State of California
Environment Protection Agency
AIR RESOURCES BOARD

Notice of Exemption

Project Title: Proposed Amendments to the Portable Fuel Container Regulation

Project Location: Statewide

Public Meeting Date: February 18, 2015; Agenda Item 16-2-3

Project Description: Amend the current PFC regulation to include:

- Change certification fuel formulation from 0 percent ethanol (E-0) to 10 percent ethanol (E-10) to reflect motor vehicle fuel currently available in California;
- Harmonize, wherever possible, and without compromising ARB PFC standards, with the U.S. EPA PFC regulation;
- Require PFCs currently certified for sale in California to be certified to the new procedures on or before June 30, 2017;
- Require PFC executive order certification to be renewed every four years; and
- Streamline, clarify, and increase the robustness of ARB certification and test procedures.

This notice is to advise that the California Air Resources Board (ARB or Board), as the lead agency, approved the above action on February 18, 2015.

ARB has determined that these amendments are exempt from CEQA under the general rule or "common sense" exemption (14 CCR 15061(b)(3)). CEQA Guidelines states "the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA". This activity is also categorically exempt from CEQA under the "Class 8" exemption (14 CCR 15308) because it is an action taken by a regulatory agency for the protection of the environment. Based on ARB's review it can be seen with certainty that there is no possibility that the amendments would result in a significant adverse impact on the environment. Further, the action is designed to protect the environment and ARB found no substantial evidence indicating the proposal could adversely affect air quality or any other environmental resource area, or that any of the exceptions to the exemption apply (14 CCR 15300.2). Therefore, this activity is exempt from CEQA. A brief explanation of the basis for reaching this conclusion is included in Chapter IV of the Staff Report.

The Staff Report and all other related documents are available for public inspection on the ARB webpage at: http://www.arb.ca.gov/regact/2016/pfc2016/pfc2016.htm

These documents may also be examined at:

California Air Resources Board
Attn: Board Administration and Regulatory Coordination Unit
1001 I Street
Sacramento, CA 95814

Certified: _____
ARB CEQA Unit

Date: 12/20/2016

FILED
DEC 20 2016
Resources Agency of California