

State of California  
AIR RESOURCES BOARD

**EXECUTIVE ORDER R-08-005**

**Relating to the Adoption and Amendment of Regulations for the Certification and Testing of Gasoline Vapor Recovery Systems Using Aboveground Storage Tanks**

WHEREAS, on June 21, 2007, the Air Resources Board (the Board or ARB) conducted a public hearing to consider the adoption and amendment of regulations for the certification and testing of gasoline vapor recovery systems using aboveground storage tanks (AST), as set forth in the Initial Statement of Reasons released to the public on May 4, 2007;

WHEREAS, on June 21, 2007, the Board adopted Resolution 07-27, in which the Board approved the amendments to sections 94010 and 94011 and the adoption of new sections 93016 and 94168, title 17, California Code of Regulations (CCR), as set forth in Attachment A and modified by Attachment B thereto;

WHEREAS, Resolution 07-27 directed the Executive Officer to take final action to adopt and amend the regulatory requirements set forth in Attachment A and Attachment B to Resolution 07-27, with such other conforming modifications as might 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 might be submitted during this period, and to make such modifications as might be appropriate in light of the comments received, or to present the regulatory amendments to the Board for further consideration if he determined that this were warranted after review of the comments;

WHEREAS, on October 23, 2007 and November 5, 2007, 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, CCR, section 44;

WHEREAS, one comment letter was received during the supplemental 15-day comment period and the comments contained therein, as well as the comments received during the initial 45-day comment period, have been considered by the Executive Officer;

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 07-27 are incorporated by reference herein.

