

**Public Hearing to Consider the Proposed
California Corporate Greenhouse Gas
Reporting and Climate-Related Financial
Risk Disclosure Initial Regulation**

**Final Statement of Reasons for Rulemaking,
Including Summary of Comments and
Agency Response**

*Public Hearing Date: February 26, 2026
Agenda Item No.: 26-1-3.*

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I. General

In this rulemaking, the California Air Resources Board (CARB) has developed the Proposed California Corporate Greenhouse Gas Reporting and Climate-Related Financial Risk Disclosure Initial Regulation (referred to herein as the “Regulation”). The Staff Report: Initial Statement of Reasons for Rulemaking (Staff Report), titled “Public Hearing to Consider the Proposed California Corporate Greenhouse Gas Reporting and Climate-Related Financial Risk Disclosure Initial Regulation,” released December 9, 2025, is incorporated by reference herein. The Staff Report describes the rationale for the proposal. The originally proposed text of new sections 96070 through 96077, Title 17, California Code of Regulations, was included as Appendix A-1 and A-2 to the Staff Report. On December 23, 2025, all references relied upon and identified in the Staff Report were made available to the public for review and comment.

In 2023 the State Legislature enacted two laws: the Climate Corporate Data Accountability Act (Health and Safety Code section 38532)¹ and the Climate-Related Financial Risk Reporting Act (Health and Safety Code section 38533).² These statutes, amended by Senate Bill (SB) 219 in 2024, mandate large U.S.-based companies doing business in California to disclose greenhouse gas (GHG) emissions and climate-related financial risks. Health and Safety Code section 38532 applies to entities with over \$1 billion in annual revenue and requires annual reporting of Scope 1, Scope 2, and Scope 3 GHG emissions. Health and Safety Code section 38533 applies to entities with over \$500 million in annual revenue and mandates biennial reporting of climate-related financial risks and mitigation strategies. These laws aim to inform and protect California stakeholders and build on California’s continued climate leadership to help advance transparency around corporate GHG emissions and assess climate-related risks.

To provide resources for implementing these programs, CARB developed as part of the Regulation provisions for funding operations through two new funds: the Climate Accountability and Emissions Disclosure Fund and the Climate-Related Financial Risk Disclosure Fund. In addition to establishment of the fee program, the Regulation also establishes an initial first year reporting deadline of August 10, 2026, for Scope 1 and Scope 2 emissions under Health and Safety Code section 38532. CARB proposed key definitions that include “revenue” and “doing business in California” to help entities determine whether the Regulation is applicable to them (also frequently referred to as being “in-scope” for the Regulation), including whether they are subject to both emissions reporting and fee requirements.³

The Regulation was developed through an extensive public process. CARB held three public workshops in 2025 and had numerous meetings with interested persons and stakeholders during the development of the Regulation to discuss regulatory concepts for the Regulation. These informal pre-rulemaking discussions and workshops with over 2,000 attendees provided CARB with useful information that informed development of the Regulation. On December 23, 2025, CARB released the Notice of Public Hearing (45-Day Notice) and Staff Report. The formal 45-day comment period opened December 26, 2025, and closed on February 9, 2026.

¹ Senate Bill 253 (Wiener, Stats. 2023, Ch. 382).

² Senate Bill 261 (Stern, Stats. 2023, Ch. 383).

³ On November 18, 2025, the Ninth Circuit Court of Appeals issued an order temporarily enjoining enforcement of SB 261 until an appeal challenging SB 261 is resolved. In light of this order, CARB will not enforce SB 261 until the injunction is lifted. CARB will nevertheless continue this rulemaking to consider the Proposed Regulation for adoption.

CARB received 80 written comment letters, in addition to 2,847 form letter comments, during the 45-Day Notice comment period.

On February 26, 2026, CARB held a public hearing to consider the Regulation as described in the 45-Day Notice and Staff Report. At the February 26, 2026, Board hearing, six additional written comments were received in the public comment docket along with comments from 50 individuals who gave oral testimony. At the conclusion of the February 26 hearing, the Board adopted Resolution 26-1, in which it approved the adoption of the Regulation.

This Final Statement of Reasons (FSOR) contains no substantive or material changes from the Staff Report. Staff identified and corrected two non-substantial changes to the proposed regulation, including a numbering error and an errant cross-reference. The FSOR also contains a summary of the written and oral comments received on the Regulation and CARB's responses to those comments.

A. Mandates and Fiscal Impacts to Local Governments and School Districts

The Board has determined that Regulation will not result in a mandate to any local agency or school district the costs of which are reimbursable by the state pursuant to Part 7 (commencing with section 17500), Division 4, Title 2 of the Government Code.

B. Consideration of Alternatives

The Board considered alternatives but did not identify any reasonable alternatives that would lessen any adverse impact on small businesses. The Regulation is not expected to have direct costs on small businesses. Given the high annual revenue threshold of \$500 million and \$1 billion, it is reasonable to assume that regulated entities do not meet the definition of a "small business" under California Government Code section 11346.3.

For the reasons set forth in the Staff Report, in staff's comments and responses at the hearing, and in this FSOR, the Board determined that no alternative proposed was found to be less burdensome and equally effective in achieving the purposes of the Regulation in a manner that ensures full compliance with the authorizing law.

The alternatives evaluated, and the reasons for rejection, are described in the next section.

1. No Fee Alternative

Compared to the proposed flat fee structure, the no-fee alternative proposes to use other available funds at CARB to finance the one-time cost to set up the program and the ongoing implementation cost in subsequent reporting periods. This scenario is less burdensome for prospective fee-payers and would reduce administrative costs for reporting entities.

The no fee alternative imposes no upfront cost on CARB, because it would require locating funding from other existing programs (see rationale below for why this creates funding problems for the Agency). One could argue that the no fee alternative reduces administrative obligations for the State by eliminating the need to invoice and collect payments from regulated entities. The simplification of operations could allow CARB to reallocate staff resources toward core program functions such as compliance oversight and technical support regarding reporting and evaluation. Additionally, removing the fee obligations allows the reporting entities

to focus their resources on meeting substantive requirements of the regulations rather than also complying with the fee payment requirement.

Reasons for Rejection

CARB rejected the no fee alternative for several reasons.

i) Lack of Sustainable Funding Mechanism

While a no-fee structure may reduce administrative burden for CARB and stakeholders in the short term, it fails to provide a reliable source to fund the implementation and enforcement of the climate disclosure regulations. The cost of implementing Health and Safety Code sections 38532 and 38533 would need to be sourced from other funds at CARB that were not intended to support this program and not otherwise restricted to other specific uses. Use of other sources of funding could impair CARB's ability to effectively implement the programs from which the funds were sourced.

ii) Statutory Language Requirement

Both Health and Safety Code sections 38532 and 38533 explicitly authorize CARB to assess an annual fee on regulated entities for the administration and implementation of the regulations. A no-fee alternative would directly conflict with the statutory mandates and could expose CARB to legislative challenges, delaying the implementation deadline.

2. Alternative Timeline for Fee Collection

CARB considered an alternative allowing the collection of fees from regulated entities on an alternative timeline. Rather than collecting the fees in an annual lump sum, this alternative proposes to still calculate fee amounts annually based on CARB's total annual program costs, but assess fees on a monthly basis. This monthly fee collection could either be CARB's default practice or as part of an optional monthly payment plan that entities opt into.

The monthly fee collection schedule provides the same level of annualized funding as the Regulation and achieves the main purpose of the Regulation.

Reason for Rejection

The alternative fee collection timeline was rejected for the following reason.

i) Administrative Burden

Requiring monthly payments, instead of annual payments, could create additional administrative burden for entities paying the fee, as well as for CARB. CARB seeks to avoid unnecessary administrative burden where possible. The proposed annual fee collection minimizes these unnecessary burdens by requiring only a single payment each year.

3. Progressive Fee Payment Based on GHG Emissions

The progressive fee payment alternative proposes that regulated entities pay annual fees proportionate to their reported GHG emissions, rather than a flat fee per fee-paying entity as described in the Regulation. Under this approach, entities with higher GHG emissions would pay more while those with lower emissions would pay less.

The progressive fee payment alternative scales the amount paid in proportion to an entity's reported emissions profile, and potentially creates financial motivation for entities to reduce

emissions. This approach also has the added benefit of aligning with the fee payment structure utilized in the AB 32 Cost of Implementation Fee Regulation.

Reasons for Rejection

A progressive fee structure based on reported GHG emissions presents several challenges during implementation. CARB rejected this alternative for the following reasons:

i) Lack of Emissions Data

This alternative requires accurate and verified emissions data across various scopes of each regulated entity prior to the fee assessment, which will not be available at the early stage of regulatory implementation.

ii) Misalignment with Program Objectives

The primary goal of Health and Safety Code sections 38532 and 38533 is to increase transparency and accountability through climate-related disclosures. Instituting an emission-based fee structure could create confusion over the regulatory intent.

II. Modifications Made to the Original Proposal

A. Non-Substantial Modifications

Since Staff Report was published as part of the regulatory notice package in December 2025, CARB identified two non-substantial changes to the Regulation:

1. Section 96072(a)(10) was revised to update an internal cross-reference from “section 96072(a)(6)” to “section 96072(a)(16)” to address a numbering error.
2. Section 96075(a) was revised to exclude the cross-reference to section 38580 of the Health and Safety Code. The cross-reference to section 38580 that originally appeared in the 45-day version of the Regulation was included in error, as the enabling statutes (Health and Safety Code sections 38532 and 38533) each provide that section 38580 does not apply to violations of sections 38532 and 38533 of the Health and Safety Code.⁴

The above-described modifications constitute non-substantial changes to the regulatory text because they correct cross-reference and numbering errors, and do not materially alter the requirements or conditions of the Regulation.

B. Revisions to Economic Impact Analysis

CARB made no modifications to the economic impact analysis.

III. Documents Incorporated by Reference

The Regulation does not incorporate by reference any additional documents.

⁴ See Health and Safety Code §§ 38532(f)(1) and 38533(f)(1).

IV. Summary of Comments and Agency Response

Written comments were received during the 45-day comment period in response to the February 26, 2026, public hearing notice, and written and oral comments were presented at the Board Hearing. Listed below are the organizations and individuals that provided comments during the 45-day comment period. This chapter contains all comments submitted to CARB along with CARB’s responses.

The comments are coded according to the comment period in which they were received and the order in which they were received. Table 1 shows the coding abbreviation for each comment period. The format of the commenter code is the comment period abbreviation and the comment number with a dash between these elements. The text of each comment is further subdivided into individual sub-comments for each topic or concept expressed by the commenter. This is denoted by a decimal point and a number appended to the end of the commenter code in the comment and response portion of this chapter. Figure 1 shows this coding structure. The example represents the seventh sub-comment within the third comment letter submitted during the 45-day comment period.

Figure 1 Example of Comment Code

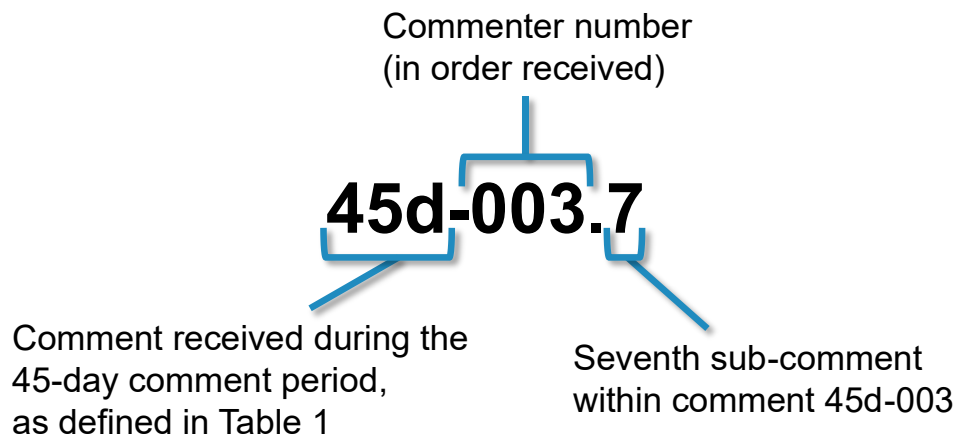


Table 2 contains the list of written comments received during the 45-day comment period, including the name of the commenter, date the comment was received, affiliation of the commenter, and commenter code used in this FSOR. Table 3 includes the same information for written comments received at the Board Hearing and Table 4 includes the same information for oral comments presented at the Board Hearing.

Table 1. Comment Period Codes

Comment Period Code	Comment Period Received
45d, for 45-day	Comments received during the 45-day comment period, December 26, 2025, to February 9, 2026

BHT, for Board Hearing Transcript	Comments received as oral testimony at the Board Hearing, February 26, 2026
BH, for Board Hearing	Comments received as written materials during the Board Hearing, February 26, 2026
LC, for Late Comment	Late comment letter received after the 45-day comment period and outside the Board Hearing

Table 2. Written Comments Received During the 45-Day Comment Period

Commenter, Date	Affiliation	Commentor Code
William Mancilla, 12/26/2025	Individual	45d-001
Tony Fritz, 01/06/2026	Republic Services	45d-002
Thomas Maletta, 01/12/2026	Individual	45d-003
Allison Snell, 01/27/2026	Sempra	45d-004
Alessandra Magnasco, 01/28/2026	California Fuels and Convenience Alliance	45d-005
David Hagen, 01/31/2026	Individual	45d-006
Vincent Caboara, 02/01/2026	Arboreum Commercial Solutions	45d-007
Vincent Caboara, 02/01/2026	Arboreum Commercial Solutions, LLC	45d-008
Lillie Wightman, 02/03/2026	The American Waterways Operators	45d-009
Oscar Garcia, 02/03/2026	Neste	45d-010
Jacqueline Moore, 02/05/2026	Pacific Merchant Shipping Association	45d-011
Marcie Frost, 02/05/2026	CalPERS	45d-012
Denelle Peacey, 02/05/2026	TransAlta Energy Marketing U.S.	45d-013
Rob Chesnut, 02/05/2026	Watershed	45d-014
Andy Fitch, 02/05/2026	Columbia Law School's Sabin Center for Climate Change Law	45d-015
Amy Holm, 02/05/2026	The Climate Registry	45d-016
Mequela Moreno, 02/06/2026	ECONcrete	45d-017

Commenter, Date	Affiliation	Commentor Code
Randi Morrison, 02/06/2026	Society for Corporate Governance	45d-018
Alisa Kaseweter, 02/06/2026	Bonneville Power Administration	45d-019
Amy Mmagu, 02/06/2026	Schneider Electric	45d-020
Chris Schultz, 02/06/2026	California Bankers Association	45d-021
Chris Shultz, 02/06/2026	California Bankers Association	45d-022
Michael Leggett, 02/06/2026	Evergreen Renewables Inc	45d-023
Seren Taylor, 02/06/2026	Coalition of Insurance Industries	45d-024
Kymm Wilson, 02/07/2026	Everybodys Cool International	45d-025
Samantha Riley, 02/09/2026	Bank Policy Institute	45d-026
Scott Wilgenbusch, 02/09/2026	RSM US LLP	45d-027
Campbell Pryde, 02/09/2026	XBRL US	45d-028
John Bode, 02/09/2026	Corn Refiners Association	45d-029
Mary Zuccarello, 02/09/2026	As You Sow	45d-030
Eric Christensen, 02/09/2026	Beveridge & Diamond	45d-031
Lindsay Battenberg, 02/09/2026	Clean Energy Buyers Association (CEBA)	45d-032
Jake Rascoff, 02/09/2026	Ceres	45d-033
Chandni Sinha Das, 02/09/2026	WattTime	45d-034
Christopher Lish, 02/09/2026	Individual	45d-035
Clara Vondrich, 02/09/2026	Public Citizen & Americans for Financial Reform Education Fund	45d-036
Andrew Ulmer, 02/09/2026	California ISO	45d-037
Adarsh Srinivasan, 02/09/2026	International Emissions Trading Association	45d-038
Elizabeth Derbes, 02/09/2026	NRDC, Earthjustice, and Sierra Club California	45d-039

Commenter, Date	Affiliation	Commentor Code
Katie Davey, 02/09/2026	Dairy Institute of California	45d-040
Lucas Grimes, 02/09/2026	Center for Resource Solutions	45d-041
Alex Piper, 02/09/2026	EnergyTag	45d-042
Board Clerk, 02/09/2026	Board Clerk submitting on behalf of all form letter authors	45d-043
Rachel Saltzman, 02/09/2026	Coalition of Farm Credit System Institutions	45d-044
Monica Palmeira, 02/09/2026	The Greenlining Institute	45d-045
Jennifer McIvor, 02/09/2026	Berkshire Hathaway Energy	45d-046
Julie Landry, 02/09/2026	American Forest & Paper Association	45d-047
Dave Jones, 02/09/2026	Individual, California Insurance Commissioner, Emeritus	45d-048
Kim Chamberlain, 02/09/2026	Securities Industry and Financial Markets Association (SIFMA)	45d-049
Tyler Hengen, 02/09/2026	American Iron and Steel Institute	45d-050
Jodie Muller, 02/09/2026	Western States Petroleum Association	45d-051
Maria Lettini, 02/09/2026	US Sustainable Investment Forum	45d-052
Nick Graves, 02/09/2026	Lawrence Livermore National Security	45d-053
Jeffrey Gorham, 02/09/2026	ACORE	45d-054
Nick Romo, 02/09/2026	Association of Independent California Colleges and Universities	45d-055
Kirstin Kolptcke, 02/09/2026	California Council for Environmental and Economic Balance (CCEEB)	45d-056
Grace Appelbe, 02/09/2026	Arizona Chamber of Commerce & Industry	45d-057
Michael Schmitz, 02/09/2026	Kern Energy	45d-058
Brooke Holland, 02/09/2026	Carbon Accountable	45d-059
Ann Warren, 02/09/2026	Community Health Group	45d-060

Commenter, Date	Affiliation	Commentor Code
Elizabeth Esquivel, 02/09/2026	California Manufacturers & Technology Association (CMTA)	45d-061
Erin Sullenger, 02/09/2026	Sequent Energy Management	45d-062
Kaitlyn Johnson, 02/09/2026	California Water Association	45d-063
Stephanie Jones, 02/09/2026	Environmental Defense Fund	45d-064
Jeremy Weinstein, 02/09/2026	The Law Offices of Jeremy D. Weinstein	45d-065
Sarah Wiltfong, 02/09/2026	Supply Chain Federation	45d-066
Alison Torbitt, 02/09/2026	Nixon Peabody LLP	45d-067
Joshua Wilson, 02/09/2026	POET	45d-068
Jonathan Kendrick, 02/09/2026	California Chamber of Commerce	45d-069
Sarah Pollo Moo, 02/09/2026	California Retailers Association	45d-070
Alisa White, 02/09/2026	Elisabeth Haub School of Law at Pace University and Stanford Law School	45d-071
Stacey Sprengel, 02/09/2026	Davis Wright Tremain LLP	45d-072
Annebelle Klein, 02/09/2026	American Coatings Association	45d-073
Jayni Hein, 02/09/2026	Covington & Burling LLP	45d-074
Gracyna Mohabir, 02/09/2026	California Environmental Voters	45d-075
Aurora Winslade, 02/09/2026	Edison International	45d-076
Katie Reilly, 02/09/2026	Consumer Technology Association	45d-077
Yuyan Pu, 02/09/2026	Class of '85	45d-078
Leona Hwang, 02/09/2026	Individual	45d-079
Leona Hwang, 02/09/2026	Individual	45d-080

Table 3. Written Comments Received During the Board Hearing

Commenter, Date	Affiliation	Commentor Code
Stephanie Schlea, 02/26/2026	U.S. Tire Manufacturers Association	BH-001
Konstantin Parkhomenko, 02/26/2026	National Technology & Engineering Solutions of Sandia, LLC	BH-002
Gilbert Lara, 02/26/2026	Biocom	BH-003
Otto Starzmann, 02/26/2026	Individual	BH-004
Cathy Becker, 02/26/2026	Green America	BH-005
Lisa Zwack, 02/26/2026	Kroger	BH-006

Table 4. Oral Comments Presented at the Board Hearing

Commenter, Date	Affiliation	Commentor Code
Scott Wiener, 02/26/2026	Senator Scott Wiener	BHT-001
Casey Brahms, 02/26/2026	Southern California Edison	BHT-002
Tanya Derivi, 02/26/2026	The Western States Petroleum Association	BHT-003
Dave Jones, 02/26/2026	Individual	BHT-004
Amy Holm, 02/26/2026	The Climate Registry	BHT-005
Chris Shimoda, 02/26/2026	Supply Chain Federation	BHT-006
Meghan Loper, 02/26/2026	American Council of Life Insurers	BHT-007
Jonathan Kendrick, 02/26/2026	California Chamber of Commerce	BHT-008
Madeline Cline, 02/26/2026	Dairy Institute of California	BHT-009
Michelle Savage, 02/26/2026	XBRL US	BHT-010
Bill Magavern, 02/26/2026	Coalition for Clean Air	BHT-011
Gracyna Mohabir, 02/26/2026	California Environmental Voters	BHT-012
Catherine Atkin, 02/26/2026	Carbon Accountable	BHT-013

Commenter, Date	Affiliation	Commentor Code
Tina Andolina, 02/26/2026	Senator Ben Allen	BHT-014
Jacob DeFant, 02/26/2026	Agricultural Council of California	BHT-015
Danish Mir, 02/26/2026	Individual	BHT-016
Tim Carmichael, 02/26/2026	California Council for Environmental and Economic Balance	BHT-017
Dylan Kahle, 02/26/2026	ECO	BHT-018
Gilbert Lara, 02/26/2026	BioCom	BHT-019
Jake Rascoff, 02/26/2026	Ceres	BHT-020
Annebelle Klein, 02/26/2026	American Coatings Association	BHT-021
Seren Taylor, 02/26/2026	Personal Insurance Federation of California, and the National Association of Mutual Insurance Companies	BHT-022
Rick Morris, 02/26/2026	Public Citizen	BHT-023
Jeffrey Crawford, 02/26/2026	Azuri	BHT-024
Konstantin Parkhomenko, 02/26/2026	Sandia National Laboratories	BHT-025
John Wenger, 02/26/2026	Corebridge Financial	BHT-026
Dawn Koepke, 02/26/2026	Association of California Life and Health Insurance Companies	BHT-027
Melissa Strand, 02/26/2026	Levine Strategies	BHT-028
Caroline Nagy, 02/26/2026	Americans for Financial Reform	BHT-029
Consuelo, 02/26/2026	Individual	BHT-030
Neil Perry, 02/26/2026	Swiss Re	BHT-031
Sarah Moo, 02/26/2026	California Retailers Association	BHT-032
Stephanie Jones, 02/26/2026	Environmental Defense Fund	BHT-033
Unidentified Commenter, 02/26/2026	Individual	BHT-034

Commenter, Date	Affiliation	Commentor Code
Denni Ritter, 02/26/2026	American Property Casualty Insurance Association	BHT-035
Elizabeth Derbes, 02/26/2026	Natural Resources Defense Council	BHT-036
Cathy Becker, 02/26/2026	Green America	BHT-037
Lindsay Battenberg, 02/26/2026	Clean Energy Buyers Association	BHT-038
John Norwood, 02/26/2026	Individual on behalf of Zenith, Liberty Mutual, American Fidelity, Pacific Life Insurance Companies, and the Independent Insurance Agents and Brokers of California	BHT-039
Abby Taylor-Silva, 02/26/2026	Kahn, Soares & Conway	BHT-040
Andries Verschelden, 02/26/2026	Good.Lab	BHT-041
Stephanie Schlea, 02/26/2026	U.S. Tire Manufacturers Association	BHT-042
Paul Henkin, 02/26/2026	Individual	BHT-043
Jeffrey Gorham, 02/26/2026	ACORE	BHT-044
Chloe Ames, 02/26/2026	NextGen California	BHT-045
Mary Zuccarello, 02/26/2026	As You Sow	BHT-046
Tyler Hengen, 02/26/2026	American Iron and Steel Institute	BHT-047
Doreen Dyt, 02/26/2026	California Dairies, Inc	BHT-048
Karl Koesser, 02/26/2026	EnergyTag	BHT-049
Katie Pettibone, 02/26/2026	CompWest AF Group and Zurich North America	BHT-050

Table 5 Late Comment Letter Received Outside of Comment Period

Commenter, Date	Affiliation	Commentor Code
Clara Vondrich, 04/08/2026	Public Citizen	LC-001

The 45-day, Board Hearing comments (both written and oral), and the late comment letter are intermixed and organized thematically in the appendix to the FSOR.

The following notes about the comments and responses provide further information about how the comments are structured and labeled:

- Comments with common themes are generally grouped together and responded to holistically.
- In verbatim comment excerpts, CARB has not corrected or noted errors in the original (for example, by adding “[sic]”). The formatting of comment excerpts may differ from the formatting of the original comment.
- Emphasis added to comments were generally omitted.
- In-line ellipses are used to bridge between portions of a sentence or paragraph that express related topics or concepts. Ellipses on a standalone line are used to bridge between sections of a comment letter/comment transcript that express related topics or concepts.
- Footnotes in comments are included at bottom of each comment.
- In general, CARB has noted where it made changes in response to the comment. CARB has also noted where it either did not make changes or the comment was outside the scope of the rulemaking and therefore not subject to response pursuant to Government Code section 11346.9(a)(3).

Coded comments can be referenced in the FSOR attachments below:

- **Attachment 1** – Table 2 45-Day Comments
- **Attachment 2** – Table 3 Board Hearing Written Comments
- **Attachment 3** – Table 4 Board Hearing Oral Testimony
- **Attachment 4** – Table 5 Late Comment Letter

V. Peer Review

Health and Safety Code section 57004 sets forth requirements for peer review of identified portions of rulemakings proposed by entities within the California Environmental Protection Agency, including CARB. Specifically, the scientific basis or scientific portion of a proposed rule may be subject to this peer review process. CARB determined that the rulemaking does not contain a new scientific basis or a new scientific portion subject to peer review requirements set forth in section 57004, and thus no new peer review was required.