

State of California
California Environmental Protection Agency
AIR RESOURCES BOARD

**Supplement to the
Final Statement of Reasons for Rulemaking**

AMENDMENTS TO THE STATEWIDE PORTABLE EQUIPMENT REGISTRATION
PROGRAM (PERP) REGULATION AND THE AIRBORNE TOXIC CONTROL
MEASURE (ATCM) FOR DIESEL-FUELED PORTABLE ENGINES

Public Hearing Date: March 22, 2007
Agenda Item No.: 07-3-3 and 07-3-4

This Supplement to the Final Statement of Reasons (FSOR) describes, and provides reasoning for the nonsubstantive changes that the Air Resources Board (ARB or Board) has made to the PERP Regulation and ATCM. All of these corrections were made in response to concerns raised by the Office of Administrative Law. The ARB is submitting this supplement to the FSOR for insertion in Office of Administrative Law (OAL) File Number 07-0731-06S.

ARB has made some minor nonsubstantial changes for punctuation, grammar, and purposes of clarity. In addition, ARB provided a revised final regulation order with additional nonsubstantive changes for OAL to replace with the rulemaking package filed on July 31, 2007. The changes made do not materially alter any requirement, right responsibility, condition, prescription, or other regulatory element of any California Code of Regulations (CCR) provisions. These changes are set forth below.

- § 2451 (c)(3), title 13, CCR ~ ARB originally noticed changes during the 45 day Comment Period to this subsection. ARB decided to not to go forward with the original proposal and to revert back to the original language prior to the emergency amendments. The proposed change reflected an error in interpretation of the existing language.
- § 2452, title 13, CCR ~ Non-substantive edits were made. Renumbered definition order to change the definitions to be listed in a number format as opposed to the current alpha format and italicized terms for Barclays publishing purposes in order to highlight the term in the CCR.
- § 2462(a), title 13, CCR ~ Corrected grammar and title of section from 13 to 17.
- § 93116.2, title 17, CCR ~ Non-substantive edits were made. Renumbered definition order to change the definitions to be listed in a

number format as opposed to the current alpha format and italicized terms for Barclays publishing purposes in order to highlight the term in the CCR.

- § 93116.3, title 17, CCR ~ Made corrections to illustrations for consistency with the CCR.

- § 93116.3.1 ~ This section was inadvertently missing from the original Final Regulation Order. ARB decided to strike “districts” from the regulation in order to have statewide uniformity and compliance.