



This Advisory is provided to inform you about activities of the District that may affect your operation. It is intended to assist you in your effort to achieve and maintain compliance with applicable air pollution rules and regulations.

ATTENTION: MARINE TERMINAL OPERATORS, MARINE AGENTS, SHIP OPERATORS, AND REFINERIES

SUBJECT: NEW REQUIREMENTS FOR REGULATION 8, RULE 44, MARINE TANK VESSEL OPERATIONS

On December 7, 2005, the Bay Area Air Quality Management District (District) Board of Directors adopted amendments to [Regulation 8, Rule 44: Marine Tank Vessel Operations](#) (8-44) to reduce organic emissions from marine tank loading, lightering, ballasting, and venting.

The following summarizes new requirements that became **effective January 1, 2007**:

New Emission Control Requirements:

- The rule defines “regulated organic liquid,” as gasoline, gasoline blending stocks, aviation gas, JP-4 jet fuel, and crude oil and, after January 1, 2007, those commodities plus any other organic liquid or mixture of organic liquids that has a flashpoint less than 100° F (Section 222).
- The emission control requirements for **loading, lightering, ballasting, and venting** operations (Sections 301 through 303) apply when a regulated organic liquid is being loaded into a tank. They also apply when any liquid is being loaded into a tank that had a prior cargo of a regulated organic liquid, unless the tank has been vented and cleaned. **In venting and cleaning a tank that contained a regulated organic liquid, vapors from that cargo must be controlled and may not be vented to the atmosphere using portable blowers or in any other manner** (Sections 220 and 303).
- Marine terminal operators are required to conduct leak inspections of terminal equipment and tank vessel operators are required to conduct leak inspections of vessel equipment (Sections 305.1 and 305.2, respectively) during operations, and prior to loading more than 20% of the cargo. (Section 305.3)

New Notification Requirements (see sample Notification Form below):

- Operators of marine terminal or tank vessel equipment invoking the **safety/emergency exemption** in Section 115 must notify the District in writing within 48 hours. Refer to Section 403 for the information to be contained in the written notification.
- For any **lightering, ballasting, or tank cleaning** operation that is subject to the rule and occurs within “District Waters” but away from a marine terminal, a vessel operator must **provide written notice to the District 24 hours prior** to beginning the operation. Refer to Section 404 for the information to be contained in the written notification.
- All Notifications should be either **faxed** to: (415) 928-0338 (**Subject: 8-44 Notification**), or **emailed** to: compliance@baaqmd.gov (**Subject: 8-44 Notification**).

See reverse for additional information

New Recordkeeping Requirements:

- **Terminal operators** are required to maintain specified records for **loading** (Section 501.1), **ballasting** (Section 501.2), and **venting** (Section 501.3) operations, including records for leak inspections associated with these operations. Refer to Section 501 for the recordkeeping details.
- **Vessel operators** (or vessel owners or agents) are also required to keep records. Records must be maintained for **lightering** (Section 502.1), **ballasting** (Section 502.2), and **venting** (Section 502.3) operations that occur within the District or District Waters. In addition, vessel operators must keep records for **tank cleaning** operations that occur within District Waters **or within “California Coastal Waters”** (Section 502.4). Refer to Section 502 for the recordkeeping details.
- **Any person** seeking an exemption under Section 110 (loading events less than 1,000 gallons), or Section 111 (loading associated with fueling or bunkering of marine vessels) must keep the records detailed in Section 503.
- All records shall be maintained for at least **five (5) years** and shall be made available to the District upon request.

If you have any further needs, please refer to the following:

- ☎ For compliance assistance, call (415) 749-4999, the Compliance Counselor Hotline.
- ☎ For a copy of Regulation 8, Rule 44, visit the District website at: <http://www.baaqmd.gov/dst/regulations/index.htm>, or call the Public Information Officer at (415) 749-4900.
- ☎ For questions about this advisory contact Mike Wall, Air Quality Specialist at (415) 749-4903 or mwall@baaqmd.gov.

Kelly Wee
Director of Compliance and Enforcement



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

COMPLIANCE & ENFORCEMENT DIVISION

Notification Form

**Regulation 8
Rule 44**

MARINE TANK VESSEL OPERATIONS

NOTIFICATION FOR LIGHTERING, BALLASTING, OR TANK CLEANING AWAY FROM MARINE TERMINALS (Section 404)

The owner or operator of a marine tank vessel conducting **lightering, ballasting, or cleaning of tanks** that contain a regulated organic liquid, or had a prior cargo of a regulated organic liquid must **provide written notice to the District 24 hours prior** to beginning the operation. The notification must include the following information:

SITE AND DESCRIPTION INFORMATION (REQUIRED)

Bay Area Agent for Vessel		Phone #	
Vessel Name			
Location of Operation			
Date of Activity			
Description of Operation			
Lightering:			
Type of Liquid Cargo Loaded			
Amount Liquid Cargo Loaded			
Control Method Used			
Ballasting:			
Amount Ballast to be Loaded			
Prior Cargo Name			
Control Method Used			
Tank Cleaning:			
Combined Capacity of Tanks			
Prior Cargo in Each Tank			
Cleaning Method Used			

See Page Two to Complete This Form

Approved 1/26/07

SAFETY/EMERGENCY EXEMPTION (Sections 115 and 403)

The owner or operator of a marine terminal or tank vessel invoking this exemption **must notify the District in writing within 48 hours**. The written notification must include a complete description of circumstances that require the use of the exemption.

SITE AND DESCRIPTION INFORMATION (REQUIRED)

Company		Site #	
Date of Operation		Phone #	
Address			
Reported by			
Name of Vessel(s) Involved			
Location of Operation			

Event Description:

FOR BAAQMD USE ONLY

Received by:			Date:		
Disp to I#:	Date:	By:	Fwd to Supv.	Date:	By:

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GENERAL INFORMATION

- This notification form may be used to notify the BAAQMD of any operation subject to the reporting requirements in Regulation 8, Rule 44, Sections 403 and 404. Marine terminals or marine tank vessel owners or operators can either **fax** notifications to: (415) 928-0338 (**Subject: 8-44 Notification**), or **email** to: compliance@baaqmd.gov (**Subject: 8-44 Notification**).

INSTRUCTIONS

- **SAFETY/EMERGENCY EXEMPTION:** Give the name of the company invoking the exemption, and indicate if it has any existing BAAQMD site number. Identify the specific project location, and event description of why compliance with this rule would either (1) be a violation of any regulation or other requirement of the United States Coast Guard, or (2) would prevent an act or omission that is necessary to secure the safety of a vessel or for saving life at sea.
- **NOTIFICATION FOR LIGHTERING, BALLASTING, OR TANK CLEANING:** The owner or operator of a marine tank vessel must provide written notice to the District 24 hours prior to beginning lightering, ballasting, or cleaning of tanks that contain a regulated organic liquid, or had a prior cargo of a regulated organic liquid. Complete the site and description information required above.