



**Santa Barbara County  
Air Pollution Control District**

February 22, 2008

United States Environmental Protection Agency  
Mail Code: 6102T, 1200 Pennsylvania, Ave., NW  
Washington, DC 20640

**Docket ID No. EPA-HQ-OAR-2007-0121**

**Subject:** Comments on EPA Advance Notice of Proposed Rulemaking (ANPRM) to Control Emissions from New Marine Compression-Ignition Engines at or Above 30 Liters per Cylinder.

The Santa Barbara County Air Pollution Control District appreciates the opportunity to submit these comments. We are very concerned about continued delays of this essential rulemaking, and request that EPA expedite efforts to promulgate aggressive new engine and fuel standards for both U.S. and foreign flagged ships.

We have a compelling interest in this rulemaking for the following reasons:

- Marine shipping represents the largest uncontrolled source of nitrogen oxides (NOx) emissions in our county;
- Marine shipping emissions are growing rapidly and, if uncontrolled, pose a long-term threat to our ability to meet and maintain health-based standards; and,
- Failure to reduce emissions from marine shipping will require coastal areas to compensate for these offshore emissions with more stringent onshore regulations and at a much greater cost.

Emissions from Category 3 marine engines that power large ships traversing our coastline represent a significant source of air pollution offshore of Santa Barbara County. In fact, our most recently adopted 2007 Clean Air Plan estimates that the NOx emissions from marine shipping are greater than the amount of NOx produced onshore from all cars, trucks, and buses. Currently, ocean-going vessels emit more than 45 percent of the NOx emissions in Santa Barbara County. If left uncontrolled, we project that marine shipping will contribute almost 75 percent of the County's NOx pollution by the year 2020.

We are very concerned about EPA's lack of action in setting technology-forcing emission standards in a timely manner. The original IMO Annex VI emission standards were adopted by the Parties to MARPOL back in 1997 and it took eight years before they came into force in 2005. Similarly, it took EPA until 2003 to adopt the IMO standards as Tier 1 standards for U.S. flagged ships. As part of EPA's rulemaking in 2003, Tier 2 standards were deferred to a second rulemaking. Now, in 2008, EPA is once again trying to extend the date to promulgate standards, and proposing Tier 2 and 3 standards that are well into the future. Additionally, the IMO has once again deferred any action on amendments to Annex VI until October 2008 and likely beyond. EPA needs to demonstrate to the IMO that the United States is serious about reducing emissions from these large marine vessels and will act unilaterally if the IMO does not.

We offer the following additional comments and concerns regarding EPA's overall rulemaking process.

- EPA had enough information in 2003 to regulate Category 3 marine vessels, but instead chose to delay to allow the "opportunity to obtain important information on the use of these advanced technologies that we expect to become available over the next few years." Now, EPA begins a new rulemaking cycle but does not fulfill its responsibility to offer any of this "new information" that should have been developed in the intervening years.
- EPA should have proposed **actual standards for adoption** in this ANPRM for detailed comment. Rather, EPA still only offers ideas on how it might regulate this large source of air pollution (e.g., Tier 2 limits requiring a 15-25 percent reduction from Tier 1 standards). This proposal is not adequate given how long EPA has delayed this rulemaking and how late EPA is in fulfilling its duty under Section 213 of the Clean Air Act Amendments (CAAA).
- EPA should have updated the Regulatory Impact Analysis in this ANPRM. The ANPRM indicates that you "expect to start" with cost estimates that were developed as part of the draft Regulatory Impact Analysis published in 2002. This draft Regulatory Impact Analysis is almost 6 years old and should have been updated and made available for public comment in this ANPRM.
- The ANPRM should clearly discuss how EPA proposes to "force technology" as its duty under CAAA Section 213 is clearly to accomplish this goal, giving due consideration to costs, etc.
- The EPA proposal submitted to the IMO sub-committee on Bulk Liquids and Gases in April 2007 should have been widely circulated to the public & industry for input and comment. EPA's duty under CAAA Section 213 is not satisfied by its efforts to modify Annex VI.
- The EPA comment period on this rule is not meaningful. EPA has not made available any new significant information, but then asks for public comment. This is clearly an attempt to further delay any action to regulate this large source of air pollution.

We also offer the following specific comments on EPA's ANPRM proposals for reducing emissions from Category 3 engines.

- Tier 2 emissions standards for new engines starting in 2011 would reduce NOx emissions between 15-25 percent. We request that Tier 2 standards be promulgated **now** to require a 25 percent NOx emissions reduction (from Tier 1) for new ship engines (both U.S. and foreign flagged) **starting in 2009**. The technologies required to meet this level of control are available now.
- Tier 3 emission standards for new engines starting in 2016 would reduce NOx emissions by 80 percent. We request that Tier 3 standards be promulgated **now** to require an 80 percent emission reduction (from Tier 1) **starting in 2012**. We believe that technology-forcing standards are the key to spurring innovation of advanced control technologies.
- Require existing vessels to reduce NOx emissions by 20 percent for engines manufactured in 1985 and newer starting in 2012. We request that 20 percent NOx reduction requirements for existing vessels 1985 and newer be promulgated **now** and

- **effective within one year.** The technologies required to meet this level of control are available now.
- Setting a particulate matter (PM) standard of 0.5 g/kW-hr and a sulfur dioxide (SO<sub>x</sub>) standard of 0.4 g/kW-hr starting in 2011 with an option to comply by using distillate fuel with a maximum allowable sulfur level of 1,000 ppm. We request that EPA set PM and SO<sub>x</sub> standards **now** to be **effective in 2010 and require 1,000 ppm sulfur fuel standards by 2010.** We believe that this industry has been allowed to burn dirty fuel for long enough.
- Engine and fuel standards apply to only U.S. flagged vessels in EPA's proposal. We request that EPA promulgate both engine and fuel standards that apply to U.S. **and** foreign flagged ships.

It is imperative that EPA provide leadership and a clear vision of the urgency and magnitude of emission reductions that are essential from this significant source in order to help improve air quality and protect human health in Santa Barbara County and the United States.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Dressler", is written over a large, loopy circular flourish.

Terry Dressler  
Air Pollution Control Officer  
Santa Barbara County Air Pollution Control District

cc: Senator Barbara Boxer  
Senator Dianne Feinstein  
Representative Lois Capps