

REQUEST FOR EARLY EFFECTIVE DATE
REGULATION TO IMPLEMENT
THE CALIFORNIA LOW CARBON FUEL STANDARD

Pursuant to Government Code section 11343.4(c), the Air Resources Board (ARB) requests that amendments to sections 95480.1, 95481, and 95486 of Title 17 of the California Code become effective upon filing with the Secretary of State. Good cause for this request exists.

The amendments to above named sections complete the adoption of the bifurcated Low Carbon Fuel Standard (LCFS) regulation, first part of which became effective on January 12, 2010, and added new sections 95480, 95480.1, 95481, 95482, 95483, 95484, 95485, 95486, 95487, 95488, 95489, and 95490 of the California Code of Regulations.

The LCFS is a greenhouse gas reduction measure under the California Global Warming Solutions Act of 2006 (Assembly Bill 32; stats 2006 ch 488), and effectuates Governor Schwarzenegger's Executive Order S-01-07. As mandated, the LCFS regulation had to be adopted by January 1, 2010. In order to effectuate the adoption of the regulation in as timely a manner as possible, ARB bifurcated the regulation, and the first part become effective on January 12, 2010. The current amendments complete the adoption of the LCFS regulation, and, like the first part, need to become effective as soon as possible to fulfill the intent of the enabling law and to enable compliance by regulated parties.

The ARB will promptly notify affected parties of the effective date as soon as the regulation is filed with the Secretary of State. Furthermore, because only reporting and recordkeeping requirements are required for year 2010, the early effective date would not create a burden on parties from whom compliance is due.

Date: March 4, 2010

/s/

Robert C. Jenne
Assistant Chief Counsel