



## EXPANSION OF AT BERTH REQUIREMENTS IN CALIFORNIA

Starting 1 January 2025, the California Air Resources Board (CARB) will [broaden the scope of its at-berth emissions control requirements<sup>1</sup> for ocean-going vessels.](#)

From this date, emissions control compliance will now be required at:

- All regulated terminals for **roll-on roll-off vessels**
- Regulated terminals at the ports of Los Angeles or Long Beach for **tanker vessels**.

The emissions control compliance requirements introduced on 1 January 2023, for container ships, refrigerated cargo vessels, and cruise ships remain unchanged. All other provisions also stay the same: ocean-going vessels must report<sup>2</sup> port calls within 30 days, and any emissions must comply with opacity standards while at berth or anchor. The general exemptions continue to apply, excluding non-stop voyages and military or government vessels from these requirements.

### REGULATED TERMINALS

Regulated terminals are defined as those visited more than 20 times per year by each ship type.

Unregulated terminals are exempt from emissions compliance requirements due to low activity levels, defined as fewer than 20 annual visits per vessel type. However, if a low-activity terminal receives more than 20 visits annually from a specific vessel type for two consecutive years, it will be classified as a regulated terminal for that vessel type starting the following year. A current list of regulated terminal and port plans can be found [here](#).

### EMISSIONS CONTROLS COMPLIANCE

For ships that are required to comply with emission controls, communication and coordination should be sought with the regulated terminal at least seven days before arrival. This communication should be in writing and confirm how the vessel will meet the required standards.

The accepted options to meet compliance are:

- Connection to an onshore power supply (OPS)
- Employ a 'CARB Approved Emission Control Strategy' (CAECS)

1 Regulation order can be found [here](#)

2 Visit Report Template can be found [here](#)



Emissions control must be in operation within two hours of being 'Ready to Work'<sup>3</sup> and must not be disconnected more than one hour prior to the outbound pilot boarding.

The required emissions standards as per CARB 2020 regulations when employing a CAECS are shown below.

APPLICABLE LIMIT (g/kWh)	EMISSION RATES OF AUXILIARY ENGINES			EMISSION RATES OF TANKER AUXILIARY BOILERS		
	Nitrous Oxide (NO <sub>x</sub> )	Particulate Matter (PM) 2.5	Reactive Organic Gases (ROG)	NO <sub>x</sub>	PM 2.5	ROG
	< 2.8	< 0.03	< 0.1	< 0.4	< 0.03	< 0.02

Tanker auxiliary boilers are those that are used on a tanker fitted with steam driven cargo pumps. The emission rates from a tanker auxiliary boiler must be reduced to the above values, unless an OPS is being used to reduce emissions from auxiliary engines.

Approved CAECS are listed [here](#). Shipboard solutions can also serve as a CAECS, such as utilising alternative fuels that produce verified emissions meeting the required standards. If a shipboard solution is to be relied upon, owners must seek approval using the process described in the regulation.

## EXCEPTIONS

There are several exceptions to compliance that can be declared. These include:

- a. **Safety and emergency events** – reserved for situations where compliance with the regulations would endanger the safety of the vessel, crew, cargo, passengers, terminal, or terminal staff. For example, when severe weather is encountered
- b. **Vessel commissioning** – the first vessel visit may count as a commissioning visit, providing that the vessel was able to connect to shore power during that visit
- c. **Research visit** – to allow testing and approval of CAECS. The terminal and vessel operator must confirm this research exception in advance with a test plan
- d. **Vessel Incident Event (VIE)** –this can be declared when a vessel was unable to comply with emissions controls. A company can apply for several VIEs equal to 5% of the number of vessel visits to that terminal in the previous year. VIEs are terminal specific and are only valid for the calendar year that they are issued. Terminals have a similar compliance scheme, called a TIE – Terminal Incident Event
- e. **Remediation<sup>4</sup>** – this allows payment to be made in lieu of compliance under certain circumstances, for example if the vessel equipment required to connect to shore power has failed and requires repairs
- f. **Innovative Concept** – a list of approved innovative concepts can be found [here](#). CARB are no longer accepting applications for innovative concepts since 1 December 2021.

All exceptions must be properly recorded in the vessel visit report and supply additional documentary evidence as necessary to demonstrate the appropriateness of the exception claimed.

3 Defined as "the vessel is tied to the berth, the gangway has been lowered with netting down, and all government authorities with jurisdiction over the vessel visit have cleared the vessel".

4 Remediation fund application and limitation can be found [here](#)



## FUTURE DEVELOPMENTS

From 1 January 2027, all regulated tanker terminals visits will be required to comply with the emissions controls.

The CARB ocean-going vessels at berth regulation has been in force for some time, and ships that trade regularly in this region will already be familiar with the compliance requirements. With this upcoming expansion, new ship types will be subject to the emissions control requirements for the first time. Therefore, it is recommended that all interested parties become familiar with the regulation, the necessary reporting requirements, and develop appropriate operating procedures to meet the CAECS they intend to use.

CARB have provided a useful frequently asked questions document, which has been subject to regular revision, and can be found [here](#).

## FURTHER INFORMATION

For further information, please do not hesitate to email [lossprevention@tindallriley.com](mailto:lossprevention@tindallriley.com)

## DISCLAIMER

THIS LOSS PREVENTION UPDATE IS PUBLISHED BY THE BRITANNIA STEAM SHIP INSURANCE ASSOCIATION EUROPE (THE ASSOCIATION).

Whilst the information is believed to be correct at the date of publication, the Association cannot, and does not, assume any responsibility for the completeness or accuracy of that information. The content of this publication does not constitute legal advice and Members should always contact the Association for specific advice on a particular matter.