

**State of California
AIR RESOURCES BOARD**

Portable Outboard Marine Tanks and Components

EXECUTIVE ORDER G-10-128B

Attwood Corporation Portable Outboard Marine Tanks

WHEREAS, the California Air Resources Board (ARB) has established, pursuant to California Health and Safety Code (CH&SC), sections 39600, 39601 and 43013, criteria for obtaining certification of a portable outboard marine tank, portable outboard marine tank self sealing cap, portable outboard marine tank fuel hose, or portable outboard marine tank primer bulb in "CP-510, Certification Procedure for Portable Outboard Marine Tanks and Components", adopted July 20, 2009, incorporated by reference into California Code of Regulations, title 13, sections 2468.2 and 2468.8;

WHEREAS, "CP-510, Certification Procedure for Portable Outboard Marine Tanks and Components," adopted July 20, 2009, (hereinafter "Certification Procedure") incorporated by reference into Cal. Code Regs., title 13, section 2468.1, requires that an application for certification include test results that the tanks do not exceed a permeation rate of 1.5 grams/m²/day and include proof that the cap automatically closes and seals up to a pressure of five psig;

WHEREAS, section 1 of the Certification Procedure provides that an Executive Order (EO) will only be issued for a portable outboard marine tank, portable outboard marine tank self sealing cap, portable outboard marine tank fuel hose, or portable outboard marine tank primer bulb that demonstrates compliance with all applicable certification requirements;

WHEREAS, section 2 of the Certification Procedure requires an applicant to warranty their portable outboard marine tank, portable outboard marine tank self sealing cap, portable outboard marine tank fuel hose, or portable outboard marine tank primer bulb for a period of one year;

WHEREAS, section 3 of the Certification Procedure requires an applicant to submit specified information in its application for certification;

WHEREAS, section 5 of the Certification Procedure provides that ARB's Executive Officer shall evaluate each application for certification of a portable outboard marine tank, portable outboard marine tank self sealing cap, portable outboard marine tank fuel hose, or portable outboard marine tank primer bulb, to determine if the portable outboard marine tank, portable outboard marine tank self-sealing cap, portable outboard marine tank fuel hose, or portable outboard marine tank primer bulb complies with the criteria for issuance of an EO;

WHEREAS, I find it necessary to revise EO G-10-128A to add new models of 3, 6, and 12 gallon tanks with fuel gauges which will be sold under the name West Marine. In addition, a new line of low profile 12 gallon tanks without and with fuel gauges are added. These will include models sold under the names Attwood and West Marine;

WHEREAS, Attwood Corporation has submitted an application for certification of its portable outboard marine tanks with self-sealing caps as shown in Table 1:

Table 1

Model 8803LP	3 gallons capacity without fuel gauge
Model 8803LPG	3 gallons capacity with fuel gauge
Model 88WM100	3 gallons capacity with fuel gauge
Model 8806LP	6 gallons capacity without fuel gauge
Model 8806LPG	6 gallons capacity with fuel gauge
Model 88WM101	6 gallons capacity with fuel gauge
Model 8812LP	12 gallons capacity without fuel gauge
Model 8812LPG	12 gallons capacity with fuel gauge
Model 88WM102	12 gallons capacity with fuel gauge
Model 8812LLP	12 gallons capacity without fuel gauge
Model 8812LLPG	12 gallons capacity with fuel gauge
Model 88WM103	12 gallons capacity with fuel gauge

All models are supplied to original equipment manufacturers and sold as aftermarket products under the names Attwood and West Marine. The West Marine products are designated by WM in the model number;

WHEREAS, Attwood Corporation has submitted test data indicating that its portable outboard marine tanks do not exceed a permeation rate of 1.5 grams/m²/day and that the caps automatically close and seal up to a pressure of five psig.

WHEREAS, that the portable outboard marine tanks produced by Attwood Corporation as described in its application for certification of said systems, and identified in Table 1, are hereby certified to meet the performance standards and administrative requirements applicable to a portable outboard marine tank for supply to original equipment manufacturers or as aftermarket products. Production tanks must be in all material respects the same as those for which certification is granted and must meet all of the certification requirements.

WHEREAS, Attwood Corporation's application for certification of its portable outboard marine tanks has been evaluated, and its portable outboard marine tanks have been found to comply with the criteria for the issuance of an EO; and

WHEREAS, Pursuant to California Health and Safety Code, sections 39515 and 39516, the ARB executive officer issued EO P-10-002 delegating to the Chief of

ARB Monitoring and Laboratory Division (MLD) the authority to certify portable outboard marine tanks, primer bulbs, and fuel hoses.

NOW, THEREFORE, I, Alberto Ayala, Chief of MLD, find that the Attwood Corporation portable outboard marine tanks identified in Table 1 conform to the performance requirements set forth in the Cal. Code Regs., title 13, section 2468, when tested in accordance with TP-511.

IT IS ORDERED AND RESOLVED that the portable outboard marine tanks produced by Attwood Corporation as described in its application for certification of said systems are hereby certified to meet the performance standards and administrative requirements applicable to a portable outboard marine tank for supply to original equipment manufacturers or as aftermarket products. Production tanks must be in all material respects the same as those for which certification is granted and must meet all of the certification requirements.

IT IS FURTHER ORDERED that Attwood Corporation must comply with the administrative requirements specified in Cal. Code Regs., title 13, sections 2468.6(a) and must supply any changes to the date code or representative code to the Executive Officer for review and approval at least three months prior to offering for sale a certified portable outboard marine tank with changed codes.

IT IS FURTHER ORDERED that any alteration of the components or design of the portable outboard marine tanks certified hereby is prohibited and is inconsistent with this certification, unless said alteration has been approved in advance of production by the Executive Officer or his designee.

IT IS FURTHER ORDERED that Attwood Corporation provide a warranty to equipment manufacturers and aftermarket buyers purchasing its portable outboard marine tanks. The warranty must state that the tanks are free from defects in materials and workmanship that cause such a tank to fail to conform to the certification and compliance standards for a period of one year.

IT IS FURTHER ORDERED that Attwood Corporation portable outboard marine tanks shall be clearly identified by a permanent identification that allows the ARB to determine manufacturer name and model number.

IT IS FURTHER ORDERED that the Executive Officer may enjoin sales, assess penalties, or revoke or modify this certification as provided in Cal. Code Regs., section 2468.9, if the Executive Officer determines that the product available for sale or sold in California does not meet the "Certification and Compliance Test Procedures" as provided in Cal. Code Regs., section 2468.9.

IT IS FURTHER ORDERED that this Executive Order shall supersede Executive Order G-10-128A dated March 29, 2012.

Executed at Sacramento, California, this 26th day of November 2012.

Maryt Ahuji for AA
Alberto Ayala, Ph.D., M.S.E.
Chief, Monitoring and Laboratory Division