

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-08-009

Relating to the Regulatory Adoption of Gaseous Measurement Allowances for California's Heavy-Duty Diesel In-Use Compliance Regulation

WHEREAS, on December 6, 2007 the Air Resources Board (ARB or the Board) conducted a public hearing to consider adoption of amendments to California's heavy-duty diesel engine (HDDE) test procedures compliance Regulation, as set forth in the Initial Statement of Reasons released to the public on October 19, 2007;

WHEREAS, following the public hearing on, the Board adopted Resolution 07-56 in which the Board approved amendments to sections 1956.8 of title 13, CCR, as set forth in Attachment A thereto, the amendments to the California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles, as set forth in Attachment B, thereto with the modifications set forth in Attachment C thereto;

WHEREAS, Resolution 07-56 directed the Executive Officer to take final action to adopt the regulatory amendments set forth in Attachments A, B, and C to Resolution 07-56, with such other conforming modifications as might be appropriate, after making the modified regulatory language available to the public for a period of at least 15 days, provided that the Executive Officer considered such written comments as might be submitted during this period, make such further modifications as might be appropriate in light of the comments received or as necessary to ensure consistency with the modifications approved by the Board, and presented the regulatory amendments to the Board for further consideration if he determined that this was warranted;

WHEREAS, on July 7, 2008, the modified regulations, reflecting the amendments approved by the Board and other changes made to best reflect the intent of the Board at the hearing and to respond to comments, were made available for public comment for a period of at least 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44;

WHEREAS, no written comments were received during the 15-day comment period.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 07-56 are incorporated herein.

IT IS FURTHER ORDERED that amendments to sections 1956.8 of title 13, CCR, and the incorporated California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines Vehicles are adopted as set forth in Attachment 1 hereto.

Executed this 14th day of October, at Sacramento, California.

/s/

James N. Goldstene
Executive Officer

Attachments