

June 11, 2024

Mr. Nick Tonsich  
Clean Air Engineering – Maritime, Inc.  
2500 Via Cabrillo Marina, Suite 300  
San Pedro, California 90731  
[ntonsich@caemaritime.com](mailto:ntonsich@caemaritime.com)

Dear Mr. Tonsich:

California Air Resources Board (CARB) staff has reviewed Clean Air Engineering – Maritime, Inc.’s (CAEM) Test Plan for extending approval of the barge-based METS-1 control system (AB-000-R-CAE-002-0), approved under the 2007 At Berth Regulation (Executive Order (EO) AB-15-1) to treat emissions from container vessel auxiliary engines under the 2020 Control Measure for Ocean-Going Vessels At Berth (2020 At Berth Regulation) and expanding the capacity of the control system to roll-on/roll-off (ro-ro) vessel auxiliary engines. An extension is required under Section 93130.5(d)(3) of the 2020 At Berth Regulation for the METS-1 control system to operate as a CAECS under EO AB-15-1 beyond January 1, 2025.

On January 26, 2024, CAEM submitted “METS-1 Emission Test Protocol Container and RoRo Vessels” (Test Plan, Version 1) to be used for compliance with the 2020 At Berth Regulation. CARB staff reviewed the Test Plan and submitted comments to CAEM on April 4, 2024, April 22, 2024, May 3, 2024, and May 10, 2024. To address staff’s comments, CAEM revised the Test Plan on April 5, 2024, April 30, 2024, May 09, 2024, and May 14, 2024.

Based on CARB staff’s review, and pursuant to Health and Safety Code section 93130.5(f) of the 2020 At Berth Regulation, CAEM’s Test Plan, Version 5, is hereby approved in accordance with testing requirements for container and ro-ro vessel auxiliary engines under the CARB 2020 At Berth Regulation.

CARB approval is based on the system description, design, and operational procedures outlined in CAEM’s Test Plan (Version 5). No changes or modifications are permitted to the METS-1 system, including the capture system design and operation, without prior CARB approval.

The application requirements that CAEM must meet to submit test results are outlined in section 93130.5 of the 2020 At Berth Regulation. Per section 93130.5(i) of the 2020 At Berth Regulation, if testing deviates from the approved Test Plan without prior CARB approval, the Executive Officer may deem the application incomplete or disapprove the application. An example of deviating from the Test Plan includes conducting testing on additional vessel visits beyond those approved in the Test Plan and claiming such visits qualify for the research exception set forth in section 93130.8(d) or 93130.10(e) of the 2020 At Berth Regulation. CARB reserves the right to request the results of any testing conducted beyond the testing described in the approved Test Plan.

Vessel visits that coincide with the tests specified in the approved Test Plan may count as a compliant visit under the research exceptions in section 93130.8(d) or 93130.10(e) of the 2020 At Berth Regulation; however, these sections only apply for testing identified in the Test Plan and conducted after the date of this letter when the Test Plan is approved. All testing must adhere to the system description, design, and operational procedures outlined in the approved Test Plan. To complete the testing outlined in the Test Plan, a total of six vessel visits are approved to utilize the research exception to comply with the 2020 At Berth Regulation set forth in section 93130.8(d) or 93130.10(e).

CAEM is responsible for tracking the usage of the six approved vessel visits that may utilize the research exception, and CAEM must provide a copy of the approved Test Plan to each vessel participating in the research. CAEM is also responsible for communicating with the vessel operator to ensure the operator knows what tests are being performed during the visit, and which number out of the six approved visits the vessel is participating in. As noted above, any tests completed in excess of those approved in the Test Plan would not be eligible for the research exception to comply with the 2020 At Berth Regulation set forth in section 93130.8(d) or 93130.10(e). If more than six vessel visits are needed to complete all the testing outlined in the approved Test Plan, CAEM must seek additional approval from CARB.

For the extension of the METS-1 EO AB 15-1 to continue to operate as a CAECS under the 2020 At Berth Regulation, per section 93130.5(i)(1), CAEM must submit an application at least six months prior to the end date of the approval, or by July 1, 2024, to ensure the EO does not lapse. CAEM must assert that the strategy has not changed and is still effective, following the requirements of section 93130.5(d).

If you have any questions, please contact Angela Csondes, Manager, Marine Strategies Section, at [angela.csondes@arb.ca.gov](mailto:angela.csondes@arb.ca.gov).

Sincerely,



Bonnie Soriano, Chief, Freight Activity Branch, Transportation and Toxics Division

Attachment: METS-1 Emission Test Protocol (Container and RoRo Vessels)\_V5.pdf

cc: Angela Csondes, Section Manager, Marine Strategies Section