TITLE 13. CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER TECHNICAL STATUS AND PROPOSED REVISIONS TO ON-BOARD DIAGNOSTIC SYSTEM REQUIREMENTS FOR HEAVY-DUTY ENGINES, PASSENGER CARS, LIGHT-DUTY TRUCKS, MEDIUM-DUTY VEHICLES AND ENGINES

The Air Resources Board (ARB or Board) will conduct a public hearing at the time and place noted below to consider adopting amendments to California's Heavy Duty Engine On-Board Diagnostic System Requirements (HD OBD) and On-Board Diagnostic System Requirements for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles and Engines (OBD II). The Board will consider amendments to the HD OBD and OBD II regulations to update the diesel monitoring requirements, to make some requirements consistent between the HD OBD and OBD II regulations, and to clarify and improve the regulation where necessary, among other revisions.

DATE: August 23, 2012

TIME: 9:00 a.m.

PLACE: California Environmental Protection Agency
Air Resources Board
Byron Sher Auditorium
1001 I Street
Sacramento, California 95814

This item may be considered at a two day meeting of the Board, which will commence at 9:00 a.m., August 23, 2012, and may continue at 8:30 a.m., on August 24, 2012. This item may not be considered until August 24, 2012. Please consult the agenda for the meeting, which will be available at least 10 days before August 23, 2012, to determine the day on which this item will be considered.

INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW

Sections Affected: Proposed amendments to California Code of Regulations, title 13, sections 1968.2, 1968.5, 1971.1, and 1971.5 and the following documents incorporated by reference therein:

ARB Mail-Out #MSC 09-22, "Guidelines for Heavy-Duty On-Board Diagnostic (HD OBD) Certification Data," July 7, 2009.

International Standards Organization (ISO) 15765-4:"Road Vehicles – Diagnostics Communications over Controller Area Network (CAN) – Part 4: Requirements for emission-related systems," February 2011.

Society of Automotive Engineers (SAE) J1699-3 – "Vehicle OBD II Compliance Test Cases", December 2009.

SAE J1930-DA "Electrical/Electronic Systems Diagnostic Terms, Definitions, Abbreviations, and Acronyms Web Tool Spreadsheet", March 2012.

SAE J1979 "E/E Diagnostic Test Modes," February 2012.

SAE J1979-DA "Digital Annex of E/E Diagnostic Test Modes", October 2011.

SAE J2012-DA "Digital Annex of Diagnostic Trouble Code Definitions and Failure Type Byte Definitions", July 2010.

SAE J2403 "Medium/Heavy-Duty E/E Systems Diagnosis Nomenclature," February 2011.

SAE J1939 consisting of:

J1939 Recommended Practice for a Serial Control and Communications Vehicle Network, April 2011;
J1939/01 On-Highway Equipment Control and Communications Network, May 2011;
J1939/13 Off-Board Diagnostic Connector, October 2011;
J1939/21 Data Link Layer, December 2010;
J1939/31 Network Layer, May 2010;
J1939/71 Vehicle Application Layer (Through May 2010), March 2011;
J1939/73 Application Layer—Diagnostics, February 2010;
J1939/81 Network Management, June 2011; and
J1939/84 OBD Communications Compliance Test Cases For Heavy Duty Components and Vehicles, December 2010.

Background:

OBD systems serve an important role in helping to ensure that engines and vehicles maintain low emissions throughout their full life. OBD systems monitor virtually all emission controls on gasoline and diesel engines, including catalysts, particulate matter (PM) filters, exhaust gas recirculation systems, oxygen sensors, evaporative systems, fuel systems, and electronic powertrain components as well as other components and systems that can affect emissions when malfunctioning. The systems also provide specific diagnostic information in a standardized format through a standardized serial data link on-board the vehicles. The use and operation of OBD systems ensure reductions of in-use motor vehicle and motor vehicle engine emissions through improvements in emission system durability and performance.

The Board originally adopted comprehensive OBD regulations in 1989, requiring all 1996 and newer model year passenger cars, light-duty trucks, and medium-duty vehicles and engines to be equipped with OBD systems (referred to as OBD II). The

Board subsequently updated the OBD II requirements in 2002 with the adoption of California Code of Regulations, title 13, section 1968.2, which established OBD II requirements and enforcement requirements for 2004 and subsequent model year vehicles. The Board has modified the OBD II regulation in regular updates since initial adoption to address manufacturers' implementation concerns and, where needed, to strengthen specific monitoring requirements. The Board last adopted comprehensive updates to the OBD II requirements in 2006 to address several concerns and issues regarding the regulation (California Code of Regulations, title 13, §1968.2) and enforcement requirements (§1968.5), while minor updates were made to the OBD II regulations in 2011. In 2005, ARB adopted California Code of Regulations, title 13, section 1971.1, which established comprehensive OBD requirements for 2010 and subsequent model year heavy-duty engines and vehicles (i.e., vehicles with a gross vehicle weight rating greater than 14,000 pounds), referred to as HD OBD. The Board subsequently updated the HD OBD regulation in 2009 as well as adopted HD OBD-specific enforcement requirements (California Code of Regulations, title 13, §1971.5). Finally, as part of the 2009 update, the Board aligned the HD OBD with OBD II requirements for medium-duty vehicles.

Objectives and Benefits:

The purpose of the HD OBD and OBD II regulations is to reduce motor vehicle and motor vehicle engine emissions by establishing emission standards and other requirements for onboard diagnostic systems (OBD systems) that are installed on 2010 and subsequent model-year engines certified for sale in heavy-duty applications in California. The OBD systems, through the use of an onboard computer(s), monitor emission systems in-use for the actual life of the engine, detect malfunctions of the monitored emission systems, illuminate a malfunction indicator light (MIL) to notify the vehicle operator of detected malfunctions, and store fault codes identifying the detected malfunctions. The use and operation of OBD systems ensure reductions of in-use motor vehicle and motor vehicle engine emissions through improvements in emission system durability and performance.

In adopting the HD OBD and OBD II regulations, the Board directed the staff to continue to follow manufacturers' progress towards meeting the regulations' requirements and to report back should modifications to the requirements be deemed appropriate. Since then, staff has met with stakeholders in teleconferences and face-to-face meetings, including a public workshop in March 2012, where staff and manufacturers identified areas in which modifications to the HD OBD and OBD II regulations, as it applies to medium-duty diesel vehicles, would be beneficial.

Additionally, since the adoption of amendments in 2010, stakeholders have argued that OBD system requirements are not emission standards or test procedures and that ARB does not have authority to order manufacturers to recall motor vehicles or engines if ARB were to determine that an installed OBD system was found to be in noncompliance with the HD OBD regulation. To clarify any misunderstanding, ARB staff is proposing that the OBD regulations be amended to be consistent with the federal definition of

emission standard as set forth in *Engine Manufacturers Association v. South Coast Air Quality Management District* (2004) 541 U.S. 246, 253, 124 S.Ct. 1756, 1762 (*EMA*). For purposes of clarification and consistency, ARB staff is also adding the terms "exhaust emission standard" and "evaporative emission standard" in the definitions section to provide more specificity, where needed, to preexisting textual references to emission standards.

The proposed changes to the HD OBD regulation include revisions that accelerate the start date for OBD system implementation on alternate-fueled engines from the 2020 model year to the 2018 model year, relax some requirements for OBD systems on heavy-duty hybrid vehicles for the 2013 through 2015 model years, relax the malfunction thresholds until the 2016 model year for three major emission control systems (PM filters, oxides of nitrogen (NOx) catalysts, and NOx sensors) on diesel engines based on the current limits of technical feasibility, delay the monitoring requirements for some diesel-related components until 2015 to provide further lead time for emission control strategies to stabilize, and clarify requirements for several monitors and standardization. Proposed amendments to the HD OBD regulation include:

- Clarifying the purposes and objectives of the OBD regulations
- Adding a definition of emission standard as it applies to OBD systems
- Adding definitions for exhaust and evaporative emission standards
- Revisions related to alternate-fueled engines
- Adding definitions and revising the permanent fault code storage and erasure protocol and in-use monitoring performance requirements applicable to hybrid vehicles
- Revising the freeze frame storage and erasure protocol
- Revising the in-use monitoring performance requirements for the PM filter and PM sensor monitors
- Revising the diesel misfire monitoring requirements to no longer require emission threshold-based malfunction criteria and to require expanded monitoring conditions.
- Revising the 2013 through 2015 model year malfunction thresholds for the diesel PM filter monitor, the NOx catalyst monitor, and the NOx sensor monitor
- Delaying some monitoring requirements for catalyzed PM filters and diesel non-methane hydrocarbon converting catalysts from the 2013 model year to the 2015 model year
- Revising the cooling system monitoring requirements to clarify when monitor enablement can occur
- Updating the SAE and ISO document references
- Revising the standardized communication protocol and diagnostic connector requirements to account for the new 500 kbps baud rate version of SAE J1939.
- Revising the readiness status requirements to clarify which monitors are to be included in determining readiness
- Clarifying the calibration verification number requirements
- Revising the certification demonstration testing requirements to clarify how to perform the testing for gasoline air-fuel ratio cylinder imbalance monitoring and

exhaust gas sensor monitoring, to exempt manufacturers from testing the diesel misfire monitor, and to clarify the test requirements for catalyst faults and other faults where default actions are taken
- Adding items required to be submitted as part of the certification application
- Revising the deficiencies section to allow up to two free deficiencies for 2013 through 2015 model year heavy-duty hybrid vehicles and for PM filter and PM sensor monitors

Concurrently, the staff is proposing to update the medium-duty vehicle diesel-related requirements in the medium-duty OBD II regulation (§1968.2) to be consistent with the proposed diesel-related amendments to the HD OBD regulation. These proposed changes for medium-duty vehicles include diesel monitoring requirements and diesel-related in-use monitor performance requirements mentioned above. This would allow manufacturers of both heavy-duty and medium-duty diesel engines to design to and meet essentially the same requirements.

Further, the staff is also proposing amendments to the HD OBD and OBD II enforcement regulations (California Code of Regulations, title 13, §1971.5 and §1968.5, respectively) to align with the proposed diesel-related changes to the HD OBD and OBD II regulations, specifically the selection criteria of engines/vehicles for the test sample group and the mandatory recall provisions for diesel engines.

The proposed HD OBD and OBD II amendments provide engine manufacturers with greater compliance flexibility and clarify the performance requirements that they are expected to meet in designing and developing robust OBD systems. This in turn will encourage manufacturers to design and build more durable engines and emission-related components, all of which will help ensure that forecasted emission reduction benefits from adopted medium- and heavy-duty engine emission control programs are achieved in-use.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

As stated above, OBD II regulations were first adopted in 2002 while the HD OBD regulations were first adopted in 2005. The intent of OBD systems is to ensure that motor vehicle tailpipe and evaporative emission standards are met in-use throughout the useful lives of the motor vehicle and that emission-related components are durable and effective. The proposed amendments will provide for robust systems that are consistent and compatible with existing State regulations.

MANDATED BY FEDERAL LAW OR REGULATIONS

The federal Clean Air Act establishes ambient air quality standards that states must achieve by specific dates. The Clean Air Act does not mandate specific requirements that states must adopt but instead provides states with discretion on how to achieve these emission reductions. The OBD amendments set forth here have been

determined by the California legislature and ARB as a necessary and important part of California's emission reduction program to achieve the federal objectives.

COMPARABLE FEDERAL REGULATIONS

In February 1993, the U.S. EPA promulgated final OBD requirements for federally certified light-duty vehicles and trucks. (40 CFR Part 86, §§ 86.094-2, 86.094-17, 86.094-18(a), 86.094-21(h), 86.094-25(d), 86.094-30(f), 86.094-35(l), 86.095-30(f), 86.095-35(l); see 58 Fed.Reg. 9468-9488 (February 19, 1993).) The requirements were later amended to require OBD systems on medium-duty vehicles by the 2008 model year. The final rule with the latest modifications of the requirements was published on February 24, 2009. A central part of the federal regulation is that, for purposes of federal certification of vehicles, U.S. EPA will deem California-certified OBD II systems to comply with the federal regulations.

In Health and Safety Code sections 43013, 43018, and 43101, the Legislature expressly directed ARB to adopt emission standards for new motor vehicles that are necessary and technologically feasible and to endeavor to achieve the maximum degree of emission reduction possible from vehicular and other mobile sources in order to accomplish the attainment of the State standards at the earliest practicable date. ARB initially adopted the OBD II regulations to meet those legislative directives. The OBD II regulation was first adopted in 1990. On October 3, 1996, the U.S. EPA formally granted California's request for a waiver regarding the OBD II regulation, as last amended in December 1994,[1] recognizing that the OBD II regulation is at least as stringent in protecting public health and welfare as the federal regulation, and that unique circumstances exist in California necessitating the need for the State's own motor vehicle regulations program.

The federal OBD requirements are comparable in concept and purpose with California's OBD II regulation; however, differences exist with respect to the scope and stringency of the requirements of the two regulations. More specifically, California's current OBD II regulations are generally more comprehensive and stringent than the comparable federal requirements. Under OBD II requirements, manufacturers must implement monitoring strategies for essentially all emission control systems and emission-related components. Generally, the OBD II regulation requires that components be monitored to indicate malfunctions when component deterioration or failure causes emissions to exceed 1.5 times the applicable tailpipe emission standards of the certified vehicle. The regulation also requires that components be monitored for functional performance even if the failure of such components does not cause emissions to exceed 1.5 times the standard. The federal requirements, in contrast, require monitoring only of the catalyst, engine misfire, evaporative emission control system, and oxygen sensors. Other emission control systems or components, such as exhaust gas recirculation and secondary air systems, need only be monitored if by malfunctioning, vehicle emissions exceed 1.5 times the applicable tailpipe standards. No functional monitoring is required.

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[1] *California State Motor Vehicle Pollution Control Standards; Waiver of Federal Preemption; Decision,* dated October 3, 1996, 61 Fed.Reg. 53371 (October 11, 1996).

Historically, virtually every vehicle sold in the U.S. is designed and certified to California's OBD II requirements in lieu of the federal OBD requirements.

ARB initially adopted the HD OBD regulation in 2005. A waiver for the regulation was granted by U.S EPA in 2008.[2] The U.S. EPA has also adopted OBD requirements for vehicles and engines above 14,000 pounds, which is the weight range for California's "heavy-duty" class. The federal regulation, which was published on February 24, 2009, is consistent with ARB's California regulation in almost all important aspects, and while minor differences may exist between these requirements, heavy-duty OBD systems can be designed to comply with both the federal and California programs. In fact, U.S. EPA's regulation directly allows acceptance of systems that have been certified to California's HD OBD regulation and to date, all heavy-duty engine manufacturers have chosen this path for certification.

Finally, in 2004, the United States Supreme Court clarified the definition of emission standard as it applies to motor vehicles and motor vehicle engines, finding that emission standards relate to the emission characteristics of a vehicle or engine and that for compliance purposes require a motor vehicle or motor vehicle engine to emit no more than a certain amount of a given pollutant, be equipped with a certain type of pollution-control device, or have some other design feature related to the control of emissions. (*EMA.* 541 U.S. at 253.) An OBD system, in general, is a design feature related to the control of emissions and specifically establishes malfunction criteria that set numerical emission limits for pollutants for the purpose of detecting emission control system malfunctions. The proposed amendments are intended to make clear that the definition of emission standard as used in the OBD regulations conform to the federal definition as interpreted.

AVAILABILITY OF DOCUMENTS

ARB staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is entitled: Technical Status and Revisions to Malfunction and Diagnostic System Requirements for Heavy-Duty Engines (HD OBD) and Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles and Engines (OBD II).

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strikeout format to allow for comparison with the existing regulations, may be accessed on ARB's website listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322-2990, on July 5, 2012.

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[2] *California State Motor Vehicle Pollution Control Standards; Waiver of Federal Preemption; Decision,* dated August 13, 2008 73 Fed.Reg. 52042 (September 8, 2008),

Final Statement of Reasons Availability
Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons in this notice, or may be accessed on ARB's website listed below.

Internet Access
This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on ARB's website for this rulemaking at http://www.arb.ca.gov/regact/2012/hdobd12/hdobd12.htm

AGENCY CONTACT PERSONS

Inquiries concerning the substance of the proposed regulation may be directed to the designated agency contact persons, Mike McCarthy, Manager, Advanced Engineering Section, at (626) 771-3614 or Adriane Chiu, Air Resources Engineer, Advanced Engineering Section, at (626) 350-6453.

Further, nonsubstantive inquiries concerning the proposed administrative action may be directed to Ms. Lori Andreoni, Manager, Board Administration and Regulatory Coordination Unit at (916) 322-4011, or Ms. Amy Whiting, Regulations Coordinator at (916) 322-6533. The Board staff has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

FISCAL IMPACT

The determinations of the Board's Executive Officer concerning the costs or savings necessarily incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulations are presented below.

DISCLOSURES REGARDING THE PROPOSED REGULATION

Pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action would not create costs or savings to any State agency or in federal funding to the State, costs or mandate to any local agency or school district, whether or not reimbursable by the State pursuant to Government Code, title 2, division 4, part 7 (commencing with section 17500), or other nondiscretionary cost or savings to State or local agencies.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

In developing this regulatory proposal, ARB staff evaluated the potential economic impacts on representative private persons or businesses. The proposed revisions to the regulations consist primarily of providing interim relaxations of requirements and clarifying existing requirements. The only changes that are expected to affect costs involve the increased reporting requirements for the diesel misfire monitor and the two

year earlier implementation of full OBD for heavy-duty alternate-fueled engines. Regarding the diesel misfire monitor reporting requirements, the additional reporting costs to comply with the more comprehensive misfire monitoring requirements will result in total costs of about $30,000 annually when the requirement is fully phased-in, which amounts to an incremental cost of less than $0.56 per vehicle passed on to consumers. Thus, the cost related to heavy-duty engine manufacturers and medium-duty vehicle manufacturers are expected to be negligible. For heavy-duty alternate-fueled engines, the additional incremental cost for buyers of these vehicles has been estimated to range from $21 per vehicle for vehicles from large volume manufacturers to $207 per vehicle for small businesses. These costs, however, are expected to be offset by various financial incentives offered by the State and federal agencies that have ranged from $7500 to $32,000 per vehicle in past years. More details of this analysis are set forth in the ISOR.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

The Executive Officer has made an initial determination that the proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons. Support for this determination is set forth in the ISOR.

STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT PREPARED PURSUANT TO GOVERNMENT CODE SEC. 11346.3(b)

The Executive Officer has determined that the proposed regulatory action would have minor or no impact on the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the ISOR.

Benefits of the Proposed Regulation:

As set forth above, the proposed HD OBD and OBD II amendments will provide engine manufacturers with greater compliance flexibility and clarify the performance requirements that they are expected to meet in designing and developing robust OBD systems. This in turn will encourage manufacturers to design and build more durable engines and emission-related components, all of which will help ensure that forecasted emission reduction benefits from adopted medium- and heavy-duty engine emission control programs are achieved in-use. A detailed assessment of the economic impacts of the proposed regulatory action and ascribed benefits can be found in the Economic Impact Analysis in the ISOR.

EFFECT ON SMALL BUSINESS

The Executive Officer has also determined, pursuant to California Code of Regulations, title 1, section 4, that the proposed regulatory action may affect small businesses. There are an estimated nine alternate-fueled conversion manufacturers, some of which may be considered "small businesses", though the exact number cannot be determined. One of these manufacturers is located in California. A typical small business is an alternate-fueled engine conversion manufacturer that converts up to 500 diesel or gasoline engines per year to run on alternate fuels. An analysis was conducted that estimates the cost of the proposed amendments on such a small business at $212,000 over two years. Such small businesses would be expected to pass these costs on to the purchaser of the engine in the form of increased retail price for the converted engine as noted above in the cost impacts on private persons or businesses.

REPORTING REQUIREMENTS

In accordance with Government Code sections 11346.3(c) and 11346.5(a)(11), the Executive Officer has found that the reporting requirements of the regulation which apply to businesses are necessary for the health, safety, and welfare of the people of the State of California.

ALTERNATIVES

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board (which includes during preliminary workshop activities), would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

ENVIRONMENTAL ANALYSIS

In accordance with ARB's certified regulatory program, California Code of Regulations, title 17, sections 60006 through 60007, and the California Environmental Quality Act, Public Resources Code section 21080.5, ARB has conducted an analysis of the potential for significant adverse and beneficial environmental impacts associated with the proposed regulatory action. The environmental analysis of the proposed regulatory action can be found in Chapter III of the ISOR.

SUBMITTAL OF COMMENTS AND WRITTEN COMMENT PERIOD

Interested members of the public may also present comments orally or in writing at the meeting, and comments may be submitted by postal mail or by electronic submittal before the meeting. The public comment period for this regulatory action will begin on

Monday, July 9, 2012. To be considered by the Board, written comments, not physically submitted at the meeting, must be submitted on or after Monday, July 9, 2012 and received **no later than 12:00 noon on Wednesday, August 22, 2012**, and must be addressed to the following:

Postal mail: Clerk of the Board, Air Resources Board
1001 I Street, Sacramento, California 95814

Electronic submittal: http://www.arb.ca.gov/lispub/comm/bclist.php

You can sign up online in advance to speak at the Board meeting when you submit an electronic board item comment. For more information go to:
http://www.arb.ca.gov/board/online-signup.htm

Please note that under the California Public Records Act (Gov. Code, § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

ARB requests that written and email statements on this item be filed at least 10 days prior to the hearing so that ARB staff and Board members have additional time to consider each comment. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action.

Additionally, the Board requests but does not require that persons who submit written comments to the Board reference the title of the proposal in their comments to facilitate review.

STATUTORY AUTHORITY AND REFERENCES

This regulatory action is proposed under that authority granted in Health and Safety Code, sections 39010, 39600, 39601, 43000.5, 43013, 43016, 43018, 43100, 43101, 43104, 43105, 43105.5, 43106, 43154, 43211, and 43212. This action is proposed to implement, interpret and make specific sections 39002, 39003, 39010, 39018, 39021.5, 39024, 39024.5, 39027, 39027.3, 39028, 39029, 39031, 39032, 39032.5, 39033, 39035, 39037.05, 39037.5, 39038, 39039, 39040, 39042, 39042.5, 39046, 39047, 39053, 39054, 39058, 39059, 39060, 39515, 39600, 39601, 43000, 43000.5, 43004, 43006, 43013, 43016, 43018, 43100, 43101, 43102, 43104, 43105, 43105.5, 43106, 43150, 43151, 43152, 43153, 43154, 43155, 43156, 43204, 43205, 43211, and 43212 of the Health and Safety Code.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Government Code, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340).

Following the public hearing, the Board may adopt the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice and that the regulatory language as modified could result from the proposed regulatory action; in such event, the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15-days before it is adopted.

The public may request a copy of the modified regulatory text from ARB's Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322-2990.

SPECIAL ACCOMMODATION REQUEST

Special accommodation or language needs can be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language; or
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at 916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Comodidad especial o necesidad de otro idioma puede ser proveído para alguna de las siguientes:

- Un intérprete que esté disponible en la audiencia.
- Documentos disponibles en un formato alterno u otro idioma.
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la

audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

CALIFORNIA AIR RESOURCES BOARD

James N. Goldstene
Executive Officer

Date: June 26, 2012

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.arb.ca.gov.