



November 8, 2005

Mrs. Barbara Riordan
Interim Chair
and Board of Directors
California Air Resources Board
P. O. Box 2815
Sacramento, CA 95812

Re: Support Airborne Toxic Control Measure for Cruise Ship Incineration

Dear Mrs. Riordan and Air Resources Board of Directors,

Bluewater Network urges you to support as proposed by staff the Airborne Toxic Control Measure for Cruise Ship Incineration at your November 17, 2005, board meeting. This measure will protect public health in California's port and coastal communities by reducing exposure to air toxics emitted during on-board incineration of solid wastes by cruise ships operating in state waters.

The regulation implements legislation banning cruise ship incineration in state waters (AB471 – Simitian) sponsored by Bluewater Network – a division of Friends of the Earth. Bluewater Network works to stop environmental damage from vehicles and vessels, and to protect human health and the planet by reducing dependence on fossil fuels.

This regulation will ensure that California residents and offsite workers who live or work near ports and along the coast receive minimal, if any, exposure to air toxics from on-board incineration such as dioxins, furans and toxic metals. These air toxics can be emitted when ships incinerate garbage, paper, cardboard, plastics, sewage sludge, oily sludge, sewage solids and other solid waste. With the expected expansion of cruise traffic in state waters by 25 percent by 2015, this regulation's public health protection value will only increase over time.

It is an important regulation because it is the first state law to regulate ship incineration. Until now, no state or federal laws controlled shipboard incineration emissions – even while landside incinerators are strictly regulated. International shipboard incineration standards that went into effect in May 2005 do not adequately protect state air quality as incineration is permitted in ports, harbors and coastal waters.

The enforcement provisions in the state regulation proposed by staff will ensure the effectiveness of the cruise ship incineration ban. We are very supportive of the inspection program proposed by staff to monitor compliance. In addition, we believe that the record-keeping requirements and the specificity of the three-mile boundary as defined using nautical charts from the National Oceanographic and Atmospheric Administration are critical to the implementation of the incineration ban.

We would also like to commend the Air Resources Board staff, particularly team lead Michelle Komlenic, for the excellent research on cruise ship incineration and the public health risk assessment contained in the staff report and initial statement of reasons. This comprehensive information details for the first

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time in a public document cruise ship incineration practices and health risks. We hope that it may provide a model for other states and entities when considering air toxic rules related to incineration on board ships.

With all these factors in mind, we urge you to please adopt as proposed by staff the Airborne Toxic Control Measure for Cruise Ship Onboard Incineration.

Sincerely yours,

Teri Shore
Clean Vessels Campaign Director

Cc Catherine Witherspoon, Executive Director, Air Resources Board