



# California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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## PROPOSED ACTION ON REGULATIONS

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### TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

Notice is hereby given that the Department of Food and Agriculture (Department) is proposing to take the action described in the Informative Digest. A public hearing is not scheduled for this proposal. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Any person interested may present statements or arguments in writing relevant to the action proposed to the person designated in this notice as the contact person beginning February 8, 2013, and ending at 5 p.m. on March 25, 2013. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, the Department, upon its own motion or at the insistence of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 407 of the Food and Agricultural Code, the director may adopt such regulations as are reasonably necessary to carry out the provisions of this Food and Agricultural Code. Accordingly, the Department proposes to amend Sections 1701, 1701.1, 1701.2, 1702, 1703.2, and 1703.3, and delete sections 1703.4 and 1703.5, of the California Code of Regulations, Division 3, Title 3, Chapter 2.2, Subchapter 1, Articles 2, 3, and 4.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department proposes to amend sections 1701, 1701.1, 1701.2, 1702, 1703.2, and 1703.3, and delete

sections 1703.4 and 1703.5, which pertain to applications for license, private disputes, expedited arbitration, hearings, and complaints filed prior to January 1998. This proposal will provide for amending the regulations to align with the code and result in a streamlined and more efficient application process for both licensing and expedited review and settlement of verified complaints.

Existing state law provides that the Department, for the purposes of issuance of a license, may adopt regulations that specify the information to be collected for issuance of that license. In section 1701, with regard to the Department's application for license, this proposal will allow for substitution of a signed acknowledgment in place of an affidavit.

In section 1701.1, with regard to information to be supplied by applicants for a license, the Department proposes to require self-disclosure of bankruptcy filings and is substituting a signed acknowledgment for an affidavit.

In section 1703.2, "Instituting Department's Alternative Dispute Resolution Procedure," aligning the regulation with the code requires the charges for the filing of a "verified complaint" be increased from \$60 to \$100.

In Section 1703.3, "Request for Formal Alternative Dispute Resolution," aligning the regulation with the code requires substitution of "Expedited Review and Settlement" for "Formal Alternative Dispute Resolution" and an increase in the filing fee from \$300 to \$600.

Sections 1703.4 and 1703.5 are being deleted as the sections "AAA Hearing" process and "Complaints Filed Prior to January 1998" are no longer applicable.

This proposed regulatory action amends specific regulatory codes with the corresponding statutes being Chapters 6 and 7 of Division 20 of the Food and Agricultural Code, also known as the Processors Law (1935) and Produce Dealers Act (1932).

The benefit of the changes is the alignment of the regulations with the FAC of certain enforcement functions the Department performs. This alignment benefits producers and processors by streamlining transactions with the Department.

Based on an initial evaluation, the Department does not believe that the proposed regulations are inconsistent or incompatible with existing state or federal regulations.

#### FISCAL IMPACT STATEMENTS/DISCLOSURES REGARDING THE PROPOSED ACTION

*The Department has made the following initial determinations:*

Fiscal impact on public agencies including costs or savings to state agencies or cost/savings in federal funding to the state: The Department has determined that the

proposed regulations would not have a significant statewide economic impact on public agencies or federal funding to the state.

Mandate on local agencies and school districts: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None and no nondiscretionary costs or savings to local agencies or school districts.

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: The Department has made an initial determination that no statewide adverse economic impact will occur affecting the ability of California businesses to compete with businesses in other states. This determination was made based on the fact that a relatively small number of requests are made by affected businesses seeking the Department's assistance in complaint resolution.

Cost impacts on a representative private person or business: The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. However, a representative private person or business would incur costs of \$100 per verified complaint submitted to the Department and \$600 to participate in the expedited arbitration process should they request these services. The Department processes approximately 100–140 verified complaints and between 1 and 3 expedited arbitrations per year.

Significant effect on housing costs: None.

Small Business Determination: The Department has determined that the proposed regulations may affect small businesses; however, the Department does not maintain data to determine if any of its licensed producers or dealers are "small businesses" as defined in Government Code Section 11342.610.

Other Non-Discretionary Cost or Savings Imposed Upon Local Agencies: The Department has made a preliminary determination that no non-discretionary cost or savings will be imposed upon local agencies by this regulation.

## ALTERNATIVES CONSIDERED

The Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the actions are proposed or would be as effective and less burdensome to affected private persons than the proposed actions or would be more cost-effective to affected private persons and equally

effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the hearing (if a hearing is requested) or during the written public comment period.

## RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The benefits of the proposed amended regulations to the health and welfare of California residents, worker safety, and the state's environment have been determined to remain consistent with benefits currently derived from the existence of the subject regulations. The subject regulations maintain part of a licensing and enforcement protocol for dealers and producers of certain agricultural products and serve to effectuate the orderly and effective marketing of those products consistent with state law.

Amendment of these regulations will not:

- (1) Create or eliminate jobs within California;
- (2) Create new businesses or eliminate existing businesses within California; or
- (3) Affect the expansion of businesses currently doing business within California.

## CONTACT

The agency officer (the "contact") to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed is: Agatha d'Esterhazy, Department of Food and Agriculture, Market Enforcement Branch, 1220 N Street, Sacramento, California 95814, (916) 900-5016, FAX (916) 900-5342, E-mail: [adesterhazy@cdfa.ca.gov](mailto:adesterhazy@cdfa.ca.gov). In her absence, you may contact David Hillis, Marketing Division at (916) 900-5011. Questions regarding the substance of the proposed regulation should be addressed as follows:

Agatha d'Esterhazy  
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Marketing Enforcement Branch  
1220 N Street  
Sacramento, CA 95814  
[adesterhazy@cdfa.ca.gov](mailto:adesterhazy@cdfa.ca.gov)  
916-900-5016  
916-900-5342 (FAX)

Written comments should include the author's name and U.S. Postal Service mailing address in order for the department to provide copies of any notices for proposed changes to the regulation text on which additional comments may be solicited.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet Web site ([www.cdfa.ca.gov/mkt/regulations.html](http://www.cdfa.ca.gov/mkt/regulations.html)).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any interested person may obtain a copy of said proposed regulations prior to the date of adoption by contacting the contact named herein.

**TITLE 4. BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION**

NOTICE IS HEREBY GIVEN that the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation (Bureau), Department of Consumer Affairs, is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Department of Consumer Affairs' 1st Floor Hearing Room located at 1625 North Market Blvd, Sacramento, California 95834, at 10:00 a.m. on March 26, 2013. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Bureau at its office not later than 5:00 p.m. on March 26, 2013, or must be received by the Bureau at the hearing. The Bureau, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammati-

cal changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE:

Pursuant to the authority vested by sections 125.9, 148, 19034, 19081, and 19161<sup>1</sup> of the Business and Professions Code, and to implement, interpret or make specific sections 125.9, 148, 19000, 19004, 19080, 19081, 19086, 19087, 19088, 19089.3, 19089.5, 19092, 19093, 19161.3, and 19161.5 of said Code, the Bureau is considering changes to Articles 1, 2, 13, and 15.5 of Division 3 of Title 4 of the California Code of Regulations as follows:

INFORMATIVE DIGEST

A. Informative Digest

The Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation (Bureau), within the California Department of Consumer Affairs, is required to adopt rules and regulations necessary for the administration of the Home Furnishings and Thermal Insulation Act. The Act requires the Bureau to protect consumers from the safety hazards associated with residential furniture products offered for sale in California, regardless of their place of origin.

Existing regulations establish the flammability and labeling requirements for Technical Bulletin 117 (TB 117) entitled, "Requirements, Test Procedures and Apparatus for Testing the Flame Retardance of Filling Materials Used in Upholstered Furniture". This mandatory performance standard requires that the concealed filling materials and cover fabric of upholstered furniture undergo individual component testing to ensure that they pass open flame and cigarette smolder tests. The main emphasis of the current upholstered furniture flammability standard is on the open flame testing of interior filling materials.

<sup>1</sup>Business and Professions Code section 19161(a) purports to define the term 'fire retardant' "as used in [that] section" as the "open-flame test adopted by the United States Consumer Product Safety Commission and set forth in Section 1633 and following of Title 16 of the Code of Federal Regulations" (emphasis added). This federal test is an apparatus for testing the open-flame flammability of mattresses and mattress sets. The test is not designed to test any other type of furniture. A reference to the CPSC test found at 16 C.F.R. 1633 et seq. necessarily refers to the testing of mattresses and mattress sets only. The appropriate wording for Section 19161(a) would have been "as used in this subdivision" rather than "section." Legislative notes for this statute support this interpretation.

This regulatory proposal would establish new performance and labeling requirements under the new flammability standard Technical Bulletin 117–2013 (TB 117–2013). The Bureau will be conducting an Initial Study on the environmental impacts of this regulatory action under the California Environmental Quality Act (CEQA).

The implementation of TB 117–2013 will make the following changes to existing regulations:

**Amend section 1101 of Article 1 of Title 4 of the California Code of Regulations:**

The proposed amendment changes the definition of the term “Bureau” to mean the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation. This is necessary due to the enactment in Assembly Bill 20 which consolidated the Bureau of Electronic and Appliance Repair and the Bureau of Home Furnishings and Thermal Insulation.

**Amend sections 1126(d)(11), 1126(d)(12) and 1126(f)(Type No. 8) of Article 2 of Title 4 of the California Code of Regulations:**

The proposed amendment would require that the statements and headings appearing on official law labels and invoices of articles meeting Bureau flammability standards are to refer to the new flammability standard TB 117–2013, thereby replacing each reference to TB 117.

**Amend section 1370(a) of Article 13 of Title 4 of the California Code of Regulations:**

The proposed amendment clarifies that, on or after July 1, 2014, the Bureau’s authority to test products in accordance with TB 117–2013 will be expanded to cover fabrics, as well as the filling material, to ensure that such articles labeled as compliant with the new flammability standard are not making untrue or misleading statements.

The proposed amendment provides consistency with the amendments to section 1374(a), which establishes the flammability requirements of TB 117–2013, and also sections 1374.3(a) and 1374.3(b), which establish the proposed labeling requirements.

**Repeal section 1370(b) of Article 13 of Title 4 of the California Code of Regulations:**

The proposed repeal of this subsection removes reference to the obsolete fabric flammability standard, Technical Bulletin 105. The language in this subsection is unnecessary as this voluntary standard has not been practiced by the Bureau or industry for over 10 years.

Furthermore, fabric flammability requirements are to be mandated as part of the new standard TB 117–2013.

**Amend section 1373.2 of Article 13 of Title 4 of the California Code of Regulations:**

The proposed amendment clarifies that, on or after July 1, 2014, all flexible polyurethane foam that is subject to this section must meet the test requirements of the new flammability standard TB 117–2013.

**Amend section 1374(a) of Article 13 of Title 4 of the California Code of Regulations:**

The proposed amendment clarifies that, on or after July 1, 2014, the scope of this subsection would require that the cover fabrics of any article of upholstered or re-upholstered furniture shall meet the requirements of the new flammability standard TB 117–2013.

The proposed amendment is necessary to provide consistency with the amendments to section 1370(a), which establish the proposed testing requirements, and also sections 1374.3(a) and 1374.3(b) which establish the proposed labeling requirements of articles adhering to this subsection.

**Amend section 1374(c) of Article 13 of Title 4 of the California Code of Regulations:**

The proposed amendment deletes the implementation date of this subsection to remove nonessential language allowing for easier interpretation.

**Amend section 1374(e) of Article 13 of Title 4 of the California Code of Regulations:**

The proposed amendment makes non-substantive changes to strengthen the intent of this subsection to make clear that the articles used within public occupancies and public assembly areas, which are fully sprinklered, are required to meet the test requirements of TB 117–2013 or the test requirements of TB 133.

In its current text, it could be misinterpreted as having to meet both requirements.

**Repeal section 1374.1 of Article 13 of Title 4 of the California Code of Regulations:**

The proposed repeal of section 1374.1 would remove the exemption label requirement for items that are exempt from meeting the Bureau’s flammability requirements.

**Amend section 1374.3(a) and 1374(b) of Article 13 of Title 4 of the California Code of Regulations:**

The proposed amendment would change the wording on the flammability label to clarify and require that the article to which the label is attached meets the requirements of the new flammability standard TB 117–2013.

**Amend section 1374.3(e) of Article 13 of Title 4 of the California Code of Regulations:**

The proposed amendment would eliminate the reference of section 1374.1 in this section of regulation as it is proposed to be repealed.

**Amend section 1383.2(a) of Article 15.5 of Title 4 of the California Code of Regulations:**

The proposed amendment would eliminate the citation and fine provision related to exempted labels. Under section 1374.1, exempted labels are proposed to be repealed.

**In addition, the Bureau proposes to amend section 1374.2(c) to clarify that infant walkers, booster seats, car seats, changing pads, floor play mats, highchair pads, highchairs, infant swings, bassinets, infant seats, infant bouncers, nursing pads, playards, playpen side pads, infant mattresses, infant mattress pads, and portable hook-on chairs shall also be exempt from the Bureau flammability requirements along with the previously exempted items which are strollers, infant carriers, and nursing pillows.**

**B. Policy Statement Overview/Anticipated Benefits of Proposal**

This regulatory proposal aims to update the flammability standards allowing the Bureau to conduct smolder-resistance testing of products for the purpose of protecting consumers from fires ignited by smoking materials, which are the leading ignition source of fires today. This proposal also aims to lessen the burden on manufacturers through the proposed exemption of products deemed to pose no serious fire hazard.

As specified in Business and Professions Code section 19004.1, protection of the public shall be the highest priority for the Bureau when exercising its regulatory function under this chapter. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

This regulatory proposal benefits the health and welfare of California residents and the environment as it provides greater fire safety protection against smoldering materials, which are the leading ignition source of fires and losses today. This will provide consumers with a more realistic approach to fire safety in addition to reducing the upholstered furniture's smolder-ignition potential.

As an added benefit, this regulatory proposal significantly reduces or eliminates manufacturers' reliance on materials treated with flame retardant chemicals. It is the Bureau's understanding that many manufacturers, who are no longer compelled to make materials open-flame resistant, will no longer use flame retardant chemicals in their products. Manufacturers would instead be able to purchase and use the less expensive

non-flame retardant materials therefore saving in material costs.

**Consistency and Compatibility with Existing State Regulations**

This Bureau has evaluated this regulatory proposal and it is neither inconsistent nor incompatible with existing state regulations.

**INCORPORATION BY REFERENCE**

Section 1370(a) incorporates the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin 117-2013 document entitled, "Requirements, Test Procedure and Apparatus for Testing the Smolder Resistance of Material Used in Upholstered Furniture", January 2013.

**FISCAL IMPACT ESTIMATES**

**Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:** None. The amendment to section 1383.2(a) removes the Bureau's authority to assess fines related to the violation of section 1374.1. Historically, the Bureau has not imposed or collected fine assessments in this area due to manufacturer's compliance with exemption label requirements. Therefore, there would be no fiscal impact to the Bureau, other state agencies or to the Federal funding to the state.

**Nondiscretionary Costs/Savings to Local Agencies:** None.

**Local Mandate:** None.

**Cost to Any Local Agency or School District for Which Government Code Sections 17500-17630 Require Reimbursement:** None.

**Business Impact:**

The Bureau has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

This initial determination is based on research and testimonies reporting that 80-85% of U.S. manufacturers currently comply with the voluntary standard ASTM E-1353-08a, on which TB 117-2013 is based. The new standard saves manufacturers money in duplicative testing efforts as opposed to implementing a brand new standard. With such large stakeholder participation, it substantially reduces the need for extensive laboratory testing and associated costs, deeming it less burdensome on manufacturers. Further, manufacturers have until July 1, 2014, to meet the requirements set forth in the new TB 117-2013 standard. This will substantially reduce and/or eliminate the manufacturer's

costs of compliance as they have a sufficient time period to deplete their current supplies. Manufacturers have stated this timeframe is reasonable for compliance. In addition, furniture retailers can sell through their inventory of products without restriction.

Furniture products that are subject to this regulatory proposal must have attached a flammability and official law label just as previously required. The proposed grammatical changes to these labels may incur an insignificant initial cost for reprinting new labels. Therefore, the Bureau finds that the impact on businesses will be negligible.

The following reporting, recordkeeping, or other compliance requirements are projected to result from the proposed action:

This regulatory proposal does not mandate reporting or recordkeeping requirements; however, TB 117–2013 specifies specific equipment, materials, and measurements for testing. The specific dimensions, sizes and specifications for such items such as foam, standard reference material, and draft enclosure are necessary to provide consistent test results and accurate indications of whether a material does in fact pass these flammability standards. These items can be acquired from various sources and are widely available. With no standard testing method and apparatus, the Bureau would have no practical way of enforcing its flammability rules.

**Upholstered Furniture Exemptions:** The exemption of 17 baby and infant products from flammability requirements will not have a significant adverse economic impact on businesses. This initial determination is based on research and testimony reporting that exempting these products from flammability standards reduces the need to use flame retardant filling materials. Manufacturers would instead be able to purchase and use the less expensive non-flame retardant filling materials, therefore saving in material costs.

All products subject to exemption from flammability standards must have attached an official law label as previously required. Exempted products will no longer require an exemption label. This will be a cost savings to manufacturers of exempted products.

Cost Impact on Representative Private Person or Business:

The Bureau is not aware of any significant cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

This initial determination is based on research and testimonies reporting that 80–85% of U.S. manufacturers currently comply with the voluntary standard ASTM E–1353–08a. The Bureau has based the development of TB 117–2013 on this voluntary standard for the purpose of saving manufacturers money in duplica-

tive testing efforts as opposed to implementing a brand new standard. With such large stakeholder participation, it substantially reduces the need for extensive laboratory testing and associated costs, deeming it less burdensome on manufacturers.

Further, manufacturers have until July 1, 2014, to meet the requirements set forth in the new TB 117–2013 standard. This will substantially reduce and/or eliminate the manufacturers’ costs of compliance as they have a sufficient time period to deplete their current supplies. Manufacturers have stated this timeframe is reasonable for compliance. In addition, furniture retailers can sell through their inventory of products without restriction.

Furniture products that are subject to this regulatory proposal must have attached a flammability and official law label just as previously required. The proposed grammatical changes to these labels may incur an insignificant initial cost for reprinting new labels. Therefore, the Bureau finds that the impact on representative private persons or businesses will be negligible.

This regulatory proposal does not mandate reporting or recordkeeping requirements; however, TB 117–2013 specifies specific equipment, materials, and measurements for testing. The specific dimensions, sizes, and specifications for such items such as foam, standard reference material, and draft enclosure are necessary to provide consistent test results and accurate indications of whether a material does in fact pass these flammability standards. These items can be acquired from various sources and are widely available. With no standard testing method and apparatus, the Bureau would have no practical way of enforcing its flammability rules.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Bureau has determined that the proposed regulations would affect small businesses. The regulatory proposal impacts current manufacturing practices and may have a minor impact on some small businesses. Specifically, a majority of the furniture currently manufactured already complies with the new flammability standard. The remaining manufacturers would design furniture with use of smolder-resistant fabrics or interliners. The use of interliners is prevalent in upholstered furniture as it enhances the cushion and comfort level for consumer satisfaction.

Further, manufacturers have until July 1, 2014, to meet the requirements set forth in the new TB 117–2013 standard. This will substantially reduce and/or eliminate the manufacturers’ costs of compliance as they have a sufficient time period to deplete their current supplies. Manufacturers have stated this timeframe is reasonable for compliance. In addition, furniture retail-

ers can sell through their inventory of products without restriction.

Furniture products that are subject to this regulatory proposal must have attached a flammability and official law label just as previously required. The proposed grammatical changes to these labels may incur an insignificant initial cost for reprinting new labels. Therefore, the Bureau finds that small businesses will have a negligible impact.

All products subject to exemption from flammability standards must have attached an official law label as previously required. Exempted products will no longer require an exemption label. This will be a cost savings to manufacturers of exempted products.

**RESULTS OF ECONOMIC IMPACT  
ASSESSMENT/ANALYSIS**

Impact on Jobs/Businesses:

The Bureau has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

The reasoning for this determination is because this regulatory proposal will only have a minor impact on current manufacturing practices. A majority of the furniture currently manufactured already complies with the new flammability standard. The remaining manufacturers would design furniture with use of smolder-resistant fabrics or interliners. The use of interliners is prevalent in upholstered furniture as it enhances the cushion and comfort level for consumer satisfaction. All exempt products will continue to require an official law label. All non-exempted products subject to this regulatory proposal must have flammability and official law labels attached as previously required.

Benefits of Regulation:

The Bureau has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents, worker safety, and the state's environment:

This regulatory proposal benefits the health and welfare of California residents and the environment as it provides greater fire safety protection against smoldering materials, which are the leading ignition source of fires and losses today. This will provide consumers with a more realistic approach to fire safety in addition to reducing the upholstered furniture's smolder-ignition potential.

As an added benefit, this regulatory proposal significantly reduces or eliminates manufacturers' reliance on materials treated with flame retardant chemicals. It is the Bureau's understanding that many manufacturers

who are no longer compelled to make materials open-flame resistant will no longer use flame retardant chemicals in their products.

**CONSIDERATION OF ALTERNATIVES**

The Bureau must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention 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 proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

**INITIAL STATEMENT OF REASONS  
AND INFORMATION**

The Bureau has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

**TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Bureau at 4244 South Market Court, Suite D, Sacramento, California 95834.

**AVAILABILITY AND LOCATION OF THE FINAL  
STATEMENT OF REASONS AND  
RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

**CONTACT PERSON**

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Diana Godines  
 Address: Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation  
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 Sacramento, CA 95834  
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The backup contact person is:

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 Telephone No.: (916) 999-2055  
 Fax No.: (916) 923-0642  
 E-mail Address: victoria.hernandez@dca.ca.gov

Website Access: Materials regarding this proposal can be found at [www.bearhfti.ca.gov](http://www.bearhfti.ca.gov).

**TITLE 8. DIVISION OF WORKERS' COMPENSATION**

**NOTICE OF RULEMAKING AFTER EMERGENCY ADOPTION**

**Workers' Compensation — Electronic document filing and lien filing fee rules**

**NOTICE IS HEREBY GIVEN** that the Administrative Director of the Division of Workers' Compensation (hereinafter "Administrative Director"), pursuant to the authority vested in her by Labor Code Sections 133, 5307.3, 5710 and 5811, has adopted regulations on an emergency basis to implement the provisions of Labor Code sections 4903, 4903.05, 4903.06, and 4903.07, as amended and added by Senate Bill 863 (Chapter 363, stats. of 2012, effective January 1, 2013).

The regulations amend sections 10205 and 10205.12 and add sections 10206, 10206.1, 10206.2, 10206.3, 10206.4, 10206.5, 10206.14, 10206.15, 10207, and 10208 to Subchapter 1.8.5. of Chapter 4.5, of Title 8 California Code of Regulations. The regulations govern electronic document filing and lien filing fee rules. The emergency regulations listed below became effective on January 1, 2013, and will remain in effect for a period of 180 days from January 1, 2013. The purpose of this

rulemaking is to adopt the emergency regulations on a permanent basis.

**PROPOSED REGULATORY ACTION**

- Amend section 10205 Definitions
- Amend section 10205.12 Form and Size Requirements for Filed Documents
- Adopt section 10206 Electronic Document Filing; Electronic Adjudication Management System (EAMS) Reference Guide and Instructional Manual for E-Form Filers; Incorporation
- Adopt section 10206.1 Electronic Document Filing; Electronic Adjudication Management System Business Rules for JET Filers; Incorporation.
- Adopt section 10206.2 Electronic Filing Exemption
- Adopt section 10206.3 Time of Filing of Documents
- Adopt section 10206.4 Uniform Assigned Names
- Adopt section 10206.5 Form and Size Requirements for Electronic Filed Documents
- Adopt section 10206.14 DWCE-Forms and DWC Unstructured Forms
- Adopt section 10206.15 DWCJET Forms
- Adopt section 10207 Initial Lien Filing Fees
- Adopt section 10208 Lien Activation Fees

**TIME AND PLACE OF PUBLIC HEARING**

A public hearing has been scheduled to permit all interested persons the opportunity to present statements or arguments, either orally or in writing, with respect to the subjects noted above. The hearing will be held at the following time and place:

- Date:** **March 26, 2013**
- Time:** **10:00 a.m. to 5:00 p.m., or until conclusion of business**
- Place:** **Elihu Harris State Office Building — Auditorium  
1515 Clay Street  
Oakland, California 94612**

The State Office Building and its Auditorium are accessible to persons with mobility impairments. Alternate formats, assistive listening systems, sign language interpreters, or other type of reasonable accommodation to facilitate effective communication for persons with disabilities, are available upon request. Please contact the State Wide Disability Accommodation Coordinator, Kathleen Estrada, at 1-866-681-1459 (toll free), or through the California Relay Service by dialing 711 or 1-800-735-2929 (TTY/English) or 1-800-855-3000 (TTY/Spanish) as soon as possible to request assistance.

**Please note that public comment will begin promptly at 10:00 a.m. and will conclude when the last speaker has finished his or her presentation or 5:00 p.m., whichever is earlier. If public comment concludes before the noon recess, no afternoon session will be held.**

The Acting Administrative Director requests, but does not require, that any persons who make oral comments at the hearing also provide a written copy of their comments. Equal weight will be accorded to oral comments and written materials.

#### WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department of Industrial Relations, Division of Workers' Compensation. The written comment period closes at **5:00 p.m., on March 26, 2013**. The Division of Workers' Compensation will consider only comments received at the Division by that time. Equal weight will be accorded to comments presented at the hearing and to other written comments received by 5 p.m. on that date by the Division.

Submit written comments concerning the proposed regulations prior to the close of the public comment period to:

Maureen Gray  
Regulations Coordinator  
Division of Workers' Compensation, Legal Unit  
P.O. Box 420603  
San Francisco, CA 94142

Written comments may be submitted by facsimile transmission (FAX), addressed to the above-named contact person at (510) 286-0687. Written comments may also be sent electronically (via e-mail) using the following e-mail address: [dwcrules@dir.ca.gov](mailto:dwcrules@dir.ca.gov).

Unless submitted prior to or at the public hearing, Ms. Gray must receive all written comments no later than **5:00 p.m., on March 26, 2013**.

#### AUTHORITY AND REFERENCE

The Acting Administrative Director is undertaking this regulatory action pursuant to the authority vested in her by Labor Code sections 111, 133, 138.2, 4903.05, 4903.06, and 5307.3; and Stats. 2011, c. 559, §17 (A.B. 1426).

Reference is to Labor Code sections 110, 126, 4903, 4903.05, 4903.06, 4903.1, 5300, 5404.5, 5500.3, 5501.5, 5501.6, and 5502, Labor Code; section 1349 Health and Safety Code; and sections 10121, and 10270.5, Insurance Code.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Senate Bill (SB) 863 has created substantial changes to how liens are filed within the workers' compensation system. Specifically, any liens filed pursuant to Labor Code section 4903(b) or claims of costs must be filed electronically. Also, a fee of \$150 is now required prior to filing for most liens filed after Jan. 1, 2013, and a \$100 activation fee is required for most liens filed before then, but activated for a lien conference after Jan. 1, 2013. This activation fee is required to be paid at the time a lien claimant files a declaration of readiness or appears at a lien conference. There are also provisions for dismissal of liens by operation of law after Jan. 1, 2014 if no activation fee has been filed. This rulemaking implements these changes.

Labor Code section 4903 et seq. authorizes the Workers' Compensation Appeals Board (WCAB) to determine and allow specified expenses as liens against any sum to be paid as compensation. Labor Code section 138.2(b) authorizes the Administrative Director to provide the necessary infrastructure, which includes the Electronic Adjudication Management System (EAMS), for the district offices of the WCAB. In fiscal year 2004 to 2005, Senate Bill 1113 (SB 1113, Stats. 2004, Ch. 208) authorized funds for the Electronic Adjudication Management System (EAMS). EAMS is a computer-based system that improved the DWC case management process by creating an electronic filing system for the trial level workers' compensation courts. EAMS replaced the paper file system with electronic-based workers' compensation court technology and supporting infrastructure.

SB 863 added Labor Code sections 4903.05 and 4903.06. Section 4903.05 describes the filing requirements for a lien, which was previously contained in former Labor Code section 4903.1. A lien claimant must still file a lien with the WCAB in the form approved by the WCAB. Section 4903.05(b) requires that liens for medical treatment (under Labor Code section 4903(b)) must be filed electronically using the form approved by

the WCAB. Lien claims that are exempted from this obligation include liens for burial expenses, child support and living expenses. Labor Code section 4903.05(b) also includes liens for claim for costs.

Labor Code section 4903.05(c) adds a filing fee for liens filed on or after Jan. 1, 2013. The fee applies to liens under Labor Code section 4903(b), which relates to medical treatment or medical legal expense, or for claims for costs. If a lien is not properly submitted with proof that the filing fee has been paid, it will be deemed invalid and will not preserve or extend the time limit for filing the lien.

A lien claimant is required to pay a \$150 filing fee to the Division of Workers' Compensation (DWC) before filing a lien. The claimant must include proof that the filing fee is paid. The fee will be collected through an electronic payment system that accepts major credit cards and other forms of electronic payment selected by the Administrative Director. The Administrative Director is authorized to contract with a service provider for the processing of electronic payments, but a processing fee must not be absorbed by DWC and must not add to the fee charged to the lien claimant. The filing fee must be deposited into the Workers' Compensation Administrative Revolving Fund. The Administrative Director must adopt reasonable rules and regulations regarding the procedure for the collection of the fees.

Certain providers are explicitly excluded from payment of the filing fee. They are: (1) a health-care service plan licensed per Health and Safety Code section 1349; (2) a group disability insurer under a policy issued in California per Insurance Code section 10270.5; (3) a self-insured employee welfare benefit plan issued in California as defined by Insurance Code section 10212; (4) a Taft-Hartley health and welfare fund; and (5) a publicly funded program providing medical benefits on a nonindustrial basis.

Labor Code section 4903.06 implements a new activation fee for liens filed before Jan. 1, 2013. The activation fee applies to medical treatment and medical-legal liens under Labor Code 4903(b) and liens for costs. A lien claimant may avoid paying an activation fee only if it provides proof of having paid a filing fee as required by former Labor Code section 4903.05. Otherwise, a lien claimant must file a lien activation fee of \$100 to the DWC on or before Jan. 1, 2014. The activation fee is to be collected electronically. A lien claimant must include a proof of payment of the filing fee or activation fee when it files a declaration of readiness to proceed.

All lien claimants that did not file the DOR and that remain a lien claimant at the time of the lien conference must submit proof of payment of the activation fee at the conference. If the fee has not been paid or no proof of payment is made, the lien shall be dismissed with

prejudice. Liens filed before Jan. 1, 2013, for which a filing fee or activation fee has not been paid by Jan. 1, 2014, will be dismissed by operation of law. The same lien claimants who are exempted from the \$150 filing fee are exempt from the activation fee.

The emergency regulations were adopted effective January 1, 2013. This rulemaking would make the regulations permanent. Changes to the text of the regulations that have been made after the adoption of the emergency regulations are shown in italics. These proposed regulations implement, interpret, and make specific the above sections of the Labor Code and Government Code as follows:

**1. Section 10205. Definitions**

- This amended section adds definitions for “cost,” “electronic filing,” “initial lien,” “section 4903(b) lien,” and amends the definitions for [to] “file” and “party.” *The definitions of “cost,” “lien conference,” “mandatory settlement conference” and “party” have been amended after the adoption of the emergency regulations for clarity. The definition of “section 4903(b) lien” is amended to delete reference to “interpreters’ fees incurred in connection with medical treatment (Labor Code section 4600)” because those fees are subject to a petition for costs under Labor Code section 5811.*
- The definitions are added to ensure that the terms’ meaning, as used in the regulations, will be clear to the regulated public.

**2. Section 10205.12 Form and Size Requirements for Filed Documents**

- The cross reference in subdivision (b)(4) to the definition of “product deliver units” is corrected to reflect the new lettering (section 10205(dd)).

**3. Section 10206. Electronic Document Filing; Electronic Adjudication Management System (EAMS) Reference Guide and Instructional Manual for E-Form Filers; Incorporation**

- This section provides that electronic documents (E-forms) shall be filed upon a form approved by the appeals board and shall follow the procedures set forth in the Electronic Adjudication Management System (EAMS) Reference Guide and Instructional Manual for E-Form Filers (EAMS E-Form Filing Reference Guide), dated *July 1, 2013. (The EAMS Reference Guide’s date has been changed from January 1 to July 1 to include revisions that have been and may be made during the certificate of compliance.)*. The guide is incorporated by reference.
- The EAMS Reference Guide provides that filing electronically requires a login consisting of a user name and password. Upon completion of the

required training, new participants to the e-form filing will receive a login which allows them electronic access to EAMS. E-forms are electronic forms that are filled out on the user's computer and filed over the Internet into EAMS. The guide provides the user with a key word and key phrase searchable resource to help the user achieve as error-free and efficient e-filing as possible. The topics include general guidelines, filing procedure, general topics (an alphabetical list of topics such as attachments, body part codes, change of address, document titles, medical records, proof of service, and trial exhibits), selected structured form specifics (how to file structured e-forms), EAMS help desk and UDO operator, tips and tricks, troubleshooting and an appendix. *The section pertaining to uniform assigned names (UANs) on pages 7, 8 and 59 of the EAMS Reference Guide has been amended to include lien claimants. The word "court" has been deleted on pages 61 and 78 as it was an incorrect term.*

**4. Section 10206.1. Electronic Document Filing; Electronic Adjudication Management System Business Rules for JET Filers; Incorporation**

- This section provides that JET filing shall follow the procedures set forth in the Electronic Adjudication Management System JET File Business Rules and Technical Specifications, Version 4.0, dated January 1, 2013. The document is incorporated by reference.
- The JET File system was created to electronically process forms and minimize or eliminate the need for manual filing. JET Filing reduces the overall volume of processed paper.
- JET filers have three ways to use JET: (1) purchase or rent software from an approved vendor that allows them to JET file directly; (2) use a third-party filer to transmit on their behalf; or (3) build their own transmission process using the technical specifications. The purpose of the JET File Business Rules and Technical Specifications is to provide JET filing specifications required for both EAMS and submitters' systems. The document includes the JET File business rules and identifies the JET filing technical requirements. This document also contains detailed system design artifacts such as use cases and class diagrams. The document lists the JET file system requirements, the SFTP Bulk filing requirements and technical use cases, the EAMS JET file bulk business rules, XML layout specifications and schema definitions, error codes and messages,

JET file system security, guidelines and standards, and appendices.

**5. Section 10206.2. Electronic Filing Exemption**

- This section provides an exemption from the electronic filing rules for any unrepresented injured employee, any unrepresented dependent of an injured employee, or any unrepresented uninsured employer.

**6. Section 10206.3. Time of Filing of Documents**

- This section sets forth the rules regarding when an electronically filed document is deemed to have been filed. An electronically transmitted document shall be deemed to have been received by EAMS when the electronic transmission of the document into EAMS is complete. A document received electronically after 5:00 p.m. of a court day (i.e., Monday through Friday, except designated State holidays) shall be deemed filed as of the next court day.
- When an e-form is filed electronically, the party filing the document shall verify completion of filing pursuant to the procedures set forth in the EAMS E-Form Filing Reference Guide, Version 2.0.
- When a document is filed using JET filing, the party filing the document shall verify completion of filing pursuant to the EAMS JET File Business Rules and Technical Specifications, Version 4.0.

**7. Section 10206.4. Uniform Assigned Names**

- This section provides that uniform assigned names (UAN) shall be created and assigned for claims administrators, representatives and lien claimant organizations by the DWC Central Registration Unit. The Central Registration Unit shall maintain the website list of uniform names and addresses of claims administrators' offices, representatives' offices, and lien claimant organization.

**8. Section 10206.5. Form and Size Requirements for Electronic Filed Documents**

- This section sets forth the standards for filing an electronic document:
  - (1) All electronically filed documents shall be submitted by using the appropriate e-form or XML file.
  - (2) Any document that is required to accompany an electronic form shall be filed as an attachment to the electronic form and shall be submitted in one of the following four file formats: "PDF/A1-a (Portable Document Format)," "DOC (.doc" Microsoft Word document)," "XLS" (.xls" Microsoft Excel worksheet sheet)," or "TIFF

(“.tif or .tiff” Tagged Image File Format).” Filing using the “PDF/A1-a” is preferred.

(3) With the exception of electronic forms and required attachments, no embedded data shall be allowed in electronically filed documents.

(4) The filing party shall take all reasonable steps to ensure that the filing does not contain computer code, including viruses that might be harmful to EAMS or to other users of EAMS.

Any electronically submitted document that is determined to contain a virus or other potentially harmful computer code may not be processed and may be deleted.

(5) If it is necessary to attach a document to an e-form, the filing party shall verify the readability of the scanned document before submitting it to EAMS.

- The section also provides that service of any document that has been filed electronically shall include a copy of the entire e-form, all attachments and EAMS cover sheet. The proof of service for any electronically filed document shall identify the serving office’s EAMS administrator and provide that individual’s contact information.

**9. Section 10206.14. DWC E-Forms and DWC Unstructured Forms**

- This section provides that authorized e-form filers shall use the e-forms from the external user home page. E-forms filing may be obtained from the DWC website at <http://www.dir.ca.gov/dwc/forms.html#EAMSForms>.

**10. Section 10206.15. DWC JET Forms**

- This section provides that authorized JET filers shall file forms using the EAMS JET File Business Rules and Technical Specifications, Version 4.0. JET filing forms may be obtained from the DWC website at <http://www.dir.ca.gov/dwc/forms.html>.

**11. Section 10207. Initial Lien Filing Fees**

- This section provides what type of liens must be filed with the appeals board in writing or electronically using a form approved by the appeals board. It also states which type of liens must pay the initial filing fee. The lien must be accompanied by a proof of service and any other documents required by the appeals board.
- Unless exempt pursuant to Labor Code section 4903.06(b), prior to or at the filing of an initial lien pursuant to Labor Code section 4903(b), the lien claimant shall submit a filing fee in the amount of one hundred fifty dollars (\$150) to the DWC,

using a form approved by the appeals board. A filing fee is required for each case in which the lien is filed; however, where one or more liens or one or more costs filed as a lien is filed in more than one case involving the same injured worker and same service or services by the same lien claimant, only one filing fee needs to be paid.

- The filing fee shall be collected by the Administrative Director.
- E-Forms filers shall pay the initial lien filing fee following the procedures set forth in the EAMS E-Form Filing Reference Guide.
- JET Filers shall pay the initial lien filing fee following the procedures set forth in the EAMS JET File Business Rules and Technical Specifications, Version 4.0.
- If the initial section 4903(b) lien filing fee has been previously paid, the lien claimant shall submit written documentation of confirmation of payment when filing the Declaration of Readiness to Proceed for a lien conference.
- When filing an initial lien, a lien claimant that claims that a filing fee is not required or that a lien filed under Labor Code section 4903(b) is exempt from the filing fee shall so indicate that status on the lien form.
- If no application exists for the employee at the time of the initial section 4903(b) lien filing, the lien claimant shall file any necessary application(s) and duty to investigate verification pursuant to section 10770.5. In such cases, the ADJ case number shall be assigned by the appeals board. The lien claimant will receive a Notice of Application assigning a case number. The lien claimant may thereafter file the initial lien claim or claim of cost filed as a lien accompanied with the filing fee required by Labor Code section 4903.05 or confirmation of payment.
- For an initial lien pursuant to Labor Code section 4903(b) that is not exempt pursuant to Labor Code section 4903.06(b) confirmation of payment shall be filed with the Declaration of Readiness to Proceed for a lien conference.
- The claims of two or more providers of goods or services shall not be merged into a single section 4903(b) lien.
- When a lien claimant files liens or claims of costs filed as a lien in more than one case at the same time, the filing fee or fees may be paid in a single transaction following the instructions set forth in the EAMS E-Form Filing Reference Guide or the EAMS JET File Business Rules and Technical Specifications, Version 4.0.

- A section 4903(b) lien or claims of costs filed as a lien submitted for filing on or after January 1, 2013 that does not comply with the requirements of this section shall be invalid, even if lodged with the appeals board, and shall not operate to preserve or toll any time limit for filing of the lien.
- Any section 4903(b) lien or claims of costs filed as a lien filed for goods or services that are not the proper subject of a lien may be dismissed upon request of a party by verified petition or on the appeals board's own motion. If the section 4903(b) lien or claim of costs filed as a lien is dismissed, the lien claimant will not be entitled to reimbursement of the filing fee.
- Unless exempt pursuant to Labor Code section 4903.06(b), no initial section 4903(b) lien or claim of costs filed as a lien shall be accepted for filing on or after the effective date of these regulations unless accompanied by full payment for the filing fee required by Labor Code section 4903.05. Until receipt of proper payment or confirmation of payment, the lien shall not be deemed to have been received or filed for any purpose.
- When the attorney for the employee or dependent or any assignee of the lien claimant files the initial medical costs, that filing shall be deemed to have been made by an agent for the medical provider and payment of the filing fee required by Labor Code section 4903.05 shall be required of the filing party as if the lien had been filed directly by the lien claimant.

**12. Section 10208. Lien Activation Fees**

- This section sets forth what liens are subject to the \$100 lien activation fees and how the payment is made. It also clarifies which lien claimants are exempt from the payment and which lien claimants are not required to pay the lien activation fee.
- *Subdivision (b) has been deleted as it was duplicative of the provision in subdivision (a) that provides that an activation fee is required for each lien except where one or more liens or one or more costs filed as lien is filed in one or more cases involving the same injured worker and same service or services by the same lien claimant, only one lien activation fee is required.*
- Subdivision (c) provides that the lien activation fee shall be collected by the Administrative Director. All fees shall be deposited in the Workers' Compensation Administration Revolving Fund and applied for the purposes of that fund.

- E-Forms filers shall pay the lien activation fee following the procedures set forth in the EAMS E-Form Filing Reference Guide, Version 1.0.
- JET filers shall pay the lien activation fee following the procedures set forth in the EAMS JET File Business Rules and Technical Specifications, Version 4.0.
- If the activation fee for a section 4903(b) lien filed prior to January 1, 2013 or the cost filed as a lien prior to January 1, 2013 has been previously paid, the lien claimant shall submit confirmation of payment with the Declaration of Readiness to Proceed for a lien conference.
- All lien claimants that are required to pay an activation fee pursuant to this article that did not file the Declaration of Readiness to Proceed for a lien conference and remain a lien claimant of record at the time of a lien conference or consolidated lien conference shall submit confirmation of payment of the lien activation fee at the lien conference.

Objective and Anticipated Benefits of the Proposed Regulations:

The objective of the regulations is to set forth the procedures for electronic filings and implement lien filing fees. The statewide benefit is to reduce system costs. Each lien adds an average of \$400 to \$1000 of loss adjustment expense to a workers' compensation claim, according to estimates by the Workers' Compensation Insurance Rating Bureau (WCIRB) and Commission on Health and Safety and Workers' Compensation (CHSWC), respectively. Collectively they add over \$256 million to \$640 million of frictional costs to the workers' compensation system. The reduction in liens, particularly nuisance liens that are not worth the payment of a \$150 filing fee, is expected to save California employers and insurers from \$106 million to \$743 million annually (including settlement costs). The requirement that most liens must be filed electronically will also reduce system costs.

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Acting Administrative Director has determined that this proposed regulation is not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Acting Administrative Director has concluded that these are the only regulations that set forth the procedures for electronically filing within the workers' compensation adjudication system and provide procedures regarding the lien filing fees and activation fees.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

The Acting Administrative Director has made the following initial determinations:

- Mandate on local agencies and school districts: None.
- Cost or savings to any state agency: Unspecified savings to the quasi-state agency State Compensation Insurance Fund resulting from reduced litigation costs of \$400 to \$1000 per lien dispute and to the Division of Workers' Compensation resulting from the more efficient electronic filing of liens and reduction of the number of filed liens.
- Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.
- Other nondiscretionary cost or savings imposed on local agencies: Unspecified savings resulting from reduced litigation costs of \$400 to \$1000 per lien dispute.
- Cost or savings in federal funding to the state: None.
- Cost impacts on a representative private person or business: Lien filers, including physicians, clinics, hospitals, pharmacies and other providers of medical and ancillary services to injured workers who have fee disputes with the workers' employers or insurers, will be impacted by the statutory requirement to pay a \$150 filing fee or a \$100 activation fee before pursuing a lien for the disputed amount. However, most of the impacted businesses will have access to alternative dispute resolution mechanisms for collection of medical payments for dates of services on or after January 1, 2013.
- Statewide adverse economic impact directly affecting businesses and individuals: Lien filers, including physicians, clinics, hospitals, pharmacies and other providers of medical and ancillary services to injured workers who have fee disputes with the workers' employers or insurers, will be impacted by the statutory requirement to pay a \$150 filing fee or a \$100 activation fee before pursuing a lien for the disputed amount. However, most of the impacted businesses will have access to alternative dispute resolution mechanisms for collection of medical payments for dates of services on or after January 1, 2013. Although the proposed action will directly affect business statewide, including small business, the Acting Administrative Director concludes that the

adverse economic impact, including the ability of California business to compete with business in other states, will not be significant.

- Significant effect on housing costs: None.

Results of the Economic Impact Analysis/Assessment:

The Acting Administrative Director concludes that it is (1) unlikely that the proposal will create any jobs within the State of California, (2) likely that the proposal will eliminate hearing representative jobs within the State of California, (3) unlikely that the proposal will create any new businesses with the State of California, (4) likely that the proposal will eliminate some existing businesses that thrive on "nuisance settlements" of workers' compensation liens within the State of California, and (5) unlikely that the proposal would cause the expansion of the businesses currently doing business within the State of California.

Benefits of the Proposed Action: The statewide benefit is to reduce system costs. Each lien adds an average of \$400 to \$1000 of loss adjustment expense to a workers' compensation claim, according to estimates by the Workers' Compensation Insurance Rating Bureau (WCIRB) and Commission on Health and Safety and Workers' Compensation (CHSWC), respectively. Collectively they add over \$256 million to \$640 million of frictional costs to the workers' compensation system. The reduction in liens, particularly "nuisance liens" that are not worth the payment of a \$150 filing fee, is expected to save California employers and insurers from \$106 million to \$743 million annually (including settlement costs). The reduction in lien filings will also allow more time and resources for adjudicating injured workers' claims.

Small Business Determination: The Acting Administrative Director has determined that the proposed regulations affect small business.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Acting Administrative Director must determine that no reasonable alternative considered or that has otherwise been identified and brought to the Acting Administrative Director's attention would be more effective in carrying out the purpose for which

the actions are proposed, or would be as effective and less burdensome to affected private persons than the proposed actions, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Acting Administrative Director invites interested persons to present reasonable alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

#### PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

The text of the draft proposed regulations was made available for pre-regulatory public comment from November 30–December 7, 2012 through the Division’s Internet website (the “DWC Forum”).

#### AVAILABILITY OF INITIAL STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, RULEMAKING FILE AND DOCUMENTS SUPPORTING THE RULEMAKING FILE/INTERNET ACCESS

An Initial Statement of Reasons and the text of the proposed regulations in plain English have been prepared and are available from the contact person named in this notice. The entire rulemaking file will be made available for inspection and copying at the address indicated below.

As of the date of this Notice, the rulemaking file consists of the Notice, the Initial Statement of Reasons, proposed text of the regulations, pre-rulemaking comments and the Economic Impact Statement (Form STD 399). Also included are studies and documents relied upon in drafting the proposed regulations.

In addition, the Notice, Initial Statement of Reasons, and proposed text of the regulations may be accessed and downloaded from the Division’s website at [www.dir.ca.gov](http://www.dir.ca.gov). To access them, click on the “Proposed Regulations — Rulemaking” link and scroll down the list of rulemaking proceedings to find the Electronic Document Filing and Lien Filing Fee link.

Any interested person may inspect a copy or direct questions about the proposed regulations and any supplemental information contained in the rulemaking file. The rulemaking file will be available for inspection at the Department of Industrial Relations, Division of Workers’ Compensation, 1515 Clay Street, 17<sup>th</sup> Floor, Oakland, California 94612, between 9:00 a.m. and 4:30 p.m., Monday through Friday. Copies of the proposed regulations, Initial Statement of Reasons and any information contained in the rulemaking file may be requested in writing to the contact person.

#### CONTACT PERSON FOR GENERAL QUESTIONS

Non-substantive inquiries concerning this action, such as requests to be added to the mailing list for rule-making notices, requests for copies of the text of the proposed regulations, the Initial Statement of Reasons, and any supplemental information contained in the rulemaking file may be requested in writing at the same address. The contact person is:

Maureen Gray  
Regulations Coordinator  
Department of Industrial Relations  
Division of Workers’ Compensation  
P.O. Box 420603  
San Francisco, CA 94142  
E-mail: [mgray@dir.ca.gov](mailto:mgray@dir.ca.gov)

The telephone number of the contact person is (510) 286–7100.

#### CONTACT PERSON FOR SUBSTANTIVE QUESTIONS

In the event the contact person above is unavailable, or for questions regarding the substance of the proposed regulations, inquiries should be directed to:

Destie Overpeck  
Division of Workers’ Compensation  
P.O. Box 420603  
San Francisco, CA 94142  
E-mail: [doverpeck@dir.ca.gov](mailto:doverpeck@dir.ca.gov)

The telephone number of this contact person is (510) 286–7100.

#### FORMAT OF REGULATORY TEXT

##### **Text of Emergency Regulations Effective January 1, 2013:**

Deletions from the original codified regulatory text made by the emergency regulatory text effective January 1, 2013, are indicated by single strike-through, thus: ~~deleted language~~.

Additions to the original codified regulatory text made by the emergency regulatory text effective January 1, 2013, are indicated by single underlining, thus: added language.

##### **Additional Proposed Text Noticed for 45-Day Comment Period:**

Deletions from the emergency regulatory text noticed for the 45-day comment period are indicated by strike-through underlining: ~~deleted language~~.

Additions to the original codified regulatory text and emergency regulatory text noticed for the 45-day comment period are indicated by double underlining: added language.

Newly proposed deletions from the original codified regulatory text noticed for the 45–day comment period are indicated by double strike-through: ~~deleted language~~.

**AVAILABILITY OF CHANGES FOLLOWING PUBLIC HEARING**

If the Acting Administrative Director makes changes to the proposed regulations as a result of the public hearing and public comment received, the modified text with changes clearly shown will be made available for public comment for at least 15 days prior to the date on which the regulations are adopted.

**AVAILABILITY OF THE FINAL STATEMENT OF REASONS**

Upon its completion, the final Statement of Reasons will be available and copies may be requested from the contact person named in this notice or may be accessed on the Division’s website at [www.dir.ca.gov](http://www.dir.ca.gov).

**AUTOMATIC MAILING**

A copy of this Notice, the Initial Statement of Reasons, and the text of the regulations, will automatically be sent to those interested persons on the Acting Administrative Director’s mailing list.

If adopted, the regulations as amended will appear in California Code of Regulations, title 8, commencing with section 10205. The text of the final regulations also may be available through the website of the Office of Administrative Law at [www.oal.ca.gov](http://www.oal.ca.gov).

**TITLE 17. DEPARTMENT OF PUBLIC HEALTH**

**ACTION: NOTICE OF EMERGENCY RULEMAKING**  
Title 17, California Code of Regulations  
**SUBJECT: The Licensing of Genetic Counselors, DPH–00–067E**

Notice IS HEREBY GIVEN that the California Department of Public Health (Department) has, under the authority granted by section 131200 of the Health and Safety Code, adopted the regulations described in this notice on an emergency basis. Section 124977(d)(1) of the Health and Safety Code provides that for the purpose of the Administrative Procedures Act, the adoption of these regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare. This

regulation is in effect. This notice of proposed rulemaking commences a rulemaking to make the regulations permanent.

**PUBLIC PROCEEDINGS**

Notice is hereby given that the Department will conduct a public hearing commencing on:

**Date and Time:** Wednesday, March 27, 2013 — 1:30 p.m. to 3:30 p.m.  
**Place:** 1500 Capitol Ave., Training Room A Sacramento, California 95814  
**Purpose:** To hear comments about this action.

An agenda for the public hearing will be posted at the time and place of hearing designated above.

For individuals with disabilities, the Department will provide assistive services such as sign–language interpretation, real–time captioning, note takers, reading or writing assistance, and conversion of written public hearing materials into Braille, large print, audiocassette, or computer disk. To request such services or copies of materials in an alternate format, please write or call: Laurel Prior, Office of Regulations, MS 0507, P.O. Box 997377, Sacramento, CA 95899–7377, phone (916) 440–7673, email at [lprior@cdph.ca.gov](mailto:lprior@cdph.ca.gov), or use the California Relay Service by dialing 711. Note: The range of assistive services available may be limited if requests are received less than ten business days prior to a public hearing.

**WRITTEN COMMENT PERIOD**

The public comment period will close at 5:00 p.m. on March 25, 2013. Any person may submit public comments in writing (by mail, fax, e–mail, or in person) regarding the emergency changes. To be considered by the Department, comments must be submitted to the Department, Office of Regulations as follows:

1. By email to: [regulations@cdph.ca.gov](mailto:regulations@cdph.ca.gov)
2. By fax transmission to: (916) 440–5747;
3. By mail to: Office of Regulations, P.O. Box 997377, Sacramento, CA 95899–7377; or
4. Hand delivered to: 1616 Capitol Avenue, Sacramento, CA 95814

**AUTHORITY AND REFERENCE CITATIONS**

The Department adopts the regulations sections identified under the authority provided in Sections 124977, 124980, 124981, 124982, 131052 and 131200, Health and Safety Code. The regulations implement, interpret, or make specific Sections 124980, 124981, 124982, 124996 and 131071, Health and Safety Code; Section

17520, Family Code; Section 494.5, Business and Professions Code; and Section 11522, Government Code.

The Department adopts Articles 1 through 3, Sections 6300.1, 6300.3, 6300.5, 6300.7, 6300.9, 6300.11, 6300.13, 6300.15, 6300.17, 6300.19, 6300.21, 6300.23, 6301.1, 6301.3, 6301.5, 6301.7, 6301.9, 6303.1, and 6303.3, in Title 17 of the California Code of Regulations (CCR), Division 1, Chapter 4, Subchapter 9, Group 1, Licensing of Genetic Counselors.

**INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW**

Health and Safety Code Section 131200 authorizes the Department to promulgate regulations for the execution of its duties. The Genetic Disease Screening Program (GDSP) is administered by the Department to serve the people of California by reducing the emotional and financial burden of disability and death caused by genetic and congenital disorders. Health and Safety Code Section 124980 requires the Department to establish regulations and standards for licensing master level genetic counselors and doctoral level medical geneticists as genetic counselors. GDSP is responsible for administering this new genetic counselor licensure program.

Section 124981 establishes the qualifications for original and renewal licenses and prohibits the use of the title “genetic counselor” unless the person has applied for and obtained a license from the Department. Section 124982 establishes the qualifications for temporary genetic counselor licenses. This emergency regulatory action expands the scope of the requirements for genetic counselor and temporary genetic counselor licensure and the application process; renewal of genetic counselor licenses; continuing education requirements; time period of licenses; reasons and procedures for denial or revocation of genetic counselor and temporary genetic counselor licenses; and license fees.

The purpose of the regulations is to establish appropriate criteria and standards for licensing genetic counselors. The requirements for a genetic counselor license include certification with the American Board of Genetic Counseling (ABGC) or the American Board of Medical Genetics (ABMG). The requirements for a temporary genetic counselor license include the applicant being accepted as an active candidate for the ABGC certification examination, or providing a statement of intent to apply to the ABGC for active candidate status. Individuals with a temporary genetic counselor license are required to work under the general supervision of a licensed genetic counselor or licensed physician.

Genetic counselor licenses are valid for three years unless at any time they are revoked. Temporary genetic counselor licenses are valid for two years unless at any time they are revoked. To renew a genetic counselor license, the licensee is required to have completed 45 contact hours of continuing education (30 contact hours from the National Society of Genetic Counselors [NSGC] Category 1 continuing education unit [CEU] programs with the remaining 15 contact hours from either NSGC Category 1 or Category 2 CEU programs).

Health and Safety Code Sections 124977 and 124996 require that GDSP activities be “fully supported from fees collected.” The Department will charge fees to applicants applying for and renewing licenses in order to cover the cost of administering and maintaining the licensure program.

The benefits anticipated by the adoption of these regulations are the protection of public health and safety by implementing professional standards of education and experience for genetic counselors, and restricting the practice of genetic counseling to individuals meeting these standards. Genetic counseling is the practice of helping individuals and families understand the medical, psychological, social and reproductive implications of inherited and congenital conditions. Elements of the practice include: assessment of the chance for recurrence or occurrence of an inherited condition; education about inheritance, testing options, medical management, prevention, social support and research; and counseling to help clients adapt to the choices and to the psychological, familial and social issues that stem from the risk or condition in the family.

Two forms, California Genetic Counselor License Application, CDPH 4486 (03/12), and California Genetic Counselor License Payment, CDPH 4487 (03/12), are incorporated by reference.

**MANDATED BY FEDERAL LAW  
OR REGULATION**

Currently, there are no existing federal regulations or statutes applicable to the regulations. The Department does not consider the regulations inconsistent or incompatible with existing state regulations.

**OTHER STATUTORY REQUIREMENTS**

Not applicable.

**LOCAL MANDATE**

The Department has determined that the regulations would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by part 7 (commencing with Section 17500) of Division 4 of the Government Code.

FISCAL IMPACT ESTIMATE

- A. Fiscal Impact on Local Government: None.
- B. Fiscal Impact on State Government: It is anticipated that the revenues generated from the licensure program will offset the costs to the Department associated with administering the program. Initial estimates of annual revenues are \$80,100 for fiscal year (FY) 2011–12 and \$10,200 for FY 2012–13. There are no other costs mandated for state government. There are no plans at present to require a new funding category for Medi-Cal or for other state agencies.
- C. Fiscal Impact on Federal Funding of State Programs: The regulations do not affect the loss or gain of federal matching funds and there are no additional federal funds required in conjunction with these regulations.
- D. Fiscal Impact on Private Persons or Businesses Directly Affected: The cost impacts known to the Department at the time this regulation was adopted, that a representative private person or business would necessarily incur in reasonable compliance with this regulation, are as follows: Private persons desiring to practice genetic counseling are impacted by payment of fees as defined in the Health and Safety Code, Sections 124981 and 124982, and Sections 6301.1, 6301.3, and 6301.5 of these regulations. Businesses are not directly affected by these regulations with the exception of entities that choose to pay license fees for their employees.
- E. Other Nondiscretionary Cost or Savings Imposed on Local Agencies: None.

EFFECT ON HOUSING COSTS

The Department has determined that the regulations will have no impact on housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

The Department has made an initial determination that the regulations would not have a significant, state-wide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Department has determined that the regulations would not significantly affect:

1. The creation or elimination of jobs within the State of California.
2. The creation of new businesses or the elimination of existing businesses within the State of California.
3. The expansion of businesses currently doing business within the State of California.

The Department has determined that the regulations would benefit the health and welfare of California residents as it is in the public's interest to have individuals providing genetic counseling services meet minimum standards of education, training, and professional conduct.

The Department has determined there are no discernible benefits to worker safety or the state's environment.

BUSINESS REPORT

Not applicable.

EFFECT ON SMALL BUSINESS

The Department has determined that the regulation will not affect small business. None of the businesses affected by this regulation meet the criteria of small business established by section 11342.610 of the Government Code.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), a rulemaking agency must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency 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 provision of law.

CONTACT INFORMATION

For questions regarding the subject matter of these regulations:

**Genetic Disease Screening Program**  
**Sara Goldman, M.P.H., Chief**  
**Program Standards and Quality Assurance**  
**Branch**  
**California Department of Public Health**  
**(510) 412-1463**

For questions regarding the regulatory process described in this notice:

**Laurel Prior**  
**Office of Regulations**  
**(916) 440-7673**

All submitted comments should contain the regulation package identifier DPH-00-067E.

**AVAILABILITY OF EXPRESS TERMS AND INITIAL STATEMENT OF REASONS**

The Department has made available the regulation text and the initial statement of reasons for the emergency regulations on the Department's website at <http://www.cdph.ca.gov>. Upon completion of the rulemaking process, the rulemaking file for this regulatory action which contains those items and all information on which the emergency action is based will be available to the public upon a request submitted to the Department.

**AVAILABILITY OF CHANGES TO PROPOSED TEXT**

After considering all timely and relevant comments received, the Department may finalize the emergency regulations substantially as described in this Notice. If the Department makes modifications, which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department finalizes the regulations as revised. Copies of modified regulation text may be obtained from the Department's website at <http://www.cdph.ca.gov>.

**FINAL STATEMENT OF REASONS**

A copy of the final statement of reasons (when prepared) will be available upon request from the Office of Regulations.

**INTERNET ACCESS**

Materials regarding the action described in this notice (including this public notice, the regulation text, and the initial statement of reasons) are available via the Internet at [www.cdph.ca.gov](http://www.cdph.ca.gov) by clicking on these links, in the following order: Decisions Pending & Opportunities for Public Participation, Proposed Regulations.

**PROPOSITION 65**

**OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (Proposition 65)**

**NOTICE TO INTERESTED PARTIES February 8, 2013**

**CHEMICALS LISTED EFFECTIVE February 8, 2013 AS KNOWN TO THE STATE OF CALIFORNIA TO CAUSE CANCER**

Effective **February 8, 2013**, the Office of Environmental Health Hazard Assessment (OEHHA) is adding *C.I. Disperse Yellow 3* (CAS No. 2832-40-8) and *2,6-dimethyl-N-nitrosomorpholine (DMNM)* (CAS No. 1456-28-6) to the list of chemicals known to the State to cause cancer for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65<sup>1</sup>).

*C.I. Disperse Yellow 3* and *2,6-dimethyl-N-nitrosomorpholine (DMNM)* were considered by the Carcinogen Identification Committee (CIC) in its official capacity as the "state's qualified experts" at a public meeting held on January 25, 2013. The CIC determined that the two chemicals were clearly shown, through scientifically valid testing according to generally accepted principles, to cause cancer. Regulations governing the criteria for listing of chemicals by the CIC are set out in Title 27, California Code of Regulations, section 25305(a)(1).

A complete, updated chemical list is published in this issue of the *California Regulatory Notice Register* and is available on the OEHHA website at [www.oehha.ca.gov](http://www.oehha.ca.gov).

In summary, the following chemicals are being listed under Proposition 65 as known to the State to cause cancer:

<sup>1</sup> Health and Safety Code section 25249.5, et seq.

Chemical	CASNo.	Toxicological Endpoint	Listing Mechanism <sup>2</sup>
C.I. Disperse Yellow 3	2832-40-8	cancer	SQE
2,6-Dimethyl-N-nitrosomorpholine (DMNM)	1456-28-6	cancer	SQE

<sup>2</sup> Listing mechanism: SQE — “state’s qualified experts” mechanism (Health and Safety Code section 25249.8(b) and Title 27 Cal. Code of Regs., section 25305(a)(1)).

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC  
ENFORCEMENT ACT OF 1986**

**CHEMICALS KNOWN TO THE STATE  
TO CAUSE CANCER OR  
REPRODUCTIVE TOXICITY  
FEBRUARY 8, 2012**

The Safe Drinking Water and Toxic Enforcement Act of 1986 requires that the Governor revise and republish at least once per year the list of chemicals known to the State to cause cancer or reproductive toxicity. The identification number indicated in the following list is the Chemical Abstracts Service (CAS) Registry Number. No CAS number is given when several substances are presented as a single listing. The date refers to the initial appearance of the chemical on the list. For easy reference, chemicals which are shown underlined are newly added. Chemicals which are shown with a strikethrough were placed on the list with the date noted, and have subsequently been removed.

**CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER**

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole)	26148-68-5	January 1, 1990
Acetaldehyde	75-07-0	April 1, 1988
Acetamide	60-35-5	January 1, 1990
Acetochlor	34256-82-1	January 1, 1989
2-Acetylaminofluorene	53-96-3	July 1, 1987
Acifluorfen sodium	62476-59-9	January 1, 1990
Acrylamide	79-06-1	January 1, 1990
Acrylonitrile	107-13-1	July 1, 1987
Actinomycin D	50-76-0	October 1, 1989
AF-2;[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide	3688-53-7	July 1, 1987
Aflatoxins	—	January 1, 1988
Alachlor	15972-60-8	January 1, 1989
Alcoholic beverages, when associated with alcohol abuse	—	July 1, 1988
Aldrin	309-00-2	July 1, 1988
<u>Allyl chloride</u> <u>Delisted October 29, 1999</u>	<del>107-05-1</del>	<del>January 1, 1990</del>
2-Aminoanthraquinone	117-79-3	October 1, 1989
p-Aminoazobenzene	60-09-3	January 1, 1990
ortho-Aminoazotoluene	97-56-3	July 1, 1987
4-Aminobiphenyl (4-aminodiphenyl)	92-67-1	February 27, 1987
1-Amino-2,4-dibromoanthraquinone	81-49-2	August 26, 1997
3-Amino-9-ethylcarbazole hydrochloride	6109-97-3	July 1, 1989
2-Aminofluorene	153-78-6	January 29, 1999
1-Amino-2-methylanthraquinone	82-28-0	October 1, 1989
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712-68-5	July 1, 1987
4-Amino-2-nitrophenol	119-34-6	January 29, 1999
Amitrole	61-82-5	July 1, 1987
Amsacrine	51264-14-3	August 7, 2009
Analgesic mixtures containing phenacetin	—	February 27, 1987
Androstenedione	63-05-8	May 3, 2011
Aniline	62-53-3	January 1, 1990
Aniline hydrochloride	142-04-1	May 15, 1998

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
<i>ortho</i> -Anisidine	90-04-0	July 1, 1987
<i>ortho</i> -Anisidine hydrochloride	134-29-2	July 1, 1987
Antimony oxide (Antimony trioxide)	1309-64-4	October 1, 1990
Anthraquinone	84-65-1	September 28, 2007
Aramite	140-57-8	July 1, 1987
Areca nut	—	February 3, 2006
Aristolochic acids	—	July 9, 2004
Arsenic (inorganic arsenic compounds)	—	February 27, 1987
Asbestos	1332-21-4	February 27, 1987
Auramine	492-80-8	July 1, 1987
Azacitidine	320-67-2	January 1, 1992
Azaserine	115-02-6	July 1, 1987
Azathioprine	446-86-6	February 27, 1987
Azobenzene	103-33-3	January 1, 1990
Benthiavalicarb-isopropyl	177406-68-7	July 1, 2008
Benz[a]anthracene	56-55-3	July 1, 1987
Benzene	71-43-2	February 27, 1987
Benzidine [and its salts]	92-87-5	February 27, 1987
Benzidine-based dyes	—	October 1, 1992
Benzo[b]fluoranthene	205-99-2	July 1, 1987
Benzo[j]fluoranthene	205-82-3	July 1, 1987
Benzo[k]fluoranthene	207-08-9	July 1, 1987
Benzofuran	271-89-6	October 1, 1990
Benzophenone	119-61-9	June 22, 2012
Benzo[a]pyrene	50-32-8	July 1, 1987
Benzotrichloride	98-07-7	July 1, 1987
Benzyl chloride	100-44-7	January 1, 1990
Benzyl violet 4B	1694-09-3	July 1, 1987
Beryllium and beryllium compounds	—	October 1, 1987
Betel quid with tobacco	—	January 1, 1990
Betel quid without tobacco	—	February 3, 2006
2,2-Bis(bromomethyl)-1,3-propanediol	3296-90-0	May 1, 1996
Bis(2-chloroethyl)ether	111-44-4	April 1, 1988
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlornapazine)	494-03-1	February 27, 1987
Bischloroethyl nitrosourea (BCNU) (Carmustine)	154-93-8	July 1, 1987
Bis(chloromethyl)ether	542-88-1	February 27, 1987
Bis(2-chloro-1-methylethyl) ether, technical grade	—	October 29, 1999
Bitumens, extracts of steam-refined and air refined	—	January 1, 1990
Bracken fern	—	January 1, 1990
Bromate	15541-45-4	May 31, 2002
Bromochloroacetic acid	5589-96-8	April 6, 2010
Bromodichloromethane	75-27-4	January 1, 1990
Bromoethane	74-96-4	December 22, 2000
Bromoform	75-25-2	April 1, 1991
1,3-Butadiene	106-99-0	April 1, 1988
1,4-Butanediol dimethanesulfonate (Busulfan)	55-98-1	February 27, 1987
Butylated hydroxyanisole	25013-16-5	January 1, 1990
beta-Butyrolactone	3068-88-0	July 1, 1987
Cacodylic acid	75-60-5	May 1, 1996
Cadmium and cadmium compounds	—	October 1, 1987
Caffeic acid	331-39-5	October 1, 1994
Captafol	2425-06-1	October 1, 1988
Captan	133-06-2	January 1, 1990

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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Carbaryl	63-25-2	February 5, 2010
Carbazole	86-74-8	May 1, 1996
Carbon black (airborne, unbound particles of respirable size)	1333-86-4	February 21, 2003
Carbon tetrachloride	56-23-5	October 1, 1987
Carbon-black extracts	—	January 1, 1990
N-Carboxymethyl-N-nitrosourea	60391-92-6	January 25, 2002
Catechol	120-80-9	July 15, 2003
Ceramic fibers (airborne particles of respirable size)	—	July 1, 1990
Certain combined chemotherapy for lymphomas	—	February 27, 1987
Chlorambucil	305-03-3	February 27, 1987
Chloramphenicol <u>Delisted January 4, 2013</u>	56-75-7	October 1, 1989
Chlordane	57-74-9	July 1, 1988
Chlordecone (Kepone)	143-50-0	January 1, 1988
Chlordimeform	6164-98-3	January 1, 1989
Chlorendic acid	115-28-6	July 1, 1989
Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight)	108171-26-2	July 1, 1989
<i>p</i> -Chloroaniline	106-47-8	October 1, 1994
<i>p</i> -Chloroaniline hydrochloride	20265-96-7	May 15, 1998
Chlorodibromomethane <u>Delisted October 29, 1999</u>	124-48-1	January 1, 1990
Chloroethane (Ethyl chloride)	75-00-3	July 1, 1990
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU)	13010-47-4	January 1, 1988
(Lomustine)		
1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea (Methyl-CCNU)	13909-09-6	October 1, 1988
Chloroform	67-66-3	October 1, 1987
Chloromethyl methyl ether (technical grade)	107-30-2	February 27, 1987
3-Chloro-2-methylpropene	563-47-3	July 1, 1989
1-Chloro-4-nitrobenzene	100-00-5	October 29, 1999
4-Chloro-ortho-phenylenediamine	95-83-0	January 1, 1988
<i>p</i> -Chloro- <i>o</i> -toluidine	95-69-2	January 1, 1990
<i>p</i> -Chloro- <i>o</i> -toluidine, strong acid salts of	—	May 15, 1998
5-Chloro- <i>o</i> -toluidine and its strong acid salts	—	October 24, 1997
Chloroprene	126-99-8	June 2, 2000
Chlorothalonil	1897-45-6	January 1, 1989
Chlorotrianisene	569-57-3	September 1, 1996
Chlorozotocin	54749-90-5	January 1, 1992
Chromium (hexavalent compounds)	—	February 27, 1987
Chrysene	218-01-9	January 1, 1990
C.I. Acid Red 114	6459-94-5	July 1, 1992
C.I. Basic Red 9 monohydrochloride	569-61-9	July 1, 1989
C.I. Direct Blue 15	2429-74-5	August 26, 1997
C.I. Direct Blue 218	28407-37-6	August 26, 1997
C.I. Disperse Yellow 3	2832-40-8	February 8, 2013
C.I. Solvent Yellow 14	842-07-9	May 15, 1998
Ciclosporin (Cyclosporin A; Cyclosporine)	59865-13-3	January 1, 1992
	79217-60-0	
Cidofovir	113852-37-2	January 29, 1999
Cinnamyl anthranilate	87-29-6	July 1, 1989
Cisplatin	15663-27-1	October 1, 1988
Citrus Red No. 2	6358-53-8	October 1, 1989
Clofibrate	637-07-0	September 1, 1996
Cobalt metal powder	7440-48-4	July 1, 1992
Cobalt [II] oxide	1307-96-6	July 1, 1992

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Cobalt sulfate	10124-43-3	May 20, 2005
Cobalt sulfate heptahydrate	10026-24-1	June 2, 2000
Coconut oil diethanolamine condensate (cocamide diethanolamine)	68603-42-9	June 22, 2012
Coke oven emissions	—	February 27, 1987
Conjugated estrogens	—	February 27, 1987
Creosotes	—	October 1, 1988
<i>para</i> -Cresidine	120-71-8	January 1, 1988
Cumene	98-82-8	April 6, 2010
Cupferron	135-20-6	January 1, 1988
Cycasin	14901-08-7	January 1, 1988
Cyclopenta[ <i>cd</i> ]pyrene	27208-37-3	April 29, 2011
Cyclophosphamide (anhydrous)	50-18-0	February 27, 1987
Cyclophosphamide (hydrated)	6055-19-2	February 27, 1987
Cytembena	21739-91-3	May 15, 1998
D&C Orange No. 17	3468-63-1	July 1, 1990
D&C Red No. 8	2092-56-0	October 1, 1990
D&C Red No. 9	5160-02-1	July 1, 1990
D&C Red No. 19	81-88-9	July 1, 1990
Dacarbazine	4342-03-4	January 1, 1988
Daminozide	1596-84-5	January 1, 1990
Dantron (Chrysazin; 1,8-Dihydroxyanthraquinone)	117-10-2	January 1, 1992
Daunomycin	20830-81-3	January 1, 1988
DDD (Dichlorodiphenyldichloroethane)	72-54-8	January 1, 1989
DDE (Dichlorodiphenyldichloroethylene)	72-55-9	January 1, 1989
DDT (Dichlorodiphenyltrichloroethane)	50-29-3	October 1, 1987
DDVP (Dichlorvos)	62-73-7	January 1, 1989
N,N' -Diacetylbenzidine	613-35-4	October 1, 1989
2,4-Diaminoanisole	615-05-4	October 1, 1990
2,4-Diaminoanisole sulfate	39156-41-7	January 1, 1988
4,4' -Diaminodiphenyl ether (4,4' -Oxydianiline)	101-80-4	January 1, 1988
2,4-Diaminotoluene	95-80-7	January 1, 1988
Diaminotoluene (mixed)	—	January 1, 1990
Diazoaminobenzene	136-35-6	May 20, 2005
Dibenz[ <i>a,h</i> ]acridine	226-36-8	January 1, 1988
Dibenz[ <i>a,j</i> ]acridine	224-42-0	January 1, 1988
Dibenz[ <i>a,h</i> ]anthracene	53-70-3	January 1, 1988
7H-Dibenzo[ <i>c,g</i> ]carbazole	194-59-2	January 1, 1988
Dibenzo[ <i>a,e</i> ]pyrene	192-65-4	January 1, 1988
Dibenzo[ <i>a,h</i> ]pyrene	189-64-0	January 1, 1988
Dibenzo[ <i>a,i</i> ]pyrene	189-55-9	January 1, 1988
Dibenzo[ <i>a,l</i> ]pyrene	191-30-0	January 1, 1988
Dibromoacetic acid	631-64-1	June 17, 2008
Dibromoacetonitrile	3252-43-5	May 3, 2011
1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	July 1, 1987
2,3-Dibromo-1-propanol	96-13-9	October 1, 1994
Dichloroacetic acid	79-43-6	May 1, 1996
<i>p</i> -Dichlorobenzene	106-46-7	January 1, 1989
3,3' -Dichlorobenzidine	91-94-1	October 1, 1987
3,3' -Dichlorobenzidine dihydrochloride	612-83-9	May 15, 1998
1,4-Dichloro-2-butene	764-41-0	January 1, 1990
3,3' -Dichloro-4,4' -diaminodiphenyl ether	28434-86-8	January 1, 1988
1,1-Dichloroethane	75-34-3	January 1, 1990
Dichloromethane (Methylene chloride)	75-09-2	April 1, 1988

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1,2-Dichloropropane	78-87-5	January 1, 1990
1,3-Dichloro-2-propanol (1,3-DCP)	96-23-1	October 8, 2010
1,3-Dichloropropene	542-75-6	January 1, 1989
Diclofop-methyl	51338-27-3	April 6, 2010
Dieldrin	60-57-1	July 1, 1988
<u>Dienestrol Delisted January 4, 2013</u>	<del>84-17-3</del>	<del>January 1, 1990</del>
Diepoxybutane	1464-53-5	January 1, 1988
Diesel engine exhaust	—	October 1, 1990
Diethanolamine	111-42-2	June 22, 2012
Di(2-ethylhexyl)phthalate	117-81-7	January 1, 1988
1,2-Diethylhydrazine	1615-80-1	January 1, 1988
Diethyl sulfate	64-67-5	January 1, 1988
Diethylstilbestrol (DES)	56-53-1	February 27, 1987
Diglycidyl resorcinol ether (DGRE)	101-90-6	July 1, 1989
Dihydrosafrole	94-58-6	January 1, 1988
Diisopropyl sulfate	2973-10-6	April 1, 1993
3,3'-Dimethoxybenzidine (ortho-Dianisidine)	119-90-4	January 1, 1988
3,3'-Dimethoxybenzidine dihydrochloride (ortho-Dianisidine dihydrochloride)	20325-40-0	October 1, 1990
3,3'-Dimethoxybenzidine-based dyes metabolized to 3,3'-dimethoxybenzidine	—	June 11, 2004
3,3'-Dimethylbenzidine-based dyes metabolized to 3,3'-dimethylbenzidine	—	June 11, 2004
Dimethyl sulfate	77-78-1	January 1, 1988
4-Dimethylaminoazobenzene	60-11-7	January 1, 1988
trans-2-[(Dimethylamino)methylimino]-5-[2-(5-nitro-2-furyl)vinyl]-1,3,4-oxadiazole	55738-54-0	January 1, 1988
7,12-Dimethylbenz(a)anthracene	57-97-6	January 1, 1990
3,3'-Dimethylbenzidine (ortho-Tolidine)	119-93-7	January 1, 1988
3,3'-Dimethylbenzidine dihydrochloride	612-82-8	April 1, 1992
Dimethylcarbamoyl chloride	79-44-7	January 1, 1988
1,1-Dimethylhydrazine (UDMH)	57-14-7	October 1, 1989
1,2-Dimethylhydrazine	540-73-8	January 1, 1988
<u>2,6-Dimethyl-N-nitrosomorpholine (DMNM)</u>	<u>1456-28-6</u>	<u>February 8, 2013</u>
Dimethylvinylchloride	513-37-1	July 1, 1989
3,7-Dinitrofluoranthene	105735-71-5	August 26, 1997
3,9-Dinitrofluoranthene	22506-53-2	August 26, 1997
1,3-Dinitropyrene	75321-20-9	November 2, 2012
1,6-Dinitropyrene	42397-64-8	October 1, 1990
1,8-Dinitropyrene	42397-65-9	October 1, 1990
Dinitrotoluene mixture, 2,4-/2,6-	—	May 1, 1996
2,4-Dinitrotoluene	121-14-2	July 1, 1988
2,6-Dinitrotoluene	606-20-2	July 1, 1995
Di-n-propyl isocinchomeronate (MGK Repellent 326)	136-45-8	May 1, 1996
1,4-Dioxane	123-91-1	January 1, 1988
Diphenylhydantoin (Phenytoin)	57-41-0	January 1, 1988
Diphenylhydantoin (Phenytoin), sodium salt	630-93-3	January 1, 1988
Direct Black 38 (technical grade)	1937-37-7	January 1, 1988
Direct Blue 6 (technical grade)	2602-46-2	January 1, 1988
Direct Brown 95 (technical grade)	16071-86-6	October 1, 1988
Disperse Blue 1	2475-45-8	October 1, 1990
Diuron	330-54-1	May 31, 2002
Doxorubicin hydrochloride (Adriamycin)	25316-40-9	July 1, 1987

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Epichlorohydrin	106-89-8	October 1, 1987
Epoxiconazole	135319-73-2	April 15, 2011
Erionite	12510-42-8/ 66733-21-9	October 1, 1988
Estradiol 17B	50-28-2	January 1, 1988
Estragole	140-67-0	October 29, 1999
Estrogens, steroidal	—	August 19, 2005
Estrogen-progestogen (combined) used as menopausal therapy	—	November 4, 2011
Estrone	53-16-7	January 1, 1988
Estropipate	7280-37-7	August 26, 1997
Ethanol in alcoholic beverages	—	April 29, 2011
Ethinylestradiol	57-63-6	January 1, 1988
Ethoprop	13194-48-4	February 27, 2001
Ethyl acrylate	140-88-5	July 1, 1989
Ethylbenzene	100-41-4	June 11, 2004
Ethyl methanesulfonate	62-50-0	January 1, 1988
Ethyl-4,4'-dichlorobenzilate	510-15-6	January 1, 1990
Ethylene dibromide	106-93-4	July 1, 1987
Ethylene dichloride (1,2-Dichloroethane)	107-06-2	October 1, 1987
Ethylene oxide	75-21-8	July 1, 1987
Ethylene thiourea	96-45-7	January 1, 1988
Ethyleneimine ( <u>Aziridine</u> )	151-56-4	January 1, 1988
Etoposide	33419-42-0	November 4, 2011
Etoposide in combination with cisplatin and bleomycin	—	November 4, 2011
Fenoxycarb	72490-01-8	June 2, 2000
Folpet	133-07-3	January 1, 1989
Formaldehyde (gas)	50-00-0	January 1, 1988
2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole	3570-75-0	January 1, 1988
FumonisinB <sub>1</sub>	116355-83-0	November 14, 2003
Furan	110-00-9	October 1, 1993
Furazolidone	67-45-8	January 1, 1990
Furmecyclox	60568-05-0	January 1, 1990
Fusarin C	79748-81-5	July 1, 1995
Gallium arsenide	1303-00-0	August 1, 2008
Ganciclovir	82410-32-0	August 26, 1997
Gasoline engine exhaust (condensates/extracts)	—	October 1, 1990
Gemfibrozil	25812-30-0	December 22, 2000
Glasswool fibers (inhalable and biopersistent)	—	July 1, 1990
Glu-P-1 (2-Amino-6-methylpyrido[1,2-a:3',2'-d]imidazole)	67730-11-4	January 1, 1990
Glu-P-2 (2-Aminodipyrido[1,2-a:3',2'-d]imidazole)	67730-10-3	January 1, 1990
Glycidaldehyde	765-34-4	January 1, 1988
Glycidol	556-52-5	July 1, 1990
Griseofulvin	126-07-8	January 1, 1990
Gyromitrin (Acetaldehyde methylformylhydrazone)	16568-02-8	January 1, 1988
HC Blue 1	2784-94-3	July 1, 1989
Heptachlor	76-44-8	July 1, 1988
Heptachlor epoxide	1024-57-3	July 1, 1988
Herbal remedies containing plant species of the genus Aristolochia	—	July 9, 2004
Hexachlorobenzene	118-74-1	October 1, 1987
Hexachlorobutadiene	87-68-3	May 3, 2011
Hexachlorocyclohexane (technical grade)	—	October 1, 1987
Hexachlorodibenzodioxin	34465-46-8	April 1, 1988

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Hexachloroethane	67-72-1	July 1, 1990
2,4-Hexadienal (89% trans, trans isomer; 11% cis, trans isomer)	—	March 4, 2005
Hexamethylphosphoramide	680-31-9	January 1, 1988
Hydrazine	302-01-2	January 1, 1988
Hydrazine sulfate	10034-93-2	January 1, 1988
Hydrazobenzene (1,2-Diphenylhydrazine)	122-66-7	January 1, 1988
1-Hydroxyanthraquinone	129-43-1	May 27, 2005
Imazalil	35554-44-0	May 20, 2011
Indeno [1,2,3-cd]pyrene	193-39-5	January 1, 1988
Indium phosphide	22398-80-7	February 27, 2001
IQ (2-Amino-3-methylimidazo[4,5-f]quinoline)	76180-96-6	April 1, 1990
Iprodione	36734-19-7	May 1, 1996
Iprovalicarb	140923-17-7	June 1, 2007
	140923-25-7	
Iron dextran complex	9004-66-4	January 1, 1988
Isobutyl nitrite	542-56-3	May 1, 1996
Isoprene	78-79-5	May 1, 1996
Isosafrole <u>Delisted December 8, 2006</u>	120-58-1	October 1, 1989
Isoxaflutole	141112-29-0	December 22, 2000
Kresoxim-methyl	143390-89-0	February 3, 2012
Lactofen	77501-63-4	January 1, 1989
Lasiocarpine	303-34-4	April 1, 1988
Lead acetate	301-04-2	January 1, 1988
Lead and lead compounds	—	October 1, 1992
Lead phosphate	7446-27-7	April 1, 1988
Lead subacetate	1335-32-6	October 1, 1989
Leather dust	—	April 29, 2011
Lindane and other hexachlorocyclohexane isomers	—	October 1, 1989
Lynestrenol	52-76-6	February 27, 2001
Malonaldehyde, sodium salt	24382-04-5	May 3, 2011
Mancozeb	8018-01-7	January 1, 1990
Maneb	12427-38-2	January 1, 1990
Marijuana smoke	—	June 19, 2009
Me-A-alpha-C (2-Amino-3-methyl-9H-pyrido[2,3-b]indole)	68006-83-7	January 1, 1990
Medroxyprogesterone acetate	71-58-9	January 1, 1990
MeIQ(2-Amino-3,4-dimethylimidazo[4,5-f]quinoline)	77094-11-2	October 1, 1994
MeIQx(2-Amino-3,8-dimethylimidazo[4,5-f]quinoxaline)	77500-04-0	October 1, 1994
Melphalan	148-82-3	February 27, 1987
Mepanipyridin	110235-47-7	July 1, 2008
Merphalan	531-76-0	April 1, 1988
Mestranol	72-33-3	April 1, 1988
Metam potassium	137-41-7	December 31, 2010
Metham sodium	137-42-8	November 6, 1998
8-Methoxypsoralen with ultraviolet A therapy	298-81-7	February 27, 1987
5-Methoxypsoralen with ultraviolet A therapy	484-20-8	October 1, 1988
2-Methylaziridine (Propyleneimine)	75-55-8	January 1, 1988
Methylazoxymethanol	590-96-5	April 1, 1988
Methylazoxymethanol acetate	592-62-1	April 1, 1988
Methyl carbamate	598-55-0	May 15, 1998
3-Methylcholanthrene	56-49-5	January 1, 1990
5-Methylchrysene	3697-24-3	April 1, 1988
4,4' -Methylene bis(2-chloroaniline)	101-14-4	July 1, 1987
4,4' -Methylene bis(N,N-dimethyl)benzenamine	101-61-1	October 1, 1989

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4,4' -Methylene bis(2-methylaniline)	838-88-0	April 1, 1988
4,4' -Methylenedianiline	101-77-9	January 1, 1988
4,4' -Methylenedianiline dihydrochloride	13552-44-8	January 1, 1988
Methyleugenol	93-15-2	November 16, 2001
Methylhydrazine and its salts	—	July 1, 1992
2-Methylimidazole	693-98-1	June 22, 2012
4-Methylimidazole	822-36-6	January 7, 2011
Methyl iodide	74-88-4	April 1, 1988
Methyl isobutyl ketone	108-10-1	November 4, 2011
Methylmercury compounds	—	May 1, 1996
Methyl methanesulfonate	66-27-3	April 1, 1988
2-Methyl-1-nitroanthraquinone (of uncertain purity)	129-15-7	April 1, 1988
N-Methyl-N' -nitro-N-nitrosoguanidine	70-25-7	April 1, 1988
N-Methylolacrylamide	924-42-5	July 1, 1990
$\alpha$ -Methyl styrene (alpha-Methylstyrene)	98-83-9	November 2, 2012
Methylthiouracil	56-04-2	October 1, 1989
Metiram	9006-42-2	January 1, 1990
Metronidazole	443-48-1	January 1, 1988
Michler's ketone	90-94-8	January 1, 1988
Mirex	2385-85-5	January 1, 1988
Mitomycin C	50-07-7	April 1, 1988
MON 4660 (dichloroacetyl-1-oxa-4-azaspiro(4,5)-decane)	71526-07-3	March 22, 2011
MON 13900 (furilazole)	121776-33-8	March 22, 2011
3-Monochloropropane-1,2-diol (3-MCPD)	96-24-2	October 8, 2010
Monocrotaline	315-22-0	April 1, 1988
MOPP (vincristine-prednisone-nitrogen mustard-procarbazine mixture)	113803-47-7	November 4, 2011
5-(Morpholinomethyl)-3-[(5-nitro-furfurylidene)-amino]-2-oxazolidinone	139-91-3	April 1, 1988
Mustard Gas	505-60-2	February 27, 1987
MX (3-chloro-4-(dichloromethyl)-5-hydroxy-2(5H)-furanone)	77439-76-0	December 22, 2000
Nafenopin	3771-19-5	April 1, 1988
Nalidixic acid	389-08-2	May 15, 1998
Naphthalene	91-20-3	April 19, 2002
1-Naphthylamine	134-32-7	October 1, 1989
2-Naphthylamine	91-59-8	February 27, 1987
Nickel (Metallic)	7440-02-0	October 1, 1989
Nickel acetate	373-02-4	October 1, 1989
Nickel carbonate	3333-67-3	October 1, 1989
Nickel carbonyl	13463-39-3	October 1, 1987
Nickel compounds	—	May 7, 2004
Nickel hydroxide	12054-48-7;	October 1, 1989
	12125-56-3	
Nickelocene	1271-28-9	October 1, 1989
Nickel oxide	1313-99-1	October 1, 1989
Nickel refinery dust from the pyrometallurgical process	—	October 1, 1987
Nickel subsulfide	12035-72-2	October 1, 1987
Niridazole	61-57-4	April 1, 1988
Nitrapyrin	1929-82-4	October 5, 2005
Nitilotriacetic acid	139-13-9	January 1, 1988
Nitilotriacetic acid, trisodium salt monohydrate	18662-53-8	April 1, 1989
5-Nitroacenaphthene	602-87-9	April 1, 1988
5-Nitro-o-anisidine <u>Delisted December 8, 2006</u>	99-59-2	October 1, 1989

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<i>o</i> -Nitroanisole	91-23-6	October 1, 1992
Nitrobenzene	98-95-3	August 26, 1997
4-Nitrobiphenyl	92-93-3	April 1, 1988
6-Nitrochrysene	7496-02-8	October 1, 1990
Nitrofen (technical grade)	1836-75-5	January 1, 1988
2-Nitrofluorene	607-57-8	October 1, 1990
Nitrofurazone	59-87-0	January 1, 1990
1-[(5-Nitrofurfurylidene)-amino]-2-imidazolidinone	555-84-0	April 1, 1988
N-[4-(5-Nitro-2-furyl)-2-thiazolyl]acetamide	531-82-8	April 1, 1988
Nitrogen mustard (Mechlorethamine)	51-75-2	January 1, 1988
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	55-86-7	April 1, 1988
Nitrogen mustard N-oxide	126-85-2	April 1, 1988
Nitrogen mustard N-oxide hydrochloride	302-70-5	April 1, 1988
Nitromethane	75-52-5	May 1, 1997
2-Nitropropane	79-46-9	January 1, 1988
1-Nitropyrene	5522-43-0	October 1, 1990
4-Nitropyrene	57835-92-4	October 1, 1990
N-Nitrosodi-n-butylamine	924-16-3	October 1, 1987
N-Nitrosodiethanolamine	1116-54-7	January 1, 1988
N-Nitrosodiethylamine	55-18-5	October 1, 1987
N-Nitrosodimethylamine	62-75-9	October 1, 1987
<i>p</i> -Nitrosodiphenylamine	156-10-5	January 1, 1988
N-Nitrosodiphenylamine	86-30-6	April 1, 1988
N-Nitrosodi-n-propylamine	621-64-7	January 1, 1988
N-Nitroso-N-ethylurea	759-73-9	October 1, 1987
3-(N-Nitrosomethylamino)propionitrile	60153-49-3	April 1, 1990
4-(N-Nitrosomethylamino)-1-(3-pyridyl)1-butanone	64091-91-4	April 1, 1990
N-Nitrosomethylethylamine	10595-95-6	October 1, 1989
N-Nitroso-N-methylurea	684-93-5	October 1, 1987
N-Nitroso-N-methylurethane	615-53-2	April 1, 1988
N-Nitrosomethylvinylamine	4549-40-0	January 1, 1988
N-Nitrosomorpholine	59-89-2	January 1, 1988
N-Nitrosornnicotine	16543-55-8	January 1, 1988
N-Nitrosopiperidine	100-75-4	January 1, 1988
N-Nitrosopyrrolidine	930-55-2	October 1, 1987
N-Nitrososarcosine	13256-22-9	January 1, 1988
<i>o</i> -Nitrotoluene	88-72-2	May 15, 1998
Norethisterone (Norethindrone)	68-22-4	October 1, 1989
Norethynodrel	68-23-5	February 27, 2001
Ochratoxin A	303-47-9	July 1, 1990
Oil Orange SS	2646-17-5	April 1, 1988
Oral contraceptives, combined	—	October 1, 1989
Oral contraceptives, sequential	—	October 1, 1989
Oryzalin	19044-88-3	September 12, 2008
Oxadiazon	19666-30-9	July 1, 1991
Oxazepam	604-75-1	October 1, 1994
Oxymetholone	434-07-1	January 1, 1988
Oxythioquinox (Chinomethionat)	2439-01-2	August 20, 1999
Palygorskite fibers (> 5µm in length)	12174-11-7	December 28, 1999
Panfuran S	794-93-4	January 1, 1988
Pentachlorophenol	87-86-5	January 1, 1990
Phenacetin	62-44-2	October 1, 1989
Phenazopyridine	94-78-0	January 1, 1988

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Phenazopyridine hydrochloride	136-40-3	January 1, 1988
Phenesterin	3546-10-9	July 1, 1989
Phenobarbital	50-06-6	January 1, 1990
Phenolphthalein	77-09-8	May 15, 1998
Phenoxybenzamine	59-96-1	April 1, 1988
Phenoxybenzamine hydrochloride	63-92-3	April 1, 1988
<i>o</i> -Phenylenediamine and its salts	95-54-5	May 15, 1998
Phenyl glycidyl ether	122-60-1	October 1, 1990
Phenylhydrazine and its salts	—	July 1, 1992
<i>o</i> -Phenylphenate, sodium	132-27-4	January 1, 1990
<i>o</i> -Phenylphenol	90-43-7	August 4, 2000
PhiP(2-Amino-1-methyl-6-phenylimidazol[4,5-b]pyridine)	105650-23-5	October 1, 1994
Pirmicarb	23103-98-2	July 1, 2008
Polybrominated biphenyls	—	January 1, 1988
Polychlorinated biphenyls	—	October 1, 1989
Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
Polychlorinated dibenzo- <i>p</i> -dioxins	—	October 1, 1992
Polychlorinated dibenzofurans	—	October 1, 1992
Polygeenan	53973-98-1	January 1, 1988
Ponceau MX	3761-53-3	April 1, 1988
Ponceau 3R	3564-09-8	April 1, 1988
Potassium bromate	7758-01-2	January 1, 1990
Pirimicarb	23103-98-2	July 1, 2008
Primidone	125-33-7	August 20, 1999
Procarbazine	671-16-9	January 1, 1988
Procarbazine hydrochloride	366-70-1	January 1, 1988
Procymidone	32809-16-8	October 1, 1994
Progesterone	57-83-0	January 1, 1988
Pronamide	23950-58-5	May 1, 1996
Propachlor	1918-16-7	February 27, 2001
1,3-Propane sultone	1120-71-4	January 1, 1988
Propargite	2312-35-8	October 1, 1994
beta-Propiolactone	57-57-8	January 1, 1988
Propoxur	114-26-1	August 11, 2006
Propylene glycol mono- <i>t</i> -butyl ether	57018-52-7	June 11, 2004
Propylene oxide	75-56-9	October 1, 1988
Propylthiouracil	51-52-5	January 1, 1988
Pymetrozine	123312-89-0	March 22, 2011
Pyridine	110-86-1	May 17, 2002
Quinoline and its strong acid salts	—	October 24, 1997
Radionuclides	—	July 1, 1989
Reserpine	50-55-5	October 1, 1989
Residual (heavy) fuel oils	—	October 1, 1990
Resmethrin	10453-86-8	July 1, 2008
Riddelliine	23246-96-0	December 3, 2004
Saccharin <u>Delisted April 6, 2001</u>	81-07-2	October 1, 1989
Saccharin, sodium <u>Delisted January 17, 2003</u>	128-44-9	January 1, 1988
Safrole	94-59-7	January 1, 1988
Salted fish, Chinese-style	—	April 29, 2011
Selenium sulfide	7446-34-6	October 1, 1989
Shale-oils	68308-34-9	April 1, 1990
Silica, crystalline (airborne particles of respirable size)	—	October 1, 1988

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Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils)	—	February 27, 1987
Spirodiclofen	148477-71-8	October 8, 2010
Spirolactone	52-01-7	May 1, 1997
Stanozolol	10418-03-8	May 1, 1997
Sterigmatocystin	10048-13-2	April 1, 1988
Streptozotocin (streptozocin)	18883-66-4	January 1, 1988
Strong inorganic acid mists containing sulfuric acid	—	March 14, 2003
Styrene oxide	96-09-3	October 1, 1988
Sulfallate	95-06-7	January 1, 1988
Sulfasalazine (Salicylazosulfapyridine)	599-79-1	May 15, 1998
Talc containing asbestiform fibers	—	April 1, 1990
Tamoxifen and its salts	10540-29-1	September 1, 1996
Terrazole	2593-15-9	October 1, 1994
Testosterone and its esters	58-22-0	April 1, 1988
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	1746-01-6	January 1, 1988
1,1,2,2-Tetrachloroethane	79-34-5	July 1, 1990
Tetrachloroethylene (Perchloroethylene)	127-18-4	April 1, 1988
p-a,a,a-Tetrachlorotoluene	5216-25-1	January 1, 1990
Tetrafluoroethylene	116-14-3	May 1, 1997
Tetranitromethane	509-14-8	July 1, 1990
Thioacetamide	62-55-5	January 1, 1988
4,4' -Thiodianiline	139-65-1	April 1, 1988
Thiodicarb	59669-26-0	August 20, 1999
Thiouracil	141-90-2	June 11, 2004
Thiourea	62-56-6	January 1, 1988
Thorium dioxide	1314-20-1	February 27, 1987
Titanium dioxide (airborne, unbound particles of respirable size)	—	September 2, 2011
Tobacco, oral use of smokeless products	—	April 1, 1988
Tobacco smoke	—	April 1, 1988
Toluene diisocyanate	26471-62-5	October 1, 1989
ortho-Toluidine	95-53-4	January 1, 1988
ortho-Toluidine hydrochloride	636-21-5	January 1, 1988
para-Toluidine <u>Delisted October 29, 1999</u>	106-49-0	<del>January 1, 1990</del>
Toxaphene (Polychlorinated camphenes)	8001-35-2	January 1, 1988
Toxins derived from <i>Fusarium moniliforme</i> ( <i>Fusarium verticillioides</i> )	—	August 7, 2009
Treosulfan	299-75-2	February 27, 1987
S,S,S-Tributyl phosphorotrithioate (Tribufos, DEF)	78-48-8	February 25, 2011
Trichlormethine (Trimustine hydrochloride)	817-09-4	January 1, 1992
Trichloroethylene	79-01-6	April 1, 1988
2,4,6-Trichlorophenol	88-06-2	January 1, 1988
1,2,3-Trichloropropane	96-18-4	October 1, 1992
Trimethyl phosphate	512-56-1	May 1, 1996
2,4,5-Trimethylaniline and its strong acid salts	—	October 24, 1997
2,4,6-Trinitrotoluene (TNT)	118-96-7	December 19, 2008
Triphenyltin hydroxide	76-87-9	July 1, 1992
Tris(aziridinyl) para-benzoquinone (Triaziquone) <u>Delisted December 8, 2006</u>	68-76-8	<del>October 1, 1989</del>
Tris(1-aziridinyl)phosphine sulfide (Thiotepa)	52-24-4	January 1, 1988
Tris(2-chloroethyl) phosphate	115-96-8	April 1, 1992
Tris(2,3-dibromopropyl)phosphate	126-72-7	January 1, 1988
Tris(1,3-dichloro-2-propyl) phosphate (TDCPP)	13674-87-8	October 28, 2011

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Trp-P-1 (Tryptophan-P-1)	62450-06-0	April 1, 1988
Trp-P-2 (Tryptophan-P-2)	62450-07-1	April 1, 1988
Trypan blue (commercial grade)	72-57-1	October 1, 1989
Unleaded gasoline (wholly vaporized)	—	April 1, 1988
Uracil mustard	66-75-1	April 1, 1988
Urethane (Ethyl carbamate)	51-79-6	January 1, 1988
Vanadium pentoxide (orthorhombic crystalline form)	1314-62-1	February 11, 2005
Vinclozolin	50471-44-8	August 20, 1999
Vinyl bromide	593-60-2	October 1, 1988
Vinyl chloride	75-01-4	February 27, 1987
4-Vinylcyclohexene	100-40-3	May 1, 1996
4-Vinyl-1-cyclohexene diepoxide (Vinyl cyclohexene dioxide)	106-87-6	July 1, 1990
Vinyl fluoride	75-02-5	May 1, 1997
Vinyl trichloride (1,1,2-Trichloroethane)	79-00-5	October 1, 1990
Wood dust	—	December 18, 2009
2,6-Xylidine (2,6-Dimethylaniline)	87-62-7	January 1, 1991
Zalcitabine	7481-89-2	August 7, 2009
Zidovudine (AZT)	30516-87-1	December 18, 2009
Zileuton	111406-87-2	December 22, 2000
<u>Zineb Delisted October 29, 1999</u>	<u>12122-67-7</u>	<u>January 1, 1990</u>

**CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY**

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CASNo.</u>	<u>Date Listed</u>
Acetazolamide	developmental	59-66-5	August 20, 1999
Acetohydroxamic acid	developmental	546-88-3	April 1, 1990
Acrylamide	developmental, male	79-06-1	February 25, 2011
Actinomycin D	developmental	50-76-0	October 1, 1992
All-trans retinoic acid	developmental	302-79-4	January 1, 1989
Alprazolam	developmental	28981-97-7	July 1, 1990
Altretamine	developmental, male	645-05-6	August 20, 1999
Amantadine hydrochloride	developmental	665-66-7	February 27, 2001
Amikacin sulfate	developmental	39831-55-5	July 1, 1990
Aminoglutethimide	developmental	125-84-8	July 1, 1990
tert-Amyl methyl ether	developmental	994-05-8	December 18, 2009
Aminoglycosides	developmental	—	October 1, 1992
Aminopterin	developmental, female	54-62-6	July 1, 1987
Amiodarone hydrochloride	developmental, female, male	19774-82-4	August 26, 1997
Amitraz	developmental	33089-61-1	March 30, 1999
Amoxapine	developmental	14028-44-5	May 15, 1998
Anabolic steroids	female, male	—	April 1, 1990
Angiotensin converting enzyme (ACE) inhibitors	developmental	—	October 1, 1992
Anisindione	developmental	117-37-3	October 1, 1992
Arsenic (inorganic oxides)	developmental	—	May 1, 1997
Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.)	developmental, female	50-78-2	July 1, 1990

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Atenolol	developmental	29122-68-7	August 26, 1997
Auranofin	developmental	34031-32-8	January 29, 1999
Avermectin B1 (Abamectin)	developmental	71751-41-2	December 3, 2010
Azathioprine	developmental	446-86-6	September 1, 1996
Barbiturates	developmental	—	October 1, 1992
Beclomethasone dipropionate	developmental	5534-09-8	May 15, 1998
Benomyl	developmental, male	17804-35-2	July 1, 1991
Benzene	developmental, male	71-43-2	December 26, 1997
Benzodiazepines	developmental	—	October 1, 1992
Benzphetamine hydrochloride	developmental	5411-22-3	April 1, 1990
Bischloroethyl nitrosourea (BCNU) (Carmustine)	developmental	154-93-8	July 1, 1990
Bromacil lithium salt	developmental male	53404-19-6	May 18, 1999 January 17, 2003
1-Bromopropane	developmental, female, male	106-94-5	December 7, 2004
2-Bromopropane	female, male	75-26-3	May 31, 2005
Bromoxynil	developmental	1689-84-5	October 1, 1990
Bromoxynil octanoate	developmental	1689-99-2	May 18, 1999
Butabarbital sodium	developmental	143-81-7	October 1, 1992
1,3-Butadiene	developmental, female, male	106-99-0	April 16, 2004
1,4-Butanediol dimethane-sulfonate (Busulfan)	developmental	55-98-1	January 1, 1989
Butyl benzyl phthalate (BBP)	developmental	85-68-7	December 2, 2005
n-Butyl glycidyl ether	male	2426-08-6	August 7, 2009
Cadmium	developmental, male	—	May 1, 1997
Carbamazepine	developmental	298-46-4	January 29, 1999
Carbaryl	developmental, male	63-25.2	August 7, 2009
Carbon disulfide	developmental, female, male	75-15-0	July 1, 1989
Carbon monoxide	developmental	630-08-0	July 1, 1989
Carboplatin	developmental	41575-94-4	July 1, 1990
Chenodiol	developmental	474-25-9	April 1, 1990
Chlorambucil	developmental	305-03-3	January 1, 1989
Chlorcyclizine hydrochloride	developmental	1620-21-9	July 1, 1987
Chlordecone (Kepone)	developmental	143-50-0	January 1, 1989
Chlordiazepoxide	developmental	58-25-3	January 1, 1992
Chlordiazepoxide hydrochloride	developmental	438-41-5	January 1, 1992
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	developmental	13010-47-4	July 1, 1990
Chloroform	developmental	67-66-3	August 7, 2009
2-Chloropropionic acid	male	598-78-7	August 7, 2009
Chlorsulfuron	developmental, female, male	64902-72-3	May 14, 1999
Chromium (hexavalent compounds)	developmental, female, male	—	December 19, 2008
Cidofovir	developmental, female, male	113852-37-2	January 29, 1999
Cladribine	developmental	4291-63-8	September 1, 1996
Clarithromycin	developmental	81103-11-9	May 1, 1997
Clobetasol propionate	developmental, female	25122-46-7	May 15, 1998
Clomiphene citrate	developmental	50-41-9	April 1, 1990
Clorazepate dipotassium	developmental	57109-90-7	October 1, 1992
Cocaine	developmental, female	50-36-2	July 1, 1989
Codeine phosphate	developmental	52-28-8	May 15, 1998
Colchicine	developmental, male	64-86-8	October 1, 1992

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Conjugated estrogens	developmental	—	April 1, 1990
Cyanazine	developmental	21725-46-2	April 1, 1990
Cycloate	developmental	1134-23-2	March 19, 1999
Cyclohexanol	male	108-93-0	November 6, 1998
<u>Delisted January 25, 2002</u>			
Cycloheximide	developmental	66-81-9	January 1, 1989
Cyclophosphamide (anhydrous)	developmental, female, male	50-18-0	January 1, 1989
Cyclophosphamide (hydrated)	developmental, female, male	6055-19-2	January 1, 1989
Cyhexatin	developmental	13121-70-5	January 1, 1989
Cytarabine	developmental	147-94-4	January 1, 1989
Dacarbazine	developmental	4342-03-4	January 29, 1989
Danazol	developmental	17230-88-5	April 1, 1990
Daunorubicin hydrochloride	developmental	23541-50-6	July 1, 1990
2,4-D butyric acid	developmental, male	94-82-6	June 18, 1999
o,p' -DDT	developmental, female, male	789-02-6	May 15, 1998
p,p' -DDT	developmental, female, male	50-29-3	May 15, 1998
2,4 DP (dichloroprop)	developmental	120-36-5	April 27, 1999
<u>Delisted January 25, 2002</u>			
Demeclocycline hydrochloride (internal use)	developmental	64-73-3	January 1, 1992
Diazepam	developmental	439-14-5	January 1, 1992
Diazoxide	developmental	364-98-7	February 27, 2001
1,2-Dibromo-3-chloropropane (DBCP)	male	96-12-8	February 27, 1987
Di-n-butyl phthalate (DBP)	developmental, female, male	84-74-2	December 2, 2005
Dichloroacetic acid	male	79-43-6	August 7, 2009
1,1-Dichloro-2,2-bis(p-chlorophenyl) ethylene (DDE)	developmental, male	72-55-9	March 30, 2010
Dichlorophene	developmental	97-23-4	April 27, 1999
Dichlorophenamide	developmental	120-97-8	February 27, 2001
Diclofop methyl	developmental	51338-27-3	March 5, 1999
Dicumarol	developmental	66-76-2	October 1, 1992
Di(2-ethylhexyl)phthalate (DEHP)	developmental, male	117-81-7	October 24, 2003
Diethylstilbestrol (DES)	developmental	56-53-1	July 1, 1987
Diffunisal	developmental, female	22494-42-4	January 29, 1999
Diglycidyl ether	male	2238-07-5	August 7, 2009
Di-n-hexyl phthalate (DnHP)	female, male	84-75-3	December 2, 2005
Dihydroergotamine mesylate	developmental	6190-39-2	May 1, 1997
Di-isodecyl phthalate (DIDP)	developmental	68515-49-1/ 26761-40-0	April 20, 2007
Diltiazem hydrochloride	developmental	33286-22-5	February 27, 2001
N,N-Dimethylacetamide	developmental	127-19-5	May 21, 2010
m-Dinitrobenzene	male	99-65-0	July 1, 1990
o-Dinitrobenzene	male	528-29-0	July 1, 1990
p-Dinitrobenzene	male	100-25-4	July 1, 1990
2,4-Dinitrotoluene	male	121-14-2	August 20, 1999
2,6-Dinitrotoluene	male	606-20-2	August 20, 1999
Dinitrotoluene (technical grade)	female, male	—	August 20, 1999
Dinocap	developmental	39300-45-3	April 1, 1990
Dinoseb	developmental, male	88-85-7	January 1, 1989
Diphenylhydantoin (Phenytoin)	developmental	57-41-0	July 1, 1987
Disodium cyanodithioimidocarbonate	developmental	138-93-2	March 30, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Doxorubicin hydrochloride (Adriamycin)	developmental, male	25316-40-9	January 29, 1999
Doxycycline (internal use)	developmental	564-25-0	July 1, 1990
Doxycycline calcium (internal use)	developmental	94088-85-4	January 1, 1992
Doxycycline hyclate (internal use)	developmental	24390-14-5	October 1, 1991
Doxycycline monohydrate (internal use)	developmental	17086-28-1	October 1, 1991
Endrin	developmental	72-20-8	May 15, 1998
Environmental tobacco smoke (ETS)	developmental	—	June 9, 2006
Epichlorohydrin	male	106-89-8	September 1, 1996
Ergotamine tartrate	developmental	379-79-3	April 1, 1990
Estropipate	developmental	7280-37-7	August 26, 1997
Ethionamide	developmental	536-33-4	August 26, 1997
Ethyl alcohol in alcoholic beverages	developmental	—	October 1, 1987
Ethyl-tert-butyl ether	male	637-92-3	December 18, 2009
Ethyl dipropylthiocarbamate	developmental	759-94-4	April 27, 1999
Ethylene dibromide	developmental, male	106-93-4	May 15, 1998
Ethylene glycol monoethyl ether	developmental, male	110-80-5	January 1, 1989
Ethylene glycol monomethyl ether	developmental, male	109-86-4	January 1, 1989
Ethylene glycol monoethyl ether acetate	developmental, male	111-15-9	January 1, 1993
Ethylene glycol monomethyl ether acetate	developmental, male	110-49-6	January 1, 1993
Ethylene oxide	female	75-21-8	February 27, 1987
	developmental, male		August 7, 2009
Ethylene thiourea	developmental	96-45-7	January 1, 1993
2-Ethylhexanoic acid	developmental	149-57-5	August 7, 2009
Etodolac	developmental, female	41340-25-4	August 20, 1999
Etoposide	developmental	33419-42-0	July 1, 1990
Etretinate	developmental	54350-48-0	July 1, 1987
Fenoxaprop ethyl	developmental	66441-23-4	March 26, 1999
Filgrastim	developmental	121181-53-1	February 27, 2001
Fluazifop butyl	developmental	69806-50-4	November 6, 1998
Flunisolide	developmental, female	3385-03-3	May 15, 1998
Fluorouracil	developmental	51-21-8	January 1, 1989
Fluoxymesterone	developmental	76-43-7	April 1, 1998
Flurazepam hydrochloride	developmental	1172-18-5	October 1, 1992
Flurbiprofen	developmental, female	5104-49-4	August 20, 1999
Flutamide	developmental	13311-84-7	July 1, 1990
Fluticasone propionate	developmental	80474-14-2	May 15, 1998
Fluvalinate	developmental	69409-94-5	November 6, 1998
Ganciclovir	developmental, male	82410-32-0	August 26, 1997
Ganciclovir sodium	developmental, male	107910-75-8	August 26, 1997
Gemfibrozil	female, male	25812-30-0	August 20, 1999
Goserelin acetate	developmental, female, male	65807-02-5	August 26, 1997
Halazepam	developmental	23092-17-3	July 1, 1990
Halobetasol propionate	developmental	66852-54-8	August 20, 1999
Haloperidol	developmental, female	52-86-8	January 29, 1999
Halothane	developmental	151-67-7	September 1, 1996
Heptachlor	developmental	76-44-8	August 20, 1999
Hexachlorobenzene	developmental	118-74-1	January 1, 1989
Hexafluoroacetone	male	684-16-2	August 1, 2008
Hexamethylphosphoramide	male	680-31-9	October 1, 1994

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Histrelin acetate	developmental	—	May 15, 1998
Hydramethylnon	developmental, male	67485-29-4	March 5, 1999
Hydroxyurea	developmental	127-07-1	May 1, 1997
Idarubicin hydrochloride	developmental, male	57852-57-0	August 20, 1999
Ifosfamide	developmental	3778-73-2	July 1, 1990
Iodine-131	developmental	10043-66-0	January 1, 1989
Isotretinoin	developmental	4759-48-2	July 1, 1987
Lead	developmental, female, male	—	February 27, 1987
Leuprolide acetate	developmental, female, male	74381-53-6	August 26, 1997
Levodopa	developmental	59-92-7	January 29, 1999
Levonorgestrel implants	female	797-63-7	May 15, 1998
Linuron	developmental	330-55-2	March 19, 1999
Lithium carbonate	developmental	554-13-2	January 1, 1991
Lithium citrate	developmental	919-16-4	January 1, 1991
Lorazepam	developmental	846-49-1	July 1, 1990
Lovastatin	developmental	75330-75-5	October 1, 1992
Mebendazole	developmental	31431-39-7	August 20, 1999
Megestrol acetate	developmental	595-33-5	January 1, 1991
Melphalan	developmental	148-82-3	July 1, 1990
Menotropins	developmental	9002-68-0	April 1, 1990
Meprobamate	developmental	57-53-4	January 1, 1992
Mercaptopurine	developmental	6112-76-1	July 1, 1990
Mercury and mercury compounds	developmental	—	July 1, 1990
Methacycline hydrochloride	developmental	3963-95-9	January 1, 1991
Methanol	developmental	67-56-1	March 16, 2012
Metham sodium	developmental	137-42-8	May 15, 1998
Methazole	developmental	20354-26-1	December 1, 1999
Methimazole	developmental	60-56-0	July 1, 1990
Methotrexate	developmental	59-05-2	January 1, 1989
Methotrexate sodium	developmental	15475-56-6	April 1, 1990
Methyl bromide as a structural fumigant	developmental	74-83-9	January 1, 1993
Methyl chloride	developmental	74-87-3	March 10, 2000
Methyl n-butyl ketone	male	591-78-6	August 7, 2009
Methyl isocyanate (MIC)	developmental, female	624-83-9	November 12, 2010
Methyl isopropyl ketone	developmental	563-80-4	February 17, 2012
Methyl mercury	developmental	—	July 1, 1987
N-Methylpyrrolidone	developmental	872-50-4	June 15, 2001
$\alpha$ -Methyl styrene	female	98-83-9	July 29, 2011
Methyltestosterone	developmental	58-18-4	April 1, 1990
Metiram	developmental	9006-42-2	March 30, 1999
Midazolam hydrochloride	developmental	59467-96-8	July 1, 1990
Minocycline hydrochloride (internal use)	developmental	13614-98-7	January 1, 1992
Misoprostol	developmental	59122-46-2	April 1, 1990
Mitoxantrone hydrochloride	developmental	70476-82-3	July 1, 1990
Molinate	developmental, female, male	2212-67-1	December 11, 2009
Myclobutanil	developmental, male	88671-89-0	April 16, 1999
Nabam	developmental	142-59-6	March 30, 1999
Nafarelin acetate	developmental	86220-42-0	April 1, 1990
Neomycin sulfate (internal use)	developmental	1405-10-3	October 1, 1992

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Netilmicin sulfate	developmental	56391-57-2	July 1, 1990
Nickel carbonyl	developmental	13463-39-3	September 1, 1996
Nicotine	developmental	54-11-5	April 1, 1990
Nifedipine	developmental, female, male	21829-25-4	January 29, 1999
Nimodipine	developmental	66085-59-4	April 24, 2001
Nitrapyrin	developmental	1929-82-4	March 30, 1999
Nitrobenzene	male	98-95-3	March 30, 2010
Nitrofurantoin	male	67-20-9	April 1, 1991
Nitrogen mustard (Mechlorethamine)	developmental	51-75-2	January 1, 1989
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	developmental	55-86-7	July 1, 1990
Nitrous oxide	developmental	10024-97-2	August 1, 2008
Norethisterone (Norethindrone)	developmental	68-22-4	April 1, 1990
Norethisterone acetate (Norethindrone acetate)	developmental	51-98-9	October 1, 1991
Norethisterone (Norethindrone) /Ethinyl estradiol	developmental	68-22-4/ 57-63-6	April 1, 1990
Norethisterone (Norethindrone)/Mestranol	developmental	68-22-4/ 72-33-3	April 1, 1990
Norgestrel	developmental	6533-00-2	April 1, 1990
Oxadiazon	developmental	19666-30-9	May 15, 1998
Oxazepam	developmental	604-75-1	October 1, 1992
p,p' -Oxybis(benzenesulfonyl hydrazide)	developmental	80-51-3	August 7, 2009
Oxydemeton methyl	female, male	301-12-2	November 6, 1998
Oxymetholone	developmental	434-07-1	May 1, 1997
Oxytetracycline (internal use)	developmental	79-57-2	January 1, 1991
Oxytetracycline hydrochloride (internal use)	developmental	2058-46-0	October 1, 1991
Oxythioquinox (Chinomethionat)	developmental	2439-01-2	November 6, 1998
Paclitaxel	developmental, female, male	33069-62-4	August 26, 1997
Paramethadione	developmental	115-67-3	July 1, 1990
Penicillamine	developmental	52-67-5	January 1, 1991
Pentobarbital sodium	developmental	57-33-0	July 1, 1990
Pentostatin	developmental	53910-25-1	September 1, 1996
Phenacemide	developmental	63-98-9	July 1, 1990
Phenprocoumon	developmental	435-97-2	October 1, 1992
Phenyl glycidyl ether	male	122-60-1	August 7, 2009
Phenylphosphine	developmental	638-21-1	August 7, 2009
Pimozide	developmental, female	2062-78-4	August 20, 1999
Pipobroman	developmental	54-91-1	July 1, 1990
Plicamycin	developmental	18378-89-7	April 1, 1990
Polychlorinated biphenyls	developmental	—	January 1, 1991
Potassium dimethyldithiocarbamate	developmental	128-03-0	March 30 1999
Pravastatin sodium	developmental	81131-70-6	March 3, 2000
Prednisolone sodium phosphate	developmental	125-02-0	August 20, 1999
Procarbazine hydrochloride	developmental	366-70-1	July 1, 1990
Propargite	developmental	2312-35-8	June 15, 1999
Propylthiouracil	developmental	51-52-5	July 1, 1990
Pyrimethamine	developmental	58-14-0	January 29, 1999
Quazepam	developmental	36735-22-5	August 26, 1997
Quizalofop-ethyl	male	76578-14-8	December 24, 1999

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<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Resmethrin	developmental	10453-86-8	November 6, 1998
Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.)	developmental	—	July 1, 1989
Ribavirin	developmental male	36791-04-5 36791-04-5	April 1, 1990 February 27, 2001
Rifampin	developmental, female	13292-46-1	February 27, 2001
Secobarbital sodium	developmental	309-43-3	October 1, 1992
Sermorelin acetate	developmental	—	August 20, 1999
Sodium dimethyldithiocarbamate	developmental	128-04-1	March 30 1999
Sodium fluoroacetate	male	62-74-8	November 6, 1998
Streptomycin sulfate	developmental	3810-74-0	January 1, 1991
Streptozocin (streptozotocin)	developmental, female, male	18883-66-4	August 20, 1999
Sulfasalazine (Salicylazosulfapyridine)	male	599-79-1	January 29, 1999
Sulfur dioxide	developmental	7446-09-5	July 29, 2011
Sulindac	developmental, female	38194-50-2	January 29, 1999
Tamoxifen citrate	developmental	54965-24-1	July 1, 1990
Temazepam	developmental	846-50-4	April 1, 1990
Teniposide	developmental	29767-20-2	September 1, 1996
Terbacil	developmental	5902-51-2	May 18, 1999
Testosterone cypionate	developmental	58-20-8	October 1, 1991
Testosterone enanthate	developmental	315-37-7	April 1, 1990
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	developmental	1746-01-6	April 1, 1991
Tetracycline (internal use)	developmental	60-54-8	October 1, 1991
Tetracyclines (internal use)	developmental	—	October 1, 1992
Tetracycline hydrochloride (internal use)	developmental	64-75-5	January 1, 1991
Thalidomide	developmental	50-35-1	July 1, 1987
Thioguanine	developmental	154-42-7	July 1, 1990
Thiophanate methyl	female, male	23564-05-8	May 18, 1999
Tobacco smoke (primary)	developmental, female, male	—	April 1, 1988
Tobramycin sulfate	developmental	49842-07-1	July 1, 1990
Toluene	developmental female	108-88-3	January 1, 1991 August 7, 2009
Triadimefon	developmental, female, male	43121-43-3	March 30, 1999
Triazolam	developmental	28911-01-5	April 1, 1990
Tributyltin methacrylate	developmental	2155-70-6	December 1, 1999
Trientine hydrochloride	developmental	38260-01-4	February 27, 2001
Triforine	developmental	26644-46-2	June 18, 1999
1,3,5-Triglycidyl-s-triazinetriene	male	2451-62-9	August 7, 2009
Trilostane	developmental	13647-35-3	April 1, 1990
Trimethadione	developmental	127-48-0	January 1, 1991
Trimetrexate glucuronate	developmental	82952-64-5	August 26, 1997
Triphenyltin hydroxide	developmental	76-87-9	March 18, 2002
Uracil mustard	developmental, female, male	66-75-1	January 1, 199
Urethane	developmental	51-79-6	October 1, 1994
Urofollitropin	developmental	97048-13-0	April 1, 1990

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Valproate (Valproic acid)	developmental	99-66-1	July 1, 1987
Vinblastine sulfate	developmental	143-67-9	July 1, 1990
Vinclozolin	developmental	50471-44-8	May 15, 1998
Vincristine sulfate	developmental	2068-78-2	July 1, 1990
4-Vinylcyclohexene	female, male	100-40-03	August 7, 2009
Vinyl cyclohexene dioxide (4-Vinyl-1-cyclohexene diepoxide)	female, male	106-87-6	August 1, 2008
Warfarin	developmental	81-81-2	July 1, 1987
Zileuton	developmental, female	111406-87-2	December 22, 2000

Date: February 8, 2013

**DISAPPROVAL DECISION**

**DECISIONS OF DISAPPROVAL OF REGULATORY ACTIONS**

Printed below are the summaries of Office of Administrative Law disapproval decisions. The full text of disapproval decisions is available at [www.oal.ca.gov](http://www.oal.ca.gov) under the "Publications" tab. You may also request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339, (916) 323-6225 — FAX (916) 323-6826. Please request by OAL file number.

**BOARD OF ACCOUNTANCY**

**State of California  
Office of Administrative Law**

**In re:**

**Board of Accountancy**

**Regulatory Action:**

**Title 16  
California Code of Regulations**

**Adopt sections: 15, 15.1, 15.2, 15.3, 15.4**

**Amend sections: 70, 71, 87.1**

**DECISION OF DISAPPROVAL OF REGULATORY ACTION**

**Government Code Section 11349.3**

**OAL File No. 2012-1210-03 S**

**SUMMARY OF REGULATORY ACTION**

In this regulatory action, the California Board of Accountancy (Board) proposed to adopt five sections and amend three sections in Title 16 of the California Code of Regulations. The Board's proposed regulations set out to establish, pursuant to Statutes of 2011, Chapter 395 (A.B. 431), a system for placing a license in a retired status for certified public accountants and public accountants who are not actively engaged in the practice of public accountancy or any activity which requires them to be licensed by the Board. The Board's proposed regulations further set forth the requirements for obtaining and maintaining such a license in retired status. Additional provisions of the proposed regulations establish how a license may be restored from retired status to active status.

**DECISION**

On January 23, 2013, the Office of Administrative Law (OAL) notified the Board of the disapproval of this regulatory action. The above-referenced regulatory action was disapproved for the failure to comply with the necessity standard of Government Code section 11349.1.

**CONCLUSION**

For the reason set forth above, OAL has disapproved this regulatory action. If you have any questions, please contact me at (916) 323-6805.

Date: January 28, 2013

\_\_\_\_\_  
Peggy J. Gibson  
Senior Counsel  
FOR: DEBRAM. CORNEZ  
Director

Original: Patti Bowers  
Copy: Matthew Stanley

**OAL REGULATORY  
DETERMINATION**

**OFFICE OF ADMINISTRATIVE LAW**

**DETERMINATION OF ALLEGED  
UNDERGROUND REGULATION  
(Summary Disposition)**

**(Pursuant to Government Code Section 11340.5  
and  
Title 1, section 270, of the  
California Code of Regulations)**

The attachments are not being printed for practical reasons or space considerations. However, if you would like to view the attachments please contact Margaret Molina at (916) 324-6044 or mmolina@oal.ca.gov.

**PRISON INDUSTRY AUTHORITY**

Date: January 24, 2013  
To: Willie Stephens  
From: Chapter Two Compliance Unit  
Subject: **2012 OAL DETERMINATION NO. 1 (S)  
(CTU2012-1126-05)**  
(Summary Disposition issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f))

Petition challenging as an underground regulation a memorandum titled “Elimination of Inmate Holiday Pay and Work-Related Injury Pay”

On November 26, 2012, Office of Administrative Law (OAL) received your petition asking for a determination as to whether a memorandum titled “Elimination of Inmate Holiday Pay and Work-Related Injury Pay” constitutes an underground regulation. The memorandum was issued on October 1, 2004, by the General Manager of the California Prison Industry Authority (CalPIA). The challenged rule is attached hereto as Exhibit A.

In issuing a determination, OAL renders an opinion only as to whether a challenged rule is a “regulation” as

defined in Government Code section 11342.600,<sup>1</sup> which should have been, but was not adopted pursuant to the Administrative Procedure Act (APA).<sup>2</sup> Nothing in this analysis evaluates the advisability or the wisdom of the underlying action or enactment.

On October 1, 2004, CalPIA sent a memorandum to the wardens of California prisons stating:

Pursuant to Penal Code Section 2811, the Prison Industry Board (Board) on June 25, 2004 adopted the following changes to the Prison Industry Authority (PIA) Inmate Pay Plan: Effective January 3, 2005, PIA will no longer compensate prisoner employees for State holidays or time lost due to job-related illness or injury. In addition, the Board has directed PIA to apply all of the savings from the elimination of holiday, job-related injury pay to the expansion of inmate programming and pre-release support.

In 2010, inmate pay was determined by California Department of Corrections and Rehabilitation’s Department Operations Manual (DOM) section 51121.5. DOM section 51121.5 is attached hereto as Exhibit B. In 2010, OAL determined that DOM section 51121.5 was an underground regulation. (See 2010 OAL Determination No. 7.) As a result of that determination, in April, 2012, CalPIA adopted California Code of Regulations, title 15, section 8006 which established inmate pay rates. The text of section 8006 is attached hereto as Exhibit C.

The rules governing the amount of inmate pay have, therefore, been adopted pursuant to the rulemaking provisions of the APA. California Code of Regulations, title 15, section 8006, requires that inmate compensation shall be paid “. . . in accord with the graduated pay schedule, and based on quality and quantity of work performed, and technical skills and abilities required for its performance.” Section 8006 is a complete regulatory scheme for the payment of inmate compensation

<sup>1</sup>“Regulation” means every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

<sup>2</sup> Such a rule is called an “underground regulation” as defined in California Code of Regulations, title 1, section 250, subsection (a):

“Underground regulation” means any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in section 11342.600 of the Government Code, but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA and is not subject to an express statutory exemption from adoption pursuant to the APA.

and does not include compensation for holiday pay or job-related illness or injury pay.

Furthermore, the adoption of a regulation pursuant to the rulemaking provisions of the APA that sets forth the requirements for inmate compensation, supersedes any previously issued rule or policy dealing with inmate compensation, including the 2004 memorandum you challenge as an underground regulation. If CalPIA chooses to change its policy on compensating inmates for holiday pay or job-related illness or injury pay, it will have to make such changes as a properly adopted regulation.

For the reasons discussed above, we find that the rule challenged by your petition is not an underground regulation.<sup>3</sup>

The issuance of this summary disposition does not restrict your right to adjudicate the alleged violation of section 11340.5 of the Government Code.

\_\_\_\_\_/s/  
Debra M. Cornez  
Director

\_\_\_\_\_/s/  
Kathleen Eddy  
Senior Counsel

Copy: Charles Pattillo  
Ann Cunningham

<sup>3</sup> The rule challenged by your petition is the proper subject of a summary disposition letter pursuant to title 1, section 270 of the California Code of Regulations. Subdivision (f) of section 270 provides:

- (f)(1) If facts presented in the petition or obtained by OAL during its review pursuant to subsection (b) demonstrate to OAL that the rule challenged by the petition is not an underground regulation, OAL may issue a summary disposition letter stating that conclusion. A summary disposition letter may not be issued to conclude that a challenged rule is an underground regulation.
- (2) Circumstances in which facts demonstrate that the rule challenged by the petition is not an underground regulation include, but are not limited to, the following:
  - (A) **The challenged rule has been superseded.**
  - (B) The challenged rule is contained in a California statute.
  - (C) **The challenged rule is contained in a regulation that has been adopted pursuant to the rulemaking provisions of the APA.**
  - (D) The challenged rule has expired by its own terms.
  - (E) An express statutory exemption from the rulemaking provisions of the APA is applicable to the challenged rule. (Emphasis added.)

**SUMMARY OF REGULATORY  
ACTIONS**

**REGULATIONS FILED WITH  
SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2013-0117-03  
CALIFORNIA ALTERNATIVE ENERGY AND  
ADVANCED TRANSPORTATION FINANCING  
AUTHORITY  
ABX1 14 Clean Energy Upgrade Financing Program

This emergency regulatory action is the second readopt of Article 3 beginning with Section 10050 of Division 13 of Title 4 of the California Code of Regulations. Article 3 contains regulations for the loan loss reserve program under the Clean Energy Upgrade Financing Program. These regulations establish the rules, process and procedures for the Clean Energy Upgrade Financing Program including the eligibility and evaluative criteria loans must meet in order for participating financial institutions to qualify and receive a loan loss reserve contribution.

Title 4  
California Code of Regulations  
ADOPT: 10050, 10051, 10052, 10053, 10054,  
10055, 10056, 10057, 10058, 10059, 10060  
Filed 01/28/2013  
Effective 01/28/2013  
Agency Contact: Jennifer Gill (916) 653-3033

File# 2013-0117-01  
CALIFORNIA DEBT LIMIT ALLOCATION  
COMMITTEE  
Administration of California's Limited Tax-Exempt  
Debt Authority

This regulatory action is a deemed emergency pursuant to Government Code section 8869.94. The purpose of these adoptions and amendments is to promote housing for lower income families and individuals and to preserve and rehabilitate existing government assisted housing for this same population. Definitions are added; clarifications are made regarding evaluation criteria; application requirements are provided for both scattered site projects and for seeking a forward commitment in lieu of award; and four incorporated by reference documents are updated to reflect these changes.

Title 4  
 California Code of Regulations  
 ADOPT: 5255, 5256 AMEND: 5170, 5230, 5250,  
 5560, 5580  
 Filed 01/24/2013  
 Effective 01/24/2013  
 Agency Contact: Misti Armstrong (916) 653-3461

File# 2013-0117-02  
 DEPARTMENT OF MOTOR VEHICLES  
 Administrative Fee for Tax Delinquency

The Department of Motor Vehicles (DMV) submitted this emergency readopt action to maintain the regulation adopted in OAL File No. 2012-0723-02E, which adopted section 426.00 to title 13 of the California Code of Regulations. This regulation implements Business and Professions Code section 494.5(l) by establishing administrative fees charged to licensees whose licenses have been suspended pursuant to Business and Professions Code section 494.5. Business and Professions Code section 494.5 was enacted by AB 1424 (Stats. 2011, ch. 455), which, among other things, requires DMV to suspend any motor carrier permit, driver license, or occupational license held by a business or individual whose name is included in one of two certified lists of the 500 largest tax delinquencies. The certified lists are issued by the State Board of Equalization or the Franchise Tax Board pursuant to Revenue and Taxation Code section 7063 or 19195, as applicable. Business and Professions Code section 494.5(l) authorizes DMV to impose these administrative fees.

Title 13  
 California Code of Regulations  
 ADOPT: 426.00  
 Filed 01/28/2013  
 Effective 01/28/2013  
 Agency Contact: Randi Calkins (916) 657-8898

File# 2012-1212-02  
 DEPARTMENT OF MOTOR VEHICLES  
 2013 Vehicle Code Book Fee

Vehicle Code section 1656, requires the Department of Motor Vehicles to publish the complete text of the California Vehicle Code once every two years and to distribute it at a cost sufficient to pay the cost of publishing and distribution. This change will adjust the fee of the Vehicle Code Book from eleven to ten dollars. The change is exempt from the Administrative Procedures Act under Government Code section 11340.9(g). OAL filed this regulation with the Secretary of State and will publish it in the California Code of Regulations.

Title 13  
 California Code of Regulations  
 AMEND: 425.01  
 Filed 01/24/2013  
 Effective 01/01/2013  
 Agency Contact: Randi Calkins (916) 657-8898

File# 2012-1212-01  
 EMERGENCY MEDICAL SERVICES  
 AUTHORITY  
 Emergency Medical Technician

The Emergency Medical Services Authority (EMSA) filed this action to amend ten title 22 regulations pertaining to emergency medical technicians (EMTs). The amendments change the scope of practice and training requirements for EMTs, modify required course content for EMT training programs to align with national standards, and clarify the duration and expiration terms of valid EMT certificates.

Title 22  
 California Code of Regulations  
 AMEND: 100058, 100060, 100063, 100066,  
 100074, 100075, 100078, 100079, 100080, 100081  
 Filed 01/25/2013  
 Effective 04/01/2013  
 Agency Contact: Adam Morrill (916) 322-4336

File# 2012-1218-01  
 OCCUPATIONAL SAFETY AND HEALTH  
 STANDARDS BOARD  
 Work Area Control (Swing Radius Hazards)

The Occupational Safety and Health Standards Board adopted section 4993.1 and amended sections 1610.3, 1616.3, 4885, 4999, and 5001 of title 8 of the California Code of Regulations to add protections for oilers and other employees who must work within the swing radius of a crane.

Title 8  
 California Code of Regulations  
 ADOPT: 4993.1  
 AMEND: 1610.3, 1616.3, 4885, 4999, 5001  
 Filed 01/28/2013  
 Effective 04/01/2013  
 Agency Contact: Marley Hart (916) 274-5721

File# 2012-1218-02  
 OCCUPATIONAL SAFETY AND HEALTH  
 STANDARDS BOARD  
 Elevated Locations—Guardrail Exception for  
 Portable Amusement Rides

The California Occupational Safety and Health Standards Board is amending their GISO rule regarding the guardrails at elevated locations by adding a new exception (No. 10). This rulemaking requires the use of per-

sonal fall protection equipment where design or other work processes make installation of guardrails impracticable on portable amusement rides.

Title 8  
 California Code of Regulations  
 AMEND: 3210, 3900  
 Filed 01/24/2013  
 Effective 04/01/2013  
 Agency Contact: Marley Hart (916) 274-5721

File# 2012-1213-01  
**STATE WATER RESOURCES CONTROL BOARD**  
 Wastewater Treatment Plant Operator Certification

This rulemaking action implements statutory changes resulting from AB 1664, Ch. 869 of 2001, and AB 2971, Ch. 422 of 2002, as well as amending regulations in Title 23 of the California Code of Regulations so as to make the wastewater treatment plant operator certification process consistent with current operational practices. The rulemaking, among other things, provides for the exemption of Class I plants from operator certification requirements under certain circumstances, expands the definition of wastewater treatment plants to include privately owned plants, and increases registration, certification, and other related fees.

Title 23  
 California Code of Regulations  
 ADOPT: 3677, 3677.1, 3677.2, 3677.3, 3677.4, 3677.5, 3677.6, 3680.1, 3680.2, 3681, 3682, 3682.1, 3682.2, 3682.3, 3682.4, 3682.5, 3682.6, 3683, 3683.1, 3683.2, 3683.3, 3683.4, 3684, 3685, 3686, 3687, 3689, 3700, 3701, 3701.1, 3701.2, 3702, 3702.1, 3702.2, 3702.3, 3702.4, 3702.5, 3702.6, 3702.7, 3703, 3709, 3712, 3712.1, 3712.2, 3715, 3716, 3719.6, 3719.8, 3719.10, 3719.11, 3719.14, 3719.15 AMEND: 3670, 3670.1, 3671, 3675, 3676, 3680, 3710, 3711, Renumber 3712 as 3711.1, Renumber 3713 as 3711.2, Renumber 3714 as 3713, Renumber 3715 as 3714, 3717, 3718, 3719, Renumber 3719.10 as 3719.1, Renumber 3719.11 as 3719.2, Renumber 3719.12 as 3719.3, Renumber 3719.13 as 3719.4, Renumber 3719.14 as 3719.5, Renumber 3719.15 as 3719.7, Renumber 3719.16 as 3719.9, Renumber 3719.17 as 3719.12, Renumber 3719.18 as 3719.13, Renumber 3719.19 as 3719.16 REPEAL: 3670.2, 3683, 3684, 3685, 3686, 3700, 3701, 3702, 3702.1, 3702.2, 3702.3, 3702.4, 3702.5, 3703, 3704, 3707, 3708, 3709, 3716  
 Filed 01/28/2013  
 Effective 04/01/2013  
 Agency Contact: Wes Wilkinson (916) 341-5750

**CCR CHANGES FILED  
 WITH THE SECRETARY OF STATE  
 WITHIN September 5, 2012 TO  
 January 30, 2013**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 1**

11/13/12 AMEND: 1, Appendix A

**Title 2**

01/09/13 ADOPT: 18756  
 01/08/13 AMEND: 18723, 18730  
 01/07/13 AMEND: 18545, 18703.4, 18940.2  
 01/07/13 AMEND: 18705.5  
 01/02/13 AMEND: 22500, 22501, 22502, 22503, 22505, 22506, 22508, 22509 REPEAL: 22504, 22507, 22510, 22511, 22512, 22513, 22514, 22515, 22516, 22517, 22518, 22519  
 12/31/12 ADOPT: 1859.97 AMEND: 1859.2, 1859.90.2  
 12/28/12 AMEND: 18410, 18425, 18435, 18465.1, 18550 REPEAL: 18539  
 12/27/12 AMEND: 649.7  
 12/26/12 ADOPT: 7294.0, 7294.2 AMEND: 7293.5, 7293.6, 7293.7, 7293.8, 7293.9, 7294.0 (renumbered to 7294.1), 7294.1 (renumbered to 7294.3), 7294.2 (renumbered to 7294.4)  
 12/24/12 REPEAL: 60020, 60025, 60030, 60040, 60045, 60050, 60055, 60100, 60110, 60200  
 12/11/12 AMEND: 649.15  
 12/06/12 AMEND: 1859.2, 1859.90.2  
 11/30/12 ADOPT: 7291.4, 7291.7, 7291.14, 7291.18 AMEND: 7291.2, 7291.3, 7291.4 and renumber 7291.5, 7291.5 and renumber 7291.6, 7291.6 and renumber 7291.8, 7291.7 and renumber 7291.9, 7291.9 and renumber 7291.10, 7291.10 and renumber 7291.17, 7291.11, 7291.12, 7291.13, 7291.15, 7291.16 REPEAL: 7291.8, 7291.14  
 11/29/12 ADOPT: 558.1  
 11/28/12 AMEND: 54100  
 11/09/12 ADOPT: 599.945.4 AMEND: Article 27.5 heading

**CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 6-Z**

11/08/12 AMEND: 18723  
 11/06/12 REPEAL: 56600  
 11/06/12 REPEAL: 52000  
 11/06/12 REPEAL: 52300  
 11/01/12 ADOPT: 1859.95.1 AMEND: 1859.2,  
 1859.95  
 10/23/12 AMEND: 1859.2, 1859.71.6, 1859.77.4,  
 1859.107, 1859.193, 1859.194, 1859.197  
 10/22/12 ADOPT: 599.944, 599.946, 599.947  
 10/18/12 AMEND: 1575  
 10/18/12 ADOPT: 577, 578  
 10/17/12 AMEND: 20804  
 10/03/12 ADOPT: 18730.1  
 10/02/12 AMEND: 1859.2, 1859.71.4, 1859.78.1,  
 1859.79.2, 1859.82, 1859.83, 1859.106,  
 1859.125, 1859.125.1, 1859.145,  
 1859.163.1, 1859.163.5, 1859.193  
 09/20/12 ADOPT: 59730  
 09/19/12 AMEND: 1155.250, 1155.350  
 09/14/12 REPEAL: 52100  
 09/10/12 ADOPT: 59650

**Title 3**

11/15/12 AMEND: 3435(b)  
 10/29/12 ADOPT: 1352.4 AMEND: 1351, 1358.4  
 10/23/12 ADOPT: 3639  
 10/23/12 ADOPT: 3439  
 09/21/12 AMEND: 3437(b) and (c)  
 09/18/12 AMEND: 6449.1, 6486.7  
 09/12/12 AMEND: 3700(c)  
 09/12/12 AMEND: 3435(b)

**Title 4**

01/28/13 ADOPT: 10050, 10051, 10052, 10053,  
 10054, 10055, 10056, 10057, 10058,  
 10059, 10060  
 01/24/13 ADOPT: 5255, 5256 AMEND: 5170,  
 5230, 5250, 5560, 5580  
 01/08/13 ADOPT: 5205 AMEND: 5000, 5054,  
 5144, 5170, 5190, 5200, 5230, 5350,  
 5370 REPEAL: 5133  
 12/21/12 ADOPT: 5342, 5343, 5344, 5345, 5346,  
 5347, 5348  
 12/13/12 AMEND: 12391(a)(2)  
 12/03/12 AMEND: 10032, 10033, 10034, 10035  
 11/27/12 ADOPT: 4305, 4309 AMEND: 4300,  
 4302, 4304, 4306, 4307, 4308  
 10/30/12 AMEND: 5000, 5052  
 10/29/12 ADOPT: 10050, 10051, 10052, 10053,  
 10054, 10055, 10056, 10057, 10058,  
 10059, 10060  
 10/17/12 AMEND: 1656  
 10/16/12 ADOPT: 1581.2  
 10/10/12 AMEND: 1867  
 09/27/12 AMEND: 5000, 5170, 5200, 5230, 5370,  
 5500, 5540

09/12/12 ADOPT: 12391(a)(1), (3), (4), (b) & (c),  
 12392 AMEND: 12360

**Title 5**

01/17/13 ADOPT: 80053.1 AMEND: 80024.6,  
 80053  
 01/14/13 ADOPT: 80048.3.2 AMEND: 80048.3.1  
 12/27/12 AMEND: 58108  
 12/27/12 AMEND: 55000, 55023, 55040, 55041,  
 55043, 58161, 58162, 58166 REPEAL:  
 55030  
 12/24/12 ADOPT: 18224.6, 18227, 18227.1  
 AMEND: 18078, 18409, 18411, 18424,  
 18426  
 12/18/12 AMEND: 76120  
 12/13/12 AMEND: 40601  
 11/01/12 AMEND: 18407, 18422  
 10/31/12 ADOPT: 620, 621, 622, 623, 624, 625,  
 626, 627  
 09/27/12 ADOPT: 620, 621, 622, 623, 624, 625,  
 626, 627  
 09/27/12 AMEND: 3000, 3010, 3021, 3021.1,  
 3022, 3023, 3024, 3025, 3027, 3028,  
 3042, 3051.4, 3051.75, 3051.8, 3051.9,  
 3051.12, 3051.13, 3051.17, 3051.18,  
 3052, 3053, 3062, 3063, 3064, 3066,  
 3067, 3069, 3080, 3082, 3083, 3084,  
 3085, 3086, 3087, 3088, 3088.1, 3088.2,  
 3089, 3090, 3091, 3092, 3093, 3094,  
 3096, 3096.1, 3096.2, 3097, 3098,  
 3098.1, 3098.2, 3099, 3100  
 09/06/12 AMEND: 1216.1

**Title 8**

01/28/13 ADOPT: 4993.1 AMEND: 1610.3,  
 1616.3, 4885, 4999, 5001  
 01/24/13 AMEND: 3210, 3900  
 12/31/12 ADOPT: 10206, 10206.1, 10206.2,  
 10206.3, 10206.4, 10206.5, 10206.14,  
 10206.15, 10207, 10208 AMEND:  
 10205, 10205.12  
 12/31/12 ADOPT: 15209 AMEND: 15201, 15210,  
 15210.1, 15475, 15477, 15481, 15484,  
 15496, 15497  
 12/31/12 ADOPT: 9792.5.4, 9792.5.5, 9792.5.6,  
 9792.5.7, 9792.5.8, 9792.5.9, 9792.5.10,  
 9792.5.11, 9792.5.12, 9792.5.13,  
 9792.5.14, 9792.5.15 AMEND:  
 9792.5.1, 9792.5.3, 9793, 9794, 9795  
 12/31/12 ADOPT: 37, 10159 AMEND: 1, 11, 11.5,  
 14, 17, 30, 31.2, 31.7, 33, 35, 35.5, 36, 38,  
 100, 105, 106, 10160  
 12/31/12 ADOPT: 9785.5, 9792.6.1, 9792.9.1,  
 9792.10.1, 9792.10.2, 9792.10.3,  
 9792.10.4, 9792.10.5, 9792.10.6,  
 9792.10.7, 9792.10.8, 9792.10.9

AMEND: 9785, 9792.6, 9792.9, 9792.10, 9792.12  
 12/27/12 ADOPT: 9789.25 AMEND: 9789.20, 9789.21, 9789.22  
 12/27/12 ADOPT: 9789.39 AMEND: 9789.30, 9789.31, 9789.32, 9789.33, 9789.36, 9789.37, 9789.38  
 12/27/12 AMEND: 9795.1, 9795.3  
 12/20/12 ADOPT: 10133.31, 10133.32, 10133.33, 10133.34, 10133.35, 10133.36 AMEND: 9813.1, 10116.9, 10117, 10118, 10133.53, 10133.55, 10133.57, 10133.58, 10133.60 REPEAL: 10133.51, 10133.52  
 12/10/12 AMEND: 10210, 10211, 10212, 10214, 10215, 10216, 10217, 10218, 10222, 10223, 10225, 10228, 10229, 10232, 10232.1, 10232.2, 10245, 10250.1, 10252.1, 10253.1, 10270, 10271, 10273, 10290, 10291, 10293, 10294.5, 10297  
 10/31/12 ADOPT: 6625.1 AMEND: 6505  
 10/23/12 AMEND: 1593, 3650  
 10/18/12 AMEND: 6325  
 10/02/12 ADOPT: 1613.11, 1613.12 AMEND: 1600, 1610.1, 1610.3, 1610.4, 1610.9, 1611.1, 1612.3, 1613, 1613.2, 1613.10, 1616.1, 1617.1, 1617.2, 1617.3, 1618.1, 1619.1, 4885, 4999  
 10/02/12 AMEND: 4297  
 09/25/12 AMEND: 2950, 3420, 3421, 3422, 3423, 3424, 3425, 3426, 3427 REPEAL: 3428  
 09/05/12 AMEND: 1512, 2320.10, 2940.10

**Title 9**

01/17/13 AMEND: 7141.5, 7143, 7227, 7350, 7351, 7353.6, 7354, 7355, 7356, 7357, 7358

**Title 10**

01/17/13 ADOPT: 6410, 6420, 6422, 6424, 6440, 6442, 6444  
 01/11/13 AMEND: 2498.4.9, 2498.5, 2498.6  
 12/31/12 AMEND: 2695.8(f), 2695.8(g)  
 12/19/12 ADOPT: 2523, 2523.1, 2523.2, 2523.3, 2523.4, 2523.5, 2523.6  
 12/17/12 AMEND: 2248.14  
 12/11/12 AMEND: 3780  
 11/19/12 AMEND: 2698.401  
 11/13/12 AMEND: 2498.4.9

**Title 11**

12/12/12 AMEND: 1081  
 11/26/12 AMEND: 1001, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1018, 1019, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1060, 1070, 1071,

1080, 1081, 1082, 1083, 1084, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960  
 11/15/12 AMEND: 1005, 1007, 1008  
 11/15/12 AMEND: 1005  
 09/18/12 AMEND: 410, 411, 415, 416, 417, 420, 421, 425 REPEAL: 419, 419.1

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01/28/13 ADOPT: 426.00  
 01/24/13 AMEND: 425.01  
 01/07/13 AMEND: 553.70  
 12/31/12 AMEND: 1900, 1956.8, 1960.1, 1961, 1961.2, 1961.3, 1962.1, 1962.2, 1976  
 12/11/12 AMEND: 2403, 2404, 2407, 2412, 2421, 2423, 2424, 2425, 2425.1, 2426, 2427, 2433, 2447, 2783, 2784  
 12/10/12 AMEND: 423.00  
 11/13/12 AMEND: 1200, 1239  
 11/06/12 ADOPT: 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218  
 10/15/12 ADOPT: 2477.1, 2477.2, 2477.3, 2477.4, 2477.5, 2477.6, 2477.7, 2477.8, 2477.9, 2477.10, 2477.11, 2477.12, 2477.13, 2477.14, 2477.15, 2477.16, 2477.17, 2477.18, 2477.19, 2477.20, 2477.21 AMEND: 2477  
 10/09/12 AMEND: 2260, 2261, 2264, 2265, 2265.1, 2266, 2266.5, 2271 REPEAL: 2258  
 09/25/12 AMEND: 156.00, 156.01  
 09/14/12 AMEND: 2479

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09/14/12 AMEND: 2299.2, 93118.2

**Title 14**

01/08/13 AMEND: 27.65, 28.30  
 12/27/12 ADOPT: 1.45, 5.91 AMEND: 1.77, 2.25, 2.30, 4.20, 5.00, 5.05, 5.10, 5.40, 5.60, 5.80, 5.81, 7.00, 7.50, 8.00, 27.85, 27.90, 27.91, 28.90, 28.95, 701  
 12/20/12 AMEND: 703  
 11/19/12 AMEND: 632  
 11/07/12 AMEND: 701  
 11/06/12 ADOPT: 1052.5 AMEND: 895, 916.9, 1052, 1052.1, 1052.2  
 11/02/12 AMEND: 163, 164  
 10/29/12 AMEND: 18660.5, 18660.6, 18660.7, 18660.8, 18660.9, 18660.10, 18660.11, 18660.12, 18660.13, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.20, 18660.21, 18660.22, 18660.30, 18660.31, 18660.32, 18660.33, 18660.34, 18660.35, 18660.36, 18660.37, 18660.38, 18660.39, 18660.41, 18660.43

10/18/12 ADOPT: 1665.1, 1665.2, 1665.3, 1665.4,  
1665.5, 1665.6, 1665.7, 1665.8  
10/03/12 AMEND: 300  
10/02/12 AMEND: 632  
09/27/12 ADOPT: 1667.1, 1667.2, 1667.3, 1667.4,  
1667.5, 1667.6  
09/25/12 AMEND: 18660.40  
09/21/12 AMEND: 502  
09/12/12 AMEND: 18660.17, 18660.19, 18660.31  
09/07/12 AMEND: 300

**Title 15**

01/17/13 AMEND: 3000, 3076.1, 3076.3, 3375,  
3375.1, 3375.2, 3375.3, 3375.4, 3375.5,  
3377.2, 3521.2  
01/15/13 AMEND: 3999.14  
12/20/12 ADOPT: 3079, 3079.1 AMEND: 3000,  
3075.2, 3075.3  
10/25/12 ADOPT: 3999.14  
10/22/12 AMEND: 3019, 3044, 3091, 3120  
10/18/12 ADOPT: 3999.13  
10/17/12 ADOPT: 3375.6 AMEND: 3000, 3375  
10/04/12 ADOPT: 3352.3 AMEND: 3350.1, 3352,  
3352.1, 3352.2, 3354, 3354.2, 3355.1,  
3358  
09/25/12 ADOPT: 1712.1, 1714.1, 1730.1, 1740.1,  
1748.5 AMEND: 1700, 1706, 1712,  
1714, 1730, 1731, 1740, 1747, 1747.1,  
1747.5, 1748, 1751, 1752, 1753, 1754,  
1756, 1760, 1766, 1767, 1768, 1770,  
1772, 1776, 1778, 1788 REPEAL: 1757  
09/13/12 AMEND: 3162  
09/13/12 ADOPT: 3078, 3078.1, 3078.2, 3078.3,  
3078.4, 3078.5, 3078.6 AMEND: 3000,  
3043, 3075.2, 3097, 3195, 3320, 3323

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01/22/13 AMEND: 1399.15  
01/15/13 ADOPT: 1399.99.1, 1399.99.2,  
1399.99.3, 1399.99.4  
01/14/13 AMEND: 1566.1  
01/10/13 AMEND: 1399.536  
01/09/13 AMEND: 1811, 1870, 1887.3  
12/18/12 ADOPT: 37.5  
12/13/12 AMEND: 2615, 2620  
11/29/12 AMEND: 2524, 2579.10  
11/27/12 ADOPT: 1495, 1495.1, 1495.2, 1495.3,  
1495.4  
11/14/12 ADOPT: 1139, 1140, 1141, 1142, 1143,  
1144  
11/13/12 ADOPT: 2333  
11/07/12 ADOPT: 1023.15, 1023.16, 1023.17,  
1023.18, 1023.19  
10/31/12 AMEND: 1425  
10/29/12 ADOPT: 1065  
10/25/12 ADOPT: 2.8, 11, 11.1 AMEND: 9.2

09/25/12 AMEND: 1514, 1525.1  
09/25/12 AMEND: 3340.15, 3394.6  
09/12/12 AMEND: 961 REPEAL: 933  
09/10/12 ADOPT: 4116, 4117, 4118, 4119  
09/07/12 AMEND: 4

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01/22/13 AMEND: 60201, 60210  
01/03/13 AMEND: 2641.56  
12/19/12 ADOPT: 95158 AMEND: 95101, 95102,  
95103, 95104, 95105, 95111, 95112,  
95113, 95114, 95115, 95119, 95120,  
95121, 95122, 95123, 95130, 95131,  
95132, 95133, 95150, 95151, 95152,  
95153, 95154, 95155, 95156, 95157,  
95202, 95802  
12/06/12 AMEND: 95920  
11/26/12 ADOPT: 95480.2, 95480.3, 95480.4,  
95480.5 AMEND: 95480.1, 95481,  
95482, 95484, 95485, 95486, 95488,  
95490  
11/14/12 AMEND: 6508  
11/02/12 AMEND: 100500  
10/30/12 AMEND: 100060, 100070  
10/03/12 AMEND: 95201, 95202, 95203, 95204,  
95205

**Title 18**

01/14/13 AMEND: 101, 171, 252, 1045  
01/08/13 REPEAL: 2558, 2558.1, 2559, 2559.1,  
2559.3, 2559.5  
12/18/12 ADOPT: 19089  
12/04/12 ADOPT: 2000  
10/23/12 AMEND: 313, 321

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12/17/12 AMEND: 2570.1, 2570.2, 2571, 2572.1,  
2572.2, 2573.1, 2573.2, 2573.3

**Title 20**

10/26/12 AMEND: 1601, 1602, 1604, 1605.1,  
1605.3, 1606, 1607

**Title 21**

12/24/12 ADOPT: 2653, 2654, 2655, 2656, 2657,  
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01/25/13 AMEND: 100058, 100060, 100063,  
100066, 100074, 100075, 100078,  
100079, 100080, 100081  
01/09/13 AMEND: 70110, 70215, 70841, 71110,  
71645, 72203, 72641, 73208, 73639,  
74108, 74669, 76211, 76525, 76555,  
76651, 76846, 76915, 78437 REPEAL:  
70111, 70114, 71111, 73209, 74109  
01/07/13 AMEND: 66260.10, 66264.550,  
66264.551, 66264.552, 66264.552.5,  
66264.553, 67100.13, 67383.3, 67390.2,  
67391.1, 67401.1, 67401.2, 67401.3,

67401.4, 67401.5, 67401.6, 67401.7, 67401.8, 67401.9, 67401.10, 67401.11, 67401.12, 67401.13 REPEAL: 69000, 69000.5, 69001, 69002, 69003, 69004, 69005, 69006, 69007, 69008, 69009, 69010, 69011, 69012, 69013, 69200, 69201, 69202, 69203, 69204, 69205, 69206, 69207, 69208, 69209, 69210, 69211, 69212, 69213, 69214

12/10/12 AMEND: 926-3, 926-4, 926-5

11/13/12 ADOPT: 2707.2-1 AMEND: 3302-1

10/25/12 AMEND: 97005, 97019, 97041, 97052, 97053, 97054

10/18/12 AMEND: 97240

10/15/12 ADOPT: 66273.80, 66273.81, 66273.82, 66273.83, 66273.84, 66273.90, 66273.91, 66273.100, 66273.101 AMEND: 66261.4, 66273.6, 66273.7, 66273.9, 66273.70, 66273.72, 66273.73, 66273.74, 66273.75

09/06/12 ADOPT: 66269.2

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01/28/13 ADOPT: 3677, 3677.1, 3677.2, 3677.3, 3677.4, 3677.5, 3677.6, 3680.1, 3680.2, 3681, 3682, 3682.1, 3682.2, 3682.3, 3682.4, 3682.5, 3682.6, 3683, 3683.1, 3683.2, 3683.3, 3683.4, 3684, 3685, 3686, 3687, 3689, 3700, 3701, 3701.1, 3701.2, 3702, 3702.1, 3702.2, 3702.3, 3702.4, 3702.5, 3702.6, 3702.7, 3703, 3709, 3712, 3712.1, 3712.2, 3715, 3716, 3719.6, 3719.8, 3719.10, 3719.11, 3719.14, 3719.15 AMEND: 3670, 3670.1, 3671, 3675, 3676, 3680, 3710, 3711, Renumber 3712 as 3711.1, Renumber 3713 as 3711.2, Renumber 3714 as 3713, Renumber 3715 as 3714, 3717, 3718, 3719, Renumber 3719.10 as 3719.1, Renumber 3719.11 as 3719.2, Renumber 3719.12 as 3719.3, Renumber 3719.13 as 3719.4, Renumber 3719.14 as 3719.5, Renumber 3719.15 as 3719.7, Renumber 3719.16 as 3719.9, Renumber 3719.17 as 3719.12, Renumber 3719.18 as 3719.13, Renumber 3719.19 as 3719.16 REPEAL: 3670.2, 3683, 3684, 3685, 3686, 3700, 3701, 3702, 3702.1, 3702.2, 3702.3, 3702.4, 3702.5, 3703, 3704, 3707, 3708, 3709, 3716

12/17/12 ADOPT: 3949.9

12/06/12 ADOPT: 3979.5

11/14/12 AMEND: 1062, 1064, 1068

11/13/12 ADOPT: 2924

11/13/12 ADOPT: 3969.3

09/06/12 ADOPT: 3959.5

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10/10/12 AMEND: 8201, 8205, 8212

**Title 27**

12/17/12 AMEND: 25705

11/19/12 AMEND: 25903

10/10/12 AMEND: 25707

09/20/12 AMEND: 25705(b)

09/12/12 AMEND: 25403(a), 25603.3(a)

**Title 28**

09/06/12 ADOPT: 1300.74.73

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01/16/13 AMEND: 40-107, 42-301, 42-302, 42-431, 42-712, 42-713, 42-721, 44-133, 44-307, 44-316, 82-833

01/14/13 AMEND: 40-105.4(g)(1), 44-111.23, 44-113.2, 44-113.54(QR), 44-315.39(QR), 89-201.513

11/29/12 AMEND: 41-440, 42-716, 42-717, 44-207

11/19/12 AMEND: 31-003, 31-021, 31-501

11/01/12 AMEND: 42-213, 44-211

10/10/12 AMEND: 25707

09/20/12 AMEND: 25705(b)

09/12/12 AMEND: 25403(a), 25603.3(a)