



Commercial Harbor Craft 2022 Amendments

California Code of Regulations, Title 17, Section 93118.5

CHC Factsheet: Compliance Extensions Guide

Date: February 1, 2023. Changes since the original version of this factsheet are provided in red text.

Specific details on the extensions and application process can be found in the [regulation text subsection \(e\)\(12\)\(E\) Compliance Extensions \(CCR Title 17, section 93118.5\)](#)¹. In the case of any discrepancy between this document and the regulation order, the regulation language applies.

Background

The 2022 Amendments to the Commercial Harbor Craft (CHC) Regulation provide several compliance deadline extensions for various circumstances that may prevent regulated parties from demonstrating compliance with applicable requirements. Parties must request extensions through a formal application process. Applications are subject to review and approval by the California Air Resources Board's (CARB's) Executive Officer.

The compliance extensions provide compliance deadline flexibility in the following situations:

- Infrastructure delays (E1).
- Equipment unavailability (E2).
- Need for vessel replacement and financial difficulty (E3).
- Tier 3 or better² engines by Dec. 31, 2024 in Commercial Passenger Fishing Vessels (CPFV) (E3).
- Diesel particulate filter (DPF) infeasibility and limited annual operation hours (E4).
- Manufacturing delays or overlapping compliance dates (E5).

Application templates will be made available on the [CHC website](#)³.

¹ <https://ww2.arb.ca.gov/rulemaking/2021/chc2021>

² Tier 3 or better means meeting Tier 3 or more stringent emissions standards

³ <https://ww2.arb.ca.gov/our-work/programs/commercial-harbor-craft>

Summary of Extensions

Extension Name	Type	Eligibility Criteria	Length of Extension	Application Due Date	Renewal Due Date
E1	Infrastructure Delays	Shore power, ZEAT infrastructure	1 year (Maximum of 2 years) ⁴	At least 9 months prior to compliance dates	Accepted from 9 to 12 months before the expiration of the extension
E2	Technology Availability	Demonstration of lack of certified engines/DPFs ⁵	2 years (Unlimited renewals)	No later than 9 months and no earlier than 12 months before the compliance date	Accepted from 9 to 12 months before the expiration of the extension
E3 (CPFV)	Technology Feasibility for CPFV with Tier 3 Or Better ² Engines	Demonstration of Tier 3 or better by Dec. 31, 2024	10 years	By July 1, 2024	Nonrenewable
E3	Technology Feasibility and Financial Hardship for All Other Vessels	Demonstration of technical infeasibility to repower and financial difficulty	2 years (Maximum of 6 years, not beyond Dec. 31, 2034) ⁶	No later than 18 months before the compliance date or no later than nine months before the December 31, 2023 compliance date	Accepted from 9 to 12 months before the expiration of the extension
E4	Tier 4 ⁷ with Limited Operating Hours	Tier 4 engine, limited operating hours ⁸ , vessel replacement necessary for addition of DPF	2 Years (Unlimited renewals)	No later than 9 months and no earlier than 12 months prior to the compliance date	Accepted from 9 to 12 months before the expiration of the extension

⁴ Any combination of extensions cannot provide an extension for a single engine of more than 6 years, or for CPFV, Excursion Vessels, and Ferries, an extension of more than 8 years; also, no extensions may extend beyond December 31, 2034.

⁵ If engines certified to current Tier 3 or better emissions standards are available, but DPFs are not, applicants must repower the vessel with an available engine by applicable compliance dates to receive an extension for DPFs. The repower engine must be certified to the most stringent marine or Final Tier 4 off-road engine standard available for the power and duty cycle rating of their operation.

⁶ CPFVs, Excursion Vessels, and Ferries can renew Extension E3 for a total of 8 years if they have compliance dates in 2024 or earlier; Workboats operating under Low-Use thresholds may receive an unlimited number of extensions.

⁷ For barge and barge mounted dredge vessels, all auxiliary engines must meet Tier 4 marine or Tier 4 Final off-road standards; main propulsion engines will not need to meet these standards. For all other regulated in-use vessel categories, all main propulsion engines must meet Tier 4 marine or Tier 4 Final off-road standards, and auxiliary engines will not need to meet these standards. If Tier 4 engines that are granted an E4 extension are operated beyond the applicable threshold hours in any calendar year, any compliance extensions granted will be terminated.

⁸ Up to 2600 annual hours or 1300 annual hours of operation in or within 2 miles of a DAC



Commercial Harbor Craft 2022 Amendments

California Code of Regulations, Title 17, Section 93118.5

Extension Name	Type	Eligibility Criteria	Length of Extension	Application Due Date	Renewal Due Date
E5	Scheduling	Manufacturer or shipyard delays; conflicting compliance dates ⁹	1 year (Unlimited) ⁴	Prior to compliance date ¹⁰	Accepted from 9 to 12 months before the expiration of the extension

⁹ For multiple engines on multiple vessels with the same compliance dates, or for engines on a single vessel with different compliance dates

¹⁰ While E5 applications may be submitted up to the applicable compliance deadlines specified in (e)(12) of the Final Regulation Order, CARB staff recommends that applicants allow 60 days for application review and consideration of approval. Engine operation beyond applicable (e)(12) compliance dates may be considered out of compliance.

Which Extension Fits My Situation?

Situation	Extension
There are shore power or ZEAT infrastructure delays preventing my compliance.	Apply for extension E1 for a one-year extension.
There are no certified Tier 3, Tier 4 marine, or Tier 4 Final off-road engines commercially available for my vessel.	Apply for extension E2 for a two-year extension.
There aren't certified DPFs commercially available for my vessel.	Apply for extension E2 for a two-year extension. Upgrade to an available Tier 3 or better engine(s), whichever meets the most stringent standard available.
I own/operate a CPFV that meets or will meet Tier 3 or more stringent emissions standards by Dec. 31, 2024.	Apply by July 1, 2024, for extension E3 for a one-time ten-year extension.
There are no suitable engines (Tier 3 or Tier 4 marine, or Tier 4 Final off-road) or DPFs that safely fit within the existing vessel structure. ¹¹ AND Modifications to the vessel's structure to create space for compliant engines would compromise its structural integrity or stability. ¹¹ AND I can demonstrate that removing my vessel from service and replacing it with a newly acquired compliant vessel is not financially possible.	Apply for extension E3 for a two-year extension.
My vessel is equipped with Tier 4 marine or Tier 4 Final off-road main propulsion engine(s) but adding a DPF is not technically feasible ¹¹ . AND I can demonstrate that the vessel has not, and will not, operate above the annual hour thresholds of 2600 hours (or 1300 hours in or within 2 miles of a DAC).	Apply for extension E4 for a two-year extension.
My vessel is a barge or barge--mounted dredge with all <u>auxiliary engines</u> meeting Tier 4 marine or Tier 4 Final off-road standards but adding a DPF is not technically feasible. ¹¹ AND I can demonstrate that the vessel has not, and will not, operate above the annual hour thresholds of 2600 hours (or 1300 hours in or within 2 miles of a DAC).	Apply for extension E4 for a two-year extension
I can demonstrate any of the following: <ul style="list-style-type: none"> Equipment manufacturer delays or installation difficulties New build vessel delays due to shipyard capacities Multiple engines on multiple vessels with the same compliance date Multiple engines on a single vessel with different compliance dates 	Apply for extension E5 for a one-year extension.
I only use my vessel for a limited number of hours per year.	Apply for a low-use exception. See Table 22 in the regulation text for requirements.

¹¹ Modifications that are not feasible include lowering passenger capacity by more than 25% or extending vessel length.