

State of California  
AIR RESOURCES BOARD

**EXECUTIVE ORDER R-05-002**

Adoption of an Airborne Toxic Control Measure to Reduce Emissions of Hexavalent Chromium and Nickel from Thermal Spraying

WHEREAS, on December 9, 2004, the Air Resources Board (the Board or ARB) conducted a public hearing to consider adoption of a regulation to reduce emissions of hexavalent chromium and nickel from thermal spraying, as set forth in the Initial Statement of Reasons released to the public on October 22, 2004;

WHEREAS, following the public hearing on December 9, 2004, the Board adopted Resolution 04-44, in which the Board approved adoption of new section 93102.5, title 17, California Code of Regulations (CCR), as set forth in Attachment A and modified by Attachment B;

WHEREAS, Resolution 04-44 directed the Executive Officer to take final action to adopt the regulations set forth in Attachment A and Attachment B to Resolution 04-44, with such other conforming modifications as may be appropriate, to make the modified regulatory language and any additional supporting documents and information available to the public for a period of at least 15 days, to consider such written comments as may be submitted during this period, and to make such modifications as may be appropriate in light of the comments received, or to present the regulations to the Board for further consideration if she determines that this is warranted;

WHEREAS, on March 18, 2005, the modified regulations, reflecting the amendments approved by the Board and other changes made to best reflect the intent of the Board at the hearing, were made available for public comment for a period of at least 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44;

WHEREAS, no written comments were received during the 15-day comment period;

WHEREAS, the reporting requirements of the regulations which apply to businesses are necessary for the health, safety, and welfare of the people of the state.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 04-44 are incorporated by reference herein.

IT IS FURTHER ORDERED that new section 93102.5, title 17, CCR, is adopted as set forth in Attachment 1 hereto.

Executed this 20 day of July, 2005, at Sacramento, California.

/s/  
Catherine Witherspoon  
Executive Officer

Attachment