

**CALIFORNIA AIR RESOURCES BOARD
2016 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2015

Subject: Proposed Amendments to the Portable Fuel Container Program		CCR Title & Sections Affected: Title 13, § 2467	Statute(s) Being Implemented: Health & Saf. Code §§ 39600, 39601, 43013, 43018, 43101			
Responsible Agency Unit: Monitoring and Laboratory Division	Contact Person & Phone Number: Matthew Holmes (916) 322-8913 Angus MacPherson (916) 445-4686	Projected Dates:				
		Notice Published: 01/01/2016	Public Hearing: 02/18/2016	Approval by ARB: 02/18/2016	To OAL for review: 12/30/2016	
Summary: Staff will present for Board consideration proposed amendments to the portable fuel container (PFC) regulations, specifically requiring the use of fuel containing 10 percent ethanol to perform certification and compliance testing for evaporative emissions, and improvements to the certification and test procedures. These amendments will ensure future PFC meet existing ARB evaporative emission standards using commercially available gasoline, while also addressing recognized compliance issues and harmonizing where feasible with comparable U.S. EPA regulations.						

Subject: Proposed Amendments to the Small Containers of Automotive Refrigerants Regulation		CCR Title & Sections Affected: Title 17, §§ 95360 – 95370	Statute(s) Being Implemented: Health & Saf. Code § 38500 et seq.			
Responsible Agency Unit: Research Division	Contact Person & Phone Number: Winston Potts, (916) 323-2537 Dongmin Luo, (916) 324-8496	Projected Dates:				
		Notice Published: 01/29/2016	Public Hearing: 03/17/2016	Approval by ARB: 03/17/2016	To OAL for review: 01/27/2017	
Summary: Staff will present for Board consideration proposed amendments to the automotive refrigerants regulation to modify the container deposit and return program. Specifically, section 95366 will be modified to clarify that unreturned container deposit money accruing at the product retailers will be transferred to the appropriate manufacturers for enhanced outreach and educational programs. The language may also include clarification of certain elements of the regulation.						

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Subject: Proposed Amendments to California Evaluation Procedure for New Aftermarket Diesel Particulate Filters Intended as Modified Parts for 2007 through 2009 On-Road Heavy-Duty Diesel Engines		CCR Title & Sections Affected: Title 13, § 2222		Statute(s) Being Implemented: Health & Saf. Code §§ 39600, 39601, 43000, 43000.5, 43011, and 43017 and Vehicle Code §§ 27156 and 38391 and 38395. Reference: Health & Saf. Code §§ 39002, 39003, 39500, 43000, 43000.5, 43009.5, 43011, 43107, 43204, 43205, 43205.5, and 43644; and Vehicle Code §§ 27156, 38391 and 38395.			
Responsible Agency Unit: Emission Compliance, Automotive Regulations and Science Division	Contact Person & Phone Number: Shawn Daley (626) 575-6972	Projected Dates:					
		Notice Published: 03/04/2016	Public Hearing: 04/21/2016	Approval by ARB: 04/21/2016	To OAL for review: 03/03/2017		
Summary: Staff will present for Board consideration proposed amendments to establish procedures for approving non-original equipment manufacturer aftermarket diesel particulate filters for 2007 to 2009 model year on-road heavy duty diesel engines.							

Subject: Proposed Greenhouse Gas Emission Standards for Crude Oil and Natural Gas Facilities Regulation		CCR Title & Sections Affected: Title 17, Subchapter 10, Article 4, Subarticle 13, §§ 95665 – 95674 (new)		Statute(s) Being Implemented: Sen. Bill No. 4, Stat. 2013, Ch. 313, Pub. Resources Code § 3150 et seq.; and Assembly Bill No. 32, Stat. 2006, Ch. 488, Health & Saf. Code § 38500 et seq.			
Responsible Agency Unit: Industrial Strategies Division	Contact Person & Phone Number: Joe Fischer (916) 445-0071 Joelle Howe (916) 322-6349	Projected Dates:					
		Notice Published: 04/01/2016	Public Hearing: 05/19/2016 & 09/22/2016	Approval by ARB: 09/22/2016	To OAL for review: 03/30/2017		

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Summary:
Staff will present for Board consideration a proposed regulation for operating practices, equipment design, and control strategies to reduce methane emissions from oil and gas operations, including production, processing, storage, and natural gas transmission compressor stations. There will also be Volatile Organic Compound (VOC) and Toxic Air Contaminant (TAC) emission reductions co-benefits.

Subject: Proposed Regulation for the Renewable Portfolio Standard Enforcement Program		CCR Title & Sections Affected: Title 17, § 60095 (new section).		Statute(s) Being Implemented: Health & Saf. Code §§ 38580, 39600, 39601, 42402, 42402.1, 42402.2, 42402.3, 42402.4, and 42403, and Pub. Utilities Code § 399.30			
Responsible Agency Unit: Industrial Strategies Division	Contact Person & Phone Number: Dave Mehl (916) 323-1491	Projected Dates:					
		Notice Published: 04/01/2016	Public Hearing: 05/19/2016	Approval by ARB: 05/19/2016	To OAL for review: 03/30/2017		

Summary:
Staff will present for Board consideration a proposed regulation to implement the enforcement responsibilities conferred upon ARB in Sen. Bill No. 2 of the first extraordinary session of 2011, and by Sen. Bill No. 350, Ch. 547 of the Statutes of 2015, for ARB to assess penalties, upon referral by the California Energy Commission, on publicly owned utilities that fail to comply with the Renewable Portfolio Standard.

Subject: Proposed Amendments to the Off-Road Large Spark-Ignition Engine Fleet Regulation		CCR Title & Sections Affected: Title 13 §§ 2775 – 2775.2		Statute(s) Being Implemented: Health & Saf. Code §§ 39600, 39601, 43013, 43018, 43101, and 43105			
Responsible Agency Unit: Mobile Source Control Division	Contact Person & Phone Number: Todd Sterling (916) 323-2397	Projected Dates:					
		Notice Published: 04/01/2016	Public Hearing: 05/19/2016	Approval by ARB: 05/19/2016	To OAL for review: 03/30/2017		

Summary:
Staff will present for Board consideration proposed amendments to the Large Spark Ignition Fleet Requirements for forklifts, sweeper/scrubbers, industrial tow tractors, and airport ground support equipment. The proposed amendments would, among other things, establish reporting and labeling requirements for affected vehicles, and edit regulatory language to improve clarity.

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Subject: Proposed Amendments to the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions		CCR Title & Sections Affected: Title 17, §§ 95100 – 95158		Statute(s) Being Implemented: Health & Saf. Code § 38500 et seq.			
Responsible Agency Unit: Industrial Strategies Division	Contact Person & Phone Number: Patrick Gaffney (916) 322-7303 Brienne Aguilera (916) 324-0919	Projected Dates:					
		Notice Published: 05/06/2016	Public Hearing: 06/23/2016 & TBD 2017	Approval by ARB: TBD 2017	To OAL for review: 05/05/2017		
Summary: Staff will present for Board consideration proposed amendments to the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions continue ensuring reported greenhouse gas data are accurate and fully support the California Cap on Greenhouse Gas Emissions and Market Based Compliance Mechanisms (title 17, § 95800 et seq.) (Cap-and-Trade Regulation) for the third compliance period and the post-2020 program, other ARB climate programs, and the federal Clean Power Plan (§111(d)). This is the first of two hearings and the second hearing will take place in 2017.							

Subject: 2016 Proposed Amendments to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms		CCR Title & Sections Affected: Title 17, §§ 95800 – 96022		Statute(s) Being Implemented: Health & Saf. Code § 38500 et seq.			
Responsible Agency Unit: Industrial Strategies Division	Contact Person & Phone Number: Mark Sippola (916) 323-1095 Rajinder Sahota (916) 323-8503	Projected Dates:					
		Notice Published: 05/06/2016	Public Hearing: 06/23/2016 & TBD 2017	Approval by ARB: TBD 2017	To OAL for review: 05/05/2017		
Summary: Staff will present for Board consideration proposed amendments to the Cap-and-Trade Regulation that will apply to the Cap-and-Trade Program's third compliance period and the U.S. EPA's Clean Power Plan. The amendments will incorporate new provisions, streamline Regulation requirements and implementation, support the state's commitment plan for the federal Clean Power Plan, and update the regulation to reflect the most recent data and information. This is the first of two hearings and the second hearing will take place in 2017.							

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2015

Subject: Proposed Amendments to Reduce Allowable Opacity Limits in the Heavy-Duty Vehicle Inspection and Periodic Smoke Inspection Programs for Trucks Equipped with Diesel Particulate Filters		CCR Title & Sections Affected: Title 13, §§ 2180 – 2194		Statute(s) Being Implemented: Health & Saf. Code §§ 44011.6 and 43701			
Responsible Agency Unit: Mobile Source Control Division	Contact Person & Phone Number: Jason Hill-Falkenthal (626) 350-6476	Projected Dates:					
		Notice Published: 05/06/2016	Public Hearing: 06/23/2016	Approval by ARB: 06/23/2016	To OAL for review: 05/05/2017		
Summary: Staff will present for Board consideration proposed amendments to the current Heavy-Duty Periodic Smoke Inspection program. The primary change will involve lowering the existing opacity limit (40 percent) down to a more appropriate/effective level to account for the widespread use of aftertreatment devices (i.e. diesel particulate filters). Other clarifying revisions will also be proposed.							

Subject: Proposed Regulation of the Certification and Aftermarket Part Approval Flexibility for Innovative Medium-and Heavy-Duty Engine and Vehicle Technologies Regulation (Innovative Technology Regulation)		CCR Title & Sections Affected: Title 13, § 2208		Statute(s) Being Implemented: Health & Saf. Code §§ 39600, 39601, 39602.5, 43013, 43018, 43100, 43101, 43102, 43104, 43105, and 43106. Reference: §§ 43000, 43000.5.			
Responsible Agency Unit: Mobile Source Control Division	Contact Person & Phone Number: Joe Calavita (916) 445-4586	Projected Dates:					
		Notice Published: 05/06/2016	Public Hearing: 06/23/2016	Approval by ARB: 06/23/2016	To OAL for review: 05/05/2017		
Summary: Staff will present for Board consideration a proposed regulation to provide certification and on-board diagnostics compliance flexibility to encourage accelerated deployment of heavy-duty hybrid vehicles, engines meeting California's optional low oxides of nitrogen (NOx) standard, and other truck and bus technologies the State needs to meet its long-term air quality and climate goals. The proposed regulation will also include proposed certification procedures for truck and bus hybrid conversion systems, and test procedures for evaluating potential emission impacts of medium- and heavy-duty vehicle hybridization.							

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2015

Subject: Proposed Amendments to AB 2588 Hot Spots Emission Inventory Criteria and Guidelines Regulation and Fee Regulation		CCR Title & Sections Affected: Title 17, §§ 93300.5, 90700-90704		Statute(s) Being Implemented: Health & Saf. Code §§ 44380, 44300-44394			
Responsible Agency Unit: Air Quality Planning and Science Division	Contact Person & Phone Number: Sylvia Vanderspek (916) 324-7163 Gabe Ruiz (916) 322-7673	Projected Dates:					
		Notice Published: 06/03/2016	Public Hearing: 07/21/2016	Approval by ARB: 07/21/2016	To OAL for review: 06/02/2017		
Summary: Staff will present for Board consideration proposed amendments to the Assembly Bill No. 2588 Hot Spots Emission Inventory Criteria and Guidelines Regulation and Fee Regulation to address changes in Office of Environmental Health Hazard Assessment (OEHHA) risk guidelines.							

Subject: Proposed Regulatory Amendments to Address Gasoline Station Overpressure		CCR Title & Sections Affected: Title 17, §§ 94010, 94011, and 94016. Title 13, § 2235		Statute(s) Being Implemented: Health & Saf. Code §§ 25290.1.2, 39003, 39515, 39600, 39601, 39607, 40001, 41511, 41954, 41956.1, 41959, 41960, 41960.2, 43000, 43013, 43018, 43101, 43104, 43106, 43107, 43204, and 43835. Vehicle Code §§ 28111 and 28112			
Responsible Agency Unit: Monitoring and Laboratory Division and Emissions Compliance, Automotive Regulations, and Science Division	Contact Person & Phone Number: John Marconi (MLD) (916) 323-6752 Lou Dinkler (MLD) (916) 324-9487 Jackie Lourenco (ECARS) (626) 450-6152 Jason Gordon (ECARS) (626) 575-7068	Projected Dates:					
		Notice Published: 08/05/2016	Public Hearing: 09/22/2016	Approval by ARB: 09/22/2016	To OAL for review: 08/04/2017		
Summary: Staff will present for Board consideration proposed amendments to regulations regarding procedures to certify and test vapor recovery systems used at gasoline dispensing facilities (GDF or gas stations). The certification systems include in-station diagnostics (ISD) similar to on-board diagnostic on cars that provide warning to gas station operators when there is high likelihood of vapor recovery equipment failures so repairs can be carried out expeditiously. Staff will propose a number of station- and vehicle-specific solutions to address ISD nuisance overpressure alarms that are experienced by GDFs primarily during periods when winter gasoline is sold (typically between November and March).							

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2015

Subject: Proposed Amendments to the Advanced Clean Transit Regulation (Currently Titled Fleet Rule for Transit Agencies)		CCR Title & Sections Affected: Title 13, §§ 2020 – 2023.4 and new sections to be added		Statute(s) Being Implemented: Health & Saf. Code §§ 39600, 39601, and 43018.5. Reference: §§ 39002, 39003, 39650-39675, 43000, 43013, 43018, 43018.5, 43101, 43102, 43104, 43105 and 43700.			
Responsible Agency Unit: Mobile Source Control Division	Contact Person & Phone Number: Yachun Chow (916) 322-7450	Projected Dates:					
		Notice Published: 08/05/2016	Public Hearing: 09/22/2016 & TBD 2017	Approval by ARB: TBD 2017	To OAL for review: 08/04/2017		
Summary: Staff will present for Board consideration proposed amendments to the Advanced Clean Transit Regulation, (currently titled Fleet Rule for Transit Agencies). The proposed amendments would accelerate the introduction and deployment of near- and zero emission technology vehicles into transit fleets to continue to reduce criteria pollutants and toxic air contaminants. The amendments will help achieve goals of the Global Warming Solutions Act, Assembly Bill No. 32, stats. 2006, Ch. 488, and the Clean Energy and Pollution Reduction Act of 2015, Sen. Bill No. 350, stats. 2015, Ch. 547, adding, among other things, Public Utilities Code § 740.12. The proposed amendment could include, among other elements: (1) phase-in zero emission bus purchase requirements; (2) use of renewable fuels; (3) use of low oxides of nitrogen (NOx) engines upon availability; and (4) regional flexibility of utilizing other zero emission transportation modes.							

Subject: Proposed Amendments to the Antiperspirant and Deodorant Regulation; Consumer Products Regulation; Alternative Control Plan for Consumer Products Regulation and Test Method 310.		CCR Title & Sections Affected: Title 17, §§ 94500 – 94506.5; 94507 – 94517; 94540 – 94555		Statute(s) Being Implemented: Health & Saf. Code §§ 38500 et seq., 39650 et seq., 39666, 41712			
Responsible Agency Unit: Air Quality Planning and Science Division	Contact Person & Phone Number: Ravi Ramalingam (916) 322-2885	Projected Dates:					
		Notice Published: 09/02/2016	Public Hearing: 10/20/2016	Approval by ARB: 10/20/2016	To OAL for review: 09/01/2017		

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Summary:
Staff will present for Board consideration proposed amendments to the Consumer Products Regulations. These will include potential recommendations to exempt 2-amino-2-methyl-1-propanol (AMP) and trans-1- 3,3,3-trifluoropropene (1233zd(E)) from the VOC definition, make minor administrative changes to clarify the scope of the Alternative Control Plan regulation, and updates to Test Method 310 to reflect the most recent version of ASTM test methods referenced in Test Method 310.

Subject: Proposed Amendments to the Management of High Global Warming Potential Refrigerants for Stationary Sources Regulation		CCR Title & Sections Affected: Title 17, §§ 95380 – 95398		Statute(s) Being Implemented: Health & Saf. Code § 38500 et seq.			
Responsible Agency Unit: Research Division	Contact Person & Phone Number: Kenneth Bowers, (916) 323-1510 Pamela Gupta, (916) 327-0604	Projected Dates:					
		Notice Published: 09/02/2016	Public Hearing: 10/20/2016	Approval by ARB: 10/20/2016	To OAL for review: 09/01/2017		

Summary:
Staff will present for Board consideration proposed amendments to the refrigerant regulation consisting of language clarifications and removing outdated elements. Additional elements will be added to enhance enforceability and rule effectiveness to achieve desired emission reductions.

Subject: Proposed Amendments to the Low Carbon Fuel Standard Monitoring, Reporting, Verification, and Sustainability Certification Requirements		CCR Title & Sections Affected: Title 17, §§ 95480, 95481, 95482, 95483, 95483.1, 95483.2, 95484, 95485, 95486, 95487, 95488, 95489, 95491, 95492, 95493, 95494, 95495, 95496, and 95497,		Statute(s) Being Implemented: Health & Saf. Code § 38500 et seq.			
Responsible Agency Unit: Industrial Strategies Division	Contact Person & Phone Number: Jim Aguila (916) 322-8283 Sam Wade (916) 322-8263	Projected Dates:					
		Notice Published: 09/30/2016	Public Hearing: 11/17/2016	Approval by ARB: 11/17/2016	To OAL for review: 09/29/2017		

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Summary:
Staff will present for Board consideration a proposed amendment establishing a program to monitor and verify the carbon intensity of all Low Carbon Fuel Standard (LCFS) fuel pathways and to voluntarily certify that the fuel produced under certain pathways was produced sustainably. Staff will also present amendments to align LCFS reporting with the Regulation for Mandatory Reporting of Greenhouse Gases.

Subject: Proposed Amendments to the Small Off-Road Engine (SORE) Program		CCR Title & Sections Affected: Title 13, §§ 2750 – 2773		Statute(s) Being Implemented: Health & Saf. Code §§ 39600, 39601, 43013			
Responsible Agency Unit: Monitoring and Laboratory Division	Contact Person & Phone Number: Christopher Dilbeck (916) 319-0106 Angus MacPherson (916) 445-4686	Projected Dates:					
		Notice Published: 09/30/2016	Public Hearing: 11/17/2016	Approval by ARB: 11/17/2016	To OAL for review: 09/29/2017		

Summary:
Staff will present for Board consideration proposed amendments to the small off-road engine (SORE) regulations, specifically requiring the use of fuel containing 10 percent ethanol to perform certification and compliance testing for evaporative emissions, and improvements to the certification and test procedures. These amendments will ensure future SORE meet existing ARB evaporative emission standards using commercially available gasoline, while also addressing recognized compliance issues and harmonizing where feasible with comparable U.S. EPA regulations.

Subject: Proposed Amendments to the Off-Highway Recreational Vehicle (OHRV) Red Sticker Program		CCR Title & Sections Affected: Title 13, §§ 2410 – 2415		Statute(s) Being Implemented: Health & Saf. Code, §§ 43013, 43101, 43107			
Responsible Agency Unit: Monitoring and Laboratory Division	Contact Person & Phone Number: Cassandra Lopina (916) 322-2411 Scott Bacon (916) 322-8949	Projected Dates:					
		Notice Published: 09/30/2016	Public Hearing: 11/17/2016	Approval by ARB: 11/17/2016	To OAL for review: 09/29/2017		

Summary:
Staff will present for Board consideration proposed amendments repealing the current red sticker program for off-highway recreational vehicles (OHRV). Red sticker OHRV are exempt from all emissions control requirements, and their use on public lands in ozone non-attainment areas is subject to seasonal restrictions. Under staff's proposal, all new OHRV used for recreational riding would be subject to emissions control requirements, while only those vehicles used exclusively in competition would be exempt.

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Subject: Proposed Amendments to the Hexavalent Chromium Airborne Toxic Control Measure (ATCM) for Chrome Plating and Chromic Acid Anodizing Operations		CCR Title & Sections Affected: Title 17, § 93102 – 93102.16		Statute(s) Being Implemented: Health & Saf. Code §§ 39665 – 39666			
Responsible Agency Unit: Transportation and Toxics Division	Contact Person & Phone Number: Robert Krieger (916) 323-1202 Michelle Komlenic (916) 322-3926	Projected Dates:					
		Notice Published: 09/30/2016	Public Hearing: 11/17/2016	Approval by ARB: 11/17/2016	To OAL for review: 09/29/2017		
Summary: Staff will present for Board consideration proposed amendments to the chrome plating ATCM to align with U. S. EPA's amendments to the National Emission Standards for Hazardous Air Pollutants – Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. The primary changes proposed are to revise the surface tension limits and phase out the use of perfluorinated octane sulfonate's (PFOS) in fume suppressants to make consistent with the federal regulation.							

Subject: Proposed Amendments to the Air Cleaner Regulation		CCR Title & Sections Affected: Title 17, §§ 94800 – 94810		Statute(s) Being Implemented: Health & Saf. Code § 41985			
Responsible Agency Unit: Research Division	Contact Person & Phone Number: Qunfang (Zoe) Zhang, (916) 323-2257 Peggy Jenkins, (916) 323-1504	Projected Dates:					
		Notice Published: 10/28/2016	Public Hearing: 12/15/2016	Approval by ARB: 12/15/2016	To OAL for review: 10/27/2017		
Summary: Staff will present for Board consideration proposed amendments to the Air Cleaner Regulation, including updating the test standards, refining compliance requirements, and revising exemption criteria including possible removal of the exemption for in-duct air cleaners.							

Subject: Proposed Amendments to the Airborne Toxic Control Measure for Auxiliary Diesel Engines Operated on Ocean-Going Vessels At-Berth in a California Port		CCR Title & Sections Affected: Title 17, § 93118.3		Statute(s) Being Implemented: Health & Saf. Code §§ 38501, 38510, 38550, 38551, 38560, 38560.5, 38561, 38562, 38564, 38565, 38580, 38590, 39600, 39601, 39650, 39658, 39659, 39666, 41511, 43013, and 43018. Reference: §§ 38501, 38510, 38550, 38551, 38560, 38560.5,			
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		38561, 38562, 38564, 38565, 38580, 38590, 39600, 39601, 39650, 39658, 39659, 39666, 41510, 41511, 43013, and 43018			
Responsible Agency Unit: Transportation and Toxics Division	Contact Person & Phone Number: Angela Csondes (916) 323-4882 Jonathan Foster (916) 327-1512	Projected Dates:			
		Notice Published: 10/28/2016	Public Hearing: 12/15/2016	Approval by ARB: 12/15/2016	To OAL for review: 10/27/2017
Summary: Staff will present for Board consideration proposed amendments to the existing regulations that require emission reductions from auxiliary engines for ocean going vessels while at-berth. These amendments will address specific compliance concerns, clarify regulatory language, and maintain existing emission reduction requirements. In addition, these amendments, based on feasibility and cost effectiveness, aim to expand the At-Berth regulation to include smaller fleets and/or additional vessel types. Because the proposed amendments may regulate additional entities and vessel types, the amendments may require new equipment and changes to existing infrastructure.					

CALIFORNIA AIR RESOURCES BOARD

REPORT ON THE STATUS OF ALL UNCOMPLETED RULEMAKINGS DESCRIBED ON 2015 CALENDAR:

Subject: On-Board Diagnostics System Requirements	Projected Dates:		
	Notice Published: 08/04/2015	Public Hearing: 09/24/2015	To OAL for review: 08/05/2016

Subject: Vapor Recovery Equipment Defects List	Projected Dates:		
	Notice Published: 10/30/2015	Public Hearing: N/A	To OAL for review: 10/23/2016