

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-10-012

Relating to the Adoption of a Regulations for the Management of High Global Warming Potential Refrigerants for Stationary Sources

WHEREAS, on December 9, 2009, the Air Resources Board (ARB or Board) conducted a public hearing to consider adoption of a proposed regulation for the management of high global warming potential refrigerants for stationary sources, as set forth in the Initial Statement of Reasons, which was released to the public on October 23, 2009;

WHEREAS, following the public hearing on December 9, 2009, the Board adopted Resolution 09-68, in which the Board initiated steps toward the final adoption of the proposed new sections 95380-95398, title 17, California Code of Regulations (CCR), as set forth in Attachment A and modified by Attachment B thereto;

WHEREAS, Resolution 09-68 directed the Executive Officer to take final action to adopt the regulatory amendments set forth in Attachment A and Attachment B to Resolution 09-68, 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 he determines that this is warranted after review of the comments;

WHEREAS, on March 17, 2010, 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, CCR, section 44; and

WHEREAS, three written comments were received during the supplemental 15-day 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.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 09-68 are incorporated by reference herein.

IT IS FURTHER ORDERED that new sections 95380, 95381, 95382, 95383, 95384, 95385, 95386, 95387, 95388, 95389, 95390, 95391, 95392, 95393, 95394, 95395, 95396, 95397, and 95398, title 17, California Code of Regulations, are adopted as set forth in Attachment 1 hereto.

Executed this 14th day of September 2010, at Sacramento, California.

/s/

James N. Goldstene
Executive Officer

Attachment