

State of California
Environmental Protection Agency
AIR RESOURCES BOARD

**Notice of Decision and
Response to Significant Environmental Issues**

Item: NOTICE OF PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE
GASOLINE DEPOSIT CONTROL ADDITIVE REGULATION

Approved by: Resolution 95-47

Adopted by: Executive Order G-96-039
Executed: July 2, 1996

Agenda Item No.: 95-12-2

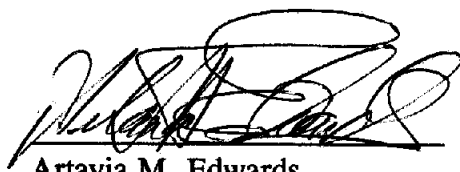
Public Hearing Date: November 16, 1995

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: July 30, 1996

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RESOURCES AGENCY OF CALIFORNIA

State of California
AIR RESOURCES BOARD

Resolution 95-47

November 16, 1995

Agenda Item No.: 95-12-2

WHEREAS, sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board (the "Board") to adopt standards, rules and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Health and Safety Code section 43018(a), enacted by the California Clean Air Act of 1988, directs the Board to endeavor to achieve the maximum degree of emission reduction possible from vehicular and other mobile sources in order to accomplish the attainment of the state ambient air quality standards at the earliest practicable date;

WHEREAS, Health and Safety Code section 43018(c) provides that in carrying out section 43018, the Board shall adopt standards and regulations which will result in the most cost-effective combination of control measures on all classes of motor vehicles and motor vehicle fuel, including but not limited to specification of vehicular fuel composition;

WHEREAS, Health and Safety Code section 43013 authorizes the Board to adopt and implement motor vehicle fuel specifications for the control of air contaminants and sources of air pollution, which requirements the Board has found to be necessary, cost-effective, and technologically feasible to carry out the purposes of division 26 of the Health and Safety Code;

WHEREAS, on September 28, 1990, by Resolution 90-59, the Board approved adoption of section 2257, title 13, California Code of Regulations, prohibiting the sale or distribution of motor vehicle gasoline except gasoline certified to contain adequate levels of deposit control additives;

WHEREAS, the ARB staff has administered the deposit control additive regulation for nearly four years and has approved over 200 applications for certification;

WHEREAS, the staff conducted a public workshop on July 20, 1995, regarding proposed amendments to the deposit control additive requirement;

WHEREAS, based on this experience and industry input provided at a July 20, 1995 workshop, staff has proposed various amendments to section 2257, title 13, California Code of Regulations, to clarify the regulation, to create additional flexibility in the program, and to provide consistency with anticipated future federal vehicle testing requirements for deposit control additives;

WHEREAS, the California Environmental Quality Act and Board regulations require that no project that may have significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with provisions of chapter 3.5 (commencing with section 11340), part 1, division 3, title 2 of the Government Code;

WHEREAS, the Board has considered the effect of the proposed amendments on the economy of the state;

WHEREAS, the Board finds that:

Requiring certification test fuels to represent the maximum requested properties will provide regulatory clarity and uniformity;

It is reasonable to provide a blending tolerance to provide flexibility for production of certification test fuels;

Adoption of ASTM Method D 5598-94 for port fuel injector (PFI) keep-clean performance will provide improved quality assurance and accuracy compared to the current PFI keep-clean test method;

It is appropriate to revise ARB's current PFI clean-up test method to incorporate the quality control procedures of ASTM Method D 5598-94 for consistency and to provide improved accuracy compared to the current PFI clean-up test method;

Adoption of ASTM Method D 5500-94 for intake valve keep-clean performance provides improved quality assurance and accuracy compared to the current intake valve keep-clean test method;

The amendment of the PFI and intake valve test procedures to specify the use of ASTM test procedures is consistent with the anticipated future federal vehicle testing requirements for deposit control additives;

Adoption of a provision to allow manual additive blending after gasoline loads have left the final distribution facility will provide flexibility without reducing the effectiveness of the additization requirement;

The other clarifying amendments to section 2257, title 13, California Code of Regulations, will simplify the regulation, resolve ambiguity and provide more specificity, and enhance the enforcement of the regulation;

WHEREAS, the Board further finds that:

The approved amendments do not affect the current emissions reductions associated with the regulation;

The amendments will not result in any adverse environmental impact;

All previously approved gasoline additive certifications will continue to be effective after the approved amendments have been implemented;

NOW THEREFORE BE IT RESOLVED that the Board hereby approves amendments to title 13, California Code of Regulations, section 2257, and the incorporated test procedures, as set forth in Attachments A and B hereto.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to adopt the regulations with modifications as set forth in Attachments A and B, after making the regulations as modified 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.

BE IT FURTHER RESOLVED that, following approval by the Office of Administrative Law of the amendments adopted under this resolution, the Executive Officer is directed, as appropriate, to adopt the amendments as part of the California State Implementation Plan and to submit them to the U.S. Environmental Protection Agency as a revision to the California State Implementation Plan.

BE IT FURTHER RESOLVED that the Board directs the staff to review the recordkeeping and other requirements of section 2257, title 13, California Code of Regulations, when the U.S. Environmental Protection Agency adopts the final federal gasoline deposit control additive regulations and to propose additional modifications to the section 2257 if warranted.

I hereby certify that the above is a true and correct copy of Resolution 95-47, as adopted by the Air Resources Board.

Pat Hutchens

Pat Hutchens, Board Secretary

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RESOURCES AGENCY OF CALIFORNIA

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-96-039

WHEREAS, on November 16, 1995, the Air Resources Board (the "Board") conducted a public hearing to consider amendments to the gasoline deposit control additive regulation, title 13, California Code of Regulations (CCR), section 2257;

WHEREAS, following the public hearing, the Board adopted Resolution 95-47, in which the Board approved section 2257, title 13, CCR, and the incorporated documents as set forth in Attachments A and B thereto;

WHEREAS, the Board, in Resolution 95-47, directed the Executive Officer to adopt section 2257, title 13, CCR, and the incorporated documents as approved, after making them available to the public for a period of 15 days, provided that the Executive Officer was to consider such written comments regarding the modification as may be submitted during this period, to make modifications as may be appropriate in light of the comments received, and to 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 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of section 44, title 1, CCR; and

WHEREAS, the written comments received during this 15-day comment 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 95-47 are incorporated by reference herein.

IT IS FURTHER ORDERED, in accordance with Resolution 95-47, that section 2257, title 13, CCR, and the incorporated documents, ASTM D 5500-94, ASTM D 5598-94, and ARB's "Test Method for Evaluating Port Fuel Injector (PFI) Deposits in Vehicle Engines," are adopted as approved.

Executed this 2 day of July, 1996, at Sacramento, California.


James D. Boyd
Executive Officer

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