

FINAL REGULATION ORDER

AMENDMENTS TO THE REGULATIONS TO REDUCE EMISSIONS FROM DIESEL ENGINES ON COMMERCIAL HARBOR CRAFT OPERATED WITHIN CALIFORNIA WATERS AND 24 NAUTICAL MILES OF THE CALIFORNIA BASELINE

Division 3. Air Resources Board Chapter 5.1. Standards for Fuels for Nonvehicular Sources

Note: This document is printed in a style to indicate changes from the existing provisions in title 13, California Code of Regulations, section 2299.5. All existing language is indicated by plain type. All additions to the language are indicated by underlined text. All deletions are indicated by ~~strikeout~~.

Section 2299.5. Low Sulfur Fuel Requirement, Emission Limits and Other Requirements for Commercial Harbor Craft.

Any person who sells, supplies, offers for sale, purchases, owns, operates, leases, charters, or rents any new or in-use diesel fueled Harbor Craft, as defined in section 93118.5(d)(369), title 17, California Code of Regulations (CCR), must comply with the low sulfur fuel use requirement in section 93118.5(e)(1) and other requirements in section 93118.5, title 17, CCR when operating the craft within Regulated California Waters, as defined in section 93118.5(d)(658), title 17, CCR, except as provided in sections 93118.5(b), and (c), and (e)(1)(F), title 17, CCR. Notwithstanding the definition of Harborcraft in section 2299(b)(4), title 13, CCR, and in section 93117(b)(4), title 17, CCR, the low sulfur fuel requirement in section 93118.5(e)(1), title 17, CCR applies to an ocean-going tugboat or towboat that has a “registry” (foreign trade) endorsement on its United States Coast Guard certificate of documentation or that is registered under the flag of a country other than the United States, except when on voyages comprised of “continuous and expeditious navigation” through Regulated California Waters, as provided in section 93118.5(c)(1), title 17, CCR. This section shall not be construed as expanding or limiting either the application or requirements of section 93118.5, title 17, CCR, but is intended to alert affected persons of the Harbor Craft fuel use requirement and other provisions in that section.

NOTE: Authority cited: Sections 39600, 39601, 41511, 43013, and 43018, Health and Safety Code. Reference: Sections 39000, 39001, 39515, 39516, 41510, 41511, 43013, 43016, and 43018, Health and Safety Code; and *Western Oil and Gas Ass’n v. Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).