

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-01-019

Relating to the Amendments to the Asbestos Airborne Toxic Control Measure
for Surfacing Applications,
section 93106, title 17, California Code of Regulations

WHEREAS, on July 20, 2000, the Air Resources Board (the Board or ARB) conducted a public hearing to consider amendments to the Asbestos Airborne Toxic Control Measure – Asbestos - Containing Serpentine, as set forth in the Initial Statement of Reasons and Staff Report released to the public on June 2, 2000;

WHEREAS, the proposed amendments included changing the name of the control measure to “Asbestos Airborne Toxic Control Measure for surfacing Applications”;

WHEREAS, following the public hearing on July 20, 2000, the Board adopted Resolution 00-27, in which the Board approved the proposed amendments to section 93106, title 17, California Code of Regulations (CCR), as set forth in Attachment A thereto, with the modifications set forth in Attachment B thereto;

WHEREAS, Resolution 00-27 directed the Executive Officer to incorporate into the approved regulation the modifications described in Attachment B thereto and such other conforming modifications as may be appropriate; to make the modified regulation, with the modifications clearly indicated, available for public comment for a period of at least 15 days; to consider any comments on the modifications received during the supplemental comment period; and then, consistent with the Resolution, either to adopt the regulation as made available with any appropriate additional nonsubstantial modifications, to make additional modifications available for public comment for an additional period of at least 15 days, or to present the regulations to the Board for further consideration if he determines that this is warranted;

WHEREAS, the text of modified version of the proposed regulation reflecting the Board-approved modifications and the conforming modifications identified by staff after the hearing, were made available for a supplemental 15-day comment period starting October 5, 2000, in accordance with the provisions of section 44, title 1, CCR, with the modifications clearly indicated;

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

WHEREAS, Attachment 1 hereto contains amendments to section 93106, title 17, CCR, reflecting the modified regulatory text made available for the 15-day comment period with additional nonsubstantial revisions.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 00-27 are incorporated herein.

IT IS FURTHER ORDERED, in accordance with Resolution 00-27, that the amendments to section 93106, title 17, CCR, are hereby adopted as set forth in Attachment 1 hereto.

Executed this _____ day of May, 2001, at Sacramento, California.

Michael P. Kenny
Executive Officer

Attachment