

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-05-003

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

WHEREAS, on November 18, 2004, the Air Resources Board (ARB or Board) conducted a public hearing to consider the proposed amendment of the regulations for the certification of vapor recovery systems installed at gasoline dispensing facilities;

WHEREAS, following the public hearing on November 18, 2004, the Board adopted Resolution 04-41, in which the Board approved amendments with modifications to section 94011, title 17, California Code of Regulations (CCR) and the certification procedure incorporated by reference thereto;

WHEREAS, in Resolution 04-41, the Board directed the Executive Officer to adopt section 94011, title 17, California Code of Regulations, after making the modified regulatory language available for public comment for a period of at least 15 days, as required by Government Code section 11346.8, provided that the Executive Officer shall consider such written comments regarding the modification as may be submitted during this period, shall make modifications as may be appropriate in light of the comments received or for consistency with the modifications in Attachment B of the resolution, and shall present the regulations to the Board for further consideration if she determines that this is warranted.

WHEREAS, on December 29, 2004, the modified regulation, reflecting the regulation as approved by the Board, was made available for a public comment 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; and

WHEREAS, one written comment was received during the 15-day comment period and the comment has been considered by the Executive Officer.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 04-41 be incorporated by reference herein.

IT IS FURTHER ORDERED that section 94011, title 17, CCR, is adopted as set forth in Attachment 1 hereto.

Executed this _____ day of _____ February _____, 2005, at Sacramento, California.

Catherine Witherspoon
Executive Officer

Attachment