



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 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

CONFLICT OF INTEREST CODES

AMENDMENT

MULTI-COUNTY: Northern California Special Districts Insurance Authority

A written comment period has been established commencing on **June 7, 2013** and closing on **July 22, 2013**. Written comments should be directed to the Fair Political Practices Commission, Attention Adrienne Tackley, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the pro-

posed conflict of interest code(s). Any written comments must be received no later than **July 22, 2013**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Adrienne Tackley, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission

should be made to Adrienne Tackley, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 13. AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE REGULATORY PROPOSAL TO DETERMINE AND CONTROL EVAPORATIVE EMISSIONS FROM OFF-HIGHWAY RECREATIONAL VEHICLES

The Air Resources Board (ARB or Board) will conduct a public hearing at the time and place noted below to consider the adoption of new test procedures to measure evaporative emissions from off-highway recreational vehicles (OHRV) and expand evaporative emission control requirements (title 13, California Code of Regulations, section 2416 et seq.) including certification, labeling, enforcement, anti-tampering, recall, and use restrictions.

DATE: July 25, 2013

TIME: 9:00 a.m.

PLACE: California Environmental Protection Agency
Air Resources Board
Byron Sher Auditorium
1001 I Street
Sacramento, California 95814

This item will be considered at a two-day meeting of the Board, which will commence at 9:00 a.m., July 25, 2013, and may continue at 8:30 a.m., on July 26, 2013. This item may not be considered until July 26, 2013. Please consult the agenda for the hearing, which will be available at least 10 days before July 25, 2013, to determine the day on which this item will be considered.

INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW PURSUANT TO GOVERNMENT CODE SEC. 11346.5(a)(3)

Sections Affected: Proposed adoption to California Code of Regulations (CCR), title 13, section(s) 2416, 2417, 2418, 2419.1, 2419.2, 2419.3, 2419.4 and 2419.5. TP-933 "Test Procedure for Determining Evaporative Emissions from Off-Highway Recreational Vehicles," is proposed for adoption and is incorporated by reference in CCR, title 13, sections 2417, 2418, and 2419.5.

Documents Incorporated by Reference:

The following documents are incorporated by reference in the California Code of Regulations, title 13, Article 3, Off-Highway Recreational Vehicles and Engines as specified by section:

1. *13331:1995(E)*, Figure 1, International Standards Organization. 1 June 1995, section 2418;
2. *Control of Evaporative Emissions from New and In-use Nonroad and Stationary Equipment*. Title 40 Code of Federal Regulations, Part 1060.520. United States Environmental Protection Agency, as amended on April 30, 2010, section 2418;
3. *Electrical/Electronic Systems Diagnostic Terms, Definitions, Abbreviations and Acronyms*, J1930, Society of Automotive Engineers, October 2008, section 2419.1;
4. *Emissions Warranty Parts List*. Air Resources Board, February 22, 1985 edition, section 2419.2;
5. Pannikottu, A. and Centea, M., "Test Procedure to Determine the Hydrocarbon Losses from Fuel Tubes, Hoses, Fittings, and Fuel Line Assemblies by Recirculation," SAE Technical Paper, November 2004 Edition, section 2418;
6. *Test Procedure for Determining Diurnal Evaporative Emissions from Small Off-Road Engine, TP-902*, California Environmental Protection Agency, Air Resources Board, Sacramento, CA, July 26, 2004, section 2417;

The following documents are incorporated by reference in the proposed TP-933:

1. *California 2015 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles*, California Environmental Protection Agency, Air Resources Board, El Monte, CA, March 22, 2012.
2. *California Evaporative Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles*, California Environmental Protection Agency, Air Resources Board, El Monte, CA, March 22, 2012;
3. *California Exhaust Emissions Standards and Test Procedures For 1997 and Later Off-Highway Recreational Vehicles and Engines*, California Environmental Protection Agency, Air Resources Board, El Monte, CA, August 15, 2007;
4. *Control of Emissions from New and In-Use Highway Vehicles and Engines*. Title 40, Code of Federal Regulations, Part 86. United States Environmental Protection Agency, Subpart 107-96, 108-79, 108-00, and 508-78;

5. Reddy, S. Raguma. *Prediction of Fuel Vapor Generation From a Vehicle Fuel Tank as a Function of Fuel RVP and Temperature*. SAE Technical Paper 892089, September 25–29, 1989. Copyrighted;
6. *Test Procedure for Determining Permeation Emissions from Small Off-Road Engine Equipment Fuel Tanks*, TP-901, California Environmental Protection Agency, Air Resources Board, Sacramento, CA, July 26, 2004;

Background and Effect of the Proposed Rulemaking:

In spite of a significant reduction in ozone precursors, California needs additional reductions of reactive organic gases (ROG) to achieve attainment of the ozone standard in all areas of the State. Mobile sources have historically been the largest source of ROG emissions in California. As on-road mobile sources have become progressively cleaner, the role of off-road sources, as well as mobile sources under federal and international jurisdiction (e.g., ships, locomotives, and aircraft) has become more prominent. One of the largest sources of ROG is OHRVs, which includes all-terrain vehicles, off-road motorcycles, and specialty off-highway vehicles.

In 2006, ARB harmonized with the United States Environmental Protection Agency (U.S. EPA) fuel tank and hose permeation standards as part of the OHRV exhaust emissions control regulation. These permeation standards only control a small fraction of evaporative emissions from the over one million OHRVs operating statewide. To attain the 8-hour federal ambient air quality standard for ozone, which is both more challenging and more protective of public health than the previous standard, it is necessary to incorporate expanded off-road mobile source emissions control into California's State Strategy.

2007 Amendments to the State Implementation Plan

In September 2007, the Board adopted Amendments to the SIP, which comprises State and local air quality planning documents showing how and when California will meet ambient air quality standards (AAQS). The 2007 State Strategy articulated by the 2007 SIP Amendments is the first to address the federal 8-hour AAQS for ozone (0.08 parts per million (ppm)) as well as the 24-hour and annual standards for fine particles (PM_{2.5}) (65 micrograms per cubic meter (µg/m³) and 15 µg/m³, respectively). These federal AAQS were originated by U.S. EPA in 1997 in response to scientific studies substantiating adverse health effects at lower levels than had previously been resolved. Due in part to litigation, as well as the extensive process required to establish area designations and boundaries, the 8-hour ozone standard was not finalized until 2004.

The 8-hour ozone standard is more stringent than the previous 1-hour standard and calls for more extensive emissions control strategies. Although California has already significantly reduced ambient ozone concentrations, the challenges posed by the more stringent standard provoked the reclassification of the San Joaquin Valley Air Pollution Control District (SJVAPCD) and South Coast Air Quality Management District (SCAQMD) nonattainment designations as "extreme" with regard to the 8-hour standard. "Extreme" nonattainment status allows for reliance on development of new technologies or improvement of existing technologies (Section 182(e)(5) of the Clean Air Act (CAA); 42 U.S.C § 7511(e)(5)) in addition to other enforceable commitments to reduce emissions of ozone precursors, namely oxides of nitrogen (NOX) and reactive organic gases (ROG).

Proposed new SIP measures in the 2007 State Strategy include expanded evaporative emissions standards from OHRVs. These expanded OHRV evaporative emissions standards are projected to deliver necessary ROG emissions reductions statewide by 2023, including in California's most challenging regions with regard to ozone control, namely the SJVAPCD and the SCAQMD.

When the Board originally adopted the 2007 Amendments to the SIP, the Board was expected to take action on expanded evaporative emissions from OHRV by 2010, with implementation beginning in the 2012–2015 timeframe. However, the rulemaking was delayed so that the emissions inventory could be updated. The creation of a new emissions inventory required staff to update emissions factors, perform usage surveys, and modify the fundamental assumptions associated with the inventory.

Control of evaporative emissions from OHRVs will help to reduce ozone levels in non-attainment areas throughout California, and especially in the SJVAPCD and SCAQMD. This regulatory proposal is a key element in the State Strategy for demonstrating attainment with the 8-hour ozone federal air quality standard.

Description of the Proposed Regulatory Action, Objectives, and Benefits:

Subarticle 1. Proposed Regulatory Action

The purpose of the Regulatory Proposal to Determine and Control Evaporative Emissions From Off-Highway Recreational Vehicles is to: (1) expand the federal OHRV evaporative emission standards to include stringent evaporative emission standards representative of vehicle usage modes, (2) separate exhaust and evaporative emission standards, (3) include provisions for certification, labeling requirements, enforcement, recall, and use restrictions, (4) introduce a new test procedure to determine evaporative emissions from

OHRVs, and (5) establish OHRV durability requirements for evaporative components. To achieve these goals, the adoption of the OHRV evaporative emissions control regulation and test procedure is being proposed. The proposed regulatory action was developed in close collaboration with industry to ensure that the proposal achieves cost-effective emission reductions without creating an unnecessary burden on industry. Since early 2006, four public workshops and nearly forty stakeholder meetings have been held on all aspects of this regulatory proposal and supporting data collection.

Stringent Evaporative Emission Standards. This rulemaking proposes comprehensive control of evaporative emissions from OHRVs. Specifically, the proposed rulemaking sets performance standards for diurnal emissions. Industry stakeholders proposed the stringent 1 g total organic gas (TOG)/day diurnal standard, which is very effective at controlling emissions and is supported by emissions testing data. The standards reflect an emphasis on diurnal emissions control for two reasons. First, OHRV activity patterns include large periods of time when these vehicles are not operated, such that diurnal emissions contribute more than running loss and hot soak emissions. Secondly, the locations of diurnal emissions are concentrated where vehicles are stored, in contrast to hot soak and running loss emissions, which occur where these vehicles are operated. Since OHRVs registered in California tend to be stored in urban areas with greater air pollution control issues than the rural areas where they are typically operated, diurnal emissions control is even more critical. The diurnal processes account for by far the largest fraction (82 percent) of evaporative emissions from currently operated OHRV in California. This is due largely to the relatively low usage and long storage periods for this type of equipment.

Independent Performance Standards for Evaporative and Exhaust Emissions. The proposed evaporative performance standards are handled separately from the current, primarily exhaust-oriented, OHRV emissions regulation. The benefit of separate regulations is that OHRVs that currently do not meet exhaust standards and are issued a red registration sticker will be required to meet evaporative standards, therefore providing a substantial reduction in ROG emissions from this class of vehicles. Furthermore, this rulemaking is written to avoid any duplicative requirements between the current exhaust and proposed evaporative emissions regulations in labeling, testing, and certification.

Flexibility for Certification. This proposal accommodates diversity in vehicle type and testing capabilities within the regulated community by offering multiple certification options. Manufacturers that produce less than 50 OHRVs per model year, for three consecutive model years, are eligible to certify to the small vol-

ume evaporative emission design-based standard that does not require a whole-vehicle SHED test. The use of advanced fuel system technology is encouraged by allowing manufacturers to generate emissions credits from certification using diurnal test results that are lower than performance standards, or zero-emission vehicles. OHRV manufacturers may use earned credits to produce evaporative families above the proposed evaporative emissions standards; however, no single evaporative family may exceed three times the emissions standard. The credit system encourages manufacturers to produce more zero-emission vehicles, thus increasing technology availability.

Incorporation of New Test Procedure. A new test procedure, *Test Procedure for Determining Evaporative Emissions from Off-Highway Recreational Vehicles (TP-933)* (Attachment B to Initial Statement of Reasons (ISOR)), is incorporated into the regulatory proposal to determine OHRV evaporative emissions. TP-933 is the result of years of collaboration between ARB and industry to develop a testing sequence that mimics emissions that occur during real-world use.

Durability Requirements to Ensure In-Use Control. Both the proposed test procedure and regulation emphasize verifying the durability of control technology. The test procedure subjects the vehicle to conditions that mimic what the components would endure throughout the useful life of the OHRV. These conditions include exposure to vibration, dust, and ultraviolet radiation. The proposed regulatory provisions include a warranty period of 30 months for components with replacement costs under \$200 (including labor) and 60 months for more expensive components. Following the precedent set by regulations in the light-duty motor vehicle sector, replacement costs are established based on dealers' list prices as well as standard labor price and time limits for warranted components. Further durability provisions include the requirement that vehicles have tamper-resistant emission control components, and careful placement to help reduce emission control component tampering by the end user.

Subarticle 2. Benefits of the Proposed Regulatory Action

The proposed regulatory action is developed to provide numerous emission reduction benefits well into the future. Staff expects a 70 percent reduction in evaporative emissions from new OHRVs compared to existing vehicles. The test procedure requirements will ensure proper vehicle design for effective control over the expected life of OHRVs. Additionally, the introduction of OHRV advanced fuel system credits will encourage the expansion of zero-emission vehicle technology into the off-road sector to achieve additional future emission reductions.

The expected emission reductions associated with the proposed regulation will result in indirect benefits to the health and welfare of California residents, worker safety, and the state's environment.

Health and Welfare of California Residents. The proposed amendments would curtail ROG emissions released into the atmosphere, resulting in improved air quality that will help California meet the federal 8-hour air quality standard for ozone. Additionally, the proposed amendments would result in reduced exposure to benzene, a toxic air contaminant. Due to reduced fuel consumption as well as ROG emissions reductions, climate co-benefits are also anticipated.

Worker Safety. Based on experience with the same technology for on-road vehicles, the technology that manufacturers are likely to use has been demonstrated to be safe. In general, control technology will make vehicles safer by reducing gasoline vapors and liquid leaks from OHRVs, which can cause fires.

State's Environment. Based on ARB's review of the proposed amendments, staff concludes that the amendments would not have a significant adverse impact on the environment. Compliance with the proposed amendments would not result in any physical change to the existing environment. The proposed amendments will reduce evaporative emissions from OHRVs by setting emission standards that are easily met by incorporating currently available technologies during construction. Thus, the amendments would not involve or result in any physical changes to the existing environment, such as new development, modifications to existing buildings or facilities, or new land use designations. ARB staff finds that it is not reasonably foreseeable that there will be any adverse impacts on aesthetics, air quality, agricultural and forestry resources, biological resources, cultural resources, geology and soils, greenhouse gases, hazardous materials, hydrology and water quality, land use planning, mineral resources, noise, population and housing, public services, recreation, or traffic and transportation. This regulatory proposal would not require any action by regulated parties that could affect these resources.

No discussion of alternatives or mitigation measures to address significant adverse environmental impacts is necessary because no significant adverse environmental impacts would result from implementation of the proposed amendments. This is because the proposed amendments merely propose emission standards to reduce running loss, hot soak and diurnal emissions from OHRVs, which would be easily accomplished by using already existing technologies.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

Staff does not believe this regulatory proposal is inconsistent or incompatible with existing state regulations. As mentioned previously, the federal OHRV evaporative emission standards is incorporated into the existing ARB exhaust emission standard, specified in Cal. Code Regs., tit.13,§ 2412. The existing evaporative emission standards that reside in the exhaust regulation shall not need amendment, as it is presumed that all vehicles that meet the stringent 1 g TOG/day diurnal standard have demonstrated compliance with the federal permeation standards.

COMPARABLE FEDERAL REGULATIONS

In 2002, the U.S. EPA promulgated the first evaporative emissions standards to control permeation losses from OHRV fuel tanks and hoses (*Control of Evaporative Emissions from New and In-Use Non-Road and Stationary Equipment; Final Rule 40 FCR Part 1060*. April 30, 2010). ARB harmonized with these standards in 2006, by amending the OHRV exhaust regulation to include evaporative emission standards. The proposed regulatory action expands the control of evaporative emissions to include all vehicle modes. A variety of technologies are available to help manufacturers meet the proposed emission standards. This regulatory proposal anticipates that manufacturers will use downsized and proven on-road automobile technology for control of OHRV evaporative emissions.

STATE IMPLEMENTATION PLAN REVISION

If adopted by ARB, ARB plans to submit the proposed regulatory action to the U.S. EPA for approval as a revision to the California SIP required by the CAA. The adopted regulatory action would be submitted as a SIP revision because it adopts regulations intended to reduce emissions of air pollutants in order to attain and maintain the National Ambient Air Quality Standards promulgated by U.S. EPA pursuant to the CAA.

AVAILABILITY OF DOCUMENTS AND AGENCY CONTACT PERSONS

ARB staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is en-

titled: “Staff Report: Initial Statement of Reasons for Rulemaking: Adoption of Evaporative Emission Control Requirements for Off-Highway Recreational Vehicles.”

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strikeout format to allow for comparison with the existing regulations, may be accessed on ARB’s website listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322–2990, on June 5, 2013.

Final Statement of Reasons Availability

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

Agency Contact Persons

Inquiries concerning the substance of the proposed regulation may be directed to the designated agency contact persons, Jim Watson, Manager of Evaporative Control, Engineering, and Regulatory Development Section, Monitoring and Laboratory Division at (916) 327–1282, or Pippin Mader, Air Resources Engineer, at (916) 322–8930.

Further, the agency representative and designated back-up contact persons, to whom nonsubstantive inquiries concerning the proposed administrative action may be directed are Ms. Lori Andreoni, Manager, Board Administration and Regulatory Coordination Unit, (916) 322–4011, or Amy Whiting, Regulations Coordinator, (916) 322–6533. The Board staff has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

Internet Access

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on ARB’s website for this rulemaking at <http://www.arb.ca.gov/regact/2013/ohrv2013/ohrv2013.htm>.

**DISCLOSURES REGARDING THE
PROPOSED REGULATION**

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

Fiscal Impact / Local Mandate

Pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action would not create costs or savings to any State agency or in federal funding to the State, costs or mandate to any local agency or school district, whether or not reimbursable by the State pursuant to Government Code, title 2, division 4, part 7 (commencing with section 17500), or other nondiscretionary cost or savings to State or local agencies.

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

The Executive Officer has made an initial determination that the proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons. Because all major OHRV manufacturing facilities affected by the proposed regulation are located outside of California, there will only be a small indirect impact, although not significant, on small businesses that buy and sell OHRVs. During the initial years of implementation, the increased cost of OHRVs may lead to a slight drop in demand that could result in lower profits. The retailer would carry unsold stock over to the next year, possibly incurring less profit on the sale of these units. However, these impacts have been mitigated by the flexible phase-in schedule of emission controls, the ability for manufacturers to certify vehicles with credits, and an implementation year that coincides with a steady increase in projected vehicle sales. There will be no noticeable change in employment, business creation, elimination or expansion, or business competitiveness in California due to the proposed regulatory action.

**COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES**

In developing this regulatory proposal, ARB staff evaluated the potential economic impacts on representative private persons or businesses. The ARB is not aware of any significant cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The cost of implementation is expected to be passed down to the consumer and is estimated to result in a 4 to 9 percent cost increase per OHRV (based on an average retail cost of \$5,000 per vehicle). A retail price increase would be less noticeable for OHRVs that can more readily absorb fixed cost increases, such as vehicles

with high sales volumes or higher price. Consumers who purchase OHRVs with fuel injection systems will also see increased fuel cost savings. The end user will save an average of \$53 in fuel costs over the life of the vehicle (OHRVs have an average life of 21 years) as a result of reduced evaporative emissions. There may be fewer options in a particular OHRV segment, but there is expected to be at least one OHRV model available for sale in each significant segment. Segments that are very specialized can be filled with OHRVs certified to meet the small volume manufacturer design standard.

STATEMENT OF THE RESULTS OF THE
ECONOMIC IMPACT ASSESSMENT PREPARED
PURSUANT TO GOVERNMENT
CODE SEC. 11346.3(b)

Effect on Jobs/Businesses:

The Executive Officer has determined that the proposed regulatory action would not significantly affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the ISOR.

Benefits of the Proposed Regulation:

A detailed assessment of the economic impacts of the proposed regulatory action can be found in the Economic Impact Analysis in the ISOR. Also, see page 5 of the notice under “Subarticle 2. Benefits of the Proposed Regulatory Action.”

EFFECT ON SMALL BUSINESS

The Executive Officer has also determined, pursuant to California Code of Regulations, title 1, section 4, that the proposed regulatory action would directly affect small businesses. California’s small business population consists of a trace quantity of small volume spark ignition sand car manufacturers. These manufacturers already purchase ARB compliant engines and fuel management packages, and if promulgated, staff anticipates that they will also purchase ARB certified fuel storage systems in order to comply with the proposed evaporative emission standards. Given their low annual production volumes, California’s sand car manufacturers are expected to certify vehicles using the small volume OHRV manufacturer design-based standard; Eligibility for design-based certification is exclusive to manufacturers that produce 50 OHRVs or less per mod-

el year. As such, the typical small business in California will not find it necessary to assume costs associated with certification and redesign as long as they continue to purchase ARB certified components. Record keeping and incremental component costs are estimated to be the only impacts to small business. However, when expressed on a per vehicle basis these cost impacts will be virtually indistinguishable within the overall price of a typical sand car.

The several small zero-emission OHRV manufacturing facilities that exist in California may benefit from an increase in demand and market availability. Some small businesses outside of California may be indirectly affected by the regulatory action, as they may decide to discontinue producing vehicles for the California market due to cost increases, which would result in a decrease in model availability.

HOUSING COSTS

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

BUSINESS REPORT

In accordance with Government Code sections 11346.3(c) and 11346.5(a)(11), the Executive Officer has found that the reporting requirements of the regulation which apply to businesses are necessary for the health, safety, and welfare of the people of the State of California. Reporting requirements are necessary to ensure manufacturer compliance with the proposed standard. Additionally, reporting requirements allow manufacturers to certify vehicles using advanced fuel system credits, which will help reduce the cost of compliance, and encourage the production of zero-emission vehicles.

ALTERNATIVES

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, 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 provisions of law. Alternatives to the proposed rulemaking are described in Chapter VIII of the ISOR.

ENVIRONMENTAL ANALYSIS

In accordance with ARB's certified regulatory program, California Code of Regulations, title 17, sections 60006 through 60007, and the California Environmental Quality Act, Public Resources Code section 21080.5, ARB has conducted an analysis of the potential for significant adverse and beneficial environmental impacts associated with the proposed regulatory action. The environmental analysis of the proposed regulatory action can be found in Chapter VI of the ISOR.

WRITTEN COMMENT PERIOD AND SUBMITTAL OF COMMENTS

Interested members of the public may present comments orally or in writing at the meeting and may provide comments by postal mail or by electronic submittal before the meeting. The public comment period for this regulatory action will begin on June 10, 2013. To be considered by the Board, written comments not physically submitted at the meeting, must be submitted on or after June 10, 2013 and received **no later than 12:00 noon on July 24, 2013**, and must be addressed to the following:

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

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

You can sign up online in advance to speak at the Board meeting when you submit an electronic board item comment. For more information go to: <http://www.arb.ca.gov/board/online-signup.htm>.

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

ARB requests that written and email statements on this item be filed at least 10 days prior to the hearing so that ARB staff and Board members have additional time to consider each comment. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action.

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

AUTHORITY AND REFERENCE

This regulatory action is proposed under the authority granted in Health and Safety Code, sections 39600, 39601, 43013, 43018, 43105, 43107, 43205.5 and 43210. This action is proposed to implement, interpret, and make specific sections 43013, 43018, 43105, 43106, 43107, 43204, 43205, 43205.5, 43210, 44004, 44010, 44011, 44012, 44014, 44015, and 44017 Health and Safety Code.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Government Code, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340).

Following the public hearing, the Board may adopt the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice and that the regulatory language as modified could result from the proposed regulatory action; in such event, the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15 days before it is adopted.

The public may request a copy of the modified regulatory text from ARB's Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322-2990.

SPECIAL ACCOMMODATION REQUEST

Special accommodation or language needs can be provided for any of the following:

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

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Comodidad especial o necesidad de otro idioma puede ser proveído para alguna de las siguientes:

- Un intérprete que esté disponible en la audiencia.
- Documentos disponibles en un formato alterno u otro idioma.

- Una acomodación razonable relacionados con una incapacidad.

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

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

The Department of Motor Vehicles (department) proposes to amend Section 225.54 in Chapter 1, Division 1, Article 3.6 of Title 13, California Code of Regulations, relating to the Business Partner Automation (BPA) Program.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 p.m., fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 p.m., **JULY 22, 2013**, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt this regulation under the authority granted by Vehicle Code section 1651, in order to implement, interpret, or make specific Vehicle Code section 1685.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department of Motor Vehicles (department) proposes to amend Section 225.54 in Article 3.6, Chapter

1, Division 1 of Title 13, California Code of Regulations, related to the Business Partner Automation (BPA) Program.

Senate Bill 46 (Chapter 127; Statutes of 2001) established the BPA Program. The BPA Program allows the department to establish business partner relationships with private sector businesses for completing vehicle registration and titling transactions. The department currently employs the use of three types of business partners.

- First-line business partner — Responsible for receiving information from the department and using that information to facilitate registration and titling services for that partner's own business services.
- First-line service provider — Responsible for receiving information from the department and transmitting it to another authorized business partner.
- Second-line business partner — Receives information from a first-line service provider, collects fees and remits fees to the associated first line service provider.

Because these businesses are authorized to electronically interface with the department, the department developed a BPA Transaction Procedures and Inventory Requirements Handbook to provide guidance on processing each type of vehicle transaction and information related to inventory.

The handbook was amended in November 2011 and adopted with OAL file number 2012-0619-01, related to the BPA Program. The handbook, revised in February 2013, now contains a section providing instruction for processing transactions related to off-highway vehicles (OHV) and is further broken down into the following sub-categories:

- 11.00 Introduction (CVC 38000, 38.010, 38115)
- 11.05 Definitions (CVC 38012)
- 11.10 OHV Identification Plate (CVC 38.010)
- 11.15 Non-Complying OHV's
- 11.20 OHV Fees (CVC 38225, 38230, 38232, 38255, and 38260)
- 11.25 OHV Fee Penalties (CVC 38245, 38246, and 38265)
- 11.30 Requirements for Original OHV Identification
- 11.35 OHV Transfers (CVC 38195)
- 11.40 OHV Renewals (CVC 38115, 38120)
- 11.45 Certificate of Planned Non-Operation (PNO) for OHV (CVC 38121)

§ 225.54. Transaction Procedures and Inventory Requirements.

This section is amended to update the revision date of the BPA Transaction Procedures and Inventory Requirements Handbook (handbook) from November 2011 to February 2013.

The handbook was amended to include off highway vehicles to the list of transactions that a business partner is authorized to conduct.

PROBLEMS THIS AGENCY INTENDS TO ADDRESS AND BENEFITS ANTICIPATED FROM THE REGULATORY ACTION

This regulation only updates the handbook revision date and includes a section regarding OHV transactions that business partners are allowed to conduct. OHV transactions account for such a small number of the department's transactions, neither the department nor business partners will be impacted by this proposed action. In addition, the department anticipates only minor benefits to public protection and safety, worker safety, and the environment. This will increase transparency as the affected public will be aware that there are other means by which they can facilitate OHV transactions.

ALTERNATIVES CONSIDERED

No alternatives were considered.

COMPATIBILITY WITH OTHER REGULATIONS

There are no related federal or state regulations.

DOCUMENTS INCORPORATED BY REFERENCE

The following documents are incorporated by reference:

- BPA Transaction Procedures and Inventory Requirements Handbook (Revised February 2013)

This document will not be published in the California Code of Regulations because it would be impractical and cumbersome to do so; however, this document is readily available to interested parties by contacting the department representative identified below.

ECONOMIC AND FISCAL IMPACT DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- Cost or Savings to Any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impact on Representative Private Persons or Businesses: The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Effects on Housing Costs: None.
- Local Agency/School District Mandates: The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- Small Business Impact: The department does not anticipate this proposed action having an impact on small business. Because OHV transactions account for such a small number of registration transactions, this regulation will not change the number of transactions processed so there should be no impact to any of the businesses authorized to conduct transactions on behalf of the department.
- Potential significant statewide adverse economic impact: The proposed regulatory action 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.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The department states the following results of its Economic Impact Assessment per Gov. Code sec. 11346.3(b):

- 1) The creation or elimination of jobs within the State of California.
 - The proposed regulation will neither create nor eliminate jobs within the State of California.
- 2) The creation of new businesses or the elimination of existing businesses within the State of California.
 - The proposed regulation will neither create new business nor eliminate existing business within the State of California.
- 3) The expansion of businesses currently doing business within the State of California.
 - This bill will not expand businesses currently doing business within the State of California.

- 4) The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.
- o The proposed regulatory action has only a minor impact on the health and welfare of workers, worker safety, and the state's environment by increasing public awareness to the alternate available means to conduct OHV transactions.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

CONTACT PERSON

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

Ally Grayson, Regulations Analyst
 Department of Motor Vehicles
 Legal Affairs Division
 P.O. Box 932382, MS C-244
 Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 657-6469
 Facsimile: (916) 657-6243
 E-Mail: LRegulations@dmv.ca.gov

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Cathy Sowell, Chief of Staff
 Telephone: (916) 657-6469

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed regulatory action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strikeout to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, the revised handbook and Express Terms) may be accessed at www.dmv.ca.gov/about/lad/regactions.htm.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

TITLE 17. AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER AMENDMENTS TO CERTIFICATION AND TEST PROCEDURES FOR VAPOR RECOVERY SYSTEMS AT GASOLINE DISPENSING FACILITIES (GDFs) AND CARGO TANKS

The Air Resources Board (ARB or Board) will conduct a public hearing at the time and place noted below to consider adoption of amendments to Certification and Test Procedures for Vapor Recovery Systems at Gasoline Dispensing Facilities (GDFs) and Cargo Tanks.

DATE: July 25, 2013
TIME: 9:00 a.m.
PLACE: California Environmental Protection Agency
Air Resources Board
Byron Sher Auditorium
1001 I Street
Sacramento, CA 95814

This item may be considered at a two-day meeting of the Board, which will commence at 9:00 a.m., July 25, 2013, and may continue at 8:30 a.m., on July 26, 2013. This item may not be considered until July 26, 2013. Please consult the agenda for the hearing, which will be available at least 10 days before July 25, 2013, to determine the day on which this item will be considered.

INFORMATIVE DIGEST OF PROPOSED ACTION
AND POLICY STATEMENT OVERVIEW
PURSUANT TO GOVERNMENT
CODE SEC. 11346.5(a)(3)

Sections Affected: Proposed amendment to California Code of Regulations, title 17, sections 94011, 94014, and 94016.

Documents Incorporated by Reference:

The Following Documents are Incorporated by Reference:

1. TP-201.1 — “Volumetric Efficiency for Phase I Systems” (Adopted: April 12, 1996 and last amended: July 26, 2012)
2. CP-204 — “Certification Procedure for Vapor Recovery Procedure for Vapor Recovery Systems for Cargo Tanks” (Adopted: April 12, 1996 and last amended: March 17, 1999)
3. TP-204.1 — “Determination of Five Minute Static Pressure Performance of Vapor Recovery Systems of Cargo Tanks” (Adopted: April 12, 1996 and last amended: March 17, 1999)
4. TP-204.2 — “Determination of One Minute Static Pressure Performance of Vapor Recovery Systems of Cargo Tanks” (Adopted: April 12, 1996 and last amended: March 17, 1999)
5. TP-204.3 — “Determination of Leak(s)” (Adopted: April 12, 1996 and last amended: March 17, 1999)
6. TP-206.2 — “Determination of Emission Factor for Standing Loss Control Vapor Recovery Systems Using Processors at Gasoline Dispensing Facilities with Aboveground Storage Tanks” (Adopted: May 2, 2008)

Background:

In California, gasoline vapor emissions are controlled during the transfer of gasoline from storage tanks at terminals or bulk plants to tanker trucks, from tanker trucks to storage tanks at gasoline dispensing facilities (GDFs), and from GDF tanks to the vehicle’s fuel tank during vehicle fueling. The ARB and the air pollution control/air quality management districts (air districts) share implementation of the vapor recovery program. ARB staff certifies prototype vapor recovery systems installed at operating station test sites. State law requires that throughout California only ARB-certified systems be offered for sale, sold, and installed. Air district staff inspects and tests the vapor recovery system upon installation during the permit process and conducts regular inspections to check that systems are operating as certified. ARB has also adopted regulations establishing procedures for certifying vapor recovery equipment installed on cargo tanks and procedures for testing and certifying that equipment annually.

ARB is now proposing to make minor amendments to several of the current vapor recovery certification and test procedures.

Objectives and Benefits:

The proposed amendments to certification and test procedures will:

1. Improve two test procedures used by ARB staff during certification of vapor recovery equipment designed for use with aboveground storage tanks (ASTs). Amendments to these test procedures will address technical deficiencies that staff has encountered during field testing, and will allow staff to make use of improved test equipment that is now available. Minor reorganization of, and amendment to these test procedures will also improve clarity and readability.
2. Revise the certification procedure and three test procedures for equipment used on cargo tanks to control gasoline vapor emissions. Revisions to these certification procedures would no longer require cargo tank vapor recovery equipment to be certified by ARB. However, cargo tank owners/operators will still be required to meet annual testing requirements. Test procedures are being revised to be more consistent with federal Department of Transportation requirements.

CONSISTENCY AND COMPATIBILITY WITH
EXISTING STATE REGULATIONS

The proposed amendments are neither inconsistent nor incompatible with existing state regulations.

COMPARABLE FEDERAL REGULATIONS

For GDFs, there are no federal regulations that are directly comparable to California’s EVR program. However, federal regulations do require certain jurisdictions not in attainment with air quality standards to adopt control measures that will help bring them into attainment. Some other states mandate the installation of vapor recovery systems at gasoline dispensing facilities, and changes to ARB Enhanced Vapor Recovery (EVR) certification requirements may have a national and international impact.

For cargo tanks, federal standards comparable to California’s Cargo Tank Vapor Recovery Certification Program standards can be found in 40 CFR Part 63 Subpart R — National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations). Due to the severe and unique air pollution problems facing California, ARB test procedures are more stringent than comparable federal standards.

AVAILABILITY OF DOCUMENTS

ARB staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is entitled: *Initial Statement of Reasons for Rulemaking Amendments to Certification and Test Procedures for Vapor Recovery Systems at Gasoline Dispensing Facilities (Service Stations) and Cargo Tanks*.

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strikeout format to allow for comparison with the existing regulations, may be accessed on ARB’s website listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322–2990, on June 5, 2013.

Final Statement of Reasons Availability

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

AGENCY CONTACT PERSONS

Inquiries concerning the substance of the proposed regulation may be directed to the designated agency contact persons, Mr. Scott Bacon at (916) 322–8949, or Mr. George Lew at (916) 327–0900. Further, the agency representative and designated back–up contact persons, to whom non–substantive inquiries concerning the pro-

posed administrative action may be directed are Ms. Lori Andreoni, Manager, Board Administration and Regulatory Coordination Unit, (916) 322–4011, or Ms. Amy Whiting, Regulations Coordinator, (916) 322–6533. The Board staff has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

Internet Access

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on ARB’s website for this rulemaking at <http://www.arb.ca.gov/regact/2013/cargo2013/cargo2013.htm>.

DISCLOSURES REGARDING THE PROPOSED REGULATION

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

Fiscal Impact/Local Mandate

Pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action would not create costs or savings to any State agency or in federal funding to the State, costs or mandate to any local agency or school district, whether or not reimbursable by the State pursuant to Government Code, title 2, division 4, part 7 (commencing with section 17500), or other nondiscretionary cost or savings to State or local agencies.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

In developing this regulatory proposal, ARB staff evaluated the potential economic impacts on representative private persons or businesses. The ARB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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

The Executive Officer has made an initial determination that the proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of Califor-

nia businesses to compete with businesses in other states, or on representative private persons.

STATEMENT OF THE RESULTS OF THE
ECONOMIC IMPACT ASSESSMENT PREPARED
PURSUANT TO GOVERNMENT
CODE SEC. 11346.3(b)

Effect on Jobs/Businesses:

The Executive Officer has determined that the proposed regulatory action would not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the ISOR.

Benefits of the Proposed Regulation:

Revision of these vapor recovery test procedures will provide greater clarity to inspectors conducting these tests, provide for consistency with federal Department of Transportation requirements, and benefit Cargo Tank operators who must meet these requirements.

EFFECT ON SMALL BUSINESS

The Executive Officer has also determined, pursuant to California Code of Regulations, title 1, section 4, that the proposed regulatory action would not affect small businesses because the proposal is administrative in nature and does not impose any new requirements on individuals who own, operate, or work with vapor recovery systems.

HOUSING COSTS

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

ALTERNATIVES

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, 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.

ENVIRONMENTAL ANALYSIS

In accordance with ARB's certified regulatory program, California Code of Regulations, title 17, sections 60006 through 60007, and the California Environmental Quality Act, Public Resources Code section 21080.5, ARB has conducted an analysis of the potential for significant adverse and beneficial environmental impacts associated with the proposed regulatory action. The environmental analysis of the proposed regulatory action can be found in Section IV of the Initial Statement of Reasons.

SUBMITTAL OF COMMENTS AND WRITTEN
COMMENT PERIOD

Interested members of the public may present comments orally or in writing at the meeting and may provide comments by postal mail or by electronic submittal before the meeting. The public comment period for this regulatory action will begin on June 10, 2013. To be considered by the Board, written comments not physically submitted at the meeting, must be submitted on or after June 10, 2013, and received no later than 12:00 noon on July 24, 2013, and must be addressed to the following:

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

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

You can sign up online in advance to speak at the Board meeting when you submit an electronic board item comment. For more information go to: <http://www.arb.ca.gov/board/online-signup.htm>.

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

ARB requests that written and email statements on this item be filed at least 10 days prior to the hearing so that ARB staff and Board members have additional time to consider each comment. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action.

Additionally, the Board requests but does not require that persons who submit written comments to the Board

reference the title of the proposal in their comments to facilitate review.

STATUTORY AUTHORITY AND REFERENCES

This regulatory action is proposed under the authority granted in Health and Safety Code, sections 25290.1.2, 39600, 39601, 39607, 41954 and 41962. This action is proposed to implement, interpret, and make specific sections 25290.1.2, 39515, 39516, 39605, 39607, 41952, 41954, 41956.1, 41959, 41960, 41960.2 and 41962.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Government Code, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340).

Following the public hearing, the Board may adopt the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice and that the regulatory language as modified could result from the proposed regulatory action; in such event, the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15 days before it is adopted.

The public may request a copy of the modified regulatory text from ARB's Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322-2990.

SPECIAL ACCOMMODATION REQUEST

Special accommodation or language needs can be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language; or
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Comodidad especial o necesidad de otro idioma puede ser proveído para alguna de las siguientes:

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

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

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

CESA CONSISTENCY DETERMINATION REQUEST FOR

Cabrillo-Santa Ynez 115kV Reconductoring Project
2080-2013-004-05
Santa Barbara County

The Department of Fish and Wildlife (Department) received a notice on May 21, 2013, that Pacific Gas and Electric (PG&E) proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The proposed action involves including a time extension, the addition of conservation lands acreage, and an increase of the amount in the letter of credit. The proposed project will occur at Santa Barbara County, California.

The U.S. Fish and Wildlife Service (Service) issued a "no jeopardy" federal biological opinion (Service File No. 08EVEN00-2013-TA-0102)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers on March 11, 2013, which considered the effects of the project on the state and federally threatened California tiger salamander (*Ambystoma californiense*), the state and federally endangered least Bell's vireo (*Vireo bellii pusillus*), and the southwestern willow flycatcher (*Empidonax traillii extimus*).

Pursuant to California Fish and Game Code section 2080.1, PG & E is requesting a determination that the BO and ITS are consistent with CESA for purposes of the proposed project. If the Department determines the BO and ITS are consistent with CESA for the proposed

project, PG & E will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the project.

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

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

**NOTICE OF INTENT TO LIST: EMISSIONS
FROM COMBUSTION OF COAL**

June 7, 2013

The California Environmental Protection Agency’s Office of Environmental Health Hazard Assessment (OEHHA) intends to list *emissions from combustion of coal* as known to the State to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986.¹ This action is being proposed under the authoritative bodies listing mechanism.²

Chemical	Endpoint	Reference	Occurrence and Uses
Emissions from combustion of coal	Cancer	IARC (2010)	Residential and industrial facility combustion of coal fuel

OEHHA requested information relevant to the possible listing of *emissions from combustion of coal* in a notice published in the *California Regulatory Notice Register* on March 15, 2013 (Register 2013, Vol. No. 11–Z). No public comments were received.

Background on listing via the authoritative bodies mechanism: A chemical must be listed under the Proposition 65 regulations when two conditions are met:

- 1) An authoritative body formally identifies the chemical as causing cancer (Section 25306(d)³).
- 2) The evidence considered by the authoritative body meets the sufficiency criteria contained in the regulations (Section 25306(e)).

However, the chemical is not listed if scientifically valid data which were not considered by the authoritative body clearly establish that the sufficiency of evidence criteria were not met (Section 25306(f)).

The International Agency for Research on Cancer (IARC) is one of several institutions designated as authoritative for the identification of chemicals as causing cancer (Section 25306(m)).

OEHHA is the lead agency for Proposition 65 implementation. After an authoritative body has made a determination about a chemical, OEHHA evaluates whether listing under Proposition 65 is required using the criteria contained in the regulations.

OEHHA’s determination: *Emissions from combustion of coal* meet the criteria for listing as known to the State to cause cancer under Proposition 65, based on findings of IARC (IARC 2010).

Formal identification and sufficiency of evidence for emissions from combustion of coal: In 2010, IARC published *Volume 95* in the series *IARC Monographs on the Evaluation of Carcinogenic Risks to Humans*, entitled *Household Use of Solid Fuels and High-temperature Frying* (IARC, 2010). This report satisfies the formal identification and sufficiency of evidence criteria in the Proposition 65 regulations for *emissions from combustion of coal*.

IARC concluded, “There is *sufficient evidence* in experimental animals for the carcinogenicity of emissions from combustion of coal” (emphasis in original). OEHHA is relying on IARC’s discussion of data and conclusions in the report that *emissions from combustion of coal* cause cancer. Evidence described in the report includes studies showing that *emissions from combustion of coal* increase the incidences of malignant lung tumors in two studies in Kummung mice (squamous-cell carcinomas, adenosquamous carcinomas and adenocarcinomas in the study by Liang *et al.*, 1988, and adenocarcinomas in the study by Lin *et al.*, 1995) and one study in Wistar rats (squamous-cell carcinomas in the study by Liang *et al.*, 1988).

Thus, IARC (2010) has found that *emissions from combustion of coal* cause increased incidence of malignant lung tumors in mice and rats.

Request for comments: OEHHA is requesting comments as to whether *emissions from combustion of coal* meet the criteria set forth in the Proposition 65 regulations for authoritative bodies listings. In order to be con-

¹ Commonly known as Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986 is codified in 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.

³ All referenced sections are from Title 27 of the Cal. Code of Regulations.

sidered, **OEHHA must receive comments by 5:00 p.m. on Tuesday, July 8, 2013.** We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by email should be addressed to P65Comments@oehha.ca.gov with “NOIL — emissions from combustion of coal” in the subject line. Comments submitted in paper form may be mailed, faxed, or delivered in person to the addresses below:

Mailing Address: Ms. Cynthia Oshita
Office of Environmental
Health Hazard Assessment
P.O. Box 4010, MS-19B
Sacramento, CA 95812-4010
Fax: (916) 323-2265
Street Address: 1001 I Street
Sacramento, California 95814

Comments received during the public comment period will be posted on the OEHHA web site after the close of the comment period.

If you have any questions, please contact Ms. Oshita at cynthia.oshita@oehha.ca.gov or at (916) 445-6900.

References

International Agency for Research on Cancer (IARC, 2010). *IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 95, Household Use of Solid Fuels and High-temperature Frying*, pp. 225, 226, 303, and 307, IARC, World Health Organization, Lyon, France, available at <http://monographs.iarc.fr/ENG/Monographs/vol95/mono95.pdf>.

Liang CK, Quan NY, Cao SR *et al.* (1988). Natural inhalation exposure to coal smoke and wood smoke induces lung cancer in mice and rats. *Biomed Environ Sci* 1:42-50. PMID: 3268107

Lin C, Dai X, Sun X (1995). [Expression of oncogene and anti-oncogene in mouse lung cancer induced by coal-burning smoke]. *Zhonghua Zhong Liu Za Zhi* 17:432-434. PMID: 8697995.

AVAILABILITY OF INDEX OF PRECEDENTIAL DECISIONS

DEPARTMENT OF SOCIAL SERVICES

Notice of Availability of Precedential Decisions Index

Notice is hereby given that the California Department of Social Services (CDSS) maintains an index of cases CDSS has designated as precedential decisions. The in-

dex is available on the Internet at <http://cclcd.ca.gov/PG505.htm>.

This notice is published pursuant to California Government Code section 11425.60, subdivision (c).

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

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

File# 2013-0503-01
BOARD OF EQUALIZATION
Calculation of Estimated Use Tax — Use Tax Table

The Board of Equalization (BOE) amended section 1685.5 in Title 18 of the California Code of Regulations. This amendment updates the manner in which the BOE shall annually calculate the estimated amount of use tax due according to a person’s adjusted gross income for calendar year 2013 and subsequent years. BOE is required annually to estimate the use tax due, based on various U.S. Census Bureau data reported each May 1, and to make those estimates available to the Franchise Tax Board by July 30 of each year in the form of a use-tax table for inclusion in FTB’s tax form instructions. However, taxpayers are still free to use the worksheets in the instructions to calculate and pay their actual use tax liability.

Title 18
California Code of Regulations
AMEND: 1685.5
Filed 05/28/2013
Effective 07/01/2013
Agency Contact:
Richard E. Bennion (916) 445-2130

File#2013-0423-02
California Alternative Energy and Advanced Transportation Financing Authority
ABX1 14 Clean Energy Upgrade Financing Program

This Certificate of Compliance makes permanent the emergency regulatory action (OAL file no. 2013-0117-03EE) adopting Article 3 beginning with Section 10050 of Division 13 of Title 4 of the California Code of Regulations. Article 3 contains regulations for

the loan loss reserve program under the Clean Energy Upgrade Financing Program. These regulations establish the rules, process and procedures for the Clean Energy Upgrade Financing Program including the eligibility and evaluative criteria loans must meet in order for participating financial institutions to qualify and receive a loan loss reserve contribution.

Title 4
 California Code of Regulations
 ADOPT: 10050, 10051, 10052, 10053, 10054, 10055, 10056, 10057, 10058, 10059, 10060
 Filed 05/22/2013
 Effective 05/27/2013
 Agency Contact: Jennifer Gill (916) 653-3033

File# 2013-0429-01
 CALIFORNIA GAMBLING CONTROL COMMISSION
 Notice of Relocation of Gambling Establishment

This rulemaking action establishes a notice procedure instead of a case-by-case determination process by the California Gambling Control Commission, for the relocation of gambling establishments.

Title 4
 California Code of Regulations
 ADOPT: 12364 AMEND: 12004
 Filed 05/23/2013
 Effective 07/01/2013
 Agency Contact: James Allen (916) 263-4024

File# 2013-0411-01
 CALIFORNIA STUDENT AID COMMISSION
 Cal Grant Program and Participating Data Reporting Required

This rulemaking action by the California Student Aid Commission implements changes to the Cal Grant Program as provided by Statutes 2011, chapter 7 (S.B. 70). More specifically, this rulemaking makes substantive and non-substantive amendments to several provisions in Division 4 of Title 5 of the California Code of Regulations to address the S.B. 70 amendments to Education Code sections 69432.7, 69432.9, 69433.6 and 69433.7. New regulatory provisions are proposed for adoption in Article 4, Division 4, of Title 5 for the purpose of implementing the Cal Grant participant data reporting requirements imposed by Education Code section 69433.2 as enacted by S.B. 70.

Title 5
 California Code of Regulations
 ADOPT: 30000.5, 30010, 30040, 30040.2, 30040.6, 30041, 30041.5, 30042, 30042.5, 30044.5 AMEND: 30000, 30001, 30002, 30005, 30009, 30020, 30021, 30022, 30030, 30032, 30033
 Filed 05/23/2013
 Effective 07/01/2013
 Agency Contact:
 Kristen Trimarche (916) 464-6439

File# 2013-0520-05
 DEPARTMENT OF FOOD AND AGRICULTURE
 Light Brown Apple Moth Interior Quarantine

The California Department of Food and Agriculture amended by emergency regulatory action section 3434 of title 3 of the California Code of Regulations to add the Huntington Beach area in the County of Orange to the interior quarantine area for light brown apple moth (LBAM).

Title 3
 California Code of Regulations
 AMEND: 3434(b)
 Filed 05/22/2013
 Effective 05/22/2013
 Agency Contact:
 Stephen S. Brown (916) 654-1017

File# 2013-0419-01
 DEPARTMENT OF PESTICIDE REGULATION
 Volatile Organic Compounds in San Joaquin Valley

This regulatory action establishes prohibitions on the use of certain nonfumigants on certain crops in the San Joaquin Valley ozone nonattainment area during May 1 through October 31 if the volatile organic compound (VOC) emission limit is triggered, with some specified exceptions. These prohibitions apply to agricultural use products containing abamectin, chlorpyrifos, gibberellins, or oxyfluorfen as a primary active ingredient. Also, when purchasing or using certain products containing any of these, the action requires a written recommendation from a licensed pest control advisor and require pest control dealers to provide VOC information to the purchaser.

Title 3
 California Code of Regulations
 ADOPT: 6558, 6577, 6880, 6884, 6886 AMEND: 6452, 6452.2, 6452.4 (renumbered to 6881), 6890 (renumbered to 6864)
 Filed 05/23/2013
 Effective 11/01/2013
 Agency Contact:
 Linda Irokawa-Otani (916) 445-3991

File# 2013-0415-03
 DEPARTMENT OF PUBLIC HEALTH
 Long Term 1 & 2 Enhanced Surface Water Treatment Rules

This rulemaking by the California Department of Public Health adopts, amends, and repeals sections of Title 22 relating to enhanced surface water treatment rules. California has been granted primary enforcement responsibility for drinking water safety by the U.S. Environmental Protection Agency. California must promulgate regulations that are no less stringent than the Federal regulations, which this action does. Also, regulations pursuant to the Permit Reform Act of 1981 (Repealed), are repealed and provisions relating to the Safe Drinking Water State Revolving Fund are amended.

Title 22
 California Code of Regulations
 ADOPT: 64651.12, 64651.13, 64651.15, 64651.48, 64651.52, 64651.54, 64651.61, 64651.62, 64654.8, 64656.5, 64664.2, 64665.5 AMEND: 63011, 63012, 63020, 63021, 63052, 64650, 64651.88, 64652, 64652.5, 64653, 64655, 64656, 64660, 64662, 64663, 64664, 64666 REPEAL: 64657, 64657.10, 64657.20, 64657.30, 64657.40, 64657.50
 Filed 05/22/2013
 Effective 07/01/2013
 Agency Contact: Linda M. Cortez (916) 440-7807

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN January 2, 2013 TO
 May 29, 2013**

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

Title 2

05/16/13 ADOPT: 59740
 05/15/13 AMEND: 599.500, 599.501, 599.502, 599.508
 04/16/13 AMEND: 23000
 04/12/13 ADOPT: 51.4, 52.11, 56.5, 58.12, 58.13, 61 AMEND: 51.2, 51.6, 52.1, 52.4, 52.8, 53.2, 53.3, 54.1, 55.2, 56.3, 56.4, 57.1, 58.2, 59.1, 59.3, 60.1, 60.3
 03/29/13 REPEAL: 26100

03/26/13 ADOPT: 20202, 20203, 20208, 20212, 20217, 20220.5, 20249.5 AMEND: 20200, 20201, 20203, 20204, 20205, 20206, 20207, 20208, 20209, 20210, 20211, 20212, 20213, 20214, 20215, 20216, 20220, 20221, 20222, 20223, 20224, 20225, 20226, 20227, 20230, 20235, 20236, 20245, 20247, 20249, 20250, 20251, 20252, 20253, 20254, 20255, 20256, 20257, 20258, 20259, 20260, 20261, 20262, 20265, 20266, 20267 REPEAL: 20237, 20238
 03/25/13 ADOPT: 1859.90.3 AMEND: 1859.2, 1859.51, 1859.61, 1859.90.2, 1859.90.4, 1859.104, 1859.164.2, 1859.184.1
 03/20/13 AMEND: 1897
 03/12/13 AMEND: 1859.2, 1859.77.3
 03/11/13 ADOPT: 1859.95.1 AMEND: 1859.2, 1859.95
 02/21/13 AMEND: 599.506
 02/14/13 ADOPT: 1896.71, 1896.76, 1896.77, 1896.78, 1896.81, 1896.82, 1896.83, 1896.84, 1896.88, 1896.91, 1896.92, 1896.95, 1896.96, 1896.97 AMEND: 1896.60, 1896.61, 1896.62, 1896.70, 1896.72, 1896.73, 1896.74, 1896.75, 1896.80, 1896.90, 1896.99.100, 1896.99.120 REPEAL: 1896.63, 1896.64, 1896.85, 1896.98
 01/31/13 AMEND: 649.28
 01/09/13 ADOPT: 18756
 01/08/13 AMEND: 18723, 18730
 01/07/13 AMEND: 18545, 18703.4, 18940.2
 01/07/13 AMEND: 18705.5
 01/02/13 AMEND: 22500, 22501, 22502, 22503, 22505, 22506, 22508, 22509 REPEAL: 22504, 22507, 22510, 22511, 22512, 22513, 22514, 22515, 22516, 22517, 22518, 22519

Title 3

05/23/13 ADOPT: 6558, 6577, 6880, 6884, 6886 AMEND: 6452, 6452.2, 6452.4 (renumbered to 6881), 6890 (renumbered to 6864)
 05/22/13 AMEND: 3434(b)
 05/20/13 AMEND: 3434(b)
 05/06/13 ADOPT: 1350 AMEND: 1354
 04/16/13 AMEND: 3435(b)
 04/04/13 AMEND: 3435(b)
 04/02/13 AMEND: 3435(b)
 02/28/13 AMEND: 3437(b)
 02/27/13 AMEND: 3435(b)
 02/25/13 ADOPT: 1180.24 AMEND: 1180.1, 1180.3.2, 1180.20 REPEAL: 1180.24

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 23-Z

Title 4

05/23/13 ADOPT: 12364 AMEND: 12004
 05/22/13 ADOPT: 10050, 10051, 10052, 10053, 10054, 10055, 10056, 10057, 10058, 10059, 10060
 05/16/13 AMEND: 10192, 10193, 10194, 10195, 10196, 10197, 10198
 05/16/13 ADOPT: 5255, 5256 AMEND: 5170, 5230, 5250, 5560, 5580
 05/03/13 AMEND: 1843.2
 05/02/13 AMEND: 1658
 04/23/13 AMEND: 8035(e)
 04/08/13 ADOPT: 8035.5
 04/02/13 AMEND: 10032, 10033, 10034, 10035
 03/21/13 AMEND: 10178, 10179, 10181, 10182, 10185, 10188
 03/20/13 AMEND: 1462
 03/19/13 AMEND: 10302, 10315, 10322, 10323, 10325, 10326, 10327, 10337
 03/12/13 AMEND: 5000, 5052
 02/11/13 AMEND: 10325
 02/11/13 AMEND: 8072
 02/07/13 ADOPT: 7100, 7101, 7102, 7103, 7104, 7105, 7106, 7107, 7108, 7109, 7110, 7111, 7112
 02/04/13 AMEND: 8070, 8071, 8072, 8078, 8078.2
 01/28/13 ADOPT: 10050, 10051, 10052, 10053, 10054, 10055, 10056, 10057, 10058, 10059, 10060
 01/24/13 ADOPT: 5255, 5256 AMEND: 5170, 5230, 5250, 5560, 5580
 01/08/13 ADOPT: 5205 AMEND: 5000, 5054, 5144, 5170, 5190, 5200, 5230, 5350, 5370 REPEAL: 5133

Title 5

05/23/13 ADOPT: 30000.5, 30010, 30040, 30040.2, 30040.6, 30041, 30041.5, 30042, 30042.5, 30044.5 AMEND: 30000, 30001, 30002, 30005, 30009, 30020, 30021, 30022, 30030, 30032, 30033
 05/14/13 ADOPT: 30737, 30738 AMEND: 30730, 30731, 30733, 30734, 30736
 05/01/13 AMEND: 80054
 04/03/13 ADOPT: 41906.6
 03/13/13 AMEND: 20135, 20136, 20140 REPEAL: 20145, 20300, 20301, 20302, 20303, 20304, 20305, 20306, 20307, 20308, 20309, 20310, 20311, 20312, 20313, 20314, 20315, 20316, 20317, 20318, 20319, 20320, 20321, 20322,

20323, 20324, 20325, 20326, 20327, 20328, 20329, 20330, 20331, 20332
 02/12/13 AMEND: 19816, 19816.1, 19839
 02/11/13 AMEND: 40405.1, 40405.4, 40500, 40501, 40505, 40506, 40507, 40508
 02/07/13 ADOPT: 40203
 02/07/13 ADOPT: 42740
 02/06/13 ADOPT: 9517.3
 01/17/13 ADOPT: 80053.1 AMEND: 80024.6, 80053
 01/14/13 ADOPT: 80048.3.2 AMEND: 80048.3.1

Title 8

05/08/13 AMEND: 5004(d)(2)
 05/07/13 AMEND: 17000 Appendix
 05/06/13 AMEND: 1529, 1532, 1532.1, 1532.2, 1535, 5150, 5189, 5190, 5191, 5192, 5194, 5198, 5200, 5201, 5202, 5206, 5207, 5208, 5209, 5210, 5211, 5212, 5213, 5214, 5217, 5218, 5220, 8358, 8359
 04/24/13 AMEND: 2940.8
 04/15/13 AMEND: 354, 371.2, 373, 376.1, 386
 03/29/13 AMEND: 9789.31, 9789.34, 9789.35, 9789.39
 03/18/13 ADOPT: 32056, 32121, 32998, 93000, 93005, 93010, 93015, 93020, 93025, 93030, 93035, 93040, 93045, 93050, 93055, 93060, 93065, 93070, 93075, 93080 AMEND: 32150, 32155, 32300, 32305, 32310, 32315, 32320, 32350, 32360, 32370, 32375, 32380, 32410 REPEAL: 15800, 15805, 15810, 15815, 15820, 15825, 15830, 15835, 15840, 15845, 15850, 15855, 15860, 15865, 15870, 15875, 15875.1, 17300
 03/18/13 ADOPT: 32091, 61215, 61255, 61275 AMEND: 32132, 32135, 32140, 32147, 32169, 32305, 32320, 32450, 32455, 32615, 32620, 32661, 32798, 61090, 61210, 61220, 61240, 61250, 61260, 61270 REPEAL: 32613, 32810, 32811, 32812, 32813
 03/18/13 AMEND: 344, 344.1
 03/14/13 AMEND: 3381
 03/13/13 AMEND: 9789.23, 9789.24, 9789.25
 02/28/13 AMEND: 4309
 01/28/13 ADOPT: 4993.1 AMEND: 1610.3, 1616.3, 4885, 4999, 5001
 01/24/13 AMEND: 3210, 3900

Title 9

05/09/13 AMEND: 7156, 7158.8, 7159, 7160, 7160.5, 7161.5, 7162, 7163, 7211, 7263,

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 23-Z

03/14/13 ADOPT: 1399.110, 1399.130, 2328, 2329, 2330, 2331, 2350, 2351, 1399.130.1, 1399.156.5 AMEND: 2352
1399.131, 1399.150.3, 1399.151, 1399.155, 1399.156

03/13/13 AMEND: 1746

02/27/13 AMEND: 3340.29

02/27/13 AMEND: 1575

02/13/13 ADOPT: 4187 AMEND: 4184

02/07/13 AMEND: 1495.2

02/06/13 AMEND: 1735.1, 1735.2, 1735.3, 1751.2

01/22/13 AMEND: 1399.15

01/15/13 ADOPT: 1399.99.1, 1399.99.2, 1399.99.3, 1399.99.4

01/14/13 AMEND: 1566.1

01/10/13 AMEND: 1399.536

01/09/13 AMEND: 1811, 1870, 1887.3

Title 17

05/06/13 ADOPT: 54521, 54522, 54523, 54524, 54525, 54526, 54527, 54528, 54529, 54530, 54531, 54532, 54533, 54534, 54535 AMEND: 54500, 54505, 54520 REPEAL: 54521, 54522, 54523, 54524, 54525

04/25/13 AMEND: 94508, 94509

04/02/13 ADOPT: 54311 AMEND: 54302, 54310, 54314, 54320, 54326, 54332, 54370

03/21/13 AMEND: 100303, 100403, 100603

03/11/13 ADOPT: 58884, 58886, 58887, 58888 AMEND: 50604, 54355, 58543

02/25/13 AMEND: 94010, 94011, 94016, 94150, 94168

02/11/13 ADOPT: 6300.1, 6300.3, 6300.5, 6300.7, 6300.9, 6300.11, 6300.13, 6300.15, 6300.17, 6300.19, 6300.21, 6300.23, 6301.1, 6301.3, 6301.5, 6301.7, 6301.9, 6303.1, 6303.3

02/07/13 ADOPT: 54521, 54522, 54523, 54524, 54525, 54526, 54527, 54528, 54529, 54530, 54531, 54532, 54533, 54534, 54535 AMEND: 54500, 54505, 54520 REPEAL: 54521, 54522, 54523, 54524, 54525

01/22/13 AMEND: 60201, 60210

01/03/13 AMEND: 2641.56

Title 18

05/28/13 AMEND: 1685.5

03/11/13 AMEND: 1620

01/14/13 AMEND: 101, 171, 252, 1045

01/08/13 REPEAL: 2558, 2558.1, 2559, 2559.1, 2559.3, 2559.5

Title 19

03/26/13 REPEAL: 2300, 2301, 2302, 2303, 2304, 2305, 2324, 2325, 2325.1, 2326, 2327,

Title 20

04/18/13 ADOPT: 1680, 1681, 1682, 1683, 1684

Title 21

02/07/13 AMEND: 1301, 1310, 1312

Title 22

05/22/13 ADOPT: 64651.12, 64651.13, 64651.15, 64651.48, 64651.52, 64651.54, 64651.61, 64651.62, 64654.8, 64656.5, 64664.2, 64665.5 AMEND: 63011, 63012, 63020, 63021, 63052, 64650, 64651.88, 64652, 64652.5, 64653, 64655, 64656, 64660, 64662, 64663, 64664, 64666 REPEAL: 64657, 64657.10, 64657.20, 64657.30, 64657.40, 64657.50

05/15/13 ADOPT: 66274.1, 66274.2, 66274.3, 66274.4, 66274.5, 66274.7, 66274.8

03/25/13 AMEND: 97232

03/14/13 AMEND: 50273(c)

03/12/13 AMEND: 70055, 70217, 70263, 70275, 70405, 70483, 70485, 70579, 70619, 70706.1, 70707.8, 70747, 71053, 71215, 71245, 71547, 72003, 72013, 72035, 72037, 72057, 72059, 72075, 72083, 72085, 72087, 72089, 72097, 72105, 72107, 72329, 72329.1, 72351, 72361, 72465, 72467, 73009, 73023, 73031, 73057, 73059, 73073, 73075, 73081, 73083, 73085, 73087, 73103, 73109, 73319, 73411, 73483, 74011, 74013, 74023, 74405, 74615, 74617, 74623, 74631, 74633, 74635, 74641, 74643, 74645, 74647, 74653, 74657, 75002, 75006, 75011, 75012, 75015, 75016, 75018, 75020, 75054, 75081, 75301, 75305, 75307, 75341, 76003, 76013, 76043, 76049, 76051, 76089, 76109, 76111, 76117, 76119, 76121, 76123, 76130, 76131, 76141, 76149, 76151, 76800, 76808, 76809, 76825, 76832, 76894, 76896, 76916, 78033, 78037, 78057, 78067, 78071, 78077, 78081, 78083, 78089, 78091, 78097, 78103, 78347, 79001, 79023, 79070, 79073, 79215, 79311, 79347, 79501, 79519, 79523, 79539, 79541, 79543, 79551, 79559, 79563, 79565, 79573, 79803

02/19/13 ADOPT: 70438.2

02/11/13 ADOPT: 100144 AMEND: 100135, 100136, 100137, 100139, 100140, 100141, 100142, 100143, 100144, 100145, 100146, 100147, 100148,

100149, 100150, 100151, 100152,
 100153, 100154, 100155, 100156,
 100157, 100158, 100159, 100160,
 100161, 100162, 100163, 100164,
 100165, 100166, 100167, 100168,
 100169, 100170, 100171, 100172,
 100173, 100174, 100175
 01/25/13 AMEND: 100058, 100060, 100063,
 100066, 100074, 100075, 100078,
 100079, 100080, 100081
 01/09/13 AMEND: 70110, 70215, 70841, 71110,
 71645, 72203, 72641, 73208, 73639,
 74108, 74669, 76211, 76525, 76555,
 76651, 76846, 76915, 78437 REPEAL:
 70111, 70114, 71111, 73209, 74109
 01/07/13 AMEND: 66260.10, 66264.550,
 66264.551, 66264.552, 66264.552.5,
 66264.553, 67100.13, 67383.3, 67390.2,
 67391.1, 67401.1, 67401.2, 67401.3,
 67401.4, 67401.5, 67401.6, 67401.7,
 67401.8, 67401.9, 67401.10, 67401.11,
 67401.12, 67401.13 REPEAL: 69000,
 69000.5, 69001, 69002, 69003, 69004,
 69005, 69006, 69007, 69008, 69009,
 69010, 69011, 69012, 69013, 69200,
 69201, 69202, 69203, 69204, 69205,
 69206, 69207, 69208, 69209, 69210,
 69211, 69212, 69213, 69214

Title 23

04/25/13 AMEND: 2920
 03/28/13 AMEND: 3930
 02/21/13 ADOPT: 3929.9
 01/28/13 ADOPT: 3677, 3677.1, 3677.2, 3677.3,
 3677.4, 3677.5, 3677.6, 3680.1, 3680.2,
 3681, 3682, 3682.1, 3682.2, 3682.3,
 3682.4, 3682.5, 3682.6, 3683, 3683.1,
 3683.2, 3683.3, 3683.4, 3684, 3685,
 3686, 3687, 3689, 3700, 3701, 3701.1,
 3701.2, 3702, 3702.1, 3702.2, 3702.3,
 3702.4, 3702.5, 3702.6, 3702.7, 3703,
 3709, 3712, 3712.1, 3712.2, 3715, 3716,
 3719.6, 3719.8, 3719.10, 3719.11,

3719.14, 3719.15 AMEND: 3670,
 3670.1, 3671, 3675, 3676, 3680, 3710,
 3711, Renumber 3712 as
 3711.1, Renumber 3713 as 3711.2,
 Renumber 3714 as 3713, Renumber 3715
 as 3714, 3717, 3718, 3719, Renumber
 3719.10 as 3719.1, Renumber 3719.11 as
 3719.2, Renumber 3719.12 as 3719.3,
 Renumber 3719.13 as 3719.4, Renumber
 3719.14 as 3719.5, Renumber 3719.15 as
 3719.7, Renumber 3719.16 as 3719.9,
 Renumber 3719.17 as 3719.12,
 Renumber 3719.18 as 3719.13,
 Renumber 3719.19 as 3719.16 REPEAL:
 3670.2, 3683, 3684, 3685, 3686, 3700,
 3701, 3702, 3702.1, 3702.2, 3702.3,
 3702.4, 3702.5, 3703, 3704, 3707, 3708,
 3709, 3716

Title 25

03/27/13 ADOPT: 6932 REPEAL: 6932
 02/19/13 ADOPT: 1142, 1336.4, 2142, 4041.5
 AMEND: 1002, 1018, 1020.9, 1034,
 1038, 1048, 1102, 1180, 1317, 1320,
 1333, 1335.5, 1336.2, 1422, 1438, 1462,
 1606, 1750, 2002, 2018, 2020.9, 2034,
 2038, 2048, 2102, 2112, 2317, 2327,
 2328, 2422, 2438, 2496, 2750, 4011,
 4040, 4050

Title 27

04/10/13 AMEND: 25805
 03/04/13 AMEND: 27000
 02/06/13 AMEND: 27001

Title 28

04/08/13 ADOPT: 1300.74.73

Title MPP

01/16/13 AMEND: 40-107, 42-301, 42-302,
 42-431, 42-712, 42-713, 42-721,
 44-133, 44-307, 44-316, 82-833
 01/14/13 AMEND: 40-105.4(g)(1), 44-111.23,
 44-113.2, 44-113.54(QR),
 44-315.39(QR), 89-201.513