

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-04-007

Adoption of a Control Measure for Diesel Particulate Matter from On-road Heavy-Duty Residential and Commercial Solid Waste Collection Vehicles

WHEREAS, on September 25, 2003, the Air Resources Board (the Board or ARB) conducted a public hearing to consider Adoption of a Control Measure for Diesel Particulate Matter from On-road Heavy-Duty Residential and Commercial Solid Waste Collection Vehicles, as set forth in the Initial Statement of Reasons released to the public on June 6, 2003;

WHEREAS, following the public hearing on September 25, 2003, the Board adopted Resolution 03-21, in which the Board approved adoption of the proposed new sections 2020, 2021, 2021.1 and 2021.2, title 13, California Code of Regulations (CCR), as set forth in Attachment A to Resolution 03-21;

WHEREAS, Resolution 03-21 directed the Executive Officer to take final action to adopt the regulatory amendments set forth in Attachment A to Resolution 03-21, with such other conforming modifications as may be appropriate; to make the modified regulatory language and any additional supporting documents and information available to the public for a period of at least 15 days; to consider such written comments as may be submitted during this period; and to make such modifications as may be appropriate in light of the comments received, or to present the regulatory amendments to the Board for further consideration if she determines that this is warranted;

WHEREAS, on February 26, 2004, the modified regulations, reflecting the amendments approved by the Board and other changes made to best reflect the intent of the Board at the hearing, were made available for public comment for a period of at least 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44;

WHEREAS, a number of written comments were received during the supplemental comment period and those comments, as well as the comments received during the initial 45-day comment period, have been considered by the Executive Officer;

WHEREAS, the responses to comments on environmental issues associated with the proposed action, which are contained in the Final Statement of Reasons for this regulatory action, have been approved by the Executive Officer as provided in section 6007, title 17, CCR;

WHEREAS, Attachment 1 hereto contains the regulatory text of new sections 2020, 2021, 2021.1 and 2021.2 title 13, CCR, reflecting the modified regulatory text made available for the supplemental comment period; and

WHEREAS, the Executive Officer finds that the reporting requirements of this regulation which apply to businesses are necessary for the health, safety, and welfare of the people of the State.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 03-21 are incorporated herein.

IT IS FURTHER ORDERED, in accordance with Resolution 03-21, that the adoption of new sections 2020, 2021, 2021.1 and 2021.2 title 13, CCR, are hereby adopted as set forth in Attachment 1 hereto.

Executed this 17 day of May, 2004, at Sacramento, California.

/s/
Catherine Witherspoon
Executive Officer

Attachment