

QUESTION/COMMENT

Exactly who is doing or will do what, when, why, and under what authority, using which records, data, where the data came from, if the data is validated or per reviewed and is very difficult for a member of the public to determine.

The public notice Authority and Reference section states that the proposed regulatory action is proposed under the authority granted in California Health and Safety Code, sections 38500, 38501, 38510, 38551, 38560, 38566, 38580, 39000, 39002, 39003, 39515, 39516, 39600, 39601, 39602, 39607, 39650, 39656, 39659, 39701, 41503.5, 41504, 41511, 41700, and 41712. In addition, the notice states that this action is proposed to implement, interpret, and make specific actions 38510, 38560, 38566, 38580, 39002, 39600, 39515, 39516, 39601, 39607, 39659, 39701, 40000, 41511, 41700, and 41712.

The terms ARB, CARB, state board, Board, and Executive Officer, and CARB staff are used interchangeably throughout the proposed regulatory action. In addition, Health & Safety Code section 39516 presumptively delegates all powers, duties, purposes, functions, and jurisdictions (powers) vested in the state board to the executive officer. This section also authorizes the executive officer to delegate these powers to subordinates.

The term CARB can mean the agency, the state board members, the executive officer, or one or several of the executive officer's subordinates. The term executive officer can mean the executive officer personally or there subordinate to which the executive officer has re-delegated powers.

For the record and the sake of clarity and transparency please provide the information requested below.

1. Who can and/or will do what

A. Please identify and indicate whom each of these terms represents when each of these terms is used in the actions proposed to implement, interpret, and make specific sections 38510, 38560, 38566, 38580, 39002, 39600, 39515, 39516, 39601, 39607, 39659, 39701, 40000, 41511, 41700, and 41712.

B. Please identify and list which powers, duties, purposes, functions, and jurisdictions which the state board may lawfully delegate, the state board, by affirmative vote recorded in the minutes of the state board, specifically has reserved the same for the state board's own action.

C. Please identify and list the powers, duties, purposes, functions, and jurisdictions on which the executive officer is specifically required to act personally.

2. What was or will be done by whom

2. Please provide records of all actions including the date, any related material used to base the actions, metric, and analytics for all actions that affect sections to California Code of Regulations, title 17, sections 94501, 94502, 94506, 94508, 94509, 94510, 94511, 94513, 94515, 94521, 94522, 94524, 94526, 94540, 94541, 94542, 94543, 94544, 94545, 94546, 94547, 94548, 94549, 94550, 94551, 94552, 94553, 94554, 94555, 94700; proposed amendments to sections 1,2,3,4,5,6,8 and Appendix A of Method 310, which is incorporated by reference in California Code of Regulations, title 17, sections 94506, 94515 and 94526.

3. Who checked or will check that what was or will be done, is or will be authorized to do it and that it was or will be done competently

A. Please identify and list internal parties that reviewed the data, metrics, analytics and the actions that affect sections to California Code of Regulations, title 17, sections 94501, 94502, 94506, 94508, 94509, 94510, 94511, 94513, 94515, 94521, 94522, 94524, 94526, 94540, 94541, 94542, 94543, 94544, 94545, 94546, 94547, 94548, 94549, 94550, 94551, 94552, 94553, 94554, 94555, 94700; proposed amendments to sections 1,2,3,4,5,6,8 and

Appendix A of Method 310, which is incorporated by reference in California Code of Regulations, title 17, sections 94506, 94515 and 94526.

4. Who checks CARB's work?

A. Please identify and list any third parties that reviewed the data, metrics, analytics and the actions that affect sections to California Code of Regulations, title 17, sections 94501, 94502, 94506, 94508, 94509, 94510, 94511, 94513, 94515, 94521, 94522, 94524, 94526, 94540, 94541, 94542, 94543, 94544, 94545, 94546, 94547, 94548, 94549, 94550, 94551, 94552, 94553, 94554, 94555, 94700; proposed amendments to sections 1,2,3,4,5,6,8 and Appendix A of Method 310, which is incorporated by reference in California Code of Regulations, title 17, sections 94506, 94515 and 94526.

Thank you

Denise Wesleder