

State of California  
Environment Protection Agency  
AIR RESOURCES BOARD

**Notice of Decision**

Project Title: Amendments to the Regulation for Mobile Cargo Handling Equipment at Ports and Intermodal Rail Yards (SCH# 2011082011)

Project Location: Statewide

Public Meeting Date: September 22, 2011; Agenda Item No. 11-7-5

Project Description: The primary purpose of the amendments is to provide additional flexibility to CHE owners/operators in an effort to reduce compliance costs while continuing to reduce emissions of diesel particulate matter and oxides of nitrogen, maintain the anticipated emissions reduction benefits of the regulation, and make clarifying changes.

Approved By: Air Resources Board  
Executive Order # R-12-009  
Dated: August 2, 2012

This notice is to advise that ARB, as the lead agency, has adopted the above described regulatory action on August 2, 2012 and has determined that the regulatory action may result in a significant adverse effect on the environment (see attached Executive Order R-12-009).

In accordance with CEQA and ARB's certified regulatory program, ARB prepared an environmental analysis as part of the Staff Report: Initial Statement of Reasons for Proposed Rulemaking (Staff Report), entitled "Amendments to the Regulation for Mobile Cargo Handling Equipment at Ports and Intermodal Rail Yards".

ARB staff prepared written responses to public comments received during the comment periods. These responses are included in the Final Statement of Reasons entitled Public Hearing to Consider Amendments to the Regulation for Mobile Cargo Handling Equipment at Ports and Intermodal Rail Yards. The ARB Executive Officer, as the final decision-maker for this project, approved the written responses to comments raising environmental issues.

Findings and a statement of overriding consideration were adopted for this regulatory action.

The copy of the environmental analysis included in the Staff Report and the written responses to comments included in the Final Statement of Reasons are available at the ARB rulemaking webpage at: <http://www.arb.ca.gov/regact/2011/cargo11/cargo11.htm>.

