

State of California
AIR RESOURCES BOARD

Resolution 74-63

November 13, 1974

WHEREAS, Section 39052.10 of the Health and Safety Code authorizes the State Air Resources Board to conduct tests of motor vehicle fuel additives, Section 39052.7 requires the Board to establish device and fuel additive test criteria, and Section 39051(c) authorizes the Board to adopt regulations necessary and proper for carrying out said responsibility;

WHEREAS, the present regulations in Title 13 California Administrative Code (Sections 2200-2206) are in need of updating and revisions to accommodate the new fuel additive test program; and

WHEREAS, a public hearing and other proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4, 5);

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board hereby amends Title 13, Chapter 3, Subchapter 4 of the California Administrative Code to read as follows:

Subchapter 4. Criteria for the Evaluation of Motor Vehicle Pollution Control Devices and Fuel Additives.

2200. General Policy. It shall be the policy of the Air Resources Board to evaluate all ideas, proposals, devices, and fuel additives ~~and devices~~ submitted to the staff of the Board as possible ~~remedies~~ for the solutions to the air pollution problems coming under the jurisdiction of the Air Resources Board. In the review of such submittals, the Board staff shall provide courteous, prompt, and reasonable evaluation but at the same time, the staff is not to be subjected to unnecessary diversions that would be caused by the review of proposals which are either clearly incapable of producing ~~remedies~~ solutions to any air pollution problems or have been subject to previous exhaustive test programs.

2201. Performance Requirements. Subject to other provisions of this subchapter, applicable test procedure(s), if any, adopted by the Air Resources Board, will be used in the evaluation process. The performance of each control device or fuel additive will be evaluated to determine its effectiveness in reducing vehicular emissions and compliance with the applicable emission standards.

2202. Submission Requirements. Proposals submitted for evaluation must be accompanied by an executed copy of the Air Resources Board's hold harmless agreement, which is available upon request from any Air Resources Board office. Persons submitting a control device or fuel additive for evaluation shall set forth, in writing, a description of the device or additive and its application to the control of motor vehicle emissions in sufficient detail, including drawings and schematic diagrams, so that its operation and principles can be understood by reviewers. Performance claims shall be supported by test data. The test procedure and instrumentation used to obtain the data shall be described.

2203. Initial Evaluation. The information submitted shall be reviewed by the Board's staff in an initial evaluation to decide if the device or additive has the potential for reducing vehicular emissions or the method is sufficiently unique in its application to warrant laboratory tests by the Air Resources Board. The results of the initial evaluation will be reported in writing and/or by personal conference with the person submitting the information.

2204. Screening-Test Laboratory Tests

(a) Device. When the initial evaluation indicates that the control approach warrants a laboratory test, the submitter must provide a working system which is to be subjected to the appropriate laboratory test. The basis for the evaluation of the results of the laboratory tests will be a comparison of the test data with applicable reference standards. Each component of a multi-component system may be examined and tested to determine its relative contribution in the overall reduction in emissions by the system.

(e) Test-Results

Upon completion of the screening above tests, under subsection-(a)-or-(b), the submitter will be notified in writing of the test results. If the results show the device or-additive does not have the potential to meet applicable emission standards, the evaluation procedure will be terminated.

2205. Further-Evaluation If the test shows promising results, a secondary stage evaluation may be undertaken. This may include,

but not be limited to, replicating the tests previously performed and the testing of emissions from several vehicles with the device or additive. If the tests from the second stage of evaluation show promising results, a final stage of testing may be undertaken. This may involve the use of fleet vehicles.

~~(b) -- Fuel Additives. -- When the initial evaluation indicates that an additive warrants a laboratory test, the submitter must provide the mixing instructions and the additive for laboratory testing. -- Additives will be tested for the unique property of immediately affecting the combustion process. -- They will not be tested for other claimed properties such as cleaning the engine, extending engine life, improving mileage, and increasing horsepower.~~

~~The evaluation of additives will essentially consist of the comparison of exhaust emission data obtained with and without the application of the additive to a standard reference fuel.~~

(b) Fuel Additive. In accordance with the general policy stated in Section 2200, an application for testing of a motor vehicle fuel additive may be made to the Air Resources Board by an additive manufacturer. The "Test Procedures for Gasoline and Diesel Vehicle Fuel Additives", adopted by the Board on July 10, 1974, shall be followed in the testing of fuel additives. The Board may charge an application fee, not to exceed the cost of the tests, for any testing conducted pursuant to this section.

2205

Fee Schedule

(a) General Provisions

(1) Purpose:

The following fee schedule is adopted pursuant to Section 39052.10 of the California Health and Safety Code and the "Test Procedures for Gasoline and Diesel Vehicle Fuel Additives" adopted by the Board on July 10, 1974. The fees are designed to cover the cost of the tests actually conducted under the test program on additives for which the manufacturer has requested testing. Individual test programs will be as agreed upon by the applicant and the Air Resources Board.

(2) Applicability:

These provisions are applicable to tests conducted under the Board's "Test Procedures for Gasoline and Diesel Vehicle Fuel Additives", dated July 10, 1974.

(b) Collection of Fees

All fee remittances are to be made payable to State of California, Air Resources Board, 9528 Telstar Avenue, El Monte, California 91731.

(c) Fee Schedule

The Board's fuel additive test procedure specifies different phases of testing. Depending on the extent of the test activity, each applicant will be charged according to the following fee schedule:

(1) Gasoline Fuel Additive

a. Chemical Analysis

- 1) Initial evaluation \$200.00
- 2) Required chemical analysis and toxicological evaluation at cost (Section (e))

b. Preliminary Tests. Fees not yet established.

c. Fleet Test at cost (Section (e))

(2) Diesel Fuel Additive

a. Chemical Analysis

- 1) Initial evaluation \$200.00
- 2) Required chemical analysis and toxicological evaluation at cost (Section e)

b. Engine Tests. Fees not yet established.

(d) Payment of Fees

Each applicant requesting evaluation of an additive shall remit with his application the fee specified in Section (c) 1-a-1 or 2-a-1 above for the initial evaluation. At the conclusion of this evaluation, the applicant will, where appropriate, be notified of suggested additional testing if any, to be conducted by the ARB staff on his product. The applicable fee

shall be paid to the Board prior to the commencement of any further testing. Failure to pay the fee will result in termination of the test evaluation by the Air Resources Board.

(e) Contract Provisions

The Board may engage independent laboratories to conduct evaluation tests in accordance with the test procedures specified by the Board. The actual cost for such tests will be charged to the applicant.

2206. Observation of Laboratory Tests. The submitter may observe laboratory tests of his device or additive.