

September 18, 2023

Nicole Lucas
International Matex Tank Terminals (IMTT)
100 Cutting Blvd
Richmond, CA 94804
NicoleLucas@IMTT.Com

Dear Nicole Lucas:

Thank you for submitting the Terminal Plan (Plan) on June 21, 2023, on behalf of the International Matex Tank Terminals (IMTT) Richmond Terminal (Dock 17A) 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:

- 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 documented in the terminal operating limits regulated by the Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS), CARB requests that the Plan specifically detail which specific berthing restrictions would present themselves at Dock 17A for each emissions control strategy.
- Section 93130.14(a)(3)(F) of the Regulation requires the terminal to provide a schedule for installing equipment. The Plan states "Within six (6) months of at least two (2) or more CARB approved land/shore-based vendors operating in the Bay Area with available capacity to service IMTT OR by the CARB compliance deadline date of 2027 (whichever is later)."
 - CARB understands that terminals may require two or more vendors to apply for a contract in order to meet competitive bidding requirements; however, the assurance of terminals to receive competitive bids for the purchase of emissions control equipment does not comply with this provision of the At Berth Regulation. The Plan did not demonstrate how IMTT reached the conclusion that it would take six months to potentially install equipment for systems that are not currently under contract. CARB encourages IMTT to work with CARB approved emission control strategy (CAECS) providers to determine a timeline for installing control equipment.
- 93130.14(a)(3)(H) of the Regulation requires a terminal operator claiming that a physical and/or operational constraint will delay its ability to implement its preferred CARB approved control strategy 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 there are any other emission control options that could be implemented more quickly at the terminal.

- While the IMTT Plan does identify operational/physical constraints for a barge-based system, it did not include a technical feasibility study, as required in the Regulation, evaluating if there are any other control options that could be implemented more quickly at the terminal. To address this requirement of the Regulation, IMTT states “According to CARB’s Ocean-Going Vessels At Berth Interim Evaluation Report, the Santa Fe Channel has ‘a naturally narrow channel and does not provide enough room for a barge at any location’, thus, barge-based capture and control systems are currently not feasible to serve IMTT. In addition, for competitive bidding to occur, there needs to be at least two third-party shore/land-based capture and control systems available in the market. IMTT notes this is already a challenge, as the only CARB approved shore-based vendor available is not responsive to IMTT’s needs of complying to the At Berth regulation.”
- While the Interim Evaluation discussed that a barge-based system could present challenges at smaller terminals such as at the Port of Richmond, this does not preclude IMTT from working with other capture and control technology operators to determine if a land-based system could be installed to meet the compliance requirements that begin in 2027 for Richmond. In addition, the stated preferred IMTT Plan strategy is to use a “[t]hird party land-based capture and control system,” not a barge-based system. IMTT has also not identified a physical or operational constraint that would prevent the installation of a land-based system. CARB requests the plan identify the physical or operational constraints of a land-based capture and control system and provide a technical feasibility study to determine whether any other emission control options could be implemented more quickly for IMTT Richmond Terminal (Dock 17A).

Section 93130.15 of the Regulation provides an additional compliance option to remediate uncontrolled emissions at berth through an hourly fee based on the cost of securing equivalent emissions reductions. The remediation fund can only be used as an option to comply with the Regulation in specific, limited circumstances provided under section 93130.15 where vessel operators, terminal operators, CAECS operators, and/or ports have already made enforceable commitments to controlling emissions at berth. A terminal plan must be deemed acceptable under section 93130.15(b)(5) to be eligible as a basis to use the remediation fund to comply with the Regulation. CARB encourages your terminal to work with CAECS providers and third-party engineering and consulting firms early on to evaluate the feasibility and timelines to installing the appropriate CAECS for your specific terminal.

CARB 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

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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,

A handwritten signature in blue ink, appearing to read "Bonnie Soriano".

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

cc: Elizabeth Melgoza, Air Pollution Specialist, Marine Strategies Section