

State of California
AIR RESOURCES BOARD

Executive Order G-00-047

WHEREAS, on September 23, 1999, the Air Resources Board (the Board or ARB) conducted a public hearing to consider adoption of Portable Fuel Container Spillage Control Regulations;

WHEREAS, following the public hearing on September 23, 1999 the Board adopted Resolution 99-33, in which the Board approved the adoption of sections 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, and 2478, of title 13, California Code of Regulations, as set forth in Attachment A thereto, with the modifications to those sections set forth in Attachment C thereto;

WHEREAS, in Resolution 99-33 the Board also approved the adoption of Proposed Test Method 510, Automatic Shut-Off Test Procedure for Spill-Proof Systems and Spill-Proof Spouts, Test Method 511, Automatic Closure Test Procedure for Spill Proof Systems and Spill-Proof Spouts, Test Method 512, Determination of Fuel Flow Rate for Spill-Proof Systems and Spill-Proof Spouts and Test Method 513, Determination of Permeation Rate for Spill-Proof Systems, as set forth in Attachment B thereto, with the modifications to those Procedures set forth in Attachment C thereto;

WHEREAS, Resolution 99-33 directed the Executive Officer: (1) to incorporate into the approved regulations and incorporated document the modifications described in Attachment C thereto and such other conforming modifications as may be appropriate; (2) to make the modified regulations and incorporated document, with the modifications clearly indicated, available for public comment for a period of at least 15 days; (3) to consider any comments on the modifications received during the supplemental comment period; and then (4) either to adopt the regulations 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;

WHEREAS, the Board-approved modifications to the originally proposed texts, were made available for a supplemental 15-day comment period starting November 19, 1999, through December 10, 1999 in accordance with the provisions of section 44, title 1, California Code of Regulations, with the modifications clearly indicated;

WHEREAS, ???? written comments were received during the supplemental 15-day comment period, and those comments have been considered by the Executive Officer;

WHEREAS, in light of written comments were received during the initial 15-day comment period, additional modifications to the proposed amendments were made available by a Second Notice of Availability of Modified Text for a second supplemental 15-day comment period starting May 12, 2000 through May 30, 2000, in accordance with the provisions of section 44, title 1, California Code of Regulations, with the additional modifications clearly indicated;

WHEREAS, five written comments were received during the supplemental 15-day comment period, and those comments have been considered by the Executive Officer;

WHEREAS, Attachment 1 hereto contains the adoption of sections 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, and 2478, of title 13, California Code of Regulations, reflecting the modified texts made available for the 15-day comment period and reflecting additional clarifying nonsubstantial modifications, some of which were made in response to comments submitted during the 15-day comment period; and

WHEREAS, Attachment 2 hereto contains the text of the Test Methods reflecting the modified text made available for the 15-day comment period.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 99-33, are incorporated herein.

IT IS FURTHER ORDERED, in accordance with Resolution 99-33 and Health and Safety Code sections 39515 and 39516, that the adoption of sections 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, and 2478, of title 13, California Code of Regulations are hereby adopted as set forth in Attachment 1 hereto, and Test Method 510, Automatic Shut-Off Test Procedure for Spill-Proof Systems and Spill-Proof Spouts, Test Method 511, Automatic Closure Test Procedure for Spill Proof Systems and Spill-Proof Spouts, Test Method 512, Determination of Fuel Flow Rate for Spill-Proof Systems and Spill-Proof Spouts and Test Method 513, Determination of Permeation Rate for Spill-Proof Systems are hereby adopted as set forth in Attachment 2 hereto.

Executed this _____ day of July, 2000, at Sacramento, California.

Michael P. Kenny
Executive Officer

Attachments