

UPDATED INFORMATIVE DIGEST

AMENDMENTS TO THE REGULATIONS FOR PORTABLE FUEL CONTAINERS

Sections Affected: Amendments to title 13, California Code of Regulations, sections 2467, 2467.1, 2467.2, 2467.3, 2467.4, 2467.5, 2467.6, 2467.7; repeal of section 2467.8, and adoption of new sections 2467.8 and 2467.9. Proposed adoption of the incorporated CP-501, "Certification Procedure CP-501 for Portable Fuel Containers and Spill-Proof Spouts," TP-501, "Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems," and TP-502, "Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers." Proposed amendments to Test Method 510, "Automatic Shut-Off Test Procedure for Spill-Proof Systems and Spill-Proof Spouts," adopted July 6, 2000 (section numbers corrected September 13, 2000), and Repeal of Test Method 512, "Determination of Fuel Flow Rate for Spill Proof Systems and Spill Proof Spouts, adopted July 6, 2000 (section numbers corrected September 13, 2000).

Background

A portable fuel container (PFC) or "gas can" is used to store and dispense gasoline into on-road and off-road mobile sources. In September 1999 the Air Resources Board (ARB or Board) adopted regulations to control emissions from PFCs resulting from three main processes: evaporation of fuel vapors through openings, permeation of fuel through container walls and spillage during fueling events. The regulations were fully implemented in 2001 and were projected to result in a reduction of about 75 tons per day (tpd) of reactive organic gases (ROG) statewide by 2007.

After the current PFC regulations took effect, ARB staff became aware of consumer complaints regarding ease of use and spillage from the new PFCs. ARB staff researched these complaints and learned that although the current regulations have reduced emissions resulting from evaporation and permeation, emissions resulting from spillage are still occurring. Furthermore, ARB staff received many consumer complaints expressing dissatisfaction with the design and functionality of the PFC "spill-proof" spouts. Other issues that have been identified during implementation of the regulations are poor production quality and a low compliance rate. In response to the issues encountered with the current regulations, ARB staff proposed the following amendments:

- Establishing a certification program and certification criteria for PFCs, spouts, or PFCs and spouts to ensure they comply with the regulations prior to their sale in California.
- Modify the existing spout regulations to improve spillage control;
- Include a voluntary Consumer Acceptance Program to support and encourage User-friendly PFC designs;
- Combine the currently separate evaporation and permeation standards into a single new diurnal standard to simplify certification and compliance testing; and,
- Adopt new PFC test procedures to streamline testing.

Description of Regulatory Action

The ARB has adopted amendments to the PFC regulations to address issues related to PFC compliance, consumer acceptance, and the need for new test procedures.

These amendments are expected to reduce ROG emissions by 1.4 tpd due to reduced spillage and 0.5 tpd due to the new combined diurnal standard by the year 2015. These emission reductions result from reducing emissions occurring from spillage by removing the automatic shutoff requirement, and adopting a new combined diurnal standard.

These amendments are expected to have little effect on the cost of PFCs meeting currently compliant PFCs. Removing the automatic shutoff feature will likely result in a cost savings, the cost of implementing the certification program is estimated as \$0.02 per PFC, and implementing the new diurnal standard is not expected to result in any additional costs compared to the current permeation standard.

While developing the amendments, ARB staff conducted six public workshops and held over 60 meetings with manufacturers and other interested parties. In addition, ARB staff considered alternatives to the proposal including no action, retaining the current requirements and adding a consumer education program. The ARB staff determined that adopting the proposal is technologically feasible, cost-effective and provides the greatest benefits to the people of California.

Comparable Federal Regulations

The U.S. Environmental Protection Agency has proposed national regulations for portable fuel containers and has attended meetings and public workshops held by ARB on this topic, but has presently not adopted any comparable federal regulations pertaining to portable fuel containers.