State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-13-004

Relating to the Regulatory Amendments to the Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines Regulations.

WHEREAS, on August 23, 2012, the Air Resources Board (ARB or Board) conducted a public hearing to consider for approval the proposed amendments to the Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines Regulations, as set forth in the Initial Statement of Reasons released to the public on July 5, 2012;

WHEREAS, the environmental analysis included in the Initial Statement of Reasons, prepared in accordance with ARB's certified regulatory program and the policy and substantive requirements of California Environmental Quality Act, concluded that the amendments will not result in any significant adverse impacts on the environment;

WHEREAS, following the public hearing, the Board adopted Resolution 12-30, in which the Board approved for adoption the proposed amendments of sections 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, (and the incorporated "ASTM D4052-96(2002), Standard Text Method for Density and Relative of Liquids by Digital Density Meter") and 2711, title 13, California Code of Regulations(CCR), as set forth in Attachment A thereto;

WHEREAS, Resolution 12-30, directed the Executive Officer to determine if additional conforming modifications to the regulation were appropriate and take final action to adopt the modified regulation after making the modified regulatory language and any additional supporting documents and information available to the public for a period of 15 days, consider such written comments as may be submitted during this period, make such further modifications as may be appropriate in light of the comments received, or return the regulatory amendments to the Board for further consideration if warranted;

WHEREAS, on May 29, 2013, the approved regulations, with the changes to the originally proposed text clearly indicated, have been made available for public comment for a period of 15 days in accordance with the provisions of Title 1, CCR, section 44;

WHEREAS, Resolution 12-30 further directed the Executive Officer to consider and approve the written responses to any comments raising environmental issues in accordance with CCR, title 17, section 60007 prior to taking final action to adopt the regulatory amendments; and

WHEREAS, a number of written comments were received during the initial 45-day comment period and supplemental 15-day comment period, and oral comments were received as part of the testimony taken at the August 23, 2012, Board hearing, and

those comments have been considered by the Executive Officer.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 12-30 are incorporated herein.

IT IS FURTHER ORDERED, the written responses prepared for comments received are hereby approved, including the written responses to any environmental issues raised as required by CCR, title 17, section 60007.

IT IS FURTHER ORDERED that sections 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, and 2711, title 13, CCR, 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 nonsubstantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this 2 day of July 2013, at Sacramento, California.

Richard W. Corey
Executive Officer

Attachment