



Air Resources Board



Mary D. Nichols, Chairman

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Linda S. Adams

Secretary for

Environmental Protection

Arnold Schwarzenegger

Governor

October 7, 2009

Ms. Joan Lundstrom, Chair
Harbor Safety Committee
of the San Francisco Bay Region
505 Beach Street, Suite 325
San Francisco, California 94133

Dear Ms. Lundstrom:

We appreciate the opportunity to work with the Harbor Safety Committee of the San Francisco Bay Region (HSC) in its efforts to facilitate communication and ensure safe vessel transit in the San Francisco Bay. We support the HSC's goal to develop best practices for shipping that will reduce the number of vessel incidents in the San Francisco Bay. The Air Resources Board (ARB) values HSC's cooperation during this initial implementation phase of its Ocean-Going Vessel Clean Fuel Rule, which began July 1, 2009.

ARB staff does not support the recommendations presented to the HSC at the September 10, 2009 meeting by the Western States Petroleum Association and the Pacific Merchant Shipping Association to suspend enforcement of the Ocean-Going Vessel Clean Fuel Rule. Such action is not supported by the available data and it is not in the best interest of the citizens of California.

The emission reductions achieved from this regulation are a critical component of California's strategy to protect public health and improve air quality in California. This regulation results in dramatic reductions in particulate matter emissions from ocean-going vessels, about 83 percent. It also significantly reduces emissions of sulfur dioxide by about 96 percent, and the secondarily formed particulate matter that results from sulfur dioxide emissions. Nitrogen dioxide emissions are also reduced by about six percent. The benefits include improvements to local, regional, and statewide air quality and an 80 percent reduction in statewide cancer risk due to ocean-going vessel emissions. Between 2009 and 2015, the regulation will also result in an estimated 3,600 fewer premature deaths statewide due to reduced public exposure to particulate matter.

In the first three months of implementation, there have been over 2,000 vessel visits statewide with successful fuel switches of these visits. The United States Coast

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

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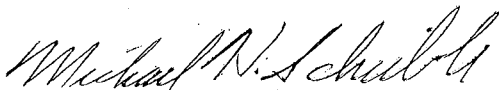
Guard (USCG) has received 13 incident reports that may be associated with fuel switching. Many of these are still under investigation, with the findings and root cause not yet completed. All of these incidents were managed effectively, using the operational practices currently in place, ending with the vessels arriving safely at port or anchorage without accident. In addition, the USCG reported at the September HSC meeting that the increase in reported incidents is in part attributable to more stringent reporting efforts by the USCG, which have resulted in the reporting of incidents that would not previously have been reportable.

ARB shares the concerns about any vessel incidents that may be related to fuel switching, but believes that it is ill-advised to suspend enforcement of the regulation in this early phase of implementation. The practices that are in place, in large part due to the work of the HSC, are very effective in facilitating safe vessel travel within the San Francisco Bay region. Practices such as vessel pilotage, tug escorts, USCG incident tracking and investigation, and Captain of the Port screening have been highly effective and successful in managing the risks associated with commercial shipping. In addition, the regulation contains a safety exemption that vessels may use to forego or cut short fuel switching procedures where extraordinary circumstances including fuel-related mechanical problems make it unsafe to use low-sulfur distillate fuel.

We believe that the best approach is a cooperative effort by all those involved to resolve any operational issues that have surfaced during implementation. This will provide the opportunity to continue to gain essential operational experience, gather information to further assist in implementation, and distribute the findings to the shipping industry. Looking ahead, this operational experience will be indispensable to the HSC and the shipping industry as a whole as we move toward implementation of the anticipated United States and Canadian Emission Control Area pursuant to the International Maritime Organization MARPOL Annex VI.

If you have any questions or comments, please contact Mr. Daniel Donohoue, Chief, Emissions Assessment Branch at (916) 322-8277 or by email at ddonohou@arb.ca.gov.

Sincerely,



for James N. Goldstene
Executive Officer

cc: See next page.

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cc: Don Koch, Director
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