

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-03-060

Relating to Public Hearing to Consider Adoption and Amendment to the
Vapor Recovery Certification and Test Procedure Regulations

WHEREAS, on December 12, 2002, the Air Resources Board (ARB or Board) conducted a public hearing to consider the proposed adoption and amendment of the regulations for the certification and testing of vapor recovery systems installed at gasoline dispensing facilities;

WHEREAS, following the public hearing on December 12, 2002, the Board adopted Resolution 02-35, in which the Board approved amendments with modifications to sections 94010, 94011, 94163, 94164 and 94165, title 17, California Code of Regulations (CCR) and the procedures incorporated by reference thereto; and approved the adoption with modifications of new sections 94166 and 94167, title 17, CCR, and the procedures incorporated by reference thereto;

WHEREAS, in Resolution 02-35, the Board directed the Executive Officer to incorporate into the approved regulations the modifications directed, with such other conforming modifications as might be appropriate, and then to adopt the modified regulations, after making the modified regulatory language available for public comment for a period of at least 15 days, provided that the Executive Officer considered such written comments regarding the modified text as might be submitted during this period, made modifications as appropriate in light of the comments received, and presented the regulations to the Board for further consideration if warranted;

WHEREAS, on May 9, 2003, and on July 17, 2003, the modified regulations, reflecting the regulations as approved by the Board and with other conforming modification to reflect the intent of the Board, were made available for public comment periods of at least 15 days, with the changes to the originally proposed texts clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44; and

WHEREAS, written comments were received during the comment periods for the modified regulations and those comments have been considered by the Executive Officer.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 02-35 be incorporated by reference herein.

IT IS FURTHER ORDERED in accordance with Resolution 02-35, the amendments to sections 94010, 94011, 94163, 94164 and 94165, title 17, California Code of Regulations (CCR) and the procedures incorporated by reference thereto; and the adoption of new sections 94166 and 94167, title 17, CCR, and the procedures incorporated by reference thereto, be adopted as set forth in Attachment 1 hereto.

Executed this _____ day of _____, 2003, at Sacramento, California.

Catherine Witherspoon
Executive Officer

Attachment