

State of California
AIR RESOURCES BOARD

Executive Order R-19-004

*Relating to Public Hearing to Consider Proposed Amendments to
Enhanced Vapor Recovery Regulations to Standardize Gas Station Nozzle Spout
Dimensions to Help Address Storage Tank Overpressure*

WHEREAS, on October 25, 2018, the California Air Resources Board (CARB or Board) conducted a public hearing to consider the proposed Amendments to Enhanced Vapor Recovery Regulations to Standardize Gas Station Nozzle Spout Dimensions to Help Address Storage Tank Overpressure, as set forth in Appendix A to the Initial State of Reasons released to the public on September 4, 2018;

WHEREAS, the environmental analysis prepared under CARB's regulatory program certified under Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA; California Code of Regulations, title 14, section 15251(d)) in the Staff Report concluded that the amendments are categorically exempt from the requirements of under the "Class 8" exemption (14 CCR 15308) because they are actions taken by a regulatory agency for the protection of the environment;

WHEREAS, following the public hearing, the Board adopted Resolution 18-46 in which the Board approved for adoption amendments to sections 94010, 94011, 94016, and 94017, title 17, California Code of Regulations, as set forth in Attachment A of that resolution;

WHEREAS, Resolution 18-46, directed the Executive Officer to make any additional conforming modifications deemed appropriate available for public comment, with any additional supporting documents and information, for a period of at least 15 days. The Executive Officer was directed to consider written comments submitted during the public review period and make any additional appropriate conforming modifications available for public comment for at least 15 days, and to take final action to adopt the regulation after addressing all appropriate modifications or present the regulation to the Board for further consideration if warranted;

WHEREAS, modified regulatory language and supporting documentation were circulated for a 15-day public comment period, with the changes to the originally proposed text clearly indicated, according to provisions of California Code of Regulations, title 1, section 44 and Government Code section 11340.85, from April 8, 2019 through April 23, 2019;

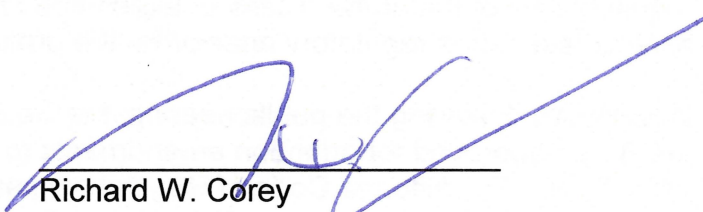
WHEREAS, a number of written comments were received during the initial 45-day comment period and supplemental 15-day comment period, and the comments received were considered by the Executive Officer;

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 18-46 are incorporated herein.

IT IS FURTHER ORDERED that the proposed amendments to sections 94010, 94011, 94016, and 94017, title 17, California Code of Regulations, which incorporate by reference the following documents: D-200 - "Definitions for Vapor Recovery Procedures," as set forth in Attachment 2 to this order, CP-201 - "Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities," as set forth in Attachment 3 to this order, CP-206 - "Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities Using Aboveground Storage Tanks," as set forth in Attachment 4 to this order, and CP-207 - "Certification Procedure for Enhanced Conventional (ECO) Nozzles and Low Permeation Conventional Hoses for Use at Gasoline Dispensing Facilities," as set forth in Attachment 5 to this order, are adopted as set forth in Attachment 1 to this Order.

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

Executed this 4th day of June at Sacramento, California.



Richard W. Corey
Executive Officer

Attachments