

APPENDIX I.2

STAFF'S SUPPLEMENTAL MODIFICATIONS TO THE PROPOSED REGULATION ORDER

Title 13 California Code of Regulations

**CALIFORNIA REGULATIONS FOR NEW 2009 AND LATER
SPARK-IGNITION MARINE ENGINES AND BOATS**

NOTE: This appendix shows staff's proposed supplemental regulatory modifications to portions of the amendments adopted by the Air Resources Board on July 24, 2008, in accordance with Resolution 08-36. Only the sections that have changed since the release of the first "15-day" notice of modified text on March 25, 2009, are shown. Existing text and text originally proposed for adoption during the comment period after the release of the Staff Report on June 6, 2008, are shown without underline as permitted in title 1, California Code of Regulations, section 8. Text from the first "15-day" notice of modified text on March 25, 2009, is shown in underline to indicate additions and ~~strikeout~~ to indicate deletions. The additional proposed modifications made available by this second "15-day" notice are shown in double underline to indicate additions and ~~double strikeout~~ to indicate deletions. Only these double underlined and ~~double strikeout~~ modifications are subject to comment during this comment period. "*****" are provided for reference to indicate portions of the existing regulations and approved amendments or previously proposed modifications thereto that remain unchanged.

Amend sections 2441 and 2442, title 13 California Code of Regulations, to read as follows:

Chapter 9. Off-Road Vehicles and Engines Pollution Control Devices

Article 4.7. Spark-Ignition Marine Engines

§ 2441. Definitions.

(a)

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(3940) "Maximum Engine Power" means the maximum brake power point on the nominal power curve for the engine configuration. The nominal power curve of an engine configuration is the relationship between maximum available engine brake power and engine speed for an engine, using the mapping procedures of 40 CFR part 1065, based on the manufacturer's design and production specifications for the engine. This information may also be expressed by a torque curve that relates maximum available engine torque with engine speed. The nominal power curve must be within the range of the actual power curves of production engines considering normal production variability. The power value should be rounded to the nearest whole kilowatt for engines greater than 30 kW and to the nearest 0.1 kW for engines less than or equal to 30 kW. Except as indicated below in paragraphs (A) and (B) of this definition, the maximum engine power for an engine family is the weighted average value of maximum engine power for each engine configuration within the engine family based on the total California production volume of engines produced from the engine family. Alternately:

* * * * *

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43102 and 43104, Health and Safety Code.

Reference: Sections 43013, 43017, 43018, 43101, 43102, 43104, 43105, 43150-43154, 43205.5 and 43210-43212, Health and Safety Code.

Staff's Supplemental Modifications to the Proposed Regulation Order

§ 2442. Emission Standards.

(a)

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(c) Not-to-Exceed (NTE) Limits

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(3) NTE limits do not apply in the 2010 through 2012 model years to engine families that are certified based on carryover emission data from the 2009 model year. This may include models that were certified to federal requirements only, so long as no new testing is otherwise required per the provisions for certification and the issuance of an Executive Order contained in this article or the test procedures incorporated by reference in § 2447;

(4) NTE limits do not apply to high performance engines.

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NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43102 and 43104, Health and Safety Code.

Reference: Sections 43013, 43017, 43018, 43101, 43102, 43104, 43105, 43150-43154, 43205.5 and 43210-43212, Health and Safety Code.