

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-12-015

*Relating to the Public Hearing to Amend the
California Consumer Products Regulation
Pertaining to Automotive Windshield Washer Fluid Products*

WHEREAS, on October 18, 2012, the Air Resources Board (ARB or Board) conducted a public hearing to consider for approval the proposed amendments to the California Consumer Products Regulation pertaining to automotive windshield washer fluid products, as set forth in the Initial Statement of Reasons released to the public on August 29, 2012;

WHEREAS, the environmental analysis included in the Initial Statement of Reasons, prepared in accordance with ARB's certified regulatory program and the policy and substantive requirements of the California Environmental Quality Act (CEQA), concluded that the amendments will not result in any significant adverse impacts on the environment;

WHEREAS, following the public hearing on October 18, 2012, the Board adopted Resolution 12-32, in which the Board approved for adoption the proposed amendments to sections 94508 and 94509, title 17, California Code of Regulations (CCR), as set forth in Attachment A thereto, with the modifications set forth in Attachment B thereto;

WHEREAS, Resolution 12-32 directed the Executive Officer to determine if additional conforming modifications to the regulation were appropriate and take final action to adopt the modified regulation after making the modified regulatory language and any additional supporting documents and information available to the public for a period of 15 days, consider such written comments as may be submitted during this period, make such further modifications as may be appropriate in light of the comments received, or return the regulatory amendments to the Board for further consideration if warranted;

WHEREAS, on November 6, 2012, the modified regulations, reflecting the amendments considered 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 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, CCR, section 44 and Government Code section 11340.85;

WHEREAS, Resolution 12-32 further directed the Executive Officer to consider and approve the written responses to any comments raising environmental issues in accordance with CCR, title 17, section 60007 prior to taking final action to adopt the regulatory amendments;

WHEREAS, written comments were received during the initial 45-day comment period and after issuance of the 15-day comment period, and oral comments were received as part of the testimony taken at the October 18, 2012, Board hearing, and among the comments received one comment raised an environmental issue; and

WHEREAS, pursuant to the Board's direction in Resolution 12-32, ARB staff has summarized and prepared written responses to comments including the comment raising an environmental issue in the Final Statement of Reasons (a copy of which is attached hereto as Attachment 2).

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 12-32 are incorporated herein.

IT IS FURTHER ORDERED, the written responses prepared to the comments received are hereby approved, including the written response to the environmental issue raised as required by CCR, title 17, section 60007.

IT IS FURTHER ORDERED that amendments to sections 94508 and 94509, title 17, CCR, are adopted as set forth in Attachment 1 hereto.

IT IS FURTHER ORDERED that the adopted regulatory text may be further revised with nonsubstantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this 15th day of March 2013 at Sacramento, California.

/s/

James N. Goldstene
Executive Officer

Attachments