



California
Environmental
Protection
Agency



Pete Wilson
Governor

James M. Strock
Secretary for
Environmental
Protection

State of California
Environmental Protection Agency
AIR RESOURCES BOARD

Notice of Decision and
Response to Significant Environmental Issues



Air Resources Board
Office of Legal Affairs

Michael P. Kenny
General Counsel

Leslie M. Krinsk
Thomas Jennings
Kathleen C. Walsh
Robert C. Jenne
Michael L. Terris
Kirk C. Oliver
Diane Moritz Glazer
James R. Ryden
Victoria E. Davis
Judith G. Tracy

Artavia M. Edwards
Carmen W. Madia

P.O. Box 2815
2020 L Street
Sacramento, CA
95812-2815
(916) 322-2884
(916) 322-6003 FAX

Item: ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS REGARDING CERTIFICATION PROCEDURES AND TEST PROCEDURES FOR GASOLINE VAPOR RECOVERY SYSTEMS

Approved by: Resolution 95-27

Adopted by: Executive Order G-96-023

Executed: April 12, 1996

Agenda Item No.: 95-6-2

Public Hearing Date: June 29, 1995

Issuing Authority: Air Resources Board

Comment: No comments were received identifying any significant environmental issues pertaining to this item. The staff report identified no adverse environmental effects.

Response: N/A

Certified:

Artavia M. Edwards
Regulations Coordinator

Date:

April 29, 1996

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RESOURCES AGENCY OF CALIFORNIA

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

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RESOURCES AGENCY OF CALIFORNIA

State of California
AIR RESOURCES BOARD

Executive Order G-96-023

WHEREAS, on June 29, 1995, the Air Resources Board (the "Board") conducted a public hearing to consider the adoption, amendment, and repeal of regulations regarding certification procedures and test procedures for gasoline vapor recovery systems;

WHEREAS, following the public hearing, the Board adopted Resolution 95-27, approving adoption, amendment, and repeal of Title 17, California Code of Regulations, sections 94010-94015, 94150-94160, 94148, 94149, 94000-94004, 94007 and the incorporated test and certification procedures, and definitions, as set forth in Attachment A thereto;

WHEREAS, the Board, in Resolution 95-27, directed the Executive officer to adopt the regulations, after making them available to the public for a period of 15 days, provided that the Executive officer shall consider such written comments regarding the modifications as may be submitted during this period, shall make modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted;

WHEREAS, the approved regulations were available for public comment for a period of 30 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; and

WHEREAS, the written comments received during this 30-day period have been considered by the Executive Officer and do not require modification nor reconsideration by the Board of the approved regulations.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 95-27 are incorporated by reference herein.

IT IS FURTHER ORDERED, in accordance with Resolution 95-27, that Title 17, California Code of Regulations, sections 94010-94015, 94150-94160 and the incorporated certification and test procedures and definitions are adopted, sections 94148, 94149 and the incorporated test procedures are amended, and sections 94000-94004, 94007 and the incorporated test procedures are repealed, as set forth in Attachment 1 hereto.

Executed this 12 day of April, 1996, at Sacramento, California.



James D. Boyd
Executive Officer

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Attachment

RESOURCES AGENCY OF CALIFORNIA