State of California
AIR RESOURCES BOARD

Resolution 00-41

November 16, 2000

Agenda Item 00-11-5

WHEREAS, Health and Safety Code sections 39600 and 39601 authorize the Air Resources Board (the Board) to adopt standards, rules, and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Health and Safety Code section 43018(a) directs the Board 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 ambient air quality standards at the earliest practicable date;

WHEREAS, Health and Safety Code section 43018(c) provides that in carrying out section 43018, the Board shall adopt standards and regulations which will result in the most cost-effective combination of control measures on all classes of motor vehicles and motor vehicle fuel, including but not limited to the specifications of vehicular fuel composition;

WHEREAS, Health and Safety Code section 43013 authorizes the Board to adopt and implement motor vehicle fuel specifications for the control of air contaminants and sources of air pollution which the Board has found to be necessary, cost-effective, and technologically feasible to carry out the purpose of Division 26 of the Health and Safety Code;

WHEREAS, title 13, California Code of Regulations, section 2262 establishes California reformulated gasoline Phase 2 and Phase 3 standards for the olefin content and the 50 percent and 90 percent distillation temperatures (T50 and T90) for California gasoline supplied on or after March 1, 1996;

WHEREAS, title 13, California Code of Regulations, section 2263(b), Table 1 designates the test methods to be used in determining compliance with the gasoline standards identified above;

WHEREAS, the staff has identified improved test methods for measuring the olefin content and the 50 percent and 90 percent distillation temperatures of gasoline;

WHEREAS, staff initially proposed the amendments to title 13, California Code of Regulations, section 2263(b), that are set forth in Attachment A, in order to incorporate the improved test methods;

WHEREAS, the California Environmental Quality Act and Board regulations require that no project which may have significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of chapter 3.5 (commencing with section 11340), part 1, division 3, title 2 of the Government Code;

WHEREAS, the Board has considered the effect of the proposed amendments on the economy of the state; and

WHEREAS, the Board finds that:

The designation of the American Society for Testing and Materials (ASTM) Test Method D6550-00, with an added correlation between weight and volume percent and modified scope and precision statements for the measurement of olefins in gasoline, will substantially improve the reproducibility of the applicable test method and thus enhance the effectiveness of the Board's requirements regarding the olefin content of gasoline;

The designation of Test Method ASTM D86-99aε1 for the measurement of T90 and T50 will appropriately update the designation by identifying ASTM's latest version of the test method;

Modifying the original proposal so that the new olefin test method will not apply until January 1, 2002 will provide appropriate lead time for entities that may need to acquire supercritical fluid chromatography (SFC) test equipment; and

The amendments adopted herein will not result in any significant adverse environmental impacts and will have an insignificant impact on California business enterprises.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the amendments to section 2263(b), title 13, California Code of Regulations, as set forth in Attachment A hereto, with the modifications shown in Attachment B.

BE IT FURTHER RESOLVED that, pursuant to sections 39515, 39516, 39600, and 39601 of the Health and Safety Code, if modifications to the scope statement, volume percent correlation, or precision statement specified in Attachment A are warranted by new data, the Board expressly delegates to the Executive Officer the authority to adopt regulatory amendments to the scope statement, volume percent correlation, and precision statement set forth in section 2263(b), title 13, California Code of Regulations, and to conduct public hearings and take other appropriate actions to make such amendments.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer: (1) to make the modified regulatory text shown in Attachment B, with the modifications clearly indicated, available for public comment for a period of at least 15 days; (2) to consider any comments on the modifications received during the supplemental comment period; and then (3) either to adopt the amendments as made available with any appropriate additional nonsubstantial modifications, to make additional modifications available for public comment for an additional period of at least 15 days, or to present the regulations to the Board for further consideration if he determines that this is warranted.

BE IT FURTHER RESOLVED that, following approval by the Office of Administrative Law of the amendments adopted herein, the Executive Officer is directed, as appropriate, to adopt the amendments as part of the California State Implementation Plan and to submit them to the U.S. Environmental Protection Agency as a revision to the California State Implementation Plan.

BE IT FURTHER RESOLVED that, pursuant to sections 39515, 39516, 39600 and 39601 of the Health and Safety Code, if modifications to the precision statement for the olefins test method are warranted in light of newly-available data, the Board expressly delegates to the Executive Officer the authority to adopt regulatory amendments modifying the precision statements identified for the method and to conduct public hearings and take other appropriate action to make such amendments.

I hereby certify that the above is a true and correct copy of Resolution 00-41, as adopted by the Air Resources Board.

Marie Kavan

Marie Kavan, Clerk of the Board

Recv'd By
Office of the Secretary
JUL 1 8 2001
Resources Agency of California