TITLE 13. CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE REGULATORY PROPOSAL TO DETERMINE AND CONTROL EVAPORATIVE EMISSIONS FROM OFF-HIGHWAY RECREATIONAL VEHICLES

The Air Resources Board (ARB or Board) will conduct a public hearing at the time and place noted below to consider the adoption of new test procedures to measure evaporative emissions from off-highway recreational vehicles (OHRV) and expand evaporative emission control requirements (title 13, California Code of Regulations, section 2416 et seq.) including certification, labeling, enforcement, anti-tampering, recall, and use restrictions.

DATE: July 25, 2013

TIME: 9:00 a.m.

PLACE: California Environmental Protection Agency
Air Resources Board
Byron Sher Auditorium
1001 I Street
Sacramento, California 95814

This item will be considered at a two-day meeting of the Board, which will commence at 9:00 a.m., July 25, 2013, and may continue at 8:30 a.m., on July 26, 2013. This item may not be considered until July 26, 2013. Please consult the agenda for the hearing, which will be available at least 10 days before July 25, 2013, to determine the day on which this item will be considered.

INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW PURSUANT TO GOVERNMENT CODE 11346.5(a)(3)

Sections Affected: Proposed adoption to California Code of Regulations (CCR), title 13, section(s) 2416, 2417, 2418, 2419.1, 2419.2, 2419.3, 2419.4 and 2419.5. TP-933 "Test Procedure for Determining Evaporative Emissions from Off-Highway Recreational Vehicles," is proposed for adoption and is incorporated by reference in CCR, title 13, sections 2417, 2418, and 2419.5.

Documents Incorporated by Reference:

The following documents are incorporated by reference in the California Code of Regulations, title 13, Article 3, Off-Highway Recreational Vehicles and Engines as specified by section:

1. *13331:1995(E)*, Figure 1, International Standards Organization. 1 June 1995, section 2418;

2. *Control of Evaporative Emissions from New and In-use Nonroad and Stationary Equipment.* Title 40 Code of Federal Regulations, Part 1060.520. United States Environmental Protection Agency, as amended on April 30, 2010, section 2418
3. *Electrical/Electronic Systems Diagnostic Terms, Definitions, Abbreviations and Acronyms*, J1930, Society of Automotive Engineers, October 2008, section 2419.1;
4. *Emissions Warranty Parts List.* Air Resources Board, February 22, 1985 edition, section 2419.2;
5. Pannikottu, A. and Centea, M., "Test Procedure to Determine the Hydrocarbon Losses from Fuel Tubes, Hoses, Fittings, and Fuel Line Assemblies by Recirculation," SAE Technical Paper, November 2004 Edition, section 2418;
6. *Test Procedure for Determining Diurnal Evaporative Emissions from Small Off-Road Engine, TP-902,* California Environmental Protection Agency, Air Resources Board, Sacramento, CA, July 26, 2004, section 2417;

The following documents are incorporated by reference in the proposed TP-933:

1. *California 2015 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles*, California Environmental Protection Agency, Air Resources Board, El Monte, CA, March 22, 2012.
2. *California Evaporative Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles,* California Environmental Protection Agency, Air Resources Board, El Monte, CA, March 22, 2012;
3. *California Exhaust Emissions Standards and Test Procedures For 1997 and Later Off-Highway Recreational Vehicles and Engines,* California Environmental Protection Agency, Air Resources Board, El Monte, CA, August 15, 2007;
4. *Control of Emissions from New and In-Use Highway Vehicles and Engines.* Title 40, Code of Federal Regulations, Part 86. United States Environmental Protection Agency, Subpart 107-96, 108-79, 108-00, and 508-78;
5. Reddy, S. Raguma. *Prediction of Fuel Vapor Generation From a Vehicle Fuel Tank as a Function of Fuel RVP and Temperature*. SAE Technical Paper 892089, September 25-29,1989. Copyrighted;
6. *Test Procedure for Determining Permeation Emissions from Small Off-Road Engine Equipment Fuel Tanks,* TP-901, California Environmental Protection Agency, Air Resources Board, Sacramento, CA, July 26, 2004;

Background and Effect of the Proposed Rulemaking:

In spite of a significant reduction in ozone precursors, California needs additional reductions of reactive organic gases (ROG) to achieve attainment of the ozone standard in all areas of the State. Mobile sources have historically been the largest source of ROG emissions in California. As on-road mobile sources have become progressively cleaner, the role of off-road sources, as well as mobile sources under federal and international jurisdiction (e.g., ships, locomotives, and aircraft) has become more

prominent. One of the largest sources of ROG is OHRVs, which includes all-terrain vehicles, off-road motorcycles, and specialty off-highway vehicles.

In 2006, ARB harmonized with the United States Environmental Protection Agency (U.S. EPA) fuel tank and hose permeation standards as part of the OHRV exhaust emissions control regulation. These permeation standards only control a small fraction of evaporative emissions from the over one million OHRVs operating statewide. To attain the 8-hour federal ambient air quality standard for ozone, which is both more challenging and more protective of public health than the previous standard, it is necessary to incorporate expanded off-road mobile source emissions control into California's State Strategy.

2007 Amendments to the State Implementation Plan

In September 2007, the Board adopted Amendments to the SIP, which comprises State and local air quality planning documents showing how and when California will meet ambient air quality standards (AAQS). The 2007 State Strategy articulated by the 2007 SIP Amendments is the first to address the federal 8-hour AAQS for ozone (0.08 parts per million (ppm)) as well as the 24-hour and annual standards for fine particles ($PM_{2.5}$) (65 micrograms per cubic meter ($\mu g/m^{3)}$ and 15 $\mu g/m^3$, respectively). These federal AAQS were originated by U.S. EPA in 1997 in response to scientific studies substantiating adverse health effects at lower levels than had previously been resolved. Due in part to litigation, as well as the extensive process required to establish area designations and boundaries, the 8-hour ozone standard was not finalized until 2004.

The 8-hour ozone standard is more stringent than the previous 1-hour standard and calls for more extensive emissions control strategies. Although California has already significantly reduced ambient ozone concentrations, the challenges posed by the more stringent standard provoked the reclassification of the San Joaquin Valley Air Pollution Control District (SJVAPCD) and South Coast Air Quality Management District (SCAQMD) nonattainment designations as "extreme" with regard to the 8-hour standard. "Extreme" nonattainment status allows for reliance on development of new technologies or improvement of existing technologies (Section 182(e)(5) of the Clean Air Act (CAA); 42 U.S.C § 7511(e)(5)). in addition to other enforceable commitments to reduce emissions of ozone precursors, namely oxides of nitrogen (NO_X) and reactive organic gases (ROG).

Proposed new SIP measures in the 2007 State Strategy include expanded evaporative emissions standards from OHRVs. These expanded OHRV evaporative emissions standards are projected to deliver necessary ROG emissions reductions statewide by 2023, including in California's most challenging regions with regard to ozone control, namely the SJVACPD and the SCAQMD.

When the Board originally adopted the 2007 Amendments to the SIP, the Board was expected to take action on expanded evaporative emissions from OHRV by 2010, with implementation beginning in the 2012-2015 timeframe. However, the rulemaking was delayed so that the emissions inventory could be updated. The creation of a new

emissions inventory required staff to update emissions factors, perform usage surveys, and modify the fundamental assumptions associated with the inventory.

Control of evaporative emissions from OHRVs will help to reduce ozone levels in non-attainment areas throughout California, and especially in the SJVAPCD and SCAQMD. This regulatory proposal is a key element in the State Strategy for demonstrating attainment with the 8-hour ozone federal air quality standard.

Description of the Proposed Regulatory Action, Objectives, and Benefits:

Subarticle 1. Proposed Regulatory Action

The purpose of the Regulatory Proposal to Determine and Control Evaporative Emissions From Off-Highway Recreational Vehicles is to: (1) expand the federal OHRV evaporative emission standards to include stringent evaporative emission standards representative of vehicle usage modes, (2) separate exhaust and evaporative emission standards, (3) include provisions for certification, labeling requirements, enforcement, recall, and use restrictions, (4) introduce a new test procedure to determine evaporative emissions from OHRVs, and (5) establish OHRV durability requirements for evaporative components. To achieve these goals, the adoption of the OHRV evaporative emissions control regulation and test procedure is being proposed. The proposed regulatory action was developed in close collaboration with industry to ensure that the proposal achieves cost-effective emission reductions without creating an unnecessary burden on industry. Since early 2006, four public workshops and nearly forty stakeholder meetings have been held on all aspects of this regulatory proposal and supporting data collection.

Stringent Evaporative Emission Standards. This rulemaking proposes comprehensive control of evaporative emissions from OHRVs. Specifically, the proposed rulemaking sets performance standards for diurnal emissions. Industry stakeholders proposed the stringent 1 g total organic gas (TOG)/day diurnal standard, which is very effective at controlling emissions and is supported by emissions testing data. The standards reflect an emphasis on diurnal emissions control for two reasons. First, OHRV activity patterns include large periods of time when these vehicles are not operated, such that diurnal emissions contribute more than running loss and hot soak emissions. Secondly, the locations of diurnal emissions are concentrated where vehicles are stored, in contrast to hot soak and running loss emissions, which occur where these vehicles are operated. Since OHRVs registered in California tend to be stored in urban areas with greater air pollution control issues than the rural areas where they are typically operated, diurnal emissions control is even more critical. The diurnal processes account for by far the largest fraction (82 percent) of evaporative emissions from currently operated OHRV in California. This is due largely to the relatively low usage and long storage periods for this type of equipment.

Independent Performance Standards for Evaporative and Exhaust Emissions. The proposed evaporative performance standards are handled separately from the current, primarily exhaust-oriented, OHRV emissions regulation. The benefit of separate regulations is that OHRVs that currently do not meet exhaust standards and are issued a red registration sticker will be required to meet evaporative standards, therefore

providing a substantial reduction in ROG emissions from this class of vehicles. Furthermore, this rulemaking is written to avoid any duplicative requirements between the current exhaust and proposed evaporative emissions regulations in labeling, testing, and certification.

Flexibility for Certification. This proposal accommodates diversity in vehicle type and testing capabilities within the regulated community by offering multiple certification options. Manufacturers that produce less than 50 OHRVs per model year, for three consecutive model years, are eligible to certify to the small volume evaporative emission design-based standard that does not require a whole-vehicle SHED test. The use of advanced fuel system technology is encouraged by allowing manufacturers to generate emissions credits from certification using diurnal test results that are lower than performance standards, or zero-emission vehicles. OHRV manufacturers may use earned credits to produce evaporative families above the proposed evaporative emissions standards; however, no single evaporative family may exceed three times the emissions standard. The credit system encourages manufacturers to produce more zero-emission vehicles, thus increasing technology availability.

Incorporation of New Test Procedure. A new test procedure, *Test Procedure for Determining Evaporative Emissions from Off-Highway Recreational Vehicles (TP-933)* (Attachment B to Initial Statement of Reasons (ISOR)), is incorporated into the regulatory proposal to determine OHRV evaporative emissions. TP-933 is the result of years of collaboration between ARB and industry to develop a testing sequence that mimics emissions that occur during real-world use.

Durability Requirements to Ensure In-Use Control. Both the proposed test procedure and regulation emphasize verifying the durability of control technology. The test procedure subjects the vehicle to conditions that mimic what the components would endure throughout the useful life of the OHRV. These conditions include exposure to vibration, dust, and ultraviolet radiation. The proposed regulatory provisions include a warranty period of 30 months for components with replacement costs under $200 (including labor) and 60 months for more expensive components. Following the precedent set by regulations in the light-duty motor vehicle sector, replacement costs are established based on dealers' list prices as well as standard labor price and time limits for warrantied components. Further durability provisions include the requirement that vehicles have tamper-resistant emission control components, and careful placement to help reduce emission control component tampering by the end user.

Subarticle 2. Benefits of the Proposed Regulatory Action

The proposed regulatory action is developed to provide numerous emission reduction benefits well into the future. Staff expects a 70 percent reduction in evaporative emissions from new OHRVs compared to existing vehicles. The test procedure requirements will ensure proper vehicle design for effective control over the expected life of OHRVs. Additionally, the introduction of OHRV advanced fuel system credits will encourage the expansion of zero-emission vehicle technology into the off-road sector to achieve additional future emission reductions.

The expected emission reductions associated with the proposed regulation will result in indirect benefits to the health and welfare of California residents, worker safety, and the state's environment.

Health and Welfare of California Residents. The proposed amendments would curtail ROG emissions released into the atmosphere, resulting in improved air quality that will help California meet the federal 8-hour air quality standard for ozone. Additionally, the proposed amendments would result in reduced exposure to benzene, a toxic air contaminant. Due to reduced fuel consumption as well as ROG emissions reductions, climate co-benefits are also anticipated.

Worker Safety. Based on experience with the same technology for on-road vehicles, the technology that manufacturers are likely to use has been demonstrated to be safe. In general, control technology will make vehicles safer by reducing gasoline vapors and liquid leaks from OHRVs, which can cause fires.

State's Environment. Based on ARB's review of the proposed amendments, staff concludes that the amendments would not have a significant adverse impact on the environment. Compliance with the proposed amendments would not result in any physical change to the existing environment. The proposed amendments will reduce evaporative emissions from OHRVs by setting emission standards that are easily met by incorporating currently available technologies during construction. Thus, the amendments would not involve or result in any physical changes to the existing environment, such as new development, modifications to existing buildings or facilities, or new land use designations. ARB staff finds that it is not reasonably foreseeable that there will be any adverse impacts on aesthetics, air quality, agricultural and forestry resources, biological resources, cultural resources, geology and soils, greenhouse gases, hazardous materials, hydrology and water quality, land use planning, mineral resources, noise, population and housing, public services, recreation, or traffic and transportation. This regulatory proposal would not require any action by regulated parties that could affect these resources.

No discussion of alternatives or mitigation measures to address significant adverse environmental impacts is necessary because no significant adverse environmental impacts would result from implementation of the proposed amendments. This is because the proposed amendments merely propose emission standards to reduce running loss, hot soak and diurnal emissions from OHRVs, which would be easily accomplished by using already existing technologies.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

Staff does not believe this regulatory proposal is inconsistent or incompatible with existing state regulations. As mentioned previously, the federal OHRV evaporative emission standards is incorporated into the existing ARB exhaust emission standard, specified in Cal. Code Regs., tit.13,§ 2412. The existing evaporative emission standards that reside in the exhaust regulation shall not need amendment, as it is presumed that

all vehicles that meet the stringent 1 g TOG/day diurnal standard have demonstrated compliance with the federal permeation standards.

COMPARABLE FEDERAL REGULATIONS

In 2002, the U.S. EPA promulgated the first evaporative emissions standards to control permeation losses from OHRV fuel tanks and hoses (*Control of Evaporative Emissions from New and In-Use Non-Road and Stationary Equipment; Final Rule* 40 FCR Part 1060. April 30, 2010). ARB harmonized with these standards in 2006, by amending the OHRV exhaust regulation to include evaporative emission standards. The proposed regulatory action expands the control of evaporative emissions to include all vehicle modes. A variety of technologies are available to help manufacturers meet the proposed emission standards. This regulatory proposal anticipates that manufacturers will use downsized and proven on-road automobile technology for control of OHRV evaporative emissions.

STATE IMPLEMENTATION PLAN REVISION

If adopted by ARB, ARB plans to submit the proposed regulatory action to the U.S. EPA for approval as a revision to the California SIP required by the CAA. The adopted regulatory action would be submitted as a SIP revision because it adopts regulations intended to reduce emissions of air pollutants in order to attain and maintain the National Ambient Air Quality Standards promulgated by U.S. EPA pursuant to the CAA.

AVAILABILITY OF DOCUMENTS AND AGENCY CONTACT PERSONS

ARB staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is entitled: "Staff Report: Initial Statement of Reasons for Rulemaking: Adoption of Evaporative Emission Control Requirements for Off-Highway Recreational Vehicles."

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strikeout format to allow for comparison with the existing regulations, may be accessed on ARB's website listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322-2990, on June 5, 2013.

Final Statement of Reasons Availability

Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons in this notice, or may be accessed on ARB's website listed below.

Agency Contact Persons

Inquiries concerning the substance of the proposed regulation may be directed to the designated agency contact persons, Jim Watson, Manager of Evaporative Control, Engineering, and Regulatory Development Section, Monitoring and Laboratory Division at (916) 327-1282, or Pippin Mader, Air Resources Engineer, at (916) 322-8930.

Further, the agency representative and designated back-up contact persons, to whom nonsubstantive inquiries concerning the proposed administrative action may be directed are Ms. Lori Andreoni, Manager, Board Administration and Regulatory Coordination Unit, (916) 322-4011, or Amy Whiting, Regulations Coordinator, (916) 322-6533. The Board staff has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

Internet Access

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on ARB's website for this rulemaking at http://www.arb.ca.gov/regact/2013/ohrv2013/ohrv2013.htm

DISCLOSURES REGARDING THE PROPOSED REGULATION

The determinations of the Board's Executive Officer concerning the costs or savings necessarily incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulations are presented below.

Fiscal Impact / Local Mandate

Pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action would not create costs or savings to any State agency or in federal funding to the State, costs or mandate to any local agency or school district, whether or not reimbursable by the State pursuant to Government Code, title 2, division 4, part 7 (commencing with section 17500), or other nondiscretionary cost or savings to State or local agencies.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

The Executive Officer has made an initial determination that the proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons. Because all major OHRV manufacturing facilities affected by the proposed regulation are located outside of California, there will only be a small indirect impact, although not significant, on small businesses that buy and sell OHRVs. During the initial years of implementation, the

increased cost of OHRVs may lead to a slight drop in demand that could result in lower profits. The retailer would carry unsold stock over to the next year, possibly incurring less profit on the sale of these units. However, these impacts have been mitigated by the flexible phase-in schedule of emission controls, the ability for manufacturers to certify vehicles with credits, and an implementation year that coincides with a steady increase in projected vehicle sales. There will be no noticeable change in employment, business creation, elimination or expansion, or business competitiveness in California due to the proposed regulatory action.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

In developing this regulatory proposal, ARB staff evaluated the potential economic impacts on representative private persons or businesses. The ARB is not aware of any significant cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The cost of implementation is expected to be passed down to the consumer and is estimated to result in a 4 to 9 percent cost increase per OHRV (based on an average retail cost of $5,000 per vehicle). A retail price increase would be less noticeable for OHRVs that can more readily absorb fixed cost increases, such as vehicles with high sales volumes or higher price. Consumers who purchase OHRVs with fuel injection systems will also see increased fuel cost savings. The end user will save an average of $53 in fuel costs over the life of the vehicle (OHRVs have an average life of 21 years) as a result of reduced evaporative emissions. There may be fewer options in a particular OHRV segment, but there is expected to be at least one OHRV model available for sale in each significant segment. Segments that are very specialized can be filled with OHRVs certified to meet the small volume manufacturer design standard.

STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT PREPARED PURSUANT TO GOVERNMENT CODE SEC. 11346.3(b)

Effect on Jobs/Businesses:

The Executive Officer has determined that the proposed regulatory action would not significantly affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the ISOR.

Benefits of the Proposed Regulation:

A detailed assessment of the economic impacts of the proposed regulatory action can be found in the Economic Impact Analysis in the ISOR. Also, see page 5 of the notice under "Subarticle 2. Benefits of the Proposed Regulatory Action."

EFFECT ON SMALL BUSINESS

The Executive Officer has also determined, pursuant to California Code of Regulations, title 1, section 4, that the proposed regulatory action would directly affect small businesses. California's small business population consists of a trace quantity of small volume spark ignition sand car manufacturers. These manufacturers already purchase ARB compliant engines and fuel management packages, and if promulgated, staff anticipates that they will also purchase ARB certified fuel storage systems in order to comply with the proposed evaporative emission standards. Given their low annual production volumes, California's sand car manufacturers are expected to certify vehicles using the small volume OHRV manufacturer design-based standard; Eligibility for design-based certification is exclusive to manufacturers that produce 50 OHRVs or less per model year. As such, the typical small business in California will not find it necessary to assume costs associated with certification and redesign as long as they continue to purchase ARB certified components. Record keeping and incremental component costs are estimated to be the only impacts to small business. However, when expressed on a per vehicle basis these cost impacts will be virtually indistinguishable within the overall price of a typical sand car.

The several small zero-emission OHRV manufacturing facilities that exist in California may benefit from an increase in demand and market availability. Some small businesses outside of California may be indirectly affected by the regulatory action, as they may decide to discontinue producing vehicles for the California market due to cost increases, which would result in a decrease in model availability.

HOUSING COSTS

The Executive Officer has also made the initial determination that the proposed regulatory action will not have a significant effect on housing costs.

BUSINESS REPORT

In accordance with Government Code sections 11346.3(c) and 11346.5(a)(11), the Executive Officer has found that the reporting requirements of the regulation which apply to businesses are necessary for the health, safety, and welfare of the people of the State of California. Reporting requirements are necessary to ensure manufacturer compliance with the proposed standard. Additionally, reporting requirements allow manufacturers to certify vehicles using advanced fuel system credits, which will help reduce the cost of compliance, and encourage the production of zero-emission vehicles.

ALTERNATIVES

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less

burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. Alternatives to the proposed rulemaking are described in Chapter VIII of the ISOR.

ENVIRONMENTAL ANALYSIS

In accordance with ARB's certified regulatory program, California Code of Regulations, title 17, sections 60006 through 60007, and the California Environmental Quality Act, Public Resources Code section 21080.5, ARB has conducted an analysis of the potential for significant adverse and beneficial environmental impacts associated with the proposed regulatory action. The environmental analysis of the proposed regulatory action can be found in Chapter VI of the ISOR.

WRITTEN COMMENT PERIOD AND SUBMITTAL OF COMMENTS

Interested members of the public may present comments orally or in writing at the meeting and may provide comments by postal mail or by electronic submittal before the meeting. The public comment period for this regulatory action will begin on June 10, 2013. To be considered by the Board, written comments not physically submitted at the meeting, must be submitted on or after June 10, 2013 and received **no later than 12:00 noon on July 24, 2013**, and must be addressed to the following:

Postal mail: Clerk of the Board, Air Resources Board
1001 I Street, Sacramento, California 95814

Electronic submittal: http://www.arb.ca.gov/lispub/comm/bclist.php

You can sign up online in advance to speak at the Board meeting when you submit an electronic board item comment. For more information go to: http://www.arb.ca.gov/board/online-signup.htm.

Please note that under the California Public Records Act (Gov. Code, § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

ARB requests that written and email statements on this item be filed at least 10 days prior to the hearing so that ARB staff and Board members have additional time to consider each comment. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action.

Additionally, the Board requests but does not require that persons who submit written comments to the Board reference the title of the proposal in their comments to facilitate review.

AUTHORITY AND REFERENCE

This regulatory action is proposed under the authority granted in Health and Safety Code, sections 39600, 39601, 43013, 43018, 43105, 43107, 43205.5 and 43210. This action is proposed to implement, interpret, and make specific sections 43013, 43018, 43105, 43106, 43107, 43204, 43205, 43205.5, 43210, 44004, 44010, 44011, 44012, 44014, 44015, and 44017 Health and Safety Code.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Government Code, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340).

Following the public hearing, the Board may adopt the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice and that the regulatory language as modified could result from the proposed regulatory action; in such event, the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15-days before it is adopted.

The public may request a copy of the modified regulatory text from ARB's Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322-2990.

SPECIAL ACCOMMODATION REQUEST

Special accommodation or language needs can be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language; or
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at 916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Comodidad especial o necesidad de otro idioma puede ser proveído para alguna de las siguientes:

- Un intérprete que esté disponible en la audiencia.
- Documentos disponibles en un formato alterno u otro idioma.
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

CALIFORNIA AIR RESOURCES BOARD

Richard W. Corey
Executive Officer

Date: May 28, 2013

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.arb.ca.gov.