

State of California  
AIR RESOURCES BOARD

**Notice of Public Availability of Modified Text**

**PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO NEW  
PASSENGER MOTOR VEHICLE GREENHOUSE GAS EMISSION STANDARDS FOR  
MODEL YEARS 2012-2016 TO PERMIT COMPLIANCE BASED ON FEDERAL  
GREENHOUSE GAS EMISSION STANDARDS**

Public Hearing Date: February 25, 2010  
Public Availability Date: March 11, 2010  
Deadline for Public Comment: March 26, 2010

At its February 25, 2010, public hearing, the Air Resources Board (ARB or Board) approved amendments to the California Code of Regulations, title 13, sections 1961 and 1961.1, and to the "California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles" incorporated by reference in CCR, title 13, section 1961(d) (as last amended December 2, 2009). The approved amendments allow automobile manufacturers to comply with California's passenger vehicle greenhouse gas standards for the 2012 through 2016 model years by demonstrating compliance with the United States Environmental Protection Agency (U.S. EPA) national greenhouse gas standards.

At the time of the hearing, U.S. EPA had not yet released a Final Rule for the national greenhouse gas program. Consequently, the amendments that were approved by the Board referenced sections of the Code of Federal Regulations (CFR) as they appeared in the federal Notice of Proposed Rulemaking. With the understanding that the federal Final Rule would not change the text of those CFR sections referenced and incorporated in the subject amendments proposed January 7, 2010, the Board approved allowing modifications to the proposed regulations. Board Resolution 10-15 approved with modifications sections 1961 and 1961.1, and the "California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," as provided in the 45-day notice. Subsequent to the hearing, staff determined it appropriate to issue this 15-day notice, accommodating a number of modifications based on comments received during the 45-day comment period, before U.S. EPA publishes its Final Rule. These changes are included in the amended regulatory language and test procedure language, as shown in the attachments to this notice. The resolution and all other regulatory documents for this rulemaking are available online at the following ARB website:

<http://www.arb.ca.gov/regact/2010/ghgpv10/ghgpv10.htm>

In accordance with the Government Code, section 11346.8, the Board directed the Executive Officer to adopt the amendments to the California Code of Regulations, title

13, section 1961.1, and the "California and Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium Duty-Vehicles," after making them available to the public for comment for a period of at least fifteen days. The Board further provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if warranted.

### Summary of Proposed Modifications

1. Section 1961.1(a)(1)(A)(ii)b. has been modified to allow manufacturers to demonstrate to ARB their compliance with the National greenhouse gas program by providing ARB with any documentation provided to them by EPA verifying compliance, rather than requiring an "official" document from EPA. This section has also been modified to allow manufacturers to submit this documentation to ARB within 30 days after receiving approval by U.S. EPA, rather than requiring them to submit it by May 1. These changes provide manufacturers with compliance flexibility;
2. Section 1961.1(a)(1)(A)(ii)c. has been modified to provide clarity to manufacturers on factors the Executive Officer will consider in reviewing for approval a manufacturer's plan to offset greenhouse debits;
3. The proposed modifications to section 1961.1(a)(1)(A)(ii)b. (item 1. above) have also been incorporated into subparagraph E.2.5.1(ii)(b) of the "California and Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium Duty-Vehicles";
4. The proposed modifications to section 1961.1(a)(1)(A)(ii)c. (item 2. above) have also been incorporated into subparagraph E.2.5.1(ii)(c) of the "California and Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium Duty-Vehicles";
5. Subparagraph I.1.5 of the "California and Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium Duty-Vehicles" have been modified to eliminate text that states that 2012-2016 model year vehicles that certify to the National greenhouse gas program are subject to in-use verification testing in California. Eliminating this language aligns it with the requirements for 2009-2011 model year vehicles;
6. Subparagraph I.2.4 of the "California and Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium Duty-Vehicles" have been modified to eliminate text that states that 2012-2016 model year vehicles that certify to the National greenhouse gas program are subject to in-use confirmatory testing in California. Eliminating this language aligns it with the requirements for 2009-2011 model year vehicles; and

7. Conforming changes have been made to Section 1961.1(a)(1)(A)(ii)b and throughout the "California and Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium Duty-Vehicles" to indicate the status of the National greenhouse gas program in the Federal Register.

Written comments will only be accepted on the modifications approved by the Board and may be submitted by postal mail or electronic mail submittal as follows:

Postal mail: Clerk of the Board, Air Resources Board  
1001 I Street, Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Gov. Code § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request. Additionally, this information may become available via Google, Yahoo, and other search engines.

In order to be considered by the Executive Officer, comments must be directed to ARB in one of the two forms described above and received by ARB by 5:00 p.m., on the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above-described modifications to the text of the regulations shall be considered by the Executive Officer.

If you need this document in an alternate format (i.e., Braille, large print, etc.) or another language, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 no later than five (5) business days from the release date of this notice. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Si necesita este documento en un formato alternativo (por decir, sistema Braille, o en impresión grande) u otro idioma, por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 o envíe un fax al (916) 322-3928 no menos de cinco (5) días laborales a partir de la fecha del lanzamiento de este aviso. Para el Servicio Telefónico de California para Personas con Problemas Auditivos, ó de teléfonos TDD pueden marcar al 711.

#### Attachments

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see ARB's website at [www.arb.ca.gov](http://www.arb.ca.gov)*