State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-96-020

WHEREAS, on January 25, 1996, the Air Resources Board (the "Board") conducted a public hearing to consider the proposed adoption of amendments to section 2271, Title 13, California Code of Regulations;

WHEREAS, following the public hearing, the Board adopted Resolution 96-3, in which the Board approved amendments to section 2271, Title 13, California Code of Regulations, as set forth in Attachment A thereto, as an emergency regulation;

WHEREAS, the Board declared that adoption of the amendments as emergency regulations is necessary for the immediate preservation of the public peace, health and safety, or general welfare, as specified in section 43013.2(c) of the Health and Safety code;

WHEREAS, in Resolution 96-3, the Board directed the Executive Officer to adopt the approved amendments to section 2271, Title 13, California Code of Regulations, as emergency regulations, with such conforming modifications as may be appropriate, and submit them to the Office of Administrative Law, in accordance with Government Code section 11346.1;

WHEREAS, in Executive Order G-96-012, incorporated by reference herein, the regulation contained in section 2271, Title 13, California Code of Regulations, was adopted as set forth in Attachment 1 thereto as an emergency measure for the reasons set forth in the Finding of Emergency;

WHEREAS, on February 5, 1996, the Executive Officer filed the emergency regulation with the Office of Administrative Law;

WHEREAS, on February 15, 1996, the Office of Administrative Law approved the regulation as an emergency measure which became effective immediately;

WHEREAS, the approved emergency regulation was made available for public comment for fifteen days in accordance with the provisions of Title 1, California Code of Regulations, section 44, with the changes to the originally proposed text clearly indicated;

WHEREAS, one written comment was received during this 15-day period and has been considered by the Executive Officer and does not require modification nor reconsideration by the Board of the modified regulation; and

WHEREAS, I hereby certify that the provisions set forth in sections 11346.4 through 11346.8, inclusive, of the Government Code for formal adoption of the regulation was compiled with, prior to expiration of the 120 day effective period of the emergency regulatory action.

NOW, THEREFORE, IT IS ORDERED that section 2271, Title 13, California Code of Regulations, is adopted as set forth in Attachment II hereto.

IT IS FURTHER ORDERED, that the regulations be submitted to the Office of Administrative Law prior to the expiration of the emergency regulations, along with a request for an early effective date to ensure regulatory continuity.

Executed this 2nd day of April, 1996, at Sacramento, California.

James D. Boyd
Executive Officer

Attachment