (a) and 93130.17 (b)(1)(A)-(I):

- 93130.17 (a)(2) – A discussion regarding how the proposed innovative concept reduces oxides of nitrogen (NO_x), fine particulate matter that are 2.5 micrometers or less in diameter (PM 2.5), and reactive organic gas (ROG) emissions equivalent to or greater than the level that would have been achieved by the Control Measure, while not increasing greenhouse gasses (GHG).
- 93130.17 (a)(3) – A discussion regarding how the proposed innovative concept achieves emissions reductions of NO_x, PM 2.5, and ROG that are in excess of other requirements.
- 93130.17 (a)(7) – Information regarding how the innovative concept will have a compliance period no greater than five years and comply with all portions of section 93130.17 (a)(7) (A) through (C).
- 93130.17 (a)(9) – A discussion regarding how visits made under the innovative concept will not be used for vessel incident events (VIE), terminal incident events (TIE), or the remediation fund.
- 93130.17 (a)(12) – A demonstration that the innovative concept is not funded with a public incentive program.
- 93130.17 (a)(13) – An explanation of how the applicant will maintain records including information regarding, but not limited to, fuel usage, routes, port calls, maintenance procedures, and emissions test results in a manner which complies with section 93130.17 (a)(13).
- 93130.17 (a)(15) – A timeline showing how the innovative concept will be implementable within the timeframe needed to be used for compliance with this Control Measure, including any time needed for environmental review (if applicable).
- 93130.17 (b)(1)(B) – A description of proposal including an overview of the source and scope of emission reductions, and a project site plan and location map.

- 93130.17 (b)(1)(D) – The proposed recordkeeping, reporting, monitoring, and testing procedures that the applicant plans to use to demonstrate reductions.
- 93130.17 (b)(1)(E) – Information regarding any Memorandum of Understanding or similar agreement between the applicant, any funding partners (if more than one entity is providing funding), owners and operators of controlled equipment for the innovative concept that shows agreement regarding the innovative concept’s scope and requirements for using the innovative concept in compliance with this Control Measure. If this doesn’t apply, please specify. If it is applicable, indicate if the Memorandum of Understanding or similar agreement was approved by the Executive Officer and in place prior to the start date of the innovative concept compliance period.
- 93130.17 (b)(1)(G) – A summary of governmental approvals necessary to enable development of the innovative concept.
- 93130.17 (b)(1)(I) - Any information necessary to demonstrate that the proposed innovative concept meets all eligibility and applicability requirements in subsection 93130.17(a).

Incomplete applications must be corrected and re-submitted in complete form before they can be fully evaluated by CARB staff. This letter identifies the sections that were missing or incomplete. While your application may contain information for the sections not listed above, this does not mean that the application contains all the required information for those sections, or that Innovative Concept satisfies all the criteria set forth in those sections. CARB staff strongly recommends that the applicant review all the required sections to ensure that the required information as indicated by sections 93130.17 (a) and 93130.17 (b)(1)(A)-(I) are provided. Please submit a complete application for CARB review following section 93130.17 (b)(1)(A)-(I) by October 17, 2022. For more information, please visit CARB’s [Ocean-Going Vessels At Berth Regulation](#) website.

In addition to addressing the missing or incomplete information outlined in this letter, please note that per section 93130.17 (b)(2), applicants must respond to all public comments within 45 days of the closing of the public comment period. The public docket for this application was open from July 1, 2022 to August 15, 2022, after which the 45-day applicant response period began. Your opportunity to respond to public comments will end on September 29, 2022. Public comments for your application can be found on CARB’s [At Berth Regulation Innovative Concept Applications](#) website.

For any questions regarding the innovative concept applications and public process, or if you would like to discuss your application, please contact Jeff Jacobs, Air Resources Engineer, Marine Strategies Section, at Jeff.Jacobs@arb.ca.gov.

Sincerely,



Bonnie Soriano, Branch Chief, Freight Activity Branch

cc: Jeff Jacobs, Air Resources Engineer, Marine Strategies Section