

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-12-014

Relating to the Amendments to California's existing Regulation for the Mandatory Reporting of Greenhouse Gas Emissions and Conforming Amendments to the Definition Sections of the AB 32 Cost of Implementation Fee Regulation and the Cap-and-Trade Regulation

WHEREAS, on September 20, 2012 the Air Resources Board (ARB or Board) conducted a public hearing to consider approval of proposed amendments to California's existing regulation for the mandatory reporting of greenhouse gas emissions and conforming amendments to the definition sections of the AB 32 cost of implementation fee regulation and the cap-and-trade regulation, as set forth in the Initial Statement of Reasons released to the public on August 1, 2012;

WHEREAS, following the public hearing, the board approved Resolution 12-25, in which the Board approved for adoption the proposed amendments and directed the Executive Officer to determine if the additional conforming modifications to the regulations are appropriate. The Board further directed that if no additional modifications are appropriate, the Executive Officer shall take final action to adopt the regulation, as set forth in Attachment A thereto, with the modifications set forth in Attachments B and C thereto;

WHEREAS, on October 12, 2012, the modified regulations, reflecting the amendments approved by the Board and other changes made to 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, California Code of Regulations (CCR), section 44;

WHEREAS, six written comment letters were received during the 15-day comment period and those comments have been considered by the Executive Officer; and

WHEREAS, in accordance with CEQA and ARB's certified regulatory program, ARB determined that the Amendments would not result in any significant environmental impacts.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 12-25 are incorporated herein.

IT IS FURTHER ORDERED that the amendments to sections 95101, 95102, 95103, 95104, 95105, 95111, 95112, 95113, 95114, 95115, 95119, 95120, 95121, 95122, 95123, 95150, 95151, 95152, 95153, 95154, 95155, 95156, and 95157, title 17, CCR, and the adoption of new section 95158, title 17, CCR, as set forth in attachment 1 hereto, are adopted.

Executive Order, R-12-014

IT IS FURTHER ORDERED that the amendments to section 95802, title 17, CCR (Cap-and-Trade), and the amendments to section 95202, title 17, CCR (AB 32 Cost of Implementation Fee Regulation) as set forth in attachments 2 and 3 hereto, are adopted.

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

Executed this 02 day of November 2012, at Sacramento, California.

/s/

James N. Goldstene
Executive Officer

Attachments