



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

The Department of Food and Agriculture (Department) intends to adopt subsection 3441 of the regulations in Title 3 of the California Code of Regulations pertaining to the *Bactrocera latifrons* Interior Quarantine.

This notice is being provided in compliance with Government Code (GC) Section 11346.4.

PUBLIC HEARING

A public hearing is not scheduled. 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.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed adoption to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.654.1018 or by email to Sara.Khalid@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on June 6, 2016. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Sara Khalid
Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street
Sacramento, CA 95814
Sara.Khalid@cdfa.ca.gov
916.654.1017
916.654.1018 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any inter-

ested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this state and determine the probability of its spread and the feasibility of its control or eradication (Food and Agricultural Code (FAC) Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as she deems necessary to protect the agricultural industry from the introduction and spread of pests (FAC Sections 401, 403, 407 and 5322).

ANTICIPATED BENEFITS FROM THIS REGULATORY ACTION

The Department's broad statutory objectives are to prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds (FAC Section 403), and it may adopt regulations as are reasonably necessary to achieve this (FAC Section 407). The Department is obligated to investigate the existence of any pest that is not generally distributed within this state, and determine the probability of its spread and the feasibility of its control or eradication (FAC Section 5321), and may establish and maintain quarantine regulations (FAC Section 5322).

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or eradicating pests of limited distribution but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. The adoption of this regulation benefits the pepper, tomato, and guava industry (nursery, fruit for domestic use and exports, packing facilities) and the environment (urban landscapes) by having a quarantine program to prevent the spread of Malaysian fruit fly should it be introduced as an incipient population.

The Department is also obligated to protect the general welfare and economy of the state and to seek to maintain the economic well-being of agriculturally dependent rural communities in the state (FAC Section 401.5). The activities authorized by the adoption of this regulation will prevent the establishment and potential spread of the Malaysian fruit fly to uninfested areas of the state, including agriculturally dependent rural communities. Historically, most Malaysian fruit fly introductions in California have been associated with introductions into the urban environment.

Should it be necessary to establish a quarantine for Malaysian fruit fly, the California, national and international consumers of California host fruit benefit by having high-quality fruit available at lower costs. It is assumed that any increases in production costs would ultimately be passed on to the consumer.

The adoption of this regulation benefits homeowners and community gardens that grow their own host fruits for consumption and host material which is planted as ornamentals in various rural and urban landscapes.

This regulation will benefit the public's general welfare by providing authority for the state to perform quarantine activities against Malaysian fruit fly in California.

The implementation of this regulation will prevent:

- Direct damage to the agricultural industry growing host fruits outside the quarantine area.
- Indirect damage to the agricultural industry growing host fruits due to the implementation of quarantines by other countries and loss of export markets.
- Increased production costs to the affected agricultural industries.
- Increased pesticide use by the affected agricultural industries.
- Increased costs to the consumers of host fruits.
- Increased pesticide use by homeowners and others.
- The need to implement an unnecessary federal regulation for the entire state.

There is no existing, comparable federal regulation or statute.

The Department has considered any other possible related regulations in this area, and we find that these are the only regulations dealing in this subject area, and the only state agency that can implement these eradication areas for plant pests. As required by GC Section 11346.5(a)(3)(D), the Department has conducted an evaluation of this regulation and has determined that it is not inconsistent or incompatible with existing state regulations.

ADOPTED TEXT

The adoption of this regulation establishes the Westchester area of Los Angeles County as a quarantine area, the targeted pest, and the process for adding and removing quarantine areas; establishes the initial size of the area and how the area may be expanded if there are additional detections of Malaysian fruit fly within the quarantine area; establishes an appeal process and a list serve option; and specifies the life cycle for Malaysian

fruit fly, the host list, the articles and commodities covered and the quarantine restrictions.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: 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.

Cost or savings in federal funding to the state: None.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or business: There are 308 businesses that will be impacted. Within the affected area there are 93 Certified Farmers' Market Fruit Sellers, four Food Banks, 175 Fruit Sellers, 14 Nurseries, three Fruit Haulers, 13 Fruit Freight Forwarders, three Growers, and three Harvesters.

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

Small Business Determination: The Department has determined that the proposed regulations may affect small business.

Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The adoption 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.

The Department has determined the adoption of this regulation benefits:

- The general public
- Homeowners and Community Gardens
- Agricultural industry
- The state's general fund

There are no known specific benefits to worker safety or the health of California residents. The Department is

not aware of any specific benefits the adoption of this regulation will have to the protection of public safety of California residents or worker safety. Based upon the economic analysis, the Department believes the adoption of this regulation benefits the general welfare of California residents [GC Section 11346.3(b)].

The Department has evaluated and determined that the adoption of this regulation is not inconsistent with existing state regulations. There are no other comparable existing state regulations [GC Section 11346.5(a)(3)(D)].

ALTERNATIVES CONSIDERED

The Department determined that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or 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 than the proposal described in this Notice.

AUTHORITY

The Department proposes to adopt Section 3442 pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the FAC.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the FAC.

CONTACT

The agency officer 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: Sara Khalid, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: Sara.Khalid@cdfa.ca.gov. In her absence, you may contact Laura Petro at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Sara Khalid.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet Website (www.cdfa.ca.gov/plant/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 person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF PESTICIDE REGULATION

**Worker Protection Standard
DPR Regulation No. 16-001**

The Department of Pesticide Regulation (DPR) proposes to adopt section 6722; and to amend sections 6000, 6618, 6619, 6720, 6723, 6723.1, 6724, 6726, 6732, 6734, 6738.3, 6738.4, 6744, 6761, 6761.1, 6762, 6764, 6766, 6768, 6769, 6770, 6771, 6776, and 6782 of Title 3, California Code of Regulations (3 CCR). This proposed action would amend existing worker safety regulations to align them with the newly revised federal Worker Protection Standard (WPS) regulations [Title 40 Code of Federal Regulations, Part 170 (40 CFR)] that become effective January 2, 2017. The proposed action revises requirements for training, notification, pesticide safety and hazard communication information, use of personal protective equipment, and emergency decontamination when using a pesticide for the commercial or research production of an agricultural commodity.

SUBMITTAL OF COMMENTS

Any interested person may present comments in writing about the proposed action to the agency contact person named below. Written comments must be received no later than 5:00 p.m. on June 6, 2016. Comments regarding this proposed action may also be transmitted

via e-mail to <dpr16001@cdpr.ca.gov> or by facsimile at 916-324-1491.

A public hearing is not scheduled. However, one will be scheduled if any interested person submits a written request to DPR no later than 15 days prior to the close of the written comment period.¹

EFFECT ON SMALL BUSINESS

DPR has determined that the proposed regulatory action does not affect small businesses. The regulatory action is amending California worker safety regulations in order to maintain at least the same level of protection as the newly revised federal rules, and is not proposing any additional requirements beyond what will be required by U.S. EPA when the federal WPS becomes effective nationwide in January 2017.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

DPR's mission is to protect public health and the environment from adverse effects of pesticide use. DPR regulates: pesticide product evaluation and registration; statewide licensing of commercial and private pesticide applicators, pest control businesses, dealers, and advisers; environmental monitoring; and pesticide residue testing of fresh produce. This statutory scheme is set forth primarily in Food and Agricultural Code (FAC) Divisions 6 and 7.

The FAC also specifically requires that DPR adopt regulations to ensure safe working conditions for persons handling pesticides and working in and about pesticide-treated areas. DPR's current regulatory requirements for pesticide safety training, notification of pesticide applications, use of personal protective equipment, restricted-entry intervals after pesticide application, decontamination supplies, and emergency medical aid are designed to reduce the risk of pesticide exposure and injuries among pesticide handlers and workers exposed to pesticides.

In 1992, the U.S. Environmental Protection Agency (U.S. EPA) issued the federal Worker Protection Standard (WPS), which became final in 1995. U.S. EPA acts under the authority and mandate of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The federal WPS regulations are found at 40 CFR, part 170, Agricultural WPS. The purpose of the federal WPS is to provide protection to pesticide agricultural workers and handlers through training, notification, pesticide safety

and hazard communication information, use of personal protective equipment, and emergency decontamination requirements.

U.S. EPA granted DPR primacy for pesticide enforcement in California and, in 1997 after DPR made changes to its regulations to conform to the federal WPS, U.S. EPA determined California's worker safety program to be equivalent to the federal WPS. In addition to the requirements that were equivalent to the federal WPS, over the years DPR has put into place several regulatory requirements that are stricter than those in the federal WPS through rulemaking.

On November 2, 2015, U.S. EPA revised portions of its federal WPS to enhance protections in its existing WPS. The purpose of its revisions is to further reduce occupational pesticide exposure and incidents or related illness among agricultural workers and pesticide handlers when using pesticides for the production of an agricultural commodity.

In general, California's regulatory requirements are more stringent, and U.S. EPA based many of its new requirements on those in California. While DPR's worker protection regulations are already consistent or more restrictive than most of the regulatory changes mandated by the newly revised federal WPS rules, DPR needs to revise some of its existing California worker safety regulations in 3 CCR to ensure they are consistent with the newly revised federal WPS.

DPR proposes to revise requirements for training, notification, pesticide safety and hazard communication information, use of personal protective equipment, and emergency decontamination when using a pesticide for the commercial or research production of an agricultural commodity, in order to maintain at least the same level of protection as the revised federal WPS. DPR is not proposing any additional requirements beyond what will become effective nationwide by U.S. EPA in January 2017.

Adoption of these regulations will provide a benefit to worker safety by further strengthening current regulations that are already designed to reduce the risk of pesticide poisonings and injuries among pesticide handlers and other agricultural workers exposed to pesticides.

During the process of developing these proposed regulations, DPR conducted a search of any similar regulations on this topic and has concluded that these proposed regulations are neither inconsistent nor incompatible with existing state regulations. Although DPR and the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) have regulatory mandates to protect workers from health and safety hazards in workplaces, DPR enforces pesticide laws in workplaces where pesticides are used.

¹ If you have special accommodation or language needs, please include this in your request for a public hearing. TTY/TDD speech-to-speech users may dial 7-1-1 for the California Relay Service.

IMPACT ON LOCAL AGENCIES OR
SCHOOL DISTRICTS

DPR determined that the proposed regulatory action does not impose a mandate on local agencies or school districts, nor does it require reimbursement by the state pursuant to Part 7 (commencing with section 17500) of Division 4 of the Government Code, because the regulatory action does not constitute a “new program or higher level of service of an existing program” within the meaning of section 6 of Article XIII of the California Constitution. DPR also determined that no non-discretionary costs or savings to local agencies or school districts are expected to result from the proposed regulatory action.

County Agricultural Commissioner (CAC) offices will be the local agencies responsible for enforcing the proposed regulations. DPR anticipates that there will be no fiscal impact to these agencies. DPR establishes an annual work plan with the CACs, which already requires the CACs to conduct pesticide use inspections and investigations and to enforce compliance with California worker protection laws and regulations.

COSTS OR SAVINGS TO STATE AGENCIES

DPR determined that no savings or increased costs to any state agency will result from the proposed regulatory action.

EFFECT ON FEDERAL FUNDING TO
THE STATE

DPR determined that no costs or savings in federal funding to the state will result from the proposed action.

EFFECT ON HOUSING COSTS

DPR made an initial determination that the proposed action will have no effect on housing costs.

SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY
AFFECTING BUSINESSES

DPR made an initial determination that adoption of this regulation will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. DPR is proposing amendments to California worker safety regulations in order to maintain at least the same level of protection as

the newly revised federal rules, and is not proposing any additional requirements beyond what will be required by U.S. EPA when the federal WPS becomes effective nationwide in January 2017.

COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES

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

RESULTS OF THE ECONOMIC
IMPACT ANALYSIS

Impact on the Creation, Elimination, or Expansion of Job/Businesses: DPR determined it is not likely the proposed regulatory action will impact the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California because the proposed regulation is designed to align with the new federal WPS rules.

The proposed regulations will benefit worker safety by further strengthening current regulations that are already designed to reduce the risk of pesticide poisonings and injuries among pesticide handlers and other agricultural workers exposed to pesticides. Ensuring that pesticide users comply with the newly adopted regulations will benefit worker safety. Implementation of the proposed regulations will not adversely affect the health and welfare of California residents or the environment.

CONSIDERATION OF ALTERNATIVES

DPR 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 regulatory action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of the law.

AUTHORITY

This regulatory action is taken pursuant to the authority vested by FAC sections 11456, 12976, 12981.

REFERENCE

This regulatory action is to implement, interpret, or make specific FAC sections 11501, 12973, 12980, and 12981.

**AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS**

DPR prepared an Initial Statement of Reasons and is making available the express terms of the proposed action, all of the information upon which the proposal is based, and a rulemaking file. A copy of the Initial Statement of Reasons and the proposed text of the regulation may be obtained from the agency contact person named in this notice. The information upon which DPR relied in preparing this proposal and the rulemaking file are available for review at the address specified below.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

After the close of the comment period, DPR may make the regulations permanent if they remain substantially the same as described in the Informative Digest. If DPR does make substantial changes to the regulation, the modified text will be made available for at least 15 days prior to adoption. Requests for the modified text should be addressed to the agency contact person named in this notice. DPR will accept written comments on any changes for 15 days after the modified text is made available.

AGENCY CONTACT

Written comments about the proposed regulatory action; requests for a copy of the Initial Statement of Reasons, and the proposed text of the regulation; and inquiries regarding the rulemaking file may be directed to:

Linda Irokawa-Otani, Regulations Coordinator
Department of Pesticide Regulation
1001 I Street, P.O. Box 4015
Sacramento, California 95812-4015
916-445-3991

Note: In the event the contact person is unavailable, questions on the substance of the proposed regulatory action may be directed to the following back-up person at the same address as noted below:

Kevin Solari, Environmental Program Manager
Worker Health and Safety Branch
916-323-7614

This Notice of Proposed Action, the Initial Statement of Reasons, and the proposed text of the regulation are also available on DPR's Internet Home Page <<http://www.cdpr.ca.gov>>. Upon request, the documents can be made available in another language, or an alternate form as a disability-related accommodation.

**AVAILABILITY OF FINAL STATEMENT
OF REASONS**

Following its preparation, a copy of the Final Statement of Reasons mandated by Government Code section 11346.9(a) may be obtained from the contact person named above. In addition, the Final Statement of Reasons will be posted on DPR's Internet Home Page and accessed at <<http://www.cdpr.ca.gov>>.

**TITLE 5. COMMISSION ON TEACHER
CREDENTIALING**

**Proposed Addition and Amendments to Title 5 of
the California Code of Regulations Pertaining to
Teaching Permit for Statutory Leave (TPSL)**

The Commission on Teacher Credentialing (Commission) proposes to take the regulatory action described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

A public hearing on the proposed actions will be held:

**June 16, 2016
8:30 a.m.
Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, California 95811**

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail relevant to the proposed action. The written comment period closes at 5:00 p.m. on June 6, 2016. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the Commission on Teacher Credentialing, attn. Erin Skubal, 1900 Capitol Avenue, Sacramento, California 95811; or submit an email at eskubal@ctc.ca.gov.

Any written comments received 15 days prior to the public hearing will be reproduced by the Commission's staff for each member of the Commission as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

AUTHORITY AND REFERENCE

Education Code section 44225 authorizes the Commission to adopt these proposed regulation amend-

ments. The proposed amendments implement, interpret, and make specific Education Code sections 44225(b), 44225(d), 44225(e), 44225(l), 44252, 44258.9, 44280, 44281, 44282, 44300(i), 44977, 44978, 44984, 47605, 56365 and 56366.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

Summary of Existing Laws and Regulations

This rulemaking action proposes the following:

- Addition of Title 5 CCR section 80022 to clarify and interpret the provisions of Education Code section 44225 pertaining to permits for service in California’s public schools and to create the new Teaching Permit for Statutory Leave (TPSL) and all associated requirements for issuance; and
- Amend Title 5 of the California Code of Regulations (CCR) section 80025.3 to allow individuals who hold the TPSL, Short-Term Staff Permit, or Provisional Internship Permit to substitute teach on a day-to-day basis based on possession of a Bachelor’s degree and satisfaction of the basic skills requirement.

The Education Code directs the Commission to create, develop regulations for, and issue permits of varying types to be used for public school service, including emergency and substitute permits. Current law specifies that day-to-day substitute teachers may not serve more than 30 cumulative days for any one teacher of record during the school year (5 CCR sections 80025 and 80025.3), except in special education classrooms, where they may serve no more than 20 cumulative days during a school year for any one teacher (Education Code section 56061(a)), unless they hold a specific teaching authorization in the subject and/or setting of the substitute assignment. This service limitation becomes problematic when Local Education Agencies (LEAs) are tasked with covering assignments where the teacher of record is out of the classroom beyond 20 or 30 days due to a statutory leave situation. The proposed addition of 5 CCR section 80022 will create a new permit that provides LEAs with an additional option for staffing statutory leave assignments that extend beyond the 20- or 30-day service limitation that applies to Emergency 30-Day Substitute Teaching Permits.

Teaching Permit for Statutory Leave (TPSL)

The addition of 5 CCR section 80022 will create the option for LEAs to request a TPSL to be used when a teacher of record is unable to provide services due to a statutory leave, as defined in the proposed regulations in subsection 80022(f)(19). Providing this new option for LEAs will help the Commission meet the statutory

requirement set forth in subsections (b) and (d) of Education Code section 44225.

The proposed TPSL would authorize service as the interim teacher of record for the full length of leave for any contracted teacher on a statutory leave as defined in the regulations. The TPSL would not be an option to fill teacher vacancies and would be appropriate solely for classrooms where the contracted teacher of record is on a statutory leave requiring an interim teacher of record to serve in their place until their return. Service would be limited to the specific setting indicated in the document’s authorization statement. Authorizations could be earned for specific Single Subject areas, Multiple Subjects, or Special Education. Individuals could potentially apply for and be issued more than one authorization on their TPSL, depending on their qualifications and the authorization(s) requested by the LEA.

The proposed regulation for the TPSL includes and specifies the details for all of the following requirements:

1. Bachelor’s or higher degree;
2. Basic Skills requirement;
3. Subject Matter requirement;
4. Completion of 45 hours of TPSL preparation based on defined content areas of study as specified in regulations for the first three issuances, and ongoing professional development for all subsequent issuances;
5. Orientation, mentoring, and support provided by the local employing agency; and
6. Transparency and Accountability.

The TPSL provides a new option for staffing statutory leave assignments that extend beyond the 20- or 30-day service limitation that applies to Emergency 30-Day Substitute Teaching Permits. The TPSL is intended to provide LEAs with greater flexibility in staffing schools and creates educational continuity for students by avoiding the process of rotating substitute teachers through such assignments. The preparation required for the TPSL ensures that the individual is academically talented, knowledgeable of the subject, and has the skills to foster a positive, motivating, and equitable learning environment.

The permit could afford employers the opportunity to invest in a pool of individuals with a higher level of preparation to serve in longer statutory leave assignments. The design of the document requires improved preparation beyond that of a substitute permit holder by increasing the individual’s knowledge, skills, and abilities in the areas of pedagogy, classroom management, subject matter knowledge, and educational practices across the continuum of learning abilities. Having a better prepared teacher available to cover statutory leave assignments would provide a more consistent and

stable learning environment for students whose teacher of record is out on statutory leave.

Day-to-Day Substitute Teaching

5 CCR section 80025.3 currently specifies which Commission-issued permits, besides those that explicitly authorize substitute teaching, authorize day-to-day substitute teaching. Because the proposed regulations in section 80022 for the TPSL specifically authorize service for specified statutory leave assignments only, an individual could not substitute teach in between statutory leave assignments with their TPSL. However, the proposed amendments to section 80025.3 include reference to the TPSL issued pursuant to section 80022 as a Commission-issued permit that would authorize substitute teaching during the valid period of the permit in any district within the county listed on the document.

Additionally, the proposed amendments to section 80025.3 include the reference to sections 80021 and 80021.1 to include the Short-Term Staff Permit (STSP) and Provisional Internship Permit (PIP) as documents that would authorize substitute teaching during the valid period of the permit in any district within the county listed on the document. The regulatory sections for the STSP and PIP were created in 2005, yet section 80025.3 was not amended at that time to add these permits to the list of permits that authorize day-to-day substitute service under this section of regulations. These inclusions are a continuance of the intent of this regulatory section, which is to allow permits whose requirements include a Bachelor's degree and satisfaction of the Basic Skills Requirement (both of which are required for the Emergency 30-Day Substitute Teaching Permit) to provide day-to-day substitute teaching services.

Objectives and Anticipated Benefits of the Proposed Regulations

The objectives of the proposed addition and amendments are to clarify and make specific the following as related to the TPSL and permits that authorize service as a day-to-day substitute teacher:

- Provide LEAs with an option for covering statutory leave assignments with a single permit holder beyond the 20- or 30-day substitute assignment limitation;
- Outline requirements for initial issuance and renewal of TPSLs;
- Specify statutory leaves that are authorized by a TPSL;
- Allow day-to-day substitute teaching by individuals who hold a STSP, PIP or TPSL.

The Commission anticipates that the proposed amendments will benefit the welfare of students attending public schools in the State of California by providing LEAs with options for covering statutory leave as-

signments that extend beyond the service limitation of the Emergency 30-Day Substitute Teaching Permit. The proposed regulations will increase the health and safety of individuals serving in statutory leave assignments by ensuring better preparation and support from the employing agency.

Determination of Inconsistency/Incompatibility with Existing State Regulations

The Commission has determined that the proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Commission has concluded that 5 CCR section 80025.3 is the only regulation section related to specifying the acceptable permits for substitute service based on possession of a Bachelor's degree and Basic Skills, the proposed addition of 5 CCR section 80022 will be the only regulation section related to the issuance of the Teaching Permit for Statutory Leave, and no other regulations specifically authorize service for statutory leave assignments.

DISCLOSURES REGARDING THE PROPOSED ACTIONS

The Commission has made the following initial determinations:

- Mandate to local agencies or school districts:* None.
- Other non-discretionary costs or savings imposed upon local agencies:* None.
- Cost or savings to any state agency:* None.
- Cost or savings in federal funding to the state:* None.
- Significant effect on housing costs:* None.
- Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states:* None.

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with section 17500) of the Government Code.

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

Statement of the Results of the Economic Impact Assessment [Govt. Code § 11346.5(a)(10)]: The Commission concludes that it is 1) unlikely that the proposal will create any jobs within the State of California; 2) unlikely that the proposal will eliminate any jobs within the State of California; 3) unlikely that the proposal will create any new businesses within the State of California; 4) unlikely that the proposal will eliminate any existing businesses within the State of California; and 5)

unlikely the proposal would cause the expansion of businesses currently doing business within the State of California.

Benefits of the Proposed Action: The Commission anticipates that the proposed amendments will benefit the welfare of students attending public schools in the State of California by providing schools with options for covering statutory leave assignments that extend beyond the service limitation of the Emergency 30-Day Substitute Teaching Permit. The proposed regulations will increase the health and safety of individuals serving in statutory leave assignments by ensuring better preparation and support from the employing agency.

The Commission does not anticipate that the proposed regulations will result in an increase in the protection of public health and safety, worker safety, or the environment, the prevention of social inequity, or an increase in openness and transparency in business.

The Commission anticipates that the proposed regulations will result in an increase in openness and transparency in government by requiring an LEA who elects to use the TPSL permit to report data on the assignments of the permit holder to the local county office of education annually as part of the assignment monitoring specified under Education Code section 44258.9. The reporting of this data would allow the public to know when an LEA is placing TPSL holders in statutory leave assignments, and would include the school site, length and setting of the assignments. Such reporting would ensure that the TPSL is appropriately used for statutory leave assignments and not for teacher vacancies.

Effect on small businesses: The proposed regulations will not have a significant adverse economic impact upon business. The proposed regulations apply only to individuals seeking a Teaching Permit for Statutory Leave to serve as an interim teacher of record while the teacher of record is out on a statutory leave in California's public schools and will expand the list of permits that authorize day-to-day substitute teaching.

CONSIDERATION OF ALTERNATIVES

The Commission considered the following alternatives to resolve the issues surrounding statutory leave assignments:

Modification of Existing Short-Term Staff Permit (STSP)

Modifying the existing STSP to allow for easier use, including renewability, when covering statutory teacher leaves is a second solution that was identified. Unlike the PIP, the STSP does not require the employing agency to submit verification of recruitment efforts for a fully credentialed teacher for issuance, but it does require verification that a diligent search was conducted.

Modification of a document that already exists to allow reissuance solely for statutory teacher leave assignments could be done through the regulatory process. However, the data and accountability complications that might arise when tracking the usage of the STSP for actual vacancies versus statutory teacher leave assignments are a consideration. Also, issuance of the STSP requires that a diligent search was conducted by the employer prior to issuance. This is an issue because many statutory teacher leaves are spontaneous in nature and can begin or end with little to no notice.

As well, the STSP does not require any additional preparation such as pedagogy or classroom management. As proposed, the TPSL would require additional targeted preparation to better prepare individuals for longer assignments. Stakeholders did not support this alternative.

Modification of Service Limitation of Substitute Assignments

A second possible solution could be to modify the current 20- or 30-day limitation for serving in a substitute assignment. Modifying the 30-day limitation for general education would require changes to regulations, which the Commission has the authority to do. The 20-day limitation for special education classrooms is set in Education Code and would require legislation to amend.

Substitute limitations could be set to a higher level specifically for statutory teacher leave situations, which would remove the need for rotating substitute teachers through a classroom. Limitations could also be higher for fully credentialed teachers who are teaching outside of their credential area. Currently, such teachers are also limited to the 20 or 30 days even though they have completed a full teacher preparation program in a different subject area or setting.

However, it is important to note that such a modification would require that the Commission seek out a sponsor for a bill to be written and approved by the Legislature, as the 20-day special education setting limitation is specified in the Education Code. As well, this option does not increase the requirements for substitute permit holders who are serving in longer statutory leave assignments. Additionally, these substitutes are not appropriately prepared to serve beyond these set limitations, which are intended to prevent individuals with no training in pedagogy, classroom management, or knowledge of the subject being taught from such long assignments. Stakeholders did not support this alternative.

In accordance with Government Code section 11346.5, subdivision (a)(13), the Commission has determined that neither of these alternatives would be more effective in carrying out the purpose for which the

action is proposed, would be as effective as 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. No alternatives have yet been proposed that will be less burdensome and equally effective.

The Commission invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period or at the public hearing.

CONTACT PERSON/FURTHER INFORMATION

General or substantive inquiries concerning the proposed action may be directed to Erin Skubal by telephone at (916) 323-9596 or Erin Skubal, Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, CA 95811. General question inquiries may also be directed to Erin Henderson at (916) 327-2969 or at the address mentioned above. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. This information is also available on the Commission's website at www.ctc.ca.gov. In addition, all the information on which this proposal is based is available for inspection and copying.

AVAILABILITY OF THE INITIAL STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, DOCUMENT INCORPORATED BY REFERENCE, AND DOCUMENTS RELIED UPON

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. Copies may be obtained by contacting Erin Skubal at the address or telephone number provided above.

MODIFICATION OF PROPOSED ACTION

If the Commission proposes to modify the actions hereby proposed, the modifications (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

AVAILABILITY OF FINAL STATEMENT OF REASONS

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rule-

making package, after the public hearing. Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Erin Skubal at (916) 323-9596.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through the Commission's website at www.ctc.ca.gov.

TITLE 5. EDUCATION AUDIT APPEALS PANEL

Audits of K-12 Local Education Agencies Fiscal Year 2016-17

The Education Audit Appeals Panel (EAAP) proposes to adopt an Audit Guide for Fiscal Year 2016-17 using the existing 2015-16 with changes as described below, as well as the Guide's incorporating regulation, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

A public hearing regarding this proposal is not currently scheduled. Not later than 15 days prior to the close of the written comment period, any interested person, or his or her authorized representative, may make a written request for a public hearing pursuant to Government Code section 11346.8, and a public hearing will be held. Requests for a public hearing should be addressed to Mary Kelly.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action. The written comment period closes at **5:00 p.m. on Monday, June 6, 2016**. EAAP will consider only written comments received by that time. Written comments for EAAP's consideration should be directed to:

Mary Kelly
Education Audit Appeals Panel
770 L Street, Suite 1100
Sacramento, CA 95814

Fax: (916) 445-7626
e-mail: mkelly@eaap.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Section 14502.1, Education Code.
 Reference: Sections 14501, 14502.1, 14503, and 41020 of the Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT
 OVERVIEW

This rulemaking amends title 5, California Code of Regulations, section 19810 to clarify the incorporation by reference language and make reference to the audit guide. It also adopts the audit guide for 2016–17 which makes clarifying revisions and addresses legislative changes in the conditions of apportionment of school funding.

This rulemaking meets the requirements of Education Code section 14502.1, which mandates that an annual audit guide be adopted by the EAAP. The purpose of the audit guide is to define terms and specify procedures to guide accountants in the conduct of statutorily required financial and compliance audits of K–12 local education agencies. The Controller, pursuant to Education Code section 14502.1, has proposed changes from the previous year’s audit guide to be reflected in the 2016–17 audit guide. The proposed changes derive from the Controller’s proposals and also contain changes designed to clarify audit steps.

EAAP does not anticipate that these proposed amendments would create specific benefits for the protection of public health and safety, worker safety, or the environment, the prevention of discrimination, the promotion of fairness or social equity, nor the increase in openness and transparency in business and government. EAAP has determined that the proposed amendments will ultimately benefit the welfare of California residents by ensuring that local education agencies are in compliance with regulatory requirements. In developing the rulemaking, EAAP evaluated the proposed changes to regulations and determined that they are not inconsistent or incompatible with existing regulations, state or federal.

A description of proposed changes to section 19810, and a discussion of revisions to the audit guide, follow.

Title 5, Division 1.5
Chapter 3. Audits of California K–12 Local
Education Agencies
Article 2 Audit Reports

§ 19810. Annual Audit Guides.

The “~~2015-16~~2016–17 Guide for Annual Audits for K–12 Local Education Agencies and State Compliance

Reporting,” (~~March 1, 2015~~)(July 1, 2016), adopted by the Education Audit Appeals Panel, is incorporated by reference. The guide provides the audit steps, reporting requirements, and other guidance, for the required annual financial and compliance audits, subject to auditor judgment where alternative or additional audit steps may be appropriate. The annual guide is superseded by a supplemental audit guide, if needed, adopted before March 1 of each fiscal year. Each annual guide and any applicable supplement are available on www.eaap.ca.gov/audit-guide, with paper or electronic copies available on request.

Note: Authority cited: Education Code Sections 14502.1, 47612; California Constitution, Article XIII, Section 36, subdiv. (e), subpara 7, and Article XIII A, Section 1, subdiv. (b), subparas 3(C) and 3(D).

Reference: California Constitution, Article XIII B, Section 1.5; Education Code Sections 8482.3(c)(5), 2574(b)(3)(C), 14501, 14502.1, 14503, 15286, 41020, 42238.02(b)(3)(B), 47612.5, and 47634.2.

Audit Guide Amendments

The proposed annual 2016–17 Audit Guide uses the text of existing 2015–16 Audit Guide with the following amendments:

Amendments:

- *Section R Educator Effectiveness* is amended to add specific years, 2015–16 and 2016–17, to the directive that auditors confirm whether the LEA developed a plan for Educator Effectiveness expenditures, whereas previously the step was merely to determine whether the LEA had adopted a plan.
- *Section W Unduplicated Local Control Funding Formula Pupil Counts* is amended to authorize auditors to select another student for a representative sample to replace selected students who have transferred to another LEA, in lieu of obtaining the needed information from the new LEA.
- *Section Z Immunizations* is amended to refer to current medical exemptions and personal beliefs exemptions filed before January 1, 2016, from measles testing; and to delete the personal beliefs exemption as to the Tdap vaccination, in accordance with S.B. 277.

Document incorporated by reference: 2016–17 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting (July 1, 2016).

DISCLOSURES REGARDING THE PROPOSED ACTION

1. Mandate on local agencies and school districts: None.
2. Cost to any local agency or school district which must be reimbursed: None.
3. Cost or savings to any state agency: None.
4. Other non-discretionary cost or savings imposed upon local agencies: None.
5. Cost or savings in federal funding to the state: None.
6. Significant effect on housing costs: None.
7. Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.
8. Results of the Economic Impact Assessment:
 - (a) Adoption of these regulations will not:
 - create or eliminate jobs within California;
 - create new businesses or eliminate existing businesses within California; or
 - affect the expansion of businesses currently doing business within California.
 - (b) Benefit of the proposed regulation to the health and welfare of California residents, worker safety, or the State’s environment and quality of life: As stated under the “Informative Digest/Policy Statement Overview” above, the proposed regulations will update and improve audit procedures of K–12 local education agencies, which would ultimately benefit the welfare of California residents by ensuring that local education agencies are in compliance with regulatory requirements.
9. Cost impact on a representative private person or business: EAAP is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
10. Business report requirements: None.
11. Effect on small businesses: The proposed regulations will have no effect on small businesses because they do not materially alter the requirements for LEA audits.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), EAAP must determine that no reasonable alternative it has considered or that has otherwise been identified and brought to the EAAP’s 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 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 PERSONS

Inquiries concerning the substance of the proposed action, requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, and other technical information upon which the rulemaking is based, and questions on the proposed administrative action may be directed to Timothy Morgan, Staff Attorney III, at (916) 445-7745 or by e-mail: tmorgan@eaap.ca.gov, or Mary C. Kelly, Executive Officer, at (916) 445-7745.

AVAILABILITY OF RULEMAKING FILE

The entire rulemaking file will be available for inspection and copying throughout the rulemaking process at EAAP’s office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons, and the Economic Impact Assessment. A copy may be obtained by contacting Timothy Morgan at the above address. The bill analyses are also available online at <http://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the comment period, a hearing, if requested, and consideration of all timely and relevant comments received, EAAP may adopt the proposed regulations substantially as described in this notice. If EAAP makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before EAAP adopts the regulations as revised. Requests for copies of any modified

regulations should be sent to the attention of Timothy Morgan at the address stated above. EAAP will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, Initial Statement of Reasons, text of the regulations in underline and strikeout, any changed or modified text, and the Final Statement of Reasons will be accessible through the EAAP website: www.eaap.ca.gov.

TITLE 10. BUREAU OF REAL ESTATE APPRAISERS

NOTICE IS HEREBY GIVEN that the Bureau of Real Estate Appraisers (“Bureau” or “BREA”) is proposing to take the action described in the informative digest below. Any interested person may present statements or arguments relevant to the action proposed, orally or in writing, at a hearing to be held at:

Department of Consumer Affairs
1747 North Market Blvd.
1st Floor Hearing Room
Sacramento, CA 95834

Date: June 7, 2016
Time: 1:00 p.m.

Written comments including those sent by mail, facsimile, or email to the address listed under “Contact Person” in this Notice, must be received by the Bureau at its office not later than 5:00 p.m. on June 6, 2016 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 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 Sections 11313, 11314, 11340, 11360, and 11361 Business and Professions Code and to implement, interpret and make specific Sections 11340 and 11360 Business and Professions Code and Public Law 101–73 (FIRREA), the Bureau is considering revising

Section 3543 of Title 10 of the California Code of Regulations as described in this Notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Bureau proposes to amend section 3543 to require all applicants complete, prior to issuance of an initial or reciprocal license, a four–hour course on federal and California appraisal–related statutory and regulatory law. The proposed amendment is needed to educate new licensees about the laws that govern real estate appraising before they begin to appraise real property. Currently, licensees must take this course every four years to renew their license. The absence of an initial requirement is being remedied with this amendment.

This regulation also eliminates language allowing licensees to certify that they have read and understand all applicable federal and California laws and regulations pertaining to the licensing and certification of real estate appraisers in lieu of being required to complete the course every four years. This language was superseded when Business and Professions Code section 11360 subdivision (b) became operative on January 1, 2013.

ANTICIPATED BENEFITS

The benefit will be enhanced licensee knowledge of appraisal laws for new appraisers and removal of superseded language.

CONSISTENCY OR COMPATIBILITY WITH EXISTING STATE REGULATIONS

During the process of developing these regulations, the Bureau has conducted a search of any similar regulations on this topic and has determined that there is no reasonable interpretation of any state regulation that is inconsistent or incompatible with the proposed action.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: No significant impact.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to, or mandate imposed on, 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.

As part of its Economic Impact Analysis, the Bureau has determined that its proposal will not affect the ability of California businesses to compete with other states by making it more costly to produce goods or services.

Impact on Jobs/New Businesses: None.

Cost Impact on Representative Private Person or Business: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

Effect on Small Businesses: The Bureau has determined that the proposed regulations will not affect small businesses. This is because the proposed regulation is focused on applicants for licensure, not small businesses.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Impact on Jobs/New Businesses: The Bureau has determined that this regulatory proposal will not have a significant impact on the creation or elimination of jobs, new or existing businesses, or the expansion of businesses in the State of California.

Benefits: The benefits will be a more knowledgeable licensee population about appraisal laws.

Occupations/Businesses Impacted: The proposed regulation will not have an occupational/business impact.

Reporting Requirements: The proposed regulation does not set forth any new reporting requirements.

Comparable Federal Regulations: None.

CONSIDERATION OF ALTERNATIVES

The Bureau must determine that no reasonable alternative considered by the Bureau or that has otherwise been identified and brought to the attention of the Bureau 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.

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 containing information upon which the proposal is based.

The proposed text, this notice, the statement of reasons, and any other relevant documents are on the Bureau's website at www.brea.ca.gov. Click the "Laws" tab at the top of the page. Under the heading "Rulemaking Notifications" find the documents associated with this rulemaking subject: "Minimum Basic and Continuing Education."

AVAILABILITY AND LOCATION OF THE STATEMENT OF REASONS, TEXT OF PROPOSED REGULATION 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. As of the date this notice is published in the Notice of Register, the rulemaking file consists of this notice, the proposed text of the regulation and the initial statement of reasons. Copies may be obtained by contacting the person named below or by accessing the website as provided above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, BREa may adopt the proposed regulation substantially as described in this notice. If BREa 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 BREa adopts the regulations as revised. Please send requests for copies of any modified regulation to the attention of the contact person named below. BREa will accept written comments on the modified regulation for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting the person named below.

CONTACT PERSON

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

Kyle Muteff, Legal Counsel
 1102 Q Street, Suite 4100
 Phone: 916-341-6126
 FAX: 916-440-7406
kyle.muteff@orea.ca.gov

The backup person is:

Thu Tran
 1102 Q Street, Suite 4100
 Phone: 916-440-7876
 FAX: 916-440-7406
Thu.Tran@orea.ca.gov

TITLE 10. BUREAU OF REAL ESTATE APPRAISERS

NOTICE IS HEREBY GIVEN that the Bureau of Real Estate Appraisers (“Bureau” or “BREA”) is proposing to take the action described in the informative digest below. Any interested person may present statements or arguments relevant to the action proposed, orally or in writing, at a hearing to be held at:

Department of Consumer Affairs
 1747 North Market Blvd.
 1st Floor Hearing Room
 Sacramento, CA 95834

Date: June 7, 2016
 Time: 1:00 p.m.

Written comments including those sent by mail, facsimile, or email to the address listed under “Contact Person” in this Notice, must be received by the Bureau at its office not later than 5:00 p.m. on June 6, 2016 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 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 Sections 11313, 11314, 11340, and 11350, Business and Professions Code and to implement, interpret and make specific Sections 11341 and 11350, Business and Professions Code, the Bureau is considering revising Section 3569 to Title 10 of the California Code of Regulations as described in this Notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Section 3569 provides instructions for how out-of-state appraisers can apply for a California reciprocal license. A reciprocal license provides the same benefits as an in-state license. The Appraisal Subcommittee (“ASC”) recently revised its policy on reciprocal licenses. The ASC is an independent agency that is a subcommittee of the Federal Financial Institutions Examination Council. The ASC conducts on-site reviews of each state appraiser agency once every two years. The ASC has the authority to disapprove a state appraiser regulatory program. Disapproval disqualifies the appraisers in that state from conducting appraisals for federally insured institutions. Pursuant to Business and Professions Code section 11350: “The director shall adopt regulations governing the process and procedure of applying for reciprocity, which shall meet, at a minimum, the requirements of the Appraisal Subcommittee.” Currently, BREA’s regulations do not meet ASC’s requirements. Therefore, BREA intends to amend its regulations to meet the ASC’s requirements by allowing certain licensed appraisers from other states to become licensed appraisers in California.

ANTICIPATED BENEFITS

The benefit will be compliance with Business and Professions Code section 11350, less burdens to obtain an out-of-state license, and continued ASC approval for appraisers to conduct appraisals for federally related transactions.

CONSISTENCY OR COMPATIBILITY WITH EXISTING STATE REGULATIONS

During the process of developing these regulations, the Bureau has conducted a search of any similar regulations on this topic and has determined that there is no reasonable interpretation of any state regulation that is inconsistent or incompatible with the proposed action.

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.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to, or mandate imposed on, 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.

As part of its Economic Impact Analysis, BREA has determined that its proposal will not affect the ability of California businesses to compete with other states by making it more costly to produce goods or services. The ASC requirements are mandatory for all 50 states. Accordingly, this action does not affect California competitiveness.

Impact on Jobs/New Businesses: None.

Cost Impact on Representative Private Person or Business: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

Effect on Small Businesses: The Bureau has determined that the proposed regulations will not affect small businesses. This is because the proposed regulation is focused on applicants for licensure, not small businesses.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Impact on Jobs/New Businesses: The Bureau has determined that this regulatory proposal will not have a significant impact on the creation or elimination of jobs, new or existing businesses, or the expansion of businesses in the State of California.

Benefits: The benefits will be compliance with Business and Professions Code, less burdens to obtain a reciprocal license, and continued ASC compliance.

Occupations/Businesses Impacted: The proposed regulation will not have an occupational/business impact.

Reporting Requirements: The proposed regulation does not set forth any new reporting requirements.

Comparable Federal Regulations: None.

CONSIDERATION OF ALTERNATIVES

The Bureau must determine that no reasonable alternative considered by the Bureau or that has otherwise been identified and brought to the attention of the Bureau 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.

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 containing information upon which the proposal is based.

The proposed text, this notice, the statement of reasons, and any other relevant documents are on the Bureau's website at www.brea.ca.gov. Click the "Laws" tab at the top of the page. Under the heading "Rulemaking Notifications" find the documents associated with this rulemaking subject: "License Application Processing."

AVAILABILITY AND LOCATION OF THE STATEMENT OF REASONS, TEXT OF PROPOSED REGULATION 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. As of the date this notice is published in the Notice of Register, the rulemaking file consists of this notice, the proposed text of the regulation and the initial statement of reasons. Copies may be obtained by contacting the person named below or by accessing the website as provided above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, BREA may adopt the proposed regulation substantially as described in this notice. If BREA 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 BREA adopts the regulations as revised. Please send requests for copies of any modified regulation to the attention of the contact person named below. BREA will accept written comments on the modified regulation for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting the person named below.

CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Kyle Muteff, Legal Counsel
 1102 Q Street, Suite 4100
 Phone: 916-341-6126
 FAX: 916-440-7406
kyle.muteff@orea.ca.gov

The backup person is:

Thu Tran
 1102 Q Street, Suite 4100
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TITLE 10. BUREAU OF REAL ESTATE APPRAISERS

NOTICE IS HEREBY GIVEN that the Bureau of Real Estate Appraisers (“Bureau” or “BREA”) is proposing to take the action described in the informative digest below. Any interested person may present statements or arguments relevant to the action proposed, orally or in writing, at a hearing to be held at:

Department of Consumer Affairs
 1747 North Market Blvd.
 1st Floor Hearing Room
 Sacramento, CA 95834

Date: June 7, 2016
 Time: 1:00 p.m.

Written comments including those sent by mail, facsimile, or email to the address listed under “Contact Person” in this Notice, must be received by the Bureau at its office not later than 5:00 p.m. on June 6, 2016 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 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 Sections 11313, 11314, and 11340 of the Business and Professions Code and to implement, inter-

pret or make specific Section 11341 of said Code, the Bureau is considering revising Section 3568 to Title 10 of the California Code of Regulations as described in this Notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This action will amend section 3568 to remove an unnecessary trainee examination and increase the requirements for trainees and supervisors. The proposed amendments are intended to eliminate an unnecessary examination and conform to the minimum Appraiser Qualifications Board (“AQB”) criteria as required by statute.

Currently, there are two paths to licensure: 1) obtaining a trainee license and then upgrading to a residential or certified appraiser license once the trainee completes the necessary experience; or 2) gaining experience without a trainee license and directly applying for a residential or certified appraiser license. Either way, the individual will need to pass an examination before he or she obtains a residential or certified appraiser license. However, trainees have an additional burden of passing the residential appraiser examination prior to obtaining a trainee license. This causes most trainees to retake the same residential license examination unless they wish to obtain a higher license level (certified) which is uncommon. BREA wants to remove the unnecessary examination for the trainee license and simply have the trainee take the applicable examination when they upgrade their license. This conforms to AQB criteria which does not require a trainee to take any examination.

Business and Professions Code section 11314 requires that BREA, at a minimum, meet AQB’s criteria. BREA believes AQB’s criteria benefit the trainees by providing more qualified supervisors. Thus, BREA is adopting AQB’s criteria.

ANTICIPATED BENEFITS

The benefits of this change will be to remove an unnecessary examination and conformity with AQB’s criteria for minimum qualifications of trainees and supervisors.

CONSISTENCY OR COMPATIBILITY WITH EXISTING STATE REGULATIONS

During the process of developing these regulations, the Bureau has conducted a search of any similar regulations on this topic and has determined that there is no reasonable interpretation of any state regulation that is inconsistent or incompatible with the proposed action.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: There will likely be a small increase in the number of licensed trainees. This will likely result in a small and absorbable increase in workload.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to, or mandate imposed on, 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.

As part of its Economic Impact Analysis, the Bureau has determined that this proposal will not affect the ability of California businesses to compete with other states by making it more costly to produce goods or services. The federally established minimum criteria are mandatory for all 50 states. Accordingly, this action does not affect California competitiveness.

Impact on Jobs/New Businesses: Minor impact to educational providers since there is a new course being required. There will also be a minor impact of eliminating an examination.

Cost Impact on Representative Private Person or Business: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

Effect on Small Businesses: Minor impact to educational providers since there is a new course being required. There will also be a minor impact of eliminating an examination.

RESULTS OF THE ECONOMIC
IMPACT ASSESSMENT

Impact on Jobs/New Businesses: The Bureau has determined that this regulatory proposal will not have a significant impact on the creation or elimination of jobs, new or existing businesses, or the expansion of businesses in the State of California.

Benefits: The benefits will be elimination of unnecessary testing and conformity with AQB’s criteria.

Occupations/Businesses Impacted: The proposed regulation will not have an occupational/business impact.

Reporting Requirements: The proposed regulation does not set forth any new reporting requirements.

Comparable Federal Regulations: None.

CONSIDERATION OF ALTERNATIVES

The Bureau must determine that no reasonable alternative considered by the Bureau or that has otherwise been identified and brought to the attention of the Bureau 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.

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 containing information upon which the proposal is based.

The proposed text, this notice, the statement of reasons, and any other relevant documents are on the Bureau’s website at www.brea.ca.gov. Click the “Laws” tab at the top of the page. Under the heading “Rulemaking Notifications” find the docs associated with this rulemaking subject: “Trainee and Supervisor Responsibilities.”

AVAILABILITY AND LOCATION OF THE
STATEMENT OF REASONS, TEXT OF
PROPOSED REGULATION 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. As of the date this notice is published in the Notice of Register, the rulemaking file consists of this notice, the proposed text of the regulation and the initial statement of reasons. Copies may be obtained by contacting the person named below or by accessing the website as provided above.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, BREA may adopt the proposed regulation substantially as described in this notice. If BREA makes modifications which are suffi-

ciently 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 BREA adopts the regulations as revised. Please send requests for copies of any modified regulation to the attention of the contact person named below. BREA will accept written comments on the modified regulation for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting the person named below.

CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Kyle Muteff, Legal Counsel
1102 Q Street, Suite 4100
Phone: 916-341-6126
FAX: 916-440-7406
kyle.muteff@orea.ca.gov

The backup person is:

Thu Tran
1102 Q Street, Suite 4100
Phone: 916-440-7876
FAX: 916-440-7406
Thu.Tran@orea.ca.gov

TITLE 14. DEPARTMENT OF PARKS AND RECREATION

Off-Trail Use Restrictions for Preserves and Reserves

The California Department of Parks and Recreation (DPR) proposes to adopt the proposed regulations described below after considering all comments, objectives, and recommendations regarding the proposed action.

PUBLIC HEARINGS

The DPR has not scheduled a public hearing on this proposed action. However, the DPR will hold a hearing if it receives a written request for a public hearing from

any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interest person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to DPR. Comments may also be submitted by facsimile (FAX) at (916) 324-0301 or by email to trails@parks.ca.gov. The written comment period closes at **5:00 p.m. on June 6, 2016**. DPR will consider only comments received at DPR offices by that time. Submit comments to:

Lisa Mangat, Director
California Department of Parks and Recreation
P.O. Box 942896
Sacramento, CA 94296

AUTHORITY AND REFERENCE

Public Resources Code Sections 5003 and 5008 authorize DPR to adopt these proposed regulations. The proposed regulations implement, interpret and make specific Public Resources Code Sections 5003, 5008, 5019.50, 5019.65, 5019.71, and 5019.74.

INFORMATION DIGEST/POLICY STATEMENT OVERVIEW

This rulemaking action clarifies and makes specific the authority for regulating off-trail use in Natural Preserves, Cultural Preserves, State Cultural Reserves, and State Natural Reserves within the California State Park System. Specifically the proposed regulations would prohibit all public use in these areas unless such use is on a trail, boardwalk or other designated route of travel. The proposed regulations are not required by federal law or regulations and there is no overlap with federal law or regulation. These regulations will make it possible to better protect sensitive natural and cultural resources.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

After conducting a review of existing regulations, the DPR has concluded that these would be the only statewide regulations dealing with off-trail use in the State Park System. There are regulations prohibiting off-trail use where so posted in three units of the State Park System. The proposed regulations would not impact the existing regulations. CCR Sections 4360 and 4360 (a) reg-

ulate trail use in the State Park System and will be complimentary to the proposed regulations prohibiting off-trail use. Therefore, the DPR has determined that the proposed regulations are consistent and compatible with existing state regulations.

Public Access to Reserves and Preserves

While existing California Code of Regulations Sections 4360 and 4360 (a) provide regulation governing public use of trails within units classified as Natural Preserves, Cultural Preserves, State Cultural Reserves, and State Natural Reserves, there are no regulations governing off-trail use in these units. Cross country hiking, bicycling, horseback riding or other off-trail uses can cause significant damage to the sensitive resources these units were set aside to protect.

Benefits of the Proposed Actions: These regulations would provide language in the CCR to restrict public use to only designated trails, boardwalks, and other paths of travel. Having regulations in the California Code of Regulations will allow the Department to provide protection to the sensitive natural and cultural resources in reserves and preserves while continuing to provide limited and appropriate public access to the areas.

DISCLOSURES REGARDING THE PROPOSED ACTION

The DPR has made the following initial determinations:

Documents incorporated by reference: Not applicable.

Mandated by Federal Law or Regulations: Not applicable. Protection of federally threatened species is required, but these regulations are not specifically required.

Other Statutory Requirement: None.

Mandate on local agencies and school districts: None.

Costs or savings to any state agency: Minimal costs will be incurred by DPR to post new signs. The costs will be paid through the normal budget process. There will be no additional costs.

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: None.

Cost or savings in federal funding to the state: None.

Significant effect on housing costs: None.

Significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states: None.

Results of the economic impact assessment/analysis:

- a) The creation or elimination of jobs within California — No jobs will be created or eliminated.
- b) The creation of new businesses or the elimination of existing businesses within the State of California — No businesses will be created or eliminated within the State of California.
- c) The expansion of businesses currently doing business within the State of California — There will be no expansion of businesses currently doing business within the State of California.
- d) The benefits of the regulations to the health and welfare of California residents, worker safety, and the State's environment — The proposed actions will provide DPR with the authority to prohibit off-trail use in reserves and preserves providing needed protection to sensitive natural and cultural resources while allowing for appropriate on-trail public use of the area.

Cost impacts on representative private persons or businesses: None. The DPR is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Business Report: The regulations do not require a report.

Small Business Determination: DPR has determined that the proposed regulations will not affect small businesses. The amendments and additions to the CCR will affect only management of trail uses and tool use within the California State Park System and will not affect small businesses in any way.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the DPR must determine that no reasonable alternative it considered 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 or 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.

The DPR invites interested persons to present written statements or arguments during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Lisa Mangat, Director
California Department of Parks and Recreation
1416 9th Street, Room 1405
Sacramento, CA 95814
(916) 653-8380

The backup contact person for these inquiries is:

Alexandra Stehl, Roads and Trails Program
Manager
California Department of Parks and Recreation
P.O. Box 942896
Sacramento, CA 94296
(916) 324-0370

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Ms. Stehl at the above address.

AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The DPR will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. Copies may be obtained by contacting Ms. Stehl at the address or phone number listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing (only if requested) and considering all timely and relevant comments received, the DPR may adopt the proposed regulations substantially as described in this notice. If the DPR 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 DPR adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Alexandra Stehl at the address indicated above. The DPR will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Ms. Stehl at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at www.parks.ca.gov.

TITLE 16. BOARD OF PHARMACY

NOTICE IS HEREBY GIVEN that the Board of Pharmacy (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments relevant to the action proposed in writing. 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 Board at its office not later than 5:00 p.m. on June 6, 2016.

The Board does not intend to conduct a Regulation Hearing on the matter, unless requested. Any interested person may submit a written request for a public hearing no later than 15 days prior to the close of the written comment period.

The Board, 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 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 4005 of the Business and Professions Code, and to implement, interpret or make specific sections 4003, 4076.5, and 4311 of the Business and Professions Code, the Board of Pharmacy is proposing to amend section 1703 of Article 1 of Division 17 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST

A. Informative Digest

The Board of Pharmacy (Board) proposes to amend section 1703 of Article 1 of Division 17 of Title 16 of

the California Code of Regulations (CCR) and to update Authority and Reference citations for the purpose of amending the Board's regulations specific to the delegation of certain functions to the executive officer.

B. Policy Statement Overview

Existing regulation at section 1703 sets forth certain functions delegated and conferred upon the executive officer including filing accusations, setting cases for hearing, and issuing notices of suspension. This proposed regulatory change would update the regulation to increase the functions delegated to the executive officer to include the authority to make changes to its regulation without regulatory effect and to approve requests for waivers from the requirements for patient-centered labels pursuant to Business and Professions Code (B&P) section 4076.5(e).

Title 1, CCR section 100 specifies the requirements for regulatory changes that are without regulatory effect also known as "Section 100" changes. Currently, the board must vote to authorize or delegate the authorization of the adoption of these changes. This regulatory proposal would delegate to the executive officer the authority to adopt regulation changes that are deemed to be without regulatory effect without requiring additional motion by the board to vote to adopt the language.

B&P section 4076.5 specifies statutory requirements for patient-centered labels and contains a provision that allows the Board to provide a waiver from the requirements in certain circumstances. Currently, the process for a licensee requesting the waiver is to come before the Communication and Public Education Committee for approval of the waiver which is then ratified by the full board. It has been determined that approval of waivers can be performed at the board staff level as the requirements for waiver are clearly outlined in statute; therefore, approval by the board has been deemed unnecessary. This proposed change would delegate authority to approve waivers to the executive officer provided the licensee has demonstrated meeting the required elements of subdivision (e) of that section.

Anticipated Benefits of Proposal

The objective of this proposal is to enhance the efficiency of board operations thus adding to consumer protection. Delegating to the executive officer the authority to make changes without regulatory effect will shorten the timeframe for initiation of the rulemaking process for "Section 100" changes allowing these changes to become effective in a timely manner. In addition, delegating to the executive officer the authority to approve requests for waivers will facilitate and expedite review and approval of waiver requests as well as lessen the agenda during board meetings and result in a minor savings of board members' time.

C. Consistency and Compatibility with Existing State Regulations

During the process of developing these regulations and amendments, the Board of Pharmacy has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs/Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

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

The Board has determined that only the following types of businesses may be affected by the proposal:

For a facility licensed by the Board that is requesting waiver from the patient-centered labels requirement, that business may experience minor cost avoidance as well as time saving as this proposal would allow this decision to be made by the executive officer. They would not have to wait to have the approval of the waiver approved by Board and this would ensure timely approval of waiver requests for eligible licensees that have demonstrated meeting the required elements of B&P section 4076.5(e).

Cost Impact on Representative Private Person or Business:

The board is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action. This regulation proposal applies to the administrative operations of the board as well as facilities licensed by the board that dispense prescription medicine to patients in California, not individual licensees.

For a facility licensed by the Board that is requesting waiver from the patient-centered labels requirement, that business may experience minor cost avoidance as well as time saving as this proposal would allow this decision to be made by the executive officer. They would not have to wait to have the waiver approved by board and this would ensure timely approval of waiver re-

quests for eligible licensees that have demonstrated meeting the required elements of B&P section 4076.5(e).

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The board has determined that the proposed regulations would not have a significant effect on small business. This initial determination is based on the fact that the proposed regulatory changes are administrative in nature to ensure efficiency of board operations.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/New Businesses:

The board 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. This initial determination is based on the fact that the proposed regulatory changes are administrative in nature to ensure efficiency of board operations.

Benefits of Regulation:

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

This proposal will enhance the efficiency of the board's operations thus adding to consumer protection. Delegating to the executive officer the authority to make changes without regulatory effect will shorten the timeframe for initiation of the rulemaking process for "Section 100" changes allowing these changes to become effective in a timely manner. In addition, delegating to the executive officer the authority to approve requests for waivers will facilitate and expedite review and approval of waiver requests as well as lessen the agenda during board meetings and result in a minor savings of board members' time.

CONSIDERATION OF ALTERNATIVES

The Board of Pharmacy must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either 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 in writing relevant to the above determinations at the address listed for the Contact Person.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board of Pharmacy 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 upon request from the Board of Pharmacy at 1625 N. Market Blvd., N219, Sacramento, California 95834, or from the Board of Pharmacy's website: <http://www.pharmacy.ca.gov>.

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: Katrina Trinchera
Address: 1625 N. Market Blvd., N219
Sacramento, CA 95834
Telephone No.: (916) 574-7946
Fax No.: (916) 574-8618
E-Mail Address: Katrina.Small@dca.ca.gov

The backup contact person is:

Name: Anne Sodergren
Address: 1625 N. Market Blvd., N219
Sacramento, CA 95834
Telephone
No.: (916) 574-7910
Fax No.: (916) 574-8618
E-Mail
Address: Anne.Sodergren@dca.ca.gov

Website Access: Materials regarding this proposal can be found at the Board of Pharmacy’s website: www.pharmacy.ca.gov.

TITLE 16. ACUPUNCTURE BOARD

NOTICE IS HEREBY GIVEN that the California Acupuncture Board (‘Board’) 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:

**Department of Consumer Affairs
1747 North Market Blvd., 2nd Floor,
Sapphire Room
Sacramento, CA 95834
June 6, 2016 at 9:00 a.m.**

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 Board at its office not later than June 6, 2016 or must be received by the Board at the hearing. The Board, 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 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 Sections 4933 and of the Business and Professions Code (BPC), and to implement, interpret or make specific Sections 4927.5, 4938, 4939, 4941, and 4944 of the BPC, the Board is considering changes to Division 13.5 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST

The Board currently regulates approximately 16,957 licensees, all of whom have been issued a license to

practice Acupuncture in California. The Board’s highest priority is the protection of the public when exercising its licensing, regulatory, examination, and disciplinary functions. The primary methods by which the Board achieves this goal are: issuing licenses to eligible applicants; investigating complaints against licensees and disciplining licensees for violating the Act; monitoring licensees whose license has been placed on probation; overseeing approval of Acupuncture Schools and training programs; and administering the California Acupuncture Licensing Exam (hereafter “CALE”).

BPC Section 4928.1 states that protection of the public shall be the highest priority for the Board in exercising its licensing, regulatory, examination, school approval and disciplinary functions. BPC Section 4933 authorizes the Board to adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable the Board to carry into effect the provisions of the Acupuncture Licensure Act (Act).

There is not an existing federal regulation or statute comparable to this proposal.

On September 17, 2014, Governor Jerry Brown signed Senate Bill SB 1246 (Lieu, Chapter 397, Statutes of 2014) (hereafter referred to as SB 1246). SB 1246 extended the effective date of the Board of Acupuncture (Board) until January 1, 2017 and made several changes to the provisions contained in the Act.

BPC Section 4938 provides requirements for licensure by the Board. One of the requirements is that a person completes an approved education and training program, a tutorial program, or if education and training is completed outside the United States, educational training and clinical experience meeting the standards contained in BPC Sections 4939 and 4941.

Specifically, SB 1246 redefines what constitutes an “approved educational and training program” for purposes of the Act. Presently, BPC Section 4927.5 defines an approved educational and training program as one approved by the Board pursuant to BPC Section 4939. However, beginning January 1, 2017, per BPC Section 4927.5¹ an approved educational and training program will be one that, among other things, is accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM), approved by the Bureau of Private Postsecondary Education (BPPE), and:

Offers curriculum that includes at least 3,000 hours of which at least 2,050 hours are didactic and laboratory training, and at least 950 hours are supervised clinical instruction. Has submitted that

¹ Unless otherwise indicated, the BPC sections referred to for the purposes of this proposal are the BPC sections which will be effective January 1, 2017; thus requiring the changes put forth in this proposal.

curriculum to the board, and has received approval of the curriculum. (BPC 4927.5(a)(1).)

Thus, SB 1246 removes the Board's authority to approve schools and training programs in the United States. Starting January 1, 2017, the school approval function will be performed by another entity. However, the curriculum must be approved by the Board as set forth in BPC Section 4927.5. Additionally, SB 1246 amended BPC Section 4939 to require the Board to establish standards for the approval of educational training and clinical experience received outside of the United States.

These proposed regulations would implement, interpret and make specific the provisions of BPC Sections 4927.5 and 4939. Pursuant to BPC Section 4927.5, the Board is proposing amendments to its current training program approval criteria regulation found at CCR Section 1399.434 to clarify that it relates to curriculum approval only and to make a few clarifying changes. The actual curriculum requirements will remain the same. The Board is also proposing to adopt CCR Section 1399.433, which sets educational training and clinical experience for those trained outside the United States. These standards are identical to those in CCR Section 1399.434; thus, students would be held to the same curriculum standards regardless of where their education is completed. Additionally, the Board is proposing to repeal CCR Section 1399.436, the curriculum standards for those beginning their training program prior to 2005, which is not compliant with the required curriculum standards of 3000 hours as set forth in BPC Section 4927.5, nor is it consistent with having all licensee applicants meet the same standards. The Board is also proposing a new process for approving curriculum as set forth in the amended CCR Section 1399.437.

Specifically, the Board is proposing the following changes:

Adopt Section 1399.433 of Division 13.7 of Title 16 of the California Code of Regulations:

This regulatory proposal would, beginning January 1, 2017, set forth the number of hours and specific course of training and clinical experience standards that must be met for acupuncture license applicants completing educational training and clinical experience outside of the United States. The total number of hours is a minimum of 2,050 hours of didactic and laboratory training, and a minimum of 950 hours of supervised clinical instruction. Additionally, the components of the curriculum including subject matter and required hours for each are included in the proposal.

Policy Statement Overview/Anticipated Benefits:

Pursuant to SB 1246, beginning January 1, 2017, BPC section 4939 will require the Board to establish standards for the approval of educational training and

clinical experience received outside of the United States. Therefore, the Board has developed this proposal to comply with BPC 4939. This matter was first evaluated by the Board Education Committee, then the full Board. It was determined that all acupuncture licensure applicants should be required to have the same educational training and clinical experience, regardless of where education is completed. It was also determined that the current curriculum components that the Board has applied to licensure candidates since 2005 remains appropriate.

These proposed standards for those completing educational training and clinical experience outside the United States are equivalent to the current standards as set forth used for all licensee applicants that started education from 2005 forward. Additionally, the standards include at least 3,000 hours of instruction of which at least 2,500 hours are didactic, and at least 950 hours are supervised clinical instruction, which will be statutorily required for curricula within the United States beginning January 1, 2017. Although the Board has the authority under BPC section 4939 to establish whatever standards it deems appropriate for qualifying for licensure and protecting public safety, the proposed standards reflect the Board's determination that the standards for all licensure applicants, regardless of where education is completed, be the same. These proposed curriculum and clinical standards will protect consumers by ensuring that only qualified applicants who meet the Board's educational standards are eligible for licensure in California.

These proposed curriculum standards will protect consumers by ensuring that licensed acupuncturists continue to meet the same educational training and clinical experience standards the Board has been consistently applying to those beginning education and training since 2005. This will also benefit the public protection by ensuring that from January 1, 2017 forward, those educated outside of the United States are held to the same requirements as those educated within the United States. All licensed acupuncturists will meet an appropriate minimum standard. Additionally, the Board will have fulfilled its statutory duty pursuant to BPC Section 4939.

Amend Section 1399.434 of Division 13.7 of Title 16 of the California Code of Regulations:

The proposed revisions to CCR Section 1399.434 delete language related to Board approval of schools and training programs. Reference to "training program" in the title of this Section is deleted and the word curriculum is added to clarify that the Section relates to curriculum standards and not the entire school training program. The introductory sentence of CCR Section 1399.434 is removed, and a new statement reflects that

to be approved by the Board a curriculum shall consist of at least 2,050 hours of didactic and laboratory training and at least 950 hours of supervised clinical instruction. CCR Section 1399.434(i) is deleted. Additionally, international classification of diseases has been capitalized, ICD has been changed to ICD-10 throughout the Section, and in subdivision (d)(9) the phrase “and diagnostic” is added. Current Procedural Terminology is added before “(CPT)”, and “ICD-10 diagnostic codes” is added.

Policy Statement Overview/Anticipated Benefits:

Pursuant to SB 1246, effective January 1, 2017, the Board no longer has authority to approve a school or program as it does under the current BPC Section 4939. Instead, BPC Section 4927.5 will provide that schools and colleges within the United States must have Board approval of curriculum. This regulatory proposal would delete obsolete non-conforming language regarding the Board’s approval of schools to conform to the changes made by SB 1246 and instead the proposed language refers to curriculum approval. The proposed components of the curriculum are not changed by this proposal. Additionally, it was determined that updates for clarity were appropriate to make it clear what diagnostic codes were referred to and to spell out Current Procedural Terminology rather than only having the abbreviation (CPT). Also, subdivision (i) was removed because the statement related to the number of hours was moved to the introductory sentence for clarity and the remaining portion related to school approval matters thus was no longer viable.

The public will be further protected by this proposal as the regulation will come into compliance with BPC Section 4927.5 as it will read on January 1, 2017, and it will be clear to students, schools, and patients that the curriculum components in this regulation apply to those programs in the United States. This proposal provides important clarity to all persons impacted by the change in BPC Section 4927.5.

Repeal Section 1399.436 of Division 13.7 of Title 16 of the California Code of Regulations:

This proposal will repeal CCR Section 1399.436 in its entirety.

Policy Statement Overview/Anticipated Benefits:

The curriculum standards set forth in CCR 1399.436 were created prior to 2005. In 2005, new curriculum standards set forth in CCR Section 1399.434 were promulgated with more required hours and other additional requirements. When the new standards became effective in 2005, CCR Section 1399.436 was not repealed. The result was two separate curriculum standards: CCR Section 1399.434 pertained to course work begun after 2005 and CCR Section 1399.436 pertained to course-work begun prior to 2005. Effective January 1, 2017,

pursuant to BPC Section 4927.5, an approved educational and training program must include at least 3,000 hours of which at least 2,050 hours are didactic and laboratory training, and at least 950 hours are supervised clinical instruction. CCR Section 1399.436 currently contains old curriculum standards requiring only 1,548 didactic hours and 800 clinical hours. Therefore, this regulation conflicts with statute in regard to approved educational and training programs within the United States.

The Board does have the authority pursuant to BPC Section 4939 to establish standards related to educational training and clinical experience outside of the United States. However, it was determined that all acupuncture licensure applicants should be required to have the same educational training and clinical experience, regardless of where education is completed. Therefore, the Board has proposed to adopt CCR Section 1399.433 discussed earlier in this document, which requires those completing education outside the United States to meet the same number of hours required for United States programs, and to complete the same curriculum components.

Repealing CCR Section 1399.436 will conform to changes made by SB 1246. Additionally, repealing CCR Section 1399.436 will protect public safety. The curriculum standard in CCR Section 1399.436 is significantly lower than the current standard contained in CCR Section 1399.434 and BPC Section 4927.5. By repealing this section, it will strengthen consumer protection by ensuring that only applicants who meet the 3,000 curriculum hours may be licensed as acupuncturists in California. This will also benefit the public protection by ensuring that from January 1, 2017 forward, those educated outside of the United States are held to the same requirements as those educated within the United States. All licensed acupuncturists will meet an appropriate minimum standard.

Amend Section 1399.437 of Division 13.7 of Title 16 of the California Code of Regulations:

The proposed revisions delete language related to school approval. The proposed new language addresses requirements for Board curriculum approval.

This regulatory proposal would require that the educational and training program seeking Board approval of curriculum meet certain requirements and submit an “Application for Board Approval of Curriculum” (rev. 1/1/17). The proposed regulation and form require the following be provided to the Board: institution’s name, institution’s contact information, institution’s contact person and his or her contact information, program requested for Board approval of curriculum, course number, course clock hour, course unit, title of

course, number of units (by semester, quarter, or trimester), course syllabus, and course catalog.

The proposal requires documentation to be submitted in English. Applications for curriculum approval will be deemed received when the Board receives a complete application. If after being notified in writing by the Board that an application is incomplete and what documentation is still needed, the applicant does not provide the required documents within 30 days, the application is deemed abandoned. Any applications submitted after an abandoned application will be deemed a new application. Changes to curriculum after the Board has approved a curriculum constitutes a new curriculum that shall be approved prior to implementation.

Policy Statement Overview/Anticipated Benefits:

Effective January 1, 2017, the Board will no longer have the authority for school or training program approval; therefore, language related to such is removed to comply with the change in statute. The proposed language sets forth the Board’s process for approving curriculum of educational and training programs as authorized by BPC 4927.5. It also incorporates by reference the “Application for Board Approval of Curriculum” (rev. 1/1/17). This information requested by the form would ensure that adequate information and documentation is provided to the Board to determine if the curriculum from the educational and training program meets the Board’s established curriculum standards. In order to effectively evaluate whether the curriculum meets the requirements of CCR Section 1399.434, the Board has determined a need for specified information. The form is incorporated by reference in CCR Section 1399.437 because it would otherwise be cumbersome, unduly expensive and otherwise impractical to publish in the California Code of Regulations. The form is available on the Board’s website and from the Board upon request. The information is to be submitted in English as that is the language in which the Board primarily conducts its business.

In the event that the institution makes changes to a curriculum that has been approved by the Board, the changed curriculum constitutes a new curriculum that would require Board approval to prevent schools from receiving approval then changing curriculum such that it no longer meets the requirements for content. This will protect students so that students are not unknowingly in a program that does not meet the statutory and regulatory requirements to be a licensed acupuncturist and will protect the public to ensure that all licensees have the required training.

As the Board is required by BPC Section 4927.5 to review and make a determination within 30 days of receiving the curriculum, applications are deemed incomplete if missing any required documentation and

deemed abandoned if the information is not provided within 30 days.

The Board cannot make a proper determination regarding the curriculum without the required information so these provisions are necessary for the Board to complete its statutory obligation and to provide notice to applicants of the process. This regulatory proposal will bring CCR Section 1399.437 into compliance with changes enacted by SB 1246. Additionally, this regulatory proposal establishes a process for the Board to approve curriculum as required. This proposed process strengthens consumer protection by ensuring there is a clear process for curriculum approval and that the Board has the required information to ensure that the curriculum is appropriate as required by BPC Section 4927.5.

Consistency and Compatibility with Existing State Regulations

After conducting an evaluation of the regulations that are related to or would affect this area, the Board has determined that the regulatory proposal is not inconsistent nor incompatible with existing state regulations.

INCORPORATION BY REFERENCE

- Application for Board Approval of Curriculum (rev. 1/1/17)

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The Board has made a initial determination that the proposed regulatory action would not have any additional implementation costs for the Board. There may be a small rise in staff workload as additional schools approved by ACAOM may apply for Board approval of their Acupuncture curriculum, but those costs are absorbable within existing Board resources.

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 Board has made an initial determination that the proposed regulatory action would have a minor, negligible statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

The proposed CCR Section 1399.433 would affect individuals and companies which are not based within

the United States. These companies and individuals would face an economic impact which is not able to be measured or calculated due to the fact they may be located in another country. However, the standards are the same that the Board has been using for all licensee applicants who began their education and training since 2005; hence this will have the same impact that is currently felt in this area.

The proposed CCR Section 1399.437 may affect an Acupuncture School in the State of California by incurring minor administrative costs when applying for curriculum approval or re-approval of curriculum due to a change. These administrative costs may include filling out and completing the proposed form incorporated by reference "Application for Board Approval of Curriculum" (rev. 1/1/17), providing copies of syllabus and course catalogs, and additional administrative costs such as postage and shipping.

The proposed CCR Sections 1399.434 and 1399.436 would have no business impact.

Impact on Jobs/New Businesses:

The Board has made an initial determination that this regulatory proposal would 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.

Cost Impact on Representative Private Person or Business:

The Board has made an initial determination that the proposed regulatory action would not have a significant impact on a private person or business. There may be a very small number of individuals who are not yet licensed and began their acupuncture training before 2005, when the older standards as proposed to be repealed in CCR Section 1399.436 applied. These individuals would be required to re-take an approved acupuncture training program in order to qualify to take the CALE. However, this number is extremely small and would not create any measurable impact.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Board has made an initial determination that the proposed regulatory action would have a minor, negligible statewide adverse economic impact directly affecting small businesses.

The proposed CCR Section 1399.433 (Criteria for International Education Training and Clinical Experience) would affect individuals and companies which are not based within the United States. These companies and individuals may face an economic impact which is not able to be measured or calculated due to the fact they may be located in a foreign country.

This determination is based upon the fact that an Acupuncture School in the State of California that has not previously received Board approval of their curriculum may incur minor administrative costs related to the proposed CCR Section 1399.437 (Requirements for Board Approval of Curriculum). These administrative costs may include filling out and completing the proposed form "Application for Board Approval of Curriculum" (rev. 1/1/17), providing copies of syllabus and course catalogs, and additional administrative costs such as postage and shipping.

The proposed CCR Sections 1399.434 and 1399.436 would have no small business impact.

**RESULTS OF THE ECONOMIC
IMPACT ANALYSIS**

The proposal will not create or eliminate jobs within the State of California; will not create or eliminate existing businesses within the state; will not affect the expansion of businesses currently doing business within the State of California; will not affect worker safety; and do not affect the state's environment.

BENEFITS OF REGULATION

This regulatory proposal benefits the health and welfare of California residents, as this proposed process strengthens consumer protection by ensuring all applicants have met the Board's curriculum standards, including those applicants whom have been educated outside the United States.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposed regulations. The Board is directed by statute to develop standards for educational training and clinical experience outside the United States.

One possible alternative would be to promulgate these regulations without including the proposed CCR Section 1399.433 (Criteria for International Education Training and Clinical Experience). This alternative is unreasonable because the statute provides that the Board is required to comply with the requirements of BPC Sections 4927.5 and 4939 by January 1, 2017, including implementation of criteria for international education training and clinical experience outside of the United States.

Another possible alternative would be to delay or not promulgate these regulations. This alternative is unreasonable because the statute provides that the Board is required to comply with the requirements of BPC Sections 4927.5 and 4939 by January 1, 2017. A delay is unreasonable due to the express statutory requirement of compliance by January 1, 2017. The Board must act to implement the statutory requirement as soon as possible.

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 Board 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 Board at 1747 North Market Blvd., Suite 180, Sacramento, CA 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: Marc Johnson, Policy Coordinator
Address: 1747 North Market Blvd., Suite 180
Sacramento, CA 95834

Telephone
No.: 916-515-5200
Fax No.: 916-928-2204
E-Mail
Address: acupuncture@dca.ca.gov

The backup contact person is:

Name: Ben Bodea
Acting Executive Officer
Address: 1747 North Market Blvd., Suite 180
Sacramento, CA 95834

Telephone
No.: 916-515-5200
Fax No.: 916-928-2204
E-Mail
Address: acupuncture@dca.ca.gov

Website Access: Materials regarding this proposal can be found at http://www.acupuncture.ca.gov/about_us/dpopp.shtml.

**TITLE 27. OFFICE OF
ENVIRONMENTAL HEALTH HAZARD
ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
PROPOSITION 65**

**NOTICE OF PROPOSED RULEMAKING
TITLE 27, CALIFORNIA CODE OF
REGULATIONS**

**AMENDMENT TO SECTION 25705
SPECIFIC REGULATORY LEVELS POSING
NO SIGNIFICANT RISK:
STYRENE**

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment (OEHHA) proposes to adopt a Proposition 65¹ No Significant Risk Level (NSRL) of 27 micrograms per day for styrene, by amending Title 27, California Code of Regulations, section 25705(b)².

PUBLIC PROCEEDINGS

Any written comments concerning this proposed action must be received by OEHHA by 5:00 p.m. on **June**

¹ The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 et seq., referred to herein as "Proposition 65" or "The Act."

² All further regulatory references are to sections of Title 27 of the California Code of Regulations unless otherwise indicated.

6, 2016, the designated close of the written comment period. All comments received will be posted on the OEHHA website at the close of the public comment period.

The public is encouraged to submit written information via e-mail, rather than in paper form. Send e-mail comments to P65Public.Comments@oehha.ca.gov. Please include “Styrene NSRL” in the subject line. Hard-copy comments may be mailed, faxed, or delivered in person to the appropriate address below.

Mailing Address: Ms. Monet Vela
Office of Environmental Health Hazard Assessment
P.O. Box 4010, MS-23B
Sacramento, California 95812-4010
Fax: (916) 323-2610
Street Address: 1001 I Street
Sacramento, California 95814

Please be aware that OEHHA is subject to the California Public Records Act and other laws that require the release of certain information upon request. Comments on all regulatory and other actions are routinely posted on our website. By sending us your comments you are waiving any right to privacy you may have in the information you provide. Individual commenters should advise OEHHA when submitting documents to request redaction of home address or personal telephone numbers. Names of commenters will not be redacted.

A public hearing on this proposed regulatory amendment will be scheduled on request. To request a hearing send an e-mail to Monet Vela at monet.vela@oehha.ca.gov or to the address listed above by no later than **May 23, 2016**, which is 15 days before the close of the comment period. OEHHA will mail a notice of the hearing to the requester and interested parties on the Proposition 65 mailing list for regulatory public hearings. The notice will also be posted on the OEHHA web site at least ten days before the public hearing date. The notice will provide the date, time, and location of the hearing.

If a hearing is scheduled and you have special accommodation needs, please contact Monet Vela at (916) 323-2517 or monet.vela@oehha.ca.gov at least one week in advance of the hearing. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

CONTACT

Please direct inquiries concerning the proposed regulatory action described in this notice to Monet Vela, in writing at the address given above, or by telephone at (916) 323-2517. Fran Kammerer is a back-up contact person for inquiries concerning processing of this ac-

tion and is available at fran.kammerer@oehha.ca.gov or (916) 445-4693.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Proposition 65 prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to the State to cause cancer or reproductive toxicity, without first giving clear and reasonable warning to such individual³. The Act also prohibits a business from knowingly discharging a listed chemical into water or onto or into land where such chemical passes or probably will pass into any source of drinking water⁴.

For carcinogens, an exemption from the warning requirement is provided by the Act when the exposure for which the person is responsible can be demonstrated to produce no significant risk or that a discharge which otherwise complies with all applicable requirements would not cause any significant amount of the discharged or released chemical to enter any source of drinking water⁵. A determination that a level of exposure poses no significant risk may be made utilizing regulations that have previously been adopted by OEHHA (Sections 25701-25721). Section 25701 describes alternative methods for making such a determination. Section 25705 sets forth the process for determining “no significant risk” levels for purposes of Proposition 65 and establishes those levels for certain listed chemicals.

Details on the basis for the proposed NSRL for styrene are provided in the Initial Statement of Reasons for this regulatory amendment, which is available on request from Monet Vela and is posted on the OEHHA web site at www.oehha.ca.gov.

This proposed amendment to section 25705 would add an NSRL for styrene by amending Section 25705(b) as follows:

<i>Chemical</i>	<i>NSRL, in micrograms per day</i>
<u>Styrene</u>	<u>27</u>

To develop the proposed NSRL for styrene, OEHHA relied on the data analysis and cancer potency estimate presented in the December 2010 OEHHA Public Health Goal (PHG) for Styrene in Drinking Water document⁶. The cancer dose response assessment presented in the 2010 OEHHA PHG for styrene⁷ is a reliable scientific

³ Health and Safety Code section 25249.6.

⁴ Health and Safety Code section 25249.5.

⁵ Health and Safety Code sections 25249.9 and 25249.10.

⁶ OEHHA (2010). Public Health Goals for Chemicals in Drinking Water: Styrene. Office of Environmental Health Hazard Assessment, California Environmental Protection Agency, Sacramento, CA.

⁷ *Ibid.*

basis for the NSRL and is consistent with Section 25703 guidance. The derivation of the NSRL for styrene is discussed in more detail in the Initial Statement of Reasons for this proposed regulatory amendment.

Anticipated Benefits of the Proposed Regulation

Some businesses may not be able to afford the expense of establishing an NSRL and therefore may be exposed to litigation for a failure to warn or for a prohibited discharge of the listed chemical. By providing an NSRL, this regulatory proposal spares businesses the expense of calculating their own NSRL and may also enable them to reduce or avoid litigation costs. In addition, the NSRL does not require, but may encourage, businesses to lower the amount of the listed chemical in their product to a level that does not cause a significant exposure, thereby providing a public health benefit to Californians. This in turn may reduce exposure to styrene and reduce resident, worker and environmental exposures to chemicals that cause cancer.

No Inconsistency or Incompatibility with Existing Regulations

OEHHA has conducted an evaluation for whether there are any other regulations on this matter and has found that these are the only regulations dealing with styrene. Therefore, OEHHA has determined that the proposed regulation is neither inconsistent nor incompatible with existing state regulations because it provides compliance assistance to businesses subject to the Act, but does not impose any mandatory requirements on those businesses, state or local agencies and does not address compliance with any other law or regulation.

RESULTS OF ECONOMIC IMPACT ANALYSIS
(Gov. Code section 11346.3(b))

Impact on the Creation, Elimination, or Expansion of Jobs/Businesses in California

This regulatory proposal will not affect the creation or elimination of jobs within the State of California. Proposition 65 requires businesses with ten or more employees to provide warnings when they expose people to chemicals that are known to cause cancer. The law also prohibits the discharge of listed chemicals into sources of drinking water. Styrene is listed under Proposition 65, therefore businesses that expose the public or employees to styrene through their products or operations must provide a warning.

Because the proposed NSRL provides compliance assistance to businesses subject to the Act, but does not impose any mandatory requirements on those businesses, OEHHA has determined that the proposed regulatory action will not have any impact on the creation or

elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California.

Benefits of this regulation include sparing businesses the expense of calculating their own NSRL and possibly enabling them to reduce or avoid litigation costs. By providing an NSRL, it may encourage businesses to lower the amount of the listed chemical in their product to a level that does not cause a significant exposure, thereby providing a public health benefit to Californians. This in turn may reduce exposure to styrene and reduce resident, worker and environmental exposures to chemicals that cause cancer.

PEER REVIEW

This notice and the Initial Statement of Reasons are being provided to the OEHHA Science Advisory Board’s Carcinogen Identification Committee for review and comment.

AUTHORITY

Health and Safety Code Section 25249.12.

REFERENCE

Health and Safety Code Sections 25249.5, 25249.6, 25249.9, 25249.10 and 25249.11.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Because Proposition 65 expressly⁸ does not apply to local agencies or school districts, OEHHA has determined the proposed regulatory action would not impose a mandate on local agencies or school districts nor does it require reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. OEHHA has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action.

COSTS OR SAVINGS TO STATE AGENCIES

Because Proposition 65 expressly⁹ does not apply to any State agency, OEHHA has determined that no savings or increased costs to any State agency will result from the proposed regulatory action.

⁸ See Health and Safety Code section 25249.11(b).

⁹ See Health and Safety Code section 25249.11(b).

EFFECT ON FEDERAL FUNDING TO THE STATE

Because Proposition 65 expressly¹⁰ does not apply to any federal agency, OEHHA has determined that no costs or savings in federal funding to the State will result from the proposed regulatory action.

EFFECT ON HOUSING COSTS

OEHHA has determined that the proposed regulatory action will have no effect on housing costs because it provides compliance assistance to businesses subject to the Act, but does not impose any mandatory requirements on those businesses.

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

Because the proposed regulatory level provides compliance assistance to businesses subject to the Act, but does not impose any mandatory requirements on those businesses, OEHHA has made an initial determination that the adoption of the regulation will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The proposed NSRL was developed to provide compliance assistance for these businesses in determining whether a warning is required or a discharge is prohibited. The NSRL provides a level of exposure at or below which a warning is not required and a discharge is not prohibited. Use of the NSRL is not mandatory. The implementing regulations allow a business to calculate its own level and provide guidance in order to assist businesses in doing so¹¹. However, conducting such a process can be expensive and time consuming, and the resulting levels may not be defensible in an enforcement action. OEHHA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESSES

OEHHA has determined that the proposed regulation will not impose any mandatory requirements on small

business. Rather, the proposed NSRL will provide compliance assistance for small businesses subject to the Act because it will help them determine whether or not an exposure for which they are responsible is subject to the warning requirement or discharge prohibition of the Act.

CONSIDERATION OF ALTERNATIVES

Government Code section 11346.5(a)(13) requires that OEHHA must determine that no reasonable alternative considered by the OEHHA or that has otherwise been identified and brought to the attention of the OEHHA 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 than the proposal described in this notice.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

OEHHA has prepared and has available for public review an Initial Statement of Reasons for the regulation, all the information upon which the regulation is based and the text of the regulation. A copy of the Initial Statement of Reasons, the text of the regulation and the documents relied on to develop the proposed regulation are available upon request from OEHHA at the address and telephone number indicated above. The Initial Statement of Reasons and the text of the regulation are also posted on OEHHA's Web site at www.oehha.ca.gov.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The full text of any regulation which is changed or modified from the express terms of this proposed action will be made available at least 15 days prior to the date on which OEHHA adopts the resulting regulation. Notice of the comment period on changed regulations and the full text will be mailed to individuals who testified or submitted written comments at the public hearing, if held, or whose comments were received by OEHHA during the public comment period, and anyone who requests notification from OEHHA of the availability of such changes. Copies of the notice and the changed regulation will also be available on the OEHHA Web site at www.oehha.ca.gov.

FINAL STATEMENT OF REASONS

A copy of the Final Statement of Reasons for this regulatory action may be obtained, when it becomes avail-

¹⁰ See Health and Safety Code section 25249.11(b).

¹¹ Title 27, Cal. Code Regs., section 25801 *et seq.*

able, from OEHHA at the address and telephone number indicated above, and on the OEHHA website at www.oehha.ca.gov.

GENERAL PUBLIC INTEREST

AGRICULTURAL LABOR RELATIONS BOARD

NOTICE OF EXTENSION OF WRITTEN COMMENT PERIOD

The Agricultural Labor Relations Board published a Notice of Proposed Action in the April 8, 2016 edition of the California Regulatory Notice Register (Register 2016, No. 15-Z, p. 512) concerning Consolidation Regulations. The original comment period deadline was May 23, 2016.

The Board is extending the written comment period deadline to June 10, 2016.

Please submit all written comments to J. Antonio Barbosa, Executive Secretary, Agricultural Labor Relations Board, 1325 J Street, Suite 1900 B, Sacramento, CA 95814, (916) 653-3741, Fax: (916) 653-8750 or Eduardo R. Blanco, Special Legal Advisor (back-up contact), same address and fax number as above, (916) 651-7633.

You may also e-mail your comments to: J. Antonio Barbosa at alrb.ca.gov or eblanco@alrb.ca.gov.

If you have any questions, please contact Eduardo Blanco, Special Legal Advisor at eblanco@alrb.ca.gov or (916) 651-7633.

BOARD OF PSYCHOLOGY

Notice of Proposed Regulatory Action Change of Location and Time of Public Hearing

The California Regulatory Notice Register dated April 1, 2016, published a Notice for the California Board of Psychology (Board) to propose amendments to Sections 1387 and 1387.1 of Title 16 of the California Code of Regulations to provide specific criteria for the submission of verification of experience and supervision agreement forms and modify the language to no longer require a training plan be submitted and pre-approved by the Board when a psychological assistant is in a private practice setting.

The Board will conduct a public hearing on this proposed regulation on May 19, 2016, at a different location than stated in the original notice.

The new hearing location is:

Board of Psychology Meeting
Los Angeles Airport Marriott
5855 West Century Boulevard
Los Angeles, CA, 90045

The hearing will begin at 1:00 p.m.

For additional information, please contact:

Name: Jason Glasspiegel
Address: 1625 N. Market Blvd., Suite N-215
Sacramento, CA 95834
Telephone: (916) 574-7137
Fax: (916) 574-8672
E-Mail: Jason.Glasspiegel@dca.ca.gov

The backup contact person is:

Name: Jeffrey Thomas
Address: 1625 N. Market Blvd., Suite N-215
Sacramento, CA 95834
Telephone: (916) 574-7116
Fax: (916) 574-8672
E-Mail: Jeffrey.Thomas@dca.ca.gov

DEPARTMENT OF FISH AND WILDLIFE

PROPOSED RESEARCH ON FULLY PROTECTED SPECIES

Research on the San Francisco Garter Snake

The Department of Fish and Wildlife (Department) received a proposal on March 14, 2016, from Patrick Kobernus, on behalf of Coast Ridge Ecology, requesting authorization to take the San Francisco garter snake (*Thamnophis sirtalis tetrataenia*) ('snake'), for scientific research purposes, consistent with conservation and recovery of the species. The snake is a Fully Protected reptile, and is also listed as Endangered under the California Endangered Species Act and Endangered under the federal Endangered Species Act.

Mr. Kobernus is requesting authorization to conduct surveys for the snake's presence, to monitor existing populations, and to salvage dead specimens throughout the species' range in San Mateo and Santa Cruz counties, in accordance with methods approved by the Department and the U.S. Fish and Wildlife Service (Service).

The proposed research and recovery activities include surveys and habitat assessments, capture of wild snakes by hand, hand-held reptile stick, and by terres-

trial trap lines (i.e., funnel traps and drift fencing), taking of body measurements and photographs, and release. Surveys would include, but would not be limited to, lands owned and managed by the San Francisco Public Utilities Commission (SFPUC). Coast Ridge Ecology is currently a subcontractor conducting work for the SFPUC's Bioregional Habitat Restoration Program, which consists of multiple restoration sites within the Peninsula and Alameda watersheds, some of which specifically address San Francisco garter snakes. In addition to surveys and monitoring, if found, snake carcasses may be salvaged, and the remains donated to a public scientific institution as designated by the Department and the Service.

Mr. Kobernus and any others deemed qualified by the Department for this purpose would conduct the activities described above, in order to provide population and distribution information and assess efficacy of recovery efforts. No adverse effects on individual snakes or snake populations are expected.

The Department intends to issue, under specified conditions, a Memorandum of Understanding (MOU) to authorize qualified professional wildlife researchers, with Mr. Kobernus as the Principal Investigator, to carry out the proposed activities. The researchers are also required to have a valid federal recovery permit for the snake, and a scientific collecting permit (SCP) to take other terrestrial species in California.

Pursuant to California Fish and Game Code (FGC) Section 5050(a)(1), the Department may authorize take of Fully Protected reptile species after a 30 days' notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 5050 for take of Fully Protected reptiles, it would issue the MOU on or after

May 22, 2016, for an initial and renewable term of up to, but not to exceed, four years.

Contact: Laura Patterson, Laura.Patterson@wildlife.ca.gov, 916-341-6981.

PROPOSITION 65

**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
April 22, 2016**

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
Allyl chloride <u>Delisted October 29, 1999</u>	107-05-1	January 1, 1990

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Aloe vera, non-decolorized whole leaf extract		December 4, 2015
2-Aminoanthraquinone	117-79-3	October 1, 1989
<i>p</i> -Aminoazobenzene	60-09-3	January 1, 1990
<i>ortho</i> -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-methylantraquinone	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
<i>ortho</i> -Anisidine	90-04-0	July 1, 1987
<i>ortho</i> -Anisidine hydrochloride	134-29-2	July 1, 1987
Anthraquinone	84-65-1	September 28, 2007
Antimony oxide (Antimony trioxide)	1309-64-4	October 1, 1990
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

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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
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
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
Chloral	75-87-6	September 13, 2013
Chloral hydrate	302-17-0	September 13, 2013
Chlorambucil	305-03-3	February 27, 1987
Chloramphenicol <u>Delisted January 4, 2013</u>	56-75-7	October 1, 1989
Chloramphenicol sodium succinate	982-57-0	September 27, 2013
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
p-Chloroaniline	106-47-8	October 1, 1994
p-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) (Lomustine)	13010-47-4	January 1, 1988
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
p-Chloro-o-toluidine	95-69-2	January 1, 1990
p-Chloro-o-toluidine, strong acid salts of	—	May 15, 1998
5-Chloro-o-toluidine and its strong acid salts	—	October 24, 1997

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
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 79217-60-0	January 1, 1992
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
Clomiphene citrate	50-41-9	May 24, 2013
CMNP (pyrazachlor)	6814-58-0	August 21, 2015
Cobalt metal powder	7440-48-4	July 1, 1992
Cobalt [II] oxide	1307-96-6	July 1, 1992
Cobalt sulfate	10124-43-3	May 20, 2005
Cobalt sulfate heptahydrate	10026-24-1	June 2, 2000
Coconut oil diethanolamine condensate (cocamide diethanolamine)	—	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

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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
2,4-Diaminotoluene	95-80-7	January 1, 1988
Diaminotoluene (mixed) <u>Delisted November 20, 2015</u>	—	January 1, 1990
Diazoaminobenzene	136-35-6	May 20, 2005
Dibenz[a,h]acridine	226-36-8	January 1, 1988
Dibenz[a,j]acridine	224-42-0	January 1, 1988
Dibenzanthracenes	—	December 26, 2014
Dibenz[a,c]anthracene	215-58-7	December 26, 2014
Dibenz[a,h]anthracene	53-70-3	January 1, 1988
Dibenz[a,j]anthracene	224-41-9	December 26, 2014
7H-Dibenzo[c,g]carbazole	194-59-2	January 1, 1988
Dibenzo[a,e]pyrene	192-65-4	January 1, 1988
Dibenzo[a,h]pyrene	189-64-0	January 1, 1988
Dibenzo[a,i]pyrene	189-55-9	January 1, 1988
Dibenzo[a,l]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
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
Dienestrol <u>Delisted January 4, 2013</u>	84-17-3	January 1, 1990
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
Diisononyl phthalate (DINP)	—	December 20, 2013
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

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
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
2,6-Dimethyl-N-nitrosomorpholine (DMNM)	1456-28-6	February 8, 2013
N,N-Dimethyl-p-toluidine	99-97-8	May 2, 2014
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
Emissions from combustion of coal	—	August 7, 2013
Emissions from high-temperature unrefined rapeseed oil	—	January 3, 2014
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 (Aziridine)	151-56-4	January 1, 1988
Etoposide	33419-42-0	November 4, 2011
Etoposide in combination with cisplatin and bleomycin	—	November 4, 2011

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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
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
Fumonisin B ₁	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
Glass wool fibers (inhalable and biopersistent)	—	July 1, 1990
Glu-P-1 (2-Amino-6-methyldipyrido[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
Goldenseal root powder		December 4, 2015
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
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
Isopyrazam	881686-58-1	July 24, 2012
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

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
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
Megestrol acetate	595-33-5	March 28, 2014
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
Mepanipyryn	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
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

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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Mitoxantrone hydrochloride	70476-82-3	January 23, 2015
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
beta-Myrcene	123-35-3	March 27, 2015
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; 12125-56-3	October 1, 1989
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
Nitrilotriacetic acid	139-13-9	January 1, 1988
Nitrilotriacetic acid, trisodium salt monohydrate	18662-53-8	April 1, 1989
5-Nitroacenaphthene	602-87-9	April 1, 1988
5-Nitro- <i>o</i> -anisidine <u>Delisted December 8, 2006</u>	99-59-2	October 1, 1989
<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

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
N-Nitrosodiethylamine	55-18-5	October 1, 1987
N-Nitrosodimethylamine	62-75-9	October 1, 1987
p-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-Nitrosomethyl-n-butylamine	7068-83-9	December 26, 2014
N-Nitrosomethyl-n-decylamine	75881-22-0	December 26, 2014
N-Nitrosomethyl-n-dodecylamine	55090-44-3	December 26, 2014
N-Nitrosomethylethylamine	10595-95-6	October 1, 1989
N-Nitrosomethyl-n-heptylamine	16338-99-1	December 26, 2014
N-Nitrosomethyl-n-hexylamine	28538-70-7	December 26, 2014
N-Nitrosomethyl-n-nonylamine	75881-19-5	December 26, 2014
N-Nitrosomethyl-n-octylamine	34423-54-6	December 26, 2014
N-Nitrosomethyl-n-pentylamine	13256-07-0	December 26, 2014
N-Nitrosomethyl-n-propylamine	924-46-9	December 26, 2014
N-Nitrosomethyl-n-tetradecylamine	75881-20-8	December 26, 2014
N-Nitrosomethyl-n-undecylamine	68107-26-6	December 26, 2014
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-Nitrosornicotine	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
o-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
Pentosan polysulfate sodium	—	April 18, 2014
Phenacetin	62-44-2	October 1, 1989
Phenazopyridine	94-78-0	January 1, 1988
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
o-Phenylenediamine and its salts	95-54-5	May 15, 1998

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Phenyl glycidyl ether	122-60-1	October 1, 1990
Phenyldiazine 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
Pioglitazone	111025-46-8	April 18, 2014
Pirimicarb	23103-98-2	July 2, 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
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
Pulegone	89-82-7	April 18, 2014
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
<u>Saccharin Delisted April 6, 2001</u>	81-07-2	October 1, 1989
<u>Saccharin, sodium 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
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

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Streptozotocin (streptozocin)	18883-66-4	January 1, 1988
Strong inorganic acid mists containing sulfuric acid	—	March 14, 2003
<u>Styrene</u>	<u>100-42-5</u>	<u>April 22, 2016</u>
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
Teriparatide	52232-67-4	August 14, 2015
Terrazole	2593-15-9	October 1, 1994
Testosterone and its esters	58-22-0	April 1, 1988
3,3',4,4'-Tetrachloroazobenzene	14047-09-7	July 24, 2012
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	1746-01-6	January 1, 1988
1,1,1,2-Tetrachloroethane	630-20-6	September 13, 2013
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	January 1, 1990
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
Triamterene	396-01-0	April 18, 2014
S,S,S-Tributyl phosphorotrithioate (Tribufos, DEF)	78-48-8	February 25, 2011
Trichlormethine (Trimustine hydrochloride)	817-09-4	January 1, 1992
Trichloroacetic acid	76-03-9	September 13, 2013
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	October 1, 1989
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

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<u>Chemical</u>	<u>CAS Number</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>	12122-67-7	January 1, 1990

CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Abiraterone acetate	developmental, female, male	154229-18-2	April 8, 2016
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 <u>Delisted December 13, 2013</u>	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

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<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
Bisphenol A (BPA)	female	80-05-7	May 11, 2015
Bisphenol A (BPA)	developmental	80-05-7	April 11, 2013
<u>Delisted April 19, 2013</u>			
Bromacil lithium salt	developmental	53404-19-6	May 18, 1999
	male		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
<u>Delisted April 4, 2014</u>			
Cadmium	developmental, male	—	May 1, 1997
Carbamazepine	developmental	298-46-4	January 29, 1999
Carbaryl	developmental, female, 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
<u>Delisted June 6, 2014</u>			
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

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<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
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
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, 1999
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	developmental, 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
Dichlorphenamide	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
Diflunisal	developmental, female	22494-42-4	January 29, 1999
Diglycidylether	male	2238-07-5	August 7, 2009
<u>Delisted April 4, 2014</u>			
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, male	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

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
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
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 <u>Delisted December 13, 2013</u>	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 (ingested)	developmental	107-21-1	June 19, 2015
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 <u>Delisted December 13, 2013</u>	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, 1990
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

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
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	developmental, male	684-16-2	August 1, 2008
Hexamethylphosphoramide	male	680-31-9	October 1, 1994
2,5-Hexanedione	male	110-13-4	December 4, 2015
Histrelin acetate	developmental	—	May 15, 1998
Hydramethylnon	developmental, male	67485-29-4	March 5, 1999
Hydrogen cyanide (HCN) and cyanide salts (CN salts)	male	—	July 5, 2013
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
Medroxyprogesterone acetate	developmental	71-58-9	April 1, 1990
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
Metham sodium	developmental	137-42-8	May 15, 1998
Methanol	developmental	67-56-1	March 16, 2012
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 n-n-butyl ketone	developmental	591-78-6	December 4, 2015
Methyl chloride	developmental	74-87-3	March 10, 2000
Methyl isobutyl ketone (MIBK)	male	—	August 7, 2009
Methyl isocyanate (MIC)	developmental	108-10-1	March 28, 2014
Methyl isopropyl ketone	developmental, female	624-83-9	November 12, 2010
<u>Delisted April 4, 2014</u>	developmental	563-80-4	February 17, 2012
Methyl mercury	developmental	—	July 1, 1987
N-Methylpyrrolidone	developmental	872-50-4	June 15, 2001

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
<u><i>α</i>-Methylstyrene</u> <u>Delisted April 4, 2014</u>	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
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, female	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
<u><i>p,p'</i>-Oxybis(benzenesulfonylhydrazide)</u> <u>Delisted December 13, 2013</u>	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

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Phenylglycidylether <u>Delisted April 4, 2014</u>	male	122-60-1	August 7, 2009
Phenylphosphine	developmental male	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
Polybrominated biphenyls	developmental	—	October 1, 1994
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
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	April 1, 1990
		36791-04-5	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

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
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
Topiramate	developmental	97240-79-4	November 27, 2015
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
Trichloroethylene	developmental, male	79-01-6	January 31, 2014
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
<u>Delisted December 13, 2013</u>			
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, 1999
Urethane	developmental	51-79-6	October 1, 1994
Urofollitropin	developmental	97048-13-0	April 1, 1990
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: April 22, 2016

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES
April 22, 2016**

**CHEMICAL LISTED EFFECTIVE APRIL 22, 2016
AS KNOWN TO THE STATE OF CALIFORNIA
TO CAUSE CANCER: STYRENE**

Effective **April 22, 2016**, the Office of Environmental Health Hazard Assessment (OEHHA) is adding *styrene* (CAS No. 100-42-5) 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 65¹).

The listing of styrene is based on formal identification by the National Toxicology Program (NTP), an authoritative body², that the chemical causes cancer. The criteria used by OEHHA for the listing of chemicals under the “authoritative bodies” mechanism can be found in Title 27, Cal. Code of Regs., section 25306.

The documentation supporting OEHHA’s determination that the criteria for administrative listing have been satisfied for styrene is included in the Notice of Intent to List posted on OEHHA’s website and published in the February 27, 2015 issue of the California Regulatory Notice Register (Register 2015, No. 9-Z). OEHHA received 13 public comments on the Notice of Intent to

¹ Health and Safety Code section 25249.5 *et seq.*

² See Health and Safety Code section 25249.8(b) and Title 27, Cal. Code of Regs., section 25306.

List. The comments and OEHHA’s responses are posted with the Notice of Intent to List.

A complete, updated chemical list will be published in the *California Regulatory Notice Register* and is available on the OEHHA website. In summary, styrene is listed under Proposition 65 effective April 22, 2016 as known to the state to cause cancer, as follows:

Chemical	CASNo.	Toxicological Endpoint	Listing Mechanism*
<i>Styrene</i>	100-42-5	cancer	AB (NTP)

* Listing mechanism: AB — “authoritative bodies” mechanism (Title 27, Cal. Code of Regs. section 25306).

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# 2016-0328-02
BOARD OF FORESTRY AND FIRE PROTECTION
 Drought Mortality Amendments, 2015

The Board of Forestry and Fire Protection (BOFFP) submitted this second emergency readopt action to maintain the regulations adopted in OAL File No. 2015-0701-02E and re-adopted in 2015-1221-01EE. The emergency rulemaking action amended sections 1038 and 1052.1 in title 14 of the California Code of Regulations, to add drought as a condition that constitutes an emergency, as well as regulations applicable to the harvesting of dead and dying trees in response to drought related stress. This action only readopts the amendments made to section 1038, relating to the harvesting of dead and dying trees.

Title 14
 AMEND: 1038
 Filed 04/06/2016
 Effective 04/12/2016
 Agency Contact: Matt Dias (916) 653-8007

File# 2016-0404-01
BOARD OF PHARMACY
 Self-Administered Hormonal Contraception

This rulemaking action by the Board of Pharmacy adopts section 1746.1 in title 16 of the California Code of Regulations to implement Senate Bill 493, which instructs the Board to establish a protocol for pharmacists to furnish self-administered hormonal contraception without a doctor’s prescription.

Title 16
 ADOPT: 1746.1
 Filed 04/08/2016
 Effective 04/08/2016
 Agency Contact: Lori Martinez (916) 574-7917

File# 2016-0301-02
CALIFORNIA ALTERNATIVE ENERGY AND ADVANCED TRANSPORTATION FINANCING AUTHORITY
 Residential Energy Efficiency Loan Assistance Program

The California Alternate Energy and Advanced Transportation Finance Authority submitted this timely certificate of compliance to make permanent the regulations adopted in OAL File No. 2015-0227-01E, readopted in OAL File No. 2015-0827-02EE, and readopted again in OAL file no. 2015-1125-01EE. The emergency rulemaking adopted sections in Title 4 of the California Code of Regulations for the purpose of implementing the Residential Energy Efficiency Loan Assistance Program, approved by the California Public Utilities Commission under the 2013-2014 Energy Efficiency Pilot Program. This action establishes affordable financing to homeowners and small business owners undertaking emergency efficiency retrofit projects to meet the energy efficiency goals of California.

Title 4
 ADOPT: 10091.1, 10091.2, 10091.3, 10091.4, 10091.5, 10091.6, 10091.7, 10091.8, 10091.9, 10091.10, 10091.11, 10091.12, 10091.13, 10091.14, 10091.15
 Filed 04/13/2016
 Effective 04/13/2016
 Agency Contact: Jennifer Gill (916) 653-3033

File# 2016-0301-04
CALIFORNIA ENERGY COMMISSION
 Enforcement Procedures for the Renewables Portfolio Standard for POUs

The California Energy Commission (CEC) in 2013 adopted regulations specifying procedures for enforcement of the Renewables Portfolio Standard (RPS) on local, publicly-owned electric utilities (POUs). The RPS was created to increase the amount of electricity

generated from eligible renewable energy sources. Eligible sources generally mean: wind, solar, biomass, ocean wave, tidal current, landfill or digester gas, geothermal, and small hydroelectric. In this rulemaking CEC is amending these regulations due to the passage of Senate Bill 591 (SB 591, Stats. 2013, ch. 520) which added new subdivision (k) to Public Utilities Code section 399.30 which establishes a limited procurement exemption for a “local publicly owned electric utility that receives greater than 50 percent of its annual retail sales from its own hydroelectric generation that is not an eligible renewal energy resource.” This rulemaking also adds some definitions and provides additional detail about dynamic transfers, the portfolio content category classification of electricity products from POU-owned resources, excess procurement rules related to amended contracts, optional compliance measures, reporting requirements and procedural provisions for complaints of noncompliance.

Title 20
 AMEND: 1240, 3201, 3202, 3203, 3204, 3206, 3207
 Filed 04/12/2016
 Effective 04/12/2016
 Agency Contact: Gabriel Herrera (916) 654-5141

File# 2016-0307-01
 CALIFORNIA ENERGY COMMISSION
 Conflict-of-Interest Code

This is a Conflict-of-Interest Code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing.

Title 20
 AMEND: 2401, 2402
 Filed 04/06/2016
 Effective 05/06/2016
 Agency Contact:
 Jennifer Martin-Gallardo (916) 651-3748

File# 2016-0302-03
 CALIFORNIA HORSE RACING BOARD
 Grounds for Denial or Refusal of License

This rulemaking action by the California Horse Racing Board amends section 1489 of title 4 of the California Code of Regulations by adding criteria to assist investigators and licensing staff in making consistent determinations about which acts, offenses, or crimes are so substantially related to horse racing that they permit the denial, suspension, or revocation of a license.

Title 4
 AMEND: 1489
 Filed 04/12/2016
 Effective 07/01/2016
 Agency Contact: Philip Laird (916) 263-6025

File# 2016-0329-05
 DEPARTMENT OF FOOD AND AGRICULTURE
 Ultra-Filtered Milk Products

This action by the Department of Food and Agriculture is the first re-adoption of emergency rulemaking action no. 2015-0804-01E, which established a temporary standard for ultra-filtered milk products in title 3 of the California Code of Regulations.

Title 3
 ADOPT: 450, 450.1, 450.2, 450.3, 450.4, 451, 452
 Filed 04/07/2016
 Effective 04/07/2016
 Agency Contact: Nancy Grillo (916) 900-5033

File# 2016-0328-05
 DEPARTMENT OF JUSTICE
 Department of Justice Bond Form

This file and print action adopts section 28.5 in the title 11 listing of approved surety bonds and is the Department of Justice’s approval and printing of the adopted Performance Bond form for the Attorney General.

Title 11
 ADOPT: 28.5
 Filed 04/06/2016
 Effective 04/06/2016
 Agency Contact: Karen W. Yiu (510) 622-2131

File# 2016-0328-06
 DEPARTMENT OF JUSTICE
 Department of Justice Bond Form

This file and print action adopts section 28.6 in the title 11 listing of approved surety bonds and is the Department of Justice’s approval and printing of the adopted Payment Bond to Accompany Construction Contract form for the Attorney General.

Title 11
 ADOPT: 28.6
 Filed 04/06/2016
 Effective 04/06/2016
 Agency Contact: Karen W. Yiu (510) 622-2131

File# 2016-0223-01
 DEPARTMENT OF MOTOR VEHICLES
 Multiple County Use of Vehicle

This rulemaking by the California Department of Motor Vehicles (department) provides a form for regis-

tered owners of vehicles to notify the department of vehicle usage information deemed relevant pursuant to Vehicle Code section 4004.5. This code allows drivers to voluntarily report multi-county use of their vehicles. This information allows the department to consider this information when it tracks and counts the number of vehicles registered within each county or district. This information is used to collect and apportion funds to counties or county air pollution control districts based on the number of cars registered.

Title 13
 ADOPT: 150.10
 Filed 04/06/2016
 Effective 07/01/2016
 Agency Contact: Tracy Brazil (916) 657-8919

File# 2016-0321-01
FAIR POLITICAL PRACTICES COMMISSION
 Definition of Lobbyist

This rulemaking action by the Fair Political Practices Commission amends the definition of “lobbyist” in section 18239 of title 2 of the California Code of Regulations.

Title 2
 AMEND: 18239
 Filed 04/12/2016
 Effective 05/12/2016
 Agency Contact: Cesar R. Cuevas (916) 327-2026

File# 2016-0321-04
FAIR POLITICAL PRACTICES COMMISSION
 Reports by Lobbyist Employers and Persons Spending \$5,000 or More

This rulemaking action by the Fair Political Practices Commission amends one payment code in section 18239 of title 2 of the California Code of Regulations.

Title 2
 AMEND: 18616
 Filed 04/12/2016
 Effective 05/12/2016
 Agency Contact: Cesar R. Cuevas (916) 327-2026

File# 2016-0229-01
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
 Fall Protection for Work Around Skylights

This regular rulemaking by the Occupational Safety and Health Standards Board (the “Board”) amends sections 3207 and 3212 in title 8 of the California Code of Regulations. The California Solar Industries Association (the “Association”) petitioned the Board on October 15, 2012, to address the Association’s concerns regarding the fall protection requirements for employees

who work around skylights. In response to this petition, the amendments to Sections 3207 and 3212 clarify existing requirements and expand the options available to employers for providing fall protection measures to employees working around skylights.

Title 8
 AMEND: 3207, 3212
 Filed 04/12/2016
 Effective 07/01/2016
 Agency Contact: Marley Hart (916) 274-5721

File# 2016-0323-01
OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT
 Chemicals Known to the State to Cause Cancer or Reproductive Toxicity

Health and Safety Code section 25249.8 provides that the Governor shall cause to be published a list of those chemicals known to the state to cause cancer or reproductive toxicity and shall cause the list to be revised and republished in light of additional knowledge at least once per year. This list is contained in section 27001 of the California Code of Regulations. In this action, the Office of Environmental Health Hazard Assessment is amending the section 27001 list. Health and Safety Code section 25249.8(e) provides that in carrying out the duties under this section, the Governor and his designates shall not be considered to be adopting or amending a regulation within the meaning of the Administrative Procedure Act.

Title 27
 AMEND: 27001
 Filed 04/13/2016
 Effective 04/13/2016
 Agency Contact:
 Michelle Robinson (916) 327-3015

File# 2016-0226-01
PHYSICIAN ASSISTANT BOARD
 Disciplinary Guidelines

In this rulemaking action, the Board is amending Title 16, section 1399.523 of the California Code of Regulations to include the Uniform Standards formulated by the Substance Abuse Coordination Committee. In including these Uniform Standards, the Board is updating its Manual of Model Disciplinary Guidelines and Model Disciplinary Orders.

Title 16
 AMEND: 1399.523
 Filed 04/11/2016
 Effective 07/01/2016
 Agency Contact: Glenn Mitchell (916) 561-8783

File# 2016-0304-01
 STATE WATER RESOURCES CONTROL BOARD
 Los Angeles Region Basin Plan Groundwater Control
 Measures for CBWCB

The State Water Resources Control Board (State Water Board) submitted this action for review under Government Code section 11353 to adopt section 3939.49 in title 23 of the California Code of Regulations that adds a concise summary of an amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan). This Basin Plan amendment was adopted by the Los Angeles Regional Water Quality Control Board on February 12, 2015 in Resolution No. R15-001. The State Water Board approved the Basin Plan amendment on July 21, 2015 in Resolution No. 2015-0048. The Basin Plan amendment incorporates stakeholder-developed, voluntary groundwater quality management measures for salts and nutrients in the Central and West Coast basins.

Title 23
 ADOPT: 3939.49
 Filed 04/11/2016
 Agency Contact: Ginachi Amah (213) 576-6685

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN November 11, 2015 TO
 April 13, 2016**

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 2

- 04/12/16 AMEND: 18239
- 04/12/16 AMEND: 18616
- 03/22/16 AMEND: 18215.3, 18247.5, 18404, 18405, 18422, 18425, 18427.1, 18450.4, 18531.5, 18531.62 REPEAL: 18402.5
- 03/22/16 AMEND: 18406, 18530.4, 18530.45, 18992
- 02/22/16 ADOPT: 61000, 61001, 61002, 61003, 61004, 61005, 61006, 61007, 61008, 61009, 61010, 61011, 61012, 61013, 61014, 61015, 61016, 61017, 61018, 61019, 61020, 61021, 61022, 61023, 61024
- 02/22/16 ADOPT: 59800

- 02/11/16 AMEND: 57200
- 02/10/16 AMEND: 57200
- 02/04/16 ADOPT: 555.5
- 02/04/16 AMEND: 18351
- 02/04/16 AMEND: 18616
- 01/14/16 AMEND: 18944.1
- 01/14/16 AMEND: 18996
- 01/06/16 AMEND: 48000
- 12/30/15 AMEND: 53900
- 12/23/15 AMEND: 1859.2, 1859.107, 1859.164.2, 1859.195, 1859.198
- 12/23/15 AMEND: 1859.70.4, 1859.93, 1859.93.1, 1859.190
- 12/22/15 AMEND: 51000
- 12/21/15 AMEND: 58200
- 12/21/15 AMEND: 59100
- 12/21/15 AMEND: 1859.76
- 12/15/15 ADOPT: 18360 AMEND: 18362 REPEAL: 18360
- 12/15/15 AMEND: 57500
- 12/15/15 REPEAL: 18413
- 12/14/15 ADOPT: 5.1, 5.2, 90, 248, 548.2, 548.5 REPEAL: 548.77
- 12/09/15 ADOPT: 11023 AMEND: 11005.1 (renumbered to 10500), 11006, 11008, 11009, 11019, 11023 (renumbered to 11024), 11028, 11029, 11030, 11031, 11034, 11035, 11036, 11039, 11040, 11041, 11042, 11043, 11044, 11045, 11046, 11047, 11049, 11050, 11051, 11059, 11060, 11062, 11064, 11065, 11066, 11067, 11068, 11070, 11071, 11075, 11100, 11101, 11103, 11104, 11105, 11111, 11113, 11114, 11121, 11122, 11123, 11128, 11131, 11132, 11133 (renumbered to 10250), 11134 (renumbered to 10251), 11135 (renumbered to 10252), 11136 (renumbered to 10253), 11137 (renumbered to 10254), 11138 (renumbered to 10255), 11139 (renumbered to 10256), 11140 (renumbered to 10257), 11141 (renumbered to 10258) REPEAL: 11024
- 12/08/15 ADOPT: 59790
- 12/03/15 REPEAL: 28010
- 12/02/15 ADOPT: 25, 26
- 12/02/15 ADOPT: 11, 12, 12.1, 155, 156, 157, 158, 159 AMEND: 547.52
- 11/19/15 ADOPT: 59550
- Title 3**
- 04/07/16 ADOPT: 450, 450.1, 450.2, 450.3, 450.4, 451, 452
- 04/05/16 AMEND: 3589

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12/10/15	AMEND: 1.92, 703	02/24/16	AMEND: 1446, 1447, 1447.1
11/30/15	AMEND: 1665.7	02/23/16	AMEND: 109, 111
11/30/15	AMEND: 163, 164	02/18/16	ADOPT: 1108
11/24/15	AMEND: 29.85	02/08/16	AMEND: 1417
11/23/15	AMEND: 1052.1	01/27/16	ADOPT: 1746.3
11/23/15	AMEND: 895.1, 916.9, 917.2, 937.2, 957.2, 937.3, 957.3, 929.1, 949.1, 969.1, 1038, 1039.1, 1041, 1092.01, 1092.26, 1092.28, 1109.4	01/25/16	ADOPT: 1746.2
11/19/15	AMEND: 890	01/25/16	AMEND: 420.1, 3021.1
11/13/15	AMEND: 478, 479	01/11/16	AMEND: 995
Title 15		12/30/15	ADOPT: 1805.01, 1805.05, 1822.50, 1822.51, 1822.52, 1829.1, 1829.2, 1829.3, 1877.1, 1877.2, 1877.3 AMEND: 1805, 1806, 1816, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, 1816.7, 1829, 1877
03/30/16	AMEND: 8004.2	12/23/15	ADOPT: 1399.50, 1399.52
03/30/16	REPEAL: 3999.16	11/30/15	ADOPT: 1820.7 AMEND: 1820, 1820.5, 1822
03/29/16	AMEND: 3315, 3375.2	11/25/15	AMEND: 1209, 1214, 1216, 1221, 1255, 1258, 1258.1, 1258.2, 1258.4 REPEAL: 1258.3
03/29/16	AMEND: 3000, 3078.1, 3078.2, 3078.3, 3078.4	11/24/15	ADOPT: 2386.5 AMEND: 2382, 2383, 2384, 2385, 2386, 2387, 2388
03/10/16	ADOPT: 3000, 3268.2 REPEAL: 3999.17	11/23/15	AMEND: 109
02/18/16	ADOPT: 3040.2 AMEND: 3000, 3040.1, 3041, 3041.3, 3043.6, 3379 REPEAL: 3999.15	11/20/15	AMEND: 4151, 4152
02/18/16	AMEND: 3375.1, 3377	11/19/15	AMEND: 1793.5
12/30/15	AMEND: 3000, 3268, 3268.1, 3268.2	Title 17	
12/24/15	ADOPT: 1712.3, 1714.3, 1730.3, 1740.3 AMEND: 1700, 1706, 1712.2, 1714.2, 1730.2, 1731, 1740.2, 1747, 1747.1, 1748, 1748.5, 1749, 1749.1, 1750, 1750.1, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788, 1790, 1792	04/04/16	ADOPT: 6500.03, 6500.05, 6500.9, 6500.21, 6500.33, 6500.43, 6500.50, 6500.51, 6500.55, 6500.58, 6500.71, 6500.78, 6501.5 AMEND: 6500.35, 6500.39, 6500.45, 6501, 6505, 6506, 6506.6, 6506.8, 6506.10 REPEAL: 6500.65, 6500.67
12/14/15	AMEND: 3124	03/08/16	AMEND: 60201
12/14/15	ADOPT: 3999.20	02/05/16	ADOPT: 59050, 59051, 59052, 59053, 59054, 59055, 59056, 59057, 59058, 59059, 59060, 59061, 59062, 59063, 59064, 59065, 59066, 59067, 59068, 59069, 59070, 59071, 59072
12/03/15	ADOPT: 3340, 3341, 3341.1, 3341.2, 3341.3, 3341.4, 3341.5, 3341.6, 3341.7, 3341.8, 3341.9 AMEND: 3000, 3044, 3269, 3269.1, 3335, 3335.5, 3336, 3337, 3338, 3339, 3340 (Renumbered to 3335.5), 3342, 3343, 3344 REPEAL: 3341, 3341.5	02/03/16	AMEND: 95000 REPEAL: 95001, 95002, 95003, 95004, 95005, 95006, 95007
11/23/15	AMEND: 3173.2	01/25/16	REPEAL: 60090, 60091, 60092, 60093, 60094
11/17/15	ADOPT: 3317.1, 3317.2 AMEND: 3310, 3315, 3317	01/21/16	AMEND: 100003
Title 16		01/11/16	ADOPT: 94017 AMEND: 94010, 94011, 94016
04/11/16	AMEND: 1399.523	01/06/16	ADOPT: 100503
04/08/16	ADOPT: 1746.1	11/16/15	ADOPT: 95480, 95481, 95482, 95483, 95483.1, 95483.2, 95484, 95485, 95486, 95487, 95488, 95489, 95490, 95491, 95492, 95493, 95494, 95495, 95496,
04/04/16	AMEND: 974		
03/22/16	AMEND: 1970.4		
03/21/16	AMEND: 1380.5		
03/07/16	AMEND: 1001		
03/03/16	ADOPT: 1463.5, 1485.5		

95497 REPEAL: 95480, 95480.1, 95480.2, 95480.3, 95480.4, 95480.5, 95481, 95482, 95483, 95484, 95485, 95486, 95487, 95488, 95489, 95490

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03/28/16 AMEND: 2401, 2413, 2422
 03/17/16 AMEND: 3500
 02/03/16 AMEND: 5218, 5235, 5237, 5267
 01/06/16 AMEND: 1619
 12/29/15 ADOPT: 18416.5
 12/16/15 AMEND: 1532, 1533.1, 1533.2, 1534, 1535, 1805, 1825
 12/08/15 AMEND: 1584

Title 19

12/07/15 AMEND: 2600

Title 20

04/12/16 AMEND: 1240, 3201, 3202, 3203, 3204, 3206, 3207
 04/06/16 AMEND: 2401, 2402
 03/08/16 AMEND: 2.1
 02/10/16 AMEND: 1601, 1604, 1605.3
 12/21/15 ADOPT: 1208, 1208.1, 1209, 1210, 1211, 1211.5, 1212, 1230, 1231, 1232, 1232.5, 1233, 1233.1, 1233.2, 1233.3, 1233.4, 1234 AMEND: 1003, 1101, 1104, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207 [renumbered to 1211.7], 1208 [renumbered to 1207], 1718 [renumbered to 1207.5], 1225, 1240, 1675, 1701, 1706, 1707, 1709.5, 1709.7, 1712.5 [renumbered to 1710], 1710 [renumbered to 1711], 1714, 1714.5, 1720, 1720.4, 1729, 1742, 1744, 1744.5, 1748 [renumbered to 1745], 1749 [renumbered to 1745.5], 1753 [renumbered to 1746], 1754 [renumbered to 1747], 1755 [renumbered to 1748], 1769, 1804, 1863, 2001, 2010, 2012, 2027, 2028, 2030, 2322, 2325, 2328, Appendix A [following section 2340], Appendix B [following section 2012 and Appendix A] REPEAL: 1209, 1209.5, 1210, 1211, 1212, 1213, 1214, 1217, 1230, 1231, 1232, 1233, 1233.5, 1234, 1235, 1236, 1236.5, 1237, 1702, 1705, 1711, 1712, 1716.5, 1717, 1718, 1718.5, 1719, 1742.5, 1743, 1745, 1747, 1751, 1752, 1752.3, 1752.5, 1752.7, 1757, 1765

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04/01/16 AMEND: 64417, 64418, 64418.1, 64418.2, 64418.3, 64418.4, 64418.5, 64418.6, 64418.7, 64419, 64420,

64420.1, 64420.2, 64420.3, 64420.4, 64420.5, 64420.6, 64420.7

03/29/16 AMEND: 51516.1
 03/17/16 AMEND: 97232
 02/25/16 ADOPT: 100450.100
 02/23/16 AMEND: 69502.2
 02/11/16 ADOPT: 51000, 51000.7, 51000.9.5, 51000.15.5, 51000.20, 51000.24.3, 51000.24.4, 51000.24.4.1, 51000.24.5, 51000.24.8, 51000.30, 51000.31, 51000.35, 51000.40, 51000.45, 51000.60, 51000.70, 51000.75, 51051, 51341.1
 02/08/16 AMEND: 100143, 100146, 100149, 100152, 100153, 100154 (renumbered to 100159), 100155 (renumbered to 100161), 100156 (renumbered to 100160), 100157 (renumbered to 100162), 100159 (renumbered to 100154), 100160 (renumbered to 100155), 100161 (renumbered to 100156), 100162 (renumbered to 100157), 100163 (renumbered to 100164), 100164 (renumbered to 100163), 100165, 100167, 100172
 02/01/16 AMEND: 64806
 01/05/16 ADOPT: 81005, 81006, 81007, 81008, 81011, 81012, 81017, 81019, 81019.1, 81020, 81021, 81023, 81025, 81026, 81028, 81029, 81030, 81034, 81035, 81036, 81040, 81043, 81044, 81045, 81046, 81052, 81053, 81054, 81055, 81055.1, 81056, 81058, 81059, 81062, 81063, 81069.2, 81071, 81073, 81074, 81075.1, 81077.2, 81077.3, 81077.4, 81077.5, 81086, 81090, 81091, 81092, 81092.1, 81092.2, 81092.3, 81092.4, 81092.5, 81092.6, 81092.7, 81092.8, 81092.9, 81092.10, 81092.11, 81093, 81094, 81094.5 AMEND: 80000, 80001, 80019, 80065, 80068, 80068.5, 80069, 80069.2, 80070, 80075, 80077.2, 80077.5, 80088, 80092.1, 80092.2, 81000, 81001, 81009, 81010, 81018, 81022, 81024, 81027, 81031, 81042, 81051, 81060, 81061, 81064, 81064.1, 81065, 81065.5, 81065.6, 81066, 81068, 81068.1, 81068.2, 81068.3, 81068.4, 81068.5, 81069, 81070, 81072, 81075, 81076, 81078, 81079, 81080, 81087, 81087.2, 81087.3, 81088
 01/05/16 AMEND: 51180, 51349
 12/14/15 ADOPT: 50188

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12/10/15	ADOPT: 51190.4.1 AMEND: 51231.1, 51231.2, 51323, 51360, 51491	Title MPP	03/30/16	REPEAL: 12-201, 12-202, 12-202.1, 12-202.1.11, 12-202.1.11.111, 12-202.2, 12-202.2.21, 12-202.2.21.211, 12-202.2.21.212, 12-202.2.22, 12-202.2.23, 12-202.2.24, 12-202.3, 12-202.3.31, 12-202.3.31.311, 12-202.3.31.312, 12-202.3.31.313, 12-202.3.32, 12-202.3.33, 12-202.3.33.331, 12-202.4, 12-202.4.41, 12-202.5, 12-202.5.51, 12-202.5.52, 12-202.5.53, 12-202.5.54, 12-202.6, 12-202.6.61, 12-202.6.61.611, 12-202.6.61.612, 12-202.6.61.613, 12-202.6.62, 12-202.7, 12-202.8, 12-202.8.81, 12-202.8.82, 12-202.8.83, 12-202.8.84, 12-202.8.84.841, 12-202.8.84.842, 12-202.8.85, 12-202.8.85.851, 12-203, 12-203.1, 12-203.1.11, 12-203.1.11.111, 12-203.1.11.112, 12-203.1.11.113, 12-203.1.11.113(a), 12-203.1.11.113(b), 12-203.1.11.113(c), 12-203.1.11.114, 12-203.1.11.114(a), 12-203.1.11.114(b), 12-203.1.11.114(c), 12-203.1.11.115, 12-203.2, 12-203.2.21, 12-203.2.22, 12-203.2.23, 12-203.3, 12-203.3.31, 12-203.3.32, 12-203.3.32.321, 12-203.3.32.322, 12-203.3.33, 12-203.4, 12-203.4.41, 12-203.4.42, 12-203.5, 12-203.6, 12-203.7, 12-203.7.71, 12-203.7.71.711, 12-203.7.71.712, 12-203.7.71.713, 12-203.7.72, 12-203.7.72.721, 12-203.7.73, 12-203.8, 12-204, 12-204.1, 12-204.1.11, 12-204.1.11.111, 12-204.1.11.112, 12-204.1.11.113, 12-204.1.11.114, 12-204.1.12, 12-204.1.13, 12-204.2, 12-204.3, 12-204.3.31, 12-204.3.31.311, 12-204.3.31.312, 12-204.3.31.313, 12-204.3.31.314, 12-204.3.31.315, 12-204.3.31.316, 12-205, 12-205.1, 12-205.1.11, 12-205.1.12, 12-205.1.13, 12-205.1.14, 12-205.1.15, 12-205.1.16, 12-205.1.17, 12-205.2, 12-205.2.21, 12-205.2.22, 12-205.2.23, 12-205.3, 12-205.3.31, 12-205.3.32, 12-205.4, 12-205.5, 12-205.5.51, 12-205.5.52, 12-205.5.53, 12-205.5.54, 12-205.5.55, 12-205.5.55.551, 12-205.5.55.552,
Title 22, MPP				
02/10/16	AMEND: 102352, 102416.5, 102417, 102421			
12/30/15	ADOPT: 84092, 84093, 85092, 85093, 87794, 87795 AMEND: 84001, 84002, 84064, 84064.2, 84064.3, 84064.4, 84064.5, 84090, 84090.1, 84090.2, 84091, 84091.1, 84091.2, 84091.3, 84091.4, 85001, 85002, 85064, 85064.2, 85064.3, 85064.4, 85064.5, 85090, 85090.1, 85090.2, 85091, 85091.1, 85091.2, 85091.3, 85091.4, 87101, 87102, 87405, 87406, 87407, 87408, 87409, 87785, 87786, 87787, 87788, 87789, 87791, 87792, 87793			
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04/11/16	ADOPT: 3939.49			
03/30/16	ADOPT: 876			
03/21/16	ADOPT: 908, 911, 912, 916, 917, 922, 924, 931, 931.5, 932, 933, 934, 935, 936, 937, 938			
03/07/16	AMEND: 3930			
02/11/16	ADOPT: 863, 864, 865, 866			
01/28/16	ADOPT: 3009			
01/15/16	AMEND: 1062			
01/14/16	ADOPT: 3959.7			
12/23/15	AMEND: 3949.5			
12/17/15	AMEND: 879			
12/02/15	ADOPT: 3008			
Title 25				
02/25/16	ADOPT: 8402, 8403, 8404, 8405, 8406, 8407, 8408, 8409, 8414 AMEND: 8400, 8401, 8410, 8412 (renumbered to 8411), 8416 (renumbered to 8412), 8417 (renumbered to 8413), 8419 (renumbered to 8415), 8420 (renumbered to 8416), 8421 (renumbered to 8417) REPEAL: 8402, 8403, 8404, 8405, 8406, 8407, 8408, 8409, 8411, 8413, 8414, 8415, 8418			
02/18/16	AMEND: 10001			
Title 27				
04/13/16	AMEND: 27001			
02/08/16	AMEND: 25705			
01/19/16	ADOPT: 25205			
Title 28				
03/28/16	AMEND: 1010			
12/09/15	AMEND: 1300.76, 1300.76.1, 1300.82.1, 1300.84.06, 1300.84.2, 1300.84.3			
11/18/15	AMEND: 1000			

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