State of California
AIR RESOURCES BOARD

Executive Order G-95-041

WHEREAS, on July 28, 1994, the Air Resources Board (ARB) conducted a public hearing to consider proposed amendments to Title 13, California Code of Regulations, sections 2400-2407 and incorporated California Exhaust Emission Standards and Test Procedures for 1995 and Later Utility and Lawn and Garden Equipment Engines (Test Procedures);

WHEREAS, following the public hearing on July 28, 1994, the Board adopted Resolution 94-50, in which the Board approved the amendments to sections 2400-2407, Title 13, California Code of Regulations and the Test Procedures, as set forth in Attachments A thereto.

WHEREAS, Resolution 94-50 directed the Executive Officer to adopt the amendments as set forth in Attachment A thereto, with such conforming modifications as may be appropriate, after making the modified text available to the public for a supplemental written comment period of 15 days, provided that the Executive Officer shall consider such written comments regarding the modifications as may be submitted during this period, shall make modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted;

WHEREAS, the text of sections 2400-2407, Title 13, California Code of Regulations and the incorporated Test Procedures were made available, in accordance with section 44, Title 1, California Code of Regulations, for a 15-day period during which comments on the modifications to the original proposed text were solicited; the text of the regulations and Test Procedures clearly indicated the modifications to the original proposal;

WHEREAS, one written comment was received during the 15-day comment period; the Executive Officer has considered the comment pertaining to the modifications to the original proposal and has determined that no further modifications are necessary or appropriate.

WHEREAS, in adopting Resolution 94-50 the Board approved the amendments to Part II, section 11(a)(1)(I) and Part III, section 4(a)(1)(I) of the Test Procedures pertaining to the types of petroleum-based certification test fuels that may be used by engine manufacturers for certification as proposed, without modifications and no supplemental comment period for this element of the amendments was necessary;

WHEREAS, the amendments pertaining to the types of petroleum-based certification test fuels that may be used by engine manufacturers for certification were adopted in Executive Order G-94-051, and are now in effect;

WHEREAS, the Final Regulation Order, attached hereto as Attachment A, contains the text of Part II, section 11(a)(1)(I) and Part III, section 4(a)(1)(I) of the Test Procedures, as it is now in effect and clearly indicates the other amendments approved by the Board in Resolution 94-50, with modifications that were made available in connection with the 15-day comment period, and which have not yet become effective.

NOW THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 94-50 are incorporated herein.

IT IS FURTHER ORDERED, in accordance with Resolution 94-50 and Health and Safety Code sections 39515 and 39516, that the amendments to sections 2400-2407 and the incorporated Test Procedures are hereby adopted as set forth in Attachment A hereto.

Executed this 26th day of May, 1995, at Sacramento, California.

Michael N. Schiebl
for James D. Boyd
Executive Officer

Attachment

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Office of the Secretary

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RESOURCES AGENCY OF CALIFORNIA