

FINAL REGULATION ORDER

AIRBORNE TOXIC CONTROL MEASURE FOR AUXILIARY DIESEL ENGINES OPERATED ON OCEAN-GOING VESSELS AT- BERTH IN A CALIFORNIA PORT

Adopt new section 2299.3, title 13, chapter 5.1, California Code of Regulations (CCR), to read as follows:

(Note: The entire text of section 2299.3 is new language.):

Section 2299.3. Airborne Toxic Control Measure for Auxiliary Diesel Engines Operated on Ocean-Going Vessels At-Berth in a California Port.

(a) Any person who owns, operates, charters, rents, or leases any U.S. or foreign-flagged container vessel, passenger vessel, or refrigerated cargo vessel that visits a California port, as defined in section 93118.3(c), title 17, California Code of Regulations (CCR), must comply with section 93118.3 (subject to the exemptions therein), relating to the operation of auxiliary diesel engines on ocean-going vessels at-berth in a California port. In addition, this section also applies to any person who owns or operates a port or terminal located at a California port, as defined in section 93118.3(c)(6), where container, passenger, or refrigerated cargo vessels visit.

(b) This section shall not be construed as expanding or limiting either the application or requirements of section 93118.3, title 17, CCR, but is intended to alert affected persons of the requirements regarding the operation of auxiliary diesel engines on ocean-going vessels at-berth in a California port and other provisions in that section.

NOTE: Authority cited: Sections 39600, 39601, 39650, 39658, 39659, 39666 and 41511, Health and Safety Code. Reference: Sections 39650, 39658, 39659, 39666, 41510, and 41511, Health and Safety Code.