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Caitlyn E. Stewart  
Vice President – Regulatory Affairs

March 27, 2023

U.S. Environmental Protection Agency Docket Center  
WJC West Building, Room 3334  
1301 Constitution Avenue NW  
Washington, DC 20004

RE: California State Nonroad Engine Pollution Control Standards; Ocean-Going Vessels At-Berth and Commercial Harbor Craft; Requests for Authorization; Opportunity for Public Hearing and Comment (Docket ID No. EPA-HQ-OAR-2023-0153)

Dear Ms. Dunham:

The American Waterways Operators (AWO) is the tugboat, towboat, and barge industry's advocate, resource, and united voice for safe, sustainable, and efficient transportation on America's waterways, oceans, and coasts. Our industry makes up the largest segment of the U.S.-flag domestic maritime fleet and represents the most sustainable mode of freight transportation, producing 43 percent less greenhouse gas emissions than rail and more than 800 percent less than trucks, while also reducing congestion, enhancing air quality, and improving safety.

Our industry's role is particularly significant in California, which ranks third among states in waterborne commerce by tonnage, with 239 million tons of freight moved by marine vessels each year, and which benefits from more than \$12.2 billion in annual economic activity driven by the domestic maritime transportation industry. Seven AWO member companies are headquartered in California, and many more operate throughout the state's waterways.

On behalf of AWO's members, we appreciate the opportunity to comment on the California Air Resources Board's (CARB) request for authorization to enforce amendments to its Commercial Harbor Craft (CHC) rule under section 209(e) of the Clean Air Act (CAA). Since 2019, AWO and its members have engaged with CARB to ensure its proposed modifications to the CHC rule are practicable for California's commercial harbor craft operators. Despite these consultations, AWO believes that the CHC rule as amended is not technologically feasible within the compliance timeline that CARB has established (as we will detail in

subsequent comments to this docket). Therefore, the enforcement of this rule has the potential to jeopardize our members' ability to continue to operate commercial harbor craft in California.

**Due to the significance of EPA's authorization determination for the regulated community, AWO respectfully requests that EPA hold a virtual public hearing to provide commercial harbor craft operators and other stakeholders with the opportunity to present oral testimony about the CHC rule's impacts on their operations and on the continuity of California's waterborne commerce.**

Sincerely,

A handwritten signature in black ink that reads "Caitlyn E. Stewart". The signature is written in a cursive, flowing style.

Caitlyn Stewart  
Vice President – Regulatory Affairs  
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