

March 28, 2022

Jennifer Polk, HSE Manager
NuStar Shore Terminals LLC, Selby (Crockett)
90 San Pablo Avenue
Crockett, California 94525
jennifer.polk@nustarenergy.com

Dear Jennifer Polk:

Thank you for submitting the Selby Terminal Plan (Plan) on behalf of NuStar Shore Terminals LLC for the Selby Terminal to the California Air Resources Board (CARB) as required by the Control Measure for Ocean-Going Vessels At Berth ("Regulation"). 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 required by the following provisions:

- Section 93130.14(a)(3)(A) of the Regulation requires the terminal to identify and describe all necessary equipment needed to implement the terminal's chosen strategy, including whether it will be located on the vessel, wharf, shore, or elsewhere:
 - The Plan states that there is no way to comply with the Regulation but lists CARB Approved Emission Control Strategy (CAECS) as the equipment that will be used at berth ROD 8. The requirement to reduce emissions from tankers in Northern California begins in 2027. Section 93130.14(a)(3)(H) of the Regulation requires a terminal operator to claim that a physical and/or operational constraint will delay its ability to implement its preferred CAECS 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 any other emission control options could be implemented more quickly at the terminal. The Selby Terminal Plan did not include a technical feasibility study and CARB staff requests a study that evaluates whether any other control options could be implemented more quickly at the terminal.
 - In addition, please provide any supporting information such as the Moffatt Nichols and DNV GL USA, Inc. Maritime reports that you reference in your Plan to provide evidence concerning the availability of technology.
- 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 berthing restrictions are regulated by the existing Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS) terminal operating limits, CARB staff requests that the plan specifically details which specific berthing restrictions would present themselves at berth ROD 8 for each emissions control strategy; and

- Section 93130.14(a)(3)(F) of the Regulation requires the terminal to provide a schedule for installing equipment.

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

CARB staff 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.

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