

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-05-008

**Public Hearing to Consider Proposed Amendments to the Regulations for
Portable Fuel Containers**

WHEREAS, on September 15, 2005, the Air Resources Board (the Board or ARB) conducted a public hearing to consider adoption of amendments to the regulations and test procedures for portable fuel containers, as set forth in the Initial Statement of Reasons released to the public on July 29, 2005;

WHEREAS, following the public hearing on September 15, 2005, the Board adopted Resolution 05-54 in which the Board approved adoption of Proposed amendments to title 13, California Code of Regulations (CCR), sections 2467, 2467.1, 2467.2, 2467.3, 2467.4, 2467.5, 2467.6, 2467.7; repeal of section 2467.8, and adoption of new sections 2467.8 and 2467.9. Proposed adoption of the incorporated CP-501, "Certification Procedure CP-501 for Portable Fuel Containers and Spill-Proof Spouts," TP-501, "Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems," and TP-502, "Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers." Proposed amendments to Test Method 510, "Automatic Shut-Off Test Procedure for Spill-Proof Systems and Spill-Proof Spouts," adopted July 6, 2000 (section numbers corrected September 13, 2000), and Repeal of Test Method 512, "Determination of Fuel Flow Rate for Spill Proof Systems and Spill Proof Spouts," adopted July 6, 2000 (section numbers corrected September 13, 2000), California Code of Regulations, as set forth in Attachment A and B thereto, and modified by Attachment C thereto,

WHEREAS, Resolution 05-54 directed the Executive Officer to take final action to adopt the regulatory amendments set forth in Attachment A, B and C to Resolution 05-54, with such other conforming modifications as may be appropriate, after making the modified regulatory language and any additional supporting documents and information available to the public for a period of at least 15 days, considering such written comments as may be submitted during this period, and making such modifications as may be appropriate in light of the comments received, or presenting the regulatory amendments to the Board for further consideration if she determines that this is warranted;

WHEREAS, on April 6, 2006, 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 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; Attachment 1 hereto

sets forth the approved regulations and incorporated documents reflecting the modifications made available for comment; and

WHEREAS, no written comments were received during the 15-day comment period.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 05-54 are incorporated by reference herein.

IT IS FURTHER ORDERED that the proposed amendments to title 13, California Code of Regulations, sections 2467, 2467.1, 2467.2, 2467.3, 2467.4, 2467.5, 2467.6, 2467.7; repeal of section 2467.8, and adoption of new sections 2467.8 and 2467.9, the proposed adoption of the incorporated CP-501, "Certification Procedure CP-501 for Portable Fuel Containers and Spill-Proof Spouts," TP-501, "Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems," and TP-502, "Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers," and the proposed amendments to Test Method 510, "Automatic Shut-Off Test Procedure for Spill-Proof Systems and Spill-Proof Spouts," adopted July 6, 2000 (section numbers corrected September 13, 2000), and repeal of Test Method 512, "Determination of Fuel Flow Rate for Spill Proof Systems and Spill Proof Spouts, adopted July 6, 2000 (section numbers corrected September 13, 2000), is adopted as set forth in Attachment 1 hereto.

Executed this _____ day of July, 2006, at Sacramento, California.

/s/

Catherine Witherspoon
Executive Officer

Attachment