Proposed

Portable Fuel Container Spillage Control Regulations

Adopted: _____

NOTE: This document is printed in a style to indicate changes from the regulatory text originally proposed by public notice on August 6, 1999. All originally proposed language is indicated by plain type. Suggested modifications are shown in underline to indicate additions to the original proposal and ~~strikeout~~ to indicate deletions. All proposed modifications will be made available to the public for a comment period of at least 15 days.

PROPOSED REGULATION ORDER

Adopt Title 13, California Code of Regulations, Chapter 9 Off-Road Vehicles and Engine Pollution Control Devices, Sections 2470-2478 to read as follows:

Chapter 9 Off-Road Vehicles and Engines Pollution Control Devices

Article 6 Portable Fuel Containers and Spouts

2470. Applicability

(a) Except as provided in Section 2473, this article applies to any person who sells, supplies, offers for sale, or manufactures for sale in California portable fuel containers or spouts or both portable fuel containers and spouts for use in California.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, and 43101, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).
Reference: Sections 39000, 39001, 39003, 39500, 39515, 39516, 41511, 43000, 43013, 43016, 43017, and 43018, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).

2471. Definitions

(a) The definitions in Section 1900 (b), Title 13 of the California Code of Regulations apply with the following additions:

(1) "ASTM" means the American Society for Testing and Materials.

(2) "Consumer" means the first person who in good faith purchases a new portable fuel container or spout or both portable fuel container and spout for purposes other than resale, including but not limited to personal, family, household, or institutional use.

(3) “Distributor” means any person to whom a portable fuel container or spout or both portable fuel container and spout is sold or supplied for the purposes of resale or distribution in commerce. Manufacturers, retailers, and consumers are not distributors.

(4) “Executive Officer” means the Executive Officer of the Air Resources Board, or his or her designee.

(5) “Fuel” means all fuels subject to any provision of Title 13, California Code of Regulations, Chapter 5, Standards for Motor Vehicle Fuels, Sections 2250 - 2298, except for Sections 2292.5, 2292.6, and 2292.7.

(6) “Manufacturer” means any person who imports, manufactures, assembles, packages, repackages, or re-labels a portable fuel container or spout or both portable fuel container and spout.

(7) “Nominal Capacity” means the volume indicated by the manufacturer that represents the maximum recommended filling level.

(8) “Outboard Engine” means a spark-ignition marine engine that, when properly mounted on a marine water-craft in the position to operate, houses the engine and drive unit external to the hull of the marine water-craft.

(9) “Permeation” means the process by which individual fuel molecules may penetrate the walls and various assembly components of a portable fuel container directly to the outside ambient air.

(10) “Person” has the same meaning as defined in Health and Safety Code Section 39047.

(11) “Portable Fuel Container” means any container or vessel with a nominal capacity of ten gallons or less intended for reuse that is designed or used primarily for receiving, transporting, storing, and dispensing fuel.

(12) “Product Category” means the applicable category that best describes the product with respect to its nominal capacity, material construction, fuel flow rate, and permeation rate, as applicable, as determined by the Executive Officer.

(13) “Retailer” means any person who owns, leases, operates, controls, or supervises a retail outlet.

(14) “Retail Outlet” means any establishment at which portable fuel containers or spouts or both portable fuel containers and spouts are sold, supplied, or offered for sale.

(15) "ROG" (Reactive Organic Gas) means a reactive chemical gas, composed of hydrocarbons, that may contribute to the formation of smog. ROG is sometimes referred to as Non-Methane Organic Compounds (NMOC's).

(16) "Spill Proof Spout" means any spout that complies with all of the performance standards specified in Section 2472 (b).

(17) "Spill-Proof System" means any configuration of portable fuel container and firmly attached spout that complies with all of the performance standards in Section 2472 (a).

(18) "Spout" means any device that can be firmly attached to a portable fuel container for conducting pouring through which the contents of ~~the~~ a portable fuel container can be dispensed.

(19) "Target Fuel Tank" means any receptacle that receives fuel from ~~the~~ a portable fuel container.

NOTE: Authority: Sections 39600, 39601, 43013, 43018, and 43101, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).
Reference: Sections 39000, 39001, 39003, 39500, 39515, 39516, 41511, 43000, 43013, 43016, 43017, and 43018, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).

2472. Performance Standards for Portable Fuel Containers and Spill-Proof Spouts.

(a) Except as provided in Section 2473, no person shall sell, supply, offer for sale, or manufacture for sale in California on or after January 1, 2001, any portable fuel container or any portable fuel container and spout which, at the time of sale or manufacture, does not meet all of the following Performance Standards for Spill-Proof systems:

(1) An automatic shut-off stops the fuel flow before the target fuel tank overflows ~~and fills to a level less than or equal to one inch below the top of the target fuel tank opening~~.

~~(A) The test procedures for determining compliance with automatic shut-off are set forth in "Test Method 510, Automatic Shut-Off Test Procedure For Spill-Proof Systems And Spill-Proof Spouts", adopted _____ which are incorporated by reference herein.~~

(2) Automatically closes and seals when removed from the target fuel tank and

remains completely closed when not dispensing fuel.

~~(A) The test procedures for determining compliance with automatic closure are set forth in "Test Method 511, Automatic Closure Test Procedure For Spill-Proof Systems And Spill-Proof Spouts", adopted _____ which are incorporated by reference herein.~~

(3) Has only one opening for both filling and pouring.

(4) Provides a fuel flow rate and fill level of:

(A) not less than one-half gallon per minute for portable fuel containers with a nominal capacity of:

(i) less than or equal to ~~1.25~~ 1.5 gallons and fills to a level less than or equal to 1 inch below the top of the target fuel tank opening; or

(ii) greater than 1.5 gallons but less than or equal to 2.5 gallons and fills to a level less than or equal to one inch below the top of the target fuel tank opening if the spill-proof system clearly displays the phrase "Low Flow Rate" in type of 34 point or greater on each spill-proof system or label affixed thereto, and on any accompanying package; or

(B) not less than one gallon per minute for portable fuel containers with a nominal capacity greater than ~~1.25~~ 1.5 gallons but less than or equal to 2.5 gallons and fills to a level less than or equal to 1.25 inches below the top of the target fuel tank opening; or

(C) not less than two gallons per minute for portable fuel containers with a nominal capacity greater than 2.5 gallons.

~~(D) The test procedures for determining compliance with the fuel flow rate standards are set forth in "Test Method 512, Determination Of Fuel Flow Rate For Spill-Proof Systems And Spill-Proof Spouts," adopted _____ which are incorporated by reference herein.~~

(5) Does not exceed a permeation rate of 0.4 grams per gallon per day ~~as determined by Test Method 513~~.

~~(A) The test procedures for determining compliance with permeation standards are set forth in "Test Method 513, Determination Of Permeation Rate For Spill-Proof Systems", adopted _____ which are incorporated by~~

~~reference herein.~~

(6) Warranted for a period of not less than one year against defects in materials and workmanship.

(b) Except as provided in Section 2473, no person shall sell, supply, offer for sale, or manufacture for sale in California on or after January 1, 2001, any spout which, at the time of sale or manufacture, does not meet all of the following Performance Standards for Spill-Proof Spouts:

(1) An automatic shut-off stops the fuel flow before the target fuel tank overflows ~~and fills to a level less than or equal to one inch below the top of the target fuel tank opening~~.

~~(A) The test procedures for determining compliance with automatic shut-off are set forth in "Test Method 510, Automatic Shut-Off Test Procedure For Spill-Proof Systems And Spill-Proof Spouts", adopted _____ which are incorporated by reference herein.~~

(2) Automatically closes and seals when removed from the target fuel tank and remains completely closed when not dispensing fuel.

~~(A) The test procedures for determining compliance with automatic closure are set forth in "Test Method 511, Automatic Closure Test Procedure For Spill-Proof Systems And Spill-Proof Spouts", adopted _____ which are incorporated by reference herein.~~

(3) Provides a fuel flow rate and fill level of:

(A) not less than one-half gallon per minute for portable fuel containers with a nominal capacity of:

(i) less than or equal to ~~1.25~~ 1.5 gallons and fills to a level less than or equal to 1 inch below the top of the target fuel tank opening; or

(ii) greater than 1.5 gallons but less than or equal to 2.5 gallons and fills to a level less than or equal to one inch below the top of the target fuel tank opening if the spill-proof spout clearly displays the phrase "Low Flow Rate" in type of 34 point or greater on each spill-proof spout or label affixed thereto, and on any accompanying package; or

(B) not less than one gallon per minute for portable fuel containers with a nominal capacity greater than ~~1.25~~ 1.5 gallons but less than or equal to 2.5 gallons and fills to a level less than or equal to 1.25 inches below the top of

the target fuel tank opening; or

(C) not less than two gallons per minute for portable fuel containers with a nominal capacity greater than 2.5 gallons.

~~(D) The test procedures for determining compliance with the fuel flow rate standards are set forth in "Test Method 512, Determination Of Fuel Flow Rate For Spill-Proof Systems And Spill-Proof Spouts," adopted _____ which are incorporated by reference herein.~~

(4) Warranted for a period of not less than one year against defects in materials and workmanship.

(c) The test procedures for determining compliance with the performance standards in this section are set forth in Section 2477.

(d~~c~~) The Executive Officer shall coordinate compliance procedures with these Performance Standards with:

(1) California State Fire Marshal (SFM)

(2) California Department of Industrial Relations, Division of Occupational Safety and Health (DOSH)

(e~~d~~) Compliance with the Performance Standards in this Section does not exempt spill-proof systems or spill-proof spouts from compliance with other applicable federal and state statutes and regulations such as state fire codes, safety codes, and other safety regulations, nor will the Air Resources Board test for or determine compliance with such other statutes or regulations.

(f~~e~~) Notwithstanding the provisions of subsections 2472 (a) and (b), a portable fuel container or spout or both portable fuel container and spout manufactured before January 1, 2001, may be sold, supplied, or offered for sale until January 1, 2002 if the date of manufacture or representative date is clearly displayed on the portable fuel container or spout. An explanation of the date code shall be filed with the Executive Officer no later than the later of three months after the effective date of this article or within three months of production, and within three months after any change in coding.

(g~~f~~) If the Executive Officer finds any manufacturer, distributor, or retailer offering for sale in the State of California a portable fuel container or spout or both portable fuel container and spout that does not substantially comply with the requirements set forth in this article, the manufacturer, distributor, or retailer will be subject to being enjoined from any further sales or distribution of such noncompliant portable fuel containers or

spouts or both portable fuel containers and spouts, in the State of California pursuant to Section 43017 of the Health and Safety Code. Penalties may be assessed to the extent permissible under Part 5, Division 26 of the Health and Safety Code. Before seeking remedial action against any manufacturer, distributor, or retailer the Executive Officer will consider any information provided by the manufacturer, distributor, or retailer.

NOTE: Authority: Sections 39600, 39601, 43013, 43018, and 43101, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District,* 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).
Reference: Sections 39000, 39001, 39003, 39500, 39515, 39516, 41511, 43000, 43013, 43016, 43017, and 43018, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District,* 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).

2473. Exemptions

(a) This Article does not apply to any portable fuel container or spout or both portable fuel container and spout manufactured in California for shipment, sale, and use outside of California.

(b) This ~~The provisions of this~~ article does ~~shall~~ not apply to a manufacturer or distributor who sells, supplies, or offers for sale in California a portable fuel container or spout or both portable fuel container and spout that does not comply with the Performance Standards specified in Section 2472, as long as the manufacturer or distributor can demonstrate that:(1) the portable fuel container or spout or both portable fuel container and spout is intended for shipment and use outside of California; and (2) that the manufacturer or distributor has taken reasonable prudent precautions to assure that the portable fuel container or spout or both portable fuel container and spout is not distributed to California.

This subsection (b) does not apply to portable fuel containers or spouts or both portable fuel containers and spouts that are sold, supplied, or offered for sale by any person to retail outlets in California.

(c) This Article does not apply to safety cans meeting the requirements of Chapter 17, Title 29, Subpart F, of the Code of Federal Regulations.

(d) This Article does not apply to portable fuel containers with a nominal capacity less than or equal to one quart.

(e) This Article does not apply to rapid refueling devices with nominal capacities greater than or equal to four gallons, provided such devices are designed for use in officially sanctioned

off-highway motorcycle competitions and either create a leak-proof seal against a stock target fuel tank or are designed to operate in conjunction with a receiver permanently installed on the target fuel tank ~~for use in officially sanctioned off-road motorcycle competitions~~.

(f) This Article does not apply to portable fuel tanks manufactured specifically to deliver fuel through a hose attached between the portable fuel tank and the outboard engine for the purpose of operating the outboard engine.

NOTE: Authority: Sections 39600, 39601, 43013, 43018, and 43101, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).
Reference: Sections 39000, 39001, 39003, 39500, 39515, 39516, 41511, 43000, 43013, 43016, 43017, and 43018, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District*, 14 Cal.3d 411, 121Cal.Rptr. 249 (1975).

2474. Innovative Products

(a) The Executive Officer may exempt a portable fuel container or spout or both portable fuel container and spout from one or more of the requirements of Section 2472 if a manufacturer demonstrates by clear and convincing evidence that, due to the product's design, delivery system, or other factors, the use of the product will result in cumulative ROG emissions below the highest emitting representative spill-proof system or representative spill-proof spout in its product category as determined from applicable testing .

(b) For the purposes of this Section, "representative spill-proof system" or a "representative spill-proof spout" means a portable fuel container or spout or both portable fuel container and spout which, at the time of application in (c) of this Section, meets the Performance Standards specified in Section 2472.

(c) A manufacturer (applicant) must apply in writing to the Executive Officer for an innovative product exemption claimed under subsection (a). The application must include the supporting documentation that quantifies the emissions from the innovative product, including the actual physical test methods used to generate the data. In addition, the applicant must provide any information necessary to enable the Executive Officer to establish enforceable conditions for granting the exemption. All information including proprietary data submitted by a manufacturer pursuant to this section shall be handled in accordance with the procedures specified in Title 17, California Code of Regulations, Sections 91000-91022.

(d) Within 30 days of receipt of the exemption application the Executive Officer shall determine whether an application is complete as provided in section 60030 (a), Title 17,

California Code of Regulations.

(e) Within 90 days after an application has been deemed complete, the Executive Officer will determine whether, under what conditions, and to what extent, an exemption from the requirements of Sections 2472 will be permitted. The applicant and the Executive Officer may mutually agree to a longer time period for reaching a decision. An applicant may submit additional supporting documentation before a decision has been reached. The Executive Officer will notify the applicant of the decision in writing and specify such terms and conditions that are necessary to ensure that emissions from use of the product will meet the emissions reductions specified in subsection (a), and that such emissions reductions can be enforced.

(f) In granting an innovative product exemption for a portable fuel container or spout or both portable fuel container and spout, the Executive Officer shall specify the test methods for determining conformance to the conditions established. The test methods may include criteria for reproducibility, accuracy, and sampling and laboratory procedures.

(g) For any portable fuel container or spout or both portable fuel container and spout for which an innovative product exemption has been granted pursuant to this section, the manufacturer shall notify the Executive Officer in writing at least 30 days before the manufacturer changes a product's design, delivery system, or other factors that may effect the ROG emissions during recommended usage. The manufacturer must also notify the Executive Officer within 30 days after the manufacturer learns of any information that would alter the emissions estimates submitted to the Executive Officer in support of the exemption application.

(h) If the Performance Standards specified in Section 2472 are amended for a product category, all innovative product exemptions granted for products in the product category, except as provided in this subsection (i), have no force and effect as of the effective date of the amended Performance Standards.

(i) If the Executive Officer believes that a portable fuel container or spout or both portable fuel container and spout for which an exemption has been granted no longer meets the criteria for an innovative product specified in subsection (a), the Executive Officer may hold a public hearing in accordance with the procedures specified in Title 17, California Code of Regulations, Subchapter 1.25, to determine if the exemption should be modified or revoked.

NOTE: Authority: Sections 39600, 39601, 43013, 43018, and 43101, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).
Reference: Sections 39000, 39001, 39003, 39500, 39515, 39516, 41511, 43000, 43013, 43016, 43017, and 43018, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District*, 14 Cal.3d 411, 121

Cal.Rptr. 249 (1975).

2475. Administrative Requirements

(a) Each manufacturer of a portable fuel container or portable fuel container and spout subject to and complying with Section 2472 (a) must clearly display on each spill-proof system:

(1) the phrase “Spill-Proof System”;

(2) a date of manufacture or representative date; and

(3) a representative code identifying the portable fuel container or portable fuel container and spout as subject to and complying with Section 2472 (a).

(b) Each manufacturer of a spout subject to and complying with Section 2472 (b) must clearly display on each spill-proof spout, any sticker or label affixed thereto, and on any accompanying package:

(1) the phrase “Spill-Proof Spout”;

(2) a date of manufacture or representative date; and

(3) a representative code identifying the spout as subject to and complying with Section 2472(b).

(c) Each manufacturer subject to subsection (a) or (b) must file an explanation of both the date code and representative code with the Executive Officer no later than the later of three months after the effective date of this article or within three months of production, and within three months after any change in coding.

(d) Each manufacturer subject to subsection (a) or (b) must clearly display a fuel flow rate on each spill-proof system or spill-proof spout, any sticker or label affixed thereto, and on any accompanying package.

(e) Each manufacturer of a spout subject to subsection (b) must clearly display the make, model number, and size of only those portable fuel container(s) the spout is designed to accommodate and can demonstrate compliance with Section 2472 (a) on each spill-proof spout, any sticker or label affixed thereto, and on any accompanying package.

(f) Manufacturers of portable fuel containers or portable fuel containers and spouts not subject to or not in compliance with Section 2472 may not display the phrase “Spill-Proof System” or “Spill -Proof Spout” on the portable fuel container or spout, respectively, on any sticker or label affixed thereto, or on any accompanying package.

(g) Each manufacturer of a portable fuel container or spout or both portable fuel container and spout subject to and complying with Section 2472 that due to its design or other features cannot be used to refuel one or more on-road motor vehicles must clearly display the phrase "Not Intended For Refueling On-Road Motor Vehicles" in type of 34 point or greater on the spill-proof system or spill-proof spout, any sticker or label affixed thereto, and on any accompanying package.

NOTE: Authority: Sections 39600, 39601, 43013, 43018, and 43101, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District,* 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).
Reference: Sections 39000, 39001, 39003, 39500, 39515, 39516, 41511, 43000, 43013, 43016, 43017, and 43018, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District,* 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).

2476. Variances

(a) Any person or manufacturer who cannot comply with the requirements set forth in Section 2472, due to extraordinary reasons beyond the person's reasonable control, may apply in writing to the Executive Officer for a variance. The variance application must set forth:

(1) the specific grounds upon which the variance is sought;

(2) the proposed date(s) by which compliance with the provisions of Section 2472 will be achieved; and

(3) a compliance report reasonably detailing the method(s) by which compliance will be achieved.

(b) Upon receipt of a variance application containing the information required in subsection (a), the Executive Officer shall hold a public hearing to determine whether, under what conditions, and to what extent, a variance from the requirements in Section 2472 is necessary and will be permitted. A hearing will be initiated no later than 75 days after receipt of a variance application. Notice of the time and place of the hearing must be sent to the applicant by certified mail not less than 30 days before to the hearing. Notice of the hearing must also be submitted for publication in the California Regulatory Notice Register and sent to every person who requests such a notice, not less than 30 days before the hearing. The notice must state that the parties may, but not need to be, represented by counsel at the hearing. At least 30 days before the hearing, the variance application must be made available to the public for inspection. Interested members of the public must be allowed a reasonable opportunity to testify at the hearing and their testimony must be considered.

(c) No variance may be granted unless all of the following findings are made:

(1) that, due to reasons beyond the reasonable control of the applicant, required compliance with Section 2472 would result in extraordinary economic hardship;

(2) that the public interest in mitigating the extraordinary hardship to the applicant by issuing the variance outweighs the public interest in avoiding any increased emissions of air contaminants that would result from issuing the variance; and

(3) that the compliance report proposed by the applicant can reasonably be implemented, and will achieve compliance as expeditiously as possible.

(d) Any variance order shall specify a final compliance date by which the requirements of Section 2472 will be achieved. Any variance order shall contain a condition that specifies increments of progress necessary to assure timely compliance, and such other conditions that the Executive Officer, in consideration of the testimony received at the hearing, finds necessary to carry out the purposes of Division 26 of the Health and Safety Code.

(e) A variance shall cease to be effective upon failure of the party to whom the variance was granted to comply with any term or condition of the variance.

(f) Upon the application of any person, the Executive Officer may review, and for good cause, modify or revoke a variance from requirements of Section 2472 after holding a public hearing in accordance with the provisions of subsection (b).

NOTE: Authority: Sections 39600, 39601, 43013, 43018, and 43101, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).
Reference: Sections 39000, 39001, 39003, 39500, 39515, 39516, 41511, 43000, 43013, 43016, 43017, and 43018, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).

2477. Test Procedures

(a) Testing to determine compliance with Section 2472, (b) of this article shall be performed by using the following test procedures:

(1) "Test Method 510, Automatic Shut-Off Test Procedure For Spill-Proof Systems And Spill-Proof Spouts", adopted _____ which are incorporated by reference herein.

(2) "Test Method 511, Automatic Closure Test Procedure For Spill-Proof Systems

And Spill-Proof Spouts", adopted _____ which are incorporated by reference herein.

(3) "Test Method 512, Determination Of Fuel Flow Rate For Spill-Proof Systems and Spill-Proof Spouts," adopted _____ which are incorporated by reference herein.

(b) Testing to determine compliance with Section 2472 (a) of this article shall be performed by using all test procedures in (a) above and the following test procedure:

(1) "Test Method 513, Determination Of Permeation Rate For Spill-Proof Systems," adopted _____ which are incorporated by reference herein.

(c) Alternative methods that are shown to be accurate, precise, and appropriate may be used upon written approval of the Executive Officer.

(d) Test procedures referred to in this Article can ~~may~~ be obtained from the California Air Resources Board, and may be available at http:\\www.arb.ca.gov.

NOTE: Authority: Sections 39600, 39601, 43013, 43018, and 43101, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District,* 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).
Reference: Sections 39000, 39001, 39003, 39500, 39515, 39516, 41511, 43000, 43013, 43016, 43017, and 43018, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District,* 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).

2478. Severability

(a) Each part of this article is severable, and in the event that any part of this article is held to be invalid, the remainder of this article continues in full force and effect.

NOTE: Authority: Sections 39600, 39601, 43013, 43018, and 43101, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District,* 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).
Reference: Sections 39000, 39001, 39003, 39500, 39515, 39516, 41511, 43000, 43013, 43016, 43017, and 43018, of the Health and Safety Code, and *Western Oil and Gas Ass'n. V. Orange County Pollution Control District,* 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).