

**FINAL STATEMENT OF  
REASONS AVAILABILITY**

Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons in this notice, or may be accessed on CARB's website listed below.

**INTERNET ACCESS**

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on CARB's website for this rulemaking at <http://www.arb.ca.gov/regact/2018/capandtradeghg18/capandtradeghg18.htm>.

**TITLE 17. AIR RESOURCES BOARD**

**NOTICE OF PUBLIC HEARING TO  
CONSIDER PROPOSED REGULATION FOR  
PROHIBITIONS ON USE OF CERTAIN  
HYDROFLUOROCARBONS IN STATIONARY  
REFRIGERATION AND FOAM END-USES**

The California Air Resources Board (CARB or Board) will conduct a public hearing at the time and place noted below to consider approving for adoption the proposed regulation for Prohibitions on Use of Certain Hydrofluorocarbons in Stationary Refrigeration and Foam End-Uses.

DATE: March 22, 2018  
 TIME: 9:00 a.m.  
 LOCATION: Riverside County Administrative  
 Center  
 4080 Lemon St., 1st Floor  
 Riverside, California 92501

This item will be considered at a meeting of the Board, which will commence at 9:00 a.m., March 22, 2018, and may continue at 8:30 a.m., on March 23, 2018. Please consult the agenda for the hearing, which will be available at least ten days before March 22, 2018, to determine the day on which this item will be considered.

**WRITTEN COMMENT PERIOD AND  
SUBMITTAL OF COMMENTS**

Interested members of the public may present comments orally or in writing at the hearing and may provide comments by postal mail or by electronic submittal before the hearing. The public comment period for this

regulatory action will begin on February 2, 2018. Written comments not physically submitted at the hearing must be submitted on or after February 2, 2018, and received **no later than 5:00 p.m. on March 19, 2018**. CARB requests that when possible, written and email statements be filed at least ten days before the hearing to give CARB staff and Board members additional time to consider each comment. The Board also encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action. Comments submitted in advance of the hearing must be addressed to one of the following:

Postal  
 mail: Clerk of the Board, California Air  
 Resources Board  
 1001 I Street  
 Sacramento, California 95814

Electronic  
 submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Gov. Code, § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

Additionally, the Board requests but does not require that persons who submit written comments to the Board reference the title of the proposal in their comments to facilitate review.

**AUTHORITY AND REFERENCE**

This regulatory action is proposed under the authority granted in California Health and Safety Code, sections 38510, 38560, 38562, 38566, 38580, 38598, 39600, 39601, 39730, 39730.5, and 41511. This action is proposed to implement, interpret, and make specific sections 38510, 38560, 38562, 38566, 38580, 38598, 39600, 39601, 39730, 39730.5, and 41511 of the Health and Safety Code.

**INFORMATIVE DIGEST OF PROPOSED ACTION  
AND POLICY STATEMENT OVERVIEW**  
 (Gov. Code, § 11346.5, subd. (a)(3))

**Sections Affected:**

Proposed amendment to Subarticles 4 and 5 of California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 10, Article 4.

Proposed adoption of sections 95371, 95372, 95373, 95374, 95375, 95376, and 95377 to California Code of

Regulations, Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 5.

**Background and Effect of the Proposed Regulatory Action:**

Climate change is one of the most serious environmental threats facing the world today. California is experiencing the effects of climate change and is committed to take action. Beginning with Assembly Bill 32 (AB 32) (Núñez, Stat. 2006, Ch. 488), the California Global Warming Solutions Act of 2006, California created a comprehensive, multi-year program to reduce greenhouse gas (GHG) emissions in California. To further the goals of AB 32, in 2016, the Legislature enacted Senate Bill 32 (SB 32) (Pavley, Stat. 2016, Ch. 249) requiring a 40 percent reduction in GHG emissions below 1990 levels by 2030.

Short-lived climate pollutants (SLCPs), such as hydrofluorocarbons (HFCs), are among the most harmful pollutants as they are powerful climate forcers. While they remain in the atmosphere for a much shorter time than carbon dioxide (CO<sub>2</sub>), their relative climate forcing (how effectively they heat the atmosphere) can be tens, hundreds, or even thousands of times greater than CO<sub>2</sub>. HFCs are the fastest growing source of GHG emissions in California and the world, primarily because of increasing demand for refrigeration and air-conditioning and the phasedown of ozone-depleting substances (ODS), such as chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs). Recognizing the importance of reducing HFCs, the Legislature enacted Senate Bill 1383 (SB 1383) (Lara, Stat. 2016, Ch. 395) in 2016, which requires a 40 percent reduction of HFC emissions below 2013 levels by 2030.

To meet California’s mandates under AB 32, SB 32, and SB 1383, CARB was relying, in substantial part, on the United States Environmental Protection Agency’s (U.S. EPA) Significant New Alternatives Policy (SNAP) Program, Rules 20 and 21 (SNAP Rules). However, on August 8, 2017, in *Mexichem Fluor. v. U.S. EPA* (Case No. 15–1328) (consolidated with *Arkema v. U.S. EPA*, Case No. 15–1329), the D.C. Circuit Court of Appeals (D.C. Circuit) published a decision limiting U.S. EPA’s ability to require replacement of HFCs under the SNAP Rules. Although these SNAP Rules are actively being defended in Court, immediate action is necessary to maintain and enforce prohibitions for certain end-uses of HFCs to achieve California’s HFC emissions reduction goal.

California has authority to set its own standards to reduce emissions to meet federal and state air quality standards and climate change requirements and goals. The proposed regulation is necessary to achieve additional benefits for human health, public welfare, and the environment and to promote fairness and transparency.

CARB may also consider other changes to the sections affected, as listed below, during the course of this rule-making process.

**Objectives and Benefits of the Proposed Regulatory Action:**

In this rulemaking, CARB staff proposes to adopt into state regulation, specific prohibitions on the use of high-global warming potential (high-GWP) refrigerants in new and retrofit stationary refrigeration equipment and certain HFCs used as blowing agents in foam end-uses. CARB staff is also proposing to adopt a recordkeeping requirement that would require the production of these documents if CARB requests them, and a disclosure requirement on the invoice produced by the manufacturer for these end-uses.

The following end-use sectors are included in this proposed regulation:

1. Retail food refrigeration (new and retrofit) — This end-use includes the following categories of equipment:
  - a) Stand-alone Equipment
  - b) Refrigerated food processing and dispensing equipment
  - c) Remote condensing units
  - d) Supermarket systems
2. Vending machines (new and retrofit)
3. Foams — This end-use covers the following types of foams:
  - a) Rigid Polyurethane and Polyisocyanurate Laminated Boardstock
  - b) Flexible Polyurethane
  - c) Integral Skin Polyurethane
  - d) Polystyrene: Extruded Sheet
  - e) Phenolic Insulation Board and Bunstock

The specific provisions of the proposed regulation are:

1. Purpose
2. Applicability
3. Definitions
4. List of prohibited HFCs by specific end-uses by a specific date
5. Requirements, including:
  - a) Prohibitions
  - b) Disclosure requirements for specific manufacturers
  - c) Recordkeeping requirements for specific manufacturers
6. Enforcement provisions
7. Severability

The objective of the proposed regulatory action is to maintain emission reductions that are currently in

place, prevent backsliding by industry that could result from the recent court ruling, and to comply with California's AB 32, SB 32, and SB 1383 mandates. The benefit of the proposal is from the reductions of GHG emissions from HFCs that are up to thousands of times more potent in warming potential than equivalent amounts of CO<sub>2</sub>. CARB staff estimates that implementing the proposed regulation will result in a reduction of 22.9 million metric tons CO<sub>2</sub> equivalents (MMTCO<sub>2</sub>E) by year 2030; an annual reduction of up to 3.4. MMTCO<sub>2</sub>E. These emissions reductions are necessary for meeting the SB 1383 HFC emissions reduction target and to protect Californians from the harmful impacts of climate change.

The proposal represents CARB staff's efforts to reduce HFC emissions. This effort began in 2009 when CARB staff began working on CARB's Refrigerant Management Program. For this proposed regulation, CARB staff worked with major stakeholders such as industry trade groups, end-users, non-governmental organizations (NGOs), and U.S. EPA to solicit input via meetings and public workshops. CARB staff developed the proposal based on research, analysis, and feedback from stakeholders.

**Comparable Federal Regulations:**

Comparable federal regulations with similar provisions are listed in U.S. EPA SNAP Rules 20 (40 CFR Part 82, Subpart G, Appendix U) and 21 (40 CFR Part 82, Subpart G, Appendix V). SNAP Rules 20 and 21 implement section 612 of the federal Clean Air Act (42 U.S.C. § 7671k), which addresses stratospheric ozone protection. Section 612 phases out the use of ODS and authorizes U.S. EPA to require direct replacement of these compounds. Listed substances have a specific phase-out schedule. U.S. EPA also lists substances for replacement and substances that are "safe" or "unsafe" as substitutes. U.S. EPA may require manufacturers to stop using listed chemicals and replace them with listed safe substitute substances. The lists of safe and prohibited substances are fluid and may change over time. Under U.S. EPA SNAP Rules, there are certain exemptions from the regulation.

The proposed regulation differs from the federal SNAP Rules in that it adopts prohibitions only for retail food refrigeration and vending machine end-uses, as well as for certain foam end-uses. Other categories contained in the federal SNAP Rules are covered through other California measures or regulations. The proposed regulation also includes additional provisions on the purpose of the regulation, applicability, definitions, requirements, and enforcement. CARB staff's proposed enforcement mechanism is more stringent because, in addition to the prohibitions list, it requires manufacturers to place a disclosure statement on invoices manufac-

turers provide to consumers and requires manufacturers to keep records and provide them to CARB if requested, which will support the enforcement of the proposed regulation in California.

**An Evaluation of Inconsistency or Incompatibility with Existing State Regulations (Gov. Code, § 11346.5, subd. (a)(3)(D)):**

During the process of developing the proposed regulatory action, CARB staff conducted a careful search of any similar regulations on this topic and concluded that these regulations are neither inconsistent nor incompatible with existing state regulations. California has regulations in place to reduce emissions from non-residential stationary refrigeration equipment, motor vehicle air-conditioning, self-sealing valve requirements for small cans of automotive refrigerants purchased by "do-it-yourself" mechanics, consumer product aerosol propellants, and semiconductor manufacturing. A description of the current regulations follows:

- **Refrigerant Management Program (RMP):** The RMP (Cal. Code of Regs., tit. 17, § 95380, et seq.) is modeled after U.S. EPA's Clean Air Act, Section 608 program to protect the stratospheric ozone layer by reducing usage and emissions of ODS. In addition to ODS, the RMP also includes non-ODS HFC refrigerants with a 100-year GWP of 150 or greater (considered "high-GWP"). The RMP requires facilities with refrigeration systems with more than 50 pounds of high-GWP refrigerant (for example, supermarkets and cold storage warehouses) to inspect for and repair leaks, maintain service records, and in some cases, report refrigerant use. It applies to any person who installs, services, or disposes of any equipment using a high-GWP refrigerant; and to refrigerant wholesalers, distributors and reclaimers. The RMP is different from the proposed regulation in that it has different requirements, such as leak inspections, repairs, registration, and reporting requirements for refrigeration systems with greater than 50 pounds of high-GWP refrigerants. The RMP also affects any person who installs, services, or disposes of any equipment using a high-GWP refrigerant; and refrigerant wholesalers, distributors and reclaimers. Unlike the proposed regulation, the RMP does not prohibit specific HFCs, or require recordkeeping or a disclaimer on invoices for equipment manufacturers.
- **Advanced Clean Cars (ACC) Program:** HFC emissions from transportation are largely from mobile vehicle air-conditioning (MVAC). The components of the ACC program are the Low-Emission Vehicle (LEV) regulations



(contained in various sections, commencing with Cal. Code Regs., tit. 13, §§ 1900, et seq.) that reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles, and the Zero-Emission Vehicle (ZEV) regulation (commencing with Cal. Code Regs., tit. 13, §§ 1962.1, et seq.), which requires manufacturers to produce an increasing number of pure ZEVs (meaning battery electric and fuel cell electric vehicles), with provisions to also produce plug-in hybrid electric vehicles (PHEV) in the 2018 through 2025 model years. The ACC program is different from the proposed regulation in that it applies to a sector that is not covered under the proposed regulation and contains different requirements.

- Small-can “DIYer” Regulation for Mobile Vehicle AC Re-charging: The DIYer regulation (Cal. Code Regs., tit. 17, § 95360, et seq.) reduces emissions from small containers of automotive refrigerant by requiring the use of self-sealing valves on containers, improved labeling instructions, a refundable deposit recycling program, and an education program that emphasizes best practices for vehicle recharging. The DIYer regulation is different from the proposed regulation in that it applies to a sector that is not covered under the proposed regulation and contains different requirements.
- Consumer Product Aerosol Propellant Regulations: The consumer products regulation (Cal. Code Regs., tit. 17, § 95409, et seq.) prohibits aerosol propellants with a GWP of 150 or greater used in spray dusters (keyboard dusters), boat horns, tire inflators, and other consumer aerosol products. The consumer products regulation is different from the proposed regulation in that it applies to a sector that is not covered under the proposed regulation.
- Semiconductor Manufacturing F-gas Regulations: The semiconductor manufacturing regulation (Cal. Code Regs., tit. 17, § 95320, et seq.) sets emission standards for operators of semiconductor operations and requires reporting of F-gas use. In addition to HFCs, other F-gases are included; perfluorocarbons (PFCs), sulfur hexafluoride (SF<sub>6</sub>), and nitrogen trifluoride (NF<sub>3</sub>). The semiconductor manufacturing regulation is different from the proposed regulation in that it applies to a sector that is not covered under the proposed regulation and contains different requirements.

CARB staff carefully reviewed these current regulations in the development of the proposed regulation and

determined that the proposed regulation is different in its application, different in most of the sectors covered, and prohibits certain HFCs which were not previously prohibited. CARB staff also determined that it is complementary and is designed to be as strong as, if not stronger than the existing rules.

**MANDATED BY FEDERAL LAW  
OR REGULATIONS  
(Gov. Code, §§ 11346.2, subd. (c), 11346.9)**

The proposed regulation is adopting certain prohibitions for retail food refrigeration, vending machine, and foam end-uses listed in U.S. EPA SNAP Rules 20 (40 CFR Part 82, Subpart G, Appendix U) and 21 (40 CFR Part 82, Subpart G, Appendix V). These end-uses are currently existing in U.S. EPA SNAP Rules 20 and 21 and have upcoming effective dates in the SNAP Rules. However, due to the recent court decision, implementation and enforcement are in jeopardy.

Combined, the end-use categories have the largest HFC emissions impact. The substances listed have high GWP values, which will contribute to climate change. Thus, prohibiting these substances will reduce the impacts of climate change and lower the overall risk to human health and the environment by the effective date. The stationary refrigeration end-use sectors were chosen because they have the largest HFC emission impacts and have currently existing or upcoming effectiveness dates in the SNAP Rules. The foam end-use sectors included also have existing effective dates and were therefore included to prevent future use of high-GWP HFCs in new production of foam. Other end-use sectors are being addressed through other CARB measures under consideration.

Please see Section I, Introduction and Background, Subsection O, and Section IX, Evaluation of Alternatives, Alternative 2, of the Initial Statement of Reasons (ISOR) for a description of the rationale for excluding certain sectors.

**DISCLOSURES REGARDING THE  
PROPOSED REGULATION**

The determinations of the Board’s Executive Officer concerning the costs or savings incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulatory action are presented below.

**Fiscal Impact/Local Mandate Determination Regarding the Proposed Action (Gov. Code, § 11346.5, subs. (a)(5)&(6)):**

Under Government Code sections 11346.5, subdivision (a)(5) and 11346.5, subdivision (a)(6), the Executive Officer has determined that the proposed regulato-

ry action would not impose costs or mandates on local agencies or school districts and, therefore, does not require State reimbursement pursuant to part 7 (commencing with section 17500) of division 4. The proposed regulatory action would not create costs or savings to any State agency or in federal funding to the State.

The Executive Officer has also determined that the proposed regulatory action would create costs or savings to other State agencies. The cost to State government would be exclusive to the State agency, CARB. The agency will require two additional Air Pollution Specialist (APS) staff to implement and enforce the proposed regulation starting in the 2018–2019 fiscal year. The staff cost is zero in the current (2017–2018) fiscal year, \$330,000 for the 2018–2019 first year, and \$328,000 for 2019–2020 and thereafter, for a three-year cost of \$658,000. There are no other nondiscretionary costs or savings to State or local agencies.

**Housing Costs (Gov. Code, § 11346.5, subd. (a)(12)):**

The Executive Officer has made the initial determination that the proposed regulatory action will not have an effect on housing costs.

**Significant Statewide Adverse Economic Impact Directly Affecting Business, Including Ability to Compete (Gov. Code, §§ 11346.3, subd. (a), 11346.5, subd. (a)(7), 11346.5, subd. (a)(8)):**

The Executive Officer has made an initial determination that the proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

**Results of The Economic Impact Analysis/Assessment (Gov. Code, § 11346.5, subd. (a)(10)):**

**NON-MAJOR REGULATION: Statement of the Results of the Economic Impact Assessment (EIA):**

The total statewide costs of the regulation over 20 years are expected to be \$4.25 million. This consists of \$4.12 million in compliance costs and \$130,000 for recordkeeping and reporting and to add a disclosure statement on invoices from the manufacturer of affected refrigeration equipment and foam products. Reporting would only be required if requested by CARB staff. Since the proposed regulation is an adaptation of existing U.S. EPA prohibitions for which an economic analysis has been done, CARB staff has estimated California’s share of the national cost of implementing the regulation in California and added the cost of recordkeeping, reporting upon request, and the requirements for disclosure statements. A detailed assessment of the eco-

omic impacts of the proposed regulatory action can be found in section VIII, “Economic Impact Assessment” of the ISOR.

**Creation or Elimination of Jobs Within the State of California:**

The Executive Officer has determined that the proposed regulatory action **would not** affect the creation or elimination of jobs within the State of California.

**Creation of New Business or Elimination of Existing Businesses Within the State of California:**

The Executive Officer has determined that the proposed regulatory action **would not** affect the creation of new businesses or elimination of existing businesses within the State of California.

**Expansion of Businesses Currently Doing Business Within the State of California:**

The Executive Officer has determined that the proposed regulatory action **would not** affect the expansion of businesses currently doing business within the State of California.

**Benefits of the Proposed Regulation to the Health and Welfare of California Residents, Worker Safety, and the State’s Environment:**

CARB staff anticipates benefits to the health and welfare of California residents, and the state’s environment but does not anticipate any cost or benefits to worker safety.

The objective of the proposed regulatory action is to reduce GHG emissions from HFCs that are up to thousands of times more potent in warming potential than equivalent amounts of CO<sub>2</sub>. The proposed regulation is anticipated to result in a cumulative reduction of 22.9 MMTCO<sub>2</sub>E by year 2030; a reduction of up to 3.4 MMTCO<sub>2</sub>E in annual emissions. A summary of these benefits is provided in section IV, “Benefits Anticipated from the Regulatory Action” in the ISOR.

**Business Report (Gov. Code, § 11346.6, subd. (a)(11); 11346.3, subd. (d)):**

In accordance with Government Code sections 11346.5, subdivision (a)(11) and 11346.3, subdivision (d), the Executive Officer finds the recordkeeping, reporting, and disclosure requirements of the proposed regulatory action, which apply to businesses, to be necessary for the health, safety, and welfare of the people of the State of California.

**Cost Impacts on Representative Private Persons or Businesses (Gov. Code, § 11346.5, subd. (a)(9)):**

In developing this regulatory proposal, CARB staff evaluated the potential economic impacts on representative private persons or businesses. The cost impact varies by end-use category with initial costs for a typical business ranging from \$80 to \$254,200, with annual ongoing costs of \$40.

**Effect on Small Business (Cal. Code Regs, tit. 1, § 4, subds. (a) and (b)):**

The Executive Officer has also determined that, under California Code of Regulations, title 1, section 4, the proposed regulatory action would affect small businesses. The initial cost for a small business ranges from \$0 to \$14,200, with annual ongoing costs of \$40.

**Alternatives Statement (Gov. Codes, § 11346.5, subd. (a)(13)):**

CARB staff considered the following alternatives: (1) no action; (2) adopt the SNAP Rules in their entirety; and (3) exempt small businesses. CARB staff concluded that action is necessary to prevent harm to the climate and to comply with California’s legal mandates. CARB staff also concluded that emissions from end-use sectors not included in the proposed regulation will be reduced more effectively using other reduction measures. CARB staff also concluded that excluding small businesses would be in contradiction of the SNAP Rules, would not be effective in reducing emissions, would create confusion among end-users, and would make it extremely difficult to enforce the proposed regulation.

Therefore, no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. For additional information, see section IX, “Evaluation of Regulatory Alternatives” in the ISOR.

ENVIRONMENTAL ANALYSIS

CARB, as the lead agency under the California Environmental Quality Act (CEQA), has reviewed the proposed regulation and prepared a draft environmental analysis in accordance with the requirements of its regulatory program certified by the Secretary of Natural Resources (Cal. Code Regs., tit. 17, §§ 60006–60008; Cal. Code Regs., tit. 14, § 15251 (d)). CARB staff have concluded that the proposed regulation is exempt pursuant to CEQA guidelines section 15308 — Actions Taken by Regulatory Agencies for Protection of the Environment. A brief explanation of the basis for reaching this conclusion is included in Chapter VI of the ISOR.

SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language; and
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322–5594 or by facsimile at (916) 322–3928 as soon as possible, but no later than ten business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alternativo u otro idioma; y
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322–5594 o envíe un fax a (916) 322–3928 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Re-transmisión de Mensajes de California.

AGENCY CONTACT PERSONS

Inquiries concerning the substance of the proposed regulatory action may be directed to the agency representative, Kathryn Kynett, Air Pollution Specialist, Greenhouse Gas Reduction Strategy Section, at (916) 322–8598 or (designated back-up contact) Pamela Gupta, Manager, Greenhouse Gas Reduction Strategy Section, at (916) 327–0604.

AVAILABILITY OF DOCUMENTS

CARB staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is entitled: “Prohibitions on Use of Certain Hydrofluorocarbons in Stationary Refrigeration and Foam End-Uses.”



Copies of the ISOR and the full text of the proposed regulatory language, may be accessed on CARB's website listed below, or may be obtained from the Public Information Office, California Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, on January 30, 2018.

Further, the agency representative to whom nonsubstantive inquiries concerning the proposed administrative action may be directed is Bradley Bechtold, Regulations Coordinator, at (916) 322-6533. The Board staff has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

**HEARING PROCEDURES**

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Government Code, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340). Following the public hearing, the Board may take action to approve for adoption the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also approve for adoption the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice and that the regulatory language as modified could result from the proposed regulatory action. If this occurs, the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15 days before final adoption.

The public may request a copy of the modified regulatory text from CARB's Public Information Office, California Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814.

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**INTERNET ACCESS**

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<http://www.arb.ca.gov/regact/2018/casnap/casnap.htm>.

**TITLE 20. CALIFORNIA ENERGY COMMISSION**

Portable Electric Spas and Battery Charger Systems  
Appliance Efficiency Rulemaking

California Energy Commission  
Docket No. 18-AAER-02

The California Energy Commission proposes to modify existing appliance efficiency regulations for portable electric spas to clarify the scope, update the performance standard, update the test procedure, and add a labeling requirement. The Commission proposes to modify existing marking requirements in the appliance efficiency regulations for battery chargers.

**NOTICE THAT A PUBLIC HEARING IS SCHEDULED**

The date set for the adoption of regulations at a public hearing is as follows:

Commission Business Meeting  
April 11, 2018  
Beginning 10:00 a.m. (Pacific Time)  
California Energy Commission  
1516 9th Street  
Sacramento, CA 95814  
Rosenfeld Hearing Room  
(Wheelchair accessible)

Audio for the adoption hearing will be broadcast over the internet. Details regarding the Commission's webcast can be found at [www.energy.ca.gov/webcast](http://www.energy.ca.gov/webcast).

If you have a disability and require assistance to participate in these hearings, please contact Poneh Jones at (916) 654-4425 at least 5 days in advance.

**ORAL AND WRITTEN STATEMENTS**

Interested persons may present oral and written statements, arguments, or contentions regarding the proposed regulations at the hearing, or, prior to the hearing, may submit written comments to the Commission for consideration no later than 5:00 p.m. on March 19, 2018. The Commission appreciates receiving written comments at the earliest possible date.

Please submit comments to the Commission using the Commission's e-commenting feature by going to the Commission's appliance efficiency rulemaking webpage at <http://energy.ca.gov/appliances/>