

Regulatory Advisory:

California Environmental Protection Agency

 **Air Resources Board**

Advisory to Owners and Operators of Cruise Ships and Oceangoing Ships Visiting California Ports

JANUARY 2008

Regulation Limiting Onboard Incineration on Cruise Ships and Oceangoing Ships

The purpose of this advisory is to inform owners and operators of cruise ships and oceangoing ships of an amended regulation recently approved by the California Air Resources Board (ARB) and adopted by the Office of Administrative Law, effective November 28, 2007.

The purpose of this regulation is to reduce emissions of toxic air contaminants (TACs) from the use of incinerators aboard cruise ships and oceangoing ships. Specifically, this regulation prohibits cruise ships and oceangoing ships from conducting onboard incineration while operating within three nautical miles of the California coast. This regulation is expected to reduce exposure to TACs for residents living near ports and along the California coast. This advisory is only a summary of the requirements, and does not contain all the information that may be needed to comply with the regulation. To receive a copy of the regulation, please contact the ARB staff listed at the end of this advisory, or visit the ARB's website at the following location:
<http://www.arb.ca.gov/ports/shipincin/shipincin.htm>

Who is covered by the regulation?

The regulation applies to any person who owns or operates a cruise ship or oceangoing ship, including foreign-flagged ships, calling on California ports or places. The cruise ships covered in this regulation include those which have berths or overnight accommodations for 250 or more passengers. Oceangoing ships subject to the requirements of this regulation include private, commercial, government, or military vessels of 300 gross registered tons or more.

What are the requirements?

Cruise ships and oceangoing ship owners or operators are prohibited from conducting onboard incineration within three nautical miles of the California coast except when required to be operated under the direction and supervision of the United States Coast Guard (USCG).

How is the three nautical mile boundary determined?

Onboard Incineration cannot be conducted between the California coast and the Three Nautical Mile Line as shown on the National Oceanic and Atmospheric Administration

(NOAA) Nautical Charts. To view these charts, please visit our website at <http://www.arb.ca.gov/ports/shipincin/shipincin.htm>.

Are there recordkeeping requirements?

Yes, vessel owners or operators must record the following information while the incinerator is operating within three nautical miles of the California coast.

- a. The date and time of start and stop of incineration (in local time);
- b. The position of the ship in latitude and longitude for each start and stop time of incineration;
- c. The estimated amount incinerated in cubic meters (m³);
- d. The name or signature of officer in charge of the operation; and
- e. When operation of the incinerator is required by the USCG, the name, unit, and phone number of USCG personnel who directed that the incinerator be operated.

During an onboard inspection, records shall be made available to ARB personnel or their delegates. Records shall be maintained in English and shall be kept onboard the vessel for two years.

Are there reporting requirements?

Yes, during an onboard inspection or upon written request, owners or operators of cruise ships and oceangoing ships, except those owned or operated by a military agency, must provide ARB personnel or their delegates the following written incineration records as required by the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978, and as implemented by the United States Coast Guard regulations title 33, Code of Federal Regulations, section 151.55, for all incineration occurring within 24 nautical miles of the California coast. This information is commonly found in the ship's Garbage Record Log Book.

- a. The date and time of incineration (start and stop) (in local time);
- b. The position of the ship in latitude and longitude for each start and stop time of incineration;
- c. The estimated amount incinerated in cubic meters (m³); and
- d. The signature of officer in charge of the operation.

Who can I contact for more information?

For further information, please contact CARB Air Toxics at airtoxics@arb.ca.gov. You may also visit ARB's onboard incineration website at <http://www.arb.ca.gov/ports/shipincin/shipincin.htm>.