



An ECM Group Company

Client Alert 4-2021

March 11, 2021

CALIFORNIA AIR RESOURCES BOARD ANNOUNCEMENT

ADDITIONAL ANALYSIS OF FUEL SAMPLES

I. BACKGROUND

The California Air Resources Board (CARB) has special fuel regulations applicable to vessels that are operated within Regulated California Waters (RCW), which extend to 24 nautical miles from the California shore*. These regulations are different from the Emission Control Area (ECA) and IMO 2020 fuel regulations. California requires the use of distillate fuels within RCW (see ECM Client Alert 2-2020). CARB has an active vessel inspection program to ensure vessels are operated in accordance with California regulations. Inspectors often obtain fuel samples taken at inlet points to main and auxiliary machinery to verify compliance.

II. RECENT DEVELOPMENT

On March 1, 2021, the CARB [announced](#) that fuel samples taken during vessel inspections may undergo additional testing to ensure compliance (copy appended to this Alert). For some samples, inspectors will utilize the methods specified in ISO 8217 (as revised in 2005) to determine whether fuels sampled meet the requirements of distillate marine grade fuels. Inspectors will request ISO 8217 analysis if:

- The fuel shows visual evidence of contamination. Evidence includes the fuel being opaque, cloudy, dark, or waxy; OR
- The normal fuel analysis by CARB shows unexpected results that differ from the Bunker Delivery Note (BDN)

III. RECOMMENDED ACTION

ECM encourages vessels to:

- Review California Ocean-Going Vessel Fuel Regulations prior to calling California (see ECM Guidance Document 04).
- Minimize the possibility of fuel contamination.
- Maximize use of distillate fuels prior to entering Regulated California Waters.

* All distances from shore are to be measured from the outermost island/rock formation depicted on nautical charts.

All ECM Client Alerts and Guidance Documents are available to clients at www.ecmmaritime.com

Please direct questions and/or comments to us at ecm@ecmmaritime.com

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Additional sample analysis to verify compliance with the Ocean-Going Vessel Fuel Regulation

California Air Resources Board sent this bulletin at 03/01/2021 11:53 AM PST

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March 1, 2021

Additional sample analysis to verify compliance with the Ocean-Going Vessel Fuel Regulation being conducted by CARB Enforcement

The California Air Resources Board (CARB or Board) will begin performing an additional analysis of fuel samples obtained during the inspection of ocean-going vessels. As international regulatory sulfur limits have become stricter, it has inadvertently created situations where a vessel's fuel may in fact meet the sulfur limits of the International and California regulations, but not meet the standards for distillate grade fuel, as required by California law. This difference is significant. Studies have shown that the use of distillate fuel vs. lower sulfur residual grade fuel reduces the formation of directly emitted particulate from diesel engines considerably.

Recognizing this issue, CARB staff is seeking to improve compliance by performing this additional analysis of collected fuel samples. As provided by the California Ocean-Going Vessel Fuel Regulation ISO 8217 will be used to determine whether the fuel meets the specifications of distillate grade fuel. An enforcement advisory was released in October 2020 (Marine Notice 2020-2) that outlined the important amendment to CARB's Ocean-Going Vessel Fuel Regulation enforcement procedures.

Beginning May 2021, Enforcement staff will begin further analysis of samples taken during the inspection procedure.

The [Marine Notice](#), which was released in October 2020, and all relevant regulatory documents are available on the [Ocean-Going Vessel Fuel Regulation webpage](#).

[More Information](#)

Contact

Inquiries concerning enforcement inspection procedures can be directed to [Alex Barber](#), Air Pollution Specialist, or [Debbi Klossing](#), Manager, Railroad and Marine Enforcement Section.

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CARB is the lead agency for California's fight against climate change, and oversees all air pollution control efforts in the state to attain and maintain health-based air quality standards.

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