

STATE OF CALIFORNIA

**CALIFORNIA POLLUTION CONTROL  
FINANCING AUTHORITY**

915 Capitol Mall, Room 457  
Sacramento, CA 95814  
Telephone: (916) 654-5610  
Telecopier: (916) 589-2805



**MEMBERS:**

Bill Lockyer, Chairman  
*State Treasurer*

John Chiang  
*State Controller*

Michael C. Genest, Director  
*Department of Finance*

**EXECUTIVE DIRECTOR:**

Michael Papparian

June 1, 2012

**California Pollution Control Financing Authority  
California Capital Access Program (CalCAP)  
Notice of Emergency Regulations**

The California Pollution Control Financing Authority (CPCFA) organized and operating pursuant to Sections 44500 through 44563 of the California Health and Safety Code proposes to adopt the proposed regulations after considering all comments, objections, and recommendations regarding the proposed action.

CPCFA proposes to amend Sections 8070, 8071, 8072, 8078 and 8078.2 of Title 4 of the California Code of Regulations (the "Amended Capital Access Regulations") concerning the administration of the Capital Access Program for Small Businesses (the "Program"). These regulations will be approved on an emergency basis by June 18, 2012.

Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency regulation action to the Office of Administrative Law (OAL), the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to the Office of Administrative Law, the Office of Administrative Law shall allow interested persons five (5) calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6. Upon filing, OAL will have ten (10) calendar days within which to review and make a decision on the proposed emergency rule. If approved, OAL will file the regulations with the Secretary of State, and the emergency regulations will become effective for one hundred and eighty (180) days. Within the 180-day effective period, CPCFA will proceed with regular rulemaking action, including a public comment period. The emergency regulations will remain in effect during this rulemaking action.

In accordance with its authority under Health and Safety Code Section 44520(b), the California Pollution Control Financing Authority is proposing to adopt the regulations as emergency regulations. Attached to this Notice is the specific regulatory language of CPCFA's proposed emergency action and Finding of Emergency. You may also review the proposed regulatory language and Finding of Emergency on CPCFA's website at the following address: <http://www.treasurer.ca.gov/cpcfa/calcap/index.asp>. If you prefer to receive a hard copy of the proposed emergency regulation, please contact Jillian Franzoia at (916) 653-3993 and a copy will be provided at no cost.

Sincerely,



Michael Paparian  
Executive Director

Attachments: Proposed Text of Regulations  
Finding of Emergency

cc: Sherri Kay Wahl, Deputy Executive Director  
Jade Turner-Bond, CPCFA Legal Counsel  
Patricia Tanous, Treasury Program Manager II  
Nancee Trombley, CalCAP Manager