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PROPOSED ACTION ON REGULATIONS

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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 8. OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

**NOTICE OF PUBLIC MEETING/PUBLIC
HEARING/BUSINESS MEETING OF THE
OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD AND NOTICE OF
PROPOSED CHANGES TO TITLE 8 OF THE
CALIFORNIA CODE OF REGULATIONS**

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting, Public Hearing, and Business Meeting:

PUBLIC MEETING: On **August 15, 2013**,
at 10:00 a.m.
in the Auditorium of the State
Resources Building
1416 9th Street, Sacramento,
California.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

PUBLIC HEARING: On **August 15, 2013**,
at 10:00 a.m.
in the Auditorium of the State
Resources Building
1416 9th Street, Sacramento,
California.

At the Public Hearing, the Board will consider the public testimony on the proposed changes to occupational safety and health standards in Title 8 of the California Code of Regulations.

BUSINESS MEETING: On **August 15, 2013**,
at 10:00 a.m.
in the Auditorium of the State
Resources Building
1416 9th Street, Sacramento,
California.

At the Business Meeting, the Board will conduct its monthly business.

DISABILITY ACCOMMODATION NOTICE: Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the public hearings/meetings of the Occupational Safety and Health Standards Board should contact the Disability Accommodation Coordinator at (916) 274-5721 or the state-wide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing.

**NOTICE OF PROPOSED CHANGES TO TITLE 8
OF THE CALIFORNIA CODE OF REGULATIONS
BY THE OCCUPATIONAL SAFETY AND
HEALTH STANDARDS BOARD**

Notice is hereby given pursuant to Government Code Section 11346.4 and Labor Code Sections 142.1, 142.4 and 144.5, that the Occupational Safety and Health Standards Board pursuant to the authority granted by Labor Code Section 142.3, and to implement Labor Code Section 142.3, will consider the following proposed revisions to Title 8, General Industry Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on **August 15, 2013**.

1. **TITLE 8:** **CONSTRUCTION SAFETY ORDERS**
Division 1, Chapter 4, Subchapter 4,
Article 2, Section 1504
Article 36, New Section 1929,
Sections 1930-1932, 1934-1936
GENERAL INDUSTRY SAFETY ORDERS
Division 1, Chapter 4, Subchapter 7,
Article 107, Section 5154
Article 109, Sections 5191, 5194
Article 134, Section 5415
Article 137, Sections 5449, 5451

Article 141, Sections 5531–5534, 5541–5543
 Article 142, Sections 5545–5547, 5549
 Article 143, Sections 5556, 5558, 5560
 Article 144, Sections 5566, 5568–5570, 5573–5579
 Article 145, Sections 5590, 5592, 5594, 5596–5599, 5601
 Article 146, Section 5606
 Article 147, Sections 5616–5622, and 5624

Federal Final Rule, Globally Harmonized System — Update to Hazard Communication (Safety)

Federal Final Rule, Globally Harmonized System — Update to Hazard Communication (Safety)

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

The Occupational Safety and Health Standards Board (Board) intends to adopt the proposed rulemaking action pursuant to Labor Code Section 142.3, which mandates the Board to adopt regulations at least as effective as federal regulations addressing occupational safety and health issues.

The U.S. Department of Labor, Occupational Safety and Health Administration promulgated regulations on March 26, 2012, addressing Globally Harmonized System (GHS) updates of the Hazard Communication Standard (HCS) and related sections. The changes impact 29 CFR, Parts 1910 (general industry), 1915 (shipyards) and 1926 (construction). The Board is relying on the explanation of the provisions of the federal regulations in Federal Register, Volume 77, No. 58, pages 17574–17896, March 26, 2012, as the justification for the Board’s proposed rulemaking action. Except as noted below, the Board proposes to adopt regulations which are effectively the same as the federal regulations except where existing state standards are deemed more protective than the federal promulgation.

This proposed rulemaking action also contains non-substantive, editorial, reformatting of subsections, grammatical revisions and deletion of obsolete Title 24 cross-references. These non-substantive revisions are not all discussed in this Informative Digest. However, these proposed revisions are clearly indicated in the regulatory text in underline and strikeout format. In addition to these non-substantive revisions, the proposed modifications and amendments are as follows. The effect of these changes will be to make state standards consistent with federal GHS standards while retaining more protective provisions of CCR Title 8 where they exist.

CSO Section 1504: Definitions of “Combustible Liquid,” “Flammable Liquid,” and classifications for flammable and combustible liquids are modified. New definitions added for “Fire Area” and “Flash point of the liquid.”

CSO Sections 1929–1932, 1934–1936: Revise scope of application and criteria for handling, storage and use of flammable and combustible liquids.

GISO Section 5154: Additional federal requirements for dipping and coating operations that use flammable liquids or liquids with flashpoints greater than 199.4 °F (93 °C).

2. TITLE 8: GENERAL INDUSTRY SAFETY ORDERS

Division 1, Chapter 4, Subchapter 7, Article 25, Section 3650
Powered Industrial Trucks — Excessive Loads

3. TITLE 8: GENERAL INDUSTRY SAFETY ORDERS

Division 1, Chapter 4, Subchapter 7, Article 107, Section 5155
Airborne Contaminants, Naphthalene

Descriptions of the proposed changes are as follows:

1. TITLE 8: CONSTRUCTION SAFETY ORDERS

Division 1, Chapter 4, Subchapter 4, Article 2, Section 1504
 Article 36, New Section 1929, Sections 1930–1932, 1934–1936

GENERAL INDUSTRY SAFETY ORDERS

Division 1, Chapter 4, Subchapter 7, Article 107, Section 5154
 Article 109, Sections 5191, 5194
 Article 134, Section 5415
 Article 137, Sections 5449, 5451
 Article 141, Sections 5531–5534, 5541–5543
 Article 142, Sections 5545–5547, 5549
 Article 143, Sections 5556, 5558, 5560
 Article 144, Sections 5566, 5568–5570, 5573–5579
 Article 145, Sections 5590, 5592, 5594, 5596–5599, 5601
 Article 146, Section 5606
 Article 147, Sections 5616–5622, and 5624

GISO Sections 5191 and 5194: Delete definitions for “Combustible Liquid,” “Flammable,” and “Flash-point.”

GISO Section 5415: Modify definitions for “Combustible Liquid,” “Flammable Aerosol,” “Flammable Liquid,” “Flash point,” “Liquid,” “Liquid, Combustible,” and “Liquid, Flammable.” Update reference standards for flash point testing with latest editions of ASTM D-56 and ASTM D-93 which have been adopted by federal OSHA.

GISO Sections 5449 and 5451: Change references to “flammable or combustible liquids” to “flammable liquids or liquids with a flashpoint greater than 199.4°F (93°C) (formerly designated Class IIIB Combustible liquids).” Other minor changes for consistency with federal standards.

GISO Sections 5531–5534 and 5541–5543: Change terminology from classes to GHS categories, a few modifications in requirements for containers, portable tanks and storage for flammable liquids and liquids with flashpoints greater than 199.4 °F (93 °C) [formerly designated Class IIIB combustible].

GISO Sections 5545–5547, 5549: Changes in terminology from classes to GHS categories for flammable and combustible liquids for those portions of industrial plants where the use and handling of flammable or combustible liquids is only incidental to the principal business, such as automobile assembly, construction of electronic equipment, furniture manufacturing or other similar activities.

GISO Sections 5556, 5558, and 5560: Changes in terminology from classes to GHS categories for flammable and combustible liquids in processing plants and requirements for tank vehicle and tank car loading and unloading, including sources of ignition.

GISO Sections 5566, 5568–5570, 5573–5579: Changes in terminology from classes to GHS categories for storing and handling flammable and combustible liquids at automotive and marine service stations. Modification of Table FL-9 Electrical Equipment Classified Areas — Service Stations.

GISO Sections 5590, 5592, 5594, 5596–5599, 5601: Changes in terminology from classes to GHS categories for tank storage. Other modifications for consistency with federal standards.

GISO Section 5606: Minor modifications due to differences in federal and state terminology.

GISO Sections 5616–5622, and 5624: Changes in terminology from classes to GHS categories for storing and handling flammable and combustible liquids at bulk plants. Section 5619 bonding requirements at loading and unloading facilities modified to blend most protective provisions of federal and state.

This regulatory proposal is intended to provide worker safety at places of employment in California.

This proposed rulemaking action:

- Is based on the following authority and reference: Labor Code Section 142.3, which states, at subsection (a)(1) that the Board is “the only agency in the state authorized to adopt occupational safety and health standards.” When read in its entirety, Section 142.3 requires that California have a system of occupational safety and health regulations that at least mirror the equivalent federal regulations and that may be more protective of worker health and safety than are the federal occupational safety and health regulations.
- Differs from existing federal standards where state standards are more protective; however, it is at least as effective as the federal standard. Textual differences are noted in the side-by-side.
- Is not inconsistent or incompatible with existing state regulations. This proposal is part of a system of occupational safety and health regulations. The consistency and compatibility of that system’s component regulations is provided by such things as the requirement of the federal government and the Labor Code to the effect that the State regulations be at least as effective as their federal counterparts.
- Is the least burdensome effective alternative. This rulemaking proposal is the result of the work of a federal advisory committee.

DOCUMENTS INCORPORATED BY REFERENCE

ASTM D56–05 (Reapproved 2010), Standard Test Method for Flash Point by Tag Closed Cup Tester, copyright ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959.

ASTM D93–08, Standard Test Methods for Flash Point by Pensky–Martens Closed Cup Tester, copyright ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959.

NFPA 77, Recommended Practice on Static Electricity, 2007 Edition, National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169–9101.

These documents are too cumbersome or impractical to publish in Title 8. Therefore, it is proposed to incorporate the documents by reference. Copies of these documents are available for review Monday through Friday from 8:00 a.m. to 4:30 p.m. at the Standards Board Office located at 2520 Venture Oaks Way, Suite 350, Sacramento, California.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action.

Impact on Housing Costs

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses/Significant Statewide Adverse Economic Impact Directly Affecting Businesses Including the Ability of California Businesses to Compete

The Board has made a determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This proposal consists of a Global Harmonization Standard that all states and UN member nations are adopting; thus, it will not affect the ability of California businesses to compete with businesses in other states. Estimated costs of compliance are presented in the preamble for the federal final rule, Fed.Reg., Vol. 77, No. 58, dated March 26, 2012, pages 17625–17649 and pages 17661–17674. The federal preamble lists the number and type of businesses impacted and estimated costs.

Cost Impact on Private Persons or Businesses

Cost impacts that a representative private person or business entity would necessarily incur in reasonable compliance with the proposed action cannot be accurately determined as they are part of a system of global harmonization which businesses throughout the United States and worldwide are adopting. Thus while there may be costs associated with compliance, there will also be costs associated with noncompliance; i.e. lost business due to incompatibility with international standards adopted by a vast majority of businesses and entities throughout the United States and throughout the world. Estimated costs of compliance are presented in the preamble for the federal final rule, Fed.Reg., Vol. 77, No. 58, dated March 26, 2012, pages 17625–17649 and pages 17661–17674. The federal preamble lists the number and type of businesses impacted and estimated costs. Note, however, that the federal preamble includes costs of compliance both with safety and health standards of the Global Harmonization Standard. This subject rulemaking only pertains to the safety aspects, which are less significant than the health aspects of the proposed global standard which are the subject of a separate rulemaking.

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under “Determination of Mandate.”

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed standards do not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, these standards do not constitute a “new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.”

The California Supreme Court has established that a “program” within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

These proposed standards do not require local agencies to carry out the governmental function of providing services to the public. Rather, the standards require local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, these proposed standards do not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

These proposed standards do not impose unique requirements on local governments. All state, local and private employers will be required to comply with the prescribed standards.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed will affect small businesses. However, no adverse economic impact is anticipated.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The proposed regulation will not have any effect on the creation or elimination of California jobs or the creation or elimination of California businesses or affect the expansion of existing California businesses.

Benefits of the Regulation:

- When completely phased-in, the GHS is anticipated to result in hundreds of millions of dollars in annual savings in the U.S.
- The proposed modifications will improve the quality and consistency of information provided to employers and employees regarding hazards and associated protective measures for flammable and combustible liquids.
- Standardized safety data sheets will enable employees exposed to workplace chemicals to more quickly obtain and more easily understand information about the hazards associated with those chemicals. The standardized format will also enable critical information to be accessed more easily and quickly during emergencies. This can reduce the risk of injury, illness, and death to exposed employees and to rescue personnel and can also reduce property damage.
- With the exception of a different treatment for Class IIIB combustible liquids (where California is more protective), the proposed rulemaking will harmonize California with global standards for flammable and combustible liquids which should help maintain California's competitiveness and improve exports and imports.

ALTERNATIVES STATEMENT

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

2. TITLE 8: GENERAL INDUSTRY SAFETY ORDERS

Division 1, Chapter 4, Subchapter 7, Article 25, Section 3650

Powered Industrial Trucks — Excessive Loads

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

This rulemaking proposal is the result of an Occupational Safety and Health Appeals Board (OSHAB) Decision, dated August 29, 2012, in the Matter of Otis Elevator Company Docket Nos. 10–R3D2–3832 and 3833. The Division of Occupational Safety and Health (Division) cited the employer under Section 3650(l) of the General Industry Safety Orders for failure to secure an excessively high load on a forklift. According to the Division, the overall load was excessive because it exceeded the height of the mast. OSHAB held that “excessive” is a relative term that requires a foundational comparison. Further, OSHAB opined that any size load can shift, shake or fall but does not establish that the load was of excessive width, length, or height. The Division did not present evidence regarding a norm to which a comparison could be made to show that the load was of excessive width, length, or height for the forklift in question. The citation was dismissed and the penalty vacated as the Division was unable to meet its burden to establish a violation of Section 3650(l).

This rulemaking action proposes amendments to Section 3650(l) to delete the restrictive phrase “. . . of excessive width, length or height . . .” and focus on the load’s stability and security rather than its size or dimensions. The proposal adds language to follow the industrial truck manufacturer’s recommendations for securing a load against displacement. The proposed amendment is intended to ensure that all loads on powered industrial trucks are secured to prevent instability that may result in the loss of the load and potentially injuring employees in the vicinity. The proposal adds to the clarity of the standard and enhances employee safety. Equivalent federal OSHA regulations do not address oversized loads but rather the industrial truck’s capacity to handle a load.

Title 8 addresses the operation of equipment and machinery (generically) under conditions of loading or speeds which could endanger employees as stated in Section 3328(a). However, although Section 3328 is not specific to powered industrial truck operation, it is consistent with and complements this proposal. This regulatory proposal is intended to provide worker safety at places of employment in California.

This proposed rulemaking action:

- Is based on the following authority and reference: Labor Code Section 142.3, which states, at

Subsection (a)(1) that the Board is “the only agency in the state authorized to adopt occupational safety and health standards.” When read in its entirety, Section 142.3 requires that California have a system of occupational safety and health regulations that at least mirror the equivalent federal regulations and that may be more protective of worker health and safety than are the federal occupational safety and health regulations.

- More closely aligns Title 8 with the equivalent federal standard by emphasizing the stability and security of the load rather than its size or dimensions. Differs from the existing federal regulation in that the equivalent federal regulation does not refer to the manufacturer’s recommendation for specific instructions. The proposal will ensure a safer method of load security to avoid worker injuries from load displacement.
- Is not inconsistent or incompatible with existing state regulations. This proposal is part of a system of occupational safety and health regulations. The consistency and compatibility of that system’s component regulations is provided by such things as: (1) the requirement of the federal government and the Labor Code to the effect that the state regulations be at least as effective as their federal counterparts, and (2) the requirement that all state occupational safety and health rulemakings be channeled through a single entity (the Standards Board).
- Is the least burdensome effective alternative. The proposal eliminates any confusion or doubt as to the type or size of load to secure from falling or tipping. The amendment clarifies the intent that all loads placed on powered industrial trucks are to be secured and not create an instability hazard. The inclusion of language to follow the manufacturer’s recommendations for securing the load against displacement provides industry standard best practices for the given equipment.

Section 3650. Industrial Trucks. General.

Subsection (l)

Existing Section 3650 specifies the operation, design, construction and maintenance of industrial trucks. Existing subsection (l) states that, “Loads of excessive width, length or height shall be so balanced, braced and secured as to prevent tipping and falling.” The proposed amendment removes the load descriptive language and maintains the requirement for load security and stability. Language is added to subsection (l) to require that loads be secured against displacement in accordance

with the manufacturer’s recommendations. The proposal will provide clarity to employers and enforcement personnel that any load transported on powered industrial trucks shall be stable and secured from displacement.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action.

Impact on Housing Costs

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses/Significant Statewide Adverse Economic Impact Directly Affecting Businesses Including the Ability of California Businesses to Compete

The Board has made a determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposal simplifies the existing standard by eliminating language that adds confusion and uncertainty as to what constitutes an excessive size load. The amendments define how a load should be secured and provides direction to follow the manufacturer’s recommendations to prevent displacement of the load. The Board believes the proposal will have insignificant, if any, adverse cost impact upon employer’s operations.

Therefore, the adoption of the proposed amendments to these standards will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

Cost Impact on Private Persons or Businesses

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

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under “Determination of Mandate.”

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed regulation does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, this regulation does not constitute a “new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.”

The California Supreme Court has established that a “program” within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

The proposed regulation does not require local agencies to carry out the governmental function of providing services to the public. Rather, the regulation requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed regulation does not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

The proposed regulation does not impose unique requirements on local governments. All state, local and private employers will be required to comply with the prescribed standards.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments may affect small businesses. However, no economic impact is anticipated.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The proposed regulation will not have any effect on the creation or elimination of California jobs or the creation or elimination of California businesses or affect the expansion of existing California businesses.

Benefits of the Regulation:

- The proposal would allow businesses, small or large, clear direction in the proper method of ensuring that loads on industrial trucks are safely and securely positioned. The adoption of this proposal will promote worker safety by specifying safe practices already developed by the manufacturer of the powered industrial truck.

ALTERNATIVES STATEMENT

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

3. **TITLE 8: GENERAL INDUSTRY SAFETY ORDERS**
Division 1, Chapter 4, Subchapter 7,
Article 107, Section 5155
**Airborne Contaminants,
Naphthalene**

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

Section 5155, Airborne Contaminants, establishes minimum requirements for controlling employee exposure to specific airborne contaminants. California periodically amends the airborne contaminants table (Table AC-1) in this standard to keep it consistent with current information regarding harmful effects of exposure to these substances and other new substances not listed.

For the substance Naphthalene, the existing Permissible Exposure Limit (PEL) of 10 parts per million in air (ppm) as an 8-hour time-weighted average (TWA) is proposed to be amended to a value of 0.1 ppm, along with an equivalent amendment of the existing PEL expressed in units of milligrams per cubic meter of air (mg/M³). As the proposed PEL of 0.1 ppm is equivalent to a 15-minute Short Term Exposure Limit (STEL) of 3.2 ppm, the existing STEL value for Naphthalene of 15 ppm (75 mg/M³) is proposed to be repealed. The proposed PEL amendments, including addition of a “Skin” notation, are necessary to reduce risk of both cancer and non-cancer health effects as described in the Initial Statement of Reasons for this rulemaking.

The substance Naphthalene, with the amended PEL in this proposal, was considered by the Division of Occupational Safety and Health (Division), the Health Expert Advisory Committee (HEAC), in meetings in

March, June and September 2009. The HEAC considered the health basis of possible changes to the PEL based on a range of scientific information. As in the last round of work on PELs, technical assistance was provided to the Division by staff of the Office of Environmental Health Hazard Assessment in the California Environmental Protection Agency and the Hazard Evaluation System and Information Service in the California Department of Public Health. In addition, informal public comment was invited on the range for possible PELs recommended by the HEAC for potential feasibility and cost issues at a meeting of the Division's Feasibility Advisory Committee (FAC) on December 8, 2009. The meetings of both the HEAC and the FAC were open to the public.

The effect of these amendments is to reduce the risk of material impairment of health or functional capacity of employees exposed to Naphthalene.

The proposed changes to Section 5155 are considered to be at least as effective as, or more stringent than, the federal OSHA requirements for these substances found at 29 CFR 1910.1000 for Air Contaminants.

This proposed rulemaking action is not inconsistent or incompatible with existing state regulations. This proposal is part of a system of occupational safety and health regulations. The consistency and compatibility of that system's component regulations is provided by such things as the requirement of the federal government and the Labor Code to the effect that the State regulations be at least as effective as their counterpart. This regulatory proposal is intended to provide worker safety at places of employment in California.

This proposed rulemaking action:

- Is based on the following authority and reference: Labor Code Section 142.3, which states, at subsection (a)(1) that the Board is "the only agency in the state authorized to adopt occupational safety and health standards." When read in its entirety, Section 142.3 requires that California have a system of occupational safety and health regulations that at least mirror the equivalent federal regulations and that may be more protective of worker health and safety than are the federal occupational safety and health regulations.
- Differs from existing federal standards, in that the PEL value proposed for Naphthalene is lower than that found in the federal air contaminants standard at 29 CFR 1910.1000. Labor Code section 147.1(c) mandates with respect to occupational health issues not covered by federal standards that the Division maintain surveillance, determine the necessity for standards, and develop and present proposed standards to the Standards Board. For a

variety of reasons, the federal standards for air contaminants have remained largely unrevised since their promulgation in the early 1970s, with the exception of substances for which individual comprehensive chemical hazard control standards have been promulgated, primarily for carcinogens. Since the federal standards were promulgated over 40 years ago, scientific studies with experimental animals have shown that Naphthalene has the potential to cause cancer. The Standards Board believes the Division appropriately carried out its mandate under Labor Code section 147.1 to present to the Standards Board the PEL proposed for Naphthalene in this rulemaking, including a determination of necessity for the proposed amendment. In addition, the Standards Board believes that with this proposal, it is carrying out its mandate under Labor Code section 144.6 to adopt standards dealing with toxic materials which most adequately assure, to the extent feasible, that no employee will suffer material impairment of health or functional capacity, taking into account the latest available scientific data in the field and the reasonableness of the standard.

- Is not inconsistent or incompatible with existing state regulations. This proposal is part of a system of occupational safety and health regulations. The consistency and compatibility of that system's component regulations is provided by such things as the requirement of the federal government and the Labor Code to the effect that the State regulations be at least as effective as their federal counterparts.

COST ESTIMATES OF PROPOSED ACTION

This rulemaking proposes revisions of the PEL for the chemical substance Naphthalene. The primary users of this substance are the private industrial and chemical sectors and it is present in a wide variety of petroleum products. The PEL proposed is consistent with recent scientific findings, of which professional health and safety staff and consultants of these employers and others with significantly exposed employees should be aware. Many of these entities already seek to control employee exposures to chemicals to levels below existing PELs in the interest of business continuity and minimization of tort and workers' compensation liability. In light of this, the additional expenditures by these entities to comply with the proposed amended PEL are estimated to be insignificant to none.

The only written comment received for the meeting of the FAC on the PEL for this substance was with re-

spect to the ease of use of an air sampling method to monitor compliance with the existing and revised PEL for Naphthalene. However, this was deemed by the Committee not to be a significant problem, or to impose potentially significant costs on employers. Based on the information discussed above, the cost estimate of the PEL recommended by the FAC and proposed in this rulemaking is not believed to be significant.

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action.

Impact on Housing Costs

The Standards Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses/Significant Statewide Adverse Economic Impact Directly Affecting Businesses Including the Ability of California Businesses to Compete

The Board has made a determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

As noted above, at the FAC meeting addressing this substance the discussion of the one written comment received on Naphthalene concluded that acceptable workplace air sampling methods to assess compliance with the proposed PEL are available for Naphthalene. The FAC’s review of a study of Naphthalene exposure levels in a range of industries resulted in a consensus recommendation for the proposed PEL of 0.1 ppm (8-hour TWA), higher than the 0.03 ppm lower end of the range of health-based levels discussed in the HEAC. In light of the limited economic impact of the proposal (as a result of the FAC feasibility determination), the adoption of the proposed amendments to these standards will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

Cost Impact on Private Persons or Businesses

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

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under “Determination of Mandate.”

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed standard does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, the standard does not constitute a “new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.”

The California Supreme Court has established that a “program” within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

The proposed standard does not require local agencies to carry out the governmental function of providing services to the public. Rather, the standard requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed standard does not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

The proposed standard does not impose unique requirements on local governments. All state, local and private employers will be required to comply with the prescribed standards.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments may affect small businesses. However, no adverse economic impact is anticipated. The feasibility

and cost of implementation of the proposed PEL for Naphthalene was discussed by the FAC. This committee concluded that no information had been presented supporting a conclusion that a PEL of 0.1 ppm would be infeasible in any particular industrial sector or operation. In light of this, the Board believes there will be no adverse economic impact on small businesses as a result of the PEL proposed for Naphthalene.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The proposed regulation will not have any effect on the creation or elimination of California jobs or the creation or elimination of California businesses or affect the expansion of existing California businesses as a result of the PEL proposed for Naphthalene. The economic impact of the proposed PEL for Naphthalene was discussed by the FAC. This committee concluded that no information had been presented supporting a conclusion that a PEL of 0.1 ppm would be infeasible in any particular industrial sector or operation. In light of this, the Board believes there will be no adverse economic impact as a result of the PEL proposed for Naphthalene.

Benefits of the Regulation:

Setting a Permissible Exposure Limit for Naphthalene that is up-to-date and consistent with current scientific information and state policies on risk assessment will send appropriate market signals to employers with respect to the costs of illness and injury that chemicals can impose on workers and their families, the government, and society at large. With appropriate market signals, employers may be better able to choose chemicals for use in the workplace that impose less of a burden on workers and society.

ALTERNATIVES STATEMENT

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

A copy of the proposed changes in STRIKEOUT/UNDERLINE format is available upon request made to

the Occupational Safety and Health Standard Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721. Copies will also be available at the Public Hearing.

An INITIAL STATEMENT OF REASONS containing a statement of the purpose and factual basis for the proposed actions, identification of the technical documents relied upon, and a description of any identified alternatives has been prepared and is available upon request from the Standards Board's Office.

Notice is also given that any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. It is requested, but not required, that written comments be submitted so that they are received no later than **August 9, 2013**. The official record of the rulemaking proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on **August 15, 2013**, will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments should be mailed to the address provided below or submitted by fax at (916) 274-5743 or e-mailed at oshsb@dir.ca.gov. The Occupational Safety and Health Standards Board may thereafter adopt the above proposals substantially as set forth without further notice.

The Occupational Safety and Health Standards Board's rulemaking files on the proposed actions including all the information upon which the proposals are based are open to public inspection Monday through Friday, from 8:30 a.m. to 4:30 p.m. at the Standards Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833.

The full text of proposed changes, including any changes or modifications that may be made as a result of the public hearing, shall be available from the Executive Officer 15 days prior to the date on which the Standards Board adopts the proposed changes.

Inquiries concerning either the proposed administrative action or the substance of the proposed changes may be directed to Marley Hart, Executive Officer, or Mike Manieri, Principal Safety Engineer, at (916) 274-5721.

You can access the Board's notice and other materials associated with this proposal on the Standards Board's homepage/website address which is <http://www.dir.ca.gov/oshsb>. Once the Final Statement of Reasons is prepared, it may be obtained by accessing the Board's website or by calling the telephone number listed above.

**TITLE 14. BOARD OF FORESTRY AND
FIRE PROTECTION**

**“Modified Timber Harvest Plan Amendments,
2013”**

**Title 14 of the California Code of Regulations
(14 CCR):**

**Division 1.5, Chapter 4, Subchapter 7, Article 2 —
Timber Harvesting Plan**

Amend:

§ 1051(a) Modified THP

[Includes revisions to § 1051(a)(1), § 1051(a)(2),
§ 1051(a)(4), § 1051(a)(5), § 1051(a)(6),
§ 1051(a)(7), § 1051(a)(8), § 1051(a)(9),
§ 1051(a)(10), § 1051(a)(12), § 1051(a)(13),
§ 1051(a)(14)]

§ 1051.1 Contents of Modified THP

The California State Board of Forestry and Fire Protection (Board) is promulgating a regulation to amend existing Forest Practice Rules for the Modified Timber Harvest Plan (MTHP). The proposed amendments were identified by the Board’s Forest Practice Committee over the course of numerous publicly-noticed meetings. The primary purpose of the amendments is to increase the utility of the existing conventional MTHP. This is to be accomplished through an increase in the maximum size of ownerships allowed to use an MTHP. Other amendments to the conditions and mitigations subsections of Section 1051(a) are similarly intended to promote the MTHP’s utility through improved operational flexibility.

PUBLIC HEARING

The Board will hold a public hearing on Wednesday, September 11, 2013, starting at 8:00 a.m., at the Resources Building Auditorium, 1st Floor, 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the *Informative Digest*. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code § 11125.1, any information presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record. Such information shall be retained by the Board and shall be made available upon request.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends at 5:00 p.m., on Monday, August 12, 2013.

The Board will consider only written comments received at the Board office by that time and those written comments received in connection with oral testimony at the public hearing. The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Eric Huff
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244–2460

Written comments can also be hand-delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506–14
1416 9th Street
Sacramento, CA

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653–0989

Written comments may also be delivered via e-mail at the following address:

board.public.comments@fire.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Public Resources Code Sections 4511, 4551 and 4551.5. Reference: Public Resources Code Sections 4512, 4513, 4553, and 4582; and Government Code Section 11340.6.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Pursuant to the Z’berg–Nejedly Forest Practice Act of 1973, Public Resources Code Section 4511, *et seq.* the State Board of Forestry and Fire Protection (Board) is authorized to construct a system of forest practice regulations applicable to timber management on state and private timberlands.

Public Resources Code Section 4551 requires the Board to adopt forest practice rules and regulations to,

among other things, “. . . assure the continuous growing and harvesting of commercial forest tree species and to protect the soil, air, fish and wildlife, and water resources.”

Existing forest practice regulations, 14 CCR § 1051, *et seq.* specify that a Modified Timber Harvest Plan (MTHP) may be filed with the California Department of Forestry and Fire Protection (*CAL FIRE*) for ownerships of 100 acres or less of timberland. These regulations further require that a series of prescribed conditions and mitigations be met in MTHP filings.

This proposed regulation would elevate the size of ownerships allowed to use a conventional MTHP to a maximum of 160 acres. In addition, the regulations modify the existing prescribed conditions and mitigations found in Sections 1051(a)(4)–1051(a)(9), and 1051(a)(12). Specifically, revisions are proposed to existing provisions for heavy equipment operations, construction of new skid trails, construction and reconstruction of new logging roads, operations on slides and unstable areas, and heavy equipment operations in archaeological sites. These revisions are partly proposed to conform to the proposed maximum acreage increase. They are also partly intended to increase use of the conventional MTHP by smaller private timberland owners.

The proposed regulation would have no effect upon the existing Modified Timber Harvest Plan for Fuel Hazard Reduction (MTHP–FHR) regulations.

The regulation as proposed could result in highly localized beneficial effects upon the environment. These beneficial effects could be related to fire resiliency, habitat manipulation, and aesthetics. However, these prospective benefits are somewhat abstract and may occur at such small scales as to be indistinguishable from the surrounding landscapes. Regardless, it may be presumed at a minimum that the level of protective effect upon the environment will not be reduced as a result of this proposed regulation.

The proposed regulation is not expected to have an effect upon public health and safety, worker safety, the prevention of discrimination, or the promotion of fairness or social equity. Neither is the proposed regulation expected to result in an increase in the openness and transparency in business and government.

Board staff has evaluated whether or not the proposed regulation is inconsistent or incompatible with existing state regulations pursuant to GC § 11346.5(a)(3)(D) and determined that it is neither inconsistent nor incompatible. The proposed regulation is entirely consistent and compatible with existing Forest Practice Rules and the Z’ Berg–Nejedly Forest Practice Act.

DISCLOSURES REGARDING THE PROPOSED ACTION AND RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The results of the economic impact assessment prepared pursuant to GC § 11346.5(a)(10) for this proposed regulation indicate that it will not result in an adverse economic impact upon the regulated public or regulatory agencies. Adoption of these regulations will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California. While it may be speculated that the proposed regulation could benefit the environment, it is not expected to affect the health and welfare of California residents or improve worker safety.

The Board has made an initial determination that there will be no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Cost impacts on representative private persons or businesses:

The board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The MTHP is a voluntary rather than compulsory permitting process available for use at the discretion of private timberland owners. In comparison to a conventional Timber Harvesting Plan (THP), the MTHP is already considered a less costly option. It is anticipated that the proposed amendments to the MTHP regulations would not significantly alter the already lower cost for MTHP preparation. Likewise, the costs associated with harvest operations under an MTHP as revised by the proposed regulations are not likely to be measurably affected.

Effect on small business:

No effect to small business is anticipated as the MTHP is a voluntary permitting process for timber harvesting. The existing MTHP is considered a lower–cost alternative to the conventional THP and the proposed regulation is not anticipated to alter this condition.

Mandate on local agencies and school districts:

The proposed regulation does not impose a mandate on local agencies and school districts.

Costs or savings to any State agency:

The proposed regulation will not result in additional costs or savings to a State agency.

Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC § 17500:

The proposed regulation does not impose a reimbursable cost to any local agency or school district.

Other non-discretionary cost or savings imposed upon local agencies:

The proposed regulation will not result in the imposition of non-discretionary costs or savings to local agencies.

Cost or savings in federal funding to the State:

The proposed regulation will not result in costs or savings in federal funding to the State.

Significant effect on housing costs:

The proposed regulation will have no effect upon housing costs.

Conflicts with or duplication of Federal regulations:

The proposed regulations neither conflict with, nor duplicate Federal regulations. There are no comparable Federal regulations for timber harvesting on State or private lands.

BUSINESS REPORTING REQUIREMENT

The regulation does not require a report, which shall apply to businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code § 11346.5(a)(13), the Board must determine that no reasonable alternative it considers 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.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the *Initial Statement of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
 Attn: Eric Huff
 Regulations Coordinator
 P.O. Box 944246
 Sacramento, CA 94244-2460
 Telephone: (916) 653-9633

The designated backup person in the event Mr. Huff is not available is Mr. George Gentry, Executive Officer of the California Board of Forestry and Fire Protection. Mr. Gentry may be contacted at the above address or by phone at (916) 653-8007.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board has prepared an *Initial Statement of Reasons* providing an explanation of the purpose, background, and justification for the proposed regulations. The statement is available from the contact person on request. When the *Final Statement of Reasons* has been prepared, the statement will be available from the contact person on request.

A copy of the express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at its office at the above address.

All of the above-referenced information is also available on the Board web site at:

http://www.fire.ca.gov/BOF/board/board_proposed_rule_packages.html

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text — with the changes clearly indicated — available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including written and oral comments received at the public hearing, or

- c) requested notification of the availability of such changes from the Board of Forestry and Fire Protection.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice.

The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 14. DEPARTMENT OF PARKS AND RECREATION

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

PUBLIC HEARINGS

DPR will hold two public hearings each starting at 6 p.m. The first hearing will be held at the Adult Recreation Center, 201 E. Colorado, Glendale, CA on August 1, 2013 starting at 6 p.m. and ending when either testimony has completed or no later than 8 p.m. The second hearing will be held at the Sacramento Recreation Equipment store, Community Room, 1790 Expo Parkway, Sacramento, CA on August 15, 2013 starting at 6 p.m. and ending when either testimony has completed or no later than 8 p.m. The meeting rooms are wheelchair accessible. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed actions described in the Informative Digest. DPR requires that persons making oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interest person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to DPR. Comments may also be submitted by facsimile (FAX) at (916) 324-0301 or by email to Alexandra.Stehl@parks.ca.gov. The written comment period closes at **5:00 p.m. on August 15, 2013**. DPR will consider only comments received at DPR offices by that time. Submit comments to:

Major General Anthony L. Jackson, Director
California Department of Parks and Recreation
P.O. Box 942896
Sacramento, CA 94296

AUTHORITY AND REFERENCE

Public Resources Code Section 5003 authorizes DPR to adopt these proposed regulations. The proposed regulations implement, interpret and make specific Public Resources Code Sections 5001.8, 5008, 5019.65, 5019.71, and 5019.74.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This rulemaking action clarifies and makes specific the authority for regulating trail uses and users on trails in the State Park System and what tools may be used and under what circumstances in Cultural Preserves and Natural Preserves. It also clarifies that permanent structures and installations are allowed in wilderness and preserves where necessary for natural or cultural heritage protection. These regulations are not required by federal law or regulations and there is no overlap with federal law or regulation.

CONSISTENCY AND COMPATABILITY WITH EXISTING STATE REGULATIONS

After conducting a review of existing regulations, the DPR has concluded that these are the only regulations dealing with Trail Use and Tool Use within DPR. Therefore, the DPR has determined that the proposed regulations are consistent and compatible with existing state regulations.

Trail Use

Public Resources Code Section 5008(c) provides DPR the authority to protect and manage trails in the State Park System. Existing California Code of Regulations (CCR) rules for trail by various use types are inconsistent with Department Trail Use Policy and with each other.

CCR Sections 4359 (Riding or Pack Animals) and 4360 (Bicycles. Operator Propelled Devices) provide different guidance on how to make decisions regarding where each use is allowed on trails within units of the California State Park System. Generally, these regulations provide that bicycles are allowed unless an order is posted to prohibit them and that horses are not allowed unless an order is posted to allow them. This distinction is not supported by current practice or policy and could erroneously be interpreted to favor one use type over the other.

Department trail use policy, regulations and statutes have evolved over a long period of time. During this process, inconsistency between these various governing directions has gradually occurred. Also, at the time that mountain bikes became available and popular, the State Park System, like most agencies, had no rules re-

garding their use. The Department responded by creating a mountain bike policy that provided guidance, which was later amended. What is now needed is consistent language in the CCR for all trail use decisions.

The Public Resources Code does not specifically address what trail uses are allowed in Natural Preserves, State Reserves, Cultural Preserves and State Cultural Reserves in Units of the State Park System, nor does the CCR.

Areas such as Natural Preserves, State Reserves, Cultural Preserves, State Cultural Reserves and State Wilderness are set aside with primary consideration for protection of unique and special resources. Use in these areas must be limited to that necessary for public enjoyment and education without negative impacts on the resources. Detailed direction is available for State Wilderness in the CCR, but no such guidance for trail use in the other units is provided.

Natural Preserves, Cultural Preserves, State Reserves, and State Cultural Reserves have unique, sensitive and important natural and cultural resources. Existing governance is designed to protect these areas, but provides little guidance for which types of trail uses may be allowed. Currently, pedestrians are allowed on all trails, and many are open to equestrians. Bicycle use is less commonly allowed. Districts have used their discretion in deciding which uses will be allowed. There is a need for consistent guidance in making these decisions.

Within Natural Preserves, Cultural Preserves, State Reserves, State Cultural Reserves there are areas where equestrian and bicycle use may be appropriate when such use can be accommodated without impact on the prime resources for which the area is designated. Public use of these areas is primarily for observation by and education of the public. Such use, when it can be properly managed, can raise public awareness of these resources and the need to protect them. Since there is a demand by the public to see these areas and make connections to existing or proposed trails, access needs to be designed with careful planning so any impacts on the resources will be less than significant. Unplanned and unmanaged use such as user-made trails can have more deleterious impacts.

Tool Use in Preserves and Structures and Installations in Wilderness and Preserves

The current regulations for tool use in wilderness allow for temporary structures and installations, but do not allow for permanent structures or installations. This is inconsistent with current and historical practice since retaining walls, bridges and other structures are sometimes needed to protect the resources. Installation of such structures can prevent erosion, minimize sedimentation of streams, protect public health and safety and

prevent collapse of historic structures. Historic structures in wilderness have been allowed in accordance with laws and policy protecting such structures. The regulations for State Wilderness need to be amended to make them consistent with current and appropriate practices for protection of natural and cultural resources.

The Public Resources Code does not provide direction for tool and equipment use in Natural Preserves and Cultural Preserves in the State Park System. The designation as a preserve provides clear direction that the resources in these areas are worthy of a high level of protection similar to those for wilderness. Preserves have unique, sensitive and important natural and cultural resources. Public Resources Code Sections 5019.71 and 5019.74 provide statutory guidance for management decisions for preserves. While these Statutes provide direction on resource protection and public use, they do not establish guidance for appropriate equipment or tool use consistent with best management practices for these areas.

The Department must manage these areas in a manner to provide them such protection. Managing these areas means more than just leaving them alone. Active measures are sometimes needed to provide the best protection to the resources or in some cases to provide the rehabilitation or restoration required. Current rules, regulations, and policies are largely silent on the issue of what type of tools and equipment may be used in these areas and under what circumstances. Rules for minimum tool use in Wilderness have been adopted by the Department, but as mentioned above do not allow for permanent structures or installations.

There is a need to create regulations to provide Department guidance for preserves in the State Park System. These rules will generally be modeled after the Department's guidance for tool and equipment use in State Wildernesses as amended by these regulations. Such processes must provide for resource protection and enhancement as the primary factors while recognizing time and economic considerations.

There is a need for additional regulation allowing for permanent structures and installations where necessary for natural or cultural resource protection in wilderness, cultural preserves and natural preserves.

Benefits of the Proposed Actions: The proposed actions will eliminate conflicts within the current regulations for trail management and create a process for determining the tools that can be used in Natural Preserves and Cultural Preserves. This action will also clarify that permanent structures and installations are allowable in wilderness and preserves where such are necessary for resource protection. This process will create an effective and efficient way to manage tool use in these sensi-

tive areas while providing for adequate protection, management, and restoration as needed.

DISCLOSURES REGARDING THE PROPOSED ACTION

The DPR has made the following initial determinations:

Documents incorporated by reference: Not applicable.

Mandated by Federal Law or Regulations: Not applicable.

Other Statutory Requirement: None

Mandate on local agencies and school districts: None.

Costs or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.

Other nondiscretionary cost or savings imposed on local agencies: None.

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

Significant effect on housing costs: None.

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

Results of the economic impact assessment/analysis:

- a) The creation or elimination of jobs within California — No jobs will be created or eliminated.
- b) The creation of new businesses or the elimination of existing businesses within the State of California — No businesses will be created or eliminated within the State of California.
- c) The expansion of businesses currently doing business within the State of California — There will be no expansion of businesses currently doing business within the State of California.
- d) The benefits of the regulations to the health and welfare of California residents, worker safety, and the State's environment — The proposed actions will eliminate conflicts within the current regulations for trail management and create a process for determining the tools that can be used in Natural Preserves and Cultural Preserves. This action will also clarify that permanent structures and installations are allowable in wilderness and preserves where such are necessary for resource protection. This process will create an effective and efficient way to manage tool use in these sensitive areas while providing for adequate

protection, management, and restoration as needed. Complying with the proposed regulation benefits the environment by protecting natural and cultural resources in units of the State Park System through clarity of regulations affecting trail use and minimum tool use while offering public enjoyment of trails and natural and cultural resources.

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

Business Report: The regulations do not require a report.

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

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the DPR must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Major General Anthony L. Jackson, Director
California Department of Parks and Recreation
P.O. Box 942896
Sacramento, CA 94296
(916) 653-8380

The backup contact person for these inquiries is:

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

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

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

The DPR will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons.

Copies may be obtained by contacting Ms. Stehl at the address or phone number listed above.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

After holding the public hearings and considering all timely and relevant comments received, the DPR may adopt the proposed regulations substantially as described in this notice. If the DPR makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the DPR adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Alexandra Stehl at the address indicated above. The DPR will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT
OF REASONS

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

AVAILABILITY OF DOCUMENTS ON
THE INTERNET

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

GENERAL PUBLIC INTEREST

**DEPARTMENT OF HEALTH CARE
SERVICES**

**THE CALIFORNIA DEPARTMENT OF HEALTH
CARE SERVICES (DHCS) PROPOSES TO
AMEND THE STATE PLAN TO REFLECT THE
EFFECTIVE DATE OF THE 2013
REIMBURSEMENT RATE FOR ALTERNATIVE
BIRTH CENTERS AND STATE-RECOGNIZED
PROVIDERS AT ALTERNATIVE
BIRTH CENTERS**

This notice provides information of public interest with respect to the requirements in the Affordable Care Act, Section 2301 regarding alternative birth centers. DHCS will submit to the Centers for Medicare and Medicaid Services (CMS) the necessary Medicaid State Plan Amendment (SPA) to include the provisions of Welfare and Institutions (W&I) Code Section 14148.8 as part of the California State Plan.

**Alternative Birth Centers and Professionals Who
Provide Services in Alternative Birth Centers**

DHCS will amend the State Plan (SPA) to include the effective date of July 1, 2013 for the 2013 reimbursement rate for alternative birth centers. Medi-Cal currently covers alternative birth centers and professionals who provide services in them. This SPA will not change the scope of services, as defined in W&I Code Section 14148.8.

Public Review and Comment

The California statute discussed above is available for public review at local county welfare offices throughout the State and at www.leginfo.com. Interested parties may submit written comments, request for copies of the statute, and/or request copies of the written comments to: Arlene Sakazaki, Chief, Provider Rates Section, Department of Health Care Services, MS 4600, P.O. Box 997417, Sacramento, CA 95899-7417.

AVAILABILITY OF INDEX OF PRECEDENTIAL DECISIONS

PHYSICAL THERAPY BOARD OF CALIFORNIA

NOTICE OF AVAILABILITY OF PRECEDENTIAL DECISIONS AND DECISION INDEX

NOTICE IS HEREBY GIVEN that the Physical Therapy Board of California (Board), pursuant to section 11425.60 of the Government Code, adopted precedential decision number PTBC-PD-2012-08 pertaining to general conduct related to practice. The Board maintains an index of precedential decisions, which is annually made available by the Board to the public by e-mail subscription. To join the Board's e-mail list, go to www.ptbc.ca.gov. The index and the text of the precedent decisions are continuously available on the Board's website at http://www.ptbc.ca.gov/laws/prec_decisions.shtml. For additional information, contact:

Sarah Conley, Executive Associate Analyst
 Administrative Services
 Physical Therapy Board of California
 2005 Evergreen Street, Suite 1350
 Sacramento, CA 95815
 Telephone: (916) 561-8210
 Fax: (916) 263-2560
 E-mail: Sarah.Conley@dca.ca.gov

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# 2013-0604-01
 DEPARTMENT OF DEVELOPMENTAL SERVICES
 Licensed Residential Facilities — Secured Perimeters

This emergency rulemaking by the California Department of Developmental Services amends and adopts sections of Title 17 to make the changes necessary to implement AB 1472. These changes authorize the installation of secured perimeters around adult residential facilities and group homes utilizing delayed egress devices, and the installation of delayed egress and secured perimeters in and around specified facilities.

Title 17
 California Code of Regulations
 ADOPT: 56068, 56069, 56070, 56071, 56072, 56073, 56074, 56620, 56621, 56622, 56623, 56624, 56625 AMEND: 56101
 Filed 06/13/2013
 Effective 06/13/2013
 Agency Contact: Eric Gelber (916) 654-1844

File# 2013-0508-01
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Pysllid Interior Quarantine

The Department of Food and Agriculture (DFA) submitted this timely certificate of compliance to make permanent the emergency regulations adopted in OAL file no. 2012-1106-01E. This rulemaking amends Title 3, section 3435(b) of the California Code of Regulations to expand the quarantine area currently in the regulation.

Title 3
 California Code of Regulations
 AMEND: 3435(b)
 Filed 06/19/2013
 Effective 06/19/2013
 Agency Contact: Lindsay Rains (916) 654-1017

File# 2013-0618-01
 DEPARTMENT OF FOOD AND AGRICULTURE
 Section 3435 Asian Citrus Pysllid Interior Quarantine

This emergency regulatory action is a readopt of prior emergency actions (OAL file nos. 2013-0329-02EE and 2012-0904-01E) that amended section 3435(b) to expand the quarantine area for Asian Citrus Pysllid (ACP) by approximately 609 square miles by including the Desert Hot Springs area of Riverside and San Bernardino counties. The effect of the amendment provides authority for the State to perform quarantine activities against ACP within this additional area and existing regulated areas.

Title 3
 California Code of Regulations
 AMEND: 3435(b)
 Filed 06/19/2013
 Effective 06/19/2013
 Agency Contact: Lindsay Rains (916) 654-1017

File# 2013-0603-04
 DEPARTMENT OF INSURANCE
 Essential Health Benefits

This emergency rulemaking action implements, interprets, and makes specific the requirements for coverage of essential health benefits under the Patient Protection and Affordable Care Act (PPACA), implements the PPACA's annual limitations on cost sharing and small group deductibles and levels of coverage requirements, and establishes the process through which insurers will submit health insurance policies containing verification of actuarial value to the Department for review for compliance with the essential health benefits package.

Title 10
 California Code of Regulations
 ADOPT: 2594, 2594.1, 2594.2, 2594.3, 2594.4, 2594.5, 2594.6, 2594.7
 Filed 06/13/2013
 Effective 06/13/2013
 Agency Contact: Jessica Ryan (415) 538-4110

File# 2013-0604-02
 EDUCATION AUDIT APPEALS PANEL
 Audits of K-12 LEAs — FY 2013-14

The Education Audit Appeals Panel submitted this emergency rulemaking action to update the audit guide that is used for auditing California K-12 Local Education Agencies, pursuant to Education Code section 14502.1. The amendments specify which provisions of the guide are applicable to FY 2013-14. They also make revisions to the kindergarten continuance procedures and add a section regarding usage of education protection account funds.

Title 5
 California Code of Regulations
 ADOPT: 19847 AMEND: 19816, 19816.1, 19818, 19824, 19829, 19837.3
 Filed 06/12/2013
 Effective 06/12/2013
 Agency Contact:
 Timothy E. Morgan (916) 445-7745

File# 2013-0514-03
 FISH AND GAME COMMISSION
 Klamath River Sport Fishing

In April, the Pacific Fishery Management Council (PFMC) recommended a harvest allocation of 40,006 Klamath River Fall Chinook (KRFC) for the recreational fishery in the Klamath River System. The Fish and Game Commission amended section 7.50(b)(91.1) of title 14 of the California Code of Regulations which contains the sport fishing regulations for the anadromous waters of the Lower Klamath River Basin to con-

form with those PFMC recommendations and to make other related changes.

Title 14
 California Code of Regulations
 AMEND: 7.50
 Filed 06/17/2013
 Effective 08/15/2013
 Agency Contact: Sherrie Fonbuena (916) 654-9866

File# 2013-0507-01
 OFFICE OF SPILL PREVENTION AND RESPONSE
 Removal of State Interagency Oil Spill Committee References

In this non-substantive regulatory action, the Department of Fish and Wildlife: Office of Oil Spill Prevention and Response (OSPR) is amending three sections in Title 14 of the California Code of Regulations to remove references to "State Interagency Oil Spill Committee." Due to statutory changes made by Assembly Bill No. 120 (2011-2012 Reg. Sess.), which rendered inoperative the existence and duties of the State Interagency Oil Spill Committee, OSPR's regulatory amendments are made to ensure the regulations are consistent with the statutes.

Title 14
 California Code of Regulations
 AMEND: 816.01(c)(3), 826.01(c)(2), 870.21(d)
 Filed 06/19/2013
 Agency Contact: Mark Neuburger (916) 322-7562

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN January 23, 2013 TO
 June 19, 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**
- 06/03/13 AMEND: 43000, 43001, 43002, 43003, 43004, 43005, 43006, 43007, 43008, 43009
 - 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		12200.3, 12200.5, 12200.6, 12200.10B, 12200.14, 12200.20, 12202, 12203, 12203A, 12203.2, 12203.3, 12205.1, 12218, 12218.7, 12218.8, 12218.9, 12220, 12220.3, 12220.5, 12220.6, 12220.14, 12220.20, 12222, 12223, 12225.1, 12233, 12235, 12238, 12239, 12301, 12301.1, 12302, 12303, 12304, 12305, 12309, 12310, 12342, 12345, 12349, 12350, 12351, 12352, 12354, 12357, 12358, 12359, 12370, 12372, 12401, 12402, 12403, 12404, 12464, 12480, 12492, 12496, 12500, 12503, 12505, 12508, 12591
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	06/03/13	AMEND: 5170, 5190, 5205, 5212, 5230, 5250
03/20/13	AMEND: 1897	05/23/13	ADOPT: 12364 AMEND: 12004
03/12/13	AMEND: 1859.2, 1859.77.3	05/22/13	ADOPT: 10050, 10051, 10052, 10053, 10054, 10055, 10056, 10057, 10058, 10059, 10060
03/11/13	ADOPT: 1859.95.1 AMEND: 1859.2, 1859.95	05/16/13	AMEND: 10192, 10193, 10194, 10195, 10196, 10197, 10198
02/21/13	AMEND: 599.506	05/16/13	ADOPT: 5255, 5256 AMEND: 5170, 5230, 5250, 5560, 5580
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	05/03/13	AMEND: 1843.2
01/31/13	AMEND: 649.28	05/02/13	AMEND: 1658
Title 3		04/23/13	AMEND: 8035(e)
06/19/13	AMEND: 3435(b)	04/08/13	ADOPT: 8035.5
06/19/13	AMEND: 3435(b)	04/02/13	AMEND: 10032, 10033, 10034, 10035
05/23/13	ADOPT: 6558, 6577, 6880, 6884, 6886 AMEND: 6452, 6452.2, 6452.4 (renumbered to 6881), 6890 (renumbered to 6864)	03/21/13	AMEND: 10178, 10179, 10181, 10182, 10185, 10188
05/22/13	AMEND: 3434(b)	03/20/13	AMEND: 1462
05/20/13	AMEND: 3434(b)	03/19/13	AMEND: 10302, 10315, 10322, 10323, 10325, 10326, 10327, 10337
05/06/13	ADOPT: 1350 AMEND: 1354	03/12/13	AMEND: 5000, 5052
04/16/13	AMEND: 3435(b)	02/11/13	AMEND: 10325
04/04/13	AMEND: 3435(b)	02/11/13	AMEND: 8072
04/02/13	AMEND: 3435(b)	02/07/13	ADOPT: 7100, 7101, 7102, 7103, 7104, 7105, 7106, 7107, 7108, 7109, 7110, 7111, 7112
02/28/13	AMEND: 3437(b)	02/04/13	AMEND: 8070, 8071, 8072, 8078, 8078.2
02/27/13	AMEND: 3435(b)	01/28/13	ADOPT: 10050, 10051, 10052, 10053, 10054, 10055, 10056, 10057, 10058, 10059, 10060
02/25/13	ADOPT: 1180.24 AMEND: 1180.1, 1180.3.2, 1180.20 REPEAL: 1180.24	01/24/13	ADOPT: 5255, 5256 AMEND: 5170, 5230, 5250, 5560, 5580
Title 4		Title 5	
06/03/13	AMEND: 12101, 12120, 12122, 12126, 12130, 12132, 12140, 12142, 12200,	06/12/13	ADOPT: 19847 AMEND: 19816, 19816.1, 19818, 19824, 19829, 19837.3
		06/05/13	AMEND: 19816, 19816.1, 19839
		05/23/13	ADOPT: 30000.5, 30010, 30040, 30040.2, 30040.6, 30041, 30041.5,

	30042, 30042.5, 30044.5 AMEND:	03/18/13	AMEND: 344, 344.1
	30000, 30001, 30002, 30005, 30009,	03/14/13	AMEND: 3381
	30020, 30021, 30022, 30030, 30032,	03/13/13	AMEND: 9789.23, 9789.24, 9789.25
	30033	02/28/13	AMEND: 4309
05/14/13	ADOPT: 30737, 30738 AMEND: 30730,	01/28/13	ADOPT: 4993.1 AMEND: 1610.3,
	30731, 30733, 30734, 30736		1616.3, 4885, 4999, 5001
05/01/13	AMEND: 80054	01/24/13	AMEND: 3210, 3900
04/03/13	ADOPT: 41906.6		
03/13/13	AMEND: 20135, 20136, 20140	Title 9	
	REPEAL: 20145, 20300, 20301, 20302,	06/06/13	ADOPT: 14200, 14210, 14220, 14230,
	20303, 20304, 20305, 20306, 20307,		14240
	20308, 20309, 20310, 20311, 20312,	05/09/13	AMEND: 7156, 7158.8, 7159, 7160,
	20313, 20314, 20315, 20316, 20317,		7160.5, 7161.5, 7162, 7163, 7211, 7263,
	20318, 20319, 20320, 20321, 20322,		7302, 7310, 7312, 7320, 7321, 7322,
	20323, 20324, 20325, 20326, 20327,	03/13/13	AMEND: 7071.2, 7017.5, 7021, 7051,
	20328, 20329, 20330, 20331, 20332		7053
02/12/13	AMEND: 19816, 19816.1, 19839	03/05/13	AMEND: 7141.5, 7143, 7227, 7350,
02/11/13	AMEND: 40405.1, 40405.4, 40500,		7351, 7353.6, 7354, 7355, 7356, 7357,
	40501, 40505, 40506, 40507, 40508		7358
02/07/13	ADOPT: 40203	Title 10	
02/07/13	ADOPT: 42740	06/13/13	ADOPT: 2594, 2594.1, 2594.2, 2594.3,
02/06/13	ADOPT: 9517.3		2594.4, 2594.5, 2594.6, 2594.7
Title 8		05/20/13	AMEND: 2698.95(a)
05/30/13	AMEND: 4994	05/13/13	AMEND: 2632.19
05/08/13	AMEND: 5004(d)(2)	03/29/13	REPEAL: 2690.65
05/07/13	AMEND: 17000 Appendix	03/29/13	REPEAL: 2690.5
05/06/13	AMEND: 1529, 1532, 1532.1, 1532.2,	03/29/13	REPEAL: 2690.6
	1535, 5150, 5189, 5190, 5191, 5192,	03/29/13	REPEAL: 2690.4
	5194, 5198, 5200, 5201, 5202, 5206,	03/29/13	ADOPT: 6426
	5207, 5208, 5209, 5210, 5211, 5212,	03/29/13	ADOPT: 6446
	5213, 5214, 5217, 5218, 5220, 8358,	03/13/13	AMEND: 2318.6, 2353.1, 2354
	8359	03/11/13	ADOPT: 2562.1, 2562.2, 2562.3, 2562.4
04/24/13	AMEND: 2940.8	03/11/13	AMEND: 2318.6, 2353.1, 2354
04/15/13	AMEND: 354, 371.2, 373, 376.1, 386	03/04/13	AMEND: 2690, 2690.1, 2690.2
03/29/13	AMEND: 9789.31, 9789.34, 9789.35,	Title 11	
	9789.39	03/27/13	AMEND: 80.3
03/18/13	ADOPT: 32056, 32121, 32998, 93000,	Title 13	
	93005, 93010, 93015, 93020, 93025,	05/07/13	ADOPT: 426.00
	93030, 93035, 93040, 93045, 93050,	04/18/13	AMEND: 1956.8
	93055, 93060, 93065, 93070, 93075,	03/07/13	AMEND: 125.12, 125.16, 126.00,
	93080 AMEND: 32150, 32155, 32300,		126.02, 127.00, 127.08
	32305, 32310, 32315, 32320, 32350,	02/07/13	AMEND: 2193
	32360, 32370, 32375, 32380, 32410	01/28/13	ADOPT: 426.00
	REPEAL: 15800, 15805, 15810, 15815,	01/24/13	AMEND: 425.01
	15820, 15825, 15830, 15835, 15840,	Title 14	
	15845, 15850, 15855, 15860, 15865,	06/19/13	AMEND: 816.01(c)(3), 826.01(c)(2),
	15870, 15875, 15875.1, 17300		870.21(d)
03/18/13	ADOPT: 32091, 61215, 61255, 61275	06/17/13	AMEND: 7.50
	AMEND: 32132, 32135, 32140, 32147,	04/29/13	AMEND: 27.80
	32169, 32305, 32320, 32450, 32455,	04/25/13	ADOPT: 709, 709.1
	32615, 32620, 32661, 32798, 61090,	04/12/13	AMEND: 1.74, 701
	61210, 61220, 61240, 61250, 61260,	03/27/13	ADOPT: 132.1, 132.2, 132.3, 132.4,
	61270 REPEAL: 32613, 32810, 32811,		132.5
	32812, 32813		

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03/25/13 AMEND: 27.80
 03/25/13 ADOPT: 1667.1, 1667.2, 1667.3, 1667.4, 1667.5, 1667.6
 03/06/13 ADOPT: 1299.01, 1299.02, 1299.03, 1299.03(a), 1299.03(b)(1) and most of the document incorporated therein by reference, 1299.03(b)(2)(B), 1299.03(b)(2)(C), 1299.03(c), 1299.04, 1299.05 REPEAL: 1299
 03/06/13 ADOPT: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8
 03/05/13 AMEND: 265, 365, 366, 478, 708.12, 708.16
 02/27/13 AMEND: 670.7 (e) & (f)
 02/25/13 AMEND: 670.5
 02/14/13 ADOPT: 15183.3, Appendix M, Appendix N
 02/14/13 AMEND: 27.25, 27.30, 27.35, 27.45, 27.50, 27.65, 28.26, 28.27, 28.28, 28.29, 28.49, 28.54, 28.55, 28.56, 28.58
 01/31/13 AMEND: 1270, 1270.02, 1270.03, 1270.04, 1270.05, 1270.06, 1270.07, 1270.08, 1270.09

Title 15

05/16/13 AMEND: 3173.2, 3174
 03/11/13 AMEND: 3000, 3002, 3021, 3041, 3041.2, 3045.3, 3075.1, 3075.2, 3082, 3103, 3144, 3172.2, 3177, 3230, 3270, 3275, 3278, 3288, 3324, 3338, 3367, 3368, 3369, 3371.1, 3376, 3379, 3380, 3401.5, 3404, 3415 and CDC 345 (Rev. 5/95)
 03/04/13 REPEAL: 3999.10
 02/25/13 ADOPT: 3375.6 AMEND: 3000, 3375
 02/25/13 ADOPT: 3078, 3078.1, 3078.2, 3078.3, 3078.4, 3078.5, 3078.6 AMEND: 3000, 3043, 3075.2, 3097, 3195, 3320, 3323
 02/21/13 AMEND: 3000, 3190, 3213, 3334
 02/12/13 ADOPT: 8004, 8004.1, 8004.2, 8004.3, 8004.4 AMEND: 8000

Title 16

06/10/13 ADOPT: 5.5, 18, 19, 20, 21, 22 AMEND: 21 (renumbered to 36.1), 26, 98
 06/06/13 AMEND: 2006
 05/20/13 AMEND: 4402
 05/17/13 ADOPT: 3340.4 AMEND: 3340.1, 3340.43
 05/08/13 AMEND: 1380.1
 05/02/13 ADOPT: 3340.17.1, 3340.17.2, AMEND: 3340.1, 3340.16, 3340.16.4, 3340.16.5, 3340.17, 3340.18, 3340.42, 3340.42.2, 3340.45, 3394.5
 04/22/13 AMEND: 2268.2, 2271

04/16/13 ADOPT: 1364.50
 04/16/13 AMEND: 1132
 04/15/13 ADOPT: 1508, 1508.1, 1508.2, 1508.3
 04/10/13 ADOPT: 1149, 1150, 1151, 1152, 1153
 04/08/13 AMEND: 2614
 04/08/13 AMEND: 40, 43, 45
 04/02/13 AMEND: 1888
 03/25/13 ADOPT: 1823, 1888.1 AMEND: 1803, 1845, 1858, 1881
 03/14/13 ADOPT: 1399.110, 1399.130, 1399.130.1, 1399.156.5 AMEND: 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

Title 17

06/13/13 ADOPT: 56068, 56069, 56070, 56071, 56072, 56073, 56074, 56620, 56621, 56622, 56623, 56624, 56625 AMEND: 56101
 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

Title 18

05/31/13 ADOPT: 17052.6
 05/28/13 AMEND: 1685.5

03/11/13 AMEND: 1620
Title 19
 03/26/13 REPEAL: 2300, 2301, 2302, 2303, 2304, 2305, 2324, 2325, 2325.1, 2326, 2327, 2328, 2329, 2330, 2331, 2350, 2351, 2352
Title 20
 04/18/13 ADOPT: 1680, 1681, 1682, 1683, 1684
Title 21
 02/07/13 AMEND: 1301, 1310, 1312
Title 22
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 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
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Title 23
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 06/03/13 AMEND: 5000
 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
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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