

**State of California
Office of Administrative Law**

**In re:
Air Resources Board**

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Regulatory Action:

Government Code Section 11349.3

Title 17, California Code of Regulations

OAL File No. 2014-1114-07 S

Adopt sections:


**Amend sections: 95802, 95830, 95833,
95852, 95852.2, 95890,
95892, 95895, 95921,
95973, 95975, 95976,
95981, 95983, 95985,
95990**

Repeal sections:

This rulemaking action by the California Air Resources Board (ARB) amends the California Cap-and-Trade Program in an effort to provide additional details to clarify implementation, address stakeholder concerns regarding registration of corporate associations, clarify offset transfer price reporting, modify allocation for two entities and modify existing offset protocols. Specific areas of amendment include: Clarify how producers quantify their product data; Alter allowance allocation for two covered entities based on new information; Include a compliance obligation for imported carbon dioxide; Update the Ozone Depleting Substances Protocol, the Livestock Protocol, and the U.S. Forest Protocol for quantification methods; and Modify requirements related to compliance, corporate association disclosures, and offset transfer price reporting.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 1/1/2015.

Date: 12/31/2014


Peggy J. Gibson
Senior Attorney

For: DEBRA M. CORNEZ
Director

Original: Richard W. Corey
Copy: Amy Whiting

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULAR

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2014-0718-03	REGULATORY ACTION NUMBER 2014-1114-07S	EMERGENCY NUMBER
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ENDORSED FILED
IN THE OFFICE OF

2014 DEC 31 PM 3:45

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

For use by Office of Administrative Law (OAL) only

2014 NOV 14 PM 4:37

OFFICE OF ADMINISTRATIVE LAW

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY Air Resources Board	AGENCY FILE NUMBER (if any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Cap and Trade 2014	TITLE(S) 17	FIRST SECTION AFFECTED 95802	2. REQUESTED PUBLICATION DATE August 1, 2014
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Amy Whiting	TELEPHONE NUMBER 916.322.6533	FAX NUMBER (Optional) 916.322.3928
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2014,312	PUBLICATION DATE 8/1/2014	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Cap and Trade Regulation Amendments September 2014	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)
ADOPT
AMEND See Attachment
REPEAL
TITLE(S) 17

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
 October 2, 2014 - October 17, 2014

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
 Effective on filing with Secretary of State
 \$100 Changes Without Regulatory Effect
 Effective other (Specify) **January 1, 2015**

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660)
 Fair Political Practices Commission
 State Fire Marshal
 Other (Specify) _____

7. CONTACT PERSON Amy J. Whiting, Regulations Coordinator	TELEPHONE NUMBER 916.322.6533	FAX NUMBER (Optional) 916.322.3928	E-MAIL ADDRESS (Optional) awhiting@arb.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Richard W. Corey</i>	DATE November 14, 2014
TYPED NAME AND TITLE OF SIGNATORY Richard W. Corey, Executive Officer	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

DEC 31 2014

Office of Administrative Law

ATTACHMENT

STD. 400 NOTICE PUBLICATION/REGULATIONS SUBMISSION

B. SUBMISSION OF REGULATIONS

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S)

TITLE(S) 17	
AMEND	95802, 95830, 95833, 95852, 95852.2, 95890, 95892, 95895, 95920, 95921, 95973, 95975, 95976, 95983, 95985, and 95990.