RESUBMITTAL

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION (See instructions on reverse)

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-	2014-1107-01SR	

For use by Office of Administrative Law (OAL) only

2014 NOV -7 AM 9:42
OFFICE OF ADMINISTRATIVE LAW

NOTICE | REGULATIONS

For use by Secretary of State only

ENDORSED FILED
IN THE OFFICE OF
2014 DEC 10 PM 2:16
DEBRA BOWEN
SECRETARY OF STATE

AGENCY WITH RULEMAKING AUTHORITY
Air Resources Board

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE

3. NOTICE TYPE	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
☐ Notice re Proposed Regulatory Action ☐ Other			

OAL USE ONLY	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE
	☐ Approved as Submitted ☐ Approved as Modified ☐ Disapproved/ Withdrawn	2013, 232	6/7/2013

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S)
Resubmittal for Vapor Recovery Systems at GDFs and Cargo Tanks

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2014-0528-04S

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) **(Including title 26, if toxics related)**

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)

ADOPT

AMEND
94014 and 94016, and the Incorporated Certification and Test Procedures

TITLE(S)
17

REPEAL

3. TYPE OF FILING

- ☐ Regular Rulemaking (Gov. Code §11346)
- ☒ Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)
- ☐ Emergency (Gov. Code, §11346.1(b))
- ☐ Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
- ☐ Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
- ☐ Emergency Readopt (Gov. Code, §11346.1(h))
- ☐ File & Print
- ☐ Other (Specify) _____
- ☐ Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
- ☐ Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
March 3, 2014 - March 18, 2014 and September 16, 2014 - October 1, 2014

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

- ☒ Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
- ☐ Effective on filing with Secretary of State
- ☐ §100 Changes Without Regulatory Effect
- ☐ Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

- ☒ Department of Finance (Form STD. 399) (SAM §6660)
- ☐ Fair Political Practices Commission
- ☐ State Fire Marshal
- ☐ Other (Specify) _____

7. CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
Amy J. Whiting, Regulations Coordinator	916.322.6533	916.322.3928	Amy.Whiting@arb.ca.gov

8. **I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.**

SIGNATURE OF AGENCY HEAD OR DESIGNEE

DATE
November 7, 2014

TYPED NAME AND TITLE OF SIGNATORY
Richard W. Corey, Executive Officer

For use by Office of Administrative Law (OAL) only
ENDORSED APPROVED
DEC 10 2014
Office of Administrative Law

State of California
Office of Administrative Law

In re: **Air Resources Board**	**NOTICE OF APPROVAL OF REGULATORY ACTION**
Regulatory Action:	**Government Code Section 11349.3**
Title 17, California Code of Regulations	**OAL File No. 2014-1107-01 SR**
Adopt sections: **Amend sections: 94014, 94016** **Repeal sections:**	

The Air Resources Board (ARB) proposed to amend section 94014, Certification of Vapor Recovery Systems for Cargo Tanks, and section 94016, Certification of Vapor Recovery Systems at Gasoline Dispensing Facilities Using Aboveground Storage Tanks, of title 13 of the California Code of Regulations. The proposed amendments would resolve technical problems that currently exist with two test procedures used by ARB staff when certifying vapor recovery equipment for aboveground storage tanks, reconcile cargo tank certification and test procedures with current industry practices, and provide additional flexibility for cargo tank owners to remain in compliance with performance standards.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/1/2015 pursuant to Government Code section 11343.4(a).

Date: 12/10/2014

Craig S. Tarpenning
Assistant Chief Counsel

For: DEBRA M. CORNEZ
Director

Original: Richard W. Corey
Copy: Amy Whiting