

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-12-008

Relating to the 2011 Amendments to the California Reformulated Gasoline Regulations

WHEREAS, on October 21, 2011, the Air Resources Board (ARB or Board) conducted a public hearing to consider for approval the proposed 2011 amendments to the California Reformulated Gasoline Regulations, as set forth in the Initial Statement of Reasons released to the public on August 31, 2011;

WHEREAS, the environmental analysis included in the Initial Statement of Reasons, prepared in accordance with ARB's certified regulatory program and the policy and substantive requirements of CEQA, concluded that the amendments will not result in any significant adverse impacts on the environment;

WHEREAS, following the public hearing on October 21, 2011, the Board adopted Resolution 11-36, in which the Board approved repeal of section 2258, and adoption the proposed amendments to sections 2260, 2261, 2264, 2265 (and the incorporated "California Procedures for Evaluating Alternative Specifications for Phase 3 Reformulated Gasoline Using the California Predictive Model"), 2265.1, 2266, 2266.5, and 2271, title 13, California Code of Regulations (CCR), as set forth in Attachment A thereto.

WHEREAS, Resolution 11-36 directed the Executive Officer to determine if additional conforming modifications to the regulation were appropriate and take final action to adopt the modified regulation after making the modified regulatory language and any additional supporting documents and information available to the public for a period of 15 days, consider such written comments as may be submitted during this period, make such further modifications as may be appropriate in light of the comments received, or return the regulatory amendments to the Board for further consideration if warranted.

WHEREAS, on May 15, 2012, June 14, 2012, and July 17, 2012, the modified regulations, reflecting the amendments approved by the Board and other changes made to reflect the intent of the Board at the hearing, were made available for three supplemental public comment periods of at least 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of the CCR, title 1, section 44;

WHEREAS, Resolution 11-36 further directed the Executive Officer to consider and approve the written responses to any comments raising environmental issues in accordance with CCR, title 16, section 60007 prior to taking final action to adopt the regulatory amendments; and

WHEREAS, a number of written comments were received during the initial 45-day comment period and/or supplemental 15-day comment periods, and those comments have been considered by the Executive Officer.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 11-36 are incorporated herein.

IT IS FURTHER ORDERED, the written responses prepared to the comments received are hereby approved, including the written responses to any environmental issues raised as required by CCR, title 16, section 60007.

IT IS FURTHER ORDERED that the following regulations are amended as set forth in Attachment 1 hereto: title 13, CCR, the repeal of section 2258, and amendments to sections 2260, 2261, 2264, 2265 (and the incorporated "California Procedures for Evaluating Alternative Specifications for Phase 3 Reformulated Gasoline Using the California Predictive Model" as last amended August 7, 2008), 2265.1, 2266, 2266.5, and 2271, as set forth in Attachment 2 hereto.

IT IS FURTHER ORDERED that the adopted regulatory text may be further revised with nonsubstantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this 24 day of August 2012, at Sacramento, California.

 /s/
James N. Goldstene
Executive Officer

Attachments