

EPA Proposal for Amendments Related to Marine Diesel Fuel

The Environmental Protection Agency (EPA) is proposing a technical correction to the national diesel fuel regulations to allow fuel manufacturers and providers to distribute within the United States distillate diesel fuel that complies with the global sulfur limit that applies internationally, instead of the marine diesel fuel sulfur limits that otherwise apply in the United States.

Background

In 2008, the Member States to the International Maritime Organization adopted amendments to Annex VI to the International Convention for the Prevention of Pollution from Ships (MARPOL) that set new sulfur limits for the fuel used in international shipping. MARPOL Annex VI requires marine vessels operating globally to use fuel that does not exceed a sulfur concentration of 0.50 percent (5,000 parts per million, or ppm), starting January 1, 2020. We refer to this as global marine fuel. This sulfur limit is a significant reduction from the 3.50 percent sulfur limit that currently applies to global marine fuel. For comparison, MARPOL Annex VI also contains a 0.10 percent sulfur limit for fuel used in vessels operating in designated Emission Control Areas (ECAs), such as the North American and U.S. Caribbean Sea ECAs.¹ The United States ratified MARPOL Annex VI and became a Party to this Protocol on October 8, 2009; the North American ECA went into effect in August 2012, and the U.S. Caribbean Sea ECA went into effect in January 2014. As was the case when the ECA marine fuel sulfur limits went into effect, we need to amend 40 CFR part 80 to allow the U.S. distribution and sale of distillate diesel fuel meeting the sulfur limits for global marine fuel.

¹ For more information about the North American and U.S. Caribbean Sea ECAs, see www.epa.gov/regulations-emissions-vehicles-and-engines/designation-north-american-emission-control-area-marine and www.epa.gov/regulations-emissions-vehicles-and-engines/designation-us-caribbean-emission-control-area-marine.

Proposed Fuel Program Changes

EPA is proposing changes to the regulations at 40 CFR part 80, subpart I, to allow for distribution of distillate diesel fuel that complies with the 5,000 ppm global sulfur standard contained in Annex VI to the International Convention for the Prevention of Pollution from Ships (MARPOL Annex VI). These changes will clarify that U.S. refiners can legally distribute global marine fuel up to the 5,000 ppm sulfur limit, which will facilitate smooth implementation of the 2020 global marine fuel standard. These changes would exempt such fuel from the prohibition against distributing distillate diesel fuel that exceeds the ULSD and ECA marine fuel sulfur standards. The proposed changes include several conditions to ensure that the fuel is not diverted for use in the United States including documentation requirements to help ensure compliance.

Program Health and Environmental Impacts

The proposed changes to the fuel program do not change the fuel sulfur limits that apply for fuels sold in the United States or used in our ECAs. These proposed changes are therefore not expected to impact U.S. air quality.

Program Costs

By providing additional compliance flexibility, the proposed changes to the fuel program may reduce the costs of U.S. fuel suppliers providing global marine fuel that meets the MARPOL Annex VI global sulfur cap of 5,000 ppm. To quantify these benefits, EPA is seeking information on the extent to which this regulatory change might adjust U.S. fuel suppliers' decisions and actions to supply the global marine fuel market, the extent to which this action might help with overall global marine fuel supply, and what the associated costs, cost savings and other effects might be.

Public Participation Opportunities

Comments will be accepted beginning when this Proposed Rule is published in the Federal Register. Additionally, a public hearing is planned, at which additional comments will be accepted. For information on how to submit written comments or how to sign up to speak at a hearing, please see the Federal Register Notice. All comments should be identified by Docket ID No. EPA-HQ-OAR-2018-0638 and submitted by one of the following methods:

Internet: www.regulations.gov

E-mail: A-and-R-Docket@epa.gov

Mail:

Air and Radiation Docket and Information Center

U.S. Environmental Protection Agency

Mailcode 6102T

1200 Pennsylvania Ave., NW

Washington, DC 20460

Hand Delivery:
EPA Docket Center
3334 EPA West Building
1301 Constitution Ave., NW
Washington, DC

For More Information

You can access the Notice of Proposed Rulemaking and other documents related to our diesel fuel standards electronically on the EPA's Office of Transportation and Air Quality web site at:

www.epa.gov/diesel-fuel-standards/diesel-fuel-standards-and-rulemakings

You can also contact the National Vehicle and Fuel Emissions Laboratory (NVFEL) library for document information by email at AALibrary@epa.gov or by phone at 734-214-4311.