



Risk Assessment Solutions

“Prevent, Don’t Cure”

Circular 01/01/14

Subject: California OGV Fuel Regulation/ Changes in the fuel sulfur requirements

New Requirements: January 1, 2014 Requirements in the Regulation for Fuel Sulfur and Other Operational Requirements for Ocean- Going vessels within California Waters and 24 Nautical Miles of the California Baseline (California OGV Fuel Regulation)

Applicability: All Owners/ Operators of Ocean- Going Vessels visiting California Ports.

Operators must comply with both the California OGV Fuel Regulation and the North American Emission Control Area (ECA) requirements. There are also 2014 requirements for some vessels under California’s At-Berth Regulation (<http://www.arb.ca.gov/ports/shorepower/shorepower.htm>)

Changes in the maximum allowable fuel sulfur content requirements under the California OGV Fuel Regulation:

Beginning **January 1, 2014** the maximum fuel sulfur (S) limit for both marine gas oil (DMA) and marine diesel oil (DMB) is set to 0.1% S. These Phase II requirements (shown in Table 1) are enforced within the California OGV regulatory zone, which is 24 nm off the coast of California, including islands.

Table 1: Fuel Requirements for Ocean- Going Vessels

Fuel Requirement	Effective Date	ARB’s California OGV Fuel Requirement Percent Sulfur Content Limit
Phase I	July 1, 2009	Marine gas oil (DMA) at or below 1.5% sulfur; or Marine diesel oil (DMB) at or below 0.5% sulfur
	August 1, 2012	Marine diesel oil (DMA) at or below 1.0% sulfur; or Marine diesel oil (DMB) at or below 0.5% sulfur
Phase II	January 1, 2014	Both marine gas oil (DMA) and marine diesel oil (DMB) at or below 0.1% sulfur

The **California OGV Fuel Regulation** contains a **Noncompliance Fee Provision** designed to accommodate vessel operators unable to find compliant fuel. Vessel operators can pay a fee in lieu of direct compliance with the fuel standards. In addition, a vessel operator can use this provision without paying a fee once per vessel in 2014 if they are **unable to source 0.1% sulfur fuel**. To avoid paying the fee, a vessel operator must make a good faith effort to acquire compliant fuel, use marine distillate fuel that meets the Phase I requirements that began on August 1, 2012 (shown above) on the inbound voyage, and purchase and use compliant Phase II fuel for the remainder of the voyage in the California OGV regulatory zone. Vessel operators must also comply with the other provisions of the Noncompliance Fee Provision.

For more details kindly find attached the relevant **Marine Notice 2013-1**.

We remain at your disposal,

Prevention at Sea