



California Regulatory Notice Register

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JULY 26, 2013

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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. STATE ALLOCATION BOARD

THE STATE ALLOCATION BOARD PROPOSES TO AMEND REGULATION SECTIONS 1859.2, 1859.71, 1859.71.6, 1859.74.5, 1859.77.4, 1859.82, AND 1859.83, ALONG WITH AN ASSOCIATED FORM, TITLE 2. CALIFORNIA CODE OF REGULATIONS, RELATING TO LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998

FORM PROPOSED FOR AMENDMENT

Application for Funding, Form SAB 50–04, (Revised 05/13), referenced in Regulation Section 1859.2.

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend the above-referenced regulation sections, including an associated form, contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, the OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to amend the above-referenced regulation sections under the authority provided by Sections 17070.35, 17075.15, and 17078.7(l) of the Education Code. The proposals interpret and make specific reference Sections 17072.32, 17074.15, 17074.16, 17074.56, 17075.10, 17075.15, 17077.42, 17077.45, 17250.30, 101012(a)(1), and 101012(a)(8) of the Education Code.

INFORMATIVE DIGEST/POLICY OVERVIEW STATEMENT

The Leroy F. Greene School Facilities Act of 1998 established, through Senate Bill 50, Chapter 407, Statutes of 1998, the School Facility Program (SFP). The SFP provides a per-pupil grant amount to qualifying school districts for purposes of constructing school facilities and modernizing existing school facilities. The SAB adopted regulations to implement the Leroy F. Greene School Facilities Act of 1998, which were approved by the Office of Administrative Law and filed with the Secretary of State on October 8, 1999.

The SAB, at its May 22, 2013 meeting, adopted regulatory amendments to the SFP Regulations to stimulate greater participation for High Performance Incentive (HPI) grants by allowing this grant funding for qualifying Facility Hardship replacement and rehabilitation (including Seismic) projects. These grants are achieved by using designs and materials in new construction and modernization projects for efficiencies in sustainable sites, energy, water, materials, and indoor environmental quality. The Division of the State Architect (DSA) reviews construction plans and scores the project if high performance building components are included in the project.

Bond Funds Impacted

- Kindergarten–University Public Education Facilities Bond Act of 2006 (Proposition 1D);
- Education Code Section 101012(a)(8) authorized \$100 million for HPI grants, but \$38 million continues to remain available.

Attached to this Notice is the specific regulatory language of the proposed regulatory action and the amendment to form SAB 50–04. You may also review the proposed regulatory language and Form on the OPSC Website at www.dgs.ca.gov/opsc. Copies of the amended regulatory text and form will be mailed to any person requesting this information by using the OPSC contact information set forth below in this Notice. The proposed regulations would amend the SFP Regulations under the California Code of Regulations, Title 2, Chapter 3, Subchapter 4, Group 1, State Allocation Board, Subgroup 5.5, Regulations relating to the Leroy F. Greene School Facilities Act of 1998.

Background and Problem Being Resolved

The HPI grant provides funding for the cost of design and materials that promote characteristics of high performance schools for the following programs under the SFP:

- New Construction,
- Modernization,
- Career Technical Education Facilities Program,
- Overcrowding Relief Grant Program,

- Critically Overcrowded Schools, and
- Charter School Facilities Program

Currently, as written, the SFP Regulations do not specify whether the HPI grant is available for certain Facility Hardship projects and there is no regulatory mechanism for providing and/or calculating the HPI grant for Facility Hardship replacement projects funded on a per-square foot basis or for rehabilitation projects, even though the SFP regulations do allow the HPI grant for Facility Hardship replacement schools. The proposed regulations address these inequities and allow Facility Hardship projects to expand the pool of projects eligible for the HPI grants. This carries out the SAB's directive in stimulating greater participation in the HPI Grant Program as well as apportioning those funds as quickly as possible.

Legislative History

Senate Bill (SB) 50 and Assembly Bill (AB) 16. The proposed regulatory amendments will help school construction projects under and fulfill the intent of SB 50 (Greene) and AB 16 (Hertzberg), which includes the following benefits to be obtained from the Class Size Reduction Kindergarten–University Public Education Facilities Bond Act of 1998 (Proposition 1A) and the Kindergarten–University Public Education Facilities Bond Acts of 2002 and 2004 (Propositions 47 and 55):

- funding for extreme financial, disaster-related, or other hardship pupil housing needs (Education Code Section 17075.10)

AB 127. The proposed amendments will help school construction projects under and fulfill the intent of AB 127, Chapter 35, Statutes of 2006 (Perata/Nunez). AB 127 made available up to \$100 million for projects that meet “high performance” rating criteria for components such as energy, water, natural lighting, air quality, use of recycled and low-toxin materials, and learning-enhancing acoustics for construction projects.

The Kindergarten–University School Facilities Act of 2006 (Proposition 1D) provided \$100 million in incentive grants to promote the use of high performance attributes in new construction and modernization projects for K–12 schools. The HPI grant is an additional grant available to school districts with projects that have increased costs associated with high performance attributes in school facilities. High performance attributes include using designs and materials that promote energy and water efficiency, maximize the use of natural lighting, improve indoor air quality, utilize recycled materials and materials that emit a minimal amount of toxic substances, and employ acoustics that are conducive to teaching and learning.

Prioritization of Facility Hardship Projects

Funding is provided for Facility Hardship projects that replace or rehabilitate school facilities in critical

cases where there is a serious risk to the health and safety of pupils. The SAB, at its August 4, 2010 meeting, approved placing Facility Hardship projects with unfunded approvals at the top of the cumulative Unfunded List (Lack of AB 55 Loans) at all times, with placement order determined by SAB approval and next by date order received.

HPI Grant

By meeting High Performance Rating Criteria (HPRC) within the defined categories, a project achieves points; more high performance attributes generally means more points. Each project must achieve a minimum score to qualify for the HPI grant. The construction plans and supporting documentation are submitted to the DSA for review and score verification. The verified score is submitted to the OPSC as part of the complete funding application. The number of points corresponds to an increase ranging from 2 to just over 11 percent of the per-pupil base grant amount.

In May 2010, a High Performance Base Incentive Grant (HPBIG) was introduced to encourage participation in acquiring HPI grants and to help offset some of the added costs incurred by school districts to design and install high performance building components.

- New Construction Projects — \$150,000 will be added to HPI grants meeting the minimum of 27 points on the HPRC point system.
- Modernization and New Construction Addition Projects — \$250,000 will be added to HPI grants meeting the minimum of 20 points on the HPRC point system.

Anticipated Benefits of the Proposed Regulations

The proposed regulatory amendments promote fairness and the State's general welfare, including protection of public health and safety, by expanding participation of the HPI grants to Facility Hardship replacement and rehabilitation (including Seismic) projects that carry out the intent of SB 50, AB 16, AB 127 and Propositions 1A (1998), 47 (2002), 55 (2004), and 1D (2006) by funding:

- extreme financial, disaster-related, or other hardship pupil housing needs; and
- projects that meet “high performance” rating criteria for components such as energy, water, natural lighting, air quality, use of recycled and low-toxin materials, and learning-enhancing acoustics for construction projects.

The proposed regulatory amendments are therefore determined to be consistent and compatible with existing State laws and regulations. Proceeding with the implementation of these regulatory amendments will have a positive impact on public health and safety at public K–12 schools by allowing Facility Hardship replacement and rehabilitation (including Seismic) projects to

include high performance building components in these types of projects.

Summary of the Proposed Regulatory Amendments

A summary of the proposed regulatory amendments is as follows:

Existing Regulation Section 1859.2 represents a set of defined words and terms used exclusively for these regulations. The proposed amendments add the definitions of “Facility Hardship Square Footage Grant” and “Seismic Rehabilitation Grant” in order to provide clear and concise references when calculating the HPI grant in SFP Regulation Section 1859.77.4. The addition of “and 2009 CA-CHPS Criteria” in the definition of “High Performance Rating Criteria” is for reference only and is considered a non-substantive change, as well as the capitalization of the letters “C,” “R,” and “C” found in the definition of “Rehabilitation Cost.” [The letters represent Current Replacement Cost which is a defined term in the SFP Regulations.] The Form SAB 50-04, *Application for Funding*, which is incorporated by reference, is being revised and its revision date changes from “09/12” to “05/13.”

Existing Regulation Section 1859.71 sets forth the manner by which the annual adjustment to the New Construction Grant is adjusted. The proposed amendment updates the *Project Information Worksheet* revision date from “New 09/07” to “Revised 05/10.”

Existing Regulation Section 1859.71.6 sets forth a point system based upon construction industry-recognized High Performance Rating Criteria (HPRC), for school districts to qualify for an SFP additional grant for including “high performance” designs and materials in their new construction projects. Additional points were added to the HPRC categories which facilitated projects achieving more points and therefore qualifying for HPI grants. A High Performance Base Incentive Grant (HPBIG) was also added to encourage participation in acquiring HPI grants and to help offset some of the added costs incurred by districts to design and install high performance building components in projects. The proposed amendments make clarifying language changes referring to the points available for certain high performance criteria, remove year-specific references to the California Energy Code, and add a citation of the title and part of the California Energy Code as specified in the California Code of Regulations.

Existing Regulation Section 1859.74.5 sets forth criteria for a new construction additional grant when school district wants to construct a school on a district-owned site rather than acquire a site. The proposed amendment corrects the use of a word from “proceeding” to “preceding.” This is considered a non-substantive change and is grammatically correct.

Existing Regulation Section 1859.77.4 sets forth criteria based upon the HPRC point system with review/approval by the Division of the State Architect (DSA), to provide qualifying school districts a percentage increase in their new construction addition project or modernization project grants for meeting the point value threshold. The proposed amendments restructures subsection (b) by adding subsections (b)(1) through (b)(5) and names the types of projects eligible for the HPI grant that is calculated pursuant to subsection (b), and the appropriate references to the new subsections. This addition provides the HPI grant to Facility Hardship projects funded on a square footage basis, seismic rehabilitation projects, and rehabilitation projects. In addition, there is the renumbering of subsections from subsections (1), (2), and (3) to subsections (6), (7), and (8) due to the addition of subsections (b)(1) through (b)(5).

Existing Regulation Section 1859.82 establishes the criteria a district must meet to be eligible for facility hardship funding to replace or construct new classrooms and related facilities if the district demonstrates there is an unmet need for pupil housing or the condition of the facilities, or the lack of facilities, is a threat to the health and safety of the pupils. The proposed amendments require that a cost/benefit analysis shall not include the costs of high performance components unless those high performance components were already existing in the classroom or related facility. The proposed amendments also list HPI grant funding as supplemental funding for Facility Hardship replacement projects that are funded on a square footage basis, including Seismic projects, as long as the points attained are related to the scope of the Facility Hardship project. The addition of an unnumbered paragraph relates to seismic rehabilitation projects and lists the additional grants for HPI and Prevailing Wage Monitoring for these types of projects.

Existing Regulation Section 1859.83 specifies additional school project funding (Excessive Cost Hardship Grants) for which school districts may apply as a result of unusual circumstances that create excessive project costs. Subsection (e) prescribes Excessive Cost Hardship Grants for excessive costs for rehabilitation of facilities that have been determined to be a health and safety risk to the pupils. The proposed amendments specify that the increased costs associated with high performance related costs or components shall be excluded from the required cost/benefit analysis with the exception of those high performance components that were pre-existing in the classroom or related facility. The proposed amendments also list the HPI grant as an additional grant that is available for rehabilitation projects and provides that high performance points attained

must be related to the scope of the Facility Hardship project.

Existing Form SAB 50–04, *Application for Funding*, is submitted by school districts to apply for State funding for new construction or modernization projects. The proposed amendment adds a reference to SFP Regulation Section 1859.77.4, which provides the HPI grant for new construction projects on existing sites.

Determination of Inconsistency or Incompatibility with Existing State Regulations

The HPI grant provides funding for the cost of design and materials that promote characteristics of high performance schools for the following programs under the SFP:

- New Construction,
- Modernization,
- Career Technical Education Facilities Program,
- Overcrowding Relief Grant Program,
- Critically Overcrowded Schools, and
- Charter School Facilities Program

Currently, as written, the SFP Regulations do not specify whether the HPI grant is available for certain Facility Hardship projects and there is no regulatory mechanism for providing and/or calculating the HPI grant for Facility Hardship replacement projects funded on a per–square foot basis or for rehabilitation projects, even though the SFP regulations do allow the HPI grant for Facility Hardship replacement schools. The proposed regulations address these inequities and allow Facility Hardship projects to expand the pool of projects eligible for the HPI grants. This carries out the SAB’s directive in stimulating greater participation in the HPI Grant Program as well as apportioning those funds as quickly as possible. After conducting a review, the SAB has concluded that these are the only regulations on this subject area, and therefore, the proposed regulations are neither inconsistent nor incompatible with existing State laws and regulations. The proposed regulatory amendments are within the SAB’s authority to enact regulations for the SFP under Education Code Section 17070.35 and Government Code Section 15503.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulations do not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulations.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

The Executive Officer of the SAB has made the following initial determinations relative to the required statutory categories:

- An initial determination has been made 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.
- There are no cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non–discretionary costs or savings to local agencies.
- The proposed regulations create no costs to school districts beyond those required by law, except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the State.
- The proposed regulations create no costs or savings to any State agency beyond those required by law.
- The SAB has made an initial determination that there will be no impact on housing costs.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Proceeding with the implementation of these amendments will have a positive impact on California businesses, such as local businesses, manufacturing, “green” technology and construction industries (i.e., architects, engineers, trades and municipalities), along with maintaining or creating an unspecified number of jobs. The proposed regulations have a direct benefit to California businesses because once State bond funding has been released school districts are able to use the funds for construction projects; thus, expanding construction–related trades and businesses and stimulating the State’s economy. Therefore, the proposed regulations most likely will have a positive effect on the creation of jobs, creation of new businesses, expansion of businesses, and will not eliminate jobs or eliminate existing businesses within California.

Since February 2008, the SAB has apportioned \$62 million for HPI grants, representing 246 projects. There is \$38 million remaining available for the HPI Grant Program. The proposed amendments will allow school districts with Facility Hardship replacement and rehabilitation (including Seismic) projects to include high

performance components and help meet the legislative intent to achieve these efficiencies in health and safety school facility projects.

Benefits to Public Health and Welfare, and the State's Environment

- The proposed emergency regulations have an impact upon public health and safety because the SAB elected to provide funding for Facility Hardship projects that replace or rehabilitate school facilities in critical cases where there is a serious risk to the health and safety of pupils. The action taken by the SAB, at its August 4, 2010 meeting, approved the placement of Facility Hardship projects with unfunded approvals at the top of the cumulative Unfunded List (Lack of AB 55 Loans) at all times, with placement order determined first by SAB approval date and next by date order received. This ensures the SAB's commitment to the health and safety of the students and public.
- The proposed regulatory amendments promote fairness and the State's general welfare, including protection of public health and safety, by expanding participation of the HPI grants to Facility Hardship replacement and rehabilitation (including Seismic) projects that carry out the intent of SB 50, AB 16, AB 127 and Propositions 1A (1998) 47 (2002), 55 (2004), and 1D (2006) by funding:
 - extreme financial, disaster-related, or other hardship pupil housing needs; and
 - projects that meet "high performance" rating criteria for components such as energy, water, natural lighting, air quality, use of recycled and low-toxin materials, and learning-enhancing acoustics for construction projects.
- The proposed regulations have a direct benefit to California businesses because once State bond funding has been released school districts are able to use the funds for construction projects; thus, expanding construction-related trades and businesses and stimulating the State's economy.
- There will be a positive impact to the State's environment from the proposed regulations because school districts will be incorporating green technology and high performance building components in their projects.

The SAB finds the proposed regulations fully consistent with the stated purposes and benefits of SB 50, AB 16 and AB 127, including the decision to prioritize Facility Hardship projects.

EFFECT ON SMALL BUSINESSES

It has been determined that the amendments to the regulation sections will not affect small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. These regulations only apply to school districts for purposes of funding school facility projects.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, e-mail or fax must be received at the OPSC no later than September 9, 2013, at 5:00 p.m. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, e-mail or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Lisa Jones,
Regulations Coordinator

Mailing Address: Office of Public School
Construction
707 Third Street, 9th Floor
West Sacramento, CA 95605

E-mail Address: lisa.jones@dgs.ca.gov

Fax No.: (916) 375-6721

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Ron Koepl at (916) 375-2032. If Mr. Koepl is unavailable, these questions may be directed to the backup contact person, Ms. Lisa Jones, Supervisor, Regulations Team, at (916) 376-1753.

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulations substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications

are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulation should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15-day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulations with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in ~~strikeout~~/underline.
2. A copy of this Notice.
3. A copy of the Initial Statement of Reasons for the proposed adoption.
4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received, they will be added to the rulemaking file. The file is available for public inspection at the OPSC during normal working hours. Items 1 through 3 are also available on the OPSC Internet Web site at: <http://www.dgs.ca.gov/opsc> under "Resources," then click on "Laws and Regulations," then click on "SFP Pending Regulatory Changes."

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be

more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the 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.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the agency's regulation coordinator named in this notice or may be accessed on the Web site listed above.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture (Department) is proposing to take the action described in the Informative Digest. A public hearing is not scheduled for this proposal. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Any person interested may present statements or arguments in writing relevant to the action proposed to the person designated in this Notice as the contact person beginning July 26, 2013 and ending at 5:00 p.m., September 9, 2013. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, the Department, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by section 19218.6 of the Food and Agricultural Code, and to implement, interpret or make specific sections 19218, 19218.1, 19218.2, 19218.3, 19218.4, 19218.5, and 19218.7, of said Code, the Department proposes to adopt sections 1180.3.3, 1180.3.4, 1180.3.5, 1180.3.6, 1180.3.7, 1180.3.8, 1180.3.9, and 1180.3.10 of new Article 37.2 of Subchapter 2, Chapter 4, Division 2, of Title 3 of the California Code of Regulations, to read as follows:

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW/BENEFITS

Existing law, Chapter 5 (commencing with section 19200), of Part 3, Division 9, of the Food and Agricultural Code, authorizes the Department of Food and Agriculture (Department) to regulate the rendering industry, which includes renderers, collection centers, dead animal haulers, and transporters of inedible kitchen grease. Rendering establishments, dead animal haulers, and collection centers are exempt from inspection by the United States Department of Agriculture (USDA) but require a license and inspection in California. Transporters of inedible kitchen grease are required to be registered with the Department.

Senate Bill (SB) 513 [Stats, 2011, Ch. 337] enacted sections 19218, 19218.1, 19218.2, 19218.3, 19218.4, 19218.5, 19218.6 and 19218.7 of Article 1.5, Chapter 5, Part 3, Division 9 of the Food and Agricultural Code which established the Rendering Industry Advisory Board (RIAB). The RIAB is to advise and make recommendations to the Secretary of the Department regarding, among other things, licensing matters, regulations, procedures for employment, training, supervision, and compensation of inspectors and other personnel, and the rate and collection of license fees and penalties related thereto. Section 19218.6 of the Food and Agricultural Code authorizes the Department to promulgate regulations to be used by the RIAB to administer the provisions of SB 513 (2011).

Existing regulations for the rendering industry are found under Subchapter 2 (commencing with section 1180) of Chapter 4, Division 2, of Title 3 of the California Code of Regulations. However, no regulations exist to specify the roles and responsibilities of the Rendering Industry Advisory Board in accordance with section 19218.6 of the Food and Agricultural Code.

This proposal will specify the roles and responsibilities of the Rendering Industry Advisory Board in compliance with section 19218.6 of the Food and Agricultural Code by adding sections 1180.3.3, 1180.3.4, 1180.3.5, 1180.3.6, 1180.3.7, 1180.3.8, and 1180.3.9 under new Article 37.2 of Subchapter 2, Chapter 4, Division 2, of Title 3 of the California Code of Regulations.

The Department has conducted a search of existing statutes and regulations. There are no existing federal regulations relating to a Rendering Industry Advisory Board for California, as authorized by section 19218.6 of the Food and Agricultural Code. Therefore, based on an initial evaluation, the Department does not believe the proposed regulations are inconsistent or incompatible with existing state or federal regulations.

Benefits: The benefit of this proposal is that the Rendering Industry Advisory Board will provide oversight

to the rendering industry to address issues relating to the administration of the Rendering Enforcement Program, while advising the Secretary of the Department on such matters. Rendering is a critical recycling activity within California. The rendering industry is comprised of renderers and facilities, collection centers, dead animal haulers, and haulers of inedible kitchen grease. Rendering establishments process animal and livestock carcasses which must be disposed of in an environmentally safe manner, as well as in a manner safe to human health. Also, inedible kitchen grease may pose a risk to human health and the environment. If such waste materials are not properly disposed or recycled, they can cause blockages in public sewer systems or streams that could adversely affect human health, worker safety, and the environment. When handled properly, such waste materials from animals or inedible kitchen grease may be recycled into useful products and sold.

FISCAL IMPACT ESTIMATES

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

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Sections 17500 et seq. Require Reimbursement: None.

Business Impact: The Department of Food and Agriculture has made an initial determination that the proposed regulatory action will not have any significant, statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. This initial determination is based on the fact that the proposed regulation does not impose any fees on the public or the rendering industry. This proposal specifies the roles and responsibilities of the Rendering Industry Advisory Board in compliance with section 19218.6 of the Food and Agricultural Code. There are no anticipated compliance requirements as a result of this proposal.

Impact on Jobs/New Businesses: The Department has determined that this regulatory proposal will not have any impact on the creation or elimination of jobs within the State of California, the creation of new businesses or the elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California.

Benefits of the regulation to the health and welfare of California residents, worker safety, and the State's environment: This proposal will enhance the health and welfare of California residents, worker safety, and the

state's environment. This determination is based on the fact that the proposed regulation specifies the roles and responsibilities of the Rendering Industry Advisory Board in compliance with section 19218.6 of the Food and Agricultural Code, which provides oversight to the rendering industry in California [see "Benefits" discussion under the Informative Digest/Policy Statement Overview].

Cost Impacts on Representative Private Persons or Businesses: The Department of Food and Agriculture is not aware of any cost impacts that a representative private person or businesses would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

The Department has prepared an economic impact assessment that is included in this filing. The Department has made an initial determination that the proposed regulatory action will not have any significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states by making it more costly to produce goods or services, and that it will not create or eliminate jobs or occupations. The proposal does not affect the creation of new businesses or the elimination of existing businesses within the State of California, and does not affect the expansion of businesses currently doing business within the State of California. This proposal will enhance the health and welfare of California residents, worker safety, and the state's environment. This determination is based on the fact that the proposed regulation specifies the roles and responsibilities of the Rendering Industry Advisory Board in compliance with section 19218.6 of the Food and Agricultural Code, which provides oversight to the rendering industry in California [see "Benefits" discussion under the Informative Digest/Policy Statement Overview]. The Department's proposal does not impact multiple industries. These initial determinations are based on the fact that the proposed regulation does not impose any fees on the public or the rendering industry, but provides oversight. No compliance costs have been identified as a result of this proposal.

Small Businesses: The Department's proposal may affect small businesses.

Occupations/Businesses Impacted: The Department has made an initial determination that this regulatory proposal does not impact occupations or businesses. The proposal pertains to the rendering industry, which is comprised of rendering establishments, collection centers, dead animal haulers, and transporters of ined-

ible kitchen grease. This proposal does not impact multiple industries. No costs are anticipated to these businesses as a result of this proposal. This proposal specifies the roles and responsibilities of the Rendering Industry Advisory Board in compliance with section 19218.6 of the Food and Agricultural Code.

Business Reporting Requirement: The regulation does not require a report, which shall apply to businesses.

Comparable Federal Regulations: This proposal does not duplicate or conflict with federal regulations, as there are no existing federal regulations relating to a Rendering Industry Advisory Board for California, as authorized by section 19218.6 of the Food and Agricultural Code.

Documents Incorporated by Reference: None.

Documents Relied Upon in Preparing Regulations: Economic Impact Assessment.

CONSIDERATION OF ALTERNATIVES

The Department of Food and Agriculture (Department) must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be 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.

No alternatives were considered at this time. This proposal specifies the roles and responsibilities of the Rendering Industry Advisory Board in compliance with section 19218.6 of the Food and Agricultural Code.

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

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all the information upon which the proposal is based, may be obtained by contacting the persons named below or by

accessing the Department of Food and Agriculture's website as indicated below in this Notice.

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

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

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

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations, or any written comments concerning this proposal are to be addressed to the following:

Douglas Hepper, DVM, Chief
Department of Food and Agriculture
Meat, Poultry and Egg Safety Branch
1220 N Street
Sacramento, CA 95814
(916) 900-5004
Email: douglas.hepper@cdfa.ca.gov

The backup contact person is:

Nancy Grillo, Associate Analyst
Department of Food and Agriculture
Animal Health and Food Safety Services
1220 N Street
Sacramento, CA 95814
(916) 900-5033
E-mail: nancy.grillo@cdfa.ca.gov

Website Access: Materials regarding this proposal can be found by accessing the following Internet address:

<http://www.cdfa.ca.gov/ahfss/regulations.html>

TITLE 7. BOARD OF PILOT COMMISSIONERS

Notice is hereby given that the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun (Board) proposes to adopt the administrative regulations described below after considering all comments, objections and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to repeal existing Section 217 and in lieu of that adopt new Sections 217 through 217.45 in Title 7 of the California Code of Regulations in order to implement, interpret and make specific Harbors and Navigation Code sections 1176 and 1176.5 relating to the determination of suitability of persons performing the duties of pilots and pilot trainees. The regulatory change would also affect other related provisions by amending Section 202 concerning definitions as well as provisions in Sections 216, 218, 219, and 221 in Title 7 of the California Code of Regulations.

PUBLIC HEARING

A public hearing on this proposed action has not been scheduled. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period on September 9, 2013. A written request for a public hearing must be submitted to the agency contact person identified below.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory actions to the Board. Written comments will be accepted by the Board until 5:00 p.m. on September 9, 2013. Submit comments to:

Amanda Esquivias
California State Transportation Agency
915 Capitol Mall, Suite 350B
Sacramento, CA 95814
amanda.esquivias@calsta.ca.gov

AUTHORITY AND REFERENCE

The regulations are proposed for adoption under the authority of Harbors and Navigation Code section 1154(b), which grants the Board the power to make and enforce rules and regulations that are reasonably necessary to carry out the provisions of the Harbors and Navigation Code and to govern its actions.

The proposed regulations have been adopted in order to implement, interpret, and make specific Harbors and Navigation Code Sections 1176 and 1176.5, related to pilot and pilot trainee physical examinations and pilot fitness determinations.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

General Description

Existing regulations describe a simple system of pilot fitness determination in which pilot license applicants, pilot trainees, and licensed pilots seeking renewal of their licenses must go through a traditional physical examination and ensuing fitness determination performed by one of the Board–designated physicians. The physician then notifies the Executive Director of the Board noting whether the person subject to examination is fit, not fit, or permanently not fit for duty. The current system also prescribes avenues for Board–initiated physical examinations and provides a complicated system of appeals for those individuals who are not satisfied with the fitness determination of a Board–designated physician. The standard of physical examinations is based on an outdated standard adopted in 1985.

The proposed regulations would completely reform the existing standards and processes. Although many of the components of the current physical evaluation system have been adopted, most of them have been modified by adding new requirements and processes. Because of this comprehensive reform, current Section 217 is proposed to be repealed in its entirety and replaced by sections outlining the new requirements and processes.

The comprehensive reform of pilot and pilot trainee fitness determination necessitated broadening the scope of fitness determinations. With the broadening of the scope, the currently used “physical examination” process has been widened to become a “medical assessment” process that better describes the means of determining a person’s fitness. This broadened physical and medical evaluation process is described in proposed Section 217.15 and then supplemented by new processes throughout the proposed regulations.

217. Purpose of Fitness Regulations

Section 217 in existing regulations does not provide a description of the purpose of the regulatory scheme. The regulations have been modified to supplement and explain the purpose described or implied from the statutory provisions. The new provisions emphasize that the regulations are promulgated to ensure that pilots and pilot trainees are physically and mentally fit to perform their duties. They also clarify that the Board–appointed physicians’ role is simply to assess the fitness of persons and not to provide medical care or treatment to the persons assessed. Along with this explanation, the proposed regulations note that the persons subject to fitness assessment and determination are required to provide health, medical, and fitness information to the Board–appointed physicians. Because such information is re-

quired for state licensing purposes, the health information will be shared with the Board and staff members who need such information to perform the various licensing functions dependent upon health and fitness information.

Standards of Medical Assessment

Current regulations set forth the Reference Guide for Physicians Physical Examination for Retention of Seafarers in the U.S. Merchant Marine, as adopted by the Seafarers Health Improvement Program (SHIP) Committee on April 26, 1985, as the overall standard in conducting fitness determinations of pilots, pilot trainees, and applicants. The proposed regulations update the overall standard to the newer Navigation and Vessel Inspection Circular NVIC 04–08, Medical and Physical Evaluation Guidelines for Merchant Mariner Credentials, issued by the United States Coast Guard, dated September 15, 2008. They also add detailed state–defined standards with respect to the submission of medical information, a broadened evaluation process, and the manner in which the Board–appointed physicians determine fitness. As stated in current regulations, the costs of the new fitness determinations, with one exception will be borne by the Board, exclusively.

217.5. Duty to Submit to Medical Assessment; Overall Standards.

Existing regulations briefly state and imply the duty of pilots, pilot trainees, and applicants to submit to a physical examination. Section 217.5 clearly defines a duty to submit to medical assessment by delineating distinct classes of persons, such as applicants for an original pilot license, applicants for renewal of a pilot license, persons holding a current pilot license and directed to submit to a fitness determination, pilot trainee applicants offered a position in the pilot trainee training program, and current pilot trainees. While current regulations simply refer to a Board–designated physician conducting the medical examination, the proposed regulations refer to a multi–level review by an examining physician and a Medical Review Officer appointed by the Board.

217.15. Description of Medical Assessment; Detailed Standards.

In the current medical examination process, the fitness examination and determination is conducted by a single physician designated by the Board. Under Section 217.15, the medical assessment regime is broadened. The medical information gathering, the actual physical examination, and the oversight of an agility and toxicological test would be performed by one of several Board–appointed examining physicians as the first level of review. The examining physicians, based on their own physical examination of the persons subject to assessment and all other medical information

collected from various sources, make an independent determination of pilot fitness. The fitness of the subject person and the determination of the examining physician would then be reviewed by a Medical Review Officer, who has to make independent determinations on both the fitness of the subject person and on the determination made by the examining physician.

217.20. Duty to Report Medical Information.

Existing regulations do not mention a duty to report medical information. Current provisions in statute require pilots and trainees to report any changes in their prescription medication, but there are no implementing regulations for that process. Section 217.2 adopts a comprehensive scheme of reporting information related to medical status to Board-appointed physicians and the Executive Director. These include new dosages and the suspension, or interruption of medication, any diagnosis or change of medical condition, absence from duty for medical reasons for prescribed periods, and any notice concerning medical condition received from the U.S. Coast Guard. Some of the reports have to include detailed medical information and supporting documentation. The purpose of this reporting is that upon receipt of the notices Board-appointed physicians will re-evaluate the medical condition and fitness of the pilots and pilot trainees affected.

217.25. Fitness Determination by Board-Appointed Physicians Following Receipt of Medical Information.

Existing regulations have no provisions on follow-up physical examinations after receipt of notices about changed medication or medical status. Section 217.25 introduces such a follow-up fitness determination process. Following the receipt of reports of updated medical information from the pilots and pilot trainees or upon the referral of the Medical Review Officer, new fitness determinations would be initiated. These may involve a simple review of medical information, consultation with other physicians, or a medical assessment with all elements described in the proposed regulations. This process will result in a new fitness determination either confirming that the pilot or pilot trainee is still fit for duty or notifying the Executive Director that the person is not fit for duty.

217.30 Board-Initiated Fitness Determination.

Existing regulations allow the Board to send a pilot or pilot trainee for a new physical examination based upon the receipt of information from other than a Board-retained physician that the person is not able to comply with the fitness requirements. Section 217.3 broadens that authority and describes a process for it. Both the Board and the Executive Director must refer a matter to the Medical Review Officer for a fitness determination if there is a reasonable basis to believe that the person is not fit for duty. A pilot or pilot trainee is mandated to

submit to a new fitness determination and could also be ordered to cease performing piloting duties until the conclusion of such evaluation. Failure to submit to a fitness determination may result in a not fit for duty determination.

217.35. Consequences of Not Fit For Duty Determination.

Existing regulations provide that if a pilot or pilot license renewal applicant is found not fit for duty, they are placed on a medical disability leave status until they become fit. Their license status is not affected until the cause for unfitness ceases and they become fit for duty again. Section 217.35 keeps the same concept but provides more details in the process. Pilots will be notified to cease active piloting duty and be advised of their license status and the process for renewal of expired licenses. Applicants for an original pilot license may be denied the issuance of a license or their application may be suspended for a year pending a new determination of fitness for duty. A similar process is retained for pilot trainees, placing them on leave from the pilot trainee training program or, if appropriate, terminating them from the program. New provisions added provide that persons offered a position in the pilot trainee training program may be denied admission but remain eligible to be offered a position once they receive a satisfactory fitness determination.

217.40. Proceedings Following Fitness Determinations.

Existing regulations have a complicated internal appellate process for pilots and pilot trainees who have received an unsatisfactory fitness determination. Section 217.40 revises that process in light of current statutory changes. Pilot licensees whose license is subject to discipline due to fitness issues, or who choose to contest a denial of the renewal or issuance of an original license will receive their “appellate” protection within the context of a formal administrative proceeding with a formal accusation or statement of issues, a full evidentiary hearing before an administrative law judge, and a final decision by the Board. Pilot trainees are accorded an appellate process that involves filing of a written notice of appeal, a repeated medical assessment, the filing of medical information by the pilot trainee’s own physician, and an informal hearing before the Board.

217.45. Qualification Standards for Board-appointed Physicians; Duties of Physicians.

Under the current regulations, there are no standards stated for the qualifications of Board-designated physicians. Section 217.45 sets forth standards for Board-appointed physicians who will conduct the first-level fitness evaluation of persons subject to a fitness determination. Such physicians would be required to have a medical license in this state and have at least five years

of experience in occupational or maritime medicine. Standards for the Medical Review Officer would require that a physician be licensed in this state, be board-certified in occupational medicine, and have at least 10 years of experience in occupational medicine. The proposed regulations would also stress the duty of obtaining familiarity with the physical and cognitive demands placed on pilots and the duty of remaining current with knowledge of fitness standards and processes.

Other Regulatory Changes

The complete overhaul of the medical assessment and pilot fitness determination system prompted a few changes in other sections of the existing regulations. Current definitions in Section 202 have been repealed or revised and new definitions have been added such as: the U.S. Coast Guard’s 719K form, used in the federal medical assessment process; definitions for “medical assessment”; “Board-appointed physician”; “examining physician”; and “Medical Review Officer.” The proposed regulations also reference NVIC 04–08, issued by the U.S. Coast Guard as the basic medical standard. Other changes in related sections incorporate newly created terms and references to the proposed requirements and processes.

The proposed regulations also include a set of forms, incorporated by reference, which will serve as official communication tools between the licensees and board officials.

DOCUMENTS/FORMS INCORPORATED BY REFERENCE

- BOPC Form: Notice, Disclosures, and Acknowledgement and Consent to Disclosure, Version March 28, 2013 (Reference: 7 CCR section 217.15(b)(1)(E))
- BOPC Form: Disclosure of Information; Version March 28, 2013 (Reference: 7 CCR section 217.15(b)(1)(D))
- BOPC Form: Fitness for Duty Notification; Version March 28, 2013 (Reference 7 CCR section 217.15(i))
- BOPC Form: Notice to Board–Appointed Physician; Version March 28, 2013 (Reference 7 CCR section 217.20(b))
- BOPC Form: Notice to Executive Director; Version March 28, 2013 (Reference 7 CCR section 217.20(c))
- BOPC Form: Statement of Fitness for Duty; Version March 28, 2013 (Reference 7 CCR section 217.15(f))
- NVIC 04–08; September 15, 2008

Anticipated Benefits of the Proposed Regulation:

The broad objective of the Board with the proposed regulations is to implement the statutory provisions by providing detailed standards, requirements, and processes, and to reform existing regulations to adopt modern science, knowledge and experience used in occupational fitness assessments. The specific benefits anticipated from the regulation is to provide a more robust pilot medical assessment process that will deliver more reliable and prompt pilot fitness determinations, thereby protecting the safety of the environment on the pilotage grounds, protecting public health, and the safety of the pilots and marine personnel.

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Board has determined that this proposed regulation is not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Board has concluded that these are the only regulations relating to the determination of suitability of persons performing the duties of pilots and pilot trainees.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has made the following initial determinations:

- Mandate on local agencies and school districts: None
- Cost or savings to any state agency: A market analysis provided by the University of California San Francisco projected an approximate \$129,000 annual cost for the operation of the new fitness regime. By comparison, the current cost of fitness determinations is an annual \$29,000. Therefore, the proposed process will cause an annual \$100,000 increase in operational cost. The projection was based on pricing for the various fitness-related tests, examinations, and evaluations multiplied by the number of estimated occurrences for the 60 licensed pilots, 6 pilot trainees, and 10 special evaluations annually. The detailed market survey is available for viewing under the “Regulations” tab on the Board’s website at www.bopc.ca.gov.
- 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 of savings imposed on local agencies: None.
- Cost or savings in federal funding to the state: None.

- Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with business in other states: The Board has made an initial determination that the adoption, amendment, and repeal of regulatory provisions proposed in this package will have no economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

The facts upon which the agency relied on to support this determination are the following. The proposed regulations are directed to single individuals and as such would not affect any other types of businesses except carriers using pilotage services. Adoption of the proposed regulations would not impose reporting, recordkeeping, or other requirements on businesses.

The only related businesses that may be affected by the increased cost of pilot fitness determinations are shipping companies that use the services of pilots on the San Francisco pilotage grounds. Vessels, in addition for paying fees for the pilotage services are charged a board operations surcharge that is the revenue source for the Board to cover the cost of its operations. Considering stable revenue projections and the fact that the Board has an approximate \$2.9 million surplus, the increased cost will not require extra revenue for the next seven years. The current Board operations surcharge applied to vessels is 1% of all pilotage fees charged by pilots. If the surcharge is kept at this level for seven years, there will be no need to increase the surcharge to cover the increase in cost for the new fitness regime. Therefore, there is no economic effect on the rate-payers for the foreseeable future.

The revenue and cost projection analysis used to form this determination is available for viewing under the “Regulations” tab on the Board’s website at www.bopc.ca.gov.

- Cost impacts on a representative private person or business: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur from reasonable compliance with the proposed action.
- Significant effect on housing costs: None.
- Small Business Determination: The Board has determined that the proposed regulations do not affect small business. The proposed regulations are directed to single individuals concerning their medical fitness to perform a job and as such would not directly affect any type of businesses.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

Adoption of these regulations will not:

- 1) create or eliminate jobs within California;
- 2) create new businesses or eliminate businesses within California; or
- 3) affect the expansion of businesses currently doing business within California.

The Board concludes that is (1) unlikely that the proposal will eliminate any jobs within the State of California, (2) likely that the proposal may create new business in within the state as the new regulations call for services not currently required under the old regulations they replace (additional toxicology testing, agility testing, and the use of a second physician as a medical review officer), (3) likely that the proposal may expand businesses currently doing business in California as the regulation changes call for services not currently required under the old regulations they replace (additional toxicology testing, agility testing, and the use of a second physician as a medical review officer), and (4) unlikely that the proposal will eliminate any existing businesses.

Benefits of the Proposed Action: The proposed regulations will provide a more robust pilot medical assessment process that will deliver more reliable and prompt pilot fitness determinations, thereby protecting the safety of the environment on the pilotage grounds, protecting public health, and the safety of the pilots and marine personnel.

CONSIDERATIONS OF ALTERNATIVES

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

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

AGENCY CONTACT INFORMATION

The agency representative to whom inquiries concerning the proposed administrative action may be directed is:

Amanda Esquivias
California State Transportation Agency
915 Capitol Mall, Suite 350B
Sacramento, CA 95814
Tel: (916) 324-7514
amanda.esquivias@calsta.ca.gov

Alternate agency contact:

Allen Garfinkle
Board of Pilot Commissioners for the Bays of
San Francisco, San Pablo, and Suisun
660 Davis Street, San Francisco, California 94111
Phone: 415-397-2253
allen.garfinkle@bopc.ca.gov

**AVAILABILITY OF STATEMENT OF REASONS,
EXPRESS TERMS OF PROPOSED
REGULATIONS, AND RULEMAKING FILE**

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. The Board has prepared an Initial Statement of Reasons for the proposed administrative action detailing the reasons and all the information upon which its proposal is based. The Board also has available the express terms of the proposed regulations.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

After the close of the forty-five (45) day public comment period, the Board may adopt the proposed regulation. As a result of public comments, either oral or written, that are received by the Board regarding this proposal, the Board may determine that changes to the proposed regulation are appropriate. If the Board makes modifications that 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. The Board will provide notification of any such modifications to all persons whose comments were received during the public comment period, all persons whose comments (written or oral) were received at the public hearing (if one is held), and all persons who requested notice of such modifications. Otherwise, please send requests for copies of any modified regulations to the attention of Amanda Esquivias at the above email address. The Board 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**

The Board is required to prepare a Final Statement of Reasons. Once the Board has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy. Requests for copies should be addressed to the Board Contact Person identified in this Notice.

AVAILABILITY OF DOCUMENTATION

Upon specific request, the agency representatives designated above will make available to the public the express terms of the proposed action and the statement of reasons. The representatives will also make available to the public upon request the location of public records, including reports, documentation, and other materials, related to the proposed action. Depending on the volume and size of such documentation, they will be available by copies or for inspection during reasonable working hours at either the Board in San Francisco or at the Business, Transportation, and Housing Agency in Sacramento.

**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 the Board's web site at www.bopc.ca.gov.

**TITLE 14. FISH AND GAME
COMMISSION**

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, and 205, Fish and Game Code and to implement, interpret or make specific sections 200, 202, and 205 of said Code, proposes to amend sections 5.79 and 27.92, Title 14, California Code of Regulations, White Sturgeon Report Card and Tagging Requirements.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Current regulations require that a Sturgeon Report Card be purchased prior to fishing for white sturgeon in both inland and ocean waters. Attached to the report card are three white sturgeon tags. After a white sturgeon is caught and retained, the tag must be detached from the card and information such as date, size of fish and location caught must be written on the tag. The tag

must then be attached to the fish. The daily bag limit for white sturgeon is one and the annual bag limit is three. Only one card may be issued to an angler per year.

Wildlife Officers in the field are finding many white sturgeon cards and tags that appear to be used more than once. The ink on the card and tags appear to be erased and written over with a new date and other info reinserted on the card and tag. Wildlife Officers have also witnessed this activity taking place during surveillances of white sturgeon anglers.

Currently, if a person fills out their white sturgeon card and tag and then makes it home without being checked by a Wildlife Officer, they can erase the information written on the tag and card and reuse the same line on the white sturgeon card and reuse the same tag. This activity is illegal. When this takes place undetected, the angler can catch and tag more than the annual limit of three white sturgeon.

Anglers are required to return Sturgeon Report Cards to the Department at the end of the year. Information from the report cards is used to assist in the management of the fishery.

Benefits of the Regulations.

This proposal changes the design and marking requirements to prevent some anglers from 'reusing' the tags by creating a permanent marking method.

The new tag would be changed to become similar to existing punch style tags for other species. The new tag will have months and days listed with a small bubble or circle shape next to each month and date and an area on the tag to document the time of catch. The angler must punch out the month and date and document the time of the catch. When the angler fills out the tag and punches out the date of catch, the tag cannot be reused. The angler will be in violation if the date of the catch is not punched out when a white sturgeon is kept and may be cited if caught by a wildlife officer.

This change will facilitate enforcement of daily and annual bag limits and fisheries management.

This proposed regulation change must become effective January 1, 2014. This will ensure only one type of Sturgeon Report Card will be available and valid at the beginning of the 2014 calendar year. This will coincide with the availability of 2014 fishing licenses.

Non-monetary benefits to the public.

The Commission anticipates that the proposed amendments to the regulations will provide non-monetary benefits to the public by improving enforcement of daily and annual bag limits, as well as preventing the illegal harvest of white sturgeon by anglers reusing tags.

The Commission anticipates non-monetary benefits to the health and welfare of California residents. Maintaining sustainable populations of white sturgeon in

California will benefit the residents of the state by providing continued recreational angling opportunities.

The commission does not anticipate significant non-monetary benefits to the protection of public health, worker safety, the prevention of discrimination, the promotion of fairness and social equity, or to the increase in openness and transparency in business and government.

Evaluation of incompatibility with existing regulations

The proposed regulations in this rulemaking action are neither inconsistent nor incompatible with existing state or federal regulations. Key word search in California Code of Regulations resulted in no other agency having authority for Sturgeon Regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Embassy Suites, 333 Madonna Road, San Luis Obispo, California, on Wednesday, August 7, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Crowne Plaza Ventura Beach Hotel, 450 East Harbor Blvd., Ventura, California on Wednesday, October 2, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard. Written comments must be submitted by noon, September 20, 2013 to be included in Commission briefing binders at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. All comments (oral or written) must be received no later than October 2, 2013, at the hearing in Ventura. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Jon Snellstrom at the preceding address or phone number.

Captain David Bess, Enforcement Branch, Department of Fish and Wildlife, phone (916) 651-9982, has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be

posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

IMPACT OF REGULATORY ACTION/RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Proposed changes in the design of the White Sturgeon Report Card will not limit or expand the ability of people to fish for white sturgeon in inland and ocean waters.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The proposed regulation will have no impact on the creation or elimination of jobs or the creation/elimination/expansion of businesses in California because the amended provisions do not limit the ability of people to fish for white sturgeon in inland and ocean waters.

The Commission anticipates benefits to the environment in the form of improved enforcement of daily and annual bag limits, as well as preventing the illegal harvest of white sturgeon by anglers re-using tags.

The Commission anticipates benefits to the health and welfare of California residents. Maintaining sustainable populations of white sturgeon in California will benefit the residents of the state by providing continued recreational angling opportunities.

The Commission does not anticipate any benefits to worker safety.

- (c) Cost Impacts on a Representative Private Person or Business:

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

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs Mandated on Local Agencies or School Districts:

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:

None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to

Government Code sections 11342.580 and 11346.2(a)(1).

PUBLIC HEARING

Consideration of Alternatives

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

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.

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

“Lumber Products Assessment, 2013”

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

Division 1.5, Chapter 14 — Lumber Products Assessment

ADOPT

§ 1667.1. Authority.

§ 1667.2. Timber Regulation and Forest Restoration Fund.

§ 1667.3. Definitions.

§ 1667.4. Assessed Lumber Products.

§ 1667.5. Requests for Review.

§ 1667.6. Annual Update of Regulation.

The California State Board of Forestry and Fire Protection (Board) is promulgating a regulation to make permanent previously adopted emergency regulations. These regulations assist in the implementation of a new retail sale assessment for lumber products sold in California. Specifically, the Board’s regulations provide for the identification of lumber products subject to the 1% assessment at the time of retail purchase. The emergency regulations were adopted and subsequently readopted once pursuant to Assembly Bill 1492. The Bill was signed into law in the Statutes of 2012 as Public Resources Code Section 4629, *et seq.* The emergency regulations have been in effect continuously since September 12, 2012

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, September 9, 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 4629 and 4629.4. Reference: Public Resources Code Sections 4511, 4629.2, 4629.3, 4629.5, 4629.6; 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, among other things, that the Board adopt rules to “protect the soil, air, fish and wildlife, and water resources.” The regulations are enforced by the California Department of Forestry and Fire Protection with the assistance of a number of other state agencies. The State’s cost to implement this comprehensive regulatory program is approximately 30 million dollars. Annual financial support for the program comes from the State’s General Fund.

California’s Executive and Legislative branches of government have at times expressed concerns about the General Fund expenditures necessary to support the Forest Practice Program. Alternative funding mechanisms such as permitting fees and a “penny per board foot” retail sales assessment on lumber products are among the ideas debated over at least the past ten years. It is in this vein that Assembly Bill Number 1492 (hereafter “AB 1492”) was developed by a budget subcommittee during the 2012 Legislative Session. Among several key provisions in the bill is the creation of a new retail sale assessment of 1% of the sales price for lumber products sold in California. The revenue generated from the assessment is to be placed in the newly authorized “Timber Regulation and Forest Restoration Fund” created in the State Treasury. Monies deposited into the fund are to be expended in support of the regulatory activities of the Department of Forestry and Fire Protection, and other state and local agencies involved in the management of forest lands. The Fund would also be utilized to cover the costs of managing forest resource programs in the state, and for grants to state and local public agencies, qualified nonprofit organizations, and recognized Indian tribes. These grants are to be used for forest restoration and fire prevention activities.

AB 1492 was signed into law by Governor Edmund G. Brown, Jr. on September 11, 2012 and required the Board to adopt regulations to assist in the implementation of the lumber product assessment program. The

Board’s regulatory role pursuant to AB 1492 is to identify, within the parameters of the statute, the lumber products subject to the retail assessment. The Board adopted emergency regulations to implement provisions of the statute on September 12, 2012 and they were approved by the Office of Administrative Law later that month. Pursuant to the statute, the Board was allowed one re-adoption of the emergency regulations. The Board readopted the emergency regulations at their February 2013 meeting and they became effective March 25, 2013. The Board has until September 23, 2013 to proceed through the regular rulemaking process and adopt a perennial, non-emergency set of regulations.

This regulation would make the short-term emergency regulations in effect since September 2012 the standard for implementation on a long-term basis. The Board, on an annual basis at their April meeting pursuant to the enacting statute, would continue to evaluate and update the regulation as necessary. However, what is proposed herein would serve as the perennial regulatory foundation and would not likely change substantially from year to year.

What could change periodically is the number and type of lumber products subject to the assessment.

Specific Benefits Anticipated by the Proposed Adoption, Amendment, or Repeal of the Regulation

Refer to the analysis below under the heading “DISCLOSURES REGARDING THE PROPOSED ACTION AND RESULTS OF THE ECONOMIC IMPACT ANALYSIS”.

Is The Proposed Regulation Inconsistent Or Incompatible With Existing State Regulations

The Board considered any other possible related regulations in this area, and has found that these are the only regulations dealing in the subject area of determining products subject to the lumber assessment, and therefore, the Board finds that these proposed regulations are compatible and consistent with existing state regulations.

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.

The rulemaking proposal would certainly provide benefits to the environment and the state's economy through sustainable funding of the State's Forest Practice Program. The State's Forest Practice Program is a regulatory foundation certified by the Natural Resources Agency as consistent with the California Environmental Quality Act (CEQA). The Program promotes and encourages sustainable forest practices consistent with provisions of the Z' Berg Nejedly Forest Practice Act in a manner consistent with other laws, including but not limited to, the Timberland Productivity Act of 1982, CEQA, the Porter Cologne Water Quality Act and both the state and federal Endangered Species Acts. The forest practice regulations and accompanying state agency oversight provide a regulatory certainty from which the commercial timber industry has produced well-managed, fire-resilient forest conditions across the state. These conditions are protective of water quality, floral and faunal species, and natural aesthetics, among other elements.

The proposed regulation would help support in-state production of timber within the State's high environmental standards, and promote and encourage retention of forests and forested landscapes. The commercial timber industry regulated by the State Forest Practice Program provides economic benefits to California in the form of tax revenue to support local and state services, employment, and lumber products necessary for construction and secondary manufacturing. Continued funding of the State Forest Practice Program will ensure that these beneficial environmental and economic conditions continue to be produced.

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:

This regulation identifies within the parameters of the enacting statute, the number and types of lumber products subject to the "lumber products assessment." The assessment amount varies by retail purchase, as it is 1% of the sales price for lumber products sold in California. Roughly translated, this means a consumer would pay one dollar of assessment to the State for every one-hundred dollars of lumber product purchased at a retail outlet.

Effect on small business:

No effect to small business is anticipated, as this regulation merely identifies the number and types of lumber products subject to the assessment.

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 is anticipated to generate approximately 7.5 million dollars in State General Fund savings in the current fiscal year. On an annual basis this number is expected to be approximately 30 million dollars in General Fund savings.

Implementation and annual regulation review costs to the Board are anticipated to range between five and twenty-thousand dollars, but could be much lower.

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 not significantly affect 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 impose a business reporting requirement.

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 16. COURT REPORTERS BOARD OF CALIFORNIA

NOTICE IS HEREBY GIVEN that the Court Reporters Board of California (hereinafter “Board”) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held:

Date: September 16, 2013

Time: 1:00 p.m.

**Place: 2535 Capitol Oaks Drive,
Third Floor Conference Room**

Written comments, including those sent by mail, facsimile, or e-mail, should be addressed to the attention of Paula Bruning, who is listed as the contact person in this Notice, and must be received by the Board at its office not later than 5:00 p.m. on Monday, September 16, 2013, or must be received at the hearing. The Court Reporters Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 8007 and 8017 of the Business and Professions Code, and to implement, interpret or make specific Sections 8007 and 8017 of the Business and Professions Code and Sections 269, 271, 273, 2025.321, 2025.330, 2025.510, 2025.520, and 2025.540 of the Code of Civil Procedure and Sections

13401 and 13410 of the Corporations Code, Board is considering changes to Division 24 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST

A. Informative Digest

This rulemaking action clarifies and makes specific which types of professional court reporting activities constitute transcription for individuals and corporations.

Business and Professions Code section 8017 currently defines the practice of shorthand reporting as the making, by means of written symbols or abbreviations in shorthand or machine shorthand writing, of a verbatim record of any oral court proceeding, deposition, court ordered hearing or arbitration, or proceeding before any grand jury, referee, or court commissioner and the accurate transcription thereof.

California Corporations Code section 13410(a) requires professional corporations and foreign professional corporations qualified to render professional services in this state be subject to the applicable rules and regulations adopted by, and all the disciplinary provisions of the Business and Professions Code expressly governing the practice of the profession in this state, and to the powers of, the governmental agency regulating the profession in which such corporation is engaged.

The proposed change would make clear for professional corporations and professional foreign corporations which of their professional services constitute the actual transcription pursuant to section 8017, thus subjecting them and their professional services to the Board's regulations.

The proposed regulations would also reflect the correct name of the Board.

B. Policy Statement Overview/Anticipated Benefits of Proposal

By making clear when professional corporations and professional foreign corporations are actually rendering professional services subject to regulation by the Board, these corporations will be better informed as to when their services are subject to the Board's jurisdiction and they will know what laws they are required to abide by. In addition, the proposed regulation will further enable the Board to take disciplinary action necessary to ensure the protection of California consumers.

C. Consistency and Compatibility with Existing State Regulations

The Court Reporters Board has evaluated this regulatory proposal and has determined that it is not inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

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

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: Not Applicable.

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

Business Impact:

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

AND

The following studies/relevant data were relied upon in making the above determination: None.

Cost Impact on Representative Private Person or Business:

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.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would affect small businesses only to the extent it may make them more competitive by making the playing field more level.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

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

Benefits of Regulation:

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

The regulation will help to protect the California consumer as it will reinforce the Board's ability to discipline anyone rendering court reporting services that has violated the laws governing court reporting.

CONSIDERATION OF ALTERNATIVES

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 be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

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

**INITIAL STATEMENT OF REASONS
AND INFORMATION**

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and any document incorporated by reference and of the initial statement of reasons and all of the information upon which the proposal is based may be obtained at the hearing or prior to the hearing upon request from Paula Bruning at the Court Reporters Board of California, 2535 Capitol Oaks Drive, Suite 230, Sacramento, California 95833.

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

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

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

CONTACT PERSON

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

Name: Paula Bruning
Address: 2535 Capitol Oaks Dr., Suite 230
Sacramento, CA 95833
Telephone No.: (916) 263-3660
Fax No.: (916) 263-3664
E-mail Address: Paula.bruning@dca.ca.gov

The backup contact person is:

Name: Yvonne Fenner
Address: 2535 Capitol Oaks Dr., Suite 230
Sacramento, CA 95833
Telephone No.: (916) 263-3660
Fax No.: (916) 263-3664
E-mail Address: Yvonne.fenner@dca.ca.gov

Website Access: Materials regarding this proposal can be found at courtreportersboard.ca.gov.

**TITLE 16. BOARD OF REGISTERED
NURSING**

NOTICE IS HEREBY GIVEN that the Board of Registered Nursing (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

**Board of Registered Nursing
1747 N. Market Blvd.
Hearing Room, Suite 186
Sacramento, CA 95834
September 9, 2013
10:00 a.m. to 12:00 p.m.**

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on September 9, 2013. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 2715 of the Business and Professions Code (B&P Code), and to implement, interpret or make specific Sections 726, 729, 2708, 2750, 2759, 2761, and 2765 of said Code, Section 11425.50 of the Government Code, and Section 44010 of the Education Code,

the Board is considering changes to Division 14 of Title 16 of the California Code of Regulations as described in this Notice.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

The Board’s highest priority is consumer protection. The primary methods by which the Board achieves this goal are: issuing registered nurse licenses to eligible applicants; investigating complaints against registered nurses and disciplining licensees for violation of the Nursing Practice Act (NPA); monitoring registered nurses whose licenses have been placed on probation; and managing a Diversion Program for registered nurses, whose practice may be impaired due to chemical dependency or mental illness. In order to enhance its disciplinary function and strengthen its Enforcement Program to better achieve its public protection mandate, the Board is proposing the following changes:

Amend Section 1403 — Delegation of Certain Functions

Existing law authorizes the Board to hire an Executive Officer. Existing regulations delegate certain functions to its Executive Officer relative to actions taken in connection with the Administrative Procedure Act. This regulatory proposal would delegate to the Executive Officer the authority to approve settlement agreements for the revocation, surrender, or interim suspension of a license and would require that such approvals be reported to the Board at regularly scheduled Board meetings.

Adopt Section 1441 — Unprofessional Conduct

Existing law authorizes the Board to take disciplinary action against a certified or licensed registered nurse for unprofessional conduct; however, existing regulations do not include a section defining actions that would constitute unprofessional conduct.

The proposed regulatory change would define the following actions as unprofessional conduct:

1. failure to provide lawfully requested records that are under the licensee’s control;
2. failure to cooperate and participate in a Board investigation;
3. failure to report to the Board felony or misdemeanor convictions or disciplinary action by another licensing entity; and
4. refusal or failure to comply with a court order mandating the release of records to the Board.

Amend Section 1444.5 — Disciplinary Guidelines

Existing law authorizes the Board to delegate to an Administrative Law Judge (ALJ) authority to conduct a

disciplinary hearing and to issue a proposed decision to the Board for its consideration.

Existing regulation requires that an ALJ rendering a proposed decision on Board disciplinary matters take into consideration the Board’s Disciplinary Guidelines. The Guidelines specify revocation of license as the disciplinary action for convictions of rape or lewd conduct and for sexual abuse, misconduct, or relations with a patient; however, the ALJ, at his/her discretion, may recommend in the proposed decision that the revocation be stayed and the registered nurse be placed on probation for a specified time and under specified conditions. Upon successful completion of probation, the license is deemed free and clear; no further action is required by the Board or registered nurse.

The proposed amendment would prohibit an ALJ from including a stay of revocation in a case in which there is a finding of fact that the licensee (1) has had “sexual contact,” as defined, with a patient, or (2) has committed an act or been convicted of a sex offense. The registered nurse’s license would be revoked.

The anticipated benefit of the preceding three proposed regulatory changes is that the Board will be able to more effectively and efficiently process complaints and will be better able to achieve its goal of case resolution within 12 to 18 months of receipt of the initial complaint.

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

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: There may be minor cost savings due to facilitation of acquisition of records necessary to complete a Board investigation.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None.

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The regulatory proposal affects registered nurses who are involved in a Board complaint and/or investigation.

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have a

significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California. The proposed regulatory action affects registered nurses who are the subject of proposed Board disciplinary action.

Cost Impact on Representative Private Person or Business: The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to the Board are costs associated with any disciplinary order imposed by the Board and legal fees, if the individual is represented by legal counsel. The disciplinary order impact varies and could include loss of registered nurse employment income, if the license is revoked, surrendered, or suspended.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the regulatory proposal will not affect small businesses; the regulatory proposal affects individual registered nurses.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

This regulatory proposal affects individual registered nurses who may be or are the subject of a Board complaint. The proposed regulations will expedite the disciplinary process, thus enhancing consumer protection. The proposal will not create or eliminate jobs within the State of California; will not create or eliminate existing businesses within the state; will not affect the expansion of businesses currently doing business within the State of California; will not affect worker safety; and do not affect the state's environment.

CONSIDERATION OF ALTERNATIVES

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 be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

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

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the person designated in the Notice under Contact Person or by accessing the Board's website, www.rn.ca.gov/regulations/proposed.

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

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below. You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

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

Name: Alcidia Valim
Address: 1747 N. Market Blvd. Suite 150
Sacramento, CA 95834
Telephone No.: 916-574-7684
Fax No.: 916-574-7700
E-mail Address: alcidia.valim@dca.ea.gov

The backup contact person is:

Name: Ronnie Whitaker
Address: 1747 N. Market Blvd. Suite 150
Sacramento, CA 95834
Telephone No.: 916-574-8257
Fax No.: 916-574-7700
E-Mail Address: ronnie.whitaker@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.rn.ca.gov/regulations/proposed.

TITLE 18. BOARD OF EQUALIZATION

The State Board of Equalization Proposes to Adopt California Code of Regulations, Title 18, Sections 2000, *Retailer Reimbursement Retention*, and 2001, *Additional Allowed Retailer Reimbursement Retention*

NOTICE IS HEREBY GIVEN

Public Resources Code (PRC) section 4629.5, subdivision (a)(1) imposes a one-percent assessment on purchasers of lumber products and engineered wood products (Lumber Products Assessment) on and after January 1, 2013. PRC section 4629.5, subdivision (a)(3) requires retailers to collect the assessment and provides that retailers “may retain an amount [from the assessments they collect] equal to the amount of reimbursement, as determined by the State Board of Equalization [(Board)] pursuant to regulations, for any costs associated with the collection of the assessment” imposed by subdivision (a)(1). The Board, pursuant to the authority vested in it by PRC section 4629.5, subdivision (a)(3) has adopted California Code of Regulations, title 18, section (Regulation) 2000, *Retailer Reimbursement Retention*, as an emergency regulation pursuant to Government Code section 11346.1, to specify the amount of reimbursement a retailer may retain pursuant to PRC section 4629.5, subdivision (a)(3). The Board now proposes to adopt emergency Regulation 2000, through the regular rulemaking process, to comply with Government Code section 11346.1, and proposes to adopt new Regulation 2001, *Additional Allowed Retailer Reimbursement*, to specify an additional amount of reimbursement that a retailer may retain pursuant to PRC section 4629.5, subdivision (a)(3), beginning January 1, 2014.

PUBLIC HEARING

The Board will conduct a meeting in the Auditorium Room, at the California Public Utilities Commission’s headquarters, located at 505 Van Ness Avenue, San Francisco, California, on September 10, 2013. The Board will provide notice of the meeting to any person who requests that notice in writing and make the notice, including the specific agenda for the meeting, available

on the Board’s Website at www.boe.ca.gov at least 10 days in advance of the meeting.

A public hearing regarding the proposed regulatory action will be held at 10:00 a.m. or as soon thereafter as the matter may be heard on September 10, 2013. At the hearing, any interested person may present or submit oral or written statements, arguments, or contentions regarding the adoption of the proposed Regulations 2000 and 2001.

AUTHORITY AND REFERENCE

PRC section 4629.5

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Current Law

PRC section 4629.5

PRC section 4629.5, as enacted by Assembly Bill No. (AB) 1492 (Stats. 2012, ch. 289), imposes, on and after January 1, 2013, a one-percent Lumber Products Assessment on purchasers of lumber products and engineered wood products to be collected by retailers at the time of sale. As enacted by AB 1492, PRC section 4629.5, subdivision (a)(3) authorizes the Board to adopt regulations to determine the amount retailers may retain from the assessments they collect as reimbursement for certain compliance costs. Specifically, PRC section 4629.5, subdivision (a)(3), in relevant part, provides:

The retailer shall collect the assessment from the person [i.e., purchaser] at the time of sale, and may retain an amount equal to the amount of reimbursement, as determined by the State Board of Equalization pursuant to regulations, for any costs associated with the collection of the assessment, to be taken on the first return or next consecutive returns until the entire reimbursement amount is retained.

Notably, PRC section 4629.5 and the legislative analyses of AB 1492 do not expressly indicate how the Board is to determine the amount of reimbursement that retailers may retain. However, the statute does appear to provide that retailers may only retain the Board-prescribed amount of reimbursement one time, on the retailers’ first returns or next consecutive returns filed immediately after the retailers are required to begin collecting the Lumber Products Assessment on January 1, 2013. And, the statute does not authorize retailers to retain additional amounts thereafter.

As to legislative history, both the relevant Senate and Assembly floor analyses refer to retailers being reimbursed for “costs to set up collection systems.” (See p. 2 of the September 1, 2012, Assembly Floor Analysis of

AB 1492 and p. 2 of the August 29, 2012, Senate Floor Analysis of AB 1492.) Thus, both the plain language of PRC section 4629.5, subdivision (a)(3) and the available information regarding legislative intent support an interpretation that subdivision (a)(3) provides for affected retailers to retain a one-time amount, as specifically determined by the Board, for reimbursement of costs to set up collection systems prior to the commencement of their collection duties on January 1, 2013. Neither the plain language of PRC section 4629.5, subdivision (a)(3) nor the available legislative history persuasively support an interpretation that would allow for the retention of amounts in excess of the Board-specified reimbursement amount to compensate retailers for ongoing collection costs.

Emergency Regulation 2000

In addition, PRC section 4629.5, subdivision (a)(3), as added by AB 1492, authorizes the Board to “adopt emergency regulations,” pursuant to Government Code section 11346.1, to prescribe the amount retailers may retain from the Lumber Products Assessments they collect, and provides that the adoption of any such regulations “shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health, and safety, and general welfare.” Therefore, on October 23, 2012, the Board voted to:

- Add new chapter 4.1 to division 2 of title 18 of the California Code of Regulations so that any regulations the Board is required to adopt to implement, interpret, and make specific the Lumber Products Assessment imposed by PRC section 4629.5 can be codified in the new chapter; and
- Adopt Regulation 2000, which is codified in new chapter 4.1, as an emergency regulation, in order to determine the “amount of reimbursement” a retailer may retain pursuant to PRC section 4629.5, subdivision (a)(3), before retailers started collecting the new assessment on January 1, 2013.

Emergency Regulation 2000 provides that retailers as of January 1, 2013, may retain collected assessment amounts of up to \$250 per location as reimbursement for one-time, startup costs associated with the collection of the assessment (i.e., the costs to set up collection systems). Specifically, Regulation 2000 provides:

Public Resources Code section 4629.5, as added by Statutes 2012, chapter 289, requires the Board of Equalization to adopt a regulation to determine the amount of reimbursement a retailer may retain for costs associated with the collection of the Lumber Products Assessment imposed by Public Resources Code section 4629.5.

A retailer required to collect the Lumber Products Assessment may retain no more than \$250 per location as reimbursement for startup costs associated with the collection of the assessment. Such reimbursement is to be taken on the retailer’s first return on which the Lumber Products Assessment is reported or, if the amount of the collected assessment is less than the allowed reimbursement, on the retailer’s next consecutive returns until the allowed reimbursement amount is retained.

“Location” means and is limited to a business location registered under the retailer’s seller’s permit as of January 1, 2013, where sales of products subject to the assessment are made.

The \$250 retention amount in emergency Regulation 2000 is based on the Board’s understanding of the amount of retailer reimbursement discussed when AB 1492 was drafted. Staff also estimated the \$250 retention amount in emergency Regulation 2000 using U.S. Census Bureau data and a 2006 PricewaterhouseCoopers report on gross retail sales tax compliance costs for programming and servicing cash registers for sales tax rate and bases changes (PricewaterhouseCoopers report). And, emergency Regulation 2000 recognizes that an affected retailer’s start-up costs will be affected by the number of retail locations the retailer must get ready to collect the new assessment on January 1, 2013.

An emergency regulation adopted pursuant to Government Code section 11346.1 is effective for a 180-day period. The Office of Administrative Law (OAL) may approve two readoptions of the same emergency regulation, under specified circumstances, each for an effective period of 90 days. However, an emergency regulation will automatically be repealed and deleted from the California Code of Regulations, unless the regulation is readopted through the regular rulemaking process before the emergency regulation ceases to be effective. (Gov. Code, § 11346.1, subs. (e), (g), and (h).)

Emergency Regulation 2000 became effective on January 1, 2013. The Board subsequently readopted emergency Regulation 2000 in accordance with Government Code section 11346.1, subdivision (h). OAL approved the readoption on June 25, 2013, and indicated that readopted emergency Regulation 2000 will not expire until September 24, 2013. Therefore, OAL still has discretion to approve one more readoption of emergency Regulation 2000 before that time, which may extend the effective period of the regulation by an additional 90 days.

Effect, Objectives, and Benefits of the Proposed Adoption of Regulations 2000 and 2001

Business Taxes Committee Process

The California Forestry Association supported the initial adoption of emergency Regulation 2000 and the \$250 reimbursement amount established by the regulation. However, the Board did not immediately propose to adopt emergency Regulation 2000 through the regular rulemaking process because other interested parties, including the California Retailers' Association and the West Coast Lumber & Building Material Association (West Coast), argued that affected retailers should receive more reimbursement, including reimbursement on an ongoing basis. Therefore, on October 23, 2012, the Board also unanimously voted to begin a Business Taxes Committee (BTC) process to meet with interested parties and discuss the adoption of a regulation, through the regular rulemaking process, to permanently specify the amount of reimbursement a retailer may retain for costs associated with the collection of the Lumber Products Assessment imposed by PRC section 4629.5 beginning January 1, 2013.

Start-up Costs and Ongoing Costs

During the BTC process, some interested parties read PRC section 4629.5, subdivision (a)(3), as providing for reimbursement of "any costs" associated with the collection of the Lumber Products Assessment, including ongoing costs. However, as previously discussed, Board staff believes that PRC section 4629.5, subdivision (a)(3) authorizes the Board to determine and prescribe a specific one-time amount of reimbursement for startup costs to implement the Lumber Products Assessment on January 1, 2013, that may be retained by all affected retailers, regardless of their actual costs; and staff does not believe that the statute allows retailers to retain a percentage of the assessments they collect or retain unique amounts of reimbursement for their actual start-up or ongoing costs. This is primarily because:

- PRC section 4629.5 expressly provides that retailers may only retain "an amount" determined by the Board and does not authorize retailers to calculate and retain other amounts;
- PRC section 4629.5 requires a retailer to retain the Board-prescribed amount of reimbursement from the assessments reported on its "first return or next consecutive returns until the entire reimbursement amount is retained"; and
- PRC section 4629.5 does not expressly provide for the ongoing retention of a percentage of collected assessments, as do the California Tire Fee Law and Covered Electronic Waste Recycling Fee Law, which both expressly authorize retail sellers to retain 1.5 percent (PRC § 42885) and 3 percent

(PRC § 42464), respectively, of the fees they collect as ongoing reimbursement of collection costs.

Staff's understanding of PRC section 4629.5, subdivision (a)(3), is consistent with the Senate and Assembly floor analyses of AB 1492, which refer to retailers being reimbursed for ". . . costs to set up collection systems," not ongoing costs of collection. The interested parties that supported AB 1492, including the California Forestry Association, California Native Plant Society, Forests Forever, Pacific Forest Trust, Sierra Club, and the Center for Biological Diversity, have confirmed that staff's understanding of PRC section 4629.5, subdivision (a)(3) is consistent with the intent of AB 1492. In addition, California Assemblymembers Bob Blumenfield, Wesley Chesbro, Richard Gordon, Richard Bloom, and Roger Dickinson have recommended to the Board that reimbursement be limited to startup costs.

Amount of Reimbursement for Start-up Costs

In addition, Board staff and some interested parties continued to disagree about the "amount" that affected retailers should be permitted to retain as reimbursement for startup costs during the BTC process. These interested parties believe that the reimbursement amount in emergency Regulation 2000 is too low and that the amount should be increased to compensate most retailers for their actual start-up costs. For example, Caseywood estimated that it cost \$7,000 to implement computer system, internal process, and accounting changes necessary to comply with the new law. Other retailers advised staff that their current accounting systems could not be updated to calculate the new assessment, and that they were forced to update both software and hardware, at an estimated cost of \$45,000, in order to implement the assessment. Also, West Coast surveyed its members and informed staff that the members' average cost to implement the assessment was \$5,480 per location.

To get a better idea of retailers' average costs to update their software for the Lumber Products Assessment, staff contacted three software companies that provide software packages for the retail lumber industry. One company indicated that it included the update to collect the assessment in its annual software update and did not charge an additional amount to its existing customers, and the other software providers advised staff that for current customers they generally charged \$250 per location to update their software to collect the assessment. The software providers also explained that their charges (if any) did not include the hours spent reviewing inventory and coding SKUs (stock keeping units) for products subject to the assessment. These tasks were typically completed by a retailer's em-

ployees with the expense incurred directly by the retailer. Further, staff learned that retailers who use custom or proprietary accounting software were not able to take advantage of pricing discounts from package software providers and generally paid hourly rates for software technicians to update their systems. Furthermore, staff found that one company estimated that for a new retail account, they would charge about \$30,000 plus a monthly fee to set up a whole new accounting system that performed various functions, including collecting the Lumber Products Assessment.

To get a better idea of retailers' average costs to update their software for the assessment, staff also continued to review the available cost data, including the PricewaterhouseCoopers Report, referred to above, and found another reasonable alternative method that could be used to estimate affected retailers' average start-up costs. First, staff found that the purpose of AB 1492 was, among other things, to ensure continued sustainable funding for California's forest program to protect the state's forest resources and to replace the current piecemeal funding structure with a single funding source and that the amount of allowed retention directly affects the revenue the fund receives. Second, in Board staff's September 11, 2012, Legislative Enrolled Bill Analysis of AB 1492, staff estimated that the new one-percent Lumber Products Assessment would generate annual revenue of \$35 million from approximately \$3.5 billion of sales subject to the assessment. Third, during the BTC process, staff estimated, using U.S. Census Bureau data, that there were close to 10,000 retail locations that were required to begin collecting the new assessment on January 1, 2013, and that each location would collect an annual average of \$3,500 in assessments on average annual sales of \$350,000 subject to the assessment.

Fourth, staff also analyzed the PricewaterhouseCoopers Report in more detail, and found that the \$250 amount in emergency Regulation 2000 accounted for costs to program and service cash registers (and other point-of-sale systems), but did not account for all of the categories of compliance costs included in the study. Further, staff found that the PricewaterhouseCoopers Report shows an average gross compliance cost of 0.21 percent of taxable sales for the Building and Garden Supplies industry. Furthermore, staff recognized that the percentage was derived from looking at some costs that were not properly classified as start-up costs, such as costs to deal with audits and appeals, but that the percentage also failed to account for some costs that were properly classified as startup costs, such as costs to identify and code products subject to the assessment. Therefore, staff concluded that it would be reasonable to use the percentage to calculate start-up costs.

As a result, during the BTC process, Board staff calculated that the average amount of start-up costs to implement the Lumber Products Assessment on January 1, 2013, was approximately \$735 per retail location by multiplying the average amount of annual sales subject to the assessment that staff estimated would be made by each retail location (\$350,000) by 0.21 percent. Staff proposed that affected retailers be permitted to retain an additional \$485 (\$735-\$250) from the assessments they collect, for start-up costs, beginning January 1, 2014. Therefore, staff recommended that the Board propose to adopt emergency Regulation 2000, through the regular rulemaking process, without making any changes, and that the Board also propose to adopt new Regulation 2001, through the regular rulemaking process, to provide that "[b]eginning January 1, 2014, a retailer required to collect the Lumber Products Assessment may retain \$485 per location, in addition to the \$250 allowed by Regulation 2000, as [additional] reimbursement for startup costs associated with the collection of the assessment."

During its BTC meeting on June 11, 2013, the Board tentatively agreed with staff's revised calculation of the average amount of start-up costs to implement the Lumber Products Assessment on January 1, 2013, of approximately \$735 per retail location. Therefore, the Board voted to propose to adopt emergency Regulation 2000, through the regular rulemaking process, without making any changes, and also to propose to adopt new Regulation 2001, through the regular rulemaking process. The Board's objective for proposing to adopt emergency Regulation 2000 and Regulation 2001 is to have the effect of prescribing \$735 per retail location as the total amount of reimbursement that affected retailers may retain from the Lumber Products Assessments they collect as reimbursement for start-up costs pursuant to PRC section 4629.5. The regulations are anticipated to provide the following benefits:

- Provide certainty as to the amount of reimbursement retailers may retain pursuant to PRC section 4629.5;
- Permit retailers to retain the amount of reimbursement determined by the Board without requiring retailers to keep additional records or substantiate their individual costs; and
- Preserve the public peace, health, safety, and general welfare, as provided in PRC section 4629.5, subdivision (a)(3).

The Board has performed an evaluation of whether proposed Regulations 2000 and 2001 are inconsistent or incompatible with existing state regulations and determined that the regulations are not inconsistent or incompatible with existing state regulations because they

are the only state regulations prescribing the “amount of reimbursement” a retailer may retain pursuant to PRC section 4629.5, subdivision (a)(3). In addition, there is no federal assessment similar to the Lumber Products Assessment imposed by PRC section 4629.5 and there are no comparable federal regulations or statutes to proposed Regulations 2000 and 2001.

NO MANDATE ON LOCAL AGENCIES AND SCHOOL DISTRICTS

The Board has determined that the adoption of proposed Regulations 2000 and 2001 will not impose a mandate on local agencies or school districts, including a mandate that is required to be reimbursed under part 7 (commencing with section 17500) of division 4 of title 2 of the Government Code.

NO COST OR SAVINGS TO STATE AGENCIES, LOCAL AGENCIES, AND SCHOOL DISTRICTS

The Board has determined that the adoption of proposed Regulations 2000 and 2001 will result in no direct or indirect cost or savings to any state agency, any cost to local agencies or school districts that is required to be reimbursed under part 7 (commencing with section 17500) of division 4 of title 2 of the Government Code, other non-discretionary cost or savings imposed on local agencies, or cost or savings in federal funding to the State of California.

NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

The Board has made an initial determination that the adoption of proposed Regulations 2000 and 2001 will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The adoption of proposed Regulations 2000 and 2001 may affect small business.

NO COST IMPACTS TO 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.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS REQUIRED BY GOVERNMENT CODE SECTION 11346.3, SUBDIVISION (b)

The Board has prepared the economic impact analysis required by Government Code section 11346.3, subdivision (b)(1), and included it in the initial statement of reasons. The Board has determined that the adoption of proposed Regulations 2000 and 2001 will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses nor create or expand business in the State of California. Furthermore, the Board has determined that the adoption of proposed Regulations 2000 and 2001 will not affect the health and welfare of California residents, worker safety, or the state’s environment.

NO SIGNIFICANT EFFECT ON HOUSING COSTS

The adoption of proposed Regulations 2000 and 2001 will not have a significant effect on housing costs.

DETERMINATION REGARDING ALTERNATIVES

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

CONTACT PERSONS

Questions regarding the substance of the proposed regulations should be directed to Bradley M. Heller, Tax Counsel IV, by telephone at (916) 323-3091, by e-mail at Bradley.Heller@boe.ca.gov, or by mail at State Board of Equalization, Attn: Bradley M. Heller, MIC:82, 450 N Street, P.O. Box 942879, Sacramento, CA 94279-0082.

Written comments for the Board’s consideration, notice of intent to present testimony or witnesses at the

public hearing, and inquiries concerning the proposed administrative action should be directed to Mr. Rick Bennion, Regulations Coordinator, by telephone at (916) 445-2130, by fax at (916) 324-3984, by e-mail at Richard.Bennion@boe.ca.gov, or by mail at State Board of Equalization, Attn: Rick Bennion, MIC:80, 450 N Street, P.O. Box 942879, Sacramento, CA 94279-0080.

WRITTEN COMMENT PERIOD

The written comment period ends at 10:00 a.m. on September 10, 2013, or as soon thereafter as the Board begins the public hearing regarding the adoption of proposed Regulations 2000 and 2001 during the September 10, 2013, Board meeting. Written comments received by Mr. Rick Bennion at the postal address, email address, or fax number provided above, prior to the close of the written comment period, will be presented to the Board and the Board will consider the statements, arguments, and/or contentions contained in those written comments before the Board decides whether to adopt proposed Regulations 2000 and 2001. The Board will only consider written comments received by that time.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board has prepared underscored versions of the text of Regulations 2000 and 2001 illustrating the express terms of the proposed regulations and an initial statement of reasons for the adoption of the proposed regulations, which includes the economic impact analysis required by Government Code section 11346.3, subdivision (b)(1). These documents and all the information on which the proposed regulations are based are available to the public upon request. The rulemaking file is available for public inspection at 450 N Street, Sacramento, California. The express terms of the proposed regulations and the initial statement of reasons are also available on the Board's Website at www.boe.ca.gov.

SUBSTANTIALLY RELATED CHANGES PURSUANT TO GOVERNMENT CODE SECTION 11346.8

The Board may adopt proposed Regulations 2000 and 2001 with changes that are nonsubstantial or solely

grammatical in nature, or sufficiently related to the original proposed text that the public was adequately placed on notice that the changes could result from the originally proposed regulatory action. Additional information could change staff's calculation of \$735 as the average start-up costs per retail location to implement the Lumber Products Assessment, help staff identify other, more reliable methods to calculate the average start-up costs per retail location, or both, as discussed in detail in the initial statement of reasons. Therefore, at the conclusion of the June 11, 2013, BTC meeting, the Board directed staff to continue to monitor the implementation of the Lumber Products Assessment and review the returns filed for the first and second quarters of 2013 to try to obtain additional information to help verify the number of retail locations that were required to begin collecting the new assessment on January 1, 2013, and the amount of revenue they are actually collecting. And, the Board indicated that, depending upon the additional information obtained, including information regarding the effectiveness of AB 1492 as a source of funding, and staff's recommendation at the public hearing, the Board may decide to adopt proposed Regulation 2000 without making any changes and not adopt proposed Regulation 2001, the Board may decide to adopt both proposed regulations without making any changes, or the Board may decide to adopt both regulations and change the total amount of reimbursement provided to affected retailers.

If a sufficiently related change is made to either proposed regulation, the Board will make the full text of the proposed regulation, with the change clearly indicated, available to the public for at least 15 days before adoption. The text of the resulting regulation will be mailed to those interested parties who commented on the original proposed regulation orally or in writing or who asked to be informed of such changes. The text of the resulting regulation will also be available to the public from Mr. Bennion. The Board will consider written comments on the resulting regulation that are received prior to adoption.

AVAILABILITY OF FINAL STATEMENT OF REASONS

If the Board adopts proposed Regulations 2000 and 2001, the Board will prepare a final statement of reasons, which will be made available for inspection at 450 N Street, Sacramento, California, and available on the Board's Website at www.boe@ca.gov.

GENERAL PUBLIC INTEREST

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**NOTICE TO INTERESTED PARTIES
ADOPTION OF REFERENCE EXPOSURE
LEVELS FOR 1,3-BUTADIENE
July 26, 2013**

The Office of Environmental Health Hazard Assessment (OEHHA) is adopting an acute and an 8-hour Reference Exposure Level (REL) and a revised chronic REL for 1,3-butadiene. The values of the RELs are listed in the table below. These values and the supporting document will be added to the appendices of the Technical Support Document for the Derivation of Noncancer Reference Exposure Levels. The document becomes available on the OEHHA Home Page at <http://www.oehha.ca.gov> on July 26, 2013.

Acute, 8-hour, and Chronic Inhalation Reference Exposure Levels for 1,3-butadiene.

<i>Acute Toxicity (for a 1-hour exposure)</i>	660 µg/m³ (297 ppb)
<i>8-Hour REL (for repeated 8-hour exposures)</i>	9 µg/m³ (4 ppb)
<i>Chronic REL</i>	2 µg/m³ (1 ppb)

BACKGROUND

The Office of Environmental Health Hazard Assessment (OEHHA) is required to develop guidelines for conducting health risk assessments under the Air Toxics Hot Spots Program (Health and Safety Code Section 44360(b)(2)). In response to this statutory requirement, OEHHA has developed revised Reference Exposure Levels (RELs) for 1,3-butadiene. (A REL is an airborne level of a chemical at or below which non-cancer health effects are not anticipated for specified exposure durations.) These were developed using the most recent "Air Toxics Hot Spots Program Technical Support Document for the Derivation of Noncancer Reference Exposure Levels" (OEHHA, 2008), and replace existing values which were developed using previous guidance.

This method allows for the estimation of acute, 8-hour and chronic RELs for use in Air Toxics Hot Spots program risk assessments. The new guidance reflects current scientific knowledge and techniques, and in particular explicitly includes consideration of possible differential effects on the health of infants and children, in accordance with the mandate of the Children's Environmental Health Protection Act (Health and Safety Code sections 39669.5 et seq.).

A draft of the 1,3-butadiene RELs was released on May 18, 2012 to solicit public comment, and was discussed at public workshops in Oakland and Diamond Bar, CA in July 2010. The document was then revised to reflect public comments, and peer reviewed by the State's Scientific Review Panel on Toxic Air Contaminants (SRP). It was initially presented to the SRP on October 16, 2012. A revised version of the document reflecting comments of the SRP was discussed at a second meeting held on April 2, 2013. At the latter meeting, the SRP approved the document describing the RELs and their derivation, subject to one specific change (and some editorial adjustments). Following a discussion of the 8-hour and chronic RELs which was reported on pages 54-79 of the transcript of the April 2 SRP meeting (http://www.arb.ca.gov/srp/trans_040213.pdf), OEHHA agreed that it was appropriate to increase the value of the toxicodynamic component of the interspecies uncertainty factor from $\sqrt{10}$ to 10. This has the effect of lowering the 8-hour and chronic RELs by a factor of approximately three. This change was incorporated into the final version with explanatory text, which was approved by the SRP.

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY**

Trinity County Certified Unified Program Agency
Aboveground Petroleum Storage Act Fees

NOTICE IS HEREBY GIVEN that the Secretary for Environmental Protection has established a fee for the Trinity County Certified Unified Program Agency (Trinity CUPA) for the administration of the Aboveground Petroleum Storage Act (APSA) program portion of the Unified Program in Trinity County. The effective date for these fees is July 26, 2013. This fee is established in accordance with the California Health and Safety Code, Division 20, Chapter 6.11, Section 25404.5(a)(2)(B) and the California Code of Regulations, Title 27, Subdivision 4, Chapter 1, Sections 15241 and 15242. The Trinity CUPA APSA fee was publicly noticed on May 10, 2013 in the California Regulatory Notice Register as required to allow public comments for 30 days. The comment period ended June 9, 2013 and no comments were received.

In 2005, the California Environmental Protection Agency designated the Department of Toxic Substances Control to be the CUPA for Trinity County, as specified by the Health & Safety Code § 25404.3(f)(2)(A). On January 1, 2008, Assembly Bill 1130 (Chapter 626, Statutes of 2007) went into effect. This bill vested the CUPAs statewide with the responsibility and authority to implement APSA. The bill allocated existing Environmental Protection Trust Fund funds to the CUPAs for implementation of APSA by means of grants.

The Trinity CUPA used its grant funds to train CUPA inspectors in APSA requirements, conduct APSA outreach to the community, and conduct APSA inspections in conjunction with other CUPA inspections. The Trinity CUPA has expended its APSA grant funds and now, like all CUPAs statewide, must charge a fee for the APSA portion of the CUPA program in accordance with Health & Safety Code § 25404.5(a)(2)(A).

Based on data gathered during the inspection of facilities subject to APSA over the past 2 years, the California Environmental Protection Agency has set the fee at \$55.00 per year per facility for facilities that store 10,000 gallons or less of petroleum in above-ground tanks and \$145.00 per year per facility for facilities that store more than 10,000 gallons of petroleum in above-ground tanks.

FISH AND GAME COMMISSION

Notice of Location of Discussion/Adoption Hearing for

Section 300, Title 14, Re: Resident & Migratory Upland Game Hunting Discussion and Possible Adoption of Proposed Changes
(OAL Notice Number Z-2013-0611-09)

Section 313, Title 14, Re: Upland Game Bird Stamp Discussion and Possible Adoption of Proposed Changes
(OAL Notice Number Z-2013-0611-10)

Section 502, Title 14, Re: Migratory Game Bird (Waterfowl) Regulations Discussion and Possible Adoption of Proposed Changes
(OAL Notice Number Z-2013-0611-11)

Section 510, Title 14, Re: State Duck Stamp Regulations Discussion and Possible Adoption of Proposed Changes
(OAL Notice Number Z-2013-0611-12)

Sections 163 and 164, Title 14, Re: Harvest of Herring and Herring Eggs Discussion and Possible Adoption of Proposed Changes
(OAL Notice Number Z-2013-0611-08)

At the time the notices were published in the June 21, 2013 edition of the California Regulatory Notice Register (Register 2013, No. 25-Z), the location for the adoption hearing was not yet determined. The Commission will consider the proposed regulations at a public hearing at the **Embassy Suites, 333 Madonna Road, San Luis Obispo, CA 93405**, on August 7, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard.

DEPARTMENT OF FISH AND WILDLIFE

CESA CONSISTENCY DETERMINATION REQUEST FOR Martin Slough Interceptor Phase 2 Project 2080-2013-006-01 Humboldt County

The Department of Fish and Wildlife (Department) received a notice on July 12, 2013, that the City of Eureka proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The proposed action involves installation of a force main from the Eureka Municipal Golf Course to the wastewater treatment plant, decommissioning of lift stations and redirection of wastewater flows. The proposed project will occur in Humboldt County, California. The U.S. Fish and Wildlife Service (Service) issued a “no jeopardy” federal biological opinion (Service File No. 151422-SWR-2012-AR00009)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers on June 26, 2013, which considered the effects of the project on the state and federally threatened Coho Salmon (Southern Oregon/Northern California Coast) (*Oncorhynchus kisutch*).

Pursuant to California Fish and Game Code section 2080.1, the City of Eureka is requesting a determination that the BO and ITS are consistent with CESA for purposes of the proposed project. If the Department deter-

mines the BO and ITS are consistent with CESA for the proposed project, the City of Eureka will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the project.

DEPARTMENT OF HEALTH CARE SERVICES

**DEPARTMENT OF HEALTH CARE SERVICES
TO CHANGE THE AUDIT SELECTION FOR
INTERMEDIATE CARE FACILITIES FOR THE
DEVELOPMENTALLY DISABLED
(INCLUDING HABILITATIVE AND NURSING)**

The Department of Health Care Services (DHCS) is revising the reimbursement rate methodology audit selection for Intermediate Care Facilities for the Developmentally Disabled (including Habilitative and Nursing).

Effective for the rate-year beginning on August 1, 2013, DHCS will audit facilities based on their projected rebased costs. Effective with the 2013–2014 rate-year, DHCS will no longer apply audit adjustment factors to ICF-DD, ICF/DD-N, and ICF/DD-H facilities. ICF/DD-N and ICF/DD-H facilities to be audited will be selected on the basis of reported and projected costs. DHCS anticipates that facilities with rebased projected costs no higher than the 2008–09 65th percentile increased by approximately five percent, but no lower than the 2008–09 65th percentile reduced by approximately fifteen percent, will be audited. DHCS will use audited costs in determining reimbursement rates for those facilities that were audited and reported costs in determining reimbursement rates for those facilities that were not audited.

The audit-selection procedures are being revised in conjunction with the corresponding reimbursement rate methodology revisions for ICF/DD, ICF/DD-N, and ICF/DD-H facilities, and will be detailed in Attachment 4.19-D of the California State Plan.

PUBLIC REVIEW AND COMMENTS

Written comments and/or requests for review may be submitted to:

Mr. Grant Gassman, Chief
Long Term Care Section
Department of Health Care Services
1501 Capitol Avenue, Suite 71.4001
MS 4600
P.O. Box 997417
Sacramento, CA 95899-7417

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

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

**CHEMICALS KNOWN TO THE STATE
TO CAUSE CANCER OR
REPRODUCTIVE TOXICITY
JULY 26, 2013**

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

CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole)	26148-68-5	January 1, 1990
Acetaldehyde	75-07-0	April 1, 1988
Acetamide	60-35-5	January 1, 1990
Acetochlor	34256-82-1	January 1, 1989
2-Acetylaminofluorene	53-96-3	July 1, 1987
Acifluorfen sodium	62476-59-9	January 1, 1990
Acrylamide	79-06-1	January 1, 1990
Acrylonitrile	107-13-1	July 1, 1987
Actinomycin D	50-76-0	October 1, 1989
AF-2;[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide	3688-53-7	July 1, 1987
Aflatoxins	—	January 1, 1988
Alachlor	15972-60-8	January 1, 1989
Alcoholic beverages, when associated with alcohol abuse	—	July 1, 1988
Aldrin	309-00-2	July 1, 1988
Allyl chloride <u>Delisted October 29, 1999</u>	107-05-1	January 1, 1990
2-Aminoanthraquinone	117-79-3	October 1, 1989
p-Aminoazobenzene	60-09-3	January 1, 1990
ortho-Aminoazotoluene	97-56-3	July 1, 1987
4-Aminobiphenyl (4-aminodiphenyl)	92-67-1	February 27, 1987
1-Amino-2,4-dibromoanthraquinone	81-49-2	August 26, 1997
3-Amino-9-ethylcarbazole hydrochloride	6109-97-3	July 1, 1989
2-Aminofluorene	153-78-6	January 29, 1999
1-Amino-2-methylanthraquinone	82-28-0	October 1, 1989
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712-68-5	July 1, 1987
4-Amino-2-nitrophenol	119-34-6	January 29, 1999
Amitrole	61-82-5	July 1, 1987
Amsacrine	51264-14-3	August 7, 2009
Analgesic mixtures containing phenacetin	—	February 27, 1987
Androstenedione	63-05-8	May 3, 2011
Aniline	62-53-3	January 1, 1990
Aniline hydrochloride	142-04-1	May 15, 1998
ortho-Anisidine	90-04-0	July 1, 1987
ortho-Anisidine hydrochloride	134-29-2	July 1, 1987
Antimony oxide (Antimony trioxide)	1309-64-4	October 1, 1990
Anthraquinone	84-65-1	September 28, 2007
Aramite	140-57-8	July 1, 1987
Areca nut	—	February 3, 2006
Aristolochic acids	—	July 9, 2004
Arsenic (inorganic arsenic compounds)	—	February 27, 1987
Asbestos	1332-21-4	February 27, 1987
Auramine	492-80-8	July 1, 1987
Azacitidine	320-67-2	January 1, 1992
Azaserine	115-02-6	July 1, 1987
Azathioprine	446-86-6	February 27, 1987
Azobenzene	103-33-3	January 1, 1990
Benthiavalicarb-isopropyl	177406-68-7	July 1, 2008
Benz[a]anthracene	56-55-3	July 1, 1987
Benzene	71-43-2	February 27, 1987
Benzidine [and its salts]	92-87-5	February 27, 1987
Benzidine-based dyes	—	October 1, 1992
Benzo[b]fluoranthene	205-99-2	July 1, 1987

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
Benzo[j]fluoranthene	205-82-3	July 1, 1987
Benzo[k]fluoranthene	207-08-9	July 1, 1987
Benzofuran	271-89-6	October 1, 1990
Benzophenone	119-61-9	June 22, 2012
Benzo[a]pyrene	50-32-8	July 1, 1987
Benzotrichloride	98-07-7	July 1, 1987
Benzyl chloride	100-44-7	January 1, 1990
Benzyl violet 4B	1694-09-3	July 1, 1987
Beryllium and beryllium compounds	—	October 1, 1987
Betel quid with tobacco	—	January 1, 1990
Betel quid without tobacco	—	February 3, 2006
2,2-Bis(bromomethyl)-1,3-propanediol	3296-90-0	May 1, 1996
Bis(2-chloroethyl)ether	111-44-4	April 1, 1988
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlornapazine)	494-03-1	February 27, 1987
Bischloroethyl nitrosourea (BCNU) (Carmustine)	154-93-8	July 1, 1987
Bis(chloromethyl)ether	542-88-1	February 27, 1987
Bis(2-chloro-1-methylethyl) ether, technical grade	—	October 29, 1999
Bitumens, extracts of steam-refined and air refined	—	January 1, 1990
Bracken fern	—	January 1, 1990
Bromate	15541-45-4	May 31, 2002
Bromochloroacetic acid	5589-96-8	April 6, 2010
Bromodichloromethane	75-27-4	January 1, 1990
Bromoethane	74-96-4	December 22, 2000
Bromoform	75-25-2	April 1, 1991
1,3-Butadiene	106-99-0	April 1, 1988
1,4-Butanediol dimethanesulfonate (Busulfan)	55-98-1	February 27, 1987
Butylated hydroxyanisole	25013-16-5	January 1, 1990
beta-Butyrolactone	3068-88-0	July 1, 1987
Cacodylic acid	75-60-5	May 1, 1996
Cadmium and cadmium compounds	—	October 1, 1987
Caffeic acid	331-39-5	October 1, 1994
Captafol	2425-06-1	October 1, 1988
Captan	133-06-2	January 1, 1990
Carbaryl	63-25-2	February 5, 2010
Carbazole	86-74-8	May 1, 1996
Carbon black (airborne, unbound particles of respirable size)	1333-86-4	February 21, 2003
Carbon tetrachloride	56-23-5	October 1, 1987
Carbon-black extracts	—	January 1, 1990
N-Carboxymethyl-N-nitrosourea	60391-92-6	January 25, 2002
Catechol	120-80-9	July 15, 2003
Ceramic fibers (airborne particles of respirable size)	—	July 1, 1990
Certain combined chemotherapy for lymphomas	—	February 27, 1987
Chlorambucil	305-03-3	February 27, 1987
Chloramphenicol <u>Delisted January 4, 2013</u>	56-75-7	October 1, 1989
Chlordane	57-74-9	July 1, 1988
Chlordecone (Kepone)	143-50-0	January 1, 1988
Chlordimeform	6164-98-3	January 1, 1989
Chlorendic acid	115-28-6	July 1, 1989
Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight)	108171-26-2	July 1, 1989
p-Chloroaniline	106-47-8	October 1, 1994
p-Chloroaniline hydrochloride	20265-96-7	May 15, 1998

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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Chlorodibromomethane <u>Delisted October 29, 1999</u>	124-48-1	January 1, 1990
Chloroethane (Ethyl chloride)	75-00-3	July 1, 1990
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	13010-47-4	January 1, 1988
1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea (Methyl-CCNU)	13909-09-6	October 1, 1988
Chloroform	67-66-3	October 1, 1987
Chloromethyl methyl ether (technical grade)	107-30-2	February 27, 1987
3-Chloro-2-methylpropene	563-47-3	July 1, 1989
1-Chloro-4-nitrobenzene	100-00-5	October 29, 1999
4-Chloro-ortho-phenylenediamine	95-83-0	January 1, 1988
<i>p</i> -Chloro- <i>o</i> -toluidine	95-69-2	January 1, 1990
<i>p</i> -Chloro- <i>o</i> -toluidine, strong acid salts of	—	May 15, 1998
5-Chloro- <i>o</i> -toluidine and its strong acid salts	—	October 24, 1997
Chloroprene	126-99-8	June 2, 2000
Chlorothalonil	1897-45-6	January 1, 1989
Chlorotrianisene	569-57-3	September 1, 1996
Chlorozotocin	54749-90-5	January 1, 1992
Chromium (hexavalent compounds)	—	February 27, 1987
Chrysene	218-01-9	January 1, 1990
C.I. Acid Red 114	6459-94-5	July 1, 1992
C.I. Basic Red 9 monohydrochloride	569-61-9	July 1, 1989
C.I. Direct Blue 15	2429-74-5	August 26, 1997
C.I. Direct Blue 218	28407-37-6	August 26, 1997
C.I. Disperse Yellow 3	2832-40-8	February 8, 2013
C.I. Solvent Yellow 14	842-07-9	May 15, 1998
Ciclosporin (Cyclosporin A; Cyclosporine)	59865-13-3	January 1, 1992
	79217-60-0	
Cidofovir	113852-37-2	January 29, 1999
Cinnamyl anthranilate	87-29-6	July 1, 1989
Cisplatin	15663-27-1	October 1, 1988
Citrus Red No. 2	6358-53-8	October 1, 1989
Clofibrate	637-07-0	September 1, 1996
Clomiphene citrate	50-41-9	May 24, 2013
Cobalt metal powder	7440-48-4	July 1, 1992
Cobalt [II] oxide	1307-96-6	July 1, 1992
Cobalt sulfate	10124-43-3	May 20, 2005
Cobalt sulfate heptahydrate	10026-24-1	June 2, 2000
Coconut oil diethanolamine condensate (cocamide diethanolamine)	68603-42-9	June 22, 2012
Coke oven emissions	—	February 27, 1987
Conjugated estrogens	—	February 27, 1987
Creosotes	—	October 1, 1988
<i>para</i> -Cresidine	120-71-8	January 1, 1988
Cumene	98-82-8	April 6, 2010
Cupferron	135-20-6	January 1, 1988
Cycasin	14901-08-7	January 1, 1988
Cyclopenta[<i>cd</i>]pyrene	27208-37-3	April 29, 2011
Cyclophosphamide (anhydrous)	50-18-0	February 27, 1987
Cyclophosphamide (hydrated)	6055-19-2	February 27, 1987
Cytembena	21739-91-3	May 15, 1998
D&C Orange No. 17	3468-63-1	July 1, 1990
D&C Red No. 8	2092-56-0	October 1, 1990

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
D&C Red No. 9	5160-02-1	July 1, 1990
D&C Red No. 19	81-88-9	July 1, 1990
Dacarbazine	4342-03-4	January 1, 1988
Daminozide	1596-84-5	January 1, 1990
Dantron (Chrysazin; 1,8-Dihydroxyanthraquinone)	117-10-2	January 1, 1992
Daunomycin	20830-81-3	January 1, 1988
DDD (Dichlorodiphenyldichloroethane)	72-54-8	January 1, 1989
DDE (Dichlorodiphenyldichloroethylene)	72-55-9	January 1, 1989
DDT (Dichlorodiphenyltrichloroethane)	50-29-3	October 1, 1987
DDVP (Dichlorvos)	62-73-7	January 1, 1989
N,N' -Diacetylbenzidine	613-35-4	October 1, 1989
2,4-Diaminoanisole	615-05-4	October 1, 1990
2,4-Diaminoanisole sulfate	39156-41-7	January 1, 1988
4,4' -Diaminodiphenyl ether (4,4' -Oxydianiline)	101-80-4	January 1, 1988
2,4-Diaminotoluene	95-80-7	January 1, 1988
Diaminotoluene (mixed)	—	January 1, 1990
Diazoaminobenzene	136-35-6	May 20, 2005
Dibenz[a,h]acridine	226-36-8	January 1, 1988
Dibenz[a,j]acridine	224-42-0	January 1, 1988
Dibenz[a,h]anthracene	53-70-3	January 1, 1988
7H-Dibenzo[c,g]carbazole	194-59-2	January 1, 1988
Dibenzo[a,e]pyrene	192-65-4	January 1, 1988
Dibenzo[a,h]pyrene	189-64-0	January 1, 1988
Dibenzo[a,i]pyrene	189-55-9	January 1, 1988
Dibenzo[a,l]pyrene	191-30-0	January 1, 1988
Dibromoacetic acid	631-64-1	June 17, 2008
Dibromoacetonitrile	3252-43-5	May 3, 2011
1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	July 1, 1987
2,3-Dibromo-1-propanol	96-13-9	October 1, 1994
Dichloroacetic acid	79-43-6	May 1, 1996
<i>p</i> -Dichlorobenzene	106-46-7	January 1, 1989
3,3' -Dichlorobenzidine	91-94-1	October 1, 1987
3,3' -Dichlorobenzidine dihydrochloride	612-83-9	May 15, 1998
1,4-Dichloro-2-butene	764-41-0	January 1, 1990
3,3' -Dichloro-4,4' -diaminodiphenyl ether	28434-86-8	January 1, 1988
1,1-Dichloroethane	75-34-3	January 1, 1990
Dichloromethane (Methylene chloride)	75-09-2	April 1, 1988
1,2-Dichloropropane	78-87-5	January 1, 1990
1,3-Dichloro-2-propanol (1,3-DCP)	96-23-1	October 8, 2010
1,3-Dichloropropene	542-75-6	January 1, 1989
Diclofop-methyl	51338-27-3	April 6, 2010
Dieldrin	60-57-1	July 1, 1988
<u>Dienestrol Delisted January 4, 2013</u>	84-17-3	January 1, 1990
Diepoxybutane	1464-53-5	January 1, 1988
Diesel engine exhaust	—	October 1, 1990
Diethanolamine	111-42-2	June 22, 2012
Di(2-ethylhexyl)phthalate	117-81-7	January 1, 1988
1,2-Diethylhydrazine	1615-80-1	January 1, 1988
Diethyl sulfate	64-67-5	January 1, 1988
Diethylstilbestrol (DES)	56-53-1	February 27, 1987
Diglycidyl resorcinol ether (DGRE)	101-90-6	July 1, 1989
Dihydrosafrole	94-58-6	January 1, 1988

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<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Diisopropyl sulfate	2973-10-6	April 1, 1993
3,3'-Dimethoxybenzidine (ortho-Dianisidine)	119-90-4	January 1, 1988
3,3'-Dimethoxybenzidine dihydrochloride (ortho-Dianisidine dihydrochloride)	20325-40-0	October 1, 1990
3,3'-Dimethoxybenzidine-based dyes metabolized to 3,3'-dimethoxybenzidine	—	June 11, 2004
3,3'-Dimethylbenzidine-based dyes metabolized to 3,3'-dimethylbenzidine	—	June 11, 2004
Dimethyl sulfate	77-78-1	January 1, 1988
4-Dimethylaminoazobenzene	60-11-7	January 1, 1988
trans-2-[(Dimethylamino)methylimino]-5-[2-(5-nitro-2-furyl)vinyl]-1,3,4-oxadiazole	55738-54-0	January 1, 1988
7,12-Dimethylbenz(a)anthracene	57-97-6	January 1, 1990
3,3'-Dimethylbenzidine (ortho-Tolidine)	119-93-7	January 1, 1988
3,3'-Dimethylbenzidine dihydrochloride	612-82-8	April 1, 1992
Dimethylcarbamoyl chloride	79-44-7	January 1, 1988
1,1-Dimethylhydrazine (UDMH)	57-14-7	October 1, 1989
1,2-Dimethylhydrazine	540-73-8	January 1, 1988
2,6-Dimethyl-N-nitrosomorpholine (DMNM)	1456-28-6	February 8, 2013
Dimethylvinylchloride	513-37-1	July 1, 1989
3,7-Dinitrofluoranthene	105735-71-5	August 26, 1997
3,9-Dinitrofluoranthene	22506-53-2	August 26, 1997
1,3-Dinitropyrene	75321-20-9	November 2, 2012
1,6-Dinitropyrene	42397-64-8	October 1, 1990
1,8-Dinitropyrene	42397-65-9	October 1, 1990
Dinitrotoluene mixture, 2,4-/2,6-	—	May 1, 1996
2,4-Dinitrotoluene	121-14-2	July 1, 1988
2,6-Dinitrotoluene	606-20-2	July 1, 1995
Di-n-propyl isocinchomeronate (MGK Repellent 326)	136-45-8	May 1, 1996
1,4-Dioxane	123-91-1	January 1, 1988
Diphenylhydantoin (Phenytoin)	57-41-0	January 1, 1988
Diphenylhydantoin (Phenytoin), sodium salt	630-93-3	January 1, 1988
Direct Black 38 (technical grade)	1937-37-7	January 1, 1988
Direct Blue 6 (technical grade)	2602-46-2	January 1, 1988
Direct Brown 95 (technical grade)	16071-86-6	October 1, 1988
Disperse Blue 1	2475-45-8	October 1, 1990
Diuron	330-54-1	May 31, 2002
Doxorubicin hydrochloride (Adriamycin)	25316-40-9	July 1, 1987
<u>Emissions from combustion of coal</u>	—	<u>August 7, 2013</u>
Epichlorohydrin	106-89-8	October 1, 1987
Epoxiconazole	135319-73-2	April 15, 2011
Erionite	12510-42-8/ 66733-21-9	October 1, 1988
Estradiol 17B	50-28-2	January 1, 1988
Estragole	140-67-0	October 29, 1999
Estrogens, steroidal	—	August 19, 2005
Estrogen-progestogen (combined) used as menopausal therapy	—	November 4, 2011
Estrone	53-16-7	January 1, 1988
Estropipate	7280-37-7	August 26, 1997
Ethanol in alcoholic beverages	—	April 29, 2011
Ethinylestradiol	57-63-6	January 1, 1988
Ethoprop	13194-48-4	February 27, 2001

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Ethyl acrylate	140-88-5	July 1, 1989
Ethylbenzene	100-41-4	June 11, 2004
Ethyl methanesulfonate	62-50-0	January 1, 1988
Ethyl-4,4'-dichlorobenzilate	510-15-6	January 1, 1990
Ethylene dibromide	106-93-4	July 1, 1987
Ethylene dichloride (1,2-Dichloroethane)	107-06-2	October 1, 1987
Ethylene oxide	75-21-8	July 1, 1987
Ethylene thiourea	96-45-7	January 1, 1988
Ethyleneimine (Aziridine)	151-56-4	January 1, 1988
Etoposide	33419-42-0	November 4, 2011
Etoposide in combination with cisplatin and bleomycin	—	November 4, 2011
Fenoxycarb	72490-01-8	June 2, 2000
Folpet	133-07-3	January 1, 1989
Formaldehyde (gas)	50-00-0	January 1, 1988
2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole	3570-75-0	January 1, 1988
FumonisinB ₁	116355-83-0	November 14, 2003
Furan	110-00-9	October 1, 1993
Furazolidone	67-45-8	January 1, 1990
Furmecyclox	60568-05-0	January 1, 1990
Fusarin C	79748-81-5	July 1, 1995
Gallium arsenide	1303-00-0	August 1, 2008
Ganciclovir	82410-32-0	August 26, 1997
Gasoline engine exhaust (condensates/extracts)	—	October 1, 1990
Gemfibrozil	25812-30-0	December 22, 2000
Glass wool fibers (inhalable and biopersistent)	—	July 1, 1990
Glu-P-1 (2-Amino-6-methyldipyrido[1,2-a:3',2'-d]imidazole)	67730-11-4	January 1, 1990
Glu-P-2 (2-Aminodipyrido[1,2-a:3',2'-d]imidazole)	67730-10-3	January 1, 1990
Glycidaldehyde	765-34-4	January 1, 1988
Glycidol	556-52-5	July 1, 1990
Griseofulvin	126-07-8	January 1, 1990
Gyromitrin (Acetaldehyde methylformylhydrazone)	16568-02-8	January 1, 1988
HC Blue 1	2784-94-3	July 1, 1989
Heptachlor	76-44-8	July 1, 1988
Heptachlor epoxide	1024-57-3	July 1, 1988
Herbal remedies containing plant species of the genus Aristolochia	—	July 9, 2004
Hexachlorobenzene	118-74-1	October 1, 1987
Hexachlorobutadiene	87-68-3	May 3, 2011
Hexachlorocyclohexane (technical grade)	—	October 1, 1987
Hexachlorodibenzodioxin	34465-46-8	April 1, 1988
Hexachloroethane	67-72-1	July 1, 1990
2,4-Hexadienal (89% trans, trans isomer; 11% cis, trans isomer)	—	March 4, 2005
Hexamethylphosphoramide	680-31-9	January 1, 1988
Hydrazine	302-01-2	January 1, 1988
Hydrazine sulfate	10034-93-2	January 1, 1988
Hydrazobenzene (1,2-Diphenylhydrazine)	122-66-7	January 1, 1988
1-Hydroxyanthraquinone	129-43-1	May 27, 2005
Imazalil	35554-44-0	May 20, 2011
Indeno [1,2,3-cd]pyrene	193-39-5	January 1, 1988
Indium phosphide	22398-80-7	February 27, 2001
IQ (2-Amino-3-methylimidazo[4,5-f]quinoline)	76180-96-6	April 1, 1990
Iprodione	36734-19-7	May 1, 1996

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<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
Iprovalicarb	140923-17-7 140923-25-7	June 1, 2007
Iron dextran complex	9004-66-4	January 1, 1988
Isobutyl nitrite	542-56-3	May 1, 1996
Isoprene	78-79-5	May 1, 1996
Isopyrazam	881686-58-1	July 24, 2012
Isosafrole <u>Delisted December 8, 2006</u>	120-58-1	October 1, 1989
Isoxaflutole	141112-29-0	December 22, 2000
Kresoxim-methyl	143390-89-0	February 3, 2012
Lactofen	77501-63-4	January 1, 1989
Lasiocarpine	303-34-4	April 1, 1988
Lead acetate	301-04-2	January 1, 1988
Lead and lead compounds	—	October 1, 1992
Lead phosphate	7446-27-7	April 1, 1988
Lead subacetate	1335-32-6	October 1, 1989
Leather dust	—	April 29, 2011
Lindane and other hexachlorocyclohexane isomers	—	October 1, 1989
Lynestrenol	52-76-6	February 27, 2001
Malonaldehyde, sodium salt	24382-04-5	May 3, 2011
Mancozeb	8018-01-7	January 1, 1990
Maneb	12427-38-2	January 1, 1990
Marijuana smoke	—	June 19, 2009
Me-A-alpha-C(2-Amino-3-methyl-9H-pyrido[2,3-b]indole)	68006-83-7	January 1, 1990
Medroxyprogesterone acetate	71-58-9	January 1, 1990
MeIQ(2-Amino-3,4-dimethylimidazo[4,5-f]quinoline)	77094-11-2	October 1, 1994
MeIQx(2-Amino-3,8-dimethylimidazo[4,5-f]quinoxaline)	77500-04-0	October 1, 1994
Melphalan	148-82-3	February 27, 1987
Mepanipyrin	110235-47-7	July 1, 2008
Merphalan	531-76-0	April 1, 1988
Mestranol	72-33-3	April 1, 1988
Metam potassium	137-41-7	December 31, 2010
Metham sodium	137-42-8	November 6, 1998
8-Methoxypsoralen with ultraviolet A therapy	298-81-7	February 27, 1987
5-Methoxypsoralen with ultraviolet A therapy	484-20-8	October 1, 1988
2-Methylaziridine (Propyleneimine)	75-55-8	January 1, 1988
Methylazoxymethanol	590-96-5	April 1, 1988
Methylazoxymethanol acetate	592-62-1	April 1, 1988
Methyl carbamate	598-55-0	May 15, 1998
3-Methylcholanthrene	56-49-5	January 1, 1990
5-Methylchrysene	3697-24-3	April 1, 1988
4,4'-Methylene bis(2-chloroaniline)	101-14-4	July 1, 1987
4,4'-Methylene bis(N,N-dimethyl)benzenamine	101-61-1	October 1, 1989
4,4'-Methylene bis(2-methylaniline)	838-88-0	April 1, 1988
4,4'-Methylenedianiline	101-77-9	January 1, 1988
4,4'-Methylenedianiline dihydrochloride	13552-44-8	January 1, 1988
Methyleugenol	93-15-2	November 16, 2001
Methylhydrazine and its salts	—	July 1, 1992
2-Methylimidazole	693-98-1	June 22, 2012
4-Methylimidazole	822-36-6	January 7, 2011
Methyl iodide	74-88-4	April 1, 1988
Methyl isobutyl ketone	108-10-1	November 4, 2011
Methylmercury compounds	—	May 1, 1996

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
Methyl methanesulfonate	66-27-3	April 1, 1988
2-Methyl-1-nitroanthraquinone (of uncertain purity)	129-15-7	April 1, 1988
N-Methyl-N'-nitro-N-nitrosoguanidine	70-25-7	April 1, 1988
N-Methylolacrylamide	924-42-5	July 1, 1990
<i>α</i> -Methylstyrene (alpha-Methylstyrene)	98-83-9	November 2, 2012
Methylthiouracil	56-04-2	October 1, 1989
Metiram	9006-42-2	January 1, 1990
Metronidazole	443-48-1	January 1, 1988
Michler's ketone	90-94-8	January 1, 1988
Mirex	2385-85-5	January 1, 1988
Mitomycin C	50-07-7	April 1, 1988
MON 4660 (dichloroacetyl-1-oxa-4-azaspiro(4,5)-decane)	71526-07-3	March 22, 2011
MON 13900 (furilazole)	121776-33-8	March 22, 2011
3-Monochloropropane-1,2-diol (3-MCPD)	96-24-2	October 8, 2010
Monocrotaline	315-22-0	April 1, 1988
MOPP (vincristine-prednisone-nitrogen mustard-procarbazine mixture)	113803-47-7	November 4, 2011
5-(Morpholinomethyl)-3-[(5-nitro-furfurylidene)-amino]-2-oxazolidinone	139-91-3	April 1, 1988
Mustard Gas	505-60-2	February 27, 1987
MX (3-chloro-4-(dichloromethyl)-5-hydroxy-2(5H)-furanone)	77439-76-0	December 22, 2000
Nafenopin	3771-19-5	April 1, 1988
Nalidixic acid	389-08-2	May 15, 1998
Naphthalene	91-20-3	April 19, 2002
1-Naphthylamine	134-32-7	October 1, 1989
2-Naphthylamine	91-59-8	February 27, 1987
Nickel (Metallic)	7440-02-0	October 1, 1989
Nickel acetate	373-02-4	October 1, 1989
Nickel carbonate	3333-67-3	October 1, 1989
Nickel carbonyl	13463-39-3	October 1, 1987
Nickel compounds	—	May 7, 2004
Nickel hydroxide	12054-48-7; 12125-56-3	October 1, 1989
Nickelocene	1271-28-9	October 1, 1989
Nickel oxide	1313-99-1	October 1, 1989
Nickel refinery dust from the pyrometallurgical process	—	October 1, 1987
Nickel subsulfide	12035-72-2	October 1, 1987
Niridazole	61-57-4	April 1, 1988
Nitrapyrin	1929-82-4	October 5, 2005
Nitrilotriacetic acid	139-13-9	January 1, 1988
Nitrilotriacetic acid, trisodium salt monohydrate	18662-53-8	April 1, 1989
5-Nitroacenaphthene	602-87-9	April 1, 1988
5-Nitro- <i>o</i> -anisidine <u>Delisted December 8, 2006</u>	99-59-2	October 1, 1989
<i>o</i> -Nitroanisole	91-23-6	October 1, 1992
Nitrobenzene	98-95-3	August 26, 1997
4-Nitrobiphenyl	92-93-3	April 1, 1988
6-Nitrochrysene	7496-02-8	October 1, 1990
Nitrofen (technical grade)	1836-75-5	January 1, 1988
2-Nitrofluorene	607-57-8	October 1, 1990
Nitrofurazone	59-87-0	January 1, 1990
1-[(5-Nitrofurfurylidene)-amino]-2-imidazolidinone	555-84-0	April 1, 1988
N-[4-(5-Nitro-2-furyl)-2-thiazolyl]acetamide	531-82-8	April 1, 1988

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Nitrogen mustard (Mechlorethamine)	51-75-2	January 1, 1988
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	55-86-7	April 1, 1988
Nitrogen mustard N-oxide	126-85-2	April 1, 1988
Nitrogen mustard N-oxide hydrochloride	302-70-5	April 1, 1988
Nitromethane	75-52-5	May 1, 1997
2-Nitropropane	79-46-9	January 1, 1988
1-Nitropyrene	5522-43-0	October 1, 1990
4-Nitropyrene	57835-92-4	October 1, 1990
N-Nitrosodi-n-butylamine	924-16-3	October 1, 1987
N-Nitrosodiethanolamine	1116-54-7	January 1, 1988
N-Nitrosodiethylamine	55-18-5	October 1, 1987
N-Nitrosodimethylamine	62-75-9	October 1, 1987
p-Nitrosodiphenylamine	156-10-5	January 1, 1988
N-Nitrosodiphenylamine	86-30-6	April 1, 1988
N-Nitrosodi-n-propylamine	621-64-7	January 1, 1988
N-Nitroso-N-ethylurea	759-73-9	October 1, 1987
3-(N-Nitrosomethylamino)propionitrile	60153-49-3	April 1, 1990
4-(N-Nitrosomethylamino)-1-(3-pyridyl)1-butanone	64091-91-4	April 1, 1990
N-Nitrosomethylethylamine	10595-95-6	October 1, 1989
N-Nitroso-N-methylurea	684-93-5	October 1, 1987
N-Nitroso-N-methylurethane	615-53-2	April 1, 1988
N-Nitrosomethylvinylamine	4549-40-0	January 1, 1988
N-Nitrosomorpholine	59-89-2	January 1, 1988
N-Nitrosornicotine	16543-55-8	January 1, 1988
N-Nitrosopiperidine	100-75-4	January 1, 1988
N-Nitrosopyrrolidine	930-55-2	October 1, 1987
N-Nitrososarcosine	13256-22-9	January 1, 1988
o-Nitrotoluene	88-72-2	May 15, 1998
Norethisterone (Norethindrone)	68-22-4	October 1, 1989
Norethynodrel	68-23-5	February 27, 2001
Ochratoxin A	303-47-9	July 1, 1990
Oil Orange SS	2646-17-5	April 1, 1988
Oral contraceptives, combined	—	October 1, 1989
Oral contraceptives, sequential	—	October 1, 1989
Oryzalin	19044-88-3	September 12, 2008
Oxadiazon	19666-30-9	July 1, 1991
Oxazepam	604-75-1	October 1, 1994
Oxymetholone	434-07-1	January 1, 1988
Oxythioquinox (Chinomethionat)	2439-01-2	August 20, 1999
Palygorskite fibers (> 5µm in length)	12174-11-7	December 28, 1999
Panfuran S	794-93-4	January 1, 1988
Pentachlorophenol	87-86-5	January 1, 1990
Phenacetin	62-44-2	October 1, 1989
Phenazopyridine	94-78-0	January 1, 1988
Phenazopyridine hydrochloride	136-40-3	January 1, 1988
Phenesterin	3546-10-9	July 1, 1989
Phenobarbital	50-06-6	January 1, 1990
Phenolphthalein	77-09-8	May 15, 1998
Phenoxybenzamine	59-96-1	April 1, 1988
Phenoxybenzamine hydrochloride	63-92-3	April 1, 1988
o-Phenylenediamine and its salts	95-54-5	May 15, 1998
Phenyl glycidyl ether	122-60-1	October 1, 1990

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
Phenyhydrazine and its salts	—	July 1, 1992
<i>o</i> -Phenylphenate, sodium	132-27-4	January 1, 1990
<i>o</i> -Phenylphenol	90-43-7	August 4, 2000
PhiP(2-Amino-1-methyl-6-phenylimidazol[4,5-b]pyridine)	105650-23-5	October 1, 1994
Polybrominated biphenyls	—	January 1, 1988
Polychlorinated biphenyls	—	October 1, 1989
Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
Polychlorinated dibenzo-p-dioxins	—	October 1, 1992
Polychlorinated dibenzofurans	—	October 1, 1992
Polygeenan	53973-98-1	January 1, 1988
Ponceau MX	3761-53-3	April 1, 1988
Ponceau 3R	3564-09-8	April 1, 1988
Potassium bromate	7758-01-2	January 1, 1990
Primidone	125-33-7	August 20, 1999
Procarbazine	671-16-9	January 1, 1988
Procarbazine hydrochloride	366-70-1	January 1, 1988
Procymidone	32809-16-8	October 1, 1994
Progesterone	57-83-0	January 1, 1988
Pronamide	23950-58-5	May 1, 1996
Propachlor	1918-16-7	February 27, 2001
1,3-Propane sultone	1120-71-4	January 1, 1988
Propargite	2312-35-8	October 1, 1994
beta-Propiolactone	57-57-8	January 1, 1988
Propoxur	114-26-1	August 11, 2006
Propylene glycol mono- <i>t</i> -butyl ether	57018-52-7	June 11, 2004
Propylene oxide	75-56-9	October 1, 1988
Propylthiouracil	51-52-5	January 1, 1988
Pymetrozine	123312-89-0	March 22, 2011
Pyridine	110-86-1	May 17, 2002
Quinoline and its strong acid salts	—	October 24, 1997
Radionuclides	—	July 1, 1989
Reserpine	50-55-5	October 1, 1989
Residual (heavy) fuel oils	—	October 1, 1990
Resmethrin	10453-86-8	July 1, 2008
Riddelliine	23246-96-0	December 3, 2004
<u>Saccharin Delisted April 6, 2001</u>	81-07-2	October 1, 1989
<u>Saccharin, sodium Delisted January 17, 2003</u>	128-44-9	January 1, 1988
Safrole	94-59-7	January 1, 1988
Salted fish, Chinese-style	—	April 29, 2011
Selenium sulfide	7446-34-6	October 1, 1989
Shale-oils	68308-34-9	April 1, 1990
Silica, crystalline (airborne particles of respirable size)	—	October 1, 1988
Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils)	—	February 27, 1987
Spirodiclofen	148477-71-8	October 8, 2010
Spironolactone	52-01-7	May 1, 1997
Stanozolol	10418-03-8	May 1, 1997
Sterigmatocystin	10048-13-2	April 1, 1988
Streptozotocin (streptozocin)	18883-66-4	January 1, 1988
Strong inorganic acid mists containing sulfuric acid	—	March 14, 2003

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<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Styrene oxide	96-09-3	October 1, 1988
Sulfallate	95-06-7	January 1, 1988
Sulfasalazine (Salicylazosulfapyridine)	599-79-1	May 15, 1998
Talc containing asbestiform fibers	—	April 1, 1990
Tamoxifen and its salts	10540-29-1	September 1, 1996
Terrazole	2593-15-9	October 1, 1994
Testosterone and its esters	58-22-0	April 1, 1988
3,3',4,4'-Tetrachloroazobenzene	14047-09-7	July 24, 2012
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	1746-01-6	January 1, 1988
1,1,2,2-Tetrachloroethane	79-34-5	July 1, 1990
Tetrachloroethylene (Perchloroethylene)	127-18-4	April 1, 1988
p-a,a,a-Tetrachlorotoluene	5216-25-1	January 1, 1990
Tetrafluoroethylene	116-14-3	May 1, 1997
Tetranitromethane	509-14-8	July 1, 1990
Thioacetamide	62-55-5	January 1, 1988
4,4'-Thiodianiline	139-65-1	April 1, 1988
Thiodicarb	59669-26-0	August 20, 1999
Thiouracil	141-90-2	June 11, 2004
Thiourea	62-56-6	January 1, 1988
Thorium dioxide	1314-20-1	February 27, 1987
Titanium dioxide (airborne, unbound particles of respirable size)	—	September 2, 2011
Tobacco, oral use of smokeless products	—	April 1, 1988
Tobacco smoke	—	April 1, 1988
Toluene diisocyanate	26471-62-5	October 1, 1989
ortho-Toluidine	95-53-4	January 1, 1988
ortho-Toluidine hydrochloride	636-21-5	January 1, 1988
para-Toluidine <u>Delisted October 29, 1999</u>	106-49-0	January 1, 1990
Toxaphene (Polychlorinated camphenes)	8001-35-2	January 1, 1988
Toxins derived from <i>Fusarium moniliforme</i> (<i>Fusarium verticillioides</i>)	—	August 7, 2009
Treosulfan	299-75-2	February 27, 1987
S,S,S-Tributyl phosphorotrithioate (Tribufos, DEF)	78-48-8	February 25, 2011
Trichlormethine (Trimustine hydrochloride)	817-09-4	January 1, 1992
Trichloroethylene	79-01-6	April 1, 1988
2,4,6-Trichlorophenol	88-06-2	January 1, 1988
1,2,3-Trichloropropane	96-18-4	October 1, 1992
Trimethyl phosphate	512-56-1	May 1, 1996
2,4,5-Trimethylaniline and its strong acid salts	—	October 24, 1997
2,4,6-Trinitrotoluene (TNT)	118-96-7	December 19, 2008
Triphenyltin hydroxide	76-87-9	July 1, 1992
Tris(aziridiny)l-para-benzoquinone (Triaziqunone) <u>Delisted December 8, 2006</u>	68-76-8	October 1, 1989
Tris(1-aziridiny)lphosphine sulfide (Thiotepa)	52-24-4	January 1, 1988
Tris(2-chloroethyl) phosphate	115-96-8	April 1, 1992
Tris(2,3-dibromopropyl)phosphate	126-72-7	January 1, 1988
Tris(1,3-dichloro-2-propyl) phosphate (TDCPP)	13674-87-8	October 28, 2011
Trp-P-1 (Tryptophan-P-1)	62450-06-0	April 1, 1988
Trp-P-2 (Tryptophan-P-2)	62450-07-1	April 1, 1988
Trypan blue (commercial grade)	72-57-1	October 1, 1989
Unleaded gasoline (wholly vaporized)	—	April 1, 1988
Uracil mustard	66-75-1	April 1, 1988
Urethane (Ethyl carbamate)	51-79-6	January 1, 1988

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Vanadium pentoxide (orthorhombic crystalline form)	1314-62-1	February 11, 2005
Vinclozolin	50471-44-8	August 20, 1999
Vinyl bromide	593-60-2	October 1, 1988
Vinyl chloride	75-01-4	February 27, 1987
4-Vinylcyclohexene	100-40-3	May 1, 1996
4-Vinyl-1-cyclohexene diepoxide (Vinyl cyclohexene dioxide)	106-87-6	July 1, 1990
Vinyl fluoride	75-02-5	May 1, 1997
Vinyl trichloride (1,1,2-Trichloroethane)	79-00-5	October 1, 1990
Wood dust	—	December 18, 2009
2,6-Xylidine (2,6-Dimethylaniline)	87-62-7	January 1, 1991
Zalcitabine	7481-89-2	August 7, 2009
Zidovudine (AZT)	30516-87-1	December 18, 2009
Zileuton	111406-87-2	December 22, 2000
<u>Zineb Delisted October 29, 1999</u>	<u>12122-67-7</u>	<u>January 1, 1990</u>

CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CASNo.</u>	<u>Date Listed</u>
Acetazolamide	developmental	59-66-5	August 20, 1999
Acetohydroxamic acid	developmental	546-88-3	April 1, 1990
Acrylamide	developmental, male	79-06-1	February 25, 2011
Actinomycin D	developmental	50-76-0	October 1, 1992
All-trans retinoic acid	developmental	302-79-4	January 1, 1989
Alprazolam	developmental	28981-97-7	July 1, 1990
Altretamine	developmental, male	645-05-6	August 20, 1999
Amantadine hydrochloride	developmental	665-66-7	February 27, 2001
Amikacin sulfate	developmental	39831-55-5	July 1, 1990
Aminoglutethimide	developmental	125-84-8	July 1, 1990
tert-Amyl methyl ether	developmental	994-05-8	December 18, 2009
Aminoglycosides	developmental	—	October 1, 1992
Aminopterin	developmental, female	54-62-6	July 1, 1987
Amiodarone hydrochloride	developmental, female, male	19774-82-4	August 26, 1997
Amitraz	developmental	33089-61-1	March 30, 1999
Amoxapine	developmental	14028-44-5	May 15, 1998
Anabolic steroids	female, male	—	April 1, 1990
Angiotensin converting enzyme (ACE) inhibitors	developmental	—	October 1, 1992
Anisindione	developmental	117-37-3	October 1, 1992
Arsenic (inorganic oxides)	developmental	—	May 1, 1997
Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.)	developmental, female	50-78-2	July 1, 1990
Atenolol	developmental	29122-68-7	August 26, 1997
Auranofin	developmental	34031-32-8	January 29, 1999
Avermectin B1 (Abamectin)	developmental	71751-41-2	December 3, 2010
Azathioprine	developmental	446-86-6	September 1, 1996

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Barbiturates	developmental	—	October 1, 1992
Beclomethasone dipropionate	developmental	5534-09-8	May 15, 1998
Benomyl	developmental, male	17804-35-2	July 1, 1991
Benzene	developmental, male	71-43-2	December 26, 1997
Benzodiazepines	developmental	—	October 1, 1992
Benzphetamine hydrochloride	developmental	5411-22-3	April 1, 1990
Bischloroethyl nitrosourea (BCNU) (Carmustine)	developmental	154-93-8	July 1, 1990
Bisphenol A (BPA) <u>Delisted April 19, 2013</u>	developmental	80-05-7	April 11, 2013
Bromacil lithium salt	developmental male	53404-19-6	May 18, 1999 January 17, 2003
1-Bromopropane	developmental, female, male	106-94-5	December 7, 2004
2-Bromopropane	female, male	75-26-3	May 31, 2005
Bromoxynil	developmental	1689-84-5	October 1, 1990
Bromoxynil octanoate	developmental	1689-99-2	May 18, 1999
Butabarbital sodium	developmental	143-81-7	October 1, 1992
1,3-Butadiene	developmental, female, male	106-99-0	April 16, 2004
1,4-Butanediol dimethane-sulfonate (Busulfan)	developmental	55-98-1	January 1, 1989
Butyl benzyl phthalate (BBP)	developmental	85-68-7	December 2, 2005
n-Butyl glycidyl ether	male	2426-08-6	August 7, 2009
Cadmium	developmental, male	—	May 1, 1997
Carbamazepine	developmental	298-46-4	January 29, 1999
Carbaryl	developmental, male	63-25-2	August 7, 2009
Carbon disulfide	developmental, female, male	75-15-0	July 1, 1989
Carbon monoxide	developmental	630-08-0	July 1, 1989
Carboplatin	developmental	41575-94-4	July 1, 1990
Chenodiol	developmental	474-25-9	April 1, 1990
Chlorambucil	developmental	305-03-3	January 1, 1989
Chlorcyclizine hydrochloride	developmental	1620-21-9	July 1, 1987
Chlordecone (Kepone)	developmental	143-50-0	January 1, 1989
Chlordiazepoxide	developmental	58-25-3	January 1, 1992
Chlordiazepoxide hydrochloride	developmental	438-41-5	January 1, 1992
1-(2-Chloroethyl)-3-cyclohexyl-1- nitrosourea (CCNU) (Lomustine)	developmental	13010-47-4	July 1, 1990
Chloroform	developmental	67-66-3	August 7, 2009
2-Chloropropionic acid	male	598-78-7	August 7, 2009
Chlorsulfuron	developmental, female, male	64902-72-3	May 14, 1999
Chromium (hexavalent compounds)	developmental, female, male	—	December 19, 2008
Cidofovir	developmental, female, male	113852-37-2	January 29, 1999
Cladribine	developmental	4291-63-8	September 1, 1996
Clarithromycin	developmental	81103-11-9	May 1, 1997
Clobetasol propionate	developmental, female	25122-46-7	May 15, 1998
Clomiphene citrate	developmental	50-41-9	April 1, 1990
Clorazepate dipotassium	developmental	57109-90-7	October 1, 1992
Cocaine	developmental, female	50-36-2	July 1, 1989
Codeine phosphate	developmental	52-28-8	May 15, 1998
Colchicine	developmental, male	64-86-8	October 1, 1992
Conjugated estrogens	developmental	—	April 1, 1990

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

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

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Hexamethylphosphoramide	male	680-31-9	October 1, 1994
Histrelin acetate	developmental	—	May 15, 1998
Hydramethylnon	developmental, male	67485-29-4	March 5, 1999
Hydrogen cyanide (HCN) and cyanide salts (CN salts)	male		July 5, 2013
Hydroxyurea	developmental	127-07-1	May 1, 1997
Idarubicin hydrochloride	developmental, male	57852-57-0	August 20, 1999
Ifosfamide	developmental	3778-73-2	July 1, 1990
Iodine-131	developmental	10043-66-0	January 1, 1989
Isotretinoin	developmental	4759-48-2	July 1, 1987
Lead	developmental, female, male	—	February 27, 1987
Leuprolide acetate	developmental, female, male	74381-53-6	August 26, 1997
Levodopa	developmental	59-92-7	January 29, 1999
Levonorgestrel implants	female	797-63-7	May 15, 1998
Linuron	developmental	330-55-2	March 19, 1999
Lithium carbonate	developmental	554-13-2	January 1, 1991
Lithium citrate	developmental	919-16-4	January 1, 1991
Lorazepam	developmental	846-49-1	July 1, 1990
Lovastatin	developmental	75330-75-5	October 1, 1992
Mebendazole	developmental	31431-39-7	August 20, 1999
Medroxyprogesterone acetate	developmental	71-58-9	April 1, 1990
Megestrol acetate	developmental	595-33-5	January 1, 1991
Melphalan	developmental	148-82-3	July 1, 1990
Menotropins	developmental	9002-68-0	April 1, 1990
Meprobamate	developmental	57-53-4	January 1, 1992
Mercaptopurine	developmental	6112-76-1	July 1, 1990
Mercury and mercury compounds	developmental	—	July 1, 1990
Methacycline hydrochloride	developmental	3963-95-9	January 1, 1991
Metham sodium	developmental	137-42-8	May 15, 1998
Methanol	developmental	67-56-1	March 16, 2012
Methazole	developmental	20354-26-1	December 1, 1999
Methimazole	developmental	60-56-0	July 1, 1990
Methotrexate	developmental	59-05-2	January 1, 1989
Methotrexate sodium	developmental	15475-56-6	April 1, 1990
Methyl bromide as a structural fumigant	developmental	74-83-9	January 1, 1993
Methyl chloride	developmental	74-87-3	March 10, 2000
Methyl n-butyl ketone	male	591-78-6	August 7, 2009
Methyl isocyanate (MIC)	developmental, female	624-83-9	November 12, 2010
Methyl isopropyl ketone	developmental	563-80-4	February 17, 2012
Methyl mercury	developmental	—	July 1, 1987
N-Methylpyrrolidone	developmental	872-50-4	June 15, 2001
α -Methyl styrene	female	98-83-9	July 29, 2011
Methyltestosterone	developmental	58-18-4	April 1, 1990
Metiram	developmental	9006-42-2	March 30, 1999
Midazolam hydrochloride	developmental	59467-96-8	July 1, 1990
Minocycline hydrochloride (internal use)	developmental	13614-98-7	January 1, 1992
Misoprostol	developmental	59122-46-2	April 1, 1990

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Mitoxantrone hydrochloride	developmental	70476-82-3	July 1, 1990
Molinate	developmental, female, male	2212-67-1	December 11, 2009
Myclobutanil	developmental, male	88671-89-0	April 16, 1999
Nabam	developmental	142-59-6	March 30, 1999
Nafarelin acetate	developmental	86220-42-0	April 1, 1990
Neomycin sulfate (internal use)	developmental	1405-10-3	October 1, 1992
Netilmicin sulfate	developmental	56391-57-2	July 1, 1990
Nickel carbonyl	developmental	13463-39-3	September 1, 1996
Nicotine	developmental	54-11-5	April 1, 1990
Nifedipine	developmental, female, male	21829-25-4	January 29, 1999
Nimodipine	developmental	66085-59-4	April 24, 2001
Nitrapyrin	developmental	1929-82-4	March 30, 1999
Nitrobenzene	male	98-95-3	March 30, 2010
Nitrofurantoin	male	67-20-9	April 1, 1991
Nitrogen mustard (Mechlorethamine)	developmental	51-75-2	January 1, 1989
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	developmental	55-86-7	July 1, 1990
Nitrous oxide	developmental	10024-97-2	August 1, 2008
Norethisterone (Norethindrone)	developmental	68-22-4	April 1, 1990
Norethisterone acetate (Norethindrone acetate)	developmental	51-98-9	October 1, 1991
Norethisterone (Norethindrone) /Ethinyl estradiol	developmental	68-22-4/ 57-63-6	April 1, 1990
Norethisterone (Norethindrone)/Mestranol	developmental	68-22-4/ 72-33-3	April 1, 1990
Norgestrel	developmental	6533-00-2	April 1, 1990
Oxadiazon	developmental	19666-30-9	May 15, 1998
Oxazepam	developmental	604-75-1	October 1, 1992
p,p'-Oxybis(benzenesulfonyl hydrazide)	developmental	80-51-3	August 7, 2009
Oxydemeton methyl	female, male	301-12-2	November 6, 1998
Oxymetholone	developmental	434-07-1	May 1, 1997
Oxytetracycline (internal use)	developmental	79-57-2	January 1, 1991
Oxytetracycline hydrochloride (internal use)	developmental	2058-46-0	October 1, 1991
Oxythioquinox (Chinomethionat)	developmental	2439-01-2	November 6, 1998
Paclitaxel	developmental, female, male	33069-62-4	August 26, 1997
Paramethadione	developmental	115-67-3	July 1, 1990
Penicillamine	developmental	52-67-5	January 1, 1991
Pentobarbital sodium	developmental	57-33-0	July 1, 1990
Pentostatin	developmental	53910-25-1	September 1, 1996
Phenacemide	developmental	63-98-9	July 1, 1990
Phenprocoumon	developmental	435-97-2	October 1, 1992
Phenyl glycidyl ether	male	122-60-1	August 7, 2009
Phenylphosphine	developmental	638-21-1	August 7, 2009
Pimozide	developmental, female	2062-78-4	August 20, 1999
Pipobroman	developmental	54-91-1	July 1, 1990
Plicamycin	developmental	18378-89-7	April 1, 1990
Polybrominated biphenyls	developmental	—	October 1, 1994
Polychlorinated biphenyls	developmental	—	January 1, 1991
Potassium dimethyldithiocarbamate	developmental	128-03-0	March 30, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Pravastatin sodium	developmental	81131-70-6	March 3, 2000
Prednisolone sodium phosphate	developmental	125-02-0	August 20, 1999
Procarbazine hydrochloride	developmental	366-70-1	July 1, 1990
Propargite	developmental	2312-35-8	June 15, 1999
Propylthiouracil	developmental	51-52-5	July 1, 1990
Pyrimethamine	developmental	58-14-0	January 29, 1999
Quazepam	developmental	36735-22-5	August 26, 1997
Quizalofop-ethyl	male	76578-14-8	December 24, 1999
Resmethrin	developmental	10453-86-8	November 6, 1998
Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.)	developmental	—	July 1, 1989
Ribavirin	developmental male	36791-04-5 36791-04-5	April 1, 1990 February 27, 2001
Rifampin	developmental, female	13292-46-1	February 27, 2001
Secobarbital sodium	developmental	309-43-3	October 1, 1992
Sermorelin acetate	developmental	—	August 20, 1999
Sodium dimethyldithiocarbamate	developmental	128-04-1	March 30, 1999
Sodium fluoroacetate	male	62-74-8	November 6, 1998
Streptomycin sulfate	developmental	3810-74-0	January 1, 1991
Streptozocin (streptozotocin)	developmental, female, male	18883-66-4	August 20, 1999
Sulfasalazine (Salicylazosulfapyridine)	male	599-79-1	January 29, 1999
Sulfur dioxide	developmental	7446-09-5	July 29, 2011
Sulindac	developmental, female	38194-50-2	January 29, 1999
Tamoxifen citrate	developmental	54965-24-1	July 1, 1990
Temazepam	developmental	846-50-4	April 1, 1990
Teniposide	developmental	29767-20-2	September 1, 1996
Terbacil	developmental	5902-51-2	May 18, 1999
Testosterone cypionate	developmental	58-20-8	October 1, 1991
Testosterone enanthate	developmental	315-37-7	April 1, 1990
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	developmental	1746-01-6	April 1, 1991
Tetracycline (internal use)	developmental	60-54-8	October 1, 1991
Tetracyclines (internal use)	developmental	—	October 1, 1992
Tetracycline hydrochloride (internal use)	developmental	64-75-5	January 1, 1991
Thalidomide	developmental	50-35-1	July 1, 1987
Thioguanine	developmental	154-42-7	July 1, 1990
Thiophanate methyl	female, male	23564-05-8	May 18, 1999
Tobacco smoke (primary)	developmental, female, male	—	April 1, 1988
Tobramycin sulfate	developmental	49842-07-1	July 1, 1990
Toluene	developmental female	108-88-3	January 1, 1991 August 7, 2009
Triadimefon	developmental, female, male	43121-43-3	March 30, 1999
Triazolam	developmental	28911-01-5	April 1, 1990
Tributyltin methacrylate	developmental	2155-70-6	December 1, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Trientine hydrochloride	developmental	38260-01-4	February 27, 2001
Triforine	developmental	26644-46-2	June 18, 1999
1,3,5-Triglycidyl-s-triazinetriene	male	2451-62-9	August 7, 2009
Trilostane	developmental	13647-35-3	April 1, 1990
Trimethadione	developmental	127-48-0	January 1, 1991
Trimetrexate glucuronate	developmental	82952-64-5	August 26, 1997
Triphenyltin hydroxide	developmental	76-87-9	March 18, 2002
Uracil mustard	developmental, female, male	66-75-1	January 1, 199
Urethane	developmental	51-79-6	October 1, 1994
Urofollitropin	developmental	97048-13-0	April 1, 1990
Valproate (Valproic acid)	developmental	99-66-1	July 1, 1987
Vinblastine sulfate	developmental	143-67-9	July 1, 1990
Vinclozolin	developmental	50471-44-8	May 15, 1998
Vincristine sulfate	developmental	2068-78-2	July 1, 1990
4-Vinylcyclohexene	female, male	100-40-03	August 7, 2009
Vinyl cyclohexene dioxide (4-Vinyl-1-cyclohexene diepoxide)	female, male	106-87-6	August 1, 2008
Warfarin	developmental	81-81-2	July 1, 1987
Zileuton	developmental, female	111406-87-2	December 22, 2000

Date: July 26, 2013

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES
JULY 26, 2013**

**CHEMICAL LISTED EFFECTIVE
AUGUST 7, 2013
AS KNOWN TO THE STATE OF CALIFORNIA
TO CAUSE CANCER: EMISSIONS FROM
COMBUSTION OF COAL**

Effective **August 7, 2013**, the Office of Environmental Health Hazard Assessment (OEHHA) is adding emissions from combustion of coal to the list of

chemicals known to the State to cause cancer for purposes of Proposition 65¹.

The listing of emissions from combustion of coal is based on formal identification by the International Agency for Research on Cancer (IARC), an authoritative body², that this mixture of chemicals causes cancer. The criteria used by OEHHA for the listing of the emissions from combustion of coal under the “authoritative bodies” mechanism can be found in Title 27, Cal. Code of Regs., section 25306.

The documentation supporting OEHHA’s determination that the criteria for administrative listing have been satisfied for the emissions from combustion of coal is included in the Notice of Intent to List published in the June 7, 2013 issue of the California Regulatory Notice Register (Register 2013, No. 23-Z). OEHHA did not receive any public comments.

A complete, updated chemical list will be published elsewhere in this issue of the California Regulatory Notice Register and is available on the OEHHA website at www.oehha.ca.gov. In summary, emissions from combustion of coal is being listed under Proposition 65 as known to the State to cause cancer, as follows:

¹ The Safe Drinking Water and Toxic Enforcement Act of 1986, Health and Safety Code section 25249.5 *et seq.*

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

Chemical	CASNo.	Toxicological Endpoints	Listing Mechanism ³
Emissions from combustion of coal	—	cancer	AB (IARC)

³Listing mechanism: AB — “authoritative bodies” mechanism (Title 27, Cal. Code of Regs. Section 25306).

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

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

**(PROPOSITION 65) NOTICE OF INTENT TO
LIST CHEMICALS BY THE LABOR CODE
MECHANISM
JULY 26, 2013**

The California Environmental Protection Agency’s Office of Environmental Health Hazard Assessment (OEHHA) intends to list the chemicals identified in the table below as known to the State to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986. The Act, commonly known as Proposition 65, is codified in Health and Safety Code section 25249.5 *et seq.* This action is being taken pursuant to the Labor Code mechanism contained in Health and Safety Code section 25249.8(a).

Chemical	CASNo.	Endpoint	References
Chloral	75–87–6	Cancer	IARC (2012) Guha <i>et al.</i> (2012)
Chloral hydrate	302–17–0	Cancer	IARC (2012) Guha <i>et al.</i> (2012)
1,1,1,2–Tetrachloroethane	630–20–6	Cancer	IARC (2012) Guha <i>et al.</i> (2012)
Trichloroacetic acid	76–03–9	Cancer	IARC (2012) Guha <i>et al.</i> (2012)

Background on listing by the Labor Code mechanism: Health and Safety Code section 25249.8(a) incorporates California Labor Code Sections 6382(b)(1) and 6382(d) into Proposition 65. The law requires that certain substances identified by the International Agency for Research on Cancer (IARC) be listed as known to cause cancer under Proposition 65. Labor Code section 6382(b)(1) refers to substances identified as human or animal carcinogens by IARC. Labor Code section 6382(d) refers to chemicals that are within the scope of the Federal Hazard Communications Standard. The Federal Hazard Communications Standard relies on chemical designations made by IARC. An explanation of the carcinogenicity classifications used by IARC, and the *Monographs* development and peer review by the international Working Groups of scientific experts convened by IARC, may be found at the following URL:

<http://monographs.iarc.fr/ENG/Preamble/CurrentPreamble.pdf>.

As the lead agency for the implementation of Proposition 65, OEHHA evaluates whether chemical listing is required by Proposition 65.

OEHHA’s determination: *Chloral, chloral hydrate, 1,1,1,2–tetrachloroethane, and trichloroacetic acid* each meet the requirements for listing as known to the state to cause cancer for purposes of Proposition 65.

IARC has published on its website a list entitled “Agents classified by the IARC Monographs, Volume 1–106” (IARC, 2012). IARC concludes that *chloral* and *chloral hydrate* are each classified in Group 2A (the agent is “probably carcinogenic to humans”) and *1,1,1,2–tetrachloroethane* and *trichloroacetic acid* are each classified in Group 2B (the agent is “possibly carcinogenic to humans”). IARC concludes that there is “sufficient evidence of carcinogenicity in experimental animals” for *chloral, chloral hydrate, 1,1,1,2–tetrachloroethane* and *trichloroacetic acid* (Guha *et al.*, 2012). Therefore, these substances meet the requirements of both Labor Code sections 6382(b)(1) and (d).

Opportunity for comment: OEHHA is providing this opportunity to comment as to whether the chemicals identified above meet the requirements for listing as causing cancer specified in Health and Safety Code section 25249.8(a). Because these are ministerial list-

ings, comments should be limited to whether IARC has identified the specific chemical or substance as a known or potential human or animal carcinogen. Under this listing mechanism, OEHHA cannot consider scientific arguments concerning the weight or quality of the evidence considered by IARC when it identified these chemicals and will not respond to such comments if they are submitted.

OEHHA must receive comments by 5:00 p.m. on Monday, August 26, 2013. We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by e-mail should be addressed to P65Public.Comments@oehha.ca.gov, and should include “NOIL” and the chemical name in the subject line. Comments submitted in paper form may be mailed, faxed, or delivered in person to the address below. A public workshop will be held only upon request. Such request must be made in writing within 10 days from the publication of this notice to Cynthia Oshita of OEHHA via email at Cynthia.Oshita@oehha.ca.gov or to the attention of Cynthia Oshita at the address listed below:

Mailing Address: Ms. Cynthia Oshita
Office of Environmental
Health Hazard Assessment
P.O. Box 4010, MS-19B
Sacramento, California
95812-4010

Fax: (916) 323-2265

Street Address: 1001 I Street
Sacramento, California 95814

Any public comments received will be posted after the close of the comment period. If you have any questions, please contact Ms. Oshita at Cynthia.Oshita@oehha.ca.gov or at (916) 445-6900.

REFERENCES

Guha N, Loomis D, Grosse Y, Lauby-Secretan B, El Ghissassi F, Bouvard V, Benbrahim-Tallaa L, Baan R, Mattock H, Straif K, on behalf of the International Agency for Research on Cancer Monograph Working Group. (2012). Carcinogenicity of trichloroethylene, tetrachloroethylene, some other chlorinated solvents, and their metabolites. *The Lancet Oncology*. Published online October 26, 2012, doi: 0.1016/S1470-2045(12)70485-0. [URL: [http://www.thelancet.com/journals/lanonc/article/PIIS1470-2045\(12\)70485-0/fulltext](http://www.thelancet.com/journals/lanonc/article/PIIS1470-2045(12)70485-0/fulltext)]

International Agency for Research on Cancer (IARC, 2012). Agents Classified by the IARC *Monographs*, Volumes 1-106. Available at URL: <http://monographs.iarc.fr/ENG/Classification/>

[ClassificationsAlphaOrder.pdf](#) [Accessed June 4, 2013].

DISAPPROVAL DECISION

DECISIONS OF DISAPPROVAL OF REGULATORY ACTIONS

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

CALIFORNIA ARCHITECTS BOARD

**State of California
Office of Administrative Law**

In re:
California Architects Board
**Regulatory Action: Title 16
California Code of Regulations**

Adopt sections:
Amend sections: 2620.5
Repeal sections:

**DECISION OF DISAPPROVAL
OF REGULATORY ACTION**
Government Code Section 11349.3
OAL File No. 2013-0531-01S

SUMMARY OF REGULATORY ACTION

The California Architects Board (Board) proposed this regulatory action to amend title 16, California Code of Regulations, section 2620.5, which is the sole regulation that governs extension certificate programs for landscape architects. One way that an applicant for licensure as a landscape architect can fulfill educational requirements is by successful completion of an extension certificate program that is recognized and approved by the Board pursuant to the provisions of Section 2620.5. The provisions of Section 2620.5 were initially established by the Landscape Architects Technical Committee (LATC), a statutory committee under the purview of the Board, and adopted by the Board to mirror standards established by an organization called the Landscape Architectural Accreditation Board in a

publication titled *Accreditation Standards and Procedures* (LAAB Standards). The LAAB Standards are used nationally for accrediting college and university degree programs in landscape architecture. The proposed amendments are intended to update Section 2620.5 to conform to updates made to the LAAB Standards published by the Landscape Architectural Accreditation Board on February 6, 2010 (2010 LAAB Standards).

DECISION

On May 31, 2013, the Board submitted the above-referenced regulatory action to the Office of Administrative Law (OAL) for review in accordance with the Administrative Procedure Act (APA). On July 15, 2013, the OAL notified the Board of the disapproval of this regulatory action for failure to comply with the necessity standard of Government Code section 11349.1.

CONCLUSION

For the reason set forth above, OAL has disapproved this regulatory action. If you have any questions, please contact me at (916) 323-6809.

Date: July 17, 2013

 Richard L. Smith
 Senior Counsel
 FOR: DEBRAM. CORNEZ
 Director

Original: Douglas McCauley
 Copy: John Keidel

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# 2013-0531-02
 BOARD OF BEHAVIORAL SCIENCES
 Marriage and Family Therapist Intern Experience

This regulatory action amends experience requirements for an applicant seeking licensure as a marriage and family therapist(LMFT) to make the experience requirements consistent with SB 363 (Stat. 2011, c. 384).

Title 16
 California Code of Regulations
 AMEND: 1833
 Filed 07/15/2013
 Effective 10/01/2013
 Agency Contact: Rosanne Helms (916) 574-7897

File# 2013-0617-02
 BOARD OF EQUALIZATION
 Service of a Notice of Violation or Warning Notice

This regulatory action provides that all notices issued under the Cigarette and Tobacco Products Licensing Act (Act) be served personally or by mail in the manner prescribed pursuant to Business and Professions Code section 22971.5. This action also amends three sections, one for retailers, one for wholesalers and distributors, and one for manufacturers and importers, to provide the Board with discretion to reduce a person's suspension for a violation of the Act to 5 days (currently the Board is limited to either 0, 10 or 20 days), when mitigating factors are present. This action also corrects cross-references within these amended sections.

Title 18
 California Code of Regulations
 AMEND: 4601, 4603, 4604, 4605
 Filed 07/16/2013
 Effective 10/01/2013
 Agency Contact:
 Richard E. Bennion (916) 445-2130

File# 2013-0606-02
 BOARD OF EQUALIZATION
 Teleproduction or Other Postproduction Service Equipment

As part of the November 6, 2012, General Election, California voters approved Proposition 30, which added section 36 to article XIII of the California Constitution. Section 36, subdivision (f)(1), temporarily increases the state sales and use tax by one quarter of one percent for a four-year period from January 1, 2013 through December 31, 2016. Existing California Code of Regulations, title 18, sections 1532, 1533.1, 1533.2, 1534, 1535, and 1598 all describe partial exemptions from the tax provided by Revenue and Taxation Code sections 6356.5, 6356.6, 6357.1, 6357.7, 6358.5, or 6378, to which the temporary tax imposed by section 36 of article XIII of the California Constitution would apply. The State Board of Equalization amended sections 1532, 1533.1, 1533.2, 1534, 1535, and 1598 of title 18 of the California Code of Regulations as a change with-

out regulatory effect to incorporate the one quarter of one percent increase in the relevant partial exemption rates. Furthermore, the partial exemption provided by Revenue and Taxation Code section 6357.7 applied to the one percent sales and use tax imposed by Revenue and Taxation Code sections 6051.7 and 6201.7 until that one percent sales and use tax expired on July 1, 2011. Existing section 1598 of title 18 of the California Code of Regulations has not been updated to reflect the expiration of this tax. For this reason, the State Board of Equalization also amended section 1598 of title 18 of the California Code of Regulations as a change without regulatory effect to reflect the one percent decrease in the rate of partial exemption provided by Revenue and Taxation Code section 6357.7 due to the expiration of the tax.

Title 18
California Code of Regulations
AMEND: 1532, 1533.1, 1533.2, 1534, 1535, 1598
Filed 07/11/2013
Agency Contact:
Richard E. Bennion (916) 445-2130

File# 2013-0610-01
BOARD OF OCCUPATIONAL THERAPY
Advanced Practice Instructor Qualifications

The California Board of Occupational Therapy amended section 4154 of title 16 of the California Code of Regulations to add a new subdivision (c) requiring that any course instructor providing post-professional education who is a health care provider must possess an active, current, and unrestricted license.

Title 16
California Code of Regulations
AMEND: 4154
Filed 07/16/2013
Effective 10/01/2013
Agency Contact: Heather Martin (916) 263-2294

File# 2013-0705-01
CALIFORNIA HEALTH BENEFIT EXCHANGE
Enrollment Assistance

This emergency rulemaking action by the California Health Benefit Exchange establishes the Enrollment Assistance program (Program) within title 10 of the California Code of Regulations. These regulations include eligibility standards, application requirements, and other guidelines for individuals and entities to participate in the Program.

Title 10
California Code of Regulations
ADOPT: 6650, 6652, 6654, 6658, 6660, 6662, 6664, 6666, 6668, 6670
Filed 07/15/2013
Effective 07/15/2013
Agency Contact: Daniel Eliav (916) 323-3470

File# 2013-0703-03
CALIFORNIA HEALTH BENEFIT EXCHANGE
Process for Selecting Qualified Health Plans for the Exchange

The California Patient Protection and Affordable Care Act established the California Health Benefit Exchange (HBEX). HBEX is responsible for arranging and contracting with health insurance issuers to provide affordable, quality health insurance coverage to qualified individuals and qualified employers through the Exchange. HBEX must contract with health insurance issuers through a competitive selection process. HBEX submitted this emergency readopt action to maintain the regulations adopted in OAL File No. 2013-0111-02ER, which adopted regulations to provide standards and guidelines that HBEX will use in its selection of health insurance issuers for participation as qualified health plans in the Exchange.

Title 10
California Code of Regulations
ADOPT: 6410, 6420, 6422, 6424, 6440, 6442, 6444
Filed 07/10/2013
Effective 07/10/2013
Agency Contact: Brandon Ross (916) 323-3471

File# 2013-0612-04
COMMISSION ON TEACHER CREDENTIALING
Teacher and Services Permits

In this rulemaking action, the Commission on Teacher Credentialing (CTC) amends certain regulations in Title 5 of the California Code of Regulations to, among other things, reduce the maximum number of years persons may teach under certain emergency credentials. CTC also eliminates the renewal of the Provisional Internship Permit, thereby limiting its effectiveness to one year. The CTC also repeals a number of regulations related to emergency credentials which it no longer issues or reissues because these credentials do not comply with the federal No Child Left Behind requirements.

Title 5
 California Code of Regulations
 AMEND: 80021.1, 80023, 80023.1, 80023.2,
 80025.5 REPEAL: 80024.1, 80024.2, 80024.2.1,
 80024.3.2, 80024.4, 80024.5
 Filed 07/10/2013
 Effective 10/01/2013
 Agency Contact:
 Tammy A. Duggan (916) 323-5354

File# 2013-0709-03
 DEPARTMENT OF FOOD AND AGRICULTURE
 Peach Fruit Fly Eradication Area

This emergency regulatory action added the entire counties of Napa, San Bernardino and Solano to the list of five existing counties as eradication areas for the peach fruit fly (*Bactrocera zonata*). The effect of this amendment is to provide authority to the State to perform detection, control and eradication activities against the peach fruit fly in these areas of the State to prevent the spread of the fly to noninfested areas to protect California's agricultural industry.

Title 3
 California Code of Regulations
 AMEND: 3591.12(a)
 Filed 07/11/2013
 Effective 07/11/2013
 Agency Contact:
 Stephen S. Brown (916) 654-1017

File# 2013-0603-03
 DEPARTMENT OF INSURANCE
 Annual Update of 2013 Federal Poverty Guidelines for LCA

The Department of Insurance submitted this action without regulatory effect to update the information in the California Automobile Insurance Low Cost Program Plan of Operations, incorporated by reference into title 10, California Code of Regulations, sec. 2498.6. This action updates Exhibit C to the Plan of Operations, titled "Income Eligibility Guidelines," to indicate changes in the federal poverty levels from 2012 to 2013. The 2013 federal poverty levels conform to the Annual Update of the Health and Human Services Poverty Guidelines published in the Federal Register by the U.S. Department of Health and Human Services (78 Fed.Reg. 5183 (Jan. 24, 2013)). Exhibit C includes a table showing the updated 2013 federal poverty levels per family size and corresponding Ins. Code sec. 11629.73(a) 250 percent maximum household gross annual income eligibility levels, which are based on the federal poverty levels.

Title 10
 California Code of Regulations
 AMEND: 2498.6
 Filed 07/16/2013
 Agency Contact: Mike Riordan (415) 538-4226

File# 2013-0621-06
 DEPARTMENT OF INSURANCE
 Annual CAARP Rate Application Submission

The Insurance Commissioner is amending the California Automobile Assigned Risk Plan (CAARP) to increase premiums for private passenger automobiles by an overall 20.5%. This action is a rate, price or tariff and is exempt from the Administrative Procedure Act pursuant to Government Code section 11343(a).

Title 10
 California Code of Regulations
 AMEND: 2498.5
 Filed 07/17/2013
 Effective 07/17/2013
 Agency Contact: Mike Riordan (415) 538-4226

File# 2013-0605-01
 DEPARTMENT OF PUBLIC HEALTH
 Syringe Exchange Program (SEP) Certification

This rulemaking action establishes a process through which qualified entities may apply to the California Department of Public Health for certification to provide syringe exchanges to intravenous drug users in areas where conditions exist for the rapid spread of HIV, viral hepatitis, or other bloodborne pathogens. The rulemaking includes, among other things, the application and certification processes, standards for denials, the renewal process, standards for denial of renewals and for revocations, and operating and reporting requirements for certified syringe exchange programs.

Title 17
 California Code of Regulations
 ADOPT: 7000, 7002, 7004, 7006, 7008, 7010, 7012,
 7014, 7016
 Filed 07/16/2013
 Effective 10/01/2013
 Agency Contact: Laurel Prior (916) 440-7673

File# 2013-0603-01
 MEDICAL BOARD OF CALIFORNIA
 Inactive License — Misdemeanor Convictions

This regulatory action implements, interprets, and makes specific section 2236.2 of the Business and Professions Code, which states that if a physician or a surgeon is incarcerated after conviction of a misdemeanor, his or her certificate is automatically placed on inactive status and the reason for the inactive status will be disclosed on the Medical Board of California's internet

website. It also states that the Board will return the physician or surgeon's status to its prior or appropriate status within five business days of receiving notice that he or she is no longer incarcerated. This regulatory action defines the "notice" that the Board will accept to restore the physician's and surgeon's license to its prior or appropriate status. It further provides a definition for the inactive status that will be displayed on the Board's internet site as it applies to incarceration.

Title 16
 California Code of Regulations
 ADOPT: 1355.45
 Filed 07/15/2013
 Effective 10/01/2013
 Agency Contact: Christine Valine (916)263-2466

File# 2013-0529-02
 OFFICE OF ENVIRONMENTAL HEALTH
 HAZARD ASSESSMENT
 Specific Regulatory Levels: Chemicals Causing
 Reproductive Toxicity

This regulatory action by the Office of Environmental Health Hazard Assessment (OEHHA) amends section 25805 of title 27 of the California Code of Regulations to include a Maximum Allowable Dose Level (MADL) for sulfur dioxide.

Title 27
 California Code of Regulations
 AMEND: 25805
 Filed 07/11/2013
 Effective 10/01/2013
 Agency Contact: Susan Luong (916)327-3015

File# 2013-0606-01
 OFFICE OF THE STATE FIRE MARSHAL
 Fire Extinguisher Maintenance/Standards Updates

This regulatory action amends regulations for portable fire extinguishers, specifically regarding maintenance for electronic monitoring, extinguisher cabinets, and water mist type extinguishers. It also clarifies fire extinguisher licensee requirements, updates language to be consistent with national standards, and updates versions of several standards for testing of portable fire extinguishers that are incorporated by reference.

Title 19
 California Code of Regulations
 AMEND: 557.4, 557.5, 557.8, 557.13, 557.23, 561.2, 567, 567.8, 573, 574.4, 575.1, 575.3, 575.6, 575.8, 575.13, 575.16, 577.2, 578.6, 591.6, 592.1, 592.2, 593.1, 594.3, 594.4, 594.5, 595.5 and 596
 Filed 07/17/2013
 Effective 10/01/2013
 Agency Contact: Diane Arend (916)324-9592

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN February 20, 2013 TO
 July 17, 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**
 06/25/13 ADOPT: 1859.97 AMEND: 1859.2, Form SAB 50-02, 1859.90.2
 06/24/13 AMEND: 18247.5, 18413, 18427.1
 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
 03/29/13 REPEAL: 26100
 03/26/13 ADOPT: 20202, 20203, 20208, 20212, 20217, 20220.5, 20249.5 AMEND: 20200, 20201, 20203, 20204, 20205, 20206, 20207, 20208, 20209, 20210, 20211, 20212, 20213, 20214, 20215, 20216, 20220, 20221, 20222, 20223, 20224, 20225, 20226, 20227, 20230, 20235, 20236, 20245, 20247, 20249, 20250, 20251, 20252, 20253, 20254, 20255, 20256, 20257, 20258, 20259, 20260, 20261, 20262, 20265, 20266, 20267 REPEAL: 20237, 20238
 03/25/13 ADOPT: 1859.90.3 AMEND: 1859.2, 1859.51, 1859.61, 1859.90.2, 1859.90.4, 1859.104, 1859.164.2, 1859.184.1
 03/20/13 AMEND: 1897
 03/12/13 AMEND: 1859.2, 1859.77.3
 03/11/13 ADOPT: 1859.95.1 AMEND: 1859.2, 1859.95
 02/21/13 AMEND: 599.506
Title 3
 07/11/13 AMEND: 3591.12(a)
 07/08/13 AMEND: 1701, 1701.1, 1701.2, 1702, 1703.2, 1703.3 REPEAL: 1703.4, 1703.5
 07/02/13 AMEND: 1310

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 30-Z

06/26/13 AMEND: 2751(b)
 06/19/13 AMEND: 3435(b)
 06/19/13 AMEND: 3435(b)
 05/23/13 ADOPT: 6558, 6577, 6880, 6884, 6886
 AMEND: 6452, 6452.2, 6452.4
 (renumbered to 6881), 6890 (renumbered
 to 6864)
 05/22/13 AMEND: 3434(b)
 05/20/13 AMEND: 3434(b)
 05/06/13 ADOPT: 1350 AMEND: 1354
 04/16/13 AMEND: 3435(b)
 04/04/13 AMEND: 3435(b)
 04/02/13 AMEND: 3435(b)
 02/28/13 AMEND: 3437(b)
 02/27/13 AMEND: 3435(b)
 02/25/13 ADOPT: 1180.24 AMEND: 1180.1,
 1180.3.2, 1180.20 REPEAL: 1180.24

Title 4

07/08/13 ADOPT: 5342, 5343, 5344, 5345, 5346,
 5347, 5348
 06/03/13 AMEND: 12101, 12120, 12122, 12126,
 12130, 12132, 12140, 12142, 12200,
 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
 06/03/13 AMEND: 5170, 5190, 5205, 5212, 5230,
 5250
 05/23/13 ADOPT: 12364 AMEND: 12004
 05/22/13 ADOPT: 10050, 10051, 10052, 10053,
 10054, 10055, 10056, 10057, 10058,
 10059, 10060
 05/16/13 AMEND: 10192, 10193, 10194, 10195,
 10196, 10197, 10198
 05/16/13 ADOPT: 5255, 5256 AMEND: 5170,
 5230, 5250, 5560, 5580
 05/03/13 AMEND: 1843.2
 05/02/13 AMEND: 1658
 04/23/13 AMEND: 8035(e)
 04/08/13 ADOPT: 8035.5
 04/02/13 AMEND: 10032, 10033, 10034, 10035
 03/21/13 AMEND: 10178, 10179, 10181, 10182,
 10185, 10188

03/20/13 AMEND: 1462
 03/19/13 AMEND: 10302, 10315, 10322, 10323,
 10325, 10326, 10327, 10337
 03/12/13 AMEND: 5000, 5052

Title 5

07/10/13 AMEND: 80021.1, 80023, 80023.1,
 80023.2, 80025.5 REPEAL: 80024.1,
 80024.2, 80024.2.1, 80024.3.2, 80024.4,
 80024.5
 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:
 30000, 30001, 30002, 30005, 30009,
 30020, 30021, 30022, 30030, 30032,
 30033
 05/14/13 ADOPT: 30737, 30738 AMEND: 30730,
 30731, 30733, 30734, 30736
 05/01/13 AMEND: 80054
 04/03/13 ADOPT: 41906.6
 03/13/13 AMEND: 20135, 20136, 20140
 REPEAL: 20145, 20300, 20301, 20302,
 20303, 20304, 20305, 20306, 20307,
 20308, 20309, 20310, 20311, 20312,
 20313, 20314, 20315, 20316, 20317,
 20318, 20319, 20320, 20321, 20322,
 20323, 20324, 20325, 20326, 20327,
 20328, 20329, 20330, 20331, 20332

Title 8

07/02/13 AMEND: 3329
 07/01/13 ADOPT: 9792.5.4, 9792.5.5, 9792.5.6,
 9792.5.7, 9792.5.8, 9792.5.9, 9792.5.10,
 9792.5.11, 9792.5.12, 9792.5.13,
 9792.5.14, 9792.5.15.
 AMEND: 9792.5.1., 9792.5.3, 9793,
 9794, 9795
 07/01/13 AMEND: 5197
 07/01/13 AMEND: 9795.1, 9795.3
 07/01/13 ADOPT: 9785.5, 9792.6.1, 9792.9.1,
 9792.10.1, 9792.10.2, 9792.10.3,
 9792.10.4, 9792.10.5, 9792.10.6,
 9792.10.7, 9792.10.8, 9792.10.9
 AMEND: 9785, 9792.6, 9792.9,
 9792.10, 9792.12
 07/01/13 ADOPT: 37, 10159 AMEND: 1, 11, 11.5,
 14, 17, 30, 31.2, 31.7, 33, 35, 35.5, 36, 38,
 100, 105, 106, 10160
 06/26/13 ADOPT: 10133.31, 10133.32, 10133.33,
 10133.34, 10133.35, 10133.36 AMEND:
 9813.1, 10116.9, 10117, 10118,
 10133.53, 10133.55, 10133.57,

	10133.58, 10133.60 REPEAL:	Title 10
	10133.51, 10133.52	07/17/13 AMEND: 2498.5
06/26/13	ADOPT: 10206, 10206.1, 10206.2, 10206.3, 10206.4, 10206.5, 10206.14, 10206.15, 10207, 10208 AMEND: 10205, 10205.12	07/16/13 AMEND: 2498.6
06/24/13	AMEND: 8352	07/15/13 ADOPT: 6650, 6652, 6654, 6658, 6660, 6662, 6664, 6666, 6668, 6670
05/30/13	AMEND: 4994	07/10/13 ADOPT: 6410, 6420, 6422, 6424, 6440, 6442, 6444
05/08/13	AMEND: 5004(d)(2)	07/03/13 AMEND: 2548.3, 2548.19, 2548.21, 2548.24, 2548.25
05/07/13	AMEND: 17000 Appendix	06/27/13 ADOPT: 6456
05/06/13	AMEND: 1529, 1532, 1532.1, 1532.2, 1535, 5150, 5189, 5190, 5191, 5192, 5194, 5198, 5200, 5201, 5202, 5206, 5207, 5208, 5209, 5210, 5211, 5212, 5213, 5214, 5217, 5218, 5220, 8358, 8359	06/25/13 AMEND: 2698.401
04/24/13	AMEND: 2940.8	06/13/13 ADOPT: 2594, 2594.1, 2594.2, 2594.3, 2594.4, 2594.5, 2594.6, 2594.7
04/15/13	AMEND: 354, 371.2, 373, 376.1, 386	05/20/13 AMEND: 2698.95(a)
03/29/13	AMEND: 9789.31, 9789.34, 9789.35, 9789.39	05/13/13 AMEND: 2632.19
03/18/13	ADOPT: 32056, 32121, 32998, 93000, 93005, 93010, 93015, 93020, 93025, 93030, 93035, 93040, 93045, 93050, 93055, 93060, 93065, 93070, 93075, 93080 AMEND: 32150, 32155, 32300, 32305, 32310, 32315, 32320, 32350, 32360, 32370, 32375, 32380, 32410 REPEAL: 15800, 15805, 15810, 15815, 15820, 15825, 15830, 15835, 15840, 15845, 15850, 15855, 15860, 15865, 15870, 15875, 15875.1, 17300	03/29/13 REPEAL: 2690.65
03/18/13	ADOPT: 32091, 61215, 61255, 61275 AMEND: 32132, 32135, 32140, 32147, 32169, 32305, 32320, 32450, 32455, 32615, 32620, 32661, 32798, 61090, 61210, 61220, 61240, 61250, 61260, 61270 REPEAL: 32613, 32810, 32811, 32812, 32813	03/29/13 REPEAL: 2690.5
03/18/13	AMEND: 344, 344.1	03/29/13 REPEAL: 2690.6
03/14/13	AMEND: 3381	03/29/13 REPEAL: 2690.4
03/13/13	AMEND: 9789.23, 9789.24, 9789.25	03/29/13 ADOPT: 6426
02/28/13	AMEND: 4309	03/29/13 ADOPT: 6446
Title 9		03/13/13 AMEND: 2318.6, 2353.1, 2354
06/06/13	ADOPT: 14200, 14210, 14220, 14230, 14240	03/11/13 ADOPT: 2562.1, 2562.2, 2562.3, 2562.4
05/09/13	AMEND: 7156, 7158.8, 7159, 7160, 7160.5, 7161.5, 7162, 7163, 7211, 7263, 7302, 7310, 7312, 7320, 7321, 7322, 7330, 7332	03/11/13 AMEND: 2318.6, 2353.1, 2354
03/13/13	AMEND: 7071.2, 7017.5, 7021, 7051, 7053	03/04/13 AMEND: 2690, 2690.1, 2690.2
03/05/13	AMEND: 7141.5, 7143, 7227, 7350, 7351, 7353.6, 7354, 7355, 7356, 7357, 7358	Title 11
		07/08/13 AMEND: 1005, 1007, 1008
		03/27/13 AMEND: 80.3
		Title 13
		05/07/13 ADOPT: 426.00
		04/18/13 AMEND: 1956.8
		03/07/13 AMEND: 125.12, 125.16, 126.00, 126.02, 127.00, 127.08
		Title 14
		06/28/13 AMEND: 228
		06/26/13 AMEND: 1059(a)
		06/25/13 AMEND: 354, 360, 361, 362, 363, 364, 708.9
		06/19/13 AMEND: 816.01(c)(3), 826.01(c)(2), 870.21(d)
		06/17/13 AMEND: 7.50
		04/29/13 AMEND: 27.80
		04/25/13 ADOPT: 709, 709.1
		04/12/13 AMEND: 1.74, 701
		03/27/13 ADOPT: 132.1, 132.2, 132.3, 132.4, 132.5
		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		1399.131, 1399.150.3, 1399.151, 1399.155, 1399.156
03/06/13	ADOPT: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8	03/13/13	AMEND: 3340.29
03/05/13	AMEND: 265, 365, 366, 478, 708.12, 708.16	02/27/13	AMEND: 1575
02/27/13	AMEND: 670.7(e) & (f)	Title 17	
02/25/13	AMEND: 670.5	07/16/13	ADOPT: 7000, 7002, 7004, 7006, 7008, 7010, 7012, 7014, 7016
Title 15		07/01/13	AMEND: 100000
05/16/13	AMEND: 3173.2, 3174	06/26/13	AMEND: 91022
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)	06/26/13	AMEND: 1230, 2641.57
03/04/13	REPEAL: 3999.10	06/24/13	ADOPT: 95943 AMEND: 95802, 95830, 95833, 95910, 95911, 95912, 95913, 95920, 95921, 95942, 96010, 96022
02/25/13	ADOPT: 3375.6 AMEND: 3000, 3375	06/13/13	ADOPT: 56068, 56069, 56070, 56071, 56072, 56073, 56074, 56620, 56621, 56622, 56623, 56624, 56625 AMEND: 56101
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	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
02/21/13	AMEND: 3000, 3190, 3213, 3334	04/25/13	AMEND: 94508, 94509
Title 16		04/02/13	ADOPT: 54311 AMEND: 54302, 54310, 54314, 54320, 54326, 54332, 54370
07/16/13	AMEND: 4154	03/21/13	AMEND: 100303, 100403, 100603
07/15/13	ADOPT: 1355.45	03/11/13	ADOPT: 58884, 58886, 58887, 58888 AMEND: 50604, 54355, 58543
07/15/13	AMEND: 1833	02/25/13	AMEND: 94010, 94011, 94016, 94150, 94168
06/26/13	AMEND: 1600	Title 18	
06/25/13	AMEND: 4102, 4114, 4122, 4141, 4163, 4181	07/16/13	AMEND: 4601, 4603, 4604, 4605
06/20/13	AMEND: 1379.50	07/11/13	AMEND: 1532, 1533.1, 1533.2, 1534, 1535, 1598
06/10/13	ADOPT: 5.5, 18, 19, 20, 21, 22 AMEND: 21 (renumbered to 36.1), 26, 98	06/25/13	ADOPT: 2000
06/06/13	AMEND: 2006	05/31/13	ADOPT: 17052.6
05/20/13	AMEND: 4402	05/28/13	AMEND: 1685.5
05/17/13	ADOPT: 3340.4 AMEND: 3340.1, 3340.43	03/11/13	AMEND: 1620
05/08/13	AMEND: 1380.1	Title 19	
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	07/17/13	AMEND: 557.4, 557.5, 557.8, 557.13, 557.23, 561.2, 567, 567.8, 573, 574.4, 575.1, 575.3, 575.6, 575.8, 575.13, 575.16, 577.2, 578.6, 591.6, 592.1, 592.2, 593.1, 594.3, 594.4, 594.5, 595.5 and 596
04/22/13	AMEND: 2268.2, 2271	03/26/13	REPEAL: 2300, 2301, 2302, 2303, 2304, 2305, 2324, 2325, 2325.1, 2326, 2327, 2328, 2329, 2330, 2331, 2350, 2351, 2352
04/16/13	ADOPT: 1364.50	Title 20	
04/16/13	AMEND: 1132	04/18/13	ADOPT: 1680, 1681, 1682, 1683, 1684
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:		

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

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

03/25/13 AMEND: 97232

03/14/13 AMEND: 50273(c)

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

79523, 79539, 79541, 79543, 79551, 79559, 79563, 79565, 79573, 79803

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 07/01/13 ADOPT: 3007
 06/24/13 ADOPT: 3919.13
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 04/25/13 AMEND: 2920
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03/27/13 ADOPT: 6932 REPEAL: 6932
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07/11/13 AMEND: 25805
 06/25/13 AMEND: 25805
 04/10/13 AMEND: 25805
 03/04/13 AMEND: 27000

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07/05/13 ADOPT: 1300.67.005
 04/08/13 ADOPT: 1300.74.73

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