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NATIONAL VEHICLE AND FUEL EMISSIONS LABORATORY
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OFFICE OF
AIR AND RADIATION

May 5, 2006

CISD-06-012 (MCI)

Dear Manufacturer:

SUBJECT: Portable Auxiliary Marine Engines – Interpretation of Installed

In a June 2005 publication, EPA clarified the definition of “marine engine” to address uncertainties about portable auxiliary engines and the associated fueling, cooling, and exhaust systems.¹ That publication explained that we interpreted “installed on a marine vessel” in the regulation to include a portable engine “designed with a quick-connect access to the onboard fuel supply”. In contrast, we also explained that we did not interpret “installed” to include an engine if the engine “can easily be removed from a vessel to provide power to another application without modifications.” In response to these explanations, we have received questions about what constitutes an “onboard fuel supply” that is “an integral part of the vessel” and whether removing an engine and its remote-mounted fuel tank together would be a reasonable consideration in evaluating whether the engine may be removed to provide power in a land-based application.

Consistent with our June 2005 clarification, we would not interpret an onboard fuel supply to be an integral part of the vessel if the fuel supply can be removed from the vessel with about the same level of effort as the portable engine and thus the portable engine would not be considered “installed” and a marine engine under 40 CFR Part 94. For example, if a tank supplies fuel to a portable engine and both the engine and its fuel tank can be removed from the vessel for shore-side service without modification, under this interpretation of “installed” EPA would not consider the portable engine to be “installed” and thus the engine would be subject to the emission standards for land-based engines found in 40 CFR Part 89 and/or 40 CFR Part 1039. The conclusion would be the same even if the tank supplies fuel to more than one engine. Conversely, if a fuel tank is permanently affixed (e.g., welded) to the hull of the vessel, the fuel tank is considered an integral part of the vessel, thus making the portable engine to which it is attached “installed” and subject to emission standards for marine engines found in 40 CFR Part 94.

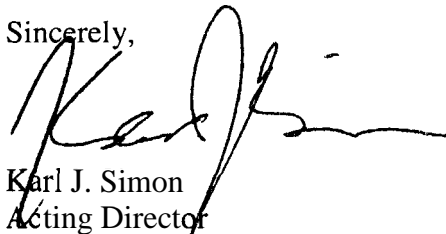
¹ Refer to Chapter 3 of “Test Procedures for Highway and Nonroad Engines and Omnibus Technical Amendments, Technical Support Document and Summary and Analysis of Comments”, June 2005, EPA420-R-05-008. This document can be found on our website, www.epa.gov/otag/marine.htm.

As we described in our June 2005 publication, this consideration applies only for the purpose of our national emission-control programs. Using this approach to determine whether engines need to meet land-based or marine emission standards does not affect how these engines are treated by the U.S. Coast Guard or any other federal, state, or local agency that may have requirements for the safety, registration, or other operation of such engines. It also does not affect the requirements for auxiliary engines under MARPOL Annex VI.²

Specifically, after the Annex comes into force, any diesel engine above 130 kW installed on a marine vessel constructed on or after January 1, 2000, and any engine above 130 kW that undergoes a substantial conversion on or after January 1, 2000, will be required to be MARPOL-compliant as demonstrated by an Engine International Air Pollution Prevention (EIAPP) certificate and related documentation (Technical File and Record Book of Engine Parameters). Therefore, engine and vessel manufacturers should be aware that nonroad engines sold into these marine applications and that do not require certification pursuant to the above policy direction may still be subject to MARPOL Annex VI. This should be taken into consideration when the engine manufacturer certifies the relevant land-based family, to obtain the necessary MARPOL Annex VI certification for such engines.

If you have any questions, please contact Justin G. Greuel of my staff at (202) 343-9891 or greuel.justin@epa.gov.

Sincerely,



Karl J. Simon
Acting Director

Compliance and Innovative Strategies Division

² MARPOL Annex VI is Annex VI, Air Pollution, to the International Convention on the Prevention of Pollution from Ships, 1978, as modified by the protocol of 1978 relating thereto. More information about this Convention can be found on our website, www.epa.gov/otaq/marine.htm and on the International Maritime Organization website, www.imo.org.