

State of California
AIR RESOURCES BOARD

Executive Order G-99-015

WHEREAS, on December 11, 1998, the Air Resources Board (the Board or ARB) conducted a hearing to consider amendments to the Statewide Portable Equipment Registration Program Regulations;

WHEREAS, following the public hearing, the Board adopted Resolution 98-77, in which the Board approved amendment of Title 13, California Code of Regulations, sections 2450-2465, and the regulatory amendments set forth in Attachment A thereto, which included staff's proposed modifications to the regulatory text set forth in Appendix A to the Staff Report;

WHEREAS, Resolution 98-77 directed the Executive Officer to incorporate into the approved amendments the modifications described in Attachment B thereto, with such other conforming modifications as may be appropriate, to make the modified regulatory language available to the public for a supplemental 15-day comment period, and thereafter either to adopt the approved amendments with such additional modifications as may be appropriate in light of supplemental comments received, or to present the amendments to the Board for further consideration if warranted in light of supplemental written comments received;

WHEREAS, the Board-approved modifications were made available 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; and

WHEREAS, the written comments received during this 15-day comment period have been considered by the Executive Officer and do not require modification nor reconsideration by the Board of the approved regulations.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 98-77 are incorporated by reference herein.

IT IS FURTHER ORDERED that the regulatory amendments adopted herein be forwarded to the Environmental Protection Agency with a request that California receive authorization to enforce these adopted regulatory provisions as within the scope of the authorization requested on July 15, 1998.

IT IS FURTHER ORDERED that staff meet and consult with the U.S. EPA and affected industry to address the implications of the standards on the statewide program if, pursuant to Title III of the Clean Air Act, the U.S. EPA promulgates any maximum achievable control technology standards that are applicable to portable internal combustion engines covered by the Statewide Portable Equipment Registration Program.

IT IS FURTHER ORDERED, in accordance with Resolution 98-77 and Health and Safety Code sections 39515 and 39516, that the amendments to sections 2450-2466 of Title 13, California Code of Regulations, are hereby adopted as set forth in Attachment 1 hereto.

Executed this _____ day of October, 1999, at Sacramento, California.

Michael P. Kenny
Executive Officer

Attachment