

March 27, 2025

Martin Graham
Vice President of Operations
Olympus Terminals LLC
martin.graham@olympusterminals.com

Dear Martin Graham:

On January 16, 2025, Olympus Terminals LLC (Olympus) requested prospective eligibility to use the remediation fund over an extended period. Olympus is requesting a five-month eligibility period, beginning January 1, 2025, and ending on May 31, 2025. California Air Resources Board (CARB) approves this request.

Olympus's terminal at Port of Long Beach receives visits from tanker vessels and is subject to emission control requirements under the 2020 At Berth Regulation (Regulation), title 17 Cal. Code Regs. Sections 93130 et seq. The remediation fund compliance option is an hourly payment to remediate the uncontrolled emissions during a vessel visit.

Enforceable Commitment

The remediation fund is a compliance option where regulated entities have made certain enforceable commitments to controlling emissions at berth, per Section 93130.15 of the Regulation. CARB recognizes Olympus's contract with STAX Engineering (STAX) as an enforceable commitment to comply with the Regulation by using a CARB Approved Emission Control Strategy (CAECS). STAX has Executive Order (EO) approval from CARB to operate a capture-and-control barge system to treat emissions from container and auto carrier vessels, and is subject to the Regulation as a CAECS operator. STAX has a CARB approved Test Plan to test their system on tanker vessels to be used for compliance.

Qualifying Circumstance

Olympus's request to use the remediation fund qualifies through the criteria specified in Section 93130.15(b)(1), terminal equipment repairs, where new or replacement equipment has been ordered in a timely manner but has not been received. STAX has delivered a barge system, Xcraft-1, to Long Beach, but this barge is not yet CARB approved for use on tanker vessels.

Because this qualifying circumstance will span across multiple visits, CARB agrees that it is appropriate for Olympus to use 93130.15(h), whereby regulated entities may seek a prospective eligibility determination from CARB to use the remediation fund option for multiple vessel visits over an extended time period.

Process for Confirming Use of Remediation Fund

Having received eligibility from CARB to use the remediation fund during the requested time period, Olympus shall make payments at least monthly to the remediation fund administrator per Section 93130.15(h). These payments shall be based on Olympus's terminal reports submitted to CARB within the required 30 calendar days per Section 93130.9(d)(5). Olympus shall ensure the reported remediation start and end times are accurate, and any relevant vessel and engine information is provided to CARB.^{1,2}

After CARB staff confirm the payment amount with the fund administrator, Olympus shall transfer that amount to the fund administrator. This confirmation process is standard across all remediation fund approvals to ensure that fund administrators only receive eligible payments.

For visits that took place between January 1, 2025, and the date of this letter, CARB will review Olympus's terminal reports and send an approval notice via email for the visits that requested the remediation fund compliance option. Payments for these visits will be due within 30 days of CARB's approval notice.

Conditions for Remediation Eligibility

Under the qualifying circumstance described above, properly reported and documented visits to Olympus's terminal may be compliant through remediation during the requested eligibility period.

Olympus is responsible for accurately reporting the correct number of remediation hours in the terminal reports. Insufficient remediation payments that fail to address all uncontrolled hours during visits claiming the remediation fund compliance option may result in visit(s) considered noncompliant with the Regulation and referral to CARB's Enforcement Division.

If at any point the previously provided commitment(s) to controlling emissions at berth are materially altered or terminated, or if the approved qualifying circumstance changes or no longer applies before the end of the approved eligibility period, Olympus may risk losing this remediation fund compliance option pathway at that time, unless Olympus can provide justification for the change or another enforceable commitment can be demonstrated.

¹ There is a different hourly rate for different vessel types per Section 93130.15(f). The hourly rates for 2025/2026 are posted to CARB's remediation fund webpage at: <https://ww2.arb.ca.gov/our-work/programs/oceangoing-vessels-berth-regulation/remediation-fund>

² To remediate the entire duration of a vessel visit, the appropriate start time is two (2) hours after the vessel is declared "Ready to Work", and the appropriate end time is one (1) hour before pilot on-board in preparation for departure. These start and end times are specified in Sections 93130.7(e)(3), 93130.9(d)(4), and 93130.12(b)(2) which describe the emission control requirements for regulated visits. Each partial hour counts as a full hour for the purpose of calculating remediation payments per Section 93130.15(e).

Other Compliance Options and Seeking Additional Remediation Eligibility

Please note that visits do not need to comply using the remediation fund if they are otherwise compliant through, for example, Vessel Incident Events or Terminal Incident Events as specified in Section 93130.11, or the research exception as specified in Section 93130.8(d) of the Regulation for visits that participate in testing specified in a CARB approved test plan.

If CAECS service is not yet available for any/all visits to Olympus's terminal by the end date of the requested eligibility period, Olympus may reapply to receive another prospective eligibility determination for an additional period. Olympus also has the option to request the remediation fund compliance option on a per-visit basis within 30 days of vessel departure, as specified in Section 93130.15(c).

Please reach out to Angela Csondes, Manager, Marine Strategies Section at angela.csondes@arb.ca.gov if there are any outstanding questions.

Sincerely,

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

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

cc: Angela Csondes, Manager, Marine Strategies Section