

State of California
AIR RESOURCES BOARD

Executive Order R-15-004

Relating to Regulation to Control Evaporative Emissions from Spark-Ignition Marine Watercraft

WHEREAS, on February 19, 2015 the Air Resources Board (ARB or Board) conducted a public hearing to consider the proposed Regulation to Control Evaporative Emissions from Spark-Ignition Marine Watercraft, as set forth in Appendix A through F to the Initial Statement of Reasons released to the public on December 30, 2014;

WHEREAS, the Board found that the proposal is exempt from CEQA under California Code of Regulations, title 14, section 15308 because substantial evidence in the record shows that it will enhance the environment by better protecting the public from health impacts associated with exposure to ozone, the regulatory process involves procedures for protection of the environment, and the proposal will not result in any significant adverse environmental impacts;

WHEREAS, following the public hearing, the Board adopted Resolution 15-3 in which the Board approved for adoption sections 2440, 2442, 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 2868, 2869, 2870, 2871, Title 13 California Code of Regulations, and the documents incorporate by reference: TP-1501 "Test Procedure for Determining Diurnal Evaporative Emissions from Spark-Ignition Marine Watercraft"; TP-1502 "Test Procedure for Determining Hot Soak Evaporative Emissions from Spark-Ignition Marine Engines"; TP-1503 "Test Procedure for Determining Diurnal Vented Emissions from Installed Marine Fuel Tanks"; TP-1504 "Test Procedure for Determining Permeation Emissions from Installed Marine Fuel Tanks, Marine Fuel Hoses and Marine Fuel Caps"; and TP-1505 "Test Procedure for Determining Pressure Relief Valve Performance: Durability Demonstration and Leak Test", as set forth in Attachments A through G of that resolution;

WHEREAS, Resolution 15-3, directed the Executive Officer to make the modified regulatory language in Attachment G to that resolution and any additional conforming modifications deemed appropriate available for public comment, with any additional supporting documents and information, for a period of at least 15 days. The Executive Officer was directed to consider written comments submitted during the public comment period and make any additional appropriate conforming modifications available for public comment for at least 15 days, and to take final action to adopt the regulation after addressing all appropriate modifications, or present the regulation to the Board for further consideration if warranted;

WHEREAS, the modified regulatory language and supporting documentation were circulated for 15-day public comment period, with the changes to the originally proposed text clearly indicated, according to provisions of California Code of Regulations, title 1, section 44 and Government Code section 11340.85, from September 17, 2015 through October 2, 2015;

WHEREAS, a number of written comments were received during the initial 45-day comment period and supplemental 15-day comment period, and those comments were considered by the Executive Officer;

WHEREAS, based on substantial evidence in the record there is no possibility the modifications to the regulation made available for 15 day public comment period(s) after the Board hearing could affect the conclusion of the environmental analysis included in the Staff Report, so no additional environmental analysis was required and no additional comments raising significant environmental issues were received;

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 15-3 are incorporated herein.

IT IS FURTHER ORDERED that sections 2440, 2442, 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 2868, 2869, 2870, and 2871, Title 13 California Code of Regulations, which incorporate by reference the following documents: TP-1501 "Test Procedure for Determining Diurnal Evaporative Emissions from Spark-Ignition Marine Watercraft"; TP-1502 "Test Procedure for Determining Hot Soak Evaporative Emissions from Spark-Ignition Marine Engines"; TP-1503 "Test Procedure for Determining Diurnal Vented Emissions from Installed Marine Fuel Tanks"; TP-1504 "Test Procedure for Determining Permeation Emissions from Installed Marine Fuel Tanks, Marine Fuel Hoses and Marine Fuel Caps"; and TP-1505 "Test Procedure for Determining Pressure Relief Valve Performance: Durability Demonstration and Leak Test", are adopted as set forth in Attachments 1 through 7 to this Order.

IT IS FURTHER ORDERED that the adopted regulatory text may be further revised with non-substantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this 21st day of December 2015, at Sacramento, California.

FILED
DEC 23 2015

Resources Agency of California


Richard W. Corey
Executive Officer

Attachments