



BLUEWATER NETWORK

Protecting the Earth
for all Living Creatures

Carol M. Browner, Administrator
US Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Addendum to Bluewater Network's March 17, 2000 petition to address pollution by cruise ships

August 2, 2000

Dear Administrator Browner,

On behalf of Bluewater Network and our coalition of 53 other environmental groups who supported our petition of March 17, 2000 to EPA to address pollution by cruise ships, we hereby submit the following addendum to our petition. This addendum requests that, in addition to the waste streams identified in our petition, EPA also examine and make recommendations on how to address air pollution from cruise ships, which has proven to be a serious and ongoing problem.

Cruise ships generate air pollution by burning dirty fuels with relatively high sulfur content in diesel engines, and also by burning in shipboard incinerators the large volume of garbage they generate. Particulate matter, sulfur oxides and nitrogen oxides from diesel combustion, and dioxin, furans, and other toxics from incineration are all known to have significant impacts on the environment and human health.¹

A report recently issued by Bluewater Network found that large ocean-going vessels such as cruise ships are one of the largest pollution sources in the US, and that their emissions of sulfur oxides, nitrogen oxides and particulate matter cause damaging environmental and public health effects.²

It is unclear whether EPA currently has any standards in place, or plans to promulgate any rules, to regulate air emissions from cruise ships. Bluewater Network filed a lawsuit against EPA on February 24, 2000 for failing to set air emission standards for large sea-going vessels. We are currently undertaking settlement negotiations on this case with the Department of Justice.

Air pollution from cruise ships in particular is a known and continuing problem. In Alaska, for example, where cruise ship traffic is heavy in the summer months, there have been numerous

¹ EPA Office of Air and Radiation. "1997 National Air Quality: Status and Trends." December 1998; California Air Resources Board. "Air Pollution Sources, Health Effects, and Controls. October 1998; Incineration News. Rachel's Environment and Health Weekly #592. April 2, 1998.

² Bluewater Network. "A Stacked Deck: Air Pollution from Ships." July 2000.

problems with cruise ships exceeding air emissions standards.³ EPA sent notices of violation to six cruise companies earlier this year, alleging that 13 cruise ships had last year violated Alaska's Marine Vessel Visible Emissions Standards. EPA issued citations on February 29, 2000 to the six companies owning these 13 ships, stating that they spewed air pollution that "significantly exceeded" state and federal limits.⁴ In inspections conducted in June 2000, four ships were again found to be in apparent violation of air quality standards.⁵

EPA has acknowledged that marine diesel engines are a considerable source of NOx, and particularly that Category 3 engines (the largest size class of marine vessel engines, which include those used by cruise ships) "contribute substantially to local air pollution in [U.S.] port areas." 64 Fed. Reg. at 73323. However, EPA has failed to establish emissions limits for NOx emissions from Category 3 vessels. (Brief of Petitioner in *Earth Island Institute, Inc. v. US Environmental Protection Agency*, US Court of Appeals for the District of Columbia Circuit).

Recommendations: We petition EPA to extend your analysis of cruise ship waste streams currently underway to include an assessment of air pollution from cruise ships and formulation of options to better control and regulate cruise ship air emissions. This assessment should include, but not be limited to the following:

- Delineation of options for monitoring, analyzing and regulating all air emissions from cruise ships.
- Epidemiological studies of vessel crew and dock workers based on their exposure to vessel exhaust, including diesel particulate matter emissions, and to dioxin and other incinerator emissions.
- Investigation of the aggregate amount of plastics and medical waste burned in cruise ship incinerators and estimation of the amount of dioxin, furans, and other toxics generated, and based on this calculation, formulation of regulations to restrict or prohibit the burning of plastics and medical waste in cruise ship incinerators, as appropriate.
- Determination of the types of engines and fuels used on cruise ships operating in the US, assessment of the various technologies in use and under development, and formulation of standards for use of best available technology and/or lower sulfur content fuels on cruise ships.
- A feasibility analysis of requiring cruise ships to employ low-sulfur fuels when operating in US waters.
- Establishment of enforceable standards for NOx, SOx, and particulate matter from Category 3 marine engines, and particulate matter for Category 2 vessels.

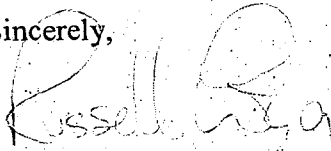
³ Alaska Department of Environmental Conservation Division of Air and Water Quality. "Memorandum: Cruise Ship Compliance with 18 AAC 50.070." January 21, 2000.

⁴ Anchorage Daily News. "EPA Cites Ships." March 1, 2000.

⁵ Juneau Empire. "EPA May Cite Four Cruise Ships." June 22, 2000.

We believe that by addressing air pollution from cruise ships, in addition to the other waste streams already being addressed by EPA in response to our petition, the assessment will be more thorough and effective in addressing the full range of environmental impacts from cruise ships. We thank you for the important work you have already begun in response to our petition, and look forward to working with you to address the problem of cruise ship pollution in all its manifestations.

Sincerely,



Russell Long
Executive Director
Bluewater Network



Kira Schmidt
Campaign Director
Bluewater Network

Cc: The Honorable John D. Dingell, US Congressman
The Honorable Peter DeFazio, US Congressman
The Honorable Nancy Pelosi, US Congresswoman
The Honorable Henry A. Waxman, US Congressman
The Honorable Barbara Boxer, US Senator
The Honorable Dianne Feinstein, US Senator
The Honorable Frank Murkowski, US Senator
The Honorable George Nakano, California Assembly Member
J. Charles Fox, Assistant Administrator, US EPA Office of Water
Michael B. Cook, Director, US EPA Office of Wastewater Management
Robert H. Wayland III, Director, US EPA Office of Wetlands, Oceans and Watersheds
Timothy Fields, Jr., Assistant Administrator, US EPA Office of Solid Waste and
Emergency Response
Susan H. Wayland, Acting Assistant Administrator, US EPA Office of Prevention,
Pesticides and Toxic Substances
Lois J. Schiffer, Assistant Attorney General, US Department of Justice Environment and
Natural Resources Division
Joseph J. Angelo, Director of Standards, US Coast Guard
Howard Hime, Chief, US Coast Guard Office of Standards Evaluation and Development
Rear Admiral Robert C. North, Assistant Commandant, US Coast Guard Marine Safety
and Environmental Protection
Captain Peter Richardson, Chief, US Coast Guard Office of Operating and
Environmental Standards
Captain B. Basel, Chief, US Coast Guard Office of Compliance