

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-10-088B

Portable Fuel Containers and Spouts

Scepter Canada, Inc.
Portable Fuel Container Systems

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 fuel container systems and portable fuel container spill-proof spouts as described in California Code of Regulations, title 13, sections 2467.2 and 2467.8;

WHEREAS, CP-501, *Certification Procedure for Portable Fuel Containers and Spill-Proof Spouts*, adopted July 26, 2006, (hereinafter "Certification Procedure") incorporated by reference in Cal. Code Regs., title 13, sections 2467.2 and 2467.8, requires that an application for certification include test results demonstrating the portable fuel container system or portable fuel container spill-proof spout meets the performance standards specified in the Certification Procedure;

WHEREAS, section 1 of the Certification Procedure provides that an executive order (EO) will only be issued for a portable fuel container system or portable fuel container spill-proof spout 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 fuel container system or portable fuel container spill-proof spout, to determine if the portable fuel container system or portable fuel container spill-proof spout complies with the performance standards and administrative requirements for issuance of an EO;

WHEREAS, Scepter Canada, Inc. has submitted an application for certification of Scepter Canada Inc.'s ECO portable fuel container system, equipped with a model number LV-06 Scepter ECO spout or Minerva Accuflow model 10454 spout;

WHEREAS, Scepter Canada, Inc. submitted test data demonstrating Scepter Canada, Inc.'s ECO portable fuel container system complies with the performance standards specified in section 2 of the Certification Procedure;

WHEREAS, Scepter Canada, Inc.'s ECO portable fuel container system certification application was evaluated and found to comply with the performance standards and administrative requirements for issuance of an EO;

WHEREAS, Scepter Canada, Inc. has submitted information demonstrating that Scepter Canada, Inc.'s ECO portable fuel container system complies with the requirements of American Society for Testing and Materials (ASTM) standards ASTM F-852-99 dated March 10, 1999, and ASTM F-976-02 dated May 10, 2002;

WHEREAS, Scepter Canada, Inc. is not participating in the optional Consumer Acceptance Program for its ECO portable fuel container system; and

WHEREAS, pursuant to California Health and Safety Code, sections 39515 and 39516, ARB Executive Officer issued EO P-07-002 delegating to the Chief of ARB Monitoring and Laboratory Division (MLD) the authority to certify portable fuel container systems and portable fuel container spill-proof spouts.

NOW, THEREFORE, I, Michael T. Benjamin, Chief of MLD, find that Scepter Canada, Inc.'s ECO portable fuel container system conforms to the performance requirements set forth in Cal. Code Regs., title 13, section 2467, when tested in accordance with ARB Test Procedures TP-501 and TP-502.

IT IS ORDERED AND RESOLVED that the Scepter Canada, Inc. ECO portable fuel container systems identified in Table 1 are hereby certified to meet the performance standards and administrative requirements applicable to portable fuel container systems for introduction into commerce in California.

Part Number	Capacity (gallons)	Fuel	Color
05086	5.3	Gasoline	Red
05096	5.0	Gasoline	Red
09484	2.9	Gasoline	Red
07378	2.5	Gasoline	Red
07450	1.25	Gasoline	Red
05090	5.3	Diesel	Yellow
05898	5.0	Diesel	Yellow
05092	5.0	Kerosene	Blue

Note: Containers may include an LV-06 Scepter ECO spout or a Minerva Accuflow model 10454 spout.

IT IS FURTHER ORDERED that Scepter Canada, Inc. shall provide buyers a copy of the warranty language submitted in its application for certification of its ECO portable fuel container system at the time of sale.

IT IS FURTHER ORDERED that Scepter Canada, Inc. shall provide buyers a copy of the operating instructions submitted in its application for certification of its ECO portable fuel container system at the time of sale.

IT IS FURTHER ORDERED that the Scepter Canada, Inc. ECO portable fuel container systems introduced into California commerce shall be clearly identified by a permanent identification code that allows ARB to identify the date of manufacture and EO number.

IT IS FURTHER ORDERED that Scepter Canada, Inc. must comply with the administrative requirements specified in Cal. Code Regs., title 13, section 2467.5 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 ECO portable fuel container system with a changed identity code.

IT IS FURTHER ORDERED that production portable fuel container systems shall be in all material respects the same as those for which certification is granted. Any alteration of the components or design of Scepter Canada, Inc.'s ECO portable fuel container system certified hereby is prohibited and inconsistent with this certification, unless said alteration has been approved in advance of production by the Executive Officer or his or her delegate.

IT IS FURTHER ORDERED that Scepter Canada, Inc.'s ECO portable fuel container systems 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 or her delegate.

IT IS FURTHER ORDERED that the Executive Officer may enjoin sales, assess penalties, revoke, or modify this certification as provided in Cal. Code Regs., title 13, section 2467.9; or if the Executive Officer determines that the Scepter Canada, Inc. ECO portable fuel container system available for sale in California does not meet the "Certification and Compliance Test Procedures" as provided in Cal. Code Regs., title 13, section 2467.8.

IT IS FURTHER ORDERED that EO G-10-088A is superseded by this order.

Executed at Sacramento, California, this 18th day of March 2016.



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

* At the manufacturer's request, EO G-10-088A was amended to G-10-088B to include the Minerva Accuflow model 10454 spout.