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May 4, 2007

Environmental Protection Agency  
Air and Radiation Docket and Information Center (6102T)  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

**Docket ID No.** EPA-HQ-OAR-2007-0120

**Subject: Comments on EPA Change in Regulatory Deadline for Rulemaking to Address the Control of Emissions from New Marine Compression-Ignition Engines at or Above 30 Liters per Cylinder**

The California Air Pollution Control Officers Association (CAPCOA) appreciates the opportunity to review and comment on the EPA's direct final rule, *Change in Deadline for Rulemaking to Address the Control of Emissions from New Marine Compression-Ignition Engines at or Above 30 Liters per Cylinder* signed by the EPA Administrator on April 23, 2007. This action would postpone the rulemaking process until December 2009. Given the weakness of existing regulations and the current and growing magnitude of emissions from Category 3 marine engines, CAPCOA is very concerned about the proposed delay. This rulemaking process is a vital opportunity to develop standards that will provide significant and long-term air quality benefits from marine emission sources.

The federal action setting April 27, 2007 as the rulemaking deadline for these engines was finalized in January of 2003. Unfortunately, EPA has issued few, if any, progress reports in the four years since that action was taken, and has now waited until just four days before the scheduled deadline to notify the public of its proposal to further delay the rulemaking. The rationale given for the delay is to provide EPA more time to obtain an understanding of technical issues and to allow them to work through the IMO to develop universal international marine emission regulations. These reasons are similar to those stated by EPA for not taking action in 2003 when challenged by Earthjustice and Bluewater Network.

In California, marine emissions pose a serious threat to air quality in port areas and coastal communities that are struggling to meet state and federal health-based air quality standards. The California Air Resources Board's (CARB) statewide emissions inventory indicates that ocean-going vessels currently have a significant impact on the air quality in California. The 2005 CARB emissions inventory showed that ships operating off the coast of California are responsible for 30% of the state's Particulate Matter (PM) emissions and 7% of the state's emissions of Oxides of Nitrogen (NOx). In 2006 emissions from ships ranked as the largest source of SOx emissions, the third largest source of PM emissions and fourth largest source of NOx emissions in California. Under the current regulatory structure and with increasing shipping activities, CARB projections show that marine engine emissions will nearly double by 2020 (Table 1). Without

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stricter regulations, increasing ship emissions will continue to erode the progress that California has made in reducing onshore emission reductions and protecting public health.

**Table 1: Impact of ship emissions on California Air Quality**<sup>1</sup>

Pollutant	2006 (tpd)	2010 (tpd)	2020 (tpd)
Diesel PM	15.5	19.2	28.7
NOx	193.1	230.9	358.9
SOx	113.2	135.4	210.4

Internationally accepted emission standards for ocean-going vessels are the ideal approach to achieving emission reductions but they have proven to be very difficult to achieve. By further delaying this rulemaking process, EPA has missed an opportunity to demonstrate to the IMO that the United States is serious about reducing emissions from the large marine vessels, including those that are foreign flagged, and will act unilaterally if the IMO does not. The IMO subcommittee on Bulk Liquids and Gases (BLG) was scheduled to recommend stricter emissions regulations under Annex VI to the IMO Marine Environment Protection committee (MEPC) in July 2007. This deadline was postponed during the April BLG meeting and now the earliest amendments to Annex VI will be adopted is March 2008. The IMO is also expected to identify another group that would be tasked with evaluating and recommending future controls, which could lead to further delays in the deliberation process. Due to this unfortunate turn of events, we request that EPA expeditiously propose and adopt standards that, at a minimum achieve the emission reductions proposed by CARB in the 2007 draft State Implementation Plan (SIP)<sup>2</sup> to take effect in case the IMO does not take aggressive action to obtain equivalent reductions starting in 2010.

It is imperative that EPA provides strong leadership and a clear vision of the urgency and magnitude of emission reductions needed from this significant source in order to help improve air quality and protect human health in California and the United States. Thus, we urge your reconsideration of the proposed delay and ask that you establish and commit to a firm and timely deadline to develop and implement stringent emission standards for marine vessels.

Respectfully,



Larry R. Allen  
President

cc: The Honorable Barbara Boxer  
The Honorable Diane Feinstein  
The Honorable Lois Capps

<sup>1</sup> Values include main engine emissions from both transiting and maneuvering activities.

Source: California Air Resources Board. Current CARB inventory, no controls applied; 100 nm from shore. CARB presentation for Ship Main Engine Workshop. Port of Long Beach. March 20, 2007.

<http://www.arb.ca.gov/msprog/offroad/marinevess/presentations/032007/032007ogvpres.pdf>

<sup>2</sup> California Air Resources Board. "Air Resources Board's Proposed State Strategy for California's 2007 State Implementation Plan." Chapter 5 - Proposed new measures for ships. Revised draft: April 26, 2007.

<http://www.arb.ca.gov/planning/sip/2007sip/2007sip.htm>