

State of California
California Environmental Protection Agency
AIR RESOURCES BOARD

Resolution 95-27

June 29, 1995

Agenda Item: 95-6-2

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board ("Board") to adopt standards, rules, and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Section 39607(d) of the Health and Safety Code requires the Board to adopt test procedures to measure compliance with its nonvehicular emission standards and those of the air pollution control and air quality management districts ("districts");

WHEREAS, Section 41954 of the Health and Safety Code requires the Board to adopt procedures for determining the compliance of any system designed for the control of gasoline vapor emissions during gasoline marketing operations with performance standards established by the Board;

WHEREAS, in the past the Board has adopted such Certification and Test Procedures for Gasoline Vapor Recovery Systems in Sections 94000 - 94007, 94100, 94148, and 94149 of Title 17, California Code of Regulations;

WHEREAS, the existing Certification and Test Procedures are not applicable to some new vapor recovery systems;

WHEREAS, the Board's staff has developed new Certification and Test Procedures to improve and update the existing procedures;

WHEREAS, the Board's staff has proposed amendments to the Certification and Test Procedures;

WHEREAS, the Board has considered the impact of the proposed regulatory action on the economy of the state;

WHEREAS, the California Environmental Quality Act and Board regulations require that no project having significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available which would substantially reduce or avoid such impacts;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 3.5);

WHEREAS, the Board has considered the impact of the proposed regulatory action on the economy of the state; and

WHEREAS, the Board finds that:

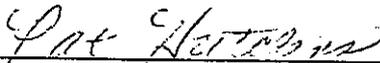
adoption of the Proposed Modifications to California Code of Regulations as set forth in Attachment A hereto and adoption of the Proposed Certification and Test Procedures for Vapor Recovery Systems as set forth in Attachment B hereto, are necessary and appropriate to satisfy the requirements of Sections 39601, 39607(d), and 41954 of the Health and Safety Code; and

the actions approved herein will have no significant adverse environmental or economic impacts.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the adoption of the Proposed Modifications to California Code of Regulations as set forth in Attachment A hereto and adoption of the Proposed Certification and Test Procedures for Vapor Recovery Systems as set forth in Attachment B hereto.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to adopt the regulatory changes set forth in Attachments A and B, after making them available to the public for a period of fifteen days, and with such minor modifications as may be appropriate in light of written comments submitted during this period, provided that the Executive Officer shall present the regulations to the Board for further consideration if the Executive Officer determines that this is warranted in light of the written comments received.

I hereby certify that the above is a true and correct copy of Resolution 95-27, as adopted by the Air Resources Board.



Pat Hutchens, Board Secretary