

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
OFFICE OF SPILL PREVENTION & RESPONSE**

Title 14, California Code of Regulations
Amend Section 845.2
Oil Transfer Operations and Inspections

FINAL STATEMENT OF REASONS

I. Update to the Initial Statement of Reasons:

The Office of Spill Prevention and Response (OSPR) has adopted revisions to regulations pertaining to inspections of vessels engaged in oil transfer operations. The amended regulations include section 845.2 of Title 14 of the California Code of Regulations.

Upon an initial review by the Office of Administrative Law, it was determined that additional information related to necessity of the regulations was needed. The following provides enhanced necessity supplementing the Initial Statement of Reasons (ISOR).

As stated in the ISOR, this proposed rulemaking will update regulations to be consistent with OSPR's current practices as well as with related provisions of the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act. In subsection 845.2(a)(1), examples of circumstances of when an inspection of a transfer operation may occur were added. This provides clarity for regulated entities to know when they could expect an inspection. Although not every possible situation can be listed, these are the primary situations that would trigger an inspection, consistent with current practices.

Public Comment Period

The proposed amendments were noticed for a 45-day public comment period starting May 2, 2026 and ending June 16, 2026 (California Regulatory Notice Register No. Z2026-0420-04). No public hearings were held nor requested.

A summary of the comment(s) and response(s) from the public comment period is included below.

II. Alternatives Determination

In accordance with Government Code section 11346.9, subdivision (a)(4), OSPR has determined that no reasonable alternative it considered or that was otherwise identified and brought to its attention would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation or would be more cost-effective to affected private persons, or equally effective in implementing the statutory policy or other provision law.

III. Local Mandate Determination

In accordance with Government Code section 11346.9, subdivision (a)(2), OSPR determined that the proposed regulations do not impose any mandate on local agencies or school districts.

IV. Consideration of Public Comments

OSPR received only one written comment during the 45-day comment period.

- Commenter is generally supportive of this rulemaking action and inquired about the reason for the revisions. [Western States Petroleum Association]

OSPR Response: OSPR accepts the comment. No change is necessary to the originally proposed language. OSPR contacted the commenter to direct the commenter to the rulemaking documents posted on OSPR's website and to address the commenter's inquiry.