

UPDATED INFORMATIVE DIGEST

PUBLIC HEARING TO CONSIDER REGULATIONS FOR PORTABLE OUTBOARD MARINE TANKS AND COMPONENTS

Sections Affected: This action adds new sections 2468, 2468.1, 2468.2, 2468.3, 2468.4, 2468.5, 2468.6, 2468.7, 2468.8, 2468.9 and 2468.10 to title 13, California Code of Regulations, Chapter 9, and Article 6.5. Additionally, this action adopts the incorporated documents: “CP-510 Certification Procedure for Portable Outboard Marine Tanks and Components”, “TP-511 Diurnal Rate from Portable Outboard Marine Tanks”, and “TP-512 Permeation Rate from Portable Outboard Marine Tank Fuel Hoses and Portable Outboard Marine Tank Primer Bulbs.”

Background: This action adds new sections to title 13 that will enable the control of emissions from portable outboard marine tanks and components (OMT). The OMTs are gasoline tanks with a capacity of 30 gallons or less and the accompanying fuel hoses, primer bulbs and tank caps used on various size boats. For small and medium size boats the gasoline tanks and engines are portable to facilitate transportation, maintenance and storage. Portable outboard engines do not have a fuel pump so the primer bulb is used to prime (transfer gasoline from the tank to the engine through the fuel hose) the engine to ensure it will start. After the engine is running the operating cycle continues the flow of gasoline.

Description of Regulatory Action: At the Board’s September 25, 2008 public hearing for the proposed regulation, staff presented, and the Board approved the regulation with modifications to the regulation originally proposed in the Staff Report released on August 8, 2008, in response to continuing review and comments received since the Staff Report was published. The modifications affect the text of certification and test procedures, CP-510, TP-511, and TP-512.

The regulation will require performance standards that limit emissions from tanks to be no more than 1.5 grams per meter squared per day ($\text{g}/\text{m}^2/\text{day}$), emissions from fuel hoses and primer bulbs to no more than 15 $\text{g}/\text{m}^2/\text{day}$, and caps to be self sealing. The regulation requires that all new OMT tanks and components be subject to the performance standards starting in January 2010 for hoses and caps and starting in January 2011 for tanks and primer bulbs.

The ARB staff estimates that with the approval of the proposal, ROG emissions will be reduced by 4.2 tons per day (tpd) by the year 2020. These emission reductions result from reducing emissions from diurnal emissions, leaks from tanks, and permeation emissions from hoses and primer bulbs.

Under the regulation, consumers will save about 4.6 gallons of gasoline per tank. At a cost of \$3.50 per gallon of gasoline, the fuel lost costs consumers over \$16 per tank per year. Statewide, over the 18 years estimated for the entire population of OMTs to be

replaced (often called the lifetime of the regulation) this amounts to about \$32 million in cost saving.

The total cost from the regulation will be about \$4.5 million including costs associated with the proposed certification program and new test procedures. The net cost savings is approximately \$27.5 million. With nearly 90 million pounds of ROG reduced over the useful life of OMTs the cost savings is approximately \$0.30 per pound of ROG reduced.

COMPARABLE FEDERAL REGULATIONS

The United States Environmental Protection Agency (U.S.EPA) promulgated requirements to control emissions from Marine Spark Ignited and Small Spark Ignited Engines, Vessels, and Equipment in October 2008. The OMT requirements promulgated by EPA were expected to be the same with similar implementation dates, as ARB's proposed regulatory action.

The standards manufacturers are required to meet in both regulations are identical, though the test methods used to demonstrate compliance differ slightly. Manufacturers can use the results from test methods identified in either regulation to obtain certification in California. However, the method used by ARB to demonstrate compliance with ARB's evaporative standards for tanks uses a diurnal test that is more representative of the temperature swings found in California during the summer ozone season. Staff believes this different test method will identify more liquid leaks and sources of evaporation than the EPA's test methods. To the extent that California's regulations provide for a different test method option that is more representative, and to permit ARB to separately enforce its standards, these differences are authorized under the Health and Safety Code.