

**State of California
AIR RESOURCES BOARD**

Portable Fuel Containers and Spouts

EXECUTIVE ORDER G-10-088A

Scepter Corporation, Portable Fuel Containers

WHEREAS, the California Air Resources Board (ARB) has established, pursuant to California Health and Safety Code, sections 39600, 39601, and 43013, criteria for obtaining certification of a portable fuel container, spout, or a portable fuel container and spout in "CP-501, Certification Procedure for Portable Fuel Containers and Spill-Proof Spouts," adopted July 26, 2006, incorporated by reference in California Code of Regulations, title 13, sections 2467.2 and 2467.8;

WHEREAS, "CP-501, Certification Procedure for Portable Fuel Containers and Spill-Proof Spouts," adopted July 26, 2006, (hereinafter "Certification Procedure") incorporated by reference in Cal. Code Regs., title 13, sections 2467.2 and 2467.8, requires that an application for certification include the results for each test specified in ARB's Test Procedure TP-501, Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems (July 26, 2006), and ARB Test Procedure TP-502, Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers (July 26, 2006);

WHEREAS, section 1, of the Certification Procedure provides that an executive order (EO) will only be issued for a portable fuel container, spout, or both portable fuel container, and spout that demonstrates compliance with all applicable certification requirements;

WHEREAS, section 3, of the Certification Procedure requires an applicant to submit specified information in its application for certification;

WHEREAS, section 5, of the Certification Procedure provides that the ARB Executive Officer shall evaluate each application for certification of a spill-proof system or spill-proof spout, to determine if the spill-proof system or spill-proof spout complies with the criteria for issuance of an EO;

WHEREAS, I find it necessary to revise EO G-10-088 to add a new 2.9-gallon gasoline model to be sold under the name ski-doo;

WHEREAS, Scepter Corporation has submitted an application for certification of the following products identified in Table 1 to be sold under the brand name Scepter ECO with the exception of the previously mentioned 2.9-gallon model each with model number LV-06 Scepter ECO Spouts: (hereinafter referred to as "Portable Fuel Container system" or "PFC");

Table 1
Scepter Portable Fuel Containers:

Model Number 08631	6.6-gallons capacity gasoline container
Model Number 05086	5.3-gallons capacity gasoline container
Model Number 07657	5.3-gallons capacity gasoline container
Model Number 05096	5.0-gallons capacity gasoline container
Model Number 09484	2.9-gallons capacity gasoline container
Model Number 07378	2.5-gallons capacity gasoline container
Model Number 07450	1.25-gallons capacity gasoline container
Model Number 05090	5.3-gallons capacity diesel fuel container
Model Number 05898	5.0-gallons capacity diesel fuel container
Model Number 05092	5.0-gallons capacity kerosene container

WHEREAS, Scepter Corporation has submitted data generated from each test specified in ARB Test Procedure TP-501, Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems (July 26, 2006), and ARB Test Procedure TP-502, Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers (July 26, 2006), that demonstrates its PFCs comply with the criteria specified in section 2, of the Certification Procedure;

WHEREAS, Scepter Corporation has submitted information demonstrating that its PFCs comply with the requirements of American Society for Testing and Materials Standards (ASTM) F-852-99 (March 10, 1999), and ASTM F-976-02 (May 10, 2002);

WHEREAS, Scepter Corporation has submitted a copy of the warranty language and operating instructions specified in section 2 of the Certification Procedure;

WHEREAS, Scepter Corporation is not participating in the Optional Consumer Acceptance Program for its PFCs;

WHEREAS, Scepter Corporation has submitted all of the information specified in section 3 of the Certification Procedure in its application for certification of its PFCs;

WHEREAS, Scepter Corporation's application for certification of its PFCs has been evaluated, and its PFCs have been found to comply with the criteria for the issuance of an EO; and

WHEREAS, Pursuant to California Health and Safety Code, sections 39515 and 39516, the ARB executive officer issued EO P-07-002 delegating to the Chief of ARB Monitoring and Laboratory Division (MLD) the authority to certify portable fuel containers, spouts, or both portable fuel containers and spouts.

NOW, THEREFORE, I, Alberto Ayala, Chief of MLD, find that the Scepter Corporation PFCs identified in Table 1 conform to the performance requirements set forth in Cal. Code Regs., title 13, section 2467, when tested in accordance with TP-501 and TP-502.

