



California Air Resources Board Marine Notice 2020-2



October 2020

Notification¹ of Requirements to Owners and Operators of Ocean Going Vessels for Complying with the California Ocean-Going Vessel Fuel Regulation²

The California Ocean-Going Vessel (OGV) Fuel Regulation, which has been enforced since July 2009, provides significant air quality benefits by requiring vessels to use cleaner, low sulfur marine distillate grade fuel in main engines, diesel-electric engines, auxiliary engines, and auxiliary boilers. The purpose of this marine notice is to remind owners, operators, and vessel management companies of the requirements under the California OGV Fuel Regulation, and to notify the aforementioned stakeholders, that CARB enforcement will begin performing further analysis of samples collected during the inspection process. As provided by the California OGV Fuel Regulation, fuel samples will be further analyzed as specified in the International Organization for Standardization's (ISO) "Fuel Standard for Marine Distillate Fuels" – ISO 8217 (as revised in 2005). (Cal. Code Regs., tit. 13, § 2299.1(i).)

What are the Requirements in the California OGV Fuel Regulation?

The California OGV Fuel Regulation requires the use of distillate grade marine fuels (marine gas oil (DMA / DMX) or marine diesel oil (DMB)) with a maximum sulfur level of 0.1% while operating main engines, diesel-electric engines, auxiliary engines, and auxiliary boilers on OGVs within Regulated California Waters (24 nautical miles of the California baseline). (Cal. Code Regs., tit. 13, 2299.1(e).) CARB has primary enforcement authority for the California OGV Fuel Regulation.

What further analysis will CARB be performing to verify compliance with ISO 8217?

The California OGV Fuel Regulation indicates the methods specified in ISO 8217 (as revised in 2005) to determine whether fuels sampled meet the requirements of distillate marine grade fuels. Specifically, CARB will utilize Test Method ISO 10370, "Determination of Carbon Residue - Micro Method." Carbon residue is responsible for

¹ **Disclaimer:** CARB has prepared this Advisory to describe the regulatory requirements in a user-friendly format. Unlike the California OGV Fuel Regulation, this document does not have the force of law. It is not intended to and cannot establish new mandatory requirements beyond those that are already in law, and it does not supplant, replace, or amend any of the legal requirements. Conversely, this document's omission or truncation of legal requirements does not relieve owners or operators of their legal obligation to fully comply with all requirements of the California OGV Fuel Regulation and is not intended as a substitute for reading the laws. CARB makes every effort to keep its documents up to date. However, CARB does not guarantee the accuracy of this document and shall not be responsible for any errors or omission in content. CARB reserves the right to make changes without notice.

² Fuel Sulfur and Other Operational Requirements for Ocean-Going Vessels within California Waters and 24 Nautical Miles of the California Baseline, California Code of Regulations, Title 13 § 2299.2 and California Code of Regulations, Title 17, § 93118.2.

excessive emissions of particulates that are currently not being mitigated with only sulfur test methods in place.

Why is CARB enforcement performing testing for carbon residue levels?

The fuel sulfur limit under the California OGV Fuel Regulation is 0.1%, as determined by Test Method ISO 8754. There is a small, yet significant, percentage of vessels that enter into Regulated California Waters operating on contaminated fuels that may comply with this sulfur limit, but do not meet the specifications of a distillate grade fuel. By administering this additional level of scrutiny, CARB is working to:

- Clearly identify non-compliant vessels that are operating on contaminated fuels that may meet the sulfur limit as perhaps a residual grade ultra-low sulfur fuel oil would, but not meet the strict determination of a distillate grade fuel, as specified in the regulation.
- Eliminate excess ash particulate emissions that affect disadvantaged communities in and around California ports.
- Create a more level playing field by identifying vessels that are not following established fuel changeover procedures to mitigate these excessive emissions.

What can operators do to ensure compliant operation?

Most vessel operators have procedures in place to effectively operate in a compliant fashion. It is well documented that fuel contamination can and does occur without proper procedures due to the engineering aspects aboard OGVs. Vessel owners and operators should effectively train engineering staff and need to:

- Be sure that vessel operators / charterers have bunkered compliant distillate grade fuel;
- Have established procedures in place to eliminate all areas of potential contamination with residual grade fuels before the fuel oil supply pumps; and
- Have processes in place that will allow for the complete flushing of all residual grade fuel oils from engines and fuel oil supply systems once fuel changeover has been completed.

How Can I Get More Information?

Information on California's OGV Fuel Regulation can be found at:
<http://www.arb.ca.gov/ports/marinevess/ogv.htm>.