



California Regulatory Notice Register

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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

ADOPTION

MULTI-COUNTY: Contra Costa & Solano School District Liability/Property SIA

A written comment period has been established commencing on July 29, 2016, and closing on September 12, 2016. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

The Executive Director of the Commission, upon her or its own motion or at the request of any interested person, will approve, or revise and approve, or return the

proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than September 12, 2016. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

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

AVAILABILITY OF PROPOSED
CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 3. DEPARTMENT OF FOOD
AND AGRICULTURE**

The Department of Food and Agriculture (Department) amended subsection 3589(a) of the regulations in Title 3 of the California Code of Regulations pertaining to Japanese Beetle Eradication Area as an emergency action that was effective on April 5, 2016. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than October 3, 2016.

This notice is being provided to be in compliance with Government Code Section 11346.4.

PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) or by email to Sara.Khalid@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on September 12, 2016. The Department will consider only comments received at the Department offices by that time. Submit comments to:

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

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department, at its own motion, or

at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

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

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

Anticipated Benefits from This Regulatory Action

Existing law, FAC Section 403, provides that the department shall prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds.

Existing law, FAC Section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code which she is directed or authorized to administer or enforce.

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

Existing law, FAC Section 5322, provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and such other regulations as are in her opinion necessary to circumscribe and exterminate or prevent the spread of any pest which is described in FAC Section 5321.

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or eradicating pests of limited distribution but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. This amendment provides the necessary regulatory authority to prevent the artificial spread of a serious insect pest which is a mandated statutory goal.

Section 3589, subsection (a), was amended and established Santa Clara County as an eradication area for Japanese beetle, *Popillia japonica*. The effect of this action was to establish authority for the State to conduct eradication activities in Santa Clara County.

This regulation will benefit the public's general welfare by providing authority for the state to perform de-

tection, control and eradication activities against Japanese beetle in Santa Clara County.

The implementation of this regulation will prevent:

- Direct damage to the agricultural industry growing hosts.
- Indirect damage to the agricultural industry growing hosts due to the implementation of quarantines by other countries and loss of export markets.
- Increased production costs to the affected agricultural industries.
- Increased pesticide use by the affected agricultural industries.
- Increased costs to the consumers of host fruits.
- Increased pesticide use by homeowners and others.
- The need to implement a state interior quarantine.
- The need to implement a federal domestic quarantine.
- Damage to homeowner’s lawns and landscapes.

There is no existing, comparable federal regulation or statute regulating the intrastate movement.

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

AMENDED TEXT

This regular rulemaking action established the eradication area for Japanese beetle in Santa Clara County. The effect of the amendment of this regulation is to provide authority for the State to perform eradication activities against Japanese beetle within this additional area.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.
 Cost or savings to any state agency: None.

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

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

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

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

Small Business Determination

The Department has determined that the proposed regulations may affect small business.

Significant effect on housing costs: None.

Results of the Economic Impact Analysis

The amendment of these regulations will not:

- (1) Create or eliminate jobs within California;
- (2) Create new businesses or eliminate existing businesses within California; or
- (3) Affect the expansion of businesses currently doing business within California. The Department has determined the amendment of this regulation would benefit:

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

For additional information, please see “Anticipated Benefits” from this regulatory action under “Informative Digest/Policy Statement Overview.”

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

ALTERNATIVES CONSIDERED

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

AUTHORITY

The Department proposes to amend subsections 3589 pursuant to the authority vested by sections 407 and 5322 of the Food and Agricultural Code (FAC).

REFERENCE

The Department proposes this action to implement, interpret and make specific sections 407, 5322, 5761, 5762 and 5763 of the FAC.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed is: Sara Khalid, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: Sara.Khalid@cdfa.ca.gov. In her absence, you may contact Laura Petro at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Sara Khalid.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet Web site (www.cdfa.ca.gov/plant/Regulations.html).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

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

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

TITLE 4. CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION

The California Debt and Investment Advisory Commission (the "Commission") proposes to adopt the reg-

ulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Commission will hold a public hearing beginning at 1:00 p.m. on Thursday, September 15, 2016 at the State Treasurer's Office, 915 Capitol Mall, Room 587, 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 Commission requests but does not require that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her duly authorized representative, may submit written comments relevant to the proposed regulatory action to the Commission. Comments may be submitted by fax, e-mail, postal service, or delivery service to the Commission contact below. The written comment period closes at 5:00 p.m. on September 16, 2016. The Commission will only consider written comments received at the Commission office by that time.

Submit written comments to:

Robert Berry, Deputy Executive Director
California Debt and Investment Advisory
Commission
915 Capitol Mall, Room 400
Sacramento, CA 95814
Fax: (916) 654-7440
E-mail: CDIAC@treasurer.ca.gov

AUTHORITY AND REFERENCE

Authority

Government Code section 8855(e) authorizes the Commission to adopt bylaws for the regulation of its affairs and the conduct of its business.

Reference

These proposed regulations implement, interpret, and make specific Government Code sections 8855(h)(3), 8855(i), 8855(j), 8856, 5922(b), 6548.5, 6588.7(e)(2), 6599.1, 6599.1(a), 6599.1(b), 6599.1(c), 53359.5, 53359.5(a), 53359.5(b), 53359.5(c), 53509.5(b), 53583(c)(2)(b), 54418; Education Code sections 15146(d)(2), 15146(e); and Water Code section 20560.2.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

This rulemaking action interprets, clarifies, and makes specific the requirements of state and local government entities to submit information to the Commission related to their authorization and issuance of debt and the annual fiscal status and specific events related to bonds issued pursuant to the Mello–Roos Community Facilities Act of 1982 and Marks–Roos Local Bond Pooling Act of 1985. This rulemaking action also makes specific the characteristics of a debt issue that would qualify for an exception to the statutorily authorized issuance fee.

Existing Law

Government Code section 8855 generally establishes the governance structure and responsibilities of the Commission. It requires the Commission, among other obligations, to collect, maintain, and provide comprehensive information on all state and all local debt authorization and issuance. It establishes the means by which the Commission collects this information from state and local government entities by requiring submittal of a report of proposed debt issuance (“RPDI”) and a report of final sale (“RFS”) [Government Code sections 8855(i) and (j)]. In the case of both reports, one required upon authorization and the other required upon issuance, existing law establishes the requirements for submittal timeliness based on the debt sale date and gives discretion to the Commission with regard to the information contained in the reports and the method of submittal.

Under numerous sections of Government, Education, and Water Code, state and local government entities are required to submit a variety of debt authorization and issuance related information to the Commission either by specific reference to the Commission, as the recipient, or Government Code section 8855. Existing laws related to this proposed action are summarized below.

Existing law requires:

- State or local government issuers to provide notice to the Commission of their intent to issue bonds payable in non–US currency [Government Code section 5922(b)].
- Issuers of revenue bonds to disclose to the Commission the level of fees and charges imposed for issuance [Government Code section 6548.5].
- Issuing authorities to notify the Commission of their intent to issue rate reduction bonds and to report to the Commission the amount of savings achieved from the issuance versus bonds repaid from their public utility revenues [Government Code section 6588.7(e)(2)].

- Legislative bodies authorizing the issuance of bonds pursuant to the Marks–Roos Bond Pooling Act of 1985 to notify the Commission of the proposed sale [Government Code section 6599.1(a)].
- Legislative bodies authorizing the issuance of bonds pursuant to the Mello–Roos Community Facilities Act of 1982 to notify the Commission of the proposed sale [Government Code section 53359.5(a)].
- Governing bodies of issuers of bonds to be repaid with ad valorem property taxes to submit an itemized summary of the costs of the bond sale to the Commission [Government Code section 53509.5(b)].
- Local agencies that have sold refunding bonds on a private or negotiated basis to send a written statement to the Commission within two weeks of sale explaining why this sale method was used versus a public sale method [Government Code section 553583(c)(2)(b)].
- Legislative bodies of local agencies that have sold revenue bonds on a private sale basis to send a written statement to the Commission within two weeks of sale explaining why this sale method was used versus a public sale method [Government Code section 54418].
- Governing boards of school and community college districts that have issued bonds to be repaid with ad valorem property taxes to submit an itemized summary of the costs of the bond sale to the Commission [Education Code section 15146(d)(2)].
- Governing boards of school and community college districts to ensure compliance with Government Code 8855 regarding the sale or planned sale of bonds repaid with ad valorem property taxes [Education Code section 15146(e)].
- Irrigation districts owning or operating facilities for the generation, transmission, distribution, or retail sale of electricity to provide notice to the Commission of a proposed sale of debt used to finance works of the district [Water Code section 20560.2].

Existing law requires legislative bodies that have sold bonds pursuant to the Marks–Roos Bond Pooling Act of 1985 (“Marks–Roos bonds”) to annually submit to the Commission specific information regarding the status of bonds that have not reached final maturity [Government Code section 6599.1(b)]. Additionally, legislative bodies that have sold bonds pursuant to the Mello–Roos Community Facilities Act of 1982 (“Mello–Roos bonds”) have a comparable annual reporting require-

ment under existing law [Government Code section 53359.5(b)]. Existing law also requires issuers of Marks–Roos and Mello–Roos bonds to report to the Commission, within ten days of occurrence, if a scheduled payment of principal and interest is missed or if reserve funds have been drawn to pay a scheduled payment of principal and interest. In the case of Mello–Roos bonds, the reserve draw must take the reserve fund below a minimum balance [Government Code sections 6599.1(c) and 53359.5(c)].

Government Code section 8856 establishes the mechanism to provide funding for the Commission to carry out its responsibilities under Government Code Title 2, Division 1, Chapter 11.5. Existing law states that the Commission *may* charge fees to the lead underwriter, the purchaser, or the lender in an amount equal to one–fortieth of one percent of the principal amount of the debt issue, but not to exceed five thousand dollars for any one issue.

Policy Objectives

The regulations proposed in this rulemaking action will allow for the implementation of Government Code sections 8855(h)(3), (i), and (j) by defining numerous procedurally operative terms in existing law, clearly and specifically identifying the information required in the RPDI and RFS, establishing the method of submission of the RPDI and RFS to the Commission, and providing a practical method for reporting irregular debt structures and features in a manner consistent with statutory intention. The proposed regulations will also provide an efficient means for issuers to comply with the additional statutes summarized above by incorporating and consolidating their specific information requirements into the RPDI and RFS and harmonizing these laws with Government Code section 8855 through the definition of operative terms. In the case that affected state and local agencies are not able to meet the timeliness requirements of statute when using the RFS to communicate the reasons for selling refunding or revenue bonds through a non–public method, the proposed regulations specify the content of the written notification and the method of submission.

The regulations proposed in this rulemaking action will provide clarity and the additional specificity necessary for the Commission to implement the statutes covering the submission of annual status reports on Marks– and Mello–Roos bonds by defining key terminology, establishing the reporting period, providing the basis (annual or cumulative) of the data specified in statute, and specifying the types and condition of the indebtedness that is subject to the annual reporting under Government Code section 6599.1(b). The proposed regulations will establish the contents of the notification required when Marks– and Mello–Roos bond payments

are missed or reserves are drawn upon and the method of submittal to the Commission of all the reports referenced here under existing law.

The regulations proposed in this rulemaking action will define operative terms to allow the Commission to implement Government Code section 8856. The proposed regulations also aim to achieve balance between fee revenues received by the Commission and its annual appropriation from the Legislature by utilizing the permissive authority in Government Code 8856 to establish exceptions to the fee.

Anticipated Benefits of the Proposed Regulations

The regulations will considerably enhance the clarity of the statutory requirements of state and local agencies to submit information to the Commission upon the authorization and issuance of debt. Well–defined requirements and procedures will make the submittal process less burdensome on issuers, increase the efficiency of the Commission’s data collection and reporting operations, help to insure enduring data integrity and consistency, and enhance the transparency of public agency debt transactions to the public, policy makers, debt issuers, and other market participants.

Evaluation of Inconsistency or Incompatibility with Existing State Regulations

After conducting a review for any regulations that relate to or affect the subject matter of this rulemaking action, the Commission has determined that these proposed regulations are not inconsistent or incompatible with existing regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Commission has made the following initial determinations:

Mandate on Local Agencies and School Districts

None.

Cost or Savings to Any State Agency

The Commission anticipates that the proposed regulations regarding the method of submission of reports will enhance the efficiency of the Commission’s capacity to collect, maintain, and provide comprehensive information on state and local debt authorization and issuance. While the efficiency gains do represent a savings, the gains realized from the method of submission will be redeployed to improve and enhance other data collection processes and absorb future workload with existing resources.

A state agency that acts as a lender or a purchaser of a debt issue would benefit from the proposed issuance fee exceptions. Based on debt issuance over the last five–year and last ten–year periods, the Commission esti-

mates cost savings to state agencies from the fee exceptions to be less than \$10,000, annually.

Cost to Any Local Agency or School District which Must Be Reimbursed in Accordance with Government Code sections 17500 through 17630

None.

Other Nondiscretionary Cost or Savings Imposed on Local Agencies

Entities of local government organized as authorities and acting as purchasers or lenders of public debt would benefit from the proposed issuance fee exceptions. Based on debt issuance over the last five-year and last ten-year periods, the Commission estimates the savings to these specific local entities from the fee exceptions to be in a range of approximately \$150,000 to \$160,000, annually.

Cost or Savings in Federal Funding to the State

None.

Cost Impacts on a Representative Private Person or Business

The Commission concludes that the regulations regarding issuance fee exceptions will result in a positive cost impact to representative private persons or businesses. The positive impact would be in a range of approximately \$710,000 to \$770,000, annually and will be distributed among dozens of different firms engaged as underwriters, purchasers, or lenders in California public debt issuance transactions.

Statewide Adverse Economic Impact Directly Affecting Businesses and Individuals

The regulations proposed will directly affect businesses engaged as underwriters, purchasers, or lenders in California public debt issuance transactions. However, the Commission concludes that the economic impact is positive, not adverse. Further, the positive impact of the proposed regulations is not significant and is distributed among a large number of inter- and intra-state businesses engaged in public debt issuance. Due to these facts, the Commission concludes that the proposed regulations will not materially advantage an out-of-state business to the detriment of a California business or affect the ability of California business to compete with out-of-state firms.

Significant Effect on Housing Costs

None.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The Commission concludes that the rulemaking will create a positive economic impact to California public agencies derived from process efficiencies and the proposed fee exceptions on specific types of issues. Businesses engaged as underwriters, purchasers, or lenders in California public debt issuance transactions will also derive benefit from the proposed fee exceptions. However, the Commission concludes that the impact is unlikely to affect (1) the creation or elimination of jobs in either the public or private sectors, (2) the creation of new businesses or elimination of existing businesses within California, and (3) the expansion of businesses currently doing business in the state.

Benefits of the Proposed Action

The Commission concludes that proposed regulations will help to insure long-lasting integrity and consistency of the debt data submitted by public agencies and allow the Commission to provide a high-level of information transparency to Californians about the authorization and issuance of debt by their state and local governments.

Small Business Determination

The proposed regulations affect businesses engaged as underwriters, purchasers, or lenders in California public debt issuance transactions. Predominately, the businesses engaged in these fields are large banks or financial institutions, but the possibility of engaging a business in these roles that would be considered small is possible. Because an effect on small business cannot be completely excluded, the Commission has determined that the proposed regulations affect small business.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), 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 provisions of law.

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Robert Berry, Deputy Executive Director
California Debt and Investment Advisory
Commission
915 Capitol Mall, Room 400
Sacramento, CA 95814
(916) 653-5167

Designated back-up contact person for these inquiries:

Joyce Ward, Manager, Technical Assistance Section
California Debt and Investment Advisory
Commission
915 Capitol Mall, Room 400
Sacramento, CA 95814
(916) 651-7377

Please direct all requests for copies of the proposed text of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which this rulemaking is based to Joyce Ward at the address above.

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

The Commission will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the Initial Statement of Reasons, and the economic impact analysis. Copies may be obtained by contacting Joyce Ward at the address or phone number listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Commission may adopt the proposed regulations substantially as described in this notice. If the Commission makes modifications which are sufficiently related to the originally proposed text, it will make the modified text, with

changes indicated, available to the public for at least fifteen days before the Commission adopts the regulations as revised. The Commission will accept written comments on the modified regulations for 15 days after the date they are made publically available. Please send requests for copies of any modified regulations to the attention of Joyce Ward at the address indicated above.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

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 Commission website at <http://www.treasurer.ca.gov/cdiac/>.

TITLE 4. STATE ATHLETIC COMMISSION

NOTICE IS HEREBY GIVEN that the California State Athletic Commission (hereinafter "commission") 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:

September 12, 2016 — 10:00 a.m.
Department of Consumer Affairs
Donner Lake Room — 2nd Floor
2005 Evergreen Street
Sacramento, CA 95815

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 commission at its office not later than 5:00 p.m. **September 12, 2016**, or must be received by the commission at the hearing. The commission, 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: Business and Professions Code section 18611 authorizes the Commission to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific sections 18611, 18640, 18725 and 18728 of the Business and Professions Code.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

The CSAC is responsible for protecting the health and safety of athletes competing in the combative sports. The proposed regulation is necessary in order to have an immediate effect in providing a safer weigh-in procedure as well as testing of athletes for severe dehydration prior to a bout. It will help prevent athletes from using severe dehydration as a method to make the contracted bout weight. The proposed regulation allows the CSAC-appointed ringside physicians to test athletes for dehydration and to remove a contestant from a fight if the athlete is deemed to be severely dehydrated. Also, the proposed regulation prohibits the use of intravenous therapies to regain hydration after a weigh-in.

Current laws and regulations govern hydration of athletes competing in regulated sports, including time of hydration, weigh-ins, and physical testing; however, the CSAC has determined that due to the increase in the practice of dangerous weight cutting, it is immediately necessary for the CSAC to amend its regulation, to help prevent athletes from using severe dehydration as a method to make the contracted bout weight at events regulated by the CSAC.

This proposal helps protect the health and safety of the participant and is necessary to maintain essential health and safety practices for athletes.

Amend Section 297: The proposed changes to section 297 provide a safer weigh-in procedure for athletes competing in commission regulated sports. Currently, athletes weigh in 24 hours before the competition and often lose unsafe amounts of weight resulting in severe dehydration. This proposal would allow the commission to weigh in athletes up to 30 hours before the scheduled bout.

Adopt Section 299(a): This proposal requires that athletes may only rehydrate orally. The use of intravenous therapies to regain weight after the weigh-in is prohibited. Any use of intravenous therapies to rehydrate shall result in the athlete being prohibited from competing.

Adopt Section 299(b): This proposal permits the Commission to require a urine sample if needed on an athlete to test for specific gravity to determine hydration levels.

Amend Section 300: This proposal requires Commission appointed ringside physicians to test for signs of dehydration during the pre-fight physical.

CONSISTENCY AND COMPATIBILITY WITH
EXISTING STATE REGULATIONS

The commission has conducted an evaluation for any other regulations on this area and has concluded that these are the only regulations concerning Weighing Time, Dehydration and Rehydration, and Time for Examinations. Therefore, the proposed regulations are neither inconsistent nor incompatible with any other existing state regulations.

FISCAL IMPACT ESTIMATES

Mandate on local agencies or school districts: **None.**

Cost or savings to any state agency: **None.**

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

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

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

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.

The CSAC 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.

Significant effect on housing costs: **None.**

EFFECT ON SMALL BUSINESS

The commission has determined that the proposed regulations would not affect small businesses because the proposal changes the time of weigh-ins, bans the use of intravenous therapies to regain weight after the weigh-in, and allows ringside physicians to test for dehydration prior to competition which would be done during the pre-fight physical. None of these changes will affect small businesses.

RESULTS OF THE ECONOMIC
IMPACT ANALYSIS

The commission has derived that this proposal will affect the State of California business environment as follows:

- Unlikely to eliminate any jobs, including for health care professionals
- Unlikely to create jobs, including for health care professionals
- Unlikely to create new businesses
- Unlikely to eliminate any existing businesses
- Unlikely to expand current business

Benefits of the Proposed Action: This proposal helps protect the health and safety of the participant and is necessary to maintain essential health and safety practices for athletes.

CONSIDERATION OF ALTERNATIVES

The Commission 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.

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 commission 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, any document incorporated by reference and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California State Athletic Commission at 2005 Evergreen Street, Suite 2010, Sacramento, California 95815.

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 rule-making action may be addressed to:

Name: Sophia Cornejo
Address: 2005 Evergreen Street, Suite 2010
Sacramento, CA 95815

Telephone
No.: (916) 263-2195
Fax No.: (916) 263-2197
E-Mail
Address: Sophia.Cornejo@dca.ca.gov

The backup contact person is:

Name: Heather Jackson
Address: 2005 Evergreen Street, Suite 2010
Sacramento, CA 95815

Telephone
No.: (916) 263-2195
Fax No.: (916) 263-2197
E-Mail
Address: heather.jackson@dca.ca.gov

Website Access: Materials regarding this proposal can be found at <http://www.dca.ca.gov/csac>.

TITLE 4. STATE ATHLETIC COMMISSION

NOTICE IS HEREBY GIVEN that the California State Athletic Commission (hereinafter "commission") 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:

September 12, 2016 — 10:00 a.m.
Department of Consumer Affairs
Donner Lake Room — 2nd Floor
2005 Evergreen Street
Sacramento, CA 95815

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 commission at its office not later than 5:00 p.m. **September 12, 2016**, or must be received by the commission at the hearing. The commission, 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 suffi-

ciently 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: Business Code section 18611 authorizes the Commission to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific sections 18611, 18640, 18641, and 18725 of the Business and Professions Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Pursuant to Business and Professions Code section 18646 the California State Athletic Commission (CSAC) may delegate to a qualified non-profit organization to administer its rules for amateur boxing and may waive CSAC laws and regulations subject to an affirmative finding that the non-profit's standards and enforcement of similar rules meet or exceed the safety and fairness standards of the CSAC.

At present, there is no statute or regulation requiring amateur boxers to wear headgear. However, in the interest of the health and safety of amateur athletes, amateur boxers should be required to wear boxing headgear. Wearing boxing headgear is essential for most amateur boxers.

In recent years, the CSAC has delegated authority to USA Boxing, Inc. (USA Boxing), a qualified non-profit organization, to administer CSAC rules for amateur boxing. Until recently, USA Boxing, Inc. had a requirement that all amateur contestants wear approved "headgear." As such, USA Boxing's requirement exceeded CSAC laws and regulations insofar as CSAC had no statute or regulation that specifically required headgear for amateur contestants. However, on December 22, 2015, the USA Boxing Board of Directors amended its rule 41.3 of its Domestic and Developmental Rule book as follows: "In USA Boxing Elite Men Competitions [amateurs], headgear is optional. . . ." With the USA Boxing rule change, for the first time, USA Boxing rules no longer exceed California requirements. This is a change from the current status quo where the use of headgear has been required in amateur boxing events. Because of the change of USA Boxing rules, which now no longer exceed California requirements, it is necessary for the CSAC to establish a regu-

lation requiring the use of headgear in most amateur contests for the protection of the vast majority of amateur boxing competitors.

This proposed regulation shall maintain the current status quo for requiring headgear for amateur boxing contestants. The requirement of headgear for amateur boxers protects the health and safety of the participant and is necessary to maintain essential health and safety practices for amateur boxers.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

The commission has conducted an evaluation for any other regulations on this area and has concluded that these are the only regulations concerning headgear. Therefore, the proposed regulations are neither inconsistent nor incompatible with any other existing state regulations.

FISCAL IMPACT ESTIMATES

Mandate on local agencies or school districts: **None.**

Cost or savings to any state agency: **None.**

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

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

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

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.

The CSAC 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.

Significant effect on housing costs: **None.**

EFFECT ON SMALL BUSINESS

The commission has determined that the proposed regulations would not affect small businesses because these regulations govern individual amateur boxing competitors and their use of headgear, not small business. The proposed changes shall maintain the current status quo for requiring headgear for amateur boxing contestants. The requirement of headgear for amateur boxers protects the health and safety of the participant and is necessary to maintain essential health and safety practices for amateur boxers.

RESULTS OF THE ECONOMIC
IMPACT ANALYSIS

The commission has derived that this proposal will affect the State of California business environment as follows:

- o Unlikely to eliminate any jobs, including for health care professionals
- o Unlikely to create jobs, including for health care professionals
- o Unlikely to create new businesses
- o Unlikely to eliminate any existing businesses
- o Unlikely to expand current business

Benefits of the Proposed Action: This proposed regulation shall maintain the current status quo for requiring headgear for amateur boxing contestants. The requirement of headgear for amateur boxers protects the health and safety of the participant and is necessary to maintain essential health and safety practices for amateur boxers.

CONSIDERATION OF ALTERNATIVES

The Commission 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.

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 commission 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, any document incorporated by reference and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California State Athletic Commission at 2005 Ever-

green Street, Suite 2010, Sacramento, California 95815.

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 rule-making action may be addressed to:

Name: Sophia Cornejo
 Address: 2005 Evergreen Street, Suite 2010
 Sacramento, CA 95815

Telephone
 No.: (916) 263-2195
 Fax No.: (916) 263-2197
 E-Mail
 Address: Sophia.Cornejo@dca.ca.gov

The backup contact person is:

Name: Heather Jackson
 Address: 2005 Evergreen Street, Suite 2010
 Sacramento, CA 95815

Telephone
 No.: (916) 263-2195
 Fax No.: (916) 263-2197
 E-Mail
 Address: heather.jackson@dca.ca.gov

Website Access: Materials regarding this proposal can be found at <http://www.dca.ca.gov/csac>.

TITLE 5. BOARD OF EDUCATION

AMENDMENT TO CALIFORNIA CODE OF
REGULATIONS, TITLE 5, REGARDING
HISTORY-SOCIAL SCIENCE INSTRUCTIONAL
MATERIALS ADOPTION

NOTICE IS HEREBY GIVEN that the State Board of Education (SBE) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

California Department of Education (CDE) staff, on behalf of the SBE, will hold a public hearing at 9:30 a.m. on September 14, 2016, at 1430 N Street, Room 1801, Sacramento, California. The room is wheelchair accessible. 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 SBE requests, but does not require, that persons who make oral comments at the public hearing also submit a written summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to:

Debra Thacker, Regulations Coordinator
 Administrative Support and Regulations Adoption Unit
 California Department of Education
 1430 N Street, Room 5319
 Sacramento, CA 95814

Comments may also be submitted by facsimile (FAX) at 916-319-0155 or by e-mail to regcomments@cde.ca.gov.

Comments must be received by the Regulations Coordinator prior to 5:00 p.m. on September 14, 2016. All written comments received by CDE staff during the public comment period are subject to disclosure under the Public Records Act.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the SBE may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available for 15 days prior to its adoption from the Regulations Coordinator and will be mailed to those persons who submit written comments related to this regulation, or who provide oral testimony at the public hearing, or who have requested notification of any changes to the proposed regulations.

AUTHORITY AND REFERENCE

Authority: Sections 33031 and 60206, Education Code.

References: Sections 60200, 60207 and 60212, Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

California Education Code section 60212, which became effective July 24, 2015, requires the collection of fees from publishers voluntarily choosing to participate in an adoption of basic instructional materials for history–social science pursuant to Education Code section 60200. While Education Code section 60200 and the California Code of Regulations, title 5, sections 9510 through 9525 establish the process by which the CDE and the SBE conduct instructional materials adoptions, title 5 does not address the process for collecting fees for history–social science, as specified in Education Code section 60212, nor the amount of the fee. These proposed new regulations will address this fee and the CDE’s collection process. These regulations will allow the CDE and the SBE to conduct a history–social science instructional materials adoption and provide to local educational agencies (LEAs) and the public a list of SBE approved and recommended kindergarten through grade eight instructional materials.

Anticipated Benefits of the Proposed Regulation

The proposed regulations will benefit the State of California by offsetting the costs of conducting history–social science instructional materials adoption. No State General Funds will be required due to the requirement of submission fees to be paid by publishers voluntarily participating. The fiscal impact of the publisher fee on business is offset by the potential gains. While these regulations will enact a \$5,000 per grade level per program publisher participation fee, publishers whose instructional materials are adopted by the SBE will benefit from extensive marketing exposure and recognition by school districts that the materials have been thoroughly vetted. School districts in turn will benefit from the availability of a list of instructional materials programs that have been reviewed for consistency with an SBE–adopted evaluation criteria.

Determination of Inconsistency/Incompatibility with Existing State Regulations

The CDE reviewed all state regulations relating to instructional materials and found that none exist that are inconsistent or incompatible with these regulations regarding kindergarten through grade eight history–social science instructional materials. The proposed regulations add an element of detail specific to one adoption process as set forth in Education Code section 60212, which became effective July 24, 2015.

DISCLOSURES REGARDING THE PROPOSED ACTION/FISCAL IMPACT

The SBE has made the following initial determinations:

There are no other matters as are prescribed by statute applicable to the specific state agency or to any specific regulations or class of regulations.

The proposed regulations do not require a report to be made.

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

Costs to any local agencies or school districts for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of division 4 of the Government Code: None.

Other non-discretionary costs or savings imposed on LEAs: None.

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

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

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

Effect on housing costs: None.

Effect on small businesses: The proposed regulations would not have an adverse effect on any small business because small businesses may request a reduced participation fee. Education Code section 60212(b) stipulates that “before incurring substantial costs” for the adoption, the CDE “shall assess a fee” from publishers who have declared their intent to submit instructional materials for consideration of SBE adoption. The law allows the SBE to reduce the fee for a small publisher, defined as “an independently owned or operated publisher or manufacturer that is not dominant in its field of operation and that, together with its affiliates, has 100 or fewer employees, and has average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years.”

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The SBE concludes that it is unlikely that these proposed regulations will: 1) create or eliminate jobs within California; 2) create new businesses or eliminate existing businesses within California; or 3) adversely affect the expansion of businesses currently doing business within California.

The fiscal impact of the publisher fee on business is offset by the potential gains. While these regulations will enact a \$5,000 per grade level per program publisher participation fee, publishers whose instructional materials are adopted by the SBE will benefit from extensive marketing exposure and recognition by school districts that the materials have been thoroughly vetted.

Benefits of the Proposed Action: The proposed regulations will benefit the State of California by offsetting the costs of conducting an instructional materials adoption. No State General Funds will be required due to the requirement of submission fees to be paid by publishers voluntarily participating.

CONSIDERATION OF ALTERNATIVES

The SBE must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SBE, 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 SBE invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the content of these proposed regulations should be directed to:

David Almquist, Education Programs Consultant
Curriculum Framework & Instructional Resources
Division
California Department of Education
1430 N Street, Suite 3207
Sacramento, CA 95814
Telephone: 916-319-0444

Inquiries concerning the regulatory process may be directed to the Regulations Coordinator or the backup contact person, Hillary Wirick, Regulations Analyst, at 916-319-0860.

INITIAL STATEMENT OF REASONS AND INFORMATION

The SBE has prepared an Initial Statement of Reasons for the proposed regulations and has available all the information upon which the proposal is based.

TEXT OF PROPOSED REGULATION AND
CORRESPONDING DOCUMENTS

Copies of the exact language of the proposed regulations, the Initial Statement of Reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Regulations Coordinator. These documents may also be viewed and downloaded from the CDE's Web site at <http://www.cde.ca.gov/re/lr/rr/>.

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 Regulations Coordinator.

You may obtain a copy of the Final Statement of Reasons, once it has been finalized, by making a written request to the Regulations Coordinator.

REASONABLE ACCOMMODATION FOR ANY
INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting the Curriculum Frameworks & Instructional Resources Division, 1430 N Street, Suite 3207, Sacramento, CA, 95814; telephone, 916-319-0881. Please request assistance at least two weeks prior to the hearing.

**TITLE 11. COMMISSION ON PEACE
OFFICER STANDARDS AND TRAINING**

**Amend and Update the Training and Testing
Specifications for Peace Officer Basic Courses
Regulations 1005, 1007, and 1008**

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code §11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written

request no later than 15 days prior to the close of the public comment period.

**Public Comments Due by September 12, 2016, at
5:00 p.m.**

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227-6932 or by letter to:

Commission on POST
Attn: Cheryl Smith
860 Stillwater Road, Suite 100
West Sacramento, CA 95605-1630

AUTHORITY AND REFERENCE

This proposal is made pursuant to the authority vested by Penal Code § 13503 (authority of Commission on POST) and Penal Code §13506 (POST authority to adopt regulations). This proposal is intended to interpret, implement, and make specific Penal Code §13503(e) which authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

Penal Code § 13510 requires that POST develop guidelines and a course of instruction and training for law enforcement officers who are employed as peace officers, or who are not yet employed as a peace officer but are enrolled in a training academy for law enforcement officers. This proposed action will update the incorporated by reference document, Training and Testing Specifications for Peace Officer Basic Courses (revised 2/1/2017), to include revisions to grammar, punctuation, definitions, and minimum training standards. Additionally, the incorporation by reference statements in POST Regulations sections 1005, 1007, and 1008 will be revised to reflect the updated revised date for the Training and Testing Specifications for Peace Officer Basic Courses.

The benefit anticipated by the proposed amendments to the regulations will be to update the training specifications for Peace Officer Basic Courses, which will increase the effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California.

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

All changes to curriculum begin with recommendations from law enforcement practitioners or in some cases via legislative mandates. POST then facilitates meetings attended by curriculum advisors and subject matter experts who provide recommended changes to existing curriculum. The completed work of all committees is presented to the POST Commission for final review and adoption. Upon adoption of the proposed amendments, academies and course presenters will be required to teach and test the updated curriculum. The proposed effective date is February 1, 2017.

DOCUMENT INCORPORATED BY REFERENCE

Training and Testing Specifications for Peace Officer Basic Courses, revised 2/1/2017

Adoption of Proposed Regulations

Following the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and to all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date that the revised text is made available.

ESTIMATE OF ECONOMIC IMPACT

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

Non-Discretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Costs to any Local Agency or School District for which Government Code §§ 17500-17630 require reimbursement: None.

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, including Small Business: The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California business, including the ability of California businesses to compete with businesses in other states. The Commission on Peace Officer Standards and Train-

ing has found that the proposed amendments will not affect California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement which does not impact California businesses, including small businesses.

Effect on Housing Costs: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulations would have no effect on housing costs.

RESULTS OF ECONOMIC IMPACT
ASSESSMENT PER GOVERNMENT
CODE § 11346.3(b)

The adoption of the proposed amendments of regulations will neither create, nor eliminate, jobs in the State of California, nor result in the elimination of existing businesses or create, or expand, businesses in the State of California.

The proposed amendments of regulations will increase the effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California. There would be no impact that would affect worker safety or the state's environment.

COST IMPACT ON REPRESENTATIVE PRIVATE
PERSONS OR BUSINESSES

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.

CONSIDERATION OF ALTERNATIVES

To take this action, the Commission must determine that no reasonable alternative considered by the Commission, or otherwise identified and brought to the attention of the Commission, 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 than the proposed action.

CONTACT PERSON

Questions regarding this proposed regulatory action may be directed to Cheryl Smith, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, at cheryl.smith@post.ca.gov, or

(916) 227-0544. The alternate contact is Mike Barnes at (916) 227-3454. General questions regarding the regulatory process may be directed to Brian Clark at (916) 227-4847, bclark@post.ca.gov, or by FAX at (916) 227-5271.

PUBLIC HEARING

BSCC has not yet scheduled a public hearing on this proposed action. However, the BSCC 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.

TEXT OF PROPOSAL

Individuals may request copies of the exact language of the proposed regulations and of the initial statement of reasons, and the information the proposal is based upon, from the Commission on POST at 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630. These documents are also located on the POST Website at: <http://www.post.ca.gov/regulatory-actions.aspx>.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the BSCC. The written comment period closes at **5:00 p.m. on September 12, 2016**. The BSCC will consider only comments received at BSCC offices by that time. Submit comments to:

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

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person(s) named above.

To request a copy of the Final Statement of Reasons once it has been prepared, submit a written request to the contact person(s) named above.

Ginger Wolfe, Associate Governmental Program
Analyst
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833
(916) 445-5073
ginger.wolfe@bscc.ca.gov

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Following the public comment period, the BSCC may adopt the proposed regulations substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the BSCC adopts, amends, or repeals the regulation(s). The BSCC will accept written comments on the modified regulation text during the 15-day period. Comments should be addressed to the above-noted staff member.

NOTE: To be notified of any modifications, you must submit written/oral comments at the public hearing, if a hearing is held; submit comments to the office during the written public comment period; or specifically request to be notified of any modifications.

TITLE 15. BOARD OF STATE AND COMMUNITY CORRECTIONS

AMENDMENT, ADOPTION AND REPEAL OF REGULATIONS OF THE BOARD OF STATE AND COMMUNITY CORRECTIONS

MINIMUM STANDARDS FOR LOCAL DETENTION FACILITIES TITLE 15, DIVISION 1, CHAPTER 1, SUBCHAPTER 4

Pursuant to the authority granted by Penal Code 6030, the Board of State and Community Corrections (BSCC) hereby gives notice of the proposed regulatory action(s) described in this public notice. It is the intent of the BSCC to amend and adopt the regulations contained in Title 15, Division 1, Chapter 1, Subchapter 4, California Code of Regulations (known as the Minimum Standards for Local Detention Facilities), after considering all comments, objections, and recommendations regarding these regulations.

AUTHORITY AND REFERENCE

Penal Code Section 6030 authorizes the BSCC to establish and revise the proposed regulations, which would implement, interpret, or make specific Section 6030 of the Penal Code.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

Summary of Existing Laws

Section 6030 of the California Penal Code authorize the BSCC to establish standards for local adult and juvenile detention facilities. The standards shall include but not be limited to the following: health and sanitary conditions, fire and life safety, security, rehabilitation programs, recreation, treatment of persons confined in local detention facilities and personnel training. Section 6030 requires the BSCC to review such standards biennially and make any appropriate revisions.

Summary of Existing Regulations

Existing standards which prescribe requirements for local detention facilities are promulgated by the BSCC. These regulations are contained in Title 15 — Crime Prevention and Corrections, Division 1, Chapter 1, Subchapter 4 of the California Code of Regulations (CCR).

Determination of Inconsistency/Incompatibility with Existing State Regulations

The BSCC 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, BSCC has concluded that these are the only regulations that address minimum standards for Local Detention Facilities.

Summary of Effect

The proposed action would update Title 15, Division 1, Chapter 1, Subchapter 4 CCR by adopting new and revised definitions for consistency with current industry terminology; insert clarifying language and provide references to other applicable regulations for ease of use; insert new sections (1027.5, 1122.5, 1208.5, and 1030 (previously numbered as section 1219)) to address the current need for standards on the subject of safety checks, pregnant minors, health care maintenance, and suicide prevention; and institute and clarify more stringent requirements for safety checks, medical evaluations, and general facility operations.

Comparable Federal Statutes or Regulations

There are no comparable federal regulations or statutes.

Policy Statement Overview

The broad objective of the proposed action is to update regulations for local adult detention facilities in conformance with sound correctional practices and to ensure the safe and secure detention of incarcerated persons.

Benefits of the Regulations to the Health and Welfare of California Residents, Worker Safety, and the State’s Environment

The BSCC has determined that there will be a positive impact on the health and welfare of California residents and worker’s safety. The welfare of California residents, incarcerated persons and worker safety will be affected positively by the implementation of more in–depth health and safety requirements for facilities which will improve screening, classification, health care, facility operations, and the overall safety of facility staff, incarcerated persons, and visitors.

The BSCC has determined that the state’s environment will not be affected by the adoption of these regulations because the regulation pertains to the minimum standards for local detention facilities which do not address any factors which would cause a positive or negative effect on the environment.

DISCLOSURE REGARDING THE
PROPOSED ACTION

The BSCC has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

Cost impacts on a representative private person or business: The BSCC 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

Adoption of these regulations will not:

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

Adoption of these regulations will:

- (1) Affect the welfare of California residents and worker safety.

The welfare of California residents and worker safety will be affected positively by the implementation of more in-depth health and safety requirements for facilities which will improve screening, classification, health care, facility operations, and the overall safety of facility staff, incarcerated persons, and visitors.

Significant effect on housing costs: None.

Business Report Determination: None.

Small Business Determination: The BSCC has concluded that the implementation of this action will not affect small business as these regulations only apply to the health and safety of incarcerated persons and staff within local detention facilities.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5, subdivision (a)(13), the BSCC 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.

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

AVAILABILITY OF RULEMAKING DOCUMENTS

The Rulemaking File, which includes all the information on which this proposal is based, is available for viewing at the BSCC's office at the above address and may also be accessed through the BSCC's website at http://www.bscc.ca.gov/s_fsoservices.php.

AVAILABILITY OF MODIFIED TEXT

If the BSCC 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 BSCC adopts the regulations as revised. The modified text may be accessed through the BSCC website at: http://www.bscc.ca.gov/s_fsoservices.php. Those persons who do not have access to the Internet may submit a written request to Ginger Wolfe at the above address.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND FINAL STATEMENT OF REASONS

The Initial and Final Statement of Reasons may be accessed through the BSCC website at: http://www.bscc.ca.gov/s_fsoservices.php. Those persons who do not have access to the Internet may submit a written request to Ginger Wolfe at the above address.

AVAILABILITY OF DOCUMENTS; INTERNET ACCESS

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in strikeout and underline can be accessed through our website at: http://www.bscc.ca.gov/s_fsoservices.php. Those persons who do not have access to the Internet may submit a written request to Ginger Wolfe at the above address.

DOCUMENTS RELIED UPON

- 2011 Dietary Reference Intakes (DRI) of the Food and Nutrition Board, Institute of Medicine of the National Academies
- 2008 California Food Guide
- 2015–2020 Dietary Guidelines for Americans

CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS

Inquiries concerning the proposed action may be directed to:

Ginger Wolfe, Associate Governmental
Program Analyst
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833
Phone: (916) 445–5073
ginger.wolfe@bscc.ca.gov
Fax: (916) 327–3317

The backup contact person for these inquiries is:

Allison Ganter, Deputy Director
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833
Phone: (916) 445–5073
allison.ganter@bscc.ca.gov
Fax: (916) 327–3317

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabili-

tation (CDCR), pursuant to the authority granted by Government Code Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Section 5058, proposes to amend sections 3076.5 of the California Code of Regulations (CCR), Title 15, Division 3, concerning Victim Notification for Recall of Commitment Recommendation.

PUBLIC HEARING

Date and Time: **September 16, 2016 — 9:00 a.m. to 10:00 a.m.**
 Place: Department of Corrections and Rehabilitation
 Colorado Room
 1515 S Street — North Building
 Sacramento, CA 95811
 Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD

The public comment period will close **September 16, 2016 at 5:00 p.m.** Any person may submit public comments in writing (by mail, by fax, or by e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 324-6075; or by e-mail at RPMB@cdcr.ca.gov before the close of the comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:

**Timothy M. Lockwood, Chief
 Regulation and Policy Management Branch
 Department of Corrections and Rehabilitation
 P.O. Box 942883
 Sacramento, CA 94283-0001
 Telephone (916) 445-2269**

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

**Sherri Garcia
 Regulation and Policy Management Branch
 Telephone (916) 445-2266**

Questions regarding the substance of the proposed regulatory action should be directed to:

**Katie James
 Department of Corrections and Rehabilitation
 (916) 341-7064**

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to the Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations.

PC Section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections, in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR.

PC Section 5058 authorizes the Director to prescribe and amend regulations for the administration of prisons.

This action:

- Amends 3076.5 of the CCR, Title 15, Division 3 to update the notification reasons victims/victim’s families can be notified using the CDCR 1707 (Rev. 06/16), Request for Victim Services.
- Amends the revision date of the CDCR 1707.
- Revises the CDCR 1707 (Rev. 06/16), Request for Victim Services with information regarding victim notification for recall of commitment recommendations and new options under PC 5065.5.

FORMS INCORPORATED BY REFERENCE

CDCR form 1707 (Rev. 06/16), Request for Victim Services

SPECIFIC BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS

The proposed revisions to the CDCR 1707 form will benefit the victim community, CDCR, and the Board of Parole Hearings (BPH). This regulatory action benefits the protection of public health and safety because it protects victims, their families and witnesses from the offender, upon notification of a change in custody status of the offender such as “escape”, “parole”, “release”, “death” or “setting of an execution.” Also, the form assists with coordination of restitution collections, and all

of these services mentioned comply with victims' constitutional right to know this information under "Marsy's law" (California Constitution, Art. I, § 28(c)(1)). The Request for Victim Services, CDCR 1707 form is completed by the victim or witness, and is confidential and protected from any type of public records request under PC Section 679.03.

Currently, CDCR is proposing changes to § 3076.5, which include the notification to the victim or applicant when an inmate or offender agrees to sell the story of their crime, and changes to the CDCR 1707 form, in order to streamline the process such as including a space to list the name(s) of the victim(s); allowing applicants to further define their relationship to the crime victim; and clarifying next-of-kin relationships for cases with multiple victims. These revisions assist both CDCR and BPH in collaborating to notify applicants. CDCR is responsible for the intake process as well as the notification of release, death, and escape; and BPH is responsible for a 90-day advanced notification of any hearing to review or consider the parole suitability for any inmate in a state prison. The information from the CDCR 1707 is entered into the Strategic Offenders Management System (SOMS), which is the Department's system of record, and the Electronic Records Management System (ERMS). Both agencies access SOMS and ERMS to review records and confirm that victims have filled out the CDCR 1707 form and provided contact information.

Further, the CDCR 1707 form assists OVSRS in gathering information needed to confirm victims are registered in the Trust, Restitution, Accounting and Canteen System (TRACS), to ensure they receive their direct order restitution payments. The form also provides access for the Division of Adult Parole Operations to review victim requested conditions of parole such as placement and contact restrictions on parolees (PC 3003, PC 3053.2).

EVALUATION OF
CONSISTENCY/COMPATIBILITY WITH
EXISTING REGULATIONS

The Department has determined that these proposed regulations are consistent and compatible with existing state laws and regulations. After conducting a review for any regulations that would relate to or affect this area, CDCR has concluded that these are the only regulations that concern victim notification for recall of commitment recommendation and CDCR Form 1707. Also, the proposed regulations supplement existing regulations in order to comply with the statutes under PC Section 6402.

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500-17630.

FISCAL IMPACT STATEMENT

- Cost to any local agency or school district that is required to be reimbursed: *None*
- Cost or savings to any state agency: *None*
- Other nondiscretionary cost or savings imposed on local agencies: *None*
- Cost or savings in federal funding to the State: *None*

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESS

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

RESULTS OF ECONOMIC IMPACT
ASSESSMENT

The Department has determined that the proposed regulations will have no impact on the creation of new or the elimination of existing jobs or businesses within California or affect the expansion of businesses currently doing business in California. The Department has determined that the proposed regulations may have a positive impact upon the welfare of California residents by helping provide notification to victims, victim's families, and witnesses, of changes to an inmate's status.

COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES

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

EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations may not affect small businesses. It is deter-

mined that this action has no significant adverse economic impact on small business because this regulatory action involves streamlining the process of the "Request for Victim Services" CDCR Form 1707 (Rev. 06/16), and notifying changes of offender status to victims, families and witnesses.

CONSIDERATION OF ALTERNATIVES

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

CDCR has developed an electronic version of the CDCR 1707 form (e1707) which is a public facing form for victims to submit via the CDCR OVSRS website (www.cdcr.ca.gov/victim_services/). This function launched in April of 2016, and services many victims by giving them the ability to register on-line. However, many victims still prefer the paper form and/or do not have computer access to fill out and submit the form electronically; therefore the CDCR 1707 will continue to be available in hard-copy.

Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared, and will make available, the proposed text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the Department's contact person. The proposed text, ISOR, and Notice of Proposed Action will also be made available on the Department's website <http://www.cdcr.ca.gov>.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the Department's contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 27. OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

PROPOSITION 65

NOTICE OF PROPOSED RULEMAKING AND ANNOUNCEMENT OF PUBLIC HEARING

AMENDMENT TO SECTION 25603.3

TITLE 27, CALIFORNIA CODE OF REGULATIONS

WARNINGS FOR EXPOSURES TO BISPHENOL A FROM CANNED AND BOTTLED FOODS AND BEVERAGES

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment (OEHHA) proposes an amendment to the Proposition 65 warning requirements for bisphenol A (BPA). On April 18, 2016, OEHHA implemented an emergency regulation for BPA, amending section 25603.3 of Title 27 of the California Code of Regulations to provide a safe harbor warning method and content for exposures to BPA from canned foods and beverages sold at retail level. Because emergency regulations are only valid for 180 days, OEHHA is proposing a regular rulemaking process to establish a continuance of this emergency regulation. This new regulation will sunset on December 30, 2017 unless reenacted. This proposal takes into account all comments received on the emergency regulation.

BACKGROUND

On May 11, 2015, BPA was added to the Proposition 65 list of chemicals known to cause reproductive toxic-

ty. The listing is for the female reproductive toxicity endpoint. BPA is an industrial chemical used to make polycarbonate, a hard, clear plastic, which is used in many consumer products. BPA is also used to make epoxy resins, which act as a protective lining on the inside of some metal-based food and beverage cans, as well as lids for glass bottles and jars.

This new regulation will further the “right-to-know” purposes of the statute and give more specificity for the content of safe harbor warnings for BPA, thus offering compliance assistance for those businesses that are required to provide warnings.

PUBLIC PROCEEDINGS

A public hearing on this proposed regulatory amendment is scheduled for 10:00 a.m. on September 12, 2016 in the Sierra Hearing Room at the CalEPA Headquarters building, 1001 I Street, in Sacramento. The hearing will also be webcast (<https://video.calepa.ca.gov/>).

Any written comments concerning this proposed regulatory action, regardless of the form or method of transmission, must be received by OEHHA by **5:00 p.m. on September 26, 2016**, the designated close of the written comment period. All comments will be posted on the OEHHA website at the close of the public comment period.

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

Monet Vela
Office of Environmental Health Hazard Assessment
P. O. Box 4010
Sacramento, California 95812-4010
Telephone: 916-322-0493
E-mail: P65Public.Comments@oehha.ca.gov

Please be aware that OEHHA is subject to the California Public Records Act and other laws that require the release of certain information upon request. If you provide comments, please be aware that your name, address and e-mail may be available to third parties.

CONTACT

Please direct inquiries concerning the proposed regulatory action described in this notice to Monet Vela, in writing at the address given above, (916) 323-2517 or via email at monet.vela@oehha.ca.gov. Fran Kammerer will be a back-up contact. She can be contacted at

(916) 445-4693 or via email at fran.kammerer@oehha.ca.gov.

AUTHORITY

Health and Safety Code section 25249.12 and Health and Safety Code section 25249.8(a).

REFERENCE

Health and Safety Code sections 25249.5, 25249.6, 25249.8(a), 25249.10, 25249.11 and 25249.12

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

BACKGROUND

OEHHA is the state entity responsible for the implementation of Proposition 65.¹ OEHHA has the authority to adopt and amend regulations to make specific and further the purposes of Proposition 65. OEHHA maintains a list of chemicals known to cause reproductive toxicity or cancer. Proposition 65 requires businesses to provide a warning when they knowingly and intentionally cause an exposure to a listed chemical, and prohibits the discharge of listed chemicals into sources of drinking water.

As discussed above, on May 11, 2015, bisphenol A (BPA) was added to the Proposition 65² list of chemicals known to cause reproductive toxicity. Effective May 11, 2016, warnings are required for exposures to BPA unless the person causing the exposure can show that an exposure 1,000 times the level in question has no observable effect.³ Because canned and bottled foods and beverages have a longer shelf life and products manufactured before BPA was listed are still in the market, OEHHA promulgated an emergency regulation to allow temporary use of a standard point-of-sale warning message for BPA exposures from canned and bottled foods and beverages until warnings can be placed on newly manufactured cans and/or BPA is removed from the linings.⁴ This proposed action will continue this temporary use of point-of-sale warning messages until December 30, 2017.

¹ The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 *et seq.*, commonly referred to as “Proposition 65.”

² <http://oehha.ca.gov/proposition-65/crn/bisphenol-listed-known-state-california-cause-reproductive-toxicity>

³ Health and Safety Code section 25249.10(b), 25249.10(c).

⁴ In a separate rulemaking process, OEHHA adopted a Maximum Allowable Dose Level (MADL) that establishes a level of dermal exposure to BPA that does not require a warning. The regulation will be effective October 1, 2016. This rulemaking package involves oral exposures from ingestion of canned and bottled foods and beverages and not dermal exposures.

**SPECIFIC BENEFITS OF THE
PROPOSED REGULATIONS**

The proposed regulation will benefit the health and welfare of California residents and improve worker safety by providing more information to the public and facilitating businesses' compliance with the Act. The proposed regulation will provide consistent, informative, and meaningful warnings to consumers about significant exposures to BPA. The proposed safe harbor warning for canned and bottled foods and beverages will identify BPA by name, and disclose that it causes harm to the female reproductive system. The warnings will also provide the public with supplemental information via a link to OEHHA's website, which will contain fact sheets, links to informational materials on BPA from other authoritative organizations, and a searchable list of food and beverage products where BPA is intentionally used in the can or lids.

**NO INCONSISTENCY OR INCOMPATIBILITY
WITH EXISTING REGULATIONS**

OEHHA has conducted an evaluation and has determined that this is the only regulation concerning Proposition 65 BPA warnings. Therefore, the proposed regulation is neither inconsistent nor incompatible with any other existing state regulations. The regulation does not change the existing mandatory requirements on businesses subject to Proposition 65, state or local agencies and does not address compliance with any other law or regulation.

LOCAL MANDATE/FISCAL IMPACT

Because Proposition 65 by its terms⁵ does not apply to local agencies or school districts, OEHHA has determined the proposed regulatory action would not impose a mandate on local agencies or school districts; nor does it require reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. OEHHA has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action.

COSTS OR SAVINGS TO STATE AGENCIES

Because Proposition 65 by its terms⁶ does not apply to any state agency and this regulation is simply a clarification of existing procedures, OEHHA has initially determined that no significant savings or increased costs to any state agency will result from the proposed regulatory action.

**EFFECT ON FEDERAL FUNDING TO
THE STATE**

Because Proposition 65 by its terms⁷ does not apply to any state agency and this regulation is simply a clarification of existing procedures, OEHHA has initially determined that no costs or savings will occur on any federal funding to the state.

EFFECT ON HOUSING COSTS

OEHHA has initially determined that the proposed regulatory action will have no effect on housing costs because it does not impose any new mandatory requirements on any business.

**IMPACT ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

Because Proposition 65 by its terms⁸ does not apply to local agencies or school districts, OEHHA has determined the proposed regulatory action would not impose a mandate on local agencies or school districts, nor does it require reimbursement by the State pursuant to Part 7 (commencing with section 17500) of Division 4 of the Government Code. OEHHA has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action.

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

Because the proposed regulatory level provides compliance assistance to businesses subject to the Act, but does not impose any mandatory requirements on those businesses, OEHHA has made an initial determination that the adoption of the regulation will not have a significant statewide adverse economic impact directly af-

⁵ See Health and Safety Code section 25249.11(b).

⁶ See Health and Safety Code section 25249.11(b).

⁷ See Health and Safety Code section 25249.11(b).

⁸ Health and Safety Code section 25249.11(b).

fecting businesses, including the ability of California businesses to compete with businesses in other states.

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

Creation or Elimination of Jobs within the State of California

This regulatory action will not likely have a major impact on the creation or elimination of jobs within the State of California.

Creation of New Businesses or Elimination of Existing Businesses within the State of California

This regulatory action will not likely have a major impact on the creation of new businesses or the elimination of existing businesses within the State of California. The economic impact of the proposed regulation is very small relative to any one establishment's typical cost of operation and the need for business to be created or eliminated as a result of the proposed regulation does not exist.

The Expansion of Businesses Currently Doing Business within the State

OEHHA does not anticipate any major impact on the expansion of businesses currently doing business within the state because the proposed regulation will not change whether BPA warnings are required by a business. The proposed regulation focuses on the method and content of the warnings, and providing information to OEHHA and retailers that businesses already have, i.e., whether their canned and bottled food and beverage products use intentionally added BPA or are causing exposures to BPA that require a Proposition 65 warning.

Benefits of the Proposed Regulation

The health and welfare of California residents will likely benefit from the increased information regarding exposures to BPA from canned and bottled foods and beverages. More informative warnings about BPA in these products will further the purposes of Proposition 65 by increasing the public's ability to make informed decisions regarding canned and bottled foods and beverages.

REASONABLE ALTERNATIVES TO THE
REGULATION AND THE AGENCY'S REASONS
FOR REJECTING THOSE ALTERNATIVES

Pursuant to Government Code section 11346.5(a)(13), OEHHA must determine that no reasonable alternative considered by OEHHA, or that has otherwise been identified and brought to the attention of OEHHA, would be more effective in carrying out the purpose for which the regulation is proposed, or would

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

EFFECT ON SMALL BUSINESSES

OEHHA has determined that the proposed regulatory action will not affect small business as it does not impose any mandatory requirements on small businesses. Proposition 65 expressly exempts businesses with less than 10 employees⁹ from the warning requirement of the law.

COST IMPACTS ON REPRESENTATIVE PERSON
OR BUSINESS

The proposed regulation will allow businesses to comply with the warning requirements of Proposition 65 by using a point-of-sale warning until the regulation's sunset date. Any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action is very small relative to the typical cost of operating a business.

AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS

OEHHA has prepared and has available for public review an Initial Statement of Reasons for the proposed regulation, all the information upon which the regulation is based, and the text of the proposed regulation. These documents are available on OEHHA's web site at www.oehha.ca.gov.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

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

⁹ Health and Safety Code section 25249.11(b).

AVAILABILITY OF THE FINAL STATEMENT
OF REASONS

A copy of the Final Statement of Reasons may be obtained, when it becomes available, from Monet Vela at the e-mail or telephone number indicated above. The Final Statement of Reasons will also be available on OEHHHA's web site at www.oehha.ca.gov.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF TOXIC SUBSTANCE
CONTROL**

**BKK Landfills Facility Proposed Amended Third
Consent Decree**

2210 South Azusa Avenue, West Covina,
California 91792

**NOTICE OF PUBLIC COMMENT PERIOD:
August 1, 2016 through August 31, 2016**

Kung gusto mong pabigkas na isaling-wika sa Tagalog ang impormasyong nasa public notice na ito, mangyaring makipag-ugnayan kay Jose Marcos (714) 484-5492.

Si usted desea información en español sobre este aviso, favor de llamar a Jesús Cruz sin costo al (866) 495-5651.

如您需此給社區的近况報導簡訊的中文口頭翻譯，請電 (714) 484-5485與張寧武先生 或 (714) 484-5406 與黃則忠先生聯絡

如您需此給社區的近况報導簡訊的中文口頭翻譯，請電 (714) 484-5485與張寧武先生 或 (714) 484-5406 與黃則忠先生聯絡

The Department of Toxic Substances Control (DTSC) invites you to comment on its proposed First Amended Third Partial Consent Decree (Amended Third Consent Decree) regarding the 190-acre closed Class I (hazardous waste) landfill that is part of the BKK Landfills Facility in West Covina, California (the Facility).

Since 2006, DTSC and the BKK Working Group ("BWG"), a group of parties who disposed of hazardous waste at the Class I landfill, have entered into a series of court-approved consent decrees requiring the BWG to conduct maintenance and other work at the Facility. DTSC oversees that work. In July 2015, the United States District Court, Central District of California, approved the Third Partial Consent Decree ("Third Consent Decree"), which requires the BWG to conduct groundwater monitoring and carry out a two-phased study for groundwater remediation called a Remedial Investigation/Feasibility Study (RI/FS). The RI investigates the extent of groundwater contamination from the Facility and will include an evaluation of risk to humans and the environment. The FS will evaluate alternative remedies to reduce or eliminate risks identified during the investigation phase. The Third Consent Decree also requires the BWG to continue maintenance activities at the Facility.

If approved by the court, the Amended Third Consent Decree would extend the requirements and other provisions of the Third Consent Decree to five new members

of the BWG. The new members are California Resources Corporation, Montrose Chemical Company of California, Occidental Petroleum Corporation, Smith Tool and Wyeth Holdings LLC, f/k/a American Cyanamid Company. The Amended Third Consent Decree would also require the BWG members to make an additional payment to DTSC and would add an additional maintenance obligation.

On or before the beginning of the comment period, DTSC will amend the complaint it filed on February 2, 2015 to add the new BWG members and will provide the Court a copy of the proposed Amended Third Consent Decree. DTSC will file the amended complaint with the Court under the provisions of CERCLA, 42 U.S.C. sections 9601 and 9607 and the California Health and Safety Code section 25358.3(e). Following the comment period, DTSC will report to the Court any comments that it received regarding the Amended Third Consent Decree. The Court may then enter or approve the Amended Third Consent Decree. If approved by the Court, the Amended Third Consent Decree will partly resolve responsibility for who pays for certain DTSC past and future costs, including DTSC oversight costs.

WHERE DO I SUBMIT MY COMMENTS?

Please submit comments by August 31, 2016 to both persons listed below:

Leslie Fredrickson
 DTSC Office of Legal Counsel
 P.O. Box 806
 Sacramento, CA 95812
Leslie.Fredrickson@dtsc.ca.gov

Jim Dragna
 Morgan, Lewis & Bockius LLP
 355 S. Grand Avenue
 Los Angeles, CA 90071
jim.dragna@morganlewis.com

You may view the Amended Third Consent Decree and related documents at the following locations:

<http://www.dtsc.ca.gov/HazardousWaste/Projects/BKK.cfm>.

https://www.envirostor.dtsc.ca.gov/public/profile/report.asp?global_id=19490005.

The West Covina Public Library, 1601 West Covina Parkway, West Covina, CA 91790 (626) 962-3541

For questions on the BKK Landfills Facility:

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OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

ANNOUNCEMENT OF SECOND PUBLIC COMMENT PERIOD

Draft Technical Support Document on the Proposed Updates of Public Health Goals for Carbofuran, Diquat, Endrin, Picloram, and Thiobencarb in Drinking Water

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is announcing the availability of the revised draft technical support document for the proposed updates of Public Health Goals (PHGs) for carbofuran, diquat, endrin, picloram, and thiobencarb in drinking water. The PHG technical support document provides information on the health effects of contaminants in drinking water. The PHG is a level of drinking water contaminant at which adverse health effects are not expected to occur from a lifetime of exposure. The California Safe Drinking Water Act of 1996¹ requires OEHHA to develop PHGs based exclusively on public health considerations.² PHGs published by OEHHA are considered by the State Water Resources Control Board in setting drinking water standards (Maximum Contaminant Levels, or MCLs).³

This draft document presents updates of the carbofuran, diquat, endrin, picloram, and thiobencarb PHGs, originally published in 2000, 2000, 1999 (updated in 2008), 1997, and 2000, respectively. OEHHA provided a 45-day public comment period and held a public workshop for the first draft document on September 28, 2015. Subsequently, an external scientific peer review of the draft PHGs document was conducted pursuant to Health and Safety Code Section 116365(c)(3)(D). External scientific peer review and public comments did not result in changes to the proposed updated PHGs of 0.7 parts per billion (ppb) for carbofuran, 6 ppb for diquat, 0.3 ppb for endrin, 166 ppb for picloram, and 42 ppb for thiobencarb, all based on non-cancer effects.

OEHHA is soliciting comments on the second draft technical support document during a 30-day comment period. This public comment period is the second request for public input. The second draft technical document is posted on the OEHHA web site at <http://www.oehha.ca.gov/>. OEHHA will evaluate all the comments received and revise the document as appropriate. Written comments must be received by the

¹ Codified at Health and Safety Code, section 116270 et seq.

² Health and Safety Code section 116365(c).

³ Health and Safety Code section 116365(a) and (b).

PHG program at PHG.Program@oehha.ca.gov or at the postal address below by 5:00 p.m. on August 29, 2016 to be considered. After any subsequent revisions, OEHHA intends to post the final document on its web site along with responses to the major comments submitted during the external scientific peer review and the public comment periods.

If you would like to receive further information on this announcement or have questions, please contact Hermelinda Jimenez at the email address above or at (916) 324-7572.

Pesticide and Environmental Toxicology Branch
Office of Environmental Health Hazard Assessment
California Environmental Protection Agency
1515 Clay St., 16th floor
Oakland, California 94612
Attention: PHG Program

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

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

**CHEMICAL LISTED EFFECTIVE JULY 29, 2016
AS KNOWN TO THE STATE OF CALIFORNIA
TO CAUSE CANCER:
BROMODICHLOROACETIC ACID**

Effective **July 29, 2016**, the Office of Environmental Health Hazard Assessment (OEHHA) is adding *bromodichloroacetic acid* (CAS No. 71133-14-7) to the list of chemicals known to the state to cause cancer for purposes of Proposition 65¹.

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

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.

The documentation supporting OEHHA’s determination that the criteria for administrative listing have been satisfied for bromodichloroacetic acid is included in the “Notice of Intent to List Bromodichloroacetic Acid” posted on OEHHA’s website and published in the May 27, 2016 issue of the California Regulatory Notice Register (Register 2016, No. 22-Z). The publication of the notice initiated a public comment period that closed on June 27, 2016. OEHHA received no public comments on bromodichloroacetic acid.

A complete, updated chemical list is published in this issue of the *California Regulatory Notice Register* and is available on the OEHHA website at <http://oehha.ca.gov/proposition-65/proposition-65-list>.

In summary, bromodichloroacetic acid is listed under Proposition 65 as known to the state to cause cancer, as follows:

Chemical	CAS No.	Endpoint	Listing Mechanism*
Bromodichloroacetic acid	71133-14-7	Cancer	AB (NTP)

*Listing 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**

**CHEMICALS KNOWN TO THE STATE
TO CAUSE CANCER OR
REPRODUCTIVE TOXICITY
July 29, 2016**

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

CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER

<i>Chemical</i>	<i>CAS Number</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
Aloe vera, non-decolorized whole leaf extract		December 4, 2015
2-Aminoanthraquinone	117-79-3	October 1, 1989
<i>p</i> -Aminoazobenzene	60-09-3	January 1, 1990
<i>ortho</i> -Aminoazotoluene	97-56-3	July 1, 1987
4-Aminobiphenyl (4-aminodiphenyl)	92-67-1	February 27, 1987
1-Amino-2,4-dibromoanthraquinone	81-49-2	August 26, 1997
3-Amino-9-ethylcarbazole hydrochloride	6109-97-3	July 1, 1989
2-Aminofluorene	153-78-6	January 29, 1999
1-Amino-2-methylantraquinone	82-28-0	October 1, 1989
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712-68-5	July 1, 1987
4-Amino-2-nitrophenol	119-34-6	January 29, 1999
Amitrole	61-82-5	July 1, 1987
Amsacrine	51264-14-3	August 7, 2009
Analgesic mixtures containing phenacetin	—	February 27, 1987
Androstenedione	63-05-8	May 3, 2011
Aniline	62-53-3	January 1, 1990
Aniline hydrochloride	142-04-1	May 15, 1998
<i>ortho</i> -Anisidine	90-04-0	July 1, 1987
<i>ortho</i> -Anisidine hydrochloride	134-29-2	July 1, 1987
Anthraquinone	84-65-1	September 28, 2007
Antimony oxide (Antimony trioxide)	1309-64-4	October 1, 1990
Aramite	140-57-8	July 1, 1987
Areca nut	—	February 3, 2006
Aristolochic acids	—	July 9, 2004
Arsenic (inorganic arsenic compounds)	—	February 27, 1987
Asbestos	1332-21-4	February 27, 1987
Auramine	492-80-8	July 1, 1987
Azacitidine	320-67-2	January 1, 1992
Azaserine	115-02-6	July 1, 1987
Azathioprine	446-86-6	February 27, 1987
Azobenzene	103-33-3	January 1, 1990
Benthiavalicarb-isopropyl	177406-68-7	July 1, 2008
Benz[a]anthracene	56-55-3	July 1, 1987
Benzene	71-43-2	February 27, 1987
Benzidine [and its salts]	92-87-5	February 27, 1987
Benzidine-based dyes	—	October 1, 1992

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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Benzo[b]fluoranthene	205-99-2	July 1, 1987
Benzo[j]fluoranthene	205-82-3	July 1, 1987
Benzo[k]fluoranthene	207-08-9	July 1, 1987
Benzofuran	271-89-6	October 1, 1990
Benzophenone	119-61-9	June 22, 2012
Benzo[a]pyrene	50-32-8	July 1, 1987
Benzotrichloride	98-07-7	July 1, 1987
Benzyl chloride	100-44-7	January 1, 1990
Benzyl violet 4B	1694-09-3	July 1, 1987
Beryllium and beryllium compounds	—	October 1, 1987
Betel quid with tobacco	—	January 1, 1990
Betel quid without tobacco	—	February 3, 2006
2,2-Bis(bromomethyl)-1,3-propanediol	3296-90-0	May 1, 1996
Bis(2-chloroethyl)ether	111-44-4	April 1, 1988
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlornapazine)	494-03-1	February 27, 1987
Bischloroethyl nitrosourea (BCNU) (Carmustine)	154-93-8	July 1, 1987
Bis(chloromethyl)ether	542-88-1	February 27, 1987
Bis(2-chloro-1-methylethyl) ether, technical grade	—	October 29, 1999
Bitumens, extracts of steam-refined and air refined	—	January 1, 1990
Bracken fern	—	January 1, 1990
Bromate	15541-45-4	May 31, 2002
Bromochloroacetic acid	5589-96-8	April 6, 2010
<u>Bromodichloroacetic acid</u>	<u>71133-14-7</u>	<u>July 29, 2016</u>
Bromodichloromethane	75-27-4	January 1, 1990
Bromoethane	74-96-4	December 22, 2000
Bromoform	75-25-2	April 1, 1991
1,3-Butadiene	106-99-0	April 1, 1988
1,4-Butanediol dimethanesulfonate (Busulfan)	55-98-1	February 27, 1987
Butylated hydroxyanisole	25013-16-5	January 1, 1990
beta-Butyrolactone	3068-88-0	July 1, 1987
Cacodylic acid	75-60-5	May 1, 1996
Cadmium and cadmium compounds	—	October 1, 1987
Caffeic acid	331-39-5	October 1, 1994
Captafol	2425-06-1	October 1, 1988
Captan	133-06-2	January 1, 1990
Carbaryl	63-25-2	February 5, 2010
Carbazole	86-74-8	May 1, 1996
Carbon black (airborne, unbound particles of respirable size)	1333-86-4	February 21, 2003
Carbon tetrachloride	56-23-5	October 1, 1987
Carbon-black extracts	—	January 1, 1990
N-Carboxymethyl-N-nitrosourea	60391-92-6	January 25, 2002
Catechol	120-80-9	July 15, 2003
Ceramic fibers (airborne particles of respirable size)	—	July 1, 1990
Certain combined chemotherapy for lymphomas	—	February 27, 1987
Chloral	75-87-6	September 13, 2013
Chloral hydrate	302-17-0	September 13, 2013
Chlorambucil	305-03-3	February 27, 1987
Chloramphenicol <u>Delisted January 4, 2013</u>	<u>56-75-7</u>	<u>October 1, 1989</u>
Chloramphenicol sodium succinate	982-57-0	September 27, 2013
Chlordane	57-74-9	July 1, 1988
Chlordecone (Kepone)	143-50-0	January 1, 1988
Chlordimeform	6164-98-3	January 1, 1989

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Chlorendic acid	115-28-6	July 1, 1989
Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight)	108171-26-2	July 1, 1989
<i>p</i> -Chloroaniline	106-47-8	October 1, 1994
<i>p</i> -Chloroaniline hydrochloride	20265-96-7	May 15, 1998
Chlorodibromomethane <u>Delisted October 29, 1999</u>	124-48-1	January 1, 1990
Chloroethane (Ethyl chloride)	75-00-3	July 1, 1990
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (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
CMNP (pyrazachlor)	6814-58-0	August 21, 2015
Cobalt metal powder	7440-48-4	July 1, 1992
Cobalt [II] oxide	1307-96-6	July 1, 1992
Cobalt sulfate	10124-43-3	May 20, 2005
Cobalt sulfate heptahydrate	10026-24-1	June 2, 2000
Coconut oil diethanolamine condensate (cocamide diethanolamine)	—	June 22, 2012
Coke oven emissions	—	February 27, 1987
Conjugated estrogens	—	February 27, 1987
Creosotes	—	October 1, 1988
<i>para</i> -Cresidine	120-71-8	January 1, 1988
Cumene	98-82-8	April 6, 2010
Cupferron	135-20-6	January 1, 1988
Cycasin	14901-08-7	January 1, 1988
Cyclopenta[<i>cd</i>]pyrene	27208-37-3	April 29, 2011

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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Cyclophosphamide (anhydrous)	50-18-0	February 27, 1987
Cyclophosphamide (hydrated)	6055-19-2	February 27, 1987
Cytembena	21739-91-3	May 15, 1998
D&C Orange No. 17	3468-63-1	July 1, 1990
D&C Red No. 8	2092-56-0	October 1, 1990
D&C Red No. 9	5160-02-1	July 1, 1990
D&C Red No. 19	81-88-9	July 1, 1990
Dacarbazine	4342-03-4	January 1, 1988
Daminozide	1596-84-5	January 1, 1990
Dantron (Chrysazin; 1,8-Dihydroxyanthraquinone)	117-10-2	January 1, 1992
Daunomycin	20830-81-3	January 1, 1988
DDD (Dichlorodiphenyldichloroethane)	72-54-8	January 1, 1989
DDE (Dichlorodiphenyldichloroethylene)	72-55-9	January 1, 1989
DDT (Dichlorodiphenyltrichloroethane)	50-29-3	October 1, 1987
DDVP (Dichlorvos)	62-73-7	January 1, 1989
N,N' -Diacetylbenzidine	613-35-4	October 1, 1989
2,4-Diaminoanisole	615-05-4	October 1, 1990
2,4-Diaminoanisole sulfate	39156-41-7	January 1, 1988
4,4' -Diaminodiphenyl ether (4,4' -Oxydianiline)	101-80-4	January 1, 1988
2,4-Diaminotoluene	95-80-7	January 1, 1988
Diaminotoluene (mixed) <u>Delisted November 20, 2015</u>	—	January 1, 1990
Diazoaminobenzene	136-35-6	May 20, 2005
Dibenz[a,h]acridine	226-36-8	January 1, 1988
Dibenz[a,j]acridine	224-42-0	January 1, 1988
Dibenzanthracenes	—	December 26, 2014
Dibenz[a,c]anthracene	215-58-7	December 26, 2014
Dibenz[a,h]anthracene	53-70-3	January 1, 1988
Dibenz[a,j]anthracene	224-41-9	December 26, 2014
7H-Dibenzo[c,g]carbazole	194-59-2	January 1, 1988
Dibenzo[a,e]pyrene	192-65-4	January 1, 1988
Dibenzo[a,h]pyrene	189-64-0	January 1, 1988
Dibenzo[a,i]pyrene	189-55-9	January 1, 1988
Dibenzo[a,l]pyrene	191-30-0	January 1, 1988
Dibromoacetic acid	631-64-1	June 17, 2008
Dibromoacetonitrile	3252-43-5	May 3, 2011
1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	July 1, 1987
2,3-Dibromo-1-propanol	96-13-9	October 1, 1994
Dichloroacetic acid	79-43-6	May 1, 1996
<i>p</i> -Dichlorobenzene	106-46-7	January 1, 1989
3,3' -Dichlorobenzidine	91-94-1	October 1, 1987
3,3' -Dichlorobenzidine dihydrochloride	612-83-9	May 15, 1998
1,4-Dichloro-2-butene	764-41-0	January 1, 1990
3,3' -Dichloro-4,4' -diaminodiphenyl ether	28434-86-8	January 1, 1988
1,1-Dichloroethane	75-34-3	January 1, 1990
Dichloromethane (Methylene chloride)	75-09-2	April 1, 1988
1,2-Dichloropropane	78-87-5	January 1, 1990
1,3-Dichloro-2-propanol (1,3-DCP)	96-23-1	October 8, 2010
1,3-Dichloropropene	542-75-6	January 1, 1989
Diclofop-methyl	51338-27-3	April 6, 2010
Dieldrin	60-57-1	July 1, 1988
Dienestrol <u>Delisted January 4, 2013</u>	84-17-3	January 1, 1990
Diepoxybutane	1464-53-5	January 1, 1988

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Diesel engine exhaust	—	October 1, 1990
Diethanolamine	111-42-2	June 22, 2012
Di(2-ethylhexyl)phthalate	117-81-7	January 1, 1988
1,2-Diethylhydrazine	1615-80-1	January 1, 1988
Diethyl sulfate	64-67-5	January 1, 1988
Diethylstilbestrol (DES)	56-53-1	February 27, 1987
Diglycidyl resorcinol ether (DGRE)	101-90-6	July 1, 1989
Dihydrosafrole	94-58-6	January 1, 1988
Diisononyl phthalate (DINP)	—	December 20, 2013
Diisopropyl sulfate	2973-10-6	April 1, 1993
3,3' -Dimethoxybenzidine (ortho-Dianisidine)	119-90-4	January 1, 1988
3,3' -Dimethoxybenzidine dihydrochloride (ortho-Dianisidine dihydrochloride)	20325-40-0	October 1, 1990
3,3' -Dimethoxybenzidine-based dyes metabolized to 3,3' -dimethoxybenzidine	—	June 11, 2004
3,3' -Dimethylbenzidine-based dyes metabolized to 3,3' -dimethylbenzidine	—	June 11, 2004
Dimethyl sulfate	77-78-1	January 1, 1988
4-Dimethylaminoazobenzene	60-11-7	January 1, 1988
trans-2-[(Dimethylamino)methylimino]-5-[2-(5-nitro-2-furyl)vinyl]-1,3,4-oxadiazole	55738-54-0	January 1, 1988
7,12-Dimethylbenz(a)anthracene	57-97-6	January 1, 1990
3,3' -Dimethylbenzidine (ortho-Tolidine)	119-93-7	January 1, 1988
3,3' -Dimethylbenzidine dihydrochloride	612-82-8	April 1, 1992
Dimethylcarbamoyl chloride	79-44-7	January 1, 1988
1,1-Dimethylhydrazine (UDMH)	57-14-7	October 1, 1989
1,2-Dimethylhydrazine	540-73-8	January 1, 1988
2,6-Dimethyl-N-nitrosomorpholine (DMNM)	1456-28-6	February 8, 2013
N,N-Dimethyl-p-toluidine	99-97-8	May 2, 2014
Dimethylvinylchloride	513-37-1	July 1, 1989
3,7-Dinitrofluoranthene	105735-71-5	August 26, 1997
3,9-Dinitrofluoranthene	22506-53-2	August 26, 1997
1,3-Dinitropyrene	75321-20-9	November 2, 2012
1,6-Dinitropyrene	42397-64-8	October 1, 1990
1,8-Dinitropyrene	42397-65-9	October 1, 1990
Dinitrotoluene mixture, 2,4-/2,6-	—	May 1, 1996
2,4-Dinitrotoluene	121-14-2	July 1, 1988
2,6-Dinitrotoluene	606-20-2	July 1, 1995
Di-n-propyl isocinchomeronate (MGK Repellent 326)	136-45-8	May 1, 1996
1,4-Dioxane	123-91-1	January 1, 1988
Diphenylhydantoin (Phenytoin)	57-41-0	January 1, 1988
Diphenylhydantoin (Phenytoin), sodium salt	630-93-3	January 1, 1988
Direct Black 38 (technical grade)	1937-37-7	January 1, 1988
Direct Blue 6 (technical grade)	2602-46-2	January 1, 1988
Direct Brown 95 (technical grade)	16071-86-6	October 1, 1988
Disperse Blue 1	2475-45-8	October 1, 1990
Diuron	330-54-1	May 31, 2002
Doxorubicin hydrochloride (Adriamycin)	25316-40-9	July 1, 1987
Emissions from combustion of coal	—	August 7, 2013
Emissions from high-temperature unrefined rapeseed oil	—	January 3, 2014
Epichlorohydrin	106-89-8	October 1, 1987
Epoxiconazole	135319-73-2	April 15, 2011

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Erionite	12510-42-8/ 66733-21-9	October 1, 1988
Estradiol 17B	50-28-2	January 1, 1988
Estragole	140-67-0	October 29, 1999
Estrogens, steroidal	—	August 19, 2005
Estrogen-progestogen (combined) used as menopausal therapy	—	November 4, 2011
Estrone	53-16-7	January 1, 1988
Estropipate	7280-37-7	August 26, 1997
Ethanol in alcoholic beverages	—	April 29, 2011
Ethinylestradiol	57-63-6	January 1, 1988
Ethoprop	13194-48-4	February 27, 2001
Ethyl acrylate	140-88-5	July 1, 1989
Ethylbenzene	100-41-4	June 11, 2004
Ethyl methanesulfonate	62-50-0	January 1, 1988
Ethyl-4,4'-dichlorobenzilate	510-15-6	January 1, 1990
Ethylene dibromide	106-93-4	July 1, 1987
Ethylene dichloride (1,2-Dichloroethane)	107-06-2	October 1, 1987
Ethylene oxide	75-21-8	July 1, 1987
Ethylene thiourea	96-45-7	January 1, 1988
Ethyleneimine (Aziridine)	151-56-4	January 1, 1988
Etoposide	33419-42-0	November 4, 2011
Etoposide in combination with cisplatin and bleomycin	—	November 4, 2011
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
Furmecycloz	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-methylpyrido[1,2-a:3',2'-d]imidazole)	67730-11-4	January 1, 1990
Glu-P-2 (2-Aminodipyrido[1,2-a:3',2'-d]imidazole)	67730-10-3	January 1, 1990
Glycidaldehyde	765-34-4	January 1, 1988
Glycidol	556-52-5	July 1, 1990
Goldenseal root powder	—	December 4, 2015
Griseofulvin	126-07-8	January 1, 1990
Gyromitrin (Acetaldehyde methylformylhydrazone)	16568-02-8	January 1, 1988
HC Blue 1	2784-94-3	July 1, 1989
Heptachlor	76-44-8	July 1, 1988
Heptachlor epoxide	1024-57-3	July 1, 1988
Herbal remedies containing plant species of the genus Aristolochia	—	July 9, 2004
Hexachlorobenzene	118-74-1	October 1, 1987
Hexachlorobutadiene	87-68-3	May 3, 2011
Hexachlorocyclohexane (technical grade)	—	October 1, 1987
Hexachlorodibenzodioxin	34465-46-8	April 1, 1988

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Hexachloroethane	67-72-1	July 1, 1990
2,4-Hexadienal (89% trans, trans isomer; 11% cis, trans isomer)	—	March 4, 2005
Hexamethylphosphoramide	680-31-9	January 1, 1988
Hydrazine	302-01-2	January 1, 1988
Hydrazine sulfate	10034-93-2	January 1, 1988
Hydrazobenzene (1,2-Diphenylhydrazine)	122-66-7	January 1, 1988
1-Hydroxyanthraquinone	129-43-1	May 27, 2005
Imazalil	35554-44-0	May 20, 2011
Indeno [1,2,3-cd]pyrene	193-39-5	January 1, 1988
Indium phosphide	22398-80-7	February 27, 2001
IQ (2-Amino-3-methylimidazo[4,5-f]quinoline)	76180-96-6	April 1, 1990
Iprodione	36734-19-7	May 1, 1996
Iprovalicarb	140923-17-7	June 1, 2007
	140923-25-7	
Iron dextran complex	9004-66-4	January 1, 1988
Isobutyl nitrite	542-56-3	May 1, 1996
Isoprene	78-79-5	May 1, 1996
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
Malathion	121-75-5	May 20, 2016
Malonaldehyde, sodium salt	24382-04-5	May 3, 2011
Mancozeb	8018-01-7	January 1, 1990
Maneb	12427-38-2	January 1, 1990
Marijuana smoke	—	June 19, 2009
Me-A-alpha-C (2-Amino-3-methyl-9H-pyrido[2,3-b]indole)	68006-83-7	January 1, 1990
Medroxyprogesterone acetate	71-58-9	January 1, 1990
Megestrol acetate	595-33-5	March 28, 2014
MeIQ(2-Amino-3,4-dimethylimidazo[4,5-f]quinoline)	77094-11-2	October 1, 1994
MeIQx(2-Amino-3,8-dimethylimidazo[4,5-f]quinoxaline)	77500-04-0	October 1, 1994
Melphalan	148-82-3	February 27, 1987
Mepanipyridin	110235-47-7	July 1, 2008
Merphalan	531-76-0	April 1, 1988
Mestranol	72-33-3	April 1, 1988
Metam potassium	137-41-7	December 31, 2010
Metham sodium	137-42-8	November 6, 1998
8-Methoxypsoralen with ultraviolet A therapy	298-81-7	February 27, 1987
5-Methoxypsoralen with ultraviolet A therapy	484-20-8	October 1, 1988
2-Methylaziridine (Propyleneimine)	75-55-8	January 1, 1988
Methylazoxymethanol	590-96-5	April 1, 1988
Methylazoxymethanol acetate	592-62-1	April 1, 1988
Methyl carbamate	598-55-0	May 15, 1998

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3-Methylcholanthrene	56-49-5	January 1, 1990
5-Methylchrysene	3697-24-3	April 1, 1988
4,4' -Methylene bis(2-chloroaniline)	101-14-4	July 1, 1987
4,4' -Methylene bis(N,N-dimethyl)benzenamine	101-61-1	October 1, 1989
4,4' -Methylene bis(2-methylaniline)	838-88-0	April 1, 1988
4,4' -Methylenedianiline	101-77-9	January 1, 1988
4,4' -Methylenedianiline dihydrochloride	13552-44-8	January 1, 1988
Methyleugenol	93-15-2	November 16, 2001
Methylhydrazine and its salts	—	July 1, 1992
2-Methylimidazole	693-98-1	June 22, 2012
4-Methylimidazole	822-36-6	January 7, 2011
Methyl iodide	74-88-4	April 1, 1988
Methyl isobutyl ketone	108-10-1	November 4, 2011
Methylmercury compounds	—	May 1, 1996
Methyl methanesulfonate	66-27-3	April 1, 1988
2-Methyl-1-nitroanthraquinone (of uncertain purity)	129-15-7	April 1, 1988
N-Methyl-N' -nitro-N-nitrosoguanidine	70-25-7	April 1, 1988
N-Methylolacrylamide	924-42-5	July 1, 1990
α -Methyl styrene (alpha-Methylstyrene)	98-83-9	November 2, 2012
Methylthiouracil	56-04-2	October 1, 1989
Metiram	9006-42-2	January 1, 1990
Metronidazole	443-48-1	January 1, 1988
Michler's ketone	90-94-8	January 1, 1988
Mirex	2385-85-5	January 1, 1988
Mitomycin C	50-07-7	April 1, 1988
Mitoxantrone hydrochloride	70476-82-3	January 23, 2015
MON 4660 (dichloroacetyl-1-oxa-4-azaspiro(4,5)-decane)	71526-07-3	March 22, 2011
MON 13900 (furilazole)	121776-33-8	March 22, 2011
3-Monochloropropane-1,2-diol (3-MCPD)	96-24-2	October 8, 2010
Monocrotaline	315-22-0	April 1, 1988
MOPP (vincristine-prednisone-nitrogen mustard-procarbazine mixture)	113803-47-7	November 4, 2011
5-(Morpholinomethyl)-3-[(5-nitro-furfurylidene)-amino]-2-oxazolidinone	139-91-3	April 1, 1988
Mustard Gas	505-60-2	February 27, 1987
MX (3-chloro-4-(dichloromethyl)-5-hydroxy-2(5H)-furanone)	77439-76-0	December 22, 2000
beta-Myrcene	123-35-3	March 27, 2015
Nafenopin	3771-19-5	April 1, 1988
Nalidixic acid	389-08-2	May 15, 1998
Naphthalene	91-20-3	April 19, 2002
1-Naphthylamine	134-32-7	October 1, 1989
2-Naphthylamine	91-59-8	February 27, 1987
Nickel (Metallic)	7440-02-0	October 1, 1989
Nickel acetate	373-02-4	October 1, 1989
Nickel carbonate	3333-67-3	October 1, 1989
Nickel carbonyl	13463-39-3	October 1, 1987
Nickel compounds	—	May 7, 2004
Nickel hydroxide	12054-48-7;	October 1, 1989
	12125-56-3	
Nickelocene	1271-28-9	October 1, 1989
Nickel oxide	1313-99-1	October 1, 1989
Nickel refinery dust from the pyrometallurgical process	—	October 1, 1987

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Nickel subsulfide	12035-72-2	October 1, 1987
Niridazole	61-57-4	April 1, 1988
Nitrapyrin	1929-82-4	October 5, 2005
Nitrilotriacetic acid	139-13-9	January 1, 1988
Nitrilotriacetic acid, trisodium salt monohydrate	18662-53-8	April 1, 1989
5-Nitroacenaphthene	602-87-9	April 1, 1988
5-Nitro- <i>o</i> -anisidine <u>Delisted December 8, 2006</u>	99-59-2	October 1, 1989
<i>o</i> -Nitroanisole	91-23-6	October 1, 1992
Nitrobenzene	98-95-3	August 26, 1997
4-Nitrobiphenyl	92-93-3	April 1, 1988
6-Nitrochrysene	7496-02-8	October 1, 1990
Nitrofen (technical grade)	1836-75-5	January 1, 1988
2-Nitrofluorene	607-57-8	October 1, 1990
Nitrofurazone	59-87-0	January 1, 1990
1-[(5-Nitrofurfurylidene)-amino]-2-imidazolidinone	555-84-0	April 1, 1988
N-[4-(5-Nitro-2-furyl)-2-thiazolyl]acetamide	531-82-8	April 1, 1988
Nitrogen mustard (Mechlorethamine)	51-75-2	January 1, 1988
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	55-86-7	April 1, 1988
Nitrogen mustard N-oxide	126-85-2	April 1, 1988
Nitrogen mustard N-oxide hydrochloride	302-70-5	April 1, 1988
Nitromethane	75-52-5	May 1, 1997
2-Nitropropane	79-46-9	January 1, 1988
1-Nitropyrene	5522-43-0	October 1, 1990
4-Nitropyrene	57835-92-4	October 1, 1990
N-Nitrosodi- <i>n</i> -butylamine	924-16-3	October 1, 1987
N-Nitrosodiethanolamine	1116-54-7	January 1, 1988
N-Nitrosodiethylamine	55-18-5	October 1, 1987
N-Nitrosodimethylamine	62-75-9	October 1, 1987
<i>p</i> -Nitrosodiphenylamine	156-10-5	January 1, 1988
N-Nitrosodiphenylamine	86-30-6	April 1, 1988
N-Nitrosodi- <i>n</i> -propylamine	621-64-7	January 1, 1988
N-Nitroso-N-ethylurea	759-73-9	October 1, 1987
3-(N-Nitrosomethylamino)propionitrile	60153-49-3	April 1, 1990
4-(N-Nitrosomethylamino)-1-(3-pyridyl)1-butanone	64091-91-4	April 1, 1990
N-Nitrosomethyl- <i>n</i> -butylamine	7068-83-9	December 26, 2014
N-Nitrosomethyl- <i>n</i> -decylamine	75881-22-0	December 26, 2014
N-Nitrosomethyl- <i>n</i> -dodecylamine	55090-44-3	December 26, 2014
N-Nitrosomethylethylamine	10595-95-6	October 1, 1989
N-Nitrosomethyl- <i>n</i> -heptylamine	16338-99-1	December 26, 2014
N-Nitrosomethyl- <i>n</i> -hexylamine	28538-70-7	December 26, 2014
N-Nitrosomethyl- <i>n</i> -nonylamine	75881-19-5	December 26, 2014
N-Nitrosomethyl- <i>n</i> -octylamine	34423-54-6	December 26, 2014
N-Nitrosomethyl- <i>n</i> -pentylamine	13256-07-0	December 26, 2014
N-Nitrosomethyl- <i>n</i> -propylamine	924-46-9	December 26, 2014
N-Nitrosomethyl- <i>n</i> -tetradecylamine	75881-20-8	December 26, 2014
N-Nitrosomethyl- <i>n</i> -undecylamine	68107-26-6	December 26, 2014
N-Nitroso-N-methylurea	684-93-5	October 1, 1987
N-Nitroso-N-methylurethane	615-53-2	April 1, 1988
N-Nitrosomethylvinylamine	4549-40-0	January 1, 1988
N-Nitrosomorpholine	59-89-2	January 1, 1988
N-Nitrosornicotine	16543-55-8	January 1, 1988
N-Nitrosopiperidine	100-75-4	January 1, 1988
N-Nitrosopyrrolidine	930-55-2	October 1, 1987

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N-Nitrososarcosine	13256-22-9	January 1, 1988
<i>o</i> -Nitrotoluene	88-72-2	May 15, 1998
Norethisterone (Norethindrone)	68-22-4	October 1, 1989
Norethynodrel	68-23-5	February 27, 2001
Ochratoxin A	303-47-9	July 1, 1990
Oil Orange SS	2646-17-5	April 1, 1988
Oral contraceptives, combined	—	October 1, 1989
Oral contraceptives, sequential	—	October 1, 1989
Oryzalin	19044-88-3	September 12, 2008
Oxadiazon	19666-30-9	July 1, 1991
Oxazepam	604-75-1	October 1, 1994
Oxymetholone	434-07-1	January 1, 1988
Oxythioquinox (Chinomethionat)	2439-01-2	August 20, 1999
Palygorskite fibers (> 5µm in length)	12174-11-7	December 28, 1999
Panfuran S	794-93-4	January 1, 1988
Parathion	56-38-2	May 20, 2016
Pentachlorophenol	87-86-5	January 1, 1990
Pentosan polysulfate sodium	—	April 18, 2014
Phenacetin	62-44-2	October 1, 1989
Phenazopyridine	94-78-0	January 1, 1988
Phenazopyridine hydrochloride	136-40-3	January 1, 1988
Phenesterin	3546-10-9	July 1, 1989
Phenobarbital	50-06-6	January 1, 1990
Phenolphthalein	77-09-8	May 15, 1998
Phenoxybenzamine	59-96-1	April 1, 1988
Phenoxybenzamine hydrochloride	63-92-3	April 1, 1988
<i>o</i> -Phenylenediamine and its salts	95-54-5	May 15, 1998
Phenyl glycidyl ether	122-60-1	October 1, 1990
Phenylhydrazine and its salts	—	July 1, 1992
<i>o</i> -Phenylphenate, sodium	132-27-4	January 1, 1990
<i>o</i> -Phenylphenol	90-43-7	August 4, 2000
PhiP(2-Amino-1-methyl-6-phenylimidazol[4,5-b]pyridine)	105650-23-5	October 1, 1994
Pioglitazone	111025-46-8	April 18, 2014
Pirimicarb	23103-98-2	July 2, 2008
Polybrominated biphenyls	—	January 1, 1988
Polychlorinated biphenyls	—	October 1, 1989
Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
Polychlorinated dibenzo-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

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Propargite	2312-35-8	October 1, 1994
beta-Propiolactone	57-57-8	January 1, 1988
Propoxur	114-26-1	August 11, 2006
Propylene glycol mono- <i>t</i> -butyl ether	57018-52-7	June 11, 2004
Propylene oxide	75-56-9	October 1, 1988
Propylthiouracil	51-52-5	January 1, 1988
Pulegone	89-82-7	April 18, 2014
Pymetrozine	123312-89-0	March 22, 2011
Pyridine	110-86-1	May 17, 2002
Quinoline and its strong acid salts	—	October 24, 1997
Radionuclides	—	July 1, 1989
Reserpine	50-55-5	October 1, 1989
Residual (heavy) fuel oils	—	October 1, 1990
Resmethrin	10453-86-8	July 1, 2008
Riddelliine	23246-96-0	December 3, 2004
<u>Saccharin Delisted April 6, 2001</u>	81-07-2	October 1, 1989
<u>Saccharin, sodium Delisted January 17, 2003</u>	128-44-9	January 1, 1988
Safrole	94-59-7	January 1, 1988
Salted fish, Chinese-style	—	April 29, 2011
Sedaxane	874967-67-6	July 1, 2016
Selenium sulfide	7446-34-6	October 1, 1989
Shale-oils	68308-34-9	April 1, 1990
Silica, crystalline (airborne particles of respirable size)	—	October 1, 1988
Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils)	—	February 27, 1987
Spirodiclofen	148477-71-8	October 8, 2010
Spirolactone	52-01-7	May 1, 1997
Stanozolol	10418-03-8	May 1, 1997
Sterigmatocystin	10048-13-2	April 1, 1988
Streptozotocin (streptozocin)	18883-66-4	January 1, 1988
Strong inorganic acid mists containing sulfuric acid	—	March 14, 2003
Styrene	100-42-5	April 22, 2016
Styrene oxide	96-09-3	October 1, 1988
Sulfallate	95-06-7	January 1, 1988
Sulfasalazine (Salicylazosulfapyridine)	599-79-1	May 15, 1998
Talc containing asbestiform fibers	—	April 1, 1990
Tamoxifen and its salts	10540-29-1	September 1, 1996
Teriparatide	52232-67-4	August 14, 2015
Terrazole	2593-15-9	October 1, 1994
Testosterone and its esters	58-22-0	April 1, 1988
3,3',4,4'-Tetrachloroazobenzene	14047-09-7	July 24, 2012
2,3,7,8-Tetrachlorodibenzo- <i>para</i> -dioxin (TCDD)	1746-01-6	January 1, 1988
1,1,1,2-Tetrachloroethane	630-20-6	September 13, 2013
1,1,2,2-Tetrachloroethane	79-34-5	July 1, 1990
Tetrachloroethylene (Perchloroethylene)	127-18-4	April 1, 1988
<i>p</i> -a,a,a-Tetrachlorotoluene	5216-25-1	January 1, 1990
Tetrachlorvinphos	22248-79-9	May 20, 2016
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

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Thiouracil	141-90-2	June 11, 2004
Thiourea	62-56-6	January 1, 1988
Thorium dioxide	1314-20-1	February 27, 1987
Titanium dioxide (airborne, unbound particles of respirable size)	—	September 2, 2011
Tobacco, oral use of smokeless products	—	April 1, 1988
Tobacco smoke	—	April 1, 1988
Toluene diisocyanate	26471-62-5	October 1, 1989
ortho-Toluidine	95-53-4	January 1, 1988
ortho-Toluidine hydrochloride	636-21-5	January 1, 1988
para-Toluidine <u>Delisted October 29, 1999</u>	106-49-0	January 1, 1990
Toxaphene (Polychlorinated camphenes)	8001-35-2	January 1, 1988
Toxins derived from <i>Fusarium moniliforme</i> (<i>Fusarium verticillioides</i>)	—	August 7, 2009
Treosulfan	299-75-2	February 27, 1987
Triamterene	396-01-0	April 18, 2014
S,S,S-Tributyl phosphorotrithioate (Tribufos, DEF)	78-48-8	February 25, 2011
Trichlormethine (Trimustine hydrochloride)	817-09-4	January 1, 1992
Trichloroacetic acid	76-03-9	September 13, 2013
Trichloroethylene	79-01-6	April 1, 1988
2,4,6-Trichlorophenol	88-06-2	January 1, 1988
1,2,3-Trichloropropane	96-18-4	October 1, 1992
Trimethyl phosphate	512-56-1	May 1, 1996
2,4,5-Trimethylaniline and its strong acid salts	—	October 24, 1997
2,4,6-Trinitrotoluene (TNT)	118-96-7	December 19, 2008
Triphenyltin hydroxide	76-87-9	July 1, 1992
Tris(aziridinyl)-para-benzoquinone (Triaziquone) <u>Delisted December 8, 2006</u>	68-76-8	October 1, 1989
Tris(1-aziridinyl)phosphine sulfide (Thiotepa)	52-24-4	January 1, 1988
Tris(2-chloroethyl) phosphate	115-96-8	April 1, 1992
Tris(2,3-dibromopropyl)phosphate	126-72-7	January 1, 1988
Tris(1,3-dichloro-2-propyl) phosphate (TDCPP)	13674-87-8	October 28, 2011
Trp-P-1 (Tryptophan-P-1)	62450-06-0	April 1, 1988
Trp-P-2 (Tryptophan-P-2)	62450-07-1	April 1, 1988
Trypan blue (commercial grade)	72-57-1	October 1, 1989
Unleaded gasoline (wholly vaporized)	—	April 1, 1988
Uracil mustard	66-75-1	April 1, 1988
Urethane (Ethyl carbamate)	51-79-6	January 1, 1988
Vanadium pentoxide (orthorhombic crystalline form)	1314-62-1	February 11, 2005
Vinclozolin	50471-44-8	August 20, 1999
Vinyl bromide	593-60-2	October 1, 1988
Vinyl chloride	75-01-4	February 27, 1987
4-Vinylcyclohexene	100-40-3	May 1, 1996
4-Vinyl-1-cyclohexene diepoxide (Vinyl cyclohexene dioxide)	106-87-6	July 1, 1990
Vinyl fluoride	75-02-5	May 1, 1997
Vinyl trichloride (1,1,2-Trichloroethane)	79-00-5	October 1, 1990
Wood dust	—	December 18, 2009
2,6-Xylidine (2,6-Dimethylaniline)	87-62-7	January 1, 1991
Zalcitabine	7481-89-2	August 7, 2009
Zidovudine (AZT)	30516-87-1	December 18, 2009
Zileuton	111406-87-2	December 22, 2000
Zineb <u>Delisted October 29, 1999</u>	12122-67-7	January 1, 1990

CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY

<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Abiraterone acetate	developmental, female, male	154229-18-2	April 8, 2016
Acetazolamide	developmental	59-66-5	August 20, 1999
Acetohydroxamic acid	developmental	546-88-3	April 1, 1990
Acrylamide	developmental, male	79-06-1	February 25, 2011
Actinomycin D	developmental	50-76-0	October 1, 1992
All-trans retinoic acid	developmental	302-79-4	January 1, 1989
Alprazolam	developmental	28981-97-7	July 1, 1990
Altretamine	developmental, male	645-05-6	August 20, 1999
Amantadine hydrochloride	developmental	665-66-7	February 27, 2001
Amikacin sulfate	developmental	39831-55-5	July 1, 1990
Aminoglutethimide	developmental	125-84-8	July 1, 1990
tert-Amyl methyl ether	developmental	994-05-8	December 18, 2009
<u>Delisted December 13, 2013</u>			
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
Atrazine	developmental, female	1912-24-9	July 15, 2016
Auranofin	developmental	34031-32-8	January 29, 1999
Avermectin B1 (Abamectin)	developmental	71751-41-2	December 3, 2010
Azathioprine	developmental	446-86-6	September 1, 1996
Barbiturates	developmental	—	October 1, 1992
Beclomethasone dipropionate	developmental	5534-09-8	May 15, 1998
Benomyl	developmental, male	17804-35-2	July 1, 1991
Benzene	developmental, male	71-43-2	December 26, 1997
Benzodiazepines	developmental	—	October 1, 1992
Benzphetamine hydrochloride	developmental	5411-22-3	April 1, 1990
Bischloroethyl nitrosourea (BCNU) (Carmustine)	developmental	154-93-8	July 1, 1990
Bisphenol A (BPA)	female	80-05-7	May 11, 2015
Bisphenol A (BPA)	developmental	80-05-7	April 11, 2013
<u>Delisted April 19, 2013</u>			
Bromacil lithium salt	developmental 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

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<i>Chemical</i>	<i>Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
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 <u>Delisted April 4, 2014</u>	male	2426-08-6	August 7, 2009
Cadmium	developmental, male	—	May 1, 1997
Carbamazepine	developmental	298-46-4	January 29, 1999
Carbaryl	developmental, female, male	63-25-2	August 7, 2009
Carbon disulfide	developmental, female, male	75-15-0	July 1, 1989
Carbon monoxide	developmental	630-08-0	July 1, 1989
Carboplatin	developmental	41575-94-4	July 1, 1990
Chenodiol	developmental	474-25-9	April 1, 1990
Chlorambucil	developmental	305-03-3	January 1, 1989
Chlorcyclizine hydrochloride	developmental	1620-21-9	July 1, 1987
Chlordecone (Kepone)	developmental	143-50-0	January 1, 1989
Chlordiazepoxide	developmental	58-25-3	January 1, 1992
Chlordiazepoxide hydrochloride	developmental	438-41-5	January 1, 1992
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	developmental	13010-47-4	July 1, 1990
Chloroform	developmental	67-66-3	August 7, 2009
2-Chloropropionic acid	male	598-78-7	August 7, 2009
Chlorsulfuron <u>Delisted June 6, 2014</u>	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
Cocalne	developmental, female	50-36-2	July 1, 1989
Codeine phosphate	developmental	52-28-8	May 15, 1998
Colchicine	developmental, male	64-86-8	October 1, 1992
Conjugated estrogens	developmental	—	April 1, 1990
Cyanazine	developmental	21725-46-2	April 1, 1990
Cycloate	developmental	1134-23-2	March 19, 1999
Cyclohexanol <u>Delisted January 25, 2002</u>	male	108-93-0	November 6, 1998
Cycloheximide	developmental	66-81-9	January 1, 1989
Cyclophosphamide (anhydrous)	developmental, female, male	50-18-0	January 1, 1989
Cyclophosphamide (hydrated)	developmental, female, male	6055-19-2	January 1, 1989
Cyhexatin	developmental	13121-70-5	January 1, 1989
Cytarabine	developmental	147-94-4	January 1, 1989
Dacarbazine	developmental	4342-03-4	January 29, 1999
Danazol	developmental	17230-88-5	April 1, 1990
Daunorubicin hydrochloride	developmental	23541-50-6	July 1, 1990
2,4-D butyric acid	developmental, male	94-82-6	June 18, 1999
o,p' -DDT	developmental, female, male	789-02-6	May 15, 1998
p,p' -DDT	developmental, female, male	50-29-3	May 15, 1998

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<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Demeclocycline hydrochloride (internal use)	developmental	64-73-3	January 1, 1992
Des-ethyl atrazine (DEA)	developmental, female	6190-65-4	July 15, 2016
Des-isopropyl atrazine (DIA)	developmental, female	1007-28-9	<u>July 15, 2016</u>
2,4-Diamino-6-chloro-s-triazine (DACT)	developmental, female	3397-62-4	July 15, 2016
Diazepam	developmental	439-14-5	January 1, 1992
Diazoxide	developmental	364-98-7	February 27, 2001
1,2-Dibromo-3-chloropropane (DBCP)	male	96-12-8	February 27, 1987
Di-n-butyl phthalate (DBP)	developmental, female, male	84-74-2	December 2, 2005
Dichloroacetic acid	developmental, male	79-43-6	August 7, 2009
1,1-Dichloro-2,2-bis(p-chlorophenyl)ethylene (DDE)	developmental, male	72-55-9	March 30, 2010
Dichlorophene	developmental	97-23-4	April 27, 1999
Dichlorophenamide	developmental	120-97-8	February 27, 2001
Diclofop methyl	developmental	51338-27-3	March 5, 1999
Dicumaryl	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
<u>Delisted April 4, 2014</u>			
Di-n-hexyl phthalate (DnHP)	female, male	84-75-3	December 2, 2005
Dihydroergotamine mesylate	developmental	6190-39-2	May 1, 1997
Di-isodecyl phthalate (DIDP)	developmental	68515-49-1/ 26761-40-0	April 20, 2007
Diltiazem hydrochloride	developmental	33286-22-5	February 27, 2001
N,N-Dimethylacetamide	developmental, male	127-19-5	May 21, 2010
m-Dinitrobenzene	male	99-65-0	July 1, 1990
o-Dinitrobenzene	male	528-29-0	July 1, 1990
p-Dinitrobenzene	male	100-25-4	July 1, 1990
2,4-Dinitrotoluene	male	121-14-2	August 20, 1999
2,6-Dinitrotoluene	male	606-20-2	August 20, 1999
Dinitrotoluene (technical grade)	female, male	—	August 20, 1999
Dinocap	developmental	39300-45-3	April 1, 1990
Dinoseb	developmental, male	88-85-7	January 1, 1989
Diphenylhydantoin (Phenytoin)	developmental	57-41-0	July 1, 1987
Disodium cyanodithioimidocarbonate	developmental	138-93-2	March 30, 1999
Doxorubicin hydrochloride (Adriamycin)	developmental, male	25316-40-9	January 29, 1999
Doxycycline (internal use)	developmental	564-25-0	July 1, 1990
Doxycycline calcium (internal use)	developmental	94088-85-4	January 1, 1992
Doxycycline hyclate (internal use)	developmental	24390-14-5	October 1, 1991
Doxycycline monohydrate (internal use)	developmental	17086-28-1	October 1, 1991
2,4 DP (dichloroprop)	developmental	120-36-5	April 27, 1999
<u>Delisted January 25, 2002</u>			
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

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<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Ethyl alcohol in alcoholic beverages	developmental	—	October 1, 1987
Ethyl-tert-butyl ether	male	637-92-3	December 18, 2009
<u>Delisted December 13, 2013</u>			
Ethyl dipropylthiocarbamate	developmental	759-94-4	April 27, 1999
Ethylene dibromide	developmental, male	106-93-4	May 15, 1998
Ethylene glycol (ingested)	developmental	107-21-1	June 19, 2015
Ethylene glycol monoethyl ether	developmental, male	110-80-5	January 1, 1989
Ethylene glycol monomethyl ether	developmental, male	109-86-4	January 1, 1989
Ethylene glycol monoethyl ether acetate	developmental, male	111-15-9	January 1, 1993
Ethylene glycol monomethyl ether acetate	developmental, male	110-49-6	January 1, 1993
Ethylene oxide	female	75-21-8	February 27, 1987
	developmental, male		August 7, 2009
Ethylene thiourea	developmental	96-45-7	January 1, 1993
2-Ethylhexanoic acid	developmental	149-57-5	August 7, 2009
<u>Delisted December 13, 2013</u>			
Etodolac	developmental, female	41340-25-4	August 20, 1999
Etoposide	developmental	33419-42-0	July 1, 1990
Etretinate	developmental	54350-48-0	July 1, 1987
Fenoxaprop ethyl	developmental	66441-23-4	March 26, 1999
Filgrastim	developmental	121181-53-1	February 27, 2001
Fluazifop butyl	developmental	69806-50-4	November 6, 1998
Flunisolide	developmental, female	3385-03-3	May 15, 1998
Fluorouracil	developmental	51-21-8	January 1, 1989
Fluoxymesterone	developmental	76-43-7	April 1, 1990
Flurazepam hydrochloride	developmental	1172-18-5	October 1, 1992
Flurbiprofen	developmental, female	5104-49-4	August 20, 1999
HFlutamide	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
aloperidol	developmental, female	52-86-8	January 29, 1999
Halothane	developmental	151-67-7	September 1, 1996
Heptachlor	developmental	76-44-8	August 20, 1999
Hexachlorobenzene	developmental	118-74-1	January 1, 1989
Hexafluoroacetone	developmental, male	684-16-2	August 1, 2008
Hexamethylphosphoramide	male	680-31-9	October 1, 1994
2,5-Hexanedione	male	110-13-4	December 4, 2015
Histrelin acetate	developmental	—	May 15, 1998
Hydramethylnon	developmental, male	67485-29-4	March 5, 1999
Hydrogen cyanide (HCN) and cyanide salts (CN salts)	male	—	July 5, 2013
Hydroxyurea	developmental	127-07-1	May 1, 1997
Idarubicin hydrochloride	developmental, male	57852-57-0	August 20, 1999
Ifosfamide	developmental	3778-73-2	July 1, 1990
Iodine-131	developmental	10043-66-0	January 1, 1989
Isotretinoin	developmental	4759-48-2	July 1, 1987

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
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
Methyln-n-butyl ketone	developmental male	591-78-6	December 4, 2015 August 7, 2009
Methyl chloride	developmental male	74-87-3	March 10, 2000 August 7, 2009
Methyl isobutyl ketone (MIBK)	developmental	108-10-1	March 28, 2014
Methyl isocyanate (MIC)	developmental, female	624-83-9	November 12, 2010
Methyl isopropyl ketone	developmental	563-80-4	February 17, 2012
<u>Delisted April 4, 2014</u>			
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
<u>Delisted April 4, 2014</u>			
Methyltestosterone	developmental	58-18-4	April 1, 1990
Metiram	developmental	9006-42-2	March 30, 1999
Midazolam hydrochloride	developmental	59467-96-8	July 1, 1990
Minocycline hydrochloride (internal use)	developmental	13614-98-7	January 1, 1992
Misoprostol	developmental	59122-46-2	April 1, 1990
Mitoxantrone hydrochloride	developmental	70476-82-3	July 1, 1990
Molinate	developmental, female, male	2212-67-1	December 11, 2009
Myclobutanil	developmental, male	88671-89-0	April 16, 1999
Nabam	developmental	142-59-6	March 30, 1999
Nafarelin acetate	developmental	86220-42-0	April 1, 1990
Neomycin sulfate (internal use)	developmental	1405-10-3	October 1, 1992
Netilmicin sulfate	developmental	56391-57-2	July 1, 1990
Nickel carbonyl	developmental	13463-39-3	September 1, 1996

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Nicotine	developmental	54-11-5	April 1, 1990
Nifedipine	developmental, female, male	21829-25-4	January 29, 1999
Nimodipine	developmental	66085-59-4	April 24, 2001
Nitrapyrin	developmental	1929-82-4	March 30, 1999
Nitrobenzene	male	98-95-3	March 30, 2010
Nitrofurantoin	male	67-20-9	April 1, 1991
Nitrogen mustard (Mechlorethamine)	developmental	51-75-2	January 1, 1989
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	developmental	55-86-7	July 1, 1990
Nitrous oxide	developmental, female	10024-97-2	August 1, 2008
Norethisterone (Norethindrone)	developmental	68-22-4	April 1, 1990
Norethisterone acetate (Norethindrone acetate)	developmental	51-98-9	October 1, 1991
Norethisterone (Norethindrone)/Ethinyl estradiol	developmental	68-22-4/ 57-63-6	April 1, 1990
Norethisterone (Norethindrone)/Mestranol	developmental	68-22-4/ 72-33-3	April 1, 1990
Norgestrel	developmental	6533-00-2	April 1, 1990
Oxadiazon	developmental	19666-30-9	May 15, 1998
Oxazepam	developmental	604-75-1	October 1, 1992
p,p'-Oxybis(benzenesulfonyl hydrazide) <u>Delisted December 13, 2013</u>	developmental	80-51-3	August 7, 2009
Oxydemeton methyl	female, male	301-12-2	November 6, 1998
Oxymetholone	developmental	434-07-1	May 1, 1997
Oxytetracycline (internal use)	developmental	79-57-2	January 1, 1991
Oxytetracycline hydrochloride (internal use)	developmental	2058-46-0	October 1, 1991
Oxythioquinox (Chinomethionat)	developmental	2439-01-2	November 6, 1998
Paclitaxel	developmental, female, male	33069-62-4	August 26, 1997
Paramethadione	developmental	115-67-3	July 1, 1990
Penicillamine	developmental	52-67-5	January 1, 1991
Pentobarbital sodium	developmental	57-33-0	July 1, 1990
Pentostatin	developmental	53910-25-1	September 1, 1996
Phenacemide	developmental	63-98-9	July 1, 1990
Phenprocoumon	developmental	435-97-2	October 1, 1992
Phenyl glycidyl ether <u>Delisted April 4, 2014</u>	male	122-60-1	August 7, 2009
Phenylphosphine	developmental, male	638-21-1	August 7, 2009
Pimozide	developmental, female	2062-78-4	August 20, 1999
Pipobroman	developmental	54-91-1	July 1, 1990
Plicamycin	developmental	18378-89-7	April 1, 1990
Polybrominated biphenyls	developmental	—	October 1, 1994
Polychlorinated biphenyls	developmental	—	January 1, 1991
Potassium dimethyldithiocarbamate	developmental	128-03-0	March 30, 1999
Pravastatin sodium	developmental	81131-70-6	March 3, 2000
Prednisolone sodium phosphate	developmental	125-02-0	August 20, 1999
Procarbazine hydrochloride	developmental	366-70-1	July 1, 1990
Propargite	developmental	2312-35-8	June 15, 1999
Propazine	developmental, female	139-40-2	July 15, 2016
Propylthiouracil	developmental	51-52-5	July 1, 1990
Pyrimethamine	developmental	58-14-0	January 29, 1999

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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
Simazine	developmental, female	122-34-9	July 15, 2016
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
Topiramate	developmental	97240-79-4	November 27, 2015
Triadimefon	developmental, female, male	43121-43-3	March 30, 1999
Triazolam	developmental	28911-01-5	April 1, 1990
Tributyltin methacrylate	developmental	2155-70-6	December 1, 1999
Trichloroethylene	developmental, male	79-01-6	January 31, 2014
Trientine hydrochloride	developmental	38260-01-4	February 27, 2001
Triforine	developmental	26644-46-2	June 18, 1999
1,3,5-Triglycidyl-s-triazinetriene <u>Delisted December 13, 2013</u>	male	2451-62-9	August 7, 2009
Trilostane	developmental	13647-35-3	April 1, 1990
Trimethadione	developmental	127-48-0	January 1, 1991

<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Trimetrexate glucuronate	developmental	82952-64-5	August 26, 1997
Triphenyltin hydroxide	developmental	76-87-9	March 18, 2002
Uracil mustard	developmental, female, male	66-75-1	January 1, 1999
Urethane	developmental	51-79-6	October 1, 1994
Urofollitropin	developmental	97048-13-0	April 1, 1990
Valproate (Valproic acid)	developmental	99-66-1	July 1, 1987
Vinblastine sulfate	developmental	143-67-9	July 1, 1990
Vinclozolin	developmental	50471-44-8	May 15, 1998
Vincristine sulfate	developmental	2068-78-2	July 1, 1990
4-Vinylcyclohexene	female, male	100-40-03	August 7, 2009
Vinyl cyclohexene dioxide (4-Vinyl-1-cyclohexene diepoxide)	female, male	106-87-6	August 1, 2008
Warfarin	developmental	81-81-2	July 1, 1987
Zileuton	developmental, female	111406-87-2	December 22, 2000

Date: July 29, 2016

OAL REGULATORY DETERMINATION

Subject: **2016 OAL DETERMINATION NO. 1 (S) (CTU2016-0518-01)**
 (Summary Disposition issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f))

OFFICE OF ADMINISTRATIVE LAW

DETERMINATION OF ALLEGED UNDERGROUND REGULATION (Summary Disposition)

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

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

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Date: July 18, 2016
 To: Lawrence G. Hash
 From: Chapter Two Compliance Unit

Petition challenging as an underground regulation the California Department of Corrections and Rehabilitation’s “Authorized Personal Property Schedule (APPS)” dated April 1, 2014.

On May 18, 2016, the Office of Administrative Law (OAL) received your petition asking for a determination as to whether the “Authorized Personal Property Schedule (APPS)” dated April 1, 2014, incorporated by reference into the California Department of Corrections and Rehabilitation’s D.O.M. Section 54030.1 as Appendix A, constitutes an underground regulation. The challenged rule is attached hereto at Exhibit A.

In issuing a determination, OAL renders an opinion only as to whether a challenged rule is a “regulation” as defined in Government Code section 11342.600,¹ which should have been, but was not adopted pursuant to the Administrative Procedure Act (APA).

If a rule meets the definition of a regulation in Government Code section 11342.600, but was not adopted pursuant to the APA, it may be an “underground regula-

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

tion” as defined in California Code of Regulations, title 1, section 250:

The following definitions shall apply to the regulations contained in this chapter:

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

You indicate that the Authorized Personal Property Schedule (APPS), dated April 1, 2014, was incorporated by reference into D.O.M. Section 54030.1 and that “it is common knowledge that the Departments Operations Manual is laced with underground regulations.” You also indicate that “if [the APPS] was approved for publication as regulations in Title – 15, then they would not be considered as being ‘underground regulations.’ ”

The APPS (version dated 2/1/2007) was originally submitted to OAL on July 23, 2007, as part of an amendment to section 3190 of Title 15 of the CCR. It was incorporated by reference into section 3190(b)(2). The file was submitted by CDCR as an emergency by operational necessity pursuant to Penal Code section 5058.3. It was reviewed and approved by OAL and subsequently filed with the Secretary of State on August 13, 2007, effective the same day.

A document incorporated by reference into a regulation becomes a duly adopted regulation. Title 1, section 20, states at subdivision (e):

Where a regulation which incorporates a document by reference is approved by OAL and filed with the Secretary of State, the document so incorporated shall be deemed to be a regulation subject to all provisions of the APA.

The October 1, 2013 version of the APPS was also adopted in an emergency rulemaking by operational necessity. It was incorporated by reference into section 3190 (b)(2) of Title 15 of the CCR in a file submitted on December 24, 2013. The file was reviewed and approved by OAL. The regulations were filed with the Secretary of State on January 8, 2014, and became effective the same day they were filed with the Secretary of State.

A Certificate of Compliance for the emergency rulemaking filed January 8, 2014, was timely submitted by CDCR to OAL on June 16, 2014. The Certificate of Compliance certified that CDCR complied with Government Code sections 11346.2 to 11347.3, inclusive. The Certificate of Compliance adopted the April 1,

2014, version of the APPS. It was likewise incorporated by reference into section 3190(b)(2). The entire file was reviewed and approved by OAL on July 22, 2014, and filed with the Secretary of State that day, effective on filing. Therefore, the amendments to section 3190 of Title 15 of the CCR, including the Appendix containing the April 1, 2014, version of the APPS, was duly adopted pursuant to the APA. A regulation that is duly adopted pursuant to the APA is not an underground regulation.

For the reasons discussed above, we find that the rule challenged by your petition is not an underground regulation.²

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

_____/s/
Debra M. Cornez
Director

_____/s/
Elizabeth A. Heidig
Assistant Chief Counsel

Copy: Scott Kernan, Secretary
Tim Lockwood, Chief, Regulation
and Policy Management

**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

² The rule challenged by your petition is the proper subject of a summary disposition letter pursuant to title 1, section 270 of the California Code of Regulations. Subdivision (f) of section 270 provides:

(f)(1) If facts presented in the petition or obtained by OAL during its review pursuant to subsection (b) demonstrate to OAL that the rule challenged by the petition is not an underground regulation, OAL may issue a summary disposition letter stating that conclusion. A summary disposition letter may not be issued to conclude that a challenged rule is an underground regulation.

(2) Circumstances in which facts demonstrate that the rule challenged by the petition is not an underground regulation include, but are not limited to, the following:

(A) The challenged rule has been superseded.
(B) The challenged rule is contained in a California statute.
(C) *The challenged rule is contained in a regulation that has been adopted pursuant to the rulemaking provisions of the APA.*
(D) The challenged rule has expired by its own terms.
(E) An express statutory exemption from the rulemaking provisions of the APA is applicable to the challenged rule.

contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2016-0606-01

**BOARD OF FORESTRY AND FIRE PROTECTION
Drought Mortality Amendments, 2015**

The Board of Forestry and Fire Protection (BOFFP) submitted this timely certificate of compliance to make permanent the regulations adopted in OAL File No. 2015-0701-02E, re-adopted in 2015-1221-01EE and readopted again in OAL file no. 2016-0328-02EE. The emergency rulemaking action amended sections 1038 and 1052.1 in title 14 of the California Code of Regulations, to add drought as a condition that constitutes an emergency, as well as regulations applicable to the harvesting of dead and dying trees in response to drought-related stress. This action only makes permanent the amendments made to section 1038, relating to the harvesting of dead and dying trees.

Prior to submitting this certificate of compliance, a certificate of compliance was submitted, OAL File No. 2015-1013-02C, which made permanent all other aspects of emergency action 2015-0701-02E, specifically, the amendments made to section 1052.1.

Title 14

AMEND: 1038

Filed 07/18/2016

Effective 07/18/2016

Agency Contact: Matt Dias (916) 653-8007

File# 2016-0602-02

**BUREAU FOR PRIVATE POSTSECONDARY
EDUCATION**

Uniform Reporting Requirements

This rulemaking action implements changes in statute made by Assembly Bill 2296 (Chapter 585 of 2012) and Senate Bill 410 (Chapter 258 of 2015) concerning the California Private Postsecondary Education Act of 2009. More specifically, the action expands the disclosure requirements for institutions under the jurisdiction of the Bureau for Private Postsecondary Education (Bureau) in both the Annual Reports provided to the Bureau by private postsecondary institutions and in the School Performance Fact Sheets which are provided to students by private postsecondary institutions regarding, among other things, student program completion, licensing exam passage rates, job placement, and salary information.

Title 5

ADOPT: 74117 AMEND: 74110, 74112

Filed 07/14/2016

Effective 07/14/2016

Agency Contact: Kent Gray (916) 246-3907

File# 2016-0607-02

**CALIFORNIA DEBT LIMIT ALLOCATION
COMMITTEE**

QRRP Projects Definitions

This action without regulatory effect by the California Debt Limit Allocation Committee amends section 5170 of Title 4 of the California Code of Regulations (CCR) to incorporate by reference four revised application forms. The four forms have been revised to correct an inconsistency with section 5230(k)(10)(C) of Title 4 of the CCR.

Title 4

AMEND: 5170

Filed 07/19/2016

Agency Contact: Devon King (916) 651-8484

File# 2016-0607-03

CALIFORNIA HORSE RACING BOARD

Presence of Clenbuterol in Quarter Horses

In this certificate of compliance, the Board makes permanent the emergency regulations requiring quarter horses that are prescribed clenbuterol to be placed on the Veterinarian's List for veterinary treatment. The regulations also establish reporting requirements for clenbuterol use on quarter horses.

Title 4

ADOPT: 1866.1 AMEND: 1844

Filed 07/19/2016

Effective 07/19/2016

Agency Contact: Philip Laird (916) 263-6025

File# 2016-0601-01

CALIFORNIA PRISON INDUSTRY AUTHORITY

**Definition and Description of CALPIA's General
Manager**

This change without regulatory effect filing by the California Prison Industry Authority amends sections 8000, 8001, 8100, and 8901 of title 15 of the California Code of Regulations to revise the definition of the Authority's General Manager, add a new reference to the Chief Administrative Officer, and revise the description of the Prison Industry Manager and Prison Industry Administrator.

Title 15
 AMEND: 8000, 8001, 8100, 8901
 Filed 07/13/2016
 Agency Contact: Dawn Eger (916) 358-1612

File# 2016-0607-01
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This is an action to make permanent emergency regulatory action 2015-1207-05E by the Department of Food and Agriculture, which expanded the quarantine area for the Asian Citrus Psyllid (ACP), *Diaphorina citri*, by approximately 28 square miles in the Bakersfield area of Kern County. The effect of the emergency action was to provide authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura, and a portion of Fresno, Kern and Tulare counties that are already under quarantine for the ACP.

Title 3
 AMEND: 3435(b)
 Filed 07/20/2016
 Effective 07/20/2016
 Agency Contact: Sara Khalid (916) 403-6625

File# 2016-0624-01
 DEPARTMENT OF SOCIAL SERVICES
 IHSS Health Care Certification

As a change without regulatory effect, the Department of Social Services is correcting a grammatical error in form SOC 873 (10/16), which is incorporated by reference in section 30-754.2 of the Manual of Policies and Procedures, so that a provision in the form aligns with the same language in Welfare and Institutions Code section 14132.95, subdivision (a)(4).

Title MPP
 AMEND: 30-754.2
 Filed 07/19/2016
 Agency Contact: Kenneth Jennings (916) 651-8862

File# 2016-0606-02
 MEDICAL BOARD OF CALIFORNIA
 Disclaimers and Explanatory Information

In this regular rulemaking, the Medical Board of California (the "Board") is amending section 1355.35 in title 16 of the California Code of Regulations. These amendments update the list of disclaimers and explanatory information provided with public disclosure information released on the Board's website.

Title 16
 AMEND: 1355.35
 Filed 07/19/2016
 Effective 10/01/2016
 Agency Contact: Kevin Schunke (916) 263-2368

File# 2016-0613-01
 OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT
 OSHPD — Patient Data Section Regulation Updates

This action by the Office of Statewide Health Planning and Development updates patient data reporting requirements in title 22 of the California Code of Regulations (CCR) by removing obsolete language, correcting cross-references, and harmonizing terminology. These are changes without regulatory effect as defined in section 100 of title 1 of the CCR.

Title 22
 AMEND: 97212, 97215, 97225, 97226, 97227, 97228, 97229, 97248, 97252, 97258, 97259, 97260, 97264 REPEAL: 97261
 Filed 07/20/2016
 Agency Contact: Anthony Tapney (916) 326-3932

File# 2016-0614-02
 SCHOLARSHARE INVESTMENT BOARD
 Golden State Scholarshare Trust Program

The California Scholarshare Investment Board is amending eleven sections in title 5 of the California Code of Regulations. These amendments make it permissible for ScholarShare account owners to name an entity, such as a trust, estate, partnership, association, company, corporation or a state or local agency as a successor account owner. There are several other additional amendments being made to make the language consistent with the Golden State Scholarshare Trust Act.

Title 5
 AMEND: 30950, 30951, 30951.1, 30952, 30953, 30954, 30955, 30956, 30957, 30958, 30959
 Filed 07/20/2016
 Effective 10/01/2016
 Agency Contact: Mario Sierras (916) 653-0299

File# 2016-0603-03
 STATE ALLOCATION BOARD
 DMP and Leroy F. Greene School Facilities Act of 1998; AB 97/SB 971 Resubmit

Assembly Bill 97 (2013-2014 Reg. Sess.) and Senate Bill 971 (2013-2014 Reg. Sess.) repealed various statutory provisions related to the State School Deferred Maintenance Program (DMP), removing the Board's ability to allocate or approve DMP funding. In this resubmitted rulemaking action, the Board is repealing and amending regulations related to the DMP in title 2

of the California Code of Regulations in order to align the regulations with legislation.

Title 2

AMEND: 1859.2, 1859.102 REPEAL: 1866, 1866.1, 1866.2, 1866.3, 1866.4, 1866.4.1, 1866.4.2, 1866.4.3, 1866.4.4, 1866.4.6, 1866.4.7, 1866.5, 1866.5.1, 1866.5.2, 1866.5.3, 1866.5.4, 1866.5.5, 1866.5.6, 1866.5.7, 1866.5.8, 1866.5.9, 1866.7, 1866.8, 1866.9, 1866.9.1, 1866.10, 1866.12, 1866.13, 1866.14

Filed 07/13/2016

Effective 07/13/2016

Agency Contact: Lisa Jones (916) 376-1753

File# 2016-0603-01

**STATE WATER RESOURCES CONTROL BOARD
Once Through Cooling Water Policy**

Pursuant to Government Code section 11353, this regulatory action by the State Water Resources Control Board (State Water Board) amends the concise summary in section 2922 of title 23 of the California Code of Regulations. On April 7, 2015, the State Water Board adopted Resolution No. 2015-0018, amending the statewide Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling (Policy). The Policy establishes uniform technology-based standards to implement federal Clean Water Act section 316(b), which requires that the location, design, construction, and capacity of cooling water intake structures reflect the best technology available for minimizing adverse environmental impact. The Policy amendment provides a compliance deadline extension for Moss Landing Power Plant from December 31, 2017 to December 31, 2020.

Title 23

AMEND: 2922

Filed 07/18/2016

Effective 07/18/2016

Agency Contact:

Maria de la Paz Carpio-Obeso (916) 341-5858

File# 2016-0603-04

**STATE WATER RESOURCES CONTROL BOARD
Policy and Action Plans for Implementing Water Temperature Objectives**

The State Water Resources Control Board (State Water Board) submitted this action for review under Government Code section 11353 to adopt section 3909.2 in Title 23 of the California Code of Regulation regarding amendments to the Water Quality Control Plan for the North Coast Region (Basin Plan). The amendments establish a Policy for region-wide implementation of the

water quality objectives for temperature and establish action plans to address temperature impairments in the Mattole, Navarro, and Eel River watersheds. The North Coast Regional Water Quality Control Board adopted the Basin Plan on March 13, 2014 in Resolution No. R1-2014-0006. The State Water Board approved the Basin Plan on April 8, 2015 in Resolution No. 2015-0020.

Title 23

ADOPT: 3909.2

Filed 07/18/2016

Effective 07/18/2016

Agency Contact: Bryan McFadin (707) 576-2751

File# 2016-0603-05

**STATE WATER RESOURCES CONTROL BOARD
Amendment to Basin Plan Regarding OWTS
Implementation Program**

The State Water Resources Control Board (Board) submitted this Government Code section 11353 action to add section 3909.3 to title 23 of the California Code of Regulations, which provides a concise summary of a basin plan amendment (BPA) to the North Coast Regional Water Quality Control Board's basin plan. The BPA removes the existing policy for control of waste discharge from onsite water treatment systems and incorporates by reference the Board's Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems in its place, except for the Russian River watershed. The Russian River watershed will retain the existing policy for the control of waste discharge from onsite water treatment systems until a Russian River pathogen indicator bacteria total maximum daily load is adopted. The BPA also retains existing region-specific maintenance, monitoring, and repair requirements.

Title 23

ADOPT: 3909.3

Filed 07/14/2016

Agency Contact: Lauren Clyde (707) 338-3745

File# 2016-0603-06

**STATE WATER RESOURCES CONTROL BOARD
Edits and Updates to North Coast Basin Plans**

State Water Resources Control Board Resolution No. 2016-0009, adopted February 16, 2016, amended the North Coast Basin Plan. The amendments (1) update water quality objectives for chemical constituents and dissolved oxygen; (2) adopt a water quality objective for groundwater toxicity; (3) revise numeric and narrative objectives; and (4) make changes without regulatory effect.

Title 23
 ADOPT: 3909.4
 Filed 07/18/2016
 Effective 07/18/2016
 Agency Contact: Jeremiah Puget (707) 576-2835

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN February 17, 2016 TO
 July 20, 2016**

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

Title 2

07/13/16 AMEND: 1859.2, 1859.102 REPEAL: 1866, 1866.1, 1866.2, 1866.3, 1866.4, 1866.4.1, 1866.4.2, 1866.4.3, 1866.4.4, 1866.4.6, 1866.4.7, 1866.5, 1866.5.1, 1866.5.2, 1866.5.3, 1866.5.4, 1866.5.5, 1866.5.6, 1866.5.7, 1866.5.8, 1866.5.9, 1866.7, 1866.8, 1866.9, 1866.9.1, 1866.10, 1866.12, 1866.13, 1866.14
 07/11/16 AMEND: 59560
 06/27/16 AMEND: 1897
 06/23/16 ADOPT: 17010, 17011, 17012, 17013, 17014, 17030, 17031, 17032, 17033, 17034, 17035, 17036, 17037, 17038, 17039, 17040, 17041, 17042, 17043, 17044, 17045, 17046, 17047 REPEAL: 17010, 17030, 17111, 17112, 17113, 17120, 17121, 17122, 17130, 17140, 17141, 17142, 17150, 17151, 17152, 17153, 17160, 17200, 17201, 17210, 17220, 17300, 17400, 17402, 17403, 17404, 17405, 17406, 17408, 17412, 17414, 17416, 17418, 17420, 17422, 17424, 17426, 17430, 17432, 17434, 17435, 17436, 17440, 17442, 17444, 17446, 17448, 17450, 17452, 17454, 17458, 17460, 17461, 17463, 17464, 17466, 17468, 17470, 17471, 17473, 17475, 17477, 17478, 17481, 17482, 17483, 17485, 17486, 17488, 17490, 17491, 17493, 17495, 17498, 17500, 17502, 17504, 17508, 17510, 17512, 17514, 17515, 17516, 17518, 17519, 17520, 17521, 17525, 17527, 17528,

17530, 17532, 17534, 17538, 17542, 17544, 17546, 17548, 17550, 17551, 17552, 17553, 17554, 17555, 17556, 17557, 17558, 17559, 17560, 17561, 17562, 17563, 17564, 17565, 17566, 17567, 17570, 17571, 17572, 17575, 17576, 17580, 17581, 17582, 17588, 17590, 17592

05/25/16 AMEND: 604
 05/23/16 AMEND: 23000
 05/19/16 ADOPT: 18750 REPEAL: 18750, 18750.1, 18750.2, 18752
 04/21/16 AMEND: 599.744
 04/12/16 AMEND: 18239
 04/12/16 AMEND: 18616
 03/22/16 AMEND: 18215.3, 18247.5, 18404, 18405, 18422, 18425, 18427.1, 18450.4, 18531.5, 18531.62 REPEAL: 18402.5
 03/22/16 AMEND: 18406, 18530.4, 18530.45, 18992
 02/22/16 ADOPT: 61000, 61001, 61002, 61003, 61004, 61005, 61006, 61007, 61008, 61009, 61010, 61011, 61012, 61013, 61014, 61015, 61016, 61017, 61018, 61019, 61020, 61021, 61022, 61023, 61024
 02/22/16 ADOPT: 59800

Title 3

07/20/16 AMEND: 3435(b)
 07/07/16 AMEND: 3435(b)
 07/05/16 AMEND: 3435(b)
 07/05/16 AMEND: 3435(b)
 06/30/16 ADOPT: 450, 450.1, 450.2, 450.3, 450.4, 451, 452
 06/30/16 AMEND: 3435(b)
 06/30/16 AMEND: 3435(b)
 06/28/16 AMEND: 3435(b)
 06/22/16 AMEND: 3435(b)
 06/22/16 AMEND: 3435(b)
 06/20/16 AMEND: 3591.12
 06/16/16 AMEND: 3435(b)
 06/13/16 AMEND: 3435(b)
 06/13/16 AMEND: 3435(b)
 06/08/16 AMEND: 850
 06/06/16 ADOPT: 1358.7
 06/02/16 AMEND: 3439(b)
 06/02/16 AMEND: 3435(b)
 06/01/16 AMEND: 3435(b)
 05/25/16 AMEND: 3435(b)
 05/23/16 AMEND: 3435(b)
 05/18/16 AMEND: 3435
 05/17/16 AMEND: 3906
 05/12/16 AMEND: 3435(b)
 05/12/16 AMEND: 3435(b)

CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 31-Z

05/11/16 AMEND: 3435(b)
 05/11/16 AMEND: 3435(b)
 05/10/16 AMEND: 3435(b)
 05/09/16 ADOPT: 3591.27
 04/25/16 AMEND: 3435(b)
 04/07/16 ADOPT: 450, 450.1, 450.2, 450.3, 450.4, 451, 452
 04/05/16 AMEND: 3589
 03/29/16 AMEND: 3435(b)
 03/21/16 AMEND: 3435
 03/10/16 AMEND: 3435(b)
 03/09/16 AMEND: 3435(b)
 03/08/16 AMEND: 3435(b)
 02/17/16 AMEND: 6000, 6445, 6447, 6447.2, 6447.3, 6448.1, 6449.1, 6450.1, 6452, 6452.2, 6784
 02/17/16 AMEND: 3439(b)

Title 4

07/19/16 AMEND: 5170
 07/19/16 ADOPT: 1866.1 AMEND: 1844
 07/05/16 AMEND: 1689.1
 06/29/16 AMEND: 8034, 8035
 06/15/16 ADOPT: 299 AMEND: 297, 300
 06/14/16 AMEND: 5000, 5033, 5052, 5144, 5205, 5220, 5221, 5230
 04/27/16 AMEND: 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.11, 10170.12
 04/25/16 ADOPT: 1866.1 AMEND: 1844
 04/21/16 ADOPT: 610
 04/13/16 ADOPT: 10091.1, 10091.2, 10091.3, 10091.4, 10091.5, 10091.6, 10091.7, 10091.8, 10091.9, 10091.10, 10091.11, 10091.12, 10091.13, 10091.14, 10091.15
 04/12/16 AMEND: 1489
 03/28/16 AMEND: 10176(d), 10181
 03/23/16 ADOPT: 12465 AMEND: 12460, 12461, 12462, 12463, 12464, 12466
 03/10/16 ADOPT: 5258, 5271, 5273 AMEND: 5033, 5052, 5100, 5102 (renumbered to 5101), 5103 (renumbered to 5102), 5104 (renumbered to 5103), 5105 (renumbered to 5104), 5106 (renumbered to 5105), 5107 (renumbered to 5106), 5132, 5170, 5190, 5191, 5192, 5200, 5205, 5210, 5230, 5232, 5250, 5255, 5260, 5267 REPEAL: 5101
 03/08/16 AMEND: 1658

Title 5

07/20/16 AMEND: 30950, 30951, 30951.1, 30952, 30953, 30954, 30955, 30956, 30957, 30958, 30959
 07/14/16 ADOPT: 74117 AMEND: 74110, 74112

07/05/16 REPEAL: 6100, 6101, 6102, 6103, 6104, 6105, 6110, 6111, 6112, 6113, 6115, 6116, 6120, 6125, 6126
 06/15/16 REPEAL: 3820, 3822, 3823, 3824, 3831, 3840, 3860, 3870
 05/31/16 REPEAL: 9517.1, 9531, 9532, 9535
 05/31/16 ADOPT: 11533, 11534 AMEND: 11530, 11531
 05/31/16 ADOPT: 11524, 11525 AMEND: 11520, 11521, 11522
 05/18/16 ADOPT: 851.5, 853.6, 853.8, 860 AMEND: 850, 851, 853, 853.5, 853.7, 855, 857, 858, 859, 861, 862, 862.5, 863, 864
 04/25/16 AMEND: 41906.5, 41906.6
 03/28/16 ADOPT: 1700
 03/22/16 ADOPT: 9526
 03/21/16 AMEND: 80057.5, 80089.2
 03/03/16 AMEND: 19810
 02/26/16 AMEND: 27007
 02/24/16 AMEND: 80499
 02/24/16 AMEND: 80014, 80014.1, 80066 REPEAL: 80014.2
 02/18/16 ADOPT: 40106

Title 8

06/28/16 AMEND: 5148(c)
 05/18/16 AMEND: 362, 364, 364.1
 04/12/16 AMEND: 3207, 3212
 03/23/16 AMEND: 9789.12.2, 9789.12.6, 9789.12.8, 9789.12.13, 9789.13.1, 9789.15.4, 9789.16.1, 9789.16.2, 9789.17.1, 9789.19
 03/14/16 AMEND: 9789.21, 9789.25
 03/14/16 AMEND: 333, 336
 03/07/16 AMEND: 4307
 03/07/16 AMEND: 4412
 03/04/16 AMEND: 9785.4.1
 02/25/16 AMEND: 3328

Title 9

06/27/16 ADOPT: 4600, 4601, 4602
 06/06/16 AMEND: 811, 812, 823, 836.2, 862, 865, 865.4, 865.5
 05/31/16 ADOPT: 7006.5 AMEND: 7019.1, 7020, 7024, 7029.9, 7054, 7055, 7060, 7062, 7062.3, 7122, 7143, 7157, 7164, 7164.4, 7194, 7198 REPEAL: 7004.3, 7019.2, 7022, 7029.3
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