

Attachment C Resolution 05-54

Staff's Suggested Modifications to Original Proposal

During a Public Workshop held on August 16, 2005, ARB staff received several comments and is proposing the following suggested modifications to the amendments set forth in Attachment A, and the Certification Procedure, Test Procedures, and Test Methods as set forth in Attachment B.

NOTE: Regulatory amendments to existing language are shown in underline to indicate additions to the text and ~~strikeout~~ to indicate deletions.

Comments and Suggested Modifications to the Regulatory Amendments Set Forth in Attachment A

It was suggested that ARB add two definitions to clarify the terms, "automatic closure" and "automatically close". These terms are used in the Regulation and in the certification and test procedures to determine compliance with the automatic closure requirement. ARB staff agrees that these terms should be defined and proposes to add the following definitions:

2467.1(a)(2) "Automatic closure" means a device or mechanism that causes a spill-proof system or spout to close, seal and remain completely closed when not dispensing fuel.

2467.1(a)(3) "Automatically close" means closure occurs through the activation of a device or mechanism that causes a spill-proof system or spout to close, seal, and remain completely closed when not dispensing fuel.

It was suggested that ARB amend the definition of a "spout" to allow for spout extensions (funnels) to help fueling applications that would benefit from a longer or more flexible spout tip. The ARB staff agrees and proposes to amend the definition of a spout as follows:

2467.1(a)(19) "Spout" means any device that can be firmly attached to a portable fuel container for conducting pouring through which the contents of a portable fuel container can be dispensed, not including a device that can be used to lengthen the spout to accommodate necessary applications.

Comments and Suggested Modifications to Certification Procedure CP-501

It was suggested that CP-501, Table 2-1 be clarified regarding the automatic closure requirement. ARB staff agrees and proposes to change that table as follows:

Automatic Closure	Spout automatically closes and seals when removed from tank <u>not dispensing fuel.</u>
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CP-501 Section 2.3(c) allows for portable fuel container products to be tested as a product family under certain situations. It was suggested that the Regulation be clarified to specify that portable fuel containers that differ only in color are considered as a product family. ARB staff agrees and proposes the following amendment to CP-501, as set forth above in Attachment B:

2.3(c) Portable fuel containers that share similar designs are constructed of identical materials, and that are manufactured using identical processes, but vary only in size or color may be considered for certification as a product family.

CP-501 Section 3.11(b) regulates what product components need to be certified. It was suggested that a change of the vendor of a component should not require recertification. ARB staff agrees and suggests the following amendment to CP-501, as set forth above in Attachment B:

3.11(b) If the component(s) design and material specifications requested for inclusion in the certification have not been previously incorporated in a spill-proof system or spill-proof spout that has been issued an executive order pursuant to these procedures, each of the component(s) shall be subject to each of the application and test requirements specified herein.

CP-501 Section 2.8(a) specifies that information concerning the type of equipment the portable fuel container is intended to be fueled with be included on the operating instructions provided with the portable fuel container sold in California. It was stated that manufacturers of portable fuel containers would find it difficult to include all types of equipment their products were intended for and suggested that the Section be changed to require a listing of equipment types that the portable fuel container was specifically not intended to fuel. ARB staff agrees and proposes the following amendment to CP-501, as set forth above in Attachment B:

2.8(a) A listing of any specific equipment types, such as passenger cars and trucks, lawn and garden equipment, off-road motorcycles and snowmobiles, industrial equipment, and marine vessels that ~~The designed intent of the spill-proof system or spill-proof spout, is not intended and the types of equipment with which it may be used to refuel; and~~

Comments and Suggested Modifications to Test Procedure TP-501

TP-501 Section 7.3 discusses how certification and enforcement testing shall be conducted to test for the automatic closure requirement. It was suggest that the language at the top of page 5 could be clarified concerning how the portable fuel container is removed from the test fixture. ARB staff agrees and proposes the following amendment to TP-501, as set forth above in Attachment B:

At the top of page 5 of TP-501, Section 7.3 ...~~Lift the container to~~ Engage the automatic closure feature...

Comments and Suggested Modifications to Test Procedure TP-502

TP-502 Section 8 allows for testing at elevated temperature without requiring a trip blank. It was suggested that a trip blank should be included. ARB staff agrees with this suggestion and proposes the following amendment to TP-502, as set forth above in Attachment B:

Section 8. A preconditioning period is required to demonstrate permeation equilibrium. Equilibrium occurs when the container walls have become saturated with fuel. Preconditioning may be combined with the durability demonstration listed above. In order to achieve equilibrium, the container can be soaked with fuel at ambient or elevated temperatures. For elevated temperature soak, a trip blank shall be used for correction of measurements.