

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-11-037A

Portable Outboard Marine Tanks and Components

Scepter Corporation
Portable Outboard Marine Tanks

WHEREAS, pursuant to California Health and Safety Code sections 39600, 39601 and 43013, the California Air Resources Board (ARB) has established a certification process for portable outboard marine tanks and portable outboard marine tank self-sealing caps as described in California Code of Regulations, title 13, section 2468.1;

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 demonstrating the portable outboard marine tank does not exceed a permeation rate of 1.5 grams/m²/day and the portable outboard marine tank self-sealing 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 and portable outboard marine tank self-sealing cap that demonstrates compliance with all applicable certification requirements;

WHEREAS, section 5 of the Certification Procedure provides that ARB Executive Officer shall evaluate each application for certification of a portable outboard marine tank and portable outboard marine tank self-sealing cap to determine if the portable outboard marine tank and portable outboard marine tank self-sealing cap complies with the performance standards and administrative requirements for issuance of an EO;

WHEREAS, Scepter Corporation submitted an application for certification of the portable outboard marine tanks with self-sealing caps identified in Table 1;

WHEREAS, Scepter Corporation submitted test data demonstrating the portable outboard marine tanks identified in Table 1 do not exceed a permeation rate of 1.5 grams/m²/day and the portable outboard marine tanks identified in Table 1 are equipped with caps that automatically close and seal up to a pressure of five psig;

Table 1
Scepter Corporation Portable Outboard Marine Tanks with Self-Sealing Caps*

| Part Number | Description |
|-------------|---------------------------------|
| 8576 | 3 Gallon Outboard Marine Tank |
| 8580 | 6.6 Gallon Outboard Marine Tank |
| 8590 | 3 Gallon Outboard Marine Tank |
| 8592 | 6 Gallon Outboard Marine Tank |
| 8667 | 9 Gallon Outboard Marine Tank |
| 8668 | 12 Gallon Outboard Marine Tank |
| 8669 | 12 Gallon Outboard Marine Tank |
| 8726 | 6 Gallon Outboard Marine Tank |
| 8733 | 6 Gallon Outboard Marine Tank |
| A3 | 3 Gallon Outboard Marine Tank |
| A6 | 6 Gallon Outboard Marine Tank |

WHEREAS, Scepter Corporation certification application for the portable outboard marine tanks with self-sealing caps identified in Table 1 was evaluated and found to comply with the performance standards and administrative requirements for the issuance of an EO; and

WHEREAS, pursuant to California Health and Safety Code sections 39515 and 39516, 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 and portable outboard marine tank self-sealing caps.

NOW, THEREFORE, I, Michael T. Benjamin, Chief of MLD, find that the Scepter Corporation portable outboard marine tanks with self-sealing caps 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 ARB Test Procedure TP-511.

IT IS ORDERED AND RESOLVED that the Scepter Corporation portable outboard marine tanks with self-sealing caps identified in Table 1 are hereby certified to meet the performance standards and administrative requirements applicable to a portable outboard marine tank with self-sealing cap for supply to original equipment manufacturers or as aftermarket products for introduction into commerce in California. Production portable outboard marine tanks and portable outboard marine tank self-sealing caps 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 the Scepter Corporation portable outboard marine tanks with self-sealing caps identified in Table 1 shall be clearly identified by a permanent identification code that allows ARB to determine the date of manufacture and EO number.

IT IS FURTHER ORDERED that Scepter 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 identification 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 Scepter Corporation portable outboard marine tanks with self-sealing caps identified in Table 1 and certified hereby is prohibited and inconsistent with this certification, unless said alteration has been approved in advance of production by the Executive Officer.

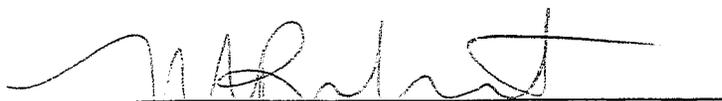
IT IS FURTHER ORDERED that Scepter Corporation provide a warranty to equipment manufacturers and aftermarket buyers purchasing the Scepter Corporation portable outboard marine tanks with self-sealing caps identified in Table 1. The warranty must conform to the standards of section 2.5 of the Certification Procedure.

IT IS FURTHER ORDERED that Scepter Corporation outboard marine tanks shall be compatible with fuels in common use in California at the time of certification, and any modifications to comply with future California fuel requirements shall be approved in writing by the Executive Officer or his delegate.

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., title 13, section 2468.9, if the Executive Officer determines that the Scepter Corporation portable outboard marine tanks with self-sealing caps identified in Table 1 and offered for sale or sold in California do not meet the "Certification and Compliance Performance Standards and Test Procedures for Portable Outboard Marine Tanks and Portable Outboard Marine Tank Self Sealing Caps" as provided in Cal. Code Regs., title 13, section 2468.1.

IT IS FURTHER ORDERED that EO G-11-037 is superseded by this order.

Executed at Sacramento, California this 24 day of September 2015.



Dr. Michael T. Benjamin, Chief
Monitoring and Laboratory Division

* At the manufacturer's request, EO G-11-037 was amended to G-11-037A to include additional outboard marine tank models.