

April 27, 2026

Jeff Carlton
Kinder Morgan
Richmond Products Terminal (Richmond 9)
jeff_carlton@kindermorgan.com

Dear Jeff Carlton,

Thank you for submitting the revised terminal plan (Plan) to the California Air Resources Board (CARB) on behalf of Kinder Morgan (Richmond Product Terminal 9). This Plan was required by section 93130.14 of the Control Measure for Ocean-Going Vessels At Berth¹ (Regulation).

CARB staff have reviewed your submittal against the requirements in the Regulation, and have identified missing information:

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

The Plan referenced that Kinder Morgan is currently reviewing existing barge-based CARB approved emission control strategies (CAECS) options and service proposals but is not negotiating or committing to a service contract at this time. A date for the installation of equipment must be provided for the Plan to be considered complete. Please resubmit the Plan with this information to shorepower@arb.ca.gov within 90 days of this letter. Once CARB receives the re-submittal, staff will have 90 days to review it.

Delays with operation of existing control strategies is one of the circumstances eligible to utilize the remediation fund option, per section 93130.15(b)(3). If an enforceable commitment to control emissions at berth, such as a contract with a CAECS provider and date of installation, is not provided to CARB, the terminal will not be eligible to utilize the Remediation Fund option under the delays with operation circumstance, though a different circumstance could apply. Additional information on the remediation fund option can be found on CARB's website at: <https://ww2.arb.ca.gov/our-work/programs/ocean-going-vessels-berth-regulation/remediation-fund>.

There are upcoming compliance obligations that will become effective on January 1, 2027, for tanker vessels visiting your terminal. We understand that your terminal may encounter delays while implementing emission control strategies. However, even when noted in an approved Plan, delays do not waive, exempt, or otherwise excuse compliance obligations. Terminals must meet the Regulation requirements for reducing

¹ Cal. Code Regs., tit. 14, §§ 93130 *et seq.*

emissions at berth or use an alternative compliance option consistent with the compliance start dates in the Regulation.

Terminals that plan to use barge-based capture-and-control systems have a responsibility to engage with barge providers and ensure that the system(s) will satisfy their compliance obligations and any individual needs. This may include working with barge providers to perform necessary testing as part of the CARB approval process or otherwise collaborating with barge providers to ensure consistency with their operations.

If any significant changes occur to any elements of your Plan, you may email an updated Plan to shorepower@arb.ca.gov at any time. Additional information on terminal plans can be found under section 93130.14 of the Regulation or on CARB's website at:

<https://ww2.arb.ca.gov/our-work/programs/ocean-going-vessels-berth-regulation/terminal-and-port-plan-submissions>.

Sincerely,



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



Justin Shields, Chief, Freight Hub Enforcement Branch, Enforcement Division

cc: Angela Csondes, Section Manager, Marine Strategies Section, Transportation and Toxics Division