



February 11, 2009

Lisa Jackson, EPA Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Jackson,

The recent ratification of MARPOL Annex VI by the US has made it possible for the US to implement the requirements and regulations of Annex VI. Additionally, Annex VI has recently been revised to include amendments that reduce sulfur oxides (SO_x), nitrogen oxides (NO_x), and particulate matter (PM) emissions further from ocean going vessels. These amendments will allow for Emission Control Areas (ECAs) to be designated for SO_x, NO_x and/or PM.

The Port of Houston Authority (PHA) and the City of Houston are writing to support the EPA in its planned March 2009 ECA application that will apply to all U.S. coastlines. Additionally, we support EPA's plan to submit a joint ECA application with Canada and the subsequent inclusion of Mexico. A uniform program amongst all North American ports will not place any individual port at an economic or competitive disadvantage and ensures a level playing field, while maximizing the protection of the environment. A large comprehensive program will help push international shipping toward cleaner engines and fuels faster than a collection of disparate programs. This is especially important because projections of shipping activity all agree that the volume of shipping will increase in the future.

The PHA is an active member of the American Association of Port Authorities (AAPA) with a leadership role in their Air Quality Working Group. The AAPA is on record for supporting new international air emissions standards that apply to both domestic ships and foreign ships that call on U.S. ports. This is important because the majority of ships that visit the Port of Houston area are foreign-flagged. The PHA and the City of Houston also feel, like the AAPA, that international standards are the most effective way to control emissions from ocean-going vessels.

For your information we have attached a resolution that was developed and adopted by the Harbors, Navigation, and Environment Committee of the AAPA on January 28, 2009, and then subsequently approved by AAPA's Legislative Policy Council. This resolution supports the establishment of an ECA for the United States, Canada, and Mexico.

The City of Houston and the PHA, as a member of AAPA, supports the issues set forth in the AAPA resolution and will continue to support EPA's efforts to implement an ECA that will cover the entirety of the United States.

Sincerely,



Jim Edmonds
Chairman, Port of Houston Authority



Bill White
Mayor, City of Houston

cc: Lawrence Starfield, Acting Region 6 Administrator

ESTABLISHING AN EMISSIONS CONTROL AREA FOR THE UNITED STATES, CANADA, AND MEXICO

WHEREAS, under Annex VI to the International Convention on Pollution from Ships (MARPOL 73/78), which took effect on May 19, 2005, the International Maritime Organization (IMO) has adopted fuel oil standards for ships limiting the sulfur content of fuel oil to 4.5% by weight; and

WHEREAS, the IMO has adopted more restrictive fuel standards for ships in designated Sulfur Emissions Control Areas (SECA) limiting the sulfur content of fuel oil to 1.5% by weight, and

WHEREAS, the IMO has approved a SECA for the Baltic Sea, which took effect May 19, 2006, and a SECA for the North Sea which took effect November 22, 2007; and

WHEREAS, the IMO has approved amendments to Annex VI by MEPC 57 that allow the designation of Emissions Control Areas (ECA) for SO_x, NO_x, and/or PM, reduce the sulfur limit of fuel in ECAs to 0.1% by 2015, and require the use of Tier 3 NO_x limits for engines on vessels constructed after 2016 when operating within ECAs; and

WHEREAS, the U.S., Canadian and Mexican ports that are members of the American Association of Port Authorities strive to improve air quality on a continuous basis in and around these ports; and

WHEREAS, the ability of U.S., Canadian and Mexican ports to continue to achieve air quality improvements is increasingly limited by emissions from ships visiting these ports; and

WHEREAS, the governments of the United States and Canada plan to submit an application to IMO to amend Annex VI to designate a joint US/Canada ECA by April 2009; and

WHEREAS, said application could be considered at the next MEPC meeting at IMO in March/April 2010; and

WHEREAS, the goal for a joint US/Canada ECA to enter into force is August 2012; and

WHEREAS, Mexico, Hawaii and Alaska will be considered for inclusion in a future amendment to the treaty establishing the ECA, when necessary technical work has been completed;

NOW, THEREFORE, BE IT RESOLVED THAT, the U.S. Delegation of the American Association of Port Authorities strongly urges the governments of the United States and Canada, and subsequently Mexico, to seek the designation of the entirety of the United States, Canada and Mexico as an ECA for all three pollutants (SO_x, NO_x, & PM) under MARPOL Annex VI and to implement authorizing legislation as soon as practicable thereafter.

**New Resolution
Recommended for Adoption by the Harbors, Navigation & Environment
Committee**