

APPENDIX K

WORKSHOP ISSUES AND RESPONSES

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OMT Workshop Issues and Responses

1. Does the Regulation allow grandfathering of tanks and components manufactured prior to compliance dates?

- The Regulation prohibits any tank, hose or primer bulb produced after the prescribed dates to be sold in California.
- This allows for any tank, hose, or primer bulb produced prior to the stated implementation dates to be sold after such dates. Manufacturers are expected to manage their production schedules to ensure no products are produced after the stated implementation dates.
- ARB staff suggests changing the proposed implementation date for hoses to January 1, 2010 to ensure adequate time for implementation.

2. How far down the supply chain does CP-510 Section 3.11 a & b require approvals?

- ARB staff proposes to modify CP-510 to state that only a list of suppliers is required.
- A definition for portable outboard marine tank system has also been provided in the regulation as follows:

“Portable Outboard Marine Tank System” means any combination of portable outboard marine tank, portable outboard marine tank self sealing cap, portable outboard marine tank fuel hose or portable outboard marine tank primer bulb sold as a complete package.

3. Are the compliance dates reasonable?

- ARB staff finds that the date included in the Draft Regulation for hoses provides insufficient time for implementation. Therefore, ARB staff proposes to change the Regulation to require the standards for hoses to be met no later than January 1, 2010.

4. Do the ARB test procedures take in to account the USCG safety requirements?

- According to ABYC the USCG does not set fire and safety standards for tanks and components in non-permanent applications.

5. Is the ARB test fuel requirement of CA RFG III with 10% ethanol reasonable?

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- The ability to perform consistent compliance testing requires the use of a consistent fuel specification. That consistent fuel specification is CA RFG III with 10% ethanol.
 - ARB staff research has found the fuel to be available.
- 6. Will ARB accept other fuels such as Indolene clear or pump fuel for test results?**
- If the applicant is going to certify only in California, they will need to use CA RFG III with 10% ethanol and test according to TP-511 or TP-512.
 - If the applicant is certifying with EPA or they have a product certified under another ARB program, for example SORE, the applicant may submit test results for that certification with their application for certification under the OMT program and we will accept those test results as specified in the Regulation.
- 7. Will manufacturers be able to certify families of products?**
- Yes, the Regulation follows previous ARB certification programs and allows for product families to be certified.
- 8. Does the ARB Regulation allow self-sealing caps to exceed 5 psi?**
- CP-510 Section 2.4.1(a) requires the cap to be self sealing up to 5 psi. There is nothing that requires the cap to vent after 5 psi. If the manufacturer wants to keep the cap sealed beyond 5 psi that is the manufacturer's decision.
- 9. Identification requirements for hoses for MY 09 will be difficult to comply with because they are already in production.**
- ARB Staff proposes to defer the compliance date for portable outboard marine tank fuel hoses to January 1, 2010. This deferral should give manufacturers sufficient time to comply with identification requirements.
- 10. The use of a manual vent is requested for portable outboard marine tanks as an additional safety feature for “extreme conditions” in addition to the self sealing cap.**
- ARB staff is proposing the use of a self sealing cap for all new portable outboard marine tanks beginning January 1, 2010. This self-sealing cap (see comment 8 above) will remain closed and sealed until a minimum of 5 psi in the tank has been reached. Staff does not see a need for a manually operated vent that has the potential to be left in an open position thereby allowing evaporative emissions to the atmosphere.