

State of California
AIR RESOURCES BOARD

Executive Order G-03-004

Relating to the Emergency Amendment of
Title 17, California Code of Regulations, Section 94011

WHEREAS, on December 12, 2002, the Air Resources Board (ARB or Board) conducted a public hearing to consider the adoption of amendments to the regulations for certification and testing of vapor recovery systems installed at gasoline dispensing facilities (service stations and similar facilities), as set forth in the Initial Statement of Reasons and Staff Report released to the public on October 25, 2002;

WHEREAS, following the public hearing on December 12, 2002, the Board adopted Resolution 02-35, in which the Board approved amendments to 94010, 94011, 94163, 94164, 94165, 94166, and 94167, title 17, California Code of Regulations (CCR), and the documents incorporated by reference therein;

WHEREAS, Certification Procedure CP-201, Certification Procedure of Vapor Recovery Systems of Dispensing Facilities (CP-201) is among the documents incorporated by reference into title 17, CCR, section 94011;

WHEREAS, in Resolution 02-35 the Board approved modifications to Table 2-1 of CP-201 section 2 that delay by six months the effective and operative dates for some standards and specifications for vapor recovery systems installed at gasoline dispensing facilities;

WHEREAS, in response to the Board's approval of the modifications to Table 2-1 of CP-201 section 2, I, Catherine Witherspoon, have made a finding of emergency to effectuate the purposes of Resolution 02-35, specifically the delay of the operative dates for some standards and specifications for vapor recovery systems to October 1, 2003; and

WHEREAS, the adoption an emergency regulation is necessary for the immediate preservation of the public peace, health and safety or general welfare.

IT IS ORDERED, that title 17, CCR, section 94011, and the incorporated CP-201, be amended, as set forth in the attached Emergency Regulation Order.

IT IS FURTHER ORDERED, that the regulation and its incorporated certification procedure be submitted to the OAL as an emergency rulemaking action to effectuate the purpose of Board Resolution 02-35, specifically delay of April 1, 2003 operative dates to October 1, 2003.

IT IS FURTHER ORDERED, that the recitals and findings contained in Resolution 02-35 be incorporated herein.

Executed this 7th day of March 2003, at Sacramento, California.

Catherine Witherspoon
Executive Officer

Attachment