

**State of California  
AIR RESOURCES BOARD**

**Portable Fuel Containers and Spouts**

**EXECUTIVE ORDER G-13-006**

**Scepter Manufacturing, LLC, Portable Fuel Containers**

WHEREAS, the California Air Resources Board (ARB) has established, pursuant to California Health and Safety Code, sections 39600, 39601, and 43013, criteria for obtaining certification of a portable fuel container, spout, or a portable fuel container and spout in CP-501, "Certification Procedure for Portable Fuel Containers and Spill-Proof Spouts," adopted July 26, 2006, incorporated by reference 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 the results for each test specified in ARB Test Procedure TP-501, "Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems," adopted July 26, 2006, and ARB Test Procedure TP-502, "Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers," adopted July 26, 2006;

WHEREAS, section 1 of the Certification Procedure provides that an executive order (EO) will only be issued for a portable fuel container, spout, or both portable fuel container and spout that demonstrates compliance with all applicable certification requirements;

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 the ARB Executive Officer shall evaluate each application for certification of a spill-proof system or spill-proof spout, to determine if the spill-proof system or spill-proof spout complies with the criteria for issuance of an EO;

WHEREAS, Scepter Manufacturing, LLC has submitted an application for certification of the following products identified in Table 1 to be sold under the brand name Scepter ECO Model LV-06, each equipped with a Scepter ECO Spout: (hereinafter referred to as "Portable Fuel Container system" or "PFC");

Table 1  
Scepter ECO Model LV-06 Portable Fuel Container systems:

Part Number	Description
00001	1 Gallon Gasoline Can EPA – AB381
00002	2 Gallon Gasoline Can EPA – AB762
00003	5 Gallon Gasoline Can EPA – AB205
00004	5 Gallon Diesel Can EPA – D205
00005	5 Gallon Kerosene Can EPA – K205
00028	5.3 Gallon Jeep Style Gasoline Can EPA – VP Racing

WHEREAS, Scepter Manufacturing, LLC has submitted data generated from each test specified in ARB Test Procedure TP-501, "Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems" and ARB Test Procedure TP-502, "Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers," that demonstrates its PFCs comply with the criteria specified in section 2 of the Certification Procedure;

WHEREAS, Scepter Manufacturing, LLC has submitted information demonstrating that its PFCs comply with the requirements of American Society for Testing and Materials Standards (ASTM) F-852-99 dated March 10, 1999, and ASTM F-976-02 dated May 10, 2002;

WHEREAS, Scepter Manufacturing, LLC has submitted a copy of the warranty language and operating instructions as specified in section 2 of the Certification Procedure;

WHEREAS, Scepter Manufacturing, LLC is not participating in the optional Consumer Acceptance Program for its PFCs;

WHEREAS, Scepter Manufacturing, LLC has submitted all information specified in section 3 of the Certification Procedure in its application for certification of its PFCs;

WHEREAS, Scepter Manufacturing, LLC's application for certification of its PFCs has been evaluated, and its PFCs comply with the criteria for issuance of an EO; and

WHEREAS, Pursuant to California Health and Safety Code, sections 39515 and 39516, the 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 containers, spouts, or both portable fuel containers and spouts.

NOW, THEREFORE, I, Michael T. Benjamin, Chief of ARB MLD, find that the Scepter Manufacturing, LLC Portable Fuel Container systems identified in Table 1 conform to the performance requirements set forth in Cal. Code Regs., title 13, section 2467, when tested in accordance with TP-501, "Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems" and TP-502, "Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers."

IT IS ORDERED AND RESOLVED that the PFCs produced by Scepter Manufacturing, LLC as described in its application for certification of said systems are hereby certified to meet the performance standards and administrative requirements applicable to PFCs. Production systems shall be in all material respects the same as those for which certification is granted and shall meet all the certification requirements except for the Optional Consumer Acceptance Program.

IT IS FURTHER ORDERED that Scepter Manufacturing, LLC must comply with the administrative requirements specified in Cal. Code Regs., title 13, section 2467.5.

IT IS FURTHER ORDERED that the Scepter Manufacturing, LLC PFCs identified in Table 1 shall be clearly identified by a permanent identification that allows ARB to identify the manufacturer's name, model number, and EO number.

IT IS FURTHER ORDERED that any alteration of the components or design of the PFCs certified hereby is prohibited and is inconsistent with this certification, unless said alteration has been approved by the Executive Officer or the Executive Officer's designee.

IT IS FURTHER ORDERED that Scepter Manufacturing, LLC must supply a copy of the warranty language submitted in its application for certification of its PFCs in the packaging of each certified PFC at the time of sale.

IT IS FURTHER ORDERED that Scepter Manufacturing, LLC must supply a copy of the operating instructions for each PFC as submitted in its application for certification in the packaging of each certified PFC at the time of sale.

IT IS FURTHER ORDERED that Scepter Manufacturing, LLC must supply any changes to the warranty language or the operating instructions to the Executive Officer for review and approval at least 30 days prior to implementation.

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 product 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.

Executed at Sacramento, California, this 22<sup>nd</sup> day of April 2013.



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