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Air Resources Board

H A A G E N - S M I T
LABORATORY
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August 1, 1997

Mail Out # MSC 97-15



Pete Wilson
Governor

Secretary for
Environmental
Protection

TO: ALL MANUFACTURERS OF SMALL OFF-ROAD ENGINES
ALL MANUFACTURERS OF SMALL OFF-ROAD EQUIPMENT
ALL OTHER INTERESTED PARTIES

Request for Comments

Small Off-Road Engines - Fuel Spillage Control

Introduction

In 1995 the Air Resources Board implemented the first tier of emissions standards for small off-road engines (SORE) below 25 horsepower (hp). More than 300 engine families are currently certified to those standards. The second tier of SORE standards is scheduled for implementation in January 1999, and represents a 70 percent reduction from the first tier levels.

At the May 1997 workshops, staff stated that it intended to propose that all new lawn mowers be equipped with spill-proof fueling systems. There was much discussion of the potential role of spillage control, so staff has prepared this document to provide more details on both the possibility of using spillage reduction to alleviate some of the need for exhaust emission reductions and the specifications for spill-proof fueling systems.

Spillage Reduction as an Alternative to Exhaust Reduction

As noted in Mail-Out #97-07, the staff believes that although fuel spillage emissions were not included in the State Implementation Plan (SIP) inventory, control of fuel spillage could help mitigate the shortfall associated with the proposed relaxation of the nonhandheld standards, as overall emissions would be reduced. Thus, staff noted that it intends to propose that all new lawn mowers be equipped with spill-proof fuel systems. A preliminary estimate is that this would provide an additional reduction of 6 tons per day (tpd) hydrocarbon emissions, which would help mitigate the emission increase for engines subject to state control.

Staff is requesting comments on this approach, and on any other ways of providing additional reductions.

The staff is open to ideas that would reduce spillage or otherwise help meet the SORE emissions reductions goal. Because the likelihood that consumers would actually use a given spillage control device is unknown, the staff cautions industry that it will be most receptive to plans that address this issue in some way. Furthermore, because spillage emissions were inadvertently left out of the SIP, staff notes that alternatives that achieve control beyond the bare minimum needed to offset a relaxation will be most compelling.

Specifications for "Spill-Proof" Fueling Systems

Based on comments received during and after the May 1997 workshops, the staff has tentatively identified the following requirements for a "spill-proof" fueling system:

- full automatic operation
- self-sealing
- sealed until nozzle is fully inserted
- self-venting while in-use
- automatic shut-off to prevent overfilling
- provide for recovery of tank vapors
- protected against tampering
- warranted for two years against defects (as per the engine warranty requirements)

The staff requests comments as to whether the above list is sufficient to ensure meaningful spillage control. Staff also requests comments as to how anti-spillage systems can best be distributed. At this time, the staff believes that an instantly redeemable coupon provided with the equipment is likely to be the most practical method.

Comments

The staff encourages industry and other interested parties to contact staff with any comments or questions and to provide written comments. The staff requests that comments be submitted as soon as practicable. Comments will be most useful if they arrive prior to August 21, 1997. Comments will be subject to the attached confidentiality and public disclosure guidelines. Please identify any specific material that should be considered a trade secret.

The staff also encourages all manufacturers that have not yet responded to the economic survey from Mail-Out #97-07 to do so. The information will be used to determine the cost effectiveness and economic impact of the staff's proposal. For your convenience, a copy of the survey is attached.

Please direct all comments to Mr. Michael W. Carter, Chief, Emission Research and Off-Road Controls Branch, 9528 Telstar Avenue, El Monte, California 91731. If you have questions, please call Ms. Jackie Lourenco, Manager, Off-Road Controls Section, at (626) 575-6676 or Mr. Scott Rowland, staff, at (626) 575-6683.

Sincerely,

Robert H. Cross, Chief
Mobile Source Control Division

Attachments

Attachment A

Guidelines for Handling Confidential Material

In accordance with Title 17, California Code of Regulations (CCR), Sections 91000 to 91022, and the California Public Records Act (Government Code Sections 6250 et seq.), the information that a company provides to the Air Resources Board (ARB) may be released (1) to the public upon request, except trade secrets which are not emissions data or other information which is exempt from disclosure or the disclosure of which is prohibited by law, and (2) to the federal Environmental Protection Agency, which protects trade secrets as provided in Section 114(c) of the Clean Air Act and amendments thereto (42 USC 7401 et seq.) and in federal regulations, and (3) to other public agencies provided that those agencies preserve the protections afforded information which is identified as trade secret, or otherwise exempt from disclosure by law (Section 91000, Title 17, CCR and Health and Safety Code Section 39660(e)).

Trade secrets as defined in Government Code Section 6254.7 are not public records and therefore will not be released to the public. However, the California Public Records Act provides that air pollution emission data are always public records, even if the data come within the definition of trade secrets. On the other hand, the information used to calculate air pollution emissions may be withheld from the public if the information is a trade secret.

If any company believes that any of the information it may provide is a trade secret or otherwise exempt from disclosure under any other provision of law, it must identify it as such at the time of submission to the ARB and must provide the name, address, and telephone number of the individual to be consulted if the ARB receives a request for disclosure or seeks to disclose the data claimed to be confidential. The ARB may ask the company to provide documentation of its claim of trade secret or exemption at a later date. Data identified as confidential will not be disclosed unless the ARB determines, in accordance with the above referenced regulations, that the data do not qualify for a legal exemption from disclosure. The regulations establish substantial safeguards before any such disclosure.

Attachment B

Business Impact Survey

The ARB respectfully requests that you complete the following survey to assist in our formulation of the potential economic impact of the proposed control plan on the regulated industry.

Company Name _____

Manufacturing/Operating Plant Location(s)_____

Type of Industry (SIC Code if available)_____

Is this an independent enterprise or a subsidiary of a larger company (please specify)?_____

Number of Employees/Location_____

Owners Equity/Asset Size_____

Net Income_____

Net Worth_____

Profitability_____

Annual Sales (Most Current Figure)_____

Research and Development Dollars Expended/Needed_____

Other Incremental Costs (please specify)_____

What proportion of your sales will be impacted by the proposed control plan?_____

Please specify any other specific/technical concerns._____