

**Board Administration and Regulatory Coordination Unit**

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**Division 3. Air Resources Board**

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**Chapter 1. Air Resources Board**

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**Subchapter 8.5 Consumer Products**

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**Article 5. Hairspray Credit Program**

**§ 94565. Issuance of Hairspray Emission Reduction Credits.**

(a) After evaluating an application to request HERCs in accordance with the requirements specified in section 94563, the Executive Officer shall determine whether HERCs should be issued to the responsible party. In addition, the Executive Officer shall issue and certify the HERCs only if the Executive Officer is satisfied that the application provides sufficient and verifiable information to assure that surplus emission reductions have been generated. The Executive Officer shall issue HERCs by means of an Executive Order that certifies the HERCs as follows:

(1) Each HERC has been calculated in accordance with the protocol specified in section 94564 and is otherwise in compliance with this article and any applicable federal requirements.

(2) Each HERC is for surplus emission reductions.

(3) Each HERC is expressed as a pound of surplus VOC emission reductions.

(4) Each HERC has been assigned an expiration date that is five years after the issuance date of the Executive Order or a January 1, 2005, expiration date, whichever is later, after which the ability to use the HERC ceases.

(b) On January 1, 2010, all outstanding HERCs shall expire, and may no longer be used.

NOTE: Authority cited: Sections 39600, 39601 and 41712, Health and Safety Code. Reference: Sections 39002, 39600, 40000 and 41712, Health and Safety Code.

REFERENCE