

**State of California
AIR RESOURCES BOARD**

EXECUTIVE ORDER G-09-002

**Relating to Certification of Portable Fuel Containers, Spouts or Portable
Fuel Containers and Spouts**

Fair Trails Enterprises, Inc.

**Petroleum Product Portable Fuel Containers (PFC): 5.0-gallons for
gasoline, and 5.0-gallons for diesel both with Ripper model spouts**

WHEREAS, the California Air Resources Board (ARB) has established, pursuant to California Health and Safety Code sections 39600, 39601, 43013, 43018, and 43101, criteria for obtaining certification of a PFC, spout, or a PFC and spout in "CP-501, Certification Procedure for Portable Fuel Containers and Spill-Proof Spouts," adopted July 26, 2006, incorporated by reference into title 13, California Code of Regulations, sections 2467.2 and 2467.8;

WHEREAS, "CP-501, Certification Procedure for Portable Fuel Containers and Spill-Proof Spouts," adopted July 26, 2006, (hereinafter "Certification Procedure") incorporated by reference into title 13, California Code of Regulations, sections 2467.2 and 2467.8, requires that an application for certification include the results for each test specified in ARB's Test Procedure TP-501, Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems (July 26, 2006), and ARB Test Procedure TP-502, Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers (July 26, 2006);

WHEREAS, section 1, of the Certification Procedure provides that an Executive Order will only be issued for a PFC, spout, or both PFC, or both PCC, and spout that demonstrates compliance with all applicable certification requirements;

WHEREAS, section 3, of the Certification Procedure requires an applicant to submit specified information in its application for certification;

WHEREAS, section 5, of the Certification Procedure provides that ARB Executive Officer shall evaluate each application for certification of a spill-proof system or spill-proof spout, to determine if the spill-proof system or spill-proof spout complies with the criteria for issuance of an executive order;

WHEREAS, Fair Trails Enterprises, Inc. has submitted an application for certification of the following products to be sold under the brand name Tuff Jug:

Petroleum Product PFC:

5.0-gallons capacity gasoline container (Model Number TJ1)

5.0-gallons capacity diesel container (Model Number TJ2)

each with Ripper model spouts: (hereinafter referred to as "Portable Fuel Container system" or "PFC");

WHEREAS, Fair Trails Enterprises, Inc. has submitted data generated from each test specified in ARB Test Procedure TP-501, Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems (July 26, 2006), and ARB Test Procedure TP-502, Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers (July 26, 2006), that demonstrates its PFCs comply with the criteria specified in section 2, of the Certification Procedure;

WHEREAS, Fair Trails Enterprises, Inc. has submitted information demonstrating that its PFC comply with the requirements of American Society for Testing and Materials Standards (ASTM) F-852-99 (March 10, 1999), and ASTM F-976-02 (May 10, 2002);

WHEREAS, Fair Trails Enterprises, Inc. has submitted a copy of the warranty language and operating instructions specified in section 2 of the Certification Procedure;

WHEREAS, Fair Trails Enterprises, Inc. is not participating in the Optional Consumer Acceptance Program for its PFCs;

WHEREAS, Fair Trails Enterprises, Inc. has submitted all of the information specified in section 3 of the Certification Procedure in its application for certification of its PFCs; and

WHEREAS, Fair Trails Enterprises, Inc.'s application for certification of its PFC has been evaluated, and its PFCs have been found to comply with the criteria for the issuance of an executive order.

NOW THEREFORE, pursuant to the authority vested in ARB by sections 39600, 39601, 43013, 43018, and 43101, Health and Safety Code, and pursuant to the authority vested in the undersigned by sections 39515, and 39516, Health and Safety Code, and Executive Order P-07-002.

IT IS ORDERED AND RESOLVED that PFCs produced by Fair Trails Enterprises, Inc. as described in its application for certification of said systems are hereby certified to meet the performance standards and administrative requirements applicable to portable fuel containers. Production systems shall be in all material respects the same as those for which certification is granted and shall meet all the certification requirements except for the optional consumer acceptance program.

