

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-08-010

Public Hearing to Consider Adoption of a Regulation to Limit Ozone Emissions
From Indoor Air Cleaning Devices

WHEREAS, on September 27, 2007, the Air Resources Board (the Board or ARB) conducted a public hearing to consider adoption of a regulation to limit Ozone Emissions from Indoor Air Cleaning Devices, as set forth in the Initial Statement of Reasons released to the public on August 10, 2007;

WHEREAS, at the September 27, 2007 public hearing the Board adopted Resolution 07-40 in which the Board approved adoption of sections 94800, 94801, 94802, 94803, 94804, 94805, 94806, 94807, 94808, 94809, and 94810, title 17, California Code of Regulations and the incorporated American National Standards Institute/Underwriters Laboratories, Inc. (ANSI/UL) Standard 867 (Fourth Edition, December 21, 2007) and ANSI/UL Standard 507 (Ninth Edition, September 27, 2007) for mechanical devices, the revised Section 37 of ANSI/UL Standard 867 published on December 21, 2007, and the associated Certification Requirement Decisions published by UL on March 4, 2008, April 17, 2008, and April 18, 2008, as set forth in Attachment A, with the modifications set forth in Attachment B thereto, and with the following additional modification—eliminating the nine-month sell through provisions in sections 94800 through 94810, title 17, California Code of Regulations as set forth in Attachment A thereto;

WHEREAS, Resolution 07-40 directed the Executive Officer to take final action to adopt the regulatory amendments set forth in Attachments A and B to Resolution 07-40, with such other conforming modifications as may be appropriate, to make the modified regulatory language and any additional supporting documents and information available to the public for a period of at least 15 days, to consider such written comments as may be submitted during this period, and to make such modifications as may be appropriate in light of the comments received, or to present the regulatory amendments to the Board for further consideration if he determines that this is warranted;

WHEREAS, on June 30, 2008, the modified regulations, reflecting the amendments approved by the Board and other conforming modifications made to best reflect the intent of the Board at the hearing, were made 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 title 1, California Code of Regulations, section 44;

WHEREAS, written comments were received during the 15-day comment period and those comments have been considered by the Executive Officer;

