



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

Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.

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

AMENDMENTS

MULTI-COUNTY: School and College Legal Services of California

A written comment period has been established commencing on **August 7, 2009**, and closing on **September 21, 2009**. Written comments should be directed to the Fair Political Practices Commission, Attention **Sarah Olson**, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **September 21, 2009**. 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 Sarah Olson, 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 re-

spective agency. Requests for copies from the Commission should be made to Sarah Olson, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the Commission), under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulations at a public hearing on or after **September 10, 2009**, at the offices of the Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, California, at approximately **10:00 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m.** on **September 8, 2008**.

BACKGROUND/OVERVIEW

The Act's broad definition of "lobbyist" is any individual who receives \$2,000 or more in a calendar month, or whose principal duties as an employee are, to communicate with elective state officials, agency officials, or legislative officials for the purpose of influencing legislative or administrative action. (Government Code Section 82039(a).)¹

Lobbyists are required to file "lobbyist certifications" in connection with the registration statements filed by their lobbying firms or lobbyist employers. These are filed with the Secretary of State within ten days of qualifying as a lobbying firm or lobbyist employer. On the lobbyist certification, the lobbyist must state, depending on whether he or she is a "new" or "renewing" lobbyist, that he or she has taken the ethics course mandated by provisions of the Government Code dealing with the Legislature (Section 8956), within the past twelve months or, if not, will complete the course within the applicable time period specified in Section 86103(d). Under Section 86103(d)(1), the applicable deadline is "June 30 of the following year" for lobbyists who filed a lobbyist certification in connection with the last regular session of the Legislature ("renewing" lobbyists) and who have not completed the course during the twelve months prior to filing their certification for the current legislative session. The deadline for "new" lobbyists, who have not completed the

course within the previous twelve months, is twelve months following the filing of their certification. (Section 86103(d)(2).)

Under Section 86106, lobbying firms and lobbyist employers must renew their registration between November 1 and December 31 of each even-numbered year. Lobbying firms and lobbyist employers who cease all lobbying activity *in* a legislative term must file a notice of termination, while those who do so *after the end* of a legislative term are not required to file a notice of termination. (Section 86107).

Two questions have arisen over the years regarding the interpretation of these provisions.

First, once a lobbyist's certification has lapsed (for failure to renew or by reason of the cessation of all lobbying activity after the end of a legislative term), or has been terminated, what are the requirements for filing a certification in a subsequent legislative term? Regulation 18603 clarifies that once a lobbyist has ceased all activities that require certification, the lobbyist is not required to file a certification again until he or she meets the definition of "lobbyist."

Second, what is the deadline for completing the ethics course for lobbyists whose certification either lapsed or was terminated at the end of the last legislative session, and who then file a lobbyist certification in connection with the current session prior to June 30 of the odd-numbered year? Proposed Regulation 18603.1 seeks to clarify that in this circumstance, the lobbyist must complete the ethics course no later than June 30 of the odd numbered year of the current session. This clarification prevents a "renewing" lobbyist from delaying his or her ethics training until June 30 of the following even-numbered year, which would be three-quarters of the way through the current legislative session.

REGULATORY ACTION

Adopt 2 Cal. Code Regs. Sections 18603 and 18603.1:

Proposed Regulation 18603 addresses lobbyist certification requirements. It states that lobbyists whose certifications were filed in connection with their lobbying firms or lobbyist employers during one regular session of the Legislature and whose certifications have either lapsed or been terminated at the end of the session, need not file a new certification during a subsequent session until they once again meet the definition of a "lobbyist." This means that their lobbying activities must reach the threshold of either (i) receiving compensation of \$2,000 or more in a calendar month for engaging in communications with elective state officials, agency officials, or legislative officials for the purpose of influencing legislative or administrative action, or (ii) spending

¹ All references to "Section" are to the Government Code. All references to "Regulation" are to Commission regulations located in Title 2, Division 6 of the California Code of Regulations.

one-third or more of their time in a calendar month for their employer engaging in such communications.

Proposed Regulation 18603.1 addresses the question of when certain “renewing” lobbyists must complete the ethics course required by Government Code Section 8956. It states that lobbyists whose certification either lapsed or was terminated at the end of the last legislative session, and who then file a lobbyist certification in connection with the current session on or before June 30 of the odd-numbered year, must complete the course no later than June 30 of the odd-numbered year of the current session.

SCOPE

The Commission may adopt or reject all or part of the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues. The Commission may delete provisions, adopt the language noticed herein, or choose new language to implement its policy regarding requirements for lobbyist certification, including certification of dates by which required ethics courses will be completed.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulatory action will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulatory action will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulatory action will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Government Code Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act (Gov. Code Secs. 81000–91014).

REFERENCE

The purpose of this regulation is to implement, interpret and make specific Government Code Sections 86103, 86106, and 86107.

CONTACT

Any inquiries should be made to Valentina Joyce, Fair Political Practices Commission, 428 J Street, Suite

800, Sacramento, CA 95814; telephone (916) 322–5660 or 1–866–ASK–FPPC, or email vjoyce@fppc.ca.gov.

The Commission welcomes public comment on the proposed regulatory language which can be accessed under the “Regulations” section of the Commission’s website at <http://www.fppc.ca.gov/index.html?id=247>. In addition, updated regulatory language will be available for public comment on the “Agendas” section of the Commission’s website no later than August 31st ten days before the Commission’s September 10th meeting.

TITLE 3. DEPARTMENT OF PESTICIDE REGULATION

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE DEPARTMENT OF PESTICIDE REGULATION

NOTICE IS HEREBY GIVEN that the Department of Pesticide Regulation, pursuant to the authority vested in it by Section 87306 of the Government Code proposes amendment to its Conflict-of-Interest Code. The purpose of these amendments is to implement the requirements of Sections 87300 through 87302, and Section 87306 of the Government Code.

The Department of Pesticide Regulation proposes to amend its Conflict-of-Interest Code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of Section 87302 of the Government Code.

This amendment reflects the current nature and complexity of work within the Department of Pesticide Regulation and makes other technical changes to reflect the current organizational structure of the Department. Copies of the amended code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than October 6, 2009, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

The Department of Pesticide Regulation has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the Contact Person set forth below.

The Department of Pesticide Regulation has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500 of Division 4 of Title 2 of the Government Code).
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

In making these proposed amendments, the Department of Pesticide Regulation must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected persons than the proposed amendments.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

Nichole Shintaku
1001 I Street, 4th Fl, MS 4B
PO Box 4015
Sacramento CA 95812-4015
(916) 445-4162
nshintaku@cdpr.ca.gov

TITLE 5. STUDENT AID COMMISSION

AMENDMENT TO TITLE 5, CA CODE OF REGULATIONS REGARDING ASSUMPTION PROGRAM OF LOANS FOR EDUCATION (APLE) (EDUCATION CODE 69612 *et seq.*)

NOTICE OF PROPOSED RULEMAKING

NATURE OF PROCEEDING

Notice is given that the California Student Aid Commission (Commission) is proposing to take the action described in the Informative Digest.

A public hearing regarding this proposal is currently not scheduled. However, any interested person or duly authorized representative may request, no later than 15 days before the close of the written comment period that a public hearing be scheduled.

Following the public hearing, if one is requested, or following the written comment period, if no public hearing is requested, 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 the proposals if the 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 before its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written comments related to this proposal, or who provide oral testimony if a public hearing is held, or who have requested notification of any changes to the proposal.

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the:

California Student Aid Commission
Attention: Clarita Cortez
P.O. Box 419029
Rancho Cordova, CA 95741-9029

Comments may also be submitted by facsimile (FAX) at (916) 464-8240 or by e-mail to APLERegsComment@csac.ca.gov. Comments must be submitted before 5:00 p.m. on September 21, 2009.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 69615 of the Education Code, and to implement, interpret, or make specific sections 69612-69615.8 of the Education Code, the Commission is considering changes to Division 4 of Title 5 of the California Code of Regulations as follows: amend sections 30701-30709 to implement, interpret, and make specific sections 69612-69615.8 of the Education Code establishing the Assumption Program Of Loans For Education (APLE).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

On September 28, 2008, the Governor signed Senate Bill (SB) 1158. The bill amends sections 69613.1, 69613.2, 69613.4, 69613.6, 69613.8, 69614, 69615.4, 69615.6, adds sections 69612.5 and 69615.8, repeals sections 69613.5 and repeals and adds sections 69612 and 69613 of the Education Code and consequently makes changes to the Assumption Program of Loans for Education (APLE). The changes in the law enacted by SB 1158 became effective on January 1, 2009.

The amended statute allows participants to teach on a part time basis, changes eligibility for bonuses, and

adds leave of absence provisions. SB 1158 also discontinues the Out-of-State APLE program for new participants, reduces the number of district intern allocations, and allows credentialed teachers to participate in the program. In accordance with the authority provided in Education Code 69615 which allows the adoption of rules and regulations to administer the APLE program, the Commission proposes to amend Title 5, Division 4, Chapter 1, of the California Code of Regulations sections 30701–30709 to accommodate the statutory changes enacted by SB 1158.

Changes in the law enacted by SB 1158 became effective during the 2008–09 application year. The program requirement and benefits for participants who have been accepted into the program and have signed loan assumption agreements prior to these changes will differ from participants who are accepted into the program and have a signed loan assumption agreement after January 1, 2009.

Based on the authority provided in Education Code Section, 69615(a), the Commission adopted California Code of Regulations Title VI, Division 4, Chapter 1 sections 30701 et seq. to implement, interpret, and construct the requirements established in Education Code sections 69612–69615.8. The Commission has identified several areas of the regulations that require additional information and certification from applicants, eligible institutions, district intern offices, and California County Offices of Education as well as a necessity to establish a priority deadline for the program.

The proposed amendments would implement, interpret, and make specific the elements of APLE. Specifically, the proposal would:

1. Define terms used in the regulations;
2. Establish a priority deadline for application submission;
3. Amend the requirements for applications to participate in the program;
4. Amend the allocation of awards, reallocation of unutilized allocations, and cancellation of invalid awards;
5. Specify the content of the Institutional Agreement and renewal verification report;
6. Specify the requirements for the nominations of applicants for the program by eligible institutions, district intern offices, and California County Offices of Education;
7. Specify the process by which Commission will select program participants from among the nominated students;

8. Specify the requirements for loan assumption agreements between the selected program participants and the Commission;
9. Amend the requirements under which the Commission may make loan payments on behalf of the program participants and establish the appeal process for payment disputes;
10. Specify the consequences of a program participant’s failure to complete the obligation to teach at an eligible school and establish the appeal process for participants that are withdrawn from the program;
11. Specify the development of projections for funding purposes.

There are no comparable provisions of federal law related to this proposal.

LOCAL MANDATE

This proposal does not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. This proposal does not impose other nondiscretionary cost or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

None

EFFECT ON HOUSING COSTS

None

BUSINESS IMPACT/SMALL BUSINESSES

The Commission has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal would impose no costs upon business. The proposal does not affect small businesses as defined by section 11342.610. This proposal would affect a private sector or small business only if a private sector college or university voluntarily chooses to nominate its students to participate in APLE.

**ASSESSMENT REGARDING EFFECT
ON JOBS/BUSINESSES**

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

**COST IMPACT ON REPRESENTATIVE
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.

BUSINESS REPORT

This regulatory proposal does not require a report.

ALTERNATIVES

The Commission must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the agency's attention, would be more effective in carrying out the purpose for which the adoption of this regulation is proposed, or would be as effective as and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed adoption of this regulation and written comment may be directed to:

Clarita Cortez
California Student Aid Commission
P. O. Box 419029
Rancho Cordova, CA 95741-9029

(916) 464-2946

or

Kathy Spencer
California Student Aid Commission
P.O. Box 419029
Rancho Cordova, CA 95741-9029

(916) 464-3021

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons and all the

information upon which the proposal is based may be obtained upon request from the California Student Aid Commission, P. O. Box 419029, Rancho Cordova, CA 95741-9029. These documents may also be viewed and downloaded from the Commission's website at www.csac.ca.gov.

**INITIAL STATEMENT OF REASONS
AND INFORMATION**

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

**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 above.

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 above.

WEBSITE ACCESS

Materials regarding this proposal can be found at www.csac.ca.gov.

**TITLE 10. DEPARTMENT OF
INSURANCE**

**REG-2008-00026
CA 09-01**

July 1, 2009

**NOTICE OF PROPOSED ACTION AND
NOTICE OF PUBLIC HEARING REGARDING
REVISIONS TO CALIFORNIA AUTOMOBILE
ASSIGNED RISK PLAN**

SUBJECT OF HEARING

California Insurance Commissioner Steve Poizner will hold a public hearing to address the proposed amendments to Sections 1 and 3 of the California Automobile Assigned Risk Plan (CAARP) Plan of Operations.

**AUTHORITY TO ADOPT RULES AND
PROCEDURES AND REFERENCE**

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Sec-

tion 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Government Code Section 11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed changes at the following date, time, and place:

**Date and Time: September 22, 2009
10:00 a.m.**

**Location: California Department of
Insurance
45 Fremont Street
22nd Floor Hearing Room
San Francisco, California 94105**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON

All persons are invited to submit written comments to the Insurance Commissioner on the proposal prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Mike Riordan, Staff Counsel
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (415) 904-5490

The backup agency contact person for this proceeding will be:

Bryant Henley, Senior Staff Counsel
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
henleyb@insurance.ca.gov
Telephone: (415) 538-4111
Facsimile: (415) 904-5490

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on September 22, 2009**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1-2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538-4190

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

The Plan of Operations requires that the Advisory Committee conduct regularly scheduled meetings in person in California at least six times a year. As a result of the decrease in Plan application volume and Plan activity it may no longer be necessary for the Advisory Committee to meet in person six times a year. Currently in order to conduct a regularly scheduled meeting by conference call or cancel a meeting, the Plan must request an exception from the Department of Insurance.

CAARP proposed amendments to the Plan of Operations to reduce the minimum number of regularly scheduled in person Advisory Committee meetings from six annually to one per quarter, or four. CAARP also requests that if there is a need for an additional

meeting, that it have the option of conducting that meeting by conference call. If an optional conference call meeting is scheduled public notice will provide information for public access to the conference call.

Proposed Changes

SECTION 1

Definitions for executive session and non-executive session are introduced.

SECTION 3

Requires that four in-person Advisory Committee meetings be held, once each quarter, and any additional Advisory Committee meetings will have the option to be conducted by conference call.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the proposal will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the proposal will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the proposed regulation will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The Commissioner has initially determined that the proposal 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. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACT ON PRIVATE PERSONS OR ENTITIES

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.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the proposal will not affect housing costs.

IMPACT ON SMALL BUSINESS

The matter proposed herein will affect insurance companies and therefore will not affect small business. (Gov. Code Section 11342.610(b)(2)).

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The proposal would not mandate the use of specific technologies or equipment.

ALTERNATIVES

The Insurance Commissioner must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The proposed changes describing CAARP's proposals are in plain English.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed amendments in addition to the Informative Digest included in this notice. The Initial Statement of Reasons and this Notice of Proposed Action are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A final statement of reasons will be prepared at the conclusion of this proceeding. Upon written or e-mail request to the contact person listed above, the final statement of reasons will be made available for inspection and copying once it has been prepared. A copy of the final statement of reasons will also be posted on the Department's web site.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's proposed amendments, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest is being sent to all persons on the Insurance Commissioner's mailing list.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The Initial Statement of Reasons, proposed text, and this Notice of Proposed Action will be published online and may be accessed through the Department's website at www.insurance.ca.gov.

AVAILABILITY OF MODIFIED TEXT OF REGULATIONS

If the Department amends the proposed regulations with changes that are sufficiently related to the original text, the Department will make the full text of the

amended regulations, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended regulations.

TITLE 10. DEPARTMENT OF INSURANCE

**REG-2008-0026
CA 08-12**

July 1, 2009

NOTICE OF PROPOSED ACTION AND NOTICE OF PUBLIC HEARING REGARDING REVISIONS TO CALIFORNIA AUTOMOBILE ASSIGNED RISK PLAN

SUBJECT OF HEARING

California Insurance Commissioner Steve Poizner will hold a public hearing to address the proposed amendments to Sections 20, 28 and 46 of the California Automobile Assigned Risk Plan (CAARP) Plan of Operations.

AUTHORITY TO ADOPT RULES AND PROCEDURES AND REFERENCE

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Government Code §11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed changes at the following date, time, and place:

**Date and Time: September 22, 2009
10:00 a.m.**

**Location: California Department of Insurance
45 Fremont Street
22nd Floor Hearing Room
San Francisco, California 94105**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons

with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON

All persons are invited to submit written comments to the Insurance Commissioner on the proposal prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Mike Riordan, Staff Counsel
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (415) 904-5490

The backup agency contact person for this proceeding will be:

Bryant Henley, Senior Staff Counsel
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
henleyb@insurance.ca.gov
Telephone: (415) 538-4111
Facsimile: (415) 904-5490

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on September 22, 2009**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1-2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in

California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538-4190

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

CAARP currently maintains two systems for obtaining immediate coverage for private passenger and commercial applications. The first, Electronic Effective Data Procedure (EEDP), was introduced in 1995. A certified producer would complete an application and would call on a land line to receive an EEDP reference number. This generally ensured the producer could provide a driver with immediate coverage. The application was printed and mailed to CAARP for assignment. Once received by CAARP, if there were problems with the application, the coverage was rescinded until the application could be corrected. The second, the Electronic Application Submission Interface (EASi), was introduced in 2004. It allowed a certified producer to complete an application online. Unlike the EEDP application, the EASi application would prompt the producer if there were any errors, allowing the producer to correct it before it was submitted to CAARP. This eliminated delays in coverage that were associated with the EEDP application. In addition, it is CAARP's first step in going paperless. Since the introduction of EASi, EEDP submissions have declined in usage. This combined with the cost of maintaining two separate systems has led CAARP to propose to eliminate EEDP.

If the proposed changes are approved EEDP will no longer be available to certified producers to obtain immediate coverage. Certified producers who choose not to use EASi may still manually complete paper applications and submit them to the Plan office by mail or hand delivery. However, they will not be able to obtain immediate coverage for the applicant.

In addition CAARP proposes a new producer performance standard requiring that the completed EASi application and deposit premium be mailed to the Plan office within two working days after the application is transmitted using EASi. If the application is submitted not using EASi, the completed paper application and

deposit premium must be either mailed or delivered to the Plan Office within two working days after completion of the application.

INTRODUCTION

The reference to the EEDP will be eliminated.

SECTION 20

References to the EEDP are eliminated, new effective date procedures for applications submitted not using EASi are introduced and the log for the EEDP and EASi reference numbers would be eliminated.

SECTIONS 28 AND 46

The EEDP is eliminated and new effective date procedures for applications submitted are introduced.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the proposal will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the proposal will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the proposed regulation will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The Commissioner has initially determined that the proposal 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. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACT ON PRIVATE PERSONS OR ENTITIES

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.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the proposal will not affect housing costs.

IMPACT ON SMALL BUSINESS

The matter proposed herein will affect certified producers that offer coverage via CAARP using the EEDP. These producers will have to acquire internet access in order to continue to offer immediate coverage.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The proposal would require that certified producers acquire internet access in order to offer immediate coverage.

ALTERNATIVES

The Insurance Commissioner must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The proposed changes describing CAARP's proposals are in plain English.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed amendments in addition to the Informative Digest included in this notice. The Initial Statement of Reasons and this Notice of Proposed Action are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

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ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's proposed amendments, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

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amended regulations, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended regulations.

TITLE 10. DEPARTMENT OF INSURANCE

**REG-2008-00026
CA 08-11**

July 1, 2009

NOTICE OF PROPOSED ACTION AND NOTICE OF PUBLIC HEARING REGARDING REVISIONS TO CALIFORNIA AUTOMOBILE ASSIGNED RISK PLAN

SUBJECT OF HEARING

California Insurance Commissioner Steve Poizner will hold a public hearing to address the proposed amendments to Sections 23 and 41 of the California Automobile Assigned Risk Plan (CAARP) Plan of Operations.

AUTHORITY TO ADOPT RULES AND PROCEDURES AND REFERENCE

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Government Code § 11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed changes at the following date, time, and place:

**Date and Time: September 22, 2009
10:00 a.m.**

**Location: California Department of Insurance
45 Fremont Street
22nd Floor Hearing Room
San Francisco, California 94105**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons

with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON

All persons are invited to submit written comments to the Insurance Commissioner on the proposal prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Mike Riordan, Staff Counsel
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (415) 904-5490

The backup agency contact person for this proceeding will be:

Bryant Henley, Senior Staff Counsel
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
henleyb@insurance.ca.gov
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All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on September 22, 2009**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1-2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in

California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538-4190

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

When the Electronic Application Submission Interface (“EASi”) was introduced for CAARP private passenger and commercial Plan risks, CAARP adopted the format of the countrywide EASi applications recommended for Plan use. Subsequently, CAARP private passenger and commercial EASi applications were developed. At that time, the Application Requirements sections of the personal and commercial parts of the Plan of Operations were not updated to correspond with the applications. CAARP was made aware of this following an examination by the California Department of Insurance Field Rating and Underwriting Bureau.

CAARP is proposing regulations that will amend the Plan of Operations for private passenger and commercial auto. These changes will mirror information that has been deleted or added to the private passenger and commercial auto applications. The changes to the Plan of Operations are in response to the Department of Insurance examination.

Section 23

A.4. is introduced pertaining to the applicant’s former addresses for the past three years.

A.5. is amended to delete references to the length of time with current employer and introduces a request for the nature of the business.

A.22. is amended to request the name of any additional operator of the vehicle for rating purposes.

A.24. is introduced requesting information relating to any other vehicles owned by other members of the household.

Section 41

A.12. deletes the request for information pertaining to marital status.

A.19. is introduced requesting prior insurance information for applicants with a fleet of vehicles who are carriers of property and passengers.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the proposal will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the proposal will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the proposed regulation will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The Commissioner has initially determined that the proposal 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. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACT ON PRIVATE PERSONS OR ENTITIES

The agency is not aware of any cost impacts that a representative private person or business would neces-

sarily incur in reasonable compliance with the proposed action.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the proposal will not affect housing costs.

IMPACT ON SMALL BUSINESS

The matter proposed herein will affect insurance companies and therefore will not affect small business (Gov. Code Section 11342.610(b)(2)).

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The proposal would require that certified producers acquire internet access in order to offer immediate coverage.

ALTERNATIVES

The Insurance Commissioner must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The proposed changes describing CAARP's proposals are in plain English.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed amendments in addition to the Informative Digest included in this notice. The Initial Statement of Reasons and this Notice of Proposed Action are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A final statement of reasons will be prepared at the conclusion of this proceeding. Upon written or e-mail request to the contact person listed above, the final statement of reasons will be made available for inspection and copying once it has been prepared. A copy of the final statement of reasons will also be posted on the Department's web site.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's proposed amendments, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

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AVAILABILITY OF DOCUMENTS
ON THE INTERNET

The Initial Statement of Reasons, proposed text, and this Notice of Proposed Action will be published online and may be accessed through the Department's website at www.insurance.ca.gov.

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OF REGULATIONS

If the Department amends the proposed regulations with changes that are sufficiently related to the original text, the Department will make the full text of the amended regulations, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended regulations.

**TITLE 10. DEPARTMENT OF
INSURANCE**

**REG-2008-00026
CA 08-10**

July 1, 2009

**NOTICE OF PROPOSED ACTION AND
NOTICE OF PUBLIC HEARING REGARDING
REVISIONS TO CALIFORNIA AUTOMOBILE
ASSIGNED RISK PLAN**

SUBJECT OF HEARING

California Insurance Commissioner Steve Poizner will hold a public hearing to address the proposed amendments to Sections 26 and 44 of the California Automobile Assigned Risk Plan (CAARP) Plan of Operations.

AUTHORITY TO ADOPT RULES AND
PROCEDURES AND REFERENCE

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Government Code §11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed changes at the following date, time, and place:

**Date and Time: September 22, 2009
10:00 a.m.**

**Location: California Department of
Insurance
45 Fremont Street
22nd Floor Hearing Room
San Francisco, California 94105**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON

All persons are invited to submit written comments to the Insurance Commissioner on the proposal prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Mike Riordan, Staff Counsel
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All persons are invited to present oral and/or written testimony at the scheduled public hearing.

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ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1-2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

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Office of the Public Advisor
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538-4190

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

In accordance with current CAARP rules, if the amount of the deposit premium check submitted with the applications does not cover the full amount of the outstanding balance due on a prior Plan policy, the ap-

plication is ineligible for coverage. The current procedure requires that the assigned insurer of CAIP servicing carrier apply the deposit check to the outstanding earned premium and return the application to the Plan. The Plan returns the application to the producer and notifies the applicant that they are ineligible and no coverage is in effect.

Theoretically, insurer and servicing carrier return of the application to the Plan office enables the Plan to generate a letter returning the application to the producer with a copy to the applicant. The letter indicates the application returned is ineligible and no coverage is in effect. In addition, the risk assignment system is adjusted by the Plan to reflect the return of the applicant to the insurer or servicing carrier.

In practice, some insurers writing private passenger assignments are returning an ineligible application to the Plan while others are returning the application directly to the producer with a copy of the letter to the applicant and the Plan. In instances when the application is returned by the insurer or servicing carrier to the producer, notification of ineligibility and no coverage is timelier.

To ensure consistent insurer and CAIP servicing carrier handling of ineligible applications and to facilitate a quicker return of ineligible applications to the producer, the Plan is proposing to amend the Plan of Operations to require that the assigned insurer or servicing carrier return the application to the producer. The insurer or servicing carrier will provide written notification to the applicant and the Plan that the application has been returned as ineligible and that no coverage is in effect.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the proposal will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the proposal will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require re-

imbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE
AGENCY; FEDERAL FUNDING

The Commissioner has determined that the proposed regulation will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES
AND THE ABILITY OF CALIFORNIA
BUSINESSES TO COMPETE

The Commissioner has initially determined that the proposal 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. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACT ON PRIVATE PERSONS
OR ENTITIES

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.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the proposal will not affect housing costs.

IMPACT ON SMALL BUSINESS

The matter proposed herein will affect insurance companies and therefore will not affect small business (Gov. Code Section 11342.610(b)(2)).

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The proposal would not mandate the use of specific technologies or equipment.

ALTERNATIVES

The Insurance Commissioner must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the atten-

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

PLAIN ENGLISH

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TEXT AND INITIAL STATEMENT OF REASONS

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**TITLE 10. DEPARTMENT OF
INSURANCE**

**REG-2008-00026
CA 09-04**

July 1, 2009

**NOTICE OF PROPOSED ACTION AND
NOTICE OF PUBLIC HEARING REGARDING
REVISIONS TO CALIFORNIA AUTOMOBILE
ASSIGNED RISK PLAN**

SUBJECT OF HEARING

California Insurance Commissioner Steve Poizner will hold a public hearing to address the proposed amendments to Rule 53 of the California Automobile Assigned Risk Plan (CAARP) Simplified Rules and Rates Manual.

AUTHORITY TO ADOPT RULES AND
PROCEDURES AND REFERENCE

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Government Code §11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed changes at the following date, time, and place:

**Date and Time: September 22, 2009
10:00 a.m.**

**Location: California Department of
Insurance
45 Fremont Street
22nd Floor Hearing Room
San Francisco, California 94105**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON

All persons are invited to submit written comments to the Insurance Commissioner on the proposal prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Mike Riordan, Staff Counsel
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (415) 904-5490

The backup agency contact person for this proceeding will be:

Bryant Henley, Senior Staff Counsel
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
henleyb@insurance.ca.gov
Telephone: (415) 538-4111
Facsimile: (415) 904-5490

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on September 22, 2009**. Any written materials received after that time will not be considered. Written comments may

also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1–2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538–4190

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The proposed amendments will allow servicing carriers to utilize the factors contained in the CAARP manual when \$25,000 property damage liability coverage is required by law. These limits were linearly interpolated from the current approved \$10,000 and \$50,000 property damage liability limits found in the CAARP manual.

Proposed Changes

RULE 53

This Rule is amended under Table 1A to include increased limits factors for \$25,000 property damage liability coverage for commercial risks.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the proposal will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the proposal will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the proposed regulation will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The Commissioner has initially determined that the proposal 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. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACT ON PRIVATE PERSONS OR ENTITIES

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.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the proposal will not affect housing costs.

IMPACT ON SMALL BUSINESS

The matter proposed herein will affect insurance companies and therefore will not affect small business (Gov. Code Section 11342.610(b)(2)).

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The proposal would not mandate the use of specific technologies or equipment.

ALTERNATIVES

The Insurance Commissioner must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The proposed changes describing CAARP's proposals are in plain English.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed amendments in addition to the Informative Digest included in this notice. The Initial Statement of Reasons and this Notice of Proposed Action are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A final statement of reasons will be prepared at the conclusion of this proceeding. Upon written or e-mail request to the contact person listed above, the final statement of reasons will be made available for inspection and copying once it has been prepared. A copy of the final statement of reasons will also be posted on the Department's web site.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's proposed amendments, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest is being sent to all persons on the Insurance Commissioner's mailing list.

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

The Initial Statement of Reasons, proposed text, and this Notice of Proposed Action will be published online and may be accessed through the Department's website at www.insurance.ca.gov.

**AVAILABILITY OF MODIFIED TEXT
OF REGULATIONS**

If the Department amends the proposed regulations with changes that are sufficiently related to the original text, the Department will make the full text of the amended regulations, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended regulations.

**TITLE 10. DEPARTMENT OF
INSURANCE**

**REG-2008-00026
CA 08-09**

July 1, 2009

**NOTICE OF PROPOSED ACTION AND
NOTICE OF PUBLIC HEARING REGARDING
REVISIONS TO CALIFORNIA AUTOMOBILE
ASSIGNED RISK PLAN**

SUBJECT OF HEARING

California Insurance Commissioner Steve Poizner will hold a public hearing to address the proposed amendments to Rule 124 of the California Automobile Assigned Risk Plan (CAARP) Simplified Rules and Rates Manual.

**AUTHORITY TO ADOPT RULES AND
PROCEDURES AND REFERENCE**

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Government Code §11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed changes at the following date, time, and place:

Date and Time: September 22, 2009
10:00 a.m.

Location: California Department of
Insurance
45 Fremont Street
22nd Floor Hearing Room
San Francisco, California 94105

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

**WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON**

All persons are invited to submit written comments to the Insurance Commissioner on the proposal prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Mike Riordan, Staff Counsel
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Telephone: (415) 538-4111
Facsimile: (415) 904-5490

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on September 22, 2009**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1-2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

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Office of the Public Advisor
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538-4190

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**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

In 2007 Rule 124 Employers Non Ownership Liability was modified to base the rate on total delivery sales. At the time the change was approved the premium development procedure for prepared food delivery was a computation of total liability premium as opposed to bodily injury and property damage liability separately. However servicing carriers need the ability to track bodily injury and property damage liability premium for statistical purposes. These statistics are used to decide if changes to the rate are needed in the future.

CAARP has proposed revisions to Rule 124 to provide separate factors for the calculation of bodily injury and property damage for advanced and earned premium. The proposed rule will separate the current and approved \$500 minimum coverage into bodily injury and property damage liability allowing them to be calculated separately. This separation will have no impact

on the total premium charged because when added together the amount will be the same as before the change. What it does is allow insurers to track bodily injury and property damage for statistical purposes.

Proposed Changes

RULE 124

The proposed rule will separate the current and approved \$500 minimum coverage into bodily injury and property damage liability allowing them to be calculated separately.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the proposal will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the proposal will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the proposed regulation will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The Commissioner has initially determined that the proposal 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. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

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IMPACT ON HOUSING COSTS

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IMPACT ON SMALL BUSINESS

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SPECIFIC TECHNOLOGIES OR EQUIPMENT

The proposal would not mandate the use of specific technologies or equipment.

ALTERNATIVES

The Insurance Commissioner must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The proposed changes describing CAARP's proposals are in plain English.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed amendments in addition to the Informative Digest included in this notice. The Initial Statement of Reasons and this Notice of Proposed Action are available for inspection or copying,

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A final statement of reasons will be prepared at the conclusion of this proceeding. Upon written or e-mail request to the contact person listed above, the final statement of reasons will be made available for inspection and copying once it has been prepared. A copy of the final statement of reasons will also be posted on the Department's web site.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's proposed amendments, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

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AVAILABILITY OF MODIFIED TEXT OF REGULATIONS

If the Department amends the proposed regulations with changes that are sufficiently related to the original text, the Department will make the full text of the amended regulations, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended regulations.

TITLE 10. DEPARTMENT OF INSURANCE

REG-2008-00026
CA 08-06 Forms

July 1, 2009

NOTICE OF PROPOSED ACTION AND NOTICE OF PUBLIC HEARING REGARDING REVISIONS TO CALIFORNIA AUTOMOBILE ASSIGNED RISK PLAN PLAN OF OPERATIONS

SUBJECT OF HEARING

California Insurance Commissioner Steve Poizner will hold a public hearing to address the proposed amendments to California Automobile Assigned Risk Plan (CAARP) Plan of Operations Portfolio of Forms.

AUTHORITY TO ADOPT RULES AND PROCEDURES AND REFERENCE

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Government Code §11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

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10:00 a.m.

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Insurance
45 Fremont Street
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San Francisco, California 94105

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**WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON**

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San Francisco, CA 94105
Telephone: (415) 538-4190

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

The Insurance Services Office has introduced several revisions to the Commercial Auto Coverage Parts Program ("CACP") and related rating rules. The revisions provide a combination of broadenings and restrictions of coverage. Listed below are all of the forms affected and a summary of the changes.

Forms AP 10 03 04 08, AP 62 12 04 08, AP 73 12 04 08, AP 90 46 04 08, AP 90 52 04 08, AP 62 12 04 08, AP 90 52 04 08 and AP 90 52 04 08 are revised to eliminate the countersignature boxes on the forms as countersignature laws have been repealed in all states.

Form CA 00 01 03 06 Business Auto Coverage Form Section I is revised to introduce a new mobile equipment coverage symbol. Section II(a) revises the supplementary payment provisions to clarify that supplementary payments may be paid regardless of when or if payments are made under limit of exclusion coverage; (b) is revised to incorporate the mobile equipment exclusion from withdrawn endorsement CA 00 51 and the definition of war is expanded to include all warlike actions. In Section III(a) the auto definition is revised to incorporate the auto definition from withdrawn endorsement CA 00 51, (b) the covered pollution cost or expense definition is revised to be consistent with the clean up cost portion of the Pollution Exclusion in the Commercial General Liability Program, and (c) the definition of mobile equipment is revised to incorporate the mobile equipment definition from withdrawn endorsement CA 00 51.

CA DS 03 03 06 The changes to the Declarations and Schedules are only advisory. CA DS 03 03 06 replaces CA DS 03 02 04.

CA 00 12 03 06 Truckers Coverage Form is revised to incorporate the same revisions made in CA 00 01 03 06.

CA DS 14 03 06 The changes to the Declarations and Schedules are only advisory. CA DS 14 03 06 replaces CA DS 14 02 0.

AP 40 31 05 08 (1) Countersignature table and schedule are updated to better accommodate automated systems (2) The war exclusion applicable to property damage uninsured motorist coverage is incorporated.

AP 62 15 02 07 this form is revised to clarify that supplementary payments may be paid regardless of when, or if, payments are made under Limit of Insurance provision.

AP 70 14 05 08 and AP 70 15 05 08 these forms are revised to delete the trailer interchange provisions as they are not applicable to risks written in the CAARP Plan.

CA 00 51 12 04 this form is withdrawn.

CA 04 24 04 06 this form is revised to expand the current war exclusion beyond liabilities assumed contractually to include all war and warlike actions.

CA 20 01 03 06 (1) the countersignature table and schedule are updated to better accommodate automated systems, (2) the reference to PIP is deleted, (3) the Who Is An Insured provision is clarified as providing coverage solely to the lessor for acts or omissions by either the lessee, the lessee's employees or agents, or anyone, except with respect to the lessor or the lessor's employees or agents with the permission of these individuals for the operation of the leased auto.

CA 20 11 03 06 this form is revised to limit the exclusion to "bodily injury" or "property damage" resulting from the acts or omissions of the lessee/rentee, or their employees or agents, or any person, except the named insured or the named insured's employees or agents, operating a leased auto with the permission of the lessee/rentee or their employee or agent.

CA 21 54 03 06 (1) Countersignature table and schedule are updated to better accommodate automated systems (2) The war exclusion applicable to bodily injury uninsured motorist coverage is incorporated.

CA 23 17 03 06 (1) Countersignature table and schedule are updated to better accommodate automated systems (2) Changes are made to correspond with amendments to the uniform Intermodal Exchange and Facilities Access Agreement.

CA 23 20 03 06 (1) Countersignature table and schedule are updated to better accommodate automated systems (2) Supplementary payments is changed to clarify that they may be paid regardless of when, or if, payments are made under the Limit of Insurance provision.

CA 23 94 03 06 this form is introduced to exclude loss due to silica.

CA 99 48 03 06 the covered pollution cost or expense definition is revised to be consistent with the clean up cost portion of the Pollution Exclusion in ISO's Commercial General Liability program.

IL 00 21 09 08 this form is revised to replace the line of business references of Professional Liability with Medical Professional Liability.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the proposal will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the proposal will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the proposed regulation will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

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IMPACT ON HOUSING COSTS

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IMPACT ON SMALL BUSINESS

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SPECIFIC TECHNOLOGIES OR EQUIPMENT

The proposal would not mandate the use of specific technologies or equipment.

ALTERNATIVES

The Insurance Commissioner must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The proposed changes describing CAARP's proposals are in plain English.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed amendments in addition to the Informative Digest included in this notice. The Initial Statement of Reasons and this Notice of Proposed Action are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A final statement of reasons will be prepared at the conclusion of this proceeding. Upon written or e-mail request to the contact person listed above, the final statement of reasons will be made available for inspection and copying once it has been prepared. A copy of the final statement of reasons will also be posted on the Department's web site.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's proposed amendments, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the

contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

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AVAILABILITY OF DOCUMENTS ON THE INTERNET

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AVAILABILITY OF MODIFIED TEXT OF REGULATIONS

If the Department amends the proposed regulations with changes that are sufficiently related to the original text, the Department will make the full text of the amended regulations, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended regulations.

TITLE 13. CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO NEW PASSENGER MOTOR VEHICLE GREENHOUSE GAS EMISSION STANDARDS

The Air Resources Board (ARB or Board) will conduct a public hearing at the time and place noted below to consider proposed amendments to California's greenhouse gas emission standards that the Board approved in September, 2004 pursuant to Assembly Bill 1493 (Pavley) (Chap. 200, Stats. 2002). These standards apply on a fleetwide basis to large-volume manufacturers of 2009 through 2016 model year new passenger motor vehicles certified for sale in California. The proposed amendments would provide affected manufacturers with the ability to demonstrate compliance based on their fleet average of vehicles produced and delivered for sale in California and all other U.S. States that have adopted and can enforce California's greenhouse gas emissions standards pursuant to section 177 of the Clean Air Act. The proposed amend-

ments further provide manufacturers with additional flexibility to use data generated from other federal test procedures for demonstrating compliance with the Pavley standards. At the hearing ARB staff will also discuss potential future amendments for the 2012–2016 model years that would allow manufacturer compliance with planned United States Environmental Protection Agency (U.S. EPA) standards to be deemed as compliance with California’s standards.

DATE: September 24, 2009

TIME: 9:00 a.m.

PLACE: South Coast Air Quality Management
District
21865 Copley Drive
Diamond Bar, California 91765

This item will be considered at a two–day hearing of the Board, which will commence at 9:00 a.m., September 24, 2009, and may continue at 8:30 a.m., on September 25, 2009. This item may not be considered until September 25, 2009. Please consult the agenda for the hearing, which will be available at least 10 days before September 24, 2009, to determine the day on which this item will be considered.

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

INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW

Sections Affected: Proposed amendments to California Code of Regulations (CCR), title 13, sections 1961 and 1961.1, and to the “California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light–Duty Trucks, and Medium–Duty Vehicles” incorporated by reference in CCR, title 13, section 1961(d) (as last amended May 2, 2008).

Background:

Citing compelling and extraordinary air quality and other impacts California faces from global warming, in 2002 the Legislature passed and the Governor signed Assembly Bill (AB) 1493. This bill required ARB to develop and adopt regulations to achieve the maximum feasible and cost–effective reduction of heat–trapping greenhouse gas emissions from passenger motor vehicles, beginning with the 2009 model year. The Board approved those regulations at its September 2004 hearing, and they were adopted in their final form in August 2005.

The AB 1493 regulations set separate greenhouse gas emissions levels for both passenger cars and light–duty trucks (PC/LDT1) and heavier light–duty trucks and medium–duty passenger vehicles (LDT2/MDV). The standards are effective beginning in the 2009 model year and become more stringent each year through 2016. The levels are measured in grams per mile of carbon dioxide–equivalent emissions, targeting carbon dioxide (CO₂) as the main greenhouse pollutant and other greenhouse gases including refrigerants used in automotive air conditioners. Compliance is determined on a fleetwide basis, meaning that while each individual model can be above or below the standard, the average of a manufacturers’ fleet must meet the standard or else the manufacturer incurs debits that must be equalized within five model years. Manufacturers can also accrue and trade credits between their PC/LDT1 and LDT2/MDV segments, bank credits from over compliance for use in later model years, and trade credits with other manufacturers. Manufacturers may also obtain additional credit for selling vehicles fueled by other than conventional gasoline or diesel and demonstrating use of that fuel.

The greenhouse gas emission reductions to be achieved by the Pavley regulations are substantial. By 2016, the regulations require a 30% reduction in greenhouse gas emissions compared to 2009 model year vehicles. The AB 1493 regulations provide about 27.7 million metric tons in greenhouse gas reductions, or about 16% of the 174 million metric ton CO₂–equivalent reductions needed to meet 1990 levels by 2020. They are the single largest emission reduction measure identified in the Scoping Plan adopted by the Board in December 2008 to chart ARB’s course toward meeting AB 32, the Global Warming Solutions Act of 2006 (Chap. 488, Stats. 2006).

Since Board approval in 2004, motor vehicle manufacturers and their trade associations have challenged the regulations in numerous federal and State court proceedings and have opposed California’s request for an U.S. EPA waiver of preemption under the federal Clean Air Act to allow California to enforce its adopted standards. On May 19, 2009, challenging parties, individual automakers, California, and the federal government reached agreement on a series of actions that would resolve these current and potential future disputes over the California standards through model year 2016. A summary of those actions is contained in a document published in the Federal Register at 74 Fed. Reg. 24,007 (May 22, 2009) and in commitment letters by California and other parties that are available at www.epa.gov/otaq/climate/regulations.htm. On June 30, 2009, EPA granted California’s waiver request for all model years 2009–2016. 74 Fed. Reg. 32744 (July 8, 2009).

In some of the aforementioned court and administrative proceedings, parties opposed to California's standards claimed that an U.S. EPA waiver would raise compliance issues in the other states that have adopted California's standards as their own pursuant to section 177 of the Clean Air Act. While the actual scope and type of claimed compliance issues could not be fully evaluated until additional compliance demonstrations are made in the various opt-in states, the Board committed to providing a compliance option that addresses potential issues for the 2009–2011 model years while preserving the greenhouse gas emission reductions ARB projected in 2004.

The proposed amendments would provide affected manufacturers with the ability to demonstrate compliance based on their fleet average of vehicles produced and delivered for sale in California, the District of Columbia, and in all states that have adopted and can enforce California's greenhouse gas emission standards, pursuant to section 177 of the Clean Air Act. The other states are: Connecticut, Maine, Maryland, Massachusetts, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington. Due to the timing of their respective state's adoption, Maryland and New Mexico sales would not be part of this multi-state compliance averaging option until the 2011 model year. Arizona sales would also be part of the average beginning in the 2012 model year, should any manufacturer choose to continue complying using this proposed multi-state option rather than the planned U.S. EPA 2012–2016 model year standards compliance option that will be the subject of a future ARB rulemaking. The amendments would ensure that for each model year 2009 through 2011, under any combination of manufacturers exercising the new compliance option, the California new motor vehicle fleet would achieve equivalent or greater greenhouse gas emission reductions than under the existing regulations.

The May 2009 commitment letters also express California's commitment to review 2009 through 2011 model year certification requirements to either confirm that manufacturers may use data generated by federal Corporate Average Fuel Economy Program (CAFE) test procedures, vehicle selection, and other testing protocols — including substitution of federal data for data previously submitted to ARB — or to revise our regulations as necessary. The proposed amendments address these flexibilities.

Finally, the proposed amendments make minor changes not directly tied to the May 2009 commitment letters by updating the incorporated federal test procedure sections referenced in the light-duty test procedures.

COMPARABLE FEDERAL REGULATIONS

There are currently no federal greenhouse gas emission standards for the subject new motor vehicles. In response to *Massachusetts v. EPA*, 549 U.S. 497 (2007) (holding greenhouse gases are pollutants subject to regulation under the Clean Air Act), on April 24, 2009 U.S. EPA took a necessary first step toward setting such a standard by issuing its Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act. 74 Fed. Reg. 18886 (April 24, 2009). There the U.S. EPA Administrator proposed finding that current and projected atmospheric levels of six key greenhouse gases endanger the public health and welfare of current and future generations (p.18898), and that emissions of four of these gases by individual and collective section 202(a) (i.e., on-road vehicular) source categories cause or contribute to that atmospheric pollution. Pp.18906–09. U.S. EPA would need to finalize an endangerment finding before or concurrent with finalizing greenhouse gas emission standards.

As part of the May 2009 announcement U.S. EPA and the federal Department of Transportation issued a Notice of Intent to conduct a joint rulemaking (Joint NOI) to propose a coordinated federal greenhouse gas and fuel economy program for light-duty vehicles, referred to as the National Program. 74 Fed. Reg. 24007 (May 22, 2009). U.S. EPA is considering proposing greenhouse gas standards, conditioned on a finalized endangerment finding, that would achieve on average 250 grams/mile of CO₂ in model year 2016 across the light duty fleet. ARB's preliminary view is that this fleet average would provide roughly equivalent greenhouse gas reductions in the 2016 model year from the California fleet currently subject to the AB 1493 (Pavley) regulations.

At the hearing ARB Staff will discuss the Joint NOI and its import for the Pavley regulations. Should U.S. EPA provide more detail on the proposed federal greenhouse gas emission standards by issuing a Notice of Proposed Rulemaking (NPRM) during the comment period on this regulatory item, staff will also update the Board on the federal NPRM. While California has committed to revise its standards for the 2012 through 2016 model years provided the federal standards are substantially as described in the Joint NOI, that revision will be the subject of separately proposed amendments in the near future.

AVAILABILITY OF DOCUMENTS AND AGENCY CONTACT PERSONS

ARB staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and

environmental impacts of the proposal. The report is entitled: "NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO NEW PASSENGER MOTOR VEHICLE GREENHOUSE GAS EMISSION STANDARDS."

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strikeout format to allow for comparison with the existing regulations, may be accessed on ARB's website listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322-2990, at least 45 days prior to the scheduled hearing on September 24, 2009.

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

Inquiries concerning the substance of the proposed regulation may be directed to the designated agency contact persons, Mr. Paul Hughes, Manager, Low-Emission Vehicle Implementation Section, at (626) 575-6977, or Ms. Sarah Carter, Staff Air Pollution Specialist, at (626) 575-6845.

Further, the agency representative and designated back-up contact persons, to whom nonsubstantive inquiries concerning the proposed administrative action may be directed, are Ms. Lori Andreoni, Manager, Board Administration and Regulatory Coordination Unit, (916) 322-4011, or Ms. Trini Balcazar, Regulations Coordinator, (916) 445-9564. The Board has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on ARB's website for this rulemaking at www.arb.ca.gov/regact/2009/ghgpv09/ghgpv09.htm.

COSTS TO PUBLIC AGENCIES AND TO BUSINESSES AND PERSONS AFFECTED

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

Pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action would not create costs or savings to any State agency or in federal funding to the State, costs or mandate to any local agency or school district, whether or not reimburs-

able by the State pursuant to Government Code, title 2, division 4, part 7 (commencing with section 17500), or other nondiscretionary cost or savings to State or local agencies.

In developing this regulatory proposal, ARB staff evaluated the potential economic impacts on representative private persons or businesses. The proposal is not expected to affect the cost of compliance for vehicle manufacturers that are subject to the requirements of California's passenger vehicle greenhouse gas regulations. These manufacturers are already required to conduct emission testing to measure the CO₂ emissions from their passenger fleet as part of the federal CAFE program. So, allowing a manufacturer to use these data to demonstrate compliance with California's greenhouse gas requirements could reduce the number of emission tests that will need to be conducted solely for the California program. However, this economic impact, while positive, is expected to be minimal.

The proposed amendments may also impose additional reporting requirements. While manufacturers are currently required to report California sales data that is used to demonstrate compliance with the Pavley regulations, the amendments will require manufacturers to also report sales data from the other states that have adopted the Pavley regulations. The additional cost due to this amendment is not expected to be significant, since in implementing the current regulations other states already require manufacturers to submit sales data for their state. The proposed amendments will simply require these data to also be submitted to the Air Resources Board.

For both the CAFE data and multi-state pooling option amendments proposed, manufacturers retain the option to comply with the regulations as they are currently written (i.e., manufacturers need not use CAFE data to demonstrate compliance with the regulations and they may continue to comply with the fleet average greenhouse gas requirements on a state-by-state basis), in which case these amendments would produce no economic or reporting impacts.

The Executive Officer has made an initial determination that the proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

In accordance with Government Code section 11346.3, the Executive Officer has determined that the proposed regulatory action would not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the

economic impacts of the proposed regulatory action can be found in the ISOR.

The Executive Officer has also determined, pursuant to CCR, title 1, section 4, that the proposed regulatory action would not affect small businesses, because it does not apply to any businesses that fall under the definition of "small business."

In accordance with Government Code sections 11346.3(c) and 11346.5(a)(11), the Executive Officer has found that the reporting requirements of the regulation which apply to businesses are necessary for the health, safety, and welfare of the people of the State of California.

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

SUBMITTAL OF COMMENTS

Interested members of the public may present comments orally or in writing at the hearing, and may also be submitted by postal mail or electronic submittal before the hearing. To be considered by the Board, written comments, not physically submitted at the hearing, must be received **no later than 12:00 noon, September 23, 2009**, and addressed to the following:

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

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

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

The Board requests, but does not require, that 20 copies of any written statement be submitted and that all written statements be filed at least 10 days prior to the hearing so that ARB staff and Board Members have time to fully consider each comment. The Board encourages members of the public to bring to the attention

of staff in advance of the hearing any suggestions for modification of the proposed regulatory action.

STATUTORY AUTHORITY AND REFERENCES

This regulatory action is proposed under that authority granted in Sections 39500, 39600, 39601, 43013, 43018, 43101, 43104, and 43105, Health and Safety Code. This action is proposed to implement, interpret and make specific 39002, 39003, 39667, 43000, 43009.5, 43013, 43018, 43018.5, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43204, 43205, and 43211, Health and Safety Code.

HEARING PROCEDURES

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

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

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

TITLE 14. CALIFORNIA NATURAL RESOURCES AGENCY

NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE OF THE CALIFORNIA NATURAL RESOURCES AGENCY

NOTICE IS HEREBY GIVEN that the California Natural Resources Agency, pursuant to the authority vested in it by section 87306 of the Government Code, proposes to amend its Conflict of Interest Code. The purpose of these amendments is to implement the requirements of sections 87300 through 87302, and section 87306 of the Government Code.

The California Natural Resources Agency proposes to amend its Conflict of interest Code to include em-

ployee positions as required by subdivision (a) of sections 87300 through 87302, and section 87306 of the Government Code. To reflect current organizational structure of the California Natural Resources Agency, the Agency is proposing to add the following positions to its Conflict of interest Code:

- 1. Information Officer II (CBDA — Communications)**
- 2. Staff Services Manager I (CBDA — Communications)**
- 3. Program Manager I (CBDA — Water Management & Regional Coordination)**
- 4. Program Manager II (CBDA — Executive)**
- 5. Program Manager II (CBDA/Resources Agency Watershed)**
- 6. Program Manager II (CBDA — Science Program)**
- 7. Program Manager III (CBDA — Communications)**
- 8. Recreation and Wildlife Resources Manager (CBDA)**

Copies of the amended code are available and may be requested from the California Natural Resources Agency or the California Bay Delta Authority from the Contact Persons set forth below. Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than October 6, 2009 to the Contact Persons set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's duly authorized representative requests a public hearing, he or she must do so no later than 15 days prior to the close of the written comment period by contacting the Contact Persons set forth below.

The California Natural Resources Agency has initially determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any State agency.
3. Impose no cost on any local agency or school district that is required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the State.
6. Will not have any potential costs impact on private persons, businesses or small businesses.

In making these proposed amendments, the California Natural Resources Agency has determined that no alternative considered by the Agency would be more effective in carrying out the purpose for which the amendments are proposed or would be more effective and less burdensome to affected persons than the proposed amendments.

The California Natural Resources Agency has prepared a written explanation of the reasons for the designations and the disclosure responsibilities, and has available all of the information upon which its proposal is based.

CONTACT PERSONS

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

Heather C. Baugh
 Assistant General Counsel
 California Natural Resources Agency
 1416 Ninth Street, Suite 1311
 Sacramento, CA 95814
 Telephone: (916) 653-5656
 Fax: (916) 653-8123

TITLE 17. CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF PROPOSED AMENDMENTS TO THE CALIFORNIA CONSUMER PRODUCTS REGULATIONS

The Air Resources Board (Board or ARB) will conduct a public hearing at the time and place noted below to consider adoption of amendments to the Regulation for Reducing Emissions from Consumer Products, and Method 310, "Determination of Volatile Organic Compounds (VOC) in Consumer Products and Reactive Organic Compounds in Aerosol Coating Products."

DATE: September 24, 2009

TIME: 9:00 a.m.

PLACE South Coast Air Quality Management District Auditorium
 21865 E. Copley Dr.
 Diamond Bar, California 91765

This item will be considered at a two day hearing of the Board, which will commence at 9:00 a.m., September 24, 2009, and may continue at 8:30 a.m., September 25, 2009. This item may not be considered until Sep-

tember 25, 2009. Please consult the agenda for the hearing, which will be available at least 10 days before September 24, 2009, to determine the day on which this item will be considered.

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

INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW

Sections Affected: Proposed amendments to sections 94508, 94509, 94510, 94511, 94512, 94513, and 94515, title 17, California Code of Regulations (CCR) and proposed amendments to Method 310, adopted September 25, 1997, as last amended May 5, 2005, which is incorporated by reference in section 94515, title 17, CCR, to add new sections 3.3.7, 4.3, 4.3.1, and 4.3.2.

Background:

Section 41712 of the California Health and Safety Code requires ARB to adopt regulations to achieve the maximum feasible reduction in VOC emissions from consumer products. As part of the regulatory process, ARB must determine that adequate data exist for it to adopt the regulations. ARB must also determine that the regulations are technologically and commercially feasible, and necessary to carry out the Board's responsibilities under Division 26 of the Health and Safety Code. In addition, Health and Safety Code section 41712(c) provides that no regulation shall be adopted which requires the elimination of a product form. Section 41712 is primarily directed at attaining the State and federal ozone standards.

Pursuant to Health and Safety Code section 41712, ARB has adopted the Regulation for Reducing Emissions from Consumer Products (the "Consumer Products Regulation") title 17, CCR, sections 94507-94517.

On September 25, 2007, ARB adopted the State Strategy for California's 2007 State Implementation Plan (2007 SIP). The 2007 SIP serves as California's overall plan to provide the emission reductions necessary to meet the federal ozone standard of 0.08 parts per million averaged over eight hours. The 2007 SIP anticipated that an additional 30 to 40 tons per day of VOC reductions will be achieved from consumer products statewide by January 1, 2014. The amendments approved by the Board at its June 26, 2008, hearing constitute the first 4.5 tons per day in meeting this target. Achieving additional VOC reductions from consumer products is

an important element of the 2007 SIP and is necessary to attain State and federal air quality standards.

In 2006, Assembly Bill 32, The California Global Warming Solutions Act of 2006 (AB 32), was signed into law. AB 32 creates a comprehensive, multi-year program to reduce greenhouse gas (GHG) emissions in California, and added Division 25.5 (commencing with §38500) to the Health and Safety Code. Among other things, AB 32 requires ARB to design and adopt a Scoping Plan, by January 1, 2009, that identifies how GHG emissions can be reduced to 1990 levels.

AB 32 also recognizes that immediate progress in reducing GHG emissions can and should be made. In October 2007, the ARB approved a list of early action GHG emission reduction measures. A subset of these early action measures was identified as Discrete Early Action Measures. Discrete Early Action measures are Board adopted regulations to reduce GHG emissions, which are to be legally effective by January 1, 2010. One of the approved Discrete Early Action Measures is to reduce the use of compounds with high global warming potentials in consumer products. The goal of this measure is to achieve, at a minimum, an emissions reduction equivalent to reducing 0.25 million metric tons of carbon dioxide per year. The amendments approved at the June 26, 2008, hearing will provide about 0.23 million metric tons of CO₂ equivalents per year toward meeting the emission reduction target. The proposed amendments for this rulemaking will prevent the potential increased use of high global warming potential (GWP) compounds as products are reformulated to meet the new VOC limits for Double Phase Aerosol Air Freshener, Paint Thinner, and Multi-purpose Solvent products.

Description of Proposed Regulatory Action

The proposed regulatory action would amend the existing Consumer Products Regulation by adding and modifying product category definitions and by establishing new or lower VOC limits for three categories: 1) Double Phase Aerosol Air Fresheners, 2) Multi-Purpose Solvents and 3) Paint Thinners. For Double Phase Aerosol Air Fresheners, Staff is proposing to reduce the VOC limit from 25 to 20 percent by weight effective December 31, 2012. For the Multi-purpose Solvent and Paint Thinner categories, we are proposing two tiers of VOC limits. For both categories, the first tier limit is 30 percent by weight effective December 31, 2010, and the proposed second tier limit is 3 percent by weight effective December 31, 2013. For all three categories, the proposed limits will achieve a total VOC reduction of 14.7 tons per day statewide by January 1, 2014. This represents a 54 percent reduction in emissions from these categories.

To ensure that the reductions achieved by the Discrete Early Action Measure for consumer products occur, and greenhouse gas emissions do not increase, the proposed amendments would also limit the use of compounds with high GWP in the three product categories for which VOC limits are being proposed. These products could only use compounds with GWP factors below 150. The GWP values to be used in determining compliance are those set forth in the Intergovernmental Panel on Climate Change, Second Assessment Report.

New definitions and modifications to existing definitions are also being proposed. New definitions include "Aromatic Compound," "Artist's Solvent/Thinner," "High Temperature Coating," "Industrial Maintenance Coating," "Paint Clean-up," and "Zinc-Rich Primer." These new definitions are necessary to clarify the proposed amendments with respect to the new paint thinner standards. Modified definitions include "ASTM," "Multi-purpose Solvent," and "Paint Thinner." The ASTM definition was changed to reflect the revised name of the organization that sets the ASTM methods. The Multi-purpose Solvent and Paint Thinner definitions were modified to clarify products which are exempt from, or included, in the categories and to improve enforcement of the regulation. In addition, there are size modifications in the definitions for both dilutable and pre-mixed Automotive Windshield Washer Fluids. The definitions now state that Dilutable Windshield Washer Fluids are sold in containers greater than 10 gallons or one quart or less, while Pre-mixed Automotive Windshield Washer Fluids are sold in containers greater than one quart but less than 10 gallons.

The proposed regulatory action specifies other requirements for Multi-purpose Solvents and Paint Thinners. One proposed requirement is to prohibit the use of the toxic air contaminants methylene chloride, perchloroethylene, and trichloroethylene. Another proposed requirement is to temporarily prohibit manufacturers of flammable or extremely flammable products from using generic product names such as "Multi-purpose Solvent," "Paint Thinner," or "Paint Clean-up." This prohibition is intended to address concerns about the potential change in flammability of Multi-purpose Solvents and Paint Thinners that could occur as a result of the proposed amendments. The prohibition does not apply to products that either include a hang tag or sticker with the statement "Formulated to meet California VOC limits; see warnings on label;" or products which display the name of the chemical that results in the product meeting criteria for "flammable" or "extremely flammable," such as "Acetone" in a font size at least as large as any other words on the principal display panel. This prohibition would be effective December 31, 2010 through December 31, 2015. In addition, to enhance enforceability, Staff is proposing that the total VOC con-

tent within the product formulation must be clearly displayed on the product container. Further, Staff is proposing to limit the aromatic compound content in these categories to address possible ozone forming potential increases and maximize air quality benefits. Finally, there are new proposed data reporting requirements for Multi-purpose Solvents and Paint Thinners, which are necessary for ARB staff to perform a technical assessment of the progress of reformulation efforts in advance of the second tier VOC limits.

The proposed changes to Method 310 are clarifications to specify analytical methods already being used and/or are needed to enhance the enforceability of the new, lower VOC limits that will become effective by 2010. The proposed changes also include new VOC content calculations for products with high water content or low VOC content.

A number of minor changes are also proposed to various provisions of the regulation in order to correct errors or improve clarity.

COMPARABLE FEDERAL REGULATIONS

The U.S. Environmental Protection Agency (U.S. EPA) has promulgated a national consumer products rule under section 183(e) of the federal Clean Air Act (40 CFR Part 59, subpart C, §§59.201 *et seq.*). The rule specifies VOC limits for a number of consumer product categories, and is similar in format to ARB's consumer products regulation.

Although the national regulation is similar in many aspects to the California regulation, it is less effective in reducing VOC emissions from consumer products. The U.S. EPA's rule does not regulate a number of product categories that are currently regulated under the ARB regulation. For the categories that are regulated under both rules, many of ARB's limits are more stringent than the U.S. EPA's limits. Because California has unique air quality problems, we must reduce VOC emissions from all categories, including consumer products, to the maximum extent feasible, to attain the federal and State ambient air quality standards for ozone.

The U.S. EPA's rule also differs in that it applies nationwide to consumer product manufacturers, importers and distributors (but not retailers), while the ARB regulation applies to any person (including retailers) who "sells, supplies, offers for sale, or manufactures consumer products for use in the State of California." Finally, the U.S. EPA's rule has an unlimited "sell-through" period for non-complying products manufactured before the effective date of the limits, whereas California law limits the sell-through period to three years.

U.S. EPA's consumer products rule also does not prohibit the use of certain toxic air contaminants. In aggregate, ARB's consumer products regulations have prohibited the use of certain chlorinated toxic air contaminants in 70 categories, resulting in emission reductions of over 13 tons per day.

There is no comparable federal regulation related to reducing GHG emissions in consumer products.

AVAILABILITY OF DOCUMENTS AND AGENCY CONTACT PERSONS

The Board staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes the rationale for the proposed amendments and a summary of the potential environmental and economic impacts.

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strikeout format to allow for comparison with the existing regulations, may be accessed on ARB's website listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322-2990, at least 45 days prior to the scheduled hearing on September 24, 2009.

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

Inquiries concerning the substance of the proposed regulatory action may be directed to Mr. David Mallory, Manager, Measures Development Section, Stationary Source Division, at (916) 445-8316, or Ms. Trish Johnson, Air Pollution Specialist, at (916) 445-3365.

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

This notice, the ISOR, and all subsequent regulatory documents, including the FSOR, when completed, are available on the ARB's website for this rulemaking at www.arb.ca.gov/regact/2009/cpmthd310/cpmthd310.htm.

COSTS TO PUBLIC AGENCIES AND TO BUSINESSES AND PERSONS AFFECTED

The determinations of the Board's Executive Officer concerning the cost or savings necessarily incurred by public agencies and private persons and business in reasonable compliance with the proposed regulatory action are presented below.

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

In developing this regulatory proposal, ARB staff evaluated the potential economic impacts on representative private persons and businesses. The Executive Officer has initially determined that there will be a potential cost impact on private persons or businesses directly affected as a result of the proposed regulatory action. As explained in the ISOR, the proposed amendments may have a significant adverse impact on some individual businesses but the overall statewide impacts are not expected to be significant.

The Executive Officer has made an initial determination that the proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

In accordance with Government Code section 11346.3, the Executive Officer has initially determined that the proposed amendments should have minimal impacts on the creation or elimination of jobs within the State of California, minimal impacts on the creation of new businesses and the elimination of existing businesses within the State of California, and minimal impacts on the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed amendments can be found in the ISOR.

The Board's Executive Officer has also determined, pursuant to title 1, CCR, section 4, that the proposed regulatory action will affect small businesses.

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

and less burdensome, to affected private persons or businesses than the proposed action.

SUBMITTAL OF COMMENTS

Interested members of the public may present comments orally or in writing at the hearing, and may also be submitted by postal mail or by electronic submittal before the hearing. To be considered by the Board, written submissions not physically submitted at the hearing must be received no later than **12:00 noon, September 23, 2009**, and addressed to the following:

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

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

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

The Board requests, but does not require, that 20 copies of any written statement be submitted and that all written statements be filed at least 10 days prior to the hearing so that ARB staff and Board members have time to fully consider each comment. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action.

STATUTORY AUTHORITY AND REFERENCES

This regulatory action is proposed under the authority granted in sections 38501, 38510, 38560, 38562, 38580, 39600, 39601, 41511, and 41712 of the Health and Safety Code. This action is proposed to implement, interpret, or make specific sections 38501, 38510, 38560, 38562, 38580, 39600, 39601, 41511, and 41712 of the Health and Safety Code.

HEARING PROCEDURES

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

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

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

GENERAL PUBLIC INTEREST

TITLE 2. DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

NOTICE IS HEREBY GIVEN that the prospective contractors listed below have been required to submit a Nondiscrimination Program (NDP) or a California Employer Identification Report (CEIR) to the Department of Fair Employment and Housing, in accordance with the provisions of Government Code Section 12990. No such program or (CEIR) has been submitted and the prospective contractors are ineligible to enter into State contracts. The prospective contractor's signature on Standard Form 17A, 17B, or 19, therefore, does not constitute a valid self-certification. Until further notice, each of these prospective contractors in order to submit a responsive bid must present evidence that its Nondiscrimination Program has been certified by the Department.

ASIX Communications, Inc.
DBA ASI Telesystems, Inc.
21150 Califa Street
Woodland Hills, CA 91367

Bay Recycling
800 77th Avenue
Oakland, CA 94621

C & C Disposal Service
P.O. Box 234
Rocklin, CA 95677

Choi Engineering Corp.
286 Greenhouse
Marketplace, Suite 329
San Leandro, CA 94579

Fries Landscaping
25421 Clough
Escalon, CA 95320

Marinda Moving, Inc.
8010 Betty Lou Drive
Sacramento, CA 95828

MI-LOR Corporation
P.O. Box 60
Leominster, MA 01453

Peoples Ridesharing
323 Fremont Street
San Francisco, CA 94105

San Diego Physicians & Surgeons Hospital
446 26th Street
San Diego, CA

Southern CA Chemicals
8851 Dice Road
Santa Fe Springs, CA 90670

Tanemura and Antle Co.
1400 Schilling Place
Salinas, CA 93912

Turtle Building Maintenance Co.
8132 Darien Circle
Sacramento, CA 95828

Univ Research Foundation
8422 La Jolla Shore Dr.
La Jolla, CA 92037

Vandergoot Equipment Co.
P.O. Box 925
Middletown, CA 95461

Route 32 from the southbound State Route 99 ramps to the west and Yosemite Drive to the east (Project). Project activities will result in permanent impacts to a total of 1.612 acres of habitat suitable for the giant garter snake (*Thamnophis couchi gigas*), including 0.093 acres of aquatic habitat and 1.519 acres of upland habitat. Project activities will also result in temporary impacts to 0.227 acres of giant garter snake aquatic habitat. Additionally, project activities will directly affect 0.0001 acre (one individual) of Butte County meadowfoam (*Limnanthes floccose* ssp. *Californica*) and indirectly affect 0.183 acres of Butte County meadowfoam habitat.

The U.S. Fish and Wildlife Service (Service) issued a “no jeopardy” federal biological opinion (81420-2008-F-0104-2)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers (USACE) on February 3, 2009 which considered the effects of the project on the Federally and State endangered Butte County meadowfoam. The BO also serves to append the Project to the Service’s November 13, 1997, *Programmatic Consultation for U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small Effects on the Giant Garter Snake* (Service file number 1-1-97-F-0149).

Pursuant to California Fish and Game Code Section 2080.1, the City is requesting a determination that the BO and ITS are consistent with CESA for purposes of the proposed Project. If the Department determines the BO and ITS are consistent with CESA for the proposed Project, the City will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the Project.

DEPARTMENT OF FISH AND GAME

**Department of Fish and Game —
Public Interest Notice**

For Publication August 7, 2009

**CESA CONSISTENCY DETERMINATION
REQUEST FOR
State Route 32 Widening Project
Butte County
2080-2009-010-02**

The Department of Fish and Game (Department) received a notice on July 21, 2009 that the City of Chico (City) proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect species protected by the California Endangered Species Act (CESA). This project includes adding additional lanes, adding turn pockets, adding traffic signals, and modifying ramp terminal intersections of State

**DEPARTMENT OF HEALTH CARE
SERVICES**

NOTICE OF GENERAL PUBLIC INTEREST

**PROPOSED RATE CHANGES FOR DRUG
MEDI-CAL SERVICES**

This notice is to provide information of public interest with respect to proposed rate changes for Drug Medi-Cal services developed by the State Department of Alcohol and Drug Programs pursuant to Section 11758.42 of the Health and Safety Code and Sections 14021.35 and 14021.5 of the Welfare and Institutions Code, for fiscal years 2009-10 and 2010-11.

Assembly Bill 4 (AB X4 4, Statutes of 2009) would reduce rates for Drug Medi-Cal services by ten percent for fiscal year 2009-10. Welfare and Institutions Code section 14021.9, subdivision (c), would make the 2009-10 rate reductions retroactive to July 1, 2009.

Further, for 2010-11 fiscal year, and each fiscal year thereafter, rates for Drug Medi-Cal services shall be the

lower of: (1) the rates developed by the State Department of Alcohol and Drug Programs; or (2) the rates applicable to the 2009–10 fiscal year adjusted for the cumulative growth in the Implicit Price Deflator for the Costs of Goods and Services to Governmental Agencies, as reported by the Department of Finance.

PUBLIC REVIEW AND COMMENTS

A detailed description of the proposed California legislation that will amend the Welfare and Institutions Code to make the changes described in this notice is available for public review at local county welfare offices throughout the State. A copy of the description may also be requested, in writing, to

Ms. Linda Machado, Chief
Professional Provider Unit
Medi-Cal Benefits, Waiver Analysis, and Rates
Division
Department of Health Care Services, MS 4612,
P.O. Box 997413,
Sacramento, CA 95899–7413

Written comments concerning the proposal may be mailed to Ms. Machado at the above address and must be received on or before September 22, 2009.

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY**

**OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT**

NOTICE TO INTERESTED PARTIES

NOTICE OF PUBLIC COMMENT PERIOD

ON

**AIR TOXICS HOT SPOTS PROGRAM —
Proposed Revisions to the Technical Support
Document for Cancer Potency Factors, Appendix
C — Use of the Toxicity Equivalency Factor
(TEF_{WHO-97} and TEF_{WHO-05}) Scheme for
Estimating Toxicity of Mixtures of
Dioxin-Like Chemicals**

August 7, 2009

The Office of Environmental Health Hazard Assessment (OEHHA) is releasing a draft document, *Use of the Toxicity Equivalency Factor (TEF_{WHO-97}*

and TEF_{WHO-05}) Scheme for Estimating Toxicity of Mixtures of Dioxin-Like Chemicals to solicit public comment. This is a revision to the previous version which appears as Appendix C of the *Technical Support Document for Cancer Potency Factors*. OEHHA is required to develop guidelines for conducting health risk assessments under the Air Toxics Hot Spots Program (Health and Safety Code Section 44360(b)(2)) and also to explicitly include consideration of possible differential effects on the health of infants, children and other sensitive subpopulations, according to the Children’s Environmental Health Protection Act (Senate Bill 25, Escutia, Chapter 731, Statutes of 1999, Health and Safety Code Sections 39669.5 et seq.). OEHHA in 2009 adopted the revised *Technical Support Document for Cancer Potency Factors* (“the TSD”) in response to these statutory requirements.

This draft document is designed to update Appendix C to the TSD, which describes how to estimate risks from exposure to dioxin-like chemicals. The existing appendix recommends use of a table of Toxicity Equivalence Factors (TEFs) which was published in 1997 by an expert committee convened by the World Health Organization (WHO). In 2005 the WHO committee published a revised table of TEFs, and this version of Appendix C to the TSD is designed to reflect this update and also to review recent scientific literature on this methodology.

We are seeking public comments on this document, following which the document and any comments received, along with OEHHA’s response to these comments, will undergo review by the state’s Scientific Review Panel on Toxic Air Contaminants.

The draft document becomes available on the OEHHA Home Page at <http://www.oehha.ca.gov> on **August 7, 2009**. **The availability of the document on this site will commence a 30-day public review period that will end on September 7, 2009.**

Please direct any inquiries concerning technical matters or availability of this document to Dr. Andrew G. Salmon at (510) 622–3191 or mail to: asalmon@oehha.ca.gov.

Please send comments regarding the document, preferably by email as above, or in writing to:

Dr. Andrew G. Salmon
Chief, Air Toxicology and Risk Assessment Unit
Office of Environmental Health Hazard Assessment
1515 Clay St., 16th Floor
Oakland, CA 94612.

Information about dates and agenda for meetings of the Scientific Review Panel can be obtained from the California Air Resources Board’s web page at <http://www.arb.ca.gov/srp/srp.htm>.

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
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
AUGUST 7, 2009

The Safe Drinking Water and Toxic Enforcement Act of 1986 requires that the Governor revise and republish

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

CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole)	26148-68-5	January 1, 1990
Acetaldehyde	75-07-0	April 1, 1988
Acetamide	60-35-5	January 1, 1990
Acetochlor	34256-82-1	January 1, 1989
2-Acetylaminofluorene	53-96-3	July 1, 1987
Acifluorfen sodium	62476-59-9	January 1, 1990
Acrylamide	79-06-1	January 1, 1990
Acrylonitrile	107-13-1	July 1, 1987
Actinomycin D	50-76-0	October 1, 1989
AF-2;[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide	3688-53-7	July 1, 1987
Aflatoxins	—	January 1, 1988
Alachlor	15972-60-8	January 1, 1989
Alcoholic beverages, when associated with alcohol abuse	—	July 1, 1988
Aldrin	309-00-2	July 1, 1988
<u>Allyl chloride Delisted October 29, 1999</u>	<u>107-05-1</u>	<u>January 1, 1990</u>
2-Aminoanthraquinone	117-79-3	October 1, 1989
p-Aminoazobenzene	60-09-3	January 1, 1990
ortho-Aminoazotoluene	97-56-3	July 1, 1987
4-Aminobiphenyl (4-aminodiphenyl)	92-67-1	February 27, 1987
1-Amino-2,4-dibromoanthraquinone	81-49-2	August 26, 1997
3-Amino-9-ethylcarbazole hydrochloride	6109-97-3	July 1, 1989
2-Aminofluorene	153-78-6	January 29, 1999
1-Amino-2-methylanthraquinone	82-28-0	October 1, 1989
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712-68-5	July 1, 1987
4-Amino-2-nitrophenol	119-34-6	January 29, 1999
Amitrole	61-82-5	July 1, 1987
<u>Amsacrine</u>	<u>51264-14-3</u>	<u>August 7, 2009</u>
Analgesic mixtures containing phenacetin	—	February 27, 1987
Aniline	62-53-3	January 1, 1990
Aniline hydrochloride	142-04-1	May 15, 1998
ortho-Anisidine	90-04-0	July 1, 1987

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
ortho-Anisidine hydrochloride	134-29-2	July 1, 1987
Antimony oxide (Antimony trioxide)	1309-64-4	October 1, 1990
Anthraquinone	84-65-1	September 28, 2007
Aramite	140-57-8	July 1, 1987
Areca nut	—	February 3, 2006
Aristolochic acids	—	July 9, 2004
Arsenic (inorganic arsenic compounds)	—	February 27, 1987
Asbestos	1332-21-4	February 27, 1987
Auramine	492-80-8	July 1, 1987
Azacitidine	320-67-2	January 1, 1992
Azaserine	115-02-6	July 1, 1987
Azathioprine	446-86-6	February 27, 1987
Azobenzene	103-33-3	January 1, 1990
Benthiavalicarb-isopropyl	177406-68-7	July 1, 2008
Benz[a]anthracene	56-55-3	July 1, 1987
Benzene	71-43-2	February 27, 1987
Benzidine [and its salts]	92-87-5	February 27, 1987
Benzidine-based dyes	—	October 1, 1992
Benzo[b]fluoranthene	205-99-2	July 1, 1987
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
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
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
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

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<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
Carbon-black extracts	—	January 1, 1990
N-Carboxymethyl-N-nitrosourea	60391-92-6	January 25, 2002
Catechol	120-80-9	July 15, 2003
Ceramic fibers (airborne particles of respirable size)	—	July 1, 1990
Certain combined chemotherapy for lymphomas	—	February 27, 1987
Chlorambucil	305-03-3	February 27, 1987
Chloramphenicol	56-75-7	October 1, 1989
Chlordane	57-74-9	July 1, 1988
Chlordecone (Kepone)	143-50-0	January 1, 1988
Chlordimeform	6164-98-3	January 1, 1989
Chlorendic acid	115-28-6	July 1, 1989
Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight)	108171-26-2	July 1, 1989
p-Chloroaniline	106-47-8	October 1, 1994
p-Chloroaniline hydrochloride	20265-96-7	May 15, 1998
Chlorodibromomethane <u>Delisted October 29, 1999</u>	124-48-1	January 1, 1990
Chloroethane (Ethyl chloride)	75-00-3	July 1, 1990
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	13010-47-4	January 1, 1988
1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea (Methyl-CCNU)	13909-09-6	October 1, 1988
Chloroform	67-66-3	October 1, 1987
Chloromethyl methyl ether (technical grade)	107-30-2	February 27, 1987
3-Chloro-2-methylpropene	563-47-3	July 1, 1989
1-Chloro-4-nitrobenzene	100-00-5	October 29, 1999
4-Chloro-ortho-phenylenediamine	95-83-0	January 1, 1988
p-Chloro-o-toluidine	95-69-2	January 1, 1990
p-Chloro-o-toluidine, strong acid salts of	—	May 15, 1998
5-Chloro-o-toluidine and its strong acid salts	—	October 24, 1997
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. 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
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
Coke oven emissions	—	February 27, 1987
Conjugated estrogens	—	February 27, 1987

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
Creosotes	—	October 1, 1988
para-Cresidine	120-71-8	January 1, 1988
Cupferron	135-20-6	January 1, 1988
Cycasin	14901-08-7	January 1, 1988
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)	—	January 1, 1990
Diazoaminobenzene	136-35-6	May 20, 2005
Dibenz[a,h]acridine	226-36-8	January 1, 1988
Dibenz[a,j]acridine	224-42-0	January 1, 1988
Dibenz[a,h]anthracene	53-70-3	January 1, 1988
7H-Dibenzo[c,g]carbazole	194-59-2	January 1, 1988
Dibenzo[a,e]pyrene	192-65-4	January 1, 1988
Dibenzo[a,h]pyrene	189-64-0	January 1, 1988
Dibenzo[a,i]pyrene	189-55-9	January 1, 1988
Dibenzo[a,l]pyrene	191-30-0	January 1, 1988
Dibromoacetic acid	631-64-1	June 17, 2008
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
p-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-Dichloropropene	542-75-6	January 1, 1989
Dieldrin	60-57-1	July 1, 1988
Dienestrol	84-17-3	January 1, 1990
Diepoxybutane	1464-53-5	January 1, 1988
Diesel engine exhaust	—	October 1, 1990
Di(2-ethylhexyl)phthalate	117-81-7	January 1, 1988
1,2-Diethylhydrazine	1615-80-1	January 1, 1988

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<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
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
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
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
1,6-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
Epichlorohydrin	106-89-8	October 1, 1987
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
Estrone	53-16-7	January 1, 1988
Estropipate	7280-37-7	August 26, 1997
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

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
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	151-56-4	January 1, 1988
Fenoxycarb	72490-01-8	June 2, 2000
Folpet	133-07-3	January 1, 1989
Formaldehyde (gas)	50-00-0	January 1, 1988
2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole	3570-75-0	January 1, 1988
FumonisinB ₁	116355-83-0	November 14, 2003
Furan	110-00-9	October 1, 1993
Furazolidone	67-45-8	January 1, 1990
Furmecyclox	60568-05-0	January 1, 1990
Fusarin C	79748-81-5	July 1, 1995
Gallium arsenide	1303-00-0	August 1, 2008
Ganciclovir	82410-32-0	August 26, 1997
Gasoline engine exhaust (condensates/extracts)	—	October 1, 1990
Gemfibrozil	25812-30-0	December 22, 2000
Glasswool fibers (airborne particles of respirable size)	—	July 1, 1990
Glu-P-1 (2-Amino-6-methyldipyrido[1,2-a:3',2'-d]imidazole)	67730-11-4	January 1, 1990
Glu-P-2 (2-Aminodipyrido[1,2-a:3',2'-d]imidazole)	67730-10-3	January 1, 1990
Glycidaldehyde	765-34-4	January 1, 1988
Glycidol	556-52-5	July 1, 1990
Griseofulvin	126-07-8	January 1, 1990
Gyromitrin (Acetaldehyde methylformylhydrazone)	16568-02-8	January 1, 1988
HC Blue 1	2784-94-3	July 1, 1989
Heptachlor	76-44-8	July 1, 1988
Heptachlor epoxide	1024-57-3	July 1, 1988
Herbal remedies containing plant species of the genus Aristolochia	—	July 9, 2004
Hexachlorobenzene	118-74-1	October 1, 1987
Hexachlorocyclohexane (technical grade)	—	October 1, 1987
Hexachlorodibenzodioxin	34465-46-8	April 1, 1988
Hexachloroethane	67-72-1	July 1, 1990
2,4-Hexadienal (89% trans, trans isomer; 11% cis, trans isomer)	—	March 4, 2005
Hexamethylphosphoramide	680-31-9	January 1, 1988
Hydrazine	302-01-2	January 1, 1988
Hydrazine sulfate	10034-93-2	January 1, 1988
Hydrazobenzene (1,2-Diphenylhydrazine)	122-66-7	January 1, 1988
1-Hydroxyanthraquinone	129-43-1	May 27, 2005
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
Isosafrole <u>Delisted December 8, 2006</u>	120-58-1	October 1, 1989
Isoxaflutole	141112-29-0	December 22, 2000

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<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
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
Lindane and other hexachlorocyclohexane isomers	—	October 1, 1989
Lynestrenol	52-76-6	February 27, 2001
Mancozeb	8018-01-7	January 1, 1990
Maneb	12427-38-2	January 1, 1990
Marijuana smoke	—	June 19, 2009
Me-A-alpha-C (2-Amino-3-methyl-9H-pyrido[2,3-b]indole)	68006-83-7	January 1, 1990
Medroxyprogesterone acetate	71-58-9	January 1, 1990
MeIQ(2-Amino-3,4-dimethylimidazo[4,5-f]quinoline)	77094-11-2	October 1, 1994
MeIQx(2-Amino-3,8-dimethylimidazo[4,5-f]quinoxaline)	77500-04-0	October 1, 1994
Melphalan	148-82-3	February 27, 1987
Mepanipyridin	110235-47-7	July 1, 2008
Merphalan	531-76-0	April 1, 1988
Mestranol	72-33-3	April 1, 1988
Metham sodium	137-42-8	November 6, 1998
8-Methoxypsoralen with ultraviolet A therapy	298-81-7	February 27, 1987
5-Methoxypsoralen with ultraviolet A therapy	484-20-8	October 1, 1988
2-Methylaziridine (Propyleneimine)	75-55-8	January 1, 1988
Methylazoxymethanol	590-96-5	April 1, 1988
Methylazoxymethanol acetate	592-62-1	April 1, 1988
Methyl carbamate	598-55-0	May 15, 1998
3-Methylcholanthrene	56-49-5	January 1, 1990
5-Methylchrysene	3697-24-3	April 1, 1988
4,4' -Methylene bis(2-chloroaniline)	101-14-4	July 1, 1987
4,4' -Methylene bis(N,N-dimethyl)benzenamine	101-61-1	October 1, 1989
4,4' -Methylene bis(2-methylaniline)	838-88-0	April 1, 1988
4,4' -Methylenedianiline	101-77-9	January 1, 1988
4,4' -Methylenedianiline dihydrochloride	13552-44-8	January 1, 1988
Methyleugenol	93-15-2	November 16, 2001
Methylhydrazine and its salts	—	July 1, 1992
Methyl iodide	74-88-4	April 1, 1988
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
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
Monocrotaline	315-22-0	April 1, 1988
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

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
Nafenopin	3771-19-5	April 1, 1988
Nalidixic acid	389-08-2	May 15, 1998
Naphthalene	91-20-3	April 19, 2002
1-Naphthylamine	134-32-7	October 1, 1989
2-Naphthylamine	91-59-8	February 27, 1987
Nickel (Metallic)	7440-02-0	October 1, 1989
Nickel acetate	373-02-4	October 1, 1989
Nickel carbonate	3333-67-3	October 1, 1989
Nickel carbonyl	13463-39-3	October 1, 1987
Nickel compounds	—	May 7, 2004
Nickel hydroxide	12054-48-7; 12125-56-3	October 1, 1989
Nickelocene	1271-28-9	October 1, 1989
Nickel oxide	1313-99-1	October 1, 1989
Nickel refinery dust from the pyrometallurgical process	—	October 1, 1987
Nickel subsulfide	12035-72-2	October 1, 1987
Niridazole	61-57-4	April 1, 1988
Nitrapyrin	1929-82-4	October 5, 2005
Nitrioltriacetic acid	139-13-9	January 1, 1988
Nitrioltriacetic 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> -Nitroanisoie	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-Nitrosomethylethylamine	10595-95-6	October 1, 1989
N-Nitroso-N-methylurea	684-93-5	October 1, 1987
N-Nitroso-N-methylurethane	615-53-2	April 1, 1988
N-Nitrosomethylvinylamine	4549-40-0	January 1, 1988

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N-Nitrosomorpholine	59-89-2	January 1, 1988
N-Nitrosornicotine	16543-55-8	January 1, 1988
N-Nitrosopiperidine	100-75-4	January 1, 1988
N-Nitrosopyrrolidine	930-55-2	October 1, 1987
N-Nitrososarcosine	13256-22-9	January 1, 1988
o-Nitrotoluene	88-72-2	May 15, 1998
Norethisterone (Norethindrone)	68-22-4	October 1, 1989
Norethynodrel	68-23-5	February 27, 2001
Ochratoxin A	303-47-9	July 1, 1990
Oil Orange SS	2646-17-5	April 1, 1988
Oral contraceptives, combined	—	October 1, 1989
Oral contraceptives, sequential	—	October 1, 1989
Oryzalin	19044-88-3	September 12, 2008
Oxadiazon	19666-30-9	July 1, 1991
Oxazepam	604-75-1	October 1, 1994
Oxymetholone	434-07-1	January 1, 1988
Oxythioquinox (Chinomethionat)	2439-01-2	August 20, 1999
Palygorskite fibers (> 5µm in length)	12174-11-7	December 28, 1999
Panfuran S	794-93-4	January 1, 1988
Pentachlorophenol	87-86-5	January 1, 1990
Phenacetin	62-44-2	October 1, 1989
Phenazopyridine	94-78-0	January 1, 1988
Phenazopyridine hydrochloride	136-40-3	January 1, 1988
Phenesterin	3546-10-9	July 1, 1989
Phenobarbital	50-06-6	January 1, 1990
Phenolphthalein	77-09-8	May 15, 1998
Phenoxybenzamine	59-96-1	April 1, 1988
Phenoxybenzamine hydrochloride	63-92-3	April 1, 1988
o-Phenylenediamine and its salts	95-54-5	May 15, 1998
Phenyl glycidyl ether	122-60-1	October 1, 1990
Phenylhydrazine and its salts	—	July 1, 1992
o-Phenylphenate, sodium	132-27-4	January 1, 1990
o-Phenylphenol	90-43-7	August 4, 2000
PhiP(2-Amino-1-methyl-6-phenylimidazol[4,5-b]pyridine)	105650-23-5	October 1, 1994
Polybrominated biphenyls	—	January 1, 1988
Polychlorinated biphenyls	—	October 1, 1989
Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
Polychlorinated dibenzo-p-dioxins	—	October 1, 1992
Polychlorinated dibenzofurans	—	October 1, 1992
Polygeenan	53973-98-1	January 1, 1988
Ponceau MX	3761-53-3	April 1, 1988
Ponceau 3R	3564-09-8	April 1, 1988
Potassium bromate	7758-01-2	January 1, 1990
Pirimicarb	23103-98-2	July 1, 2008
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

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
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
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
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
Spironolactone	52-01-7	May 1, 1997
Stanozolol	10418-03-8	May 1, 1997
Sterigmatocystin	10048-13-2	April 1, 1988
Streptozotocin (streptozocin)	18883-66-4	January 1, 1988
Strong inorganic acid mists containing sulfuric acid	—	March 14, 2003
Styrene oxide	96-09-3	October 1, 1988
Sulfallate	95-06-7	January 1, 1988
Sulfasalazine (Salicylazosulfapyridine)	599-79-1	May 15, 1998
Talc containing asbestiform fibers	—	April 1, 1990
Tamoxifen and its salts	10540-29-1	September 1, 1996
Terrazole	2593-15-9	October 1, 1994
Testosterone and its esters	58-22-0	April 1, 1988
2,3,7,8-Tetrachlorodibenzo- <i>para</i> -dioxin (TCDD)	1746-01-6	January 1, 1988
1,1,2,2-Tetrachloroethane	79-34-5	July 1, 1990
Tetrachloroethylene (Perchloroethylene)	127-18-4	April 1, 1988
<i>p</i> -a,a,a-Tetrachlorotoluene	5216-25-1	January 1, 1990
Tetrafluoroethylene	116-14-3	May 1, 1997
Tetranitromethane	509-14-8	July 1, 1990
Thioacetamide	62-55-5	January 1, 1988
4,4' -Thiodianiline	139-65-1	April 1, 1988
Thiodicarb	59669-26-0	August 20, 1999
Thiouracil	141-90-2	June 11, 2004
Thiourea	62-56-6	January 1, 1988
Thorium dioxide	1314-20-1	February 27, 1987
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
<u>para-Toluidine Delisted October 29, 1999</u>	106-49-0	January 1, 1990
Toxaphene (Polychlorinated camphenes)	8001-35-2	January 1, 1988

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<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
<u>Toxins derived from <i>Fusarium moniliforme</i></u>		
<u>(<i>Fusarium verticillioides</i>)</u>	—	<u>August 7, 2009</u>
Treosulfan	299-75-2	February 27, 1987
Trichlormethine (Trimustine hydrochloride)	817-09-4	January 1, 1992
Trichloroethylene	79-01-6	April 1, 1988
2,4,6-Trichlorophenol	88-06-2	January 1, 1988
1,2,3-Trichloropropane	96-18-4	October 1, 1992
Trimethyl phosphate	512-56-1	May 1, 1996
2,4,5-Trimethylaniline and its strong acid salts	—	October 24, 1997
2,4,6-Trinitrotoluene (TNT)	118-96-7	December 19, 2008
Triphenyltin hydroxide	76-87-9	July 1, 1992
<u>Tris(aziridinyl) para-benzoquinone (Triaziquone)</u>		
<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
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
2,6-Xylidine (2,6-Dimethylaniline)	87-62-7	January 1, 1991
<u>Zalcitabine</u>	<u>7481-89-2</u>	<u>August 7, 2009</u>
Zileuton	111406-87-2	December 22, 2000
<u>Zineb Delisted October 29, 1999</u>	<u>12122-67-7</u>	<u>January 1, 1990</u>

CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CASNo.</u>	<u>Date Listed</u>
Acetazolamide	developmental	59-66-5	August 20, 1999
Acetohydroxamic acid	developmental	546-88-3	April 1, 1990
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
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

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Amoxapine	developmental	14028-44-5	May 15, 1998
Anabolic steroids	female, male	—	April 1, 1990
Angiotensin converting enzyme (ACE) inhibitors	developmental	—	October 1, 1992
Anisindione	developmental	117-37-3	October 1, 1992
Arsenic (inorganic oxides)	developmental	—	May 1, 1997
Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.)	developmental, female	50-78-2	July 1, 1990
Atenolol	developmental	29122-68-7	August 26, 1997
Auranofin	developmental	34031-32-8	January 29, 1999
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
Bromacil lithium salt	developmental male	53404-19-6	May 18, 1999 January 17, 2003
1-Bromopropane	developmental, female, male	106-94-5	December 7, 2004
2-Bromopropane	female, male	75-26-3	May 31, 2005
Bromoxynil	developmental	1689-84-5	October 1, 1990
Bromoxynil octanoate	developmental	1689-99-2	May 18, 1999
Butabarbital sodium	developmental	143-81-7	October 1, 1992
1,3-Butadiene	developmental, female, male	106-99-0	April 16, 2004
1,4-Butanediol dimethane-sulfonate (Busulfan)	developmental	55-98-1	January 1, 1989
Butyl benzyl phthalate (BBP)	developmental	85-68-7	December 2, 2005
<u>n-Butyl glycidyl ether</u>	<u>male</u>	<u>2426-08-6</u>	<u>August 7, 2009</u>
Cadmium	developmental, male	—	May 1, 1997
Carbamazepine	developmental	298-46-4	January 29, 1999
<u>Carbaryl</u>	<u>developmental, male</u>	<u>63-25-2</u>	<u>August 7, 2009</u>
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
<u>Chloroform</u>	<u>developmental</u>	<u>67-66-3</u>	<u>August 7, 2009</u>

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
<u>2-Chloropropionic acid</u>	<u>male</u>	<u>598-78-7</u>	<u>August 7, 2009</u>
Chlorsulfuron	developmental, female, male	64902-72-3	May 14, 1999
Chromium (hexavalent compounds)	developmental, female, male	—	December 19, 2008
Cidofovir	developmental, female, male	113852-37-2	January 29, 1999
Cladribine	developmental	4291-63-8	September 1, 1996
Clarithromycin	developmental	81103-11-9	May 1, 1997
Clobetasol propionate	developmental, female	25122-46-7	May 15, 1998
Clomiphene citrate	developmental	50-41-9	April 1, 1990
Clorazepate dipotassium	developmental	57109-90-7	October 1, 1992
Cocaine	developmental, female	50-36-2	July 1, 1989
Codeine phosphate	developmental	52-28-8	May 15, 1998
Colchicine	developmental, male	64-86-8	October 1, 1992
Conjugated estrogens	developmental	—	April 1, 1990
Cyanazine	developmental	21725-46-2	April 1, 1990
Cycloate	developmental	1134-23-2	March 19, 1999
Cyclohexanol	<u>male</u>	<u>108-93-0</u>	<u>November 6, 1998</u>
<u>Delisted January 25, 2002</u>			
Cycloheximide	developmental	66-81-9	January 1, 1989
Cyclophosphamide (anhydrous)	developmental, female, male	50-18-0	January 1, 1989
Cyclophosphamide (hydrated)	developmental, female, male	6055-19-2	January 1, 1989
Cyhexatin	developmental	13121-70-5	January 1, 1989
Cytarabine	developmental	147-94-4	January 1, 1989
Dacarbazine	developmental	4342-03-4	January 29, 1989
Danazol	developmental	17230-88-5	April 1, 1990
Daunorubicin hydrochloride	developmental	23541-50-6	July 1, 1990
2,4-D butyric acid	developmental, male	94-82-6	June 18, 1999
o,p' -DDT	developmental, female, male	789-02-6	May 15, 1998
p,p' -DDT	developmental, female, male	50-29-3	May 15, 1998
2,4 DP (dichloroprop)	developmental	120-36-5	April 27, 1999
<u>Delisted January 25, 2002</u>			
Demeclocycline hydrochloride (internal use)	developmental	64-73-3	January 1, 1992
Diazepam	developmental	439-14-5	January 1, 1992
Diazoxide	developmental	364-98-7	February 27, 2001
1,2-Dibromo-3-chloropropane (DBCP)	male	96-12-8	February 27, 1987
Di-n-butyl phthalate (DBP)	developmental, female, male	84-74-2	December 2, 2005
<u>Dichloroacetic acid</u>	<u>male</u>	<u>79-43-6</u>	<u>August 7, 2009</u>
Dichlorophene	developmental	97-23-4	April 27, 1999
Dichlorophenamide	developmental	120-97-8	February 27, 2001
Diclofop methyl	developmental	51338-27-3	March 5, 1999
Dicumarol	developmental	66-76-2	October 1, 1992
Di(2-ethylhexyl)phthalate (DEHP)	developmental, male	117-81-7	October 24, 2003
Diethylstilbestrol (DES)	developmental	56-53-1	July 1, 1987
Diflunisal	developmental, female	22494-42-4	January 29, 1999
<u>Diglycidyl ether</u>	<u>male</u>	<u>2238-07-5</u>	<u>August 7, 2009</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
m-Dinitrobenzene	male	99-65-0	July 1, 1990

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
<i>o</i> -Dinitrobenzene	male	528-29-0	July 1, 1990
<i>p</i> -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
Endrin	developmental	72-20-8	May 15, 1998
Environmental tobacco smoke (ETS)	developmental	—	June 9, 2006
Epichlorohydrin	male	106-89-8	September 1, 1996
Ergotamine tartrate	developmental	379-79-3	April 1, 1990
Estropipate	developmental	7280-37-7	August 26, 1997
Ethionamide	developmental	536-33-4	August 26, 1997
Ethyl alcohol in alcoholic beverages	developmental	—	October 1, 1987
Ethyl dipropylthiocarbamate	developmental	759-94-4	April 27, 1999
Ethylene dibromide	developmental, male	106-93-4	May 15, 1998
Ethylene glycol monoethyl ether	developmental, male	110-80-5	January 1, 1989
Ethylene glycol monomethyl ether	developmental, male	109-86-4	January 1, 1989
Ethylene glycol monoethyl ether acetate	developmental, male	111-15-9	January 1, 1993
Ethylene glycol monomethyl ether acetate	developmental, male	110-49-6	January 1, 1993
Ethylene oxide	female	75-21-8	February 27, 1987
Ethylene thiourea	<u>developmental, male</u>	96-45-7	<u>August 7, 2009</u>
<u>2-Ethylhexanoic acid</u>	<u>developmental</u>	<u>149-57-5</u>	<u>August 7, 2009</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, 1998
Flurazepam hydrochloride	developmental	1172-18-5	October 1, 1992
Flurbiprofen	developmental, female	5104-49-4	August 20, 1999
Flutamide	developmental	13311-84-7	July 1, 1990
Fluticasone propionate	developmental	80474-14-2	May 15, 1998
Fluvalinate	developmental	69409-94-5	November 6, 1998
Ganciclovir	developmental, male	82410-32-0	August 26, 1997
Ganciclovir sodium	developmental, male	107910-75-8	August 26, 1997
Gemfibrozil	female, male	25812-30-0	August 20, 1999
Goserelin acetate	developmental, female, male	65807-02-5	August 26, 1997

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Halazepam	developmental	23092-17-3	July 1, 1990
Halobetasol propionate	developmental	66852-54-8	August 20, 1999
Haloperidol	developmental, female	52-86-8	January 29, 1999
Halothane	developmental	151-67-7	September 1, 1996
Heptachlor	developmental	76-44-8	August 20, 1999
Hexachlorobenzene	developmental	118-74-1	January 1, 1989
Hexafluoroacetone	male	684-16-2	August 1, 2008
Hexamethylphosphoramide	male	680-31-9	October 1, 1994
Histrelin acetate	developmental	—	May 15, 1998
Hydramethylnon	developmental, male	67485-29-4	March 5, 1999
Hydroxyurea	developmental	127-07-1	May 1, 1997
Idarubicin hydrochloride	developmental, male	57852-57-0	August 20, 1999
Ifosfamide	developmental	3778-73-2	July 1, 1990
Iodine-131	developmental	10043-66-0	January 1, 1989
Isotretinoin	developmental	4759-48-2	July 1, 1987
Lead	developmental, female, male	—	February 27, 1987
Leuprolide acetate	developmental, female, male	74381-53-6	August 26, 1997
Levodopa	developmental	59-92-7	January 29, 1999
Levonorgestrel implants	female	797-63-7	May 15, 1998
Linuron	developmental	330-55-2	March 19, 1999
Lithium carbonate	developmental	554-13-2	January 1, 1991
Lithium citrate	developmental	919-16-4	January 1, 1991
Lorazepam	developmental	846-49-1	July 1, 1990
Lovastatin	developmental	75330-75-5	October 1, 1992
Mebendazole	developmental	31431-39-7	August 20, 1999
Medroxyprogesterone acetate	developmental	71-58-9	April 1, 1990
Megestrol acetate	developmental	595-33-5	January 1, 1991
Melphalan	developmental	148-82-3	July 1, 1990
Menotropins	developmental	9002-68-0	April 1, 1990
Meprobamate	developmental	57-53-4	January 1, 1992
Mercaptopurine	developmental	6112-76-1	July 1, 1990
Mercury and mercury compounds	developmental	—	July 1, 1990
Methacycline hydrochloride	developmental	3963-95-9	January 1, 1991
Metham sodium	developmental	137-42-8	May 15, 1998
Methazole	developmental	20354-26-1	December 1, 1999
Methimazole	developmental	60-56-0	July 1, 1990
Methotrexate	developmental	59-05-2	January 1, 1989
Methotrexate sodium	developmental	15475-56-6	April 1, 1990
Methyl bromide as a structural fumigant	developmental	74-83-9	January 1, 1993
Methyl chloride	developmental	74-87-3	March 10, 2000
<u>Methyl n-butyl ketone</u>	<u>male</u>	<u>591-78-6</u>	<u>August 7, 2009</u>
Methyl mercury	developmental	—	July 1, 1987
N-Methylpyrrolidone	developmental	872-50-4	June 15, 2001
Methyltestosterone	developmental	58-18-4	April 1, 1990
Metiram	developmental	9006-42-2	March 30, 1999
Midazolam hydrochloride	developmental	59467-96-8	July 1, 1990
Minocycline hydrochloride (internal use)	developmental	13614-98-7	January 1, 1992
Misoprostol	developmental	59122-46-2	April 1, 1990

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

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<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Propargite	developmental	2312-35-8	June 15, 1999
Propylthiouracil	developmental	51-52-5	July 1, 1990
Pyrimethamine	developmental	58-14-0	January 29, 1999
Quazepam	developmental	36735-22-5	August 26, 1997
Quizalofop-ethyl	male	76578-14-8	December 24, 1999
Resmethrin	developmental	10453-86-8	November 6, 1998
Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.)	developmental	—	July 1, 1989
Ribavirin	developmental male	36791-04-5 36791-04-5	April 1, 1990 February 27, 2001
Rifampin	developmental, female	13292-46-1	February 27, 2001
Secobarbital sodium	developmental	309-43-3	October 1, 1992
Sermorelin acetate	developmental	—	August 20, 1999
Sodium dimethyldithiocarbamate	developmental	128-04-1	March 30, 1999
Sodium fluoroacetate	male	62-74-8	November 6, 1998
Streptomycin sulfate	developmental	3810-74-0	January 1, 1991
Streptozocin (streptozotocin)	developmental, female, male	18883-66-4	August 20, 1999
Sulfasalazine (Salicylazosulfapyridine)	male	599-79-1	January 29, 1999
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 <u>female</u>	108-88-3	January 1, 1991 <u>August 7, 2009</u>
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
Trientine hydrochloride	developmental	38260-01-4	February 27, 2001
Triforine	developmental	26644-46-2	June 18, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
<u>1,3,5-Triglycidyl-s-triazinetriene</u>	<u>male</u>	<u>2541-62-9</u>	<u>August 7, 2009</u>
Trilostane	developmental	13647-35-3	April 1, 1990
Trimethadione	developmental	127-48-0	January 1, 1991
Trimetrexate glucuronate	developmental	82952-64-5	August 26, 1997
Triphenyltin hydroxide	developmental	76-87-9	March 18, 2002
Uracil mustard	developmental, female, male	66-75-1	January 1, 199
Urethane	developmental	51-79-6	October 1, 1994
Urofollitropin	developmental	97048-13-0	April 1, 1990
Valproate (Valproic acid)	developmental	99-66-1	July 1, 1987
Vinblastine sulfate	developmental	143-67-9	July 1, 1990
Vinclozolin	developmental	50471-44-8	May 15, 1998
Vincristine sulfate	developmental	2068-78-2	July 1, 1990
<u>4-Vinylcyclohexene</u>	<u>female, male</u>	<u>100-40-03</u>	<u>August 7, 2009</u>
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: August 7, 2009

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES
August 7, 2009**

**CHEMICALS LISTED EFFECTIVE August 7, 2009
AS KNOWN TO THE STATE OF CALIFORNIA
TO CAUSE CANCER OR
REPRODUCTIVE TOXICITY**

Effective August 7, 2009, the Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is adding the

chemicals identified below to the list of chemicals known to the state to cause cancer or reproductive toxicity, for the purposes of Proposition 65.

- *Amsacrine, toxins derived from Fusarium moniliforme (Fusarium verticillioides) and zalcitabine* are being added to the list as known to the state to cause cancer. *n-Butyl glycidyl ether, carbaryl, 2-chloropropionic acid, diglycidyl ether, 2-ethylhexanoic acid, methyl n-butyl ketone, p,p'-oxybis(benzenesulfonyl hydrazide), phenylphosphine, 1,3,5-triglycidyl-s-triazinetriene* are being added as known to the state to cause reproductive toxicity.

Additional endpoints are being added for chemicals that are already on the Proposition 65 list.

- *Chloroform, dichloroacetic acid, phenyl glycidyl ether, and 4-vinylcyclohexene* are already listed under Proposition 65 as known to cause cancer, and as of August 7, 2009, these chemicals will be listed as known to cause reproductive toxicity.
- *Methyl chloride* and *toluene* are already listed under Proposition 65 as known to cause reproductive toxicity, based on the developmental toxicity endpoint. As of August 7, 2009, the basis for the listing will include the male reproductive toxicity endpoint for *methyl chloride* and the female reproductive toxicity endpoint for *toluene*.

- *Ethylene oxide* is already listed as known to cause cancer and reproductive toxicity based on the female reproductive toxicity endpoint. As of August 7, 2009, the ethylene oxide listing will also be based on developmental and male reproductive toxicity,

Health and Safety Code section 25249.8(a) requires that certain substances identified by the International Agency for Research on Cancer (IARC) or the National Toxicology Program (NTP), as described in Labor Code section 6382(b)(1) and (d), be included on the Proposition 65 list as causing cancer. Labor Code section 6382(b)(1) references substances identified as human or animal carcinogens by IARC, and Labor Code section 6382(d) references substances identified as carcinogens or potential carcinogens by IARC or NTP.

Health and Safety Code section 25249.8(a) further requires that substances identified in Labor Code section 6382(d) as causing reproductive toxicity be included on the Proposition 65 list. Labor Code section 6382(d) references chemicals within the scope of the federal Hazard Communication Standard that are identified as reproductive toxicants (Title 29, Code of Federal Regulations (CFR), section 1910.1200, Toxic and Hazardous Substances, Occupational Safety and Health Administration). Chemicals are listed under Proposition 65 if they are identified as causing developmental or reproductive toxicity in the latest edition of the American Conference of Governmental Industrial Hygienists (ACGIH) “Threshold Limit Values”. (Title 29, CFR, section 1910.1200(d)(3)).

Cancer

The bases for these listings was described in two public notices both published in the June 12, 2009, issue of the *California Regulatory Notice Register* (Register 2009, No. 24–Z). The titles of the notices were “Request For Comments on Chemicals Proposed For Listing By the Labor Code Mechanism (carcinogens)” and “Request For Comments on Chemicals Proposed For Listing By the Labor Code Mechanism (reproductive and developmental toxicants)”. The publication of the two notices initiated a 30–day public comment period that closed on July 13, 2009.

OEHHA did not receive comments from the public on the chemicals included in today’s notice. Listing decisions for other chemicals identified in the June 12 notices will be published at a later date.

OEHHA has not established no–significant–risk–levels (NSRLs) for the carcinogens or the maximum allowable dose levels (MADLs) for reproductive toxicants included in this notice, with the exception of toluene and ethylene oxide. OEHHA has not reviewed the MADLs for toluene and ethylene oxide to determine if they should be revised to reflect the new endpoints identified in this notice. The priority status of the development of these NSRLs and MADLs will be announced in a future version of OEHHA’s Proposition 65 Status Report on No Significant Risk Levels for Carcinogens and Maximum Allowable Dose levels for Chemicals Causing Reproductive Toxicity, available at <http://www.oehha.ca.gov/prop65.html>.

A complete, updated Proposition 65 list is published elsewhere in this issue of the *California Regulatory Notice Register*. The table below summarizes the changes made today to the Proposition 65 list.

Chemical	CAS No.	Toxicological Endpoint	Listing Mechanism ¹
Amsacrine	51264–14–3	Cancer	LC
Toxins derived from <i>Fusarium moniliforme</i> (<i>Fusarium verticillioides</i>)	—	Cancer	LC
Zalcitabine	7481–89–2	Cancer	LC

Reproductive toxicity

Chemical	CAS No.	Toxicological Endpoint	Listing Mechanism¹
n-Butyl glycidyl ether	2426-08-6	Male reproductive toxicity	LC
Carbaryl	63-25-2	Developmental, Male reproductive toxicity	LC
Chloroform ⁴	67-66-3	Developmental toxicity	LC
2-Chloropropionic acid	598-78-7	Male reproductive toxicity	LC
Dichloroacetic acid ⁴	79-43-6	Male reproductive toxicity	LC
Diglycidyl ether	2238-07-5	Male reproductive toxicity	LC
Ethylene oxide ^{2, 4}	75-21-8	Developmental, Male reproductive toxicity	LC
2-Ethylhexanoic acid	149-57-5	Developmental toxicity	LC
Methyl chloride ³	74-87-3	Male reproductive toxicity	LC
Methyl n-butyl ketone	591-78-6	Male reproductive toxicity	LC
p,p'-Oxybis(benzenesulfonyl hydrazide)	80-51-3	Developmental toxicity	LC
Phenyl glycidyl ether ⁴	122-60-1	Male reproductive toxicity	LC
Phenylphosphine	638-21-1	Developmental toxicity	LC
Toluene ³	108-88-3	Female reproductive toxicity	LC
1,3,5-Triglycidal-s-triazinetriene	2541-62-9	Male reproductive toxicity	LC
4-Vinylcyclohexene ⁴	100-40-3	Female and male reproductive toxicity	LC

¹ Listing mechanism:

LC — "Labor Code" mechanism (Labor Code sections 6382(b)(1) and (d)).

² Already on the Proposition 65 list based on female reproductive toxicity.

³ Already on the Proposition 65 list based on developmental toxicity.

⁴ Already on the Proposition 65 list as known to cause cancer.

**OAL REGULATORY
DETERMINATION**

OFFICE OF ADMINISTRATIVE LAW

**DETERMINATION OF ALLEGED
UNDERGROUND REGULATIONS
(Summary Disposition)**

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

**DEPARTMENT OF CORRECTIONS AND
REHABILITATION**

Date: July 23, 2009

To: Billy Lacey

From: Chapter Two Compliance Unit

Subject: **2009 OAL DETERMINATION NO. 15(S)
(CTU2009-0318-04)**

(Summary Disposition issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f))

Petition Challenging as an Underground Regulation a Memorandum Dated February 14, 2008, with a Subject Heading "Blank Non-CDC Court Forms"

On March 18, 2009, you submitted a petition to the Office of Administrative Law (OAL) asking for a determination as to whether a Memorandum dated February 14, 2008, with a subject heading "Blank Non-CDC Court Forms" ("Memorandum"), constitutes an underground regulation. This Memorandum is signed by S. Wortman, Academic Vice Principal, at California State Prison, Corcoran. It states that all CDC forms shall be provided at no cost to inmates, but that non-CDC court forms "shall be provided to inmates at a cost of \$0.10 a page." You specifically challenge the provision requiring inmates to be charged for the non-CDC court forms. This Memorandum is attached hereto as 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).² Nothing in this analysis evaluates the advisability or the wisdom of the underlying action or enactment. OAL has neither the legal authority nor the technical expertise to evaluate the underlying policy issues involved in the subject of this determination.

Generally, a rule which meets the definition of a "regulation" in Government Code section 11342.600 is required to be adopted pursuant to the APA. In some cases, however, the Legislature has chosen to establish exemptions from the requirements of the APA. Penal Code section 5058, subdivision (c), establishes exemptions expressly for the California Department of Corrections and Rehabilitation:

(c) The following are deemed not to be "regulations" as defined in Section 11342.600 of the Government Code:

(1) Rules issued by the director applying solely to a particular prison or other correctional facility. . . .

This exemption is called the "local rule" exemption. It applies only when a rule is established for a single correctional institution.

In *In re Garcia* (67 Cal.App.4th 841, 845), the court discussed the nature of a "local rule" adopted by the warden for the Richard J. Donovan Correctional Facility (Donovan) which dealt with correspondence between inmates at Donovan:

The Donovan inter-institutional correspondence policy applies solely to correspondence entering or leaving Donovan. It applies to Donovan inmates in all instances.

. . .

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.

² Such a rule is called an "underground regulation" as defined in California Code of Regulations, title 1, section 250, subsection (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.

The Donovan policy is not a rule of general application. It applies solely to Donovan and, under Penal Code section 5058, subdivision (c)(1), is not subject to APA requirements.

Similarly, the rule challenged by your petition applies solely to the inmates of California State Prison, Corcoran. The Memorandum dated February 18, 2008 was issued by S. Wortman, Academic Vice Principal, at California State Prison, Corcoran. Inmates housed at other institutions are controlled by those other institutions' rules dealing with the cost of providing court forms. The rule you challenge was issued by the California State Prison, Corcoran, and applies only to inmates at the California State Prison, Corcoran. Therefore, the rule is a "local rule" and is exempt from compliance with the APA pursuant to Penal Code section 5058(c)(1).³

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/
Susan Lapsley
Director

/s/
George Shaw
Staff Counsel

Copy: Matthew Cate
John McClure

³ The rules challenged by your petition are the proper subject of a summary disposition letter pursuant to title 1, section 270 of the California Code of Regulations. Subdivision (1) 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.

(Emphasis added.)

EXHIBIT

A

Memorandum

Date 02 14 08

To R. Rosenthal, Senior Librarian
B. Sanders, Librarian
S. Lever, DDPLTA
J. Guzman, LTA
V. Neri, LTA

Subject **BLANK NON-CDC COURT FORMS**

Due to recent confusion about what forms are to be provided to inmates at no cost, our policy is reiterated below:

All CDC forms (e.g. 602s, 1824s, Inmate Requests for Interviews) shall be provided at no cost to inmates. Non-CDC court forms (e.g. "divorce packets", habaes corpus forms) shall be provided to inmates at a cost of \$0.10 a page.

Please see Title 15 §3162 (a) for any further clarification.

/s/
S. Wortman
Academic Vice Principal

**AVAILABILITY OF INDEX OF
PRECEDENTIAL DECISIONS**

EDUCATION AUDIT APPEALS PANEL

Notice of Availability of Precedential Decision Index
(Government Code Section 11425.60)

Notice is hereby given that the Education Audit Appeals Panel (EAAP) maintains an index of the determinations made in the only decision EAAP has so far designated as precedential. The index is available on the Internet at <http://www.eaap.ca.gov>, following the text of the "Appeals" section.

**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 indi-

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

File# 2009-0714-01
BOARD OF OCCUPATIONAL THERAPY
Initial License and Certification Fee

This rulemaking action amends section 4130(a) of Title 16 of the California Code of Regulations to cross-reference section 4120(a)(1) of that title to ensure the prorating of initial fees for an occupational therapy license or occupational therapy assistant certificate so as to avoid the imposition of excessive initial fees for licenses and certificates which, depending on the birth month and year of the holder, expire prior to a two-year period of validity.

Title 16
California Code of Regulations
AMEND: 4130
Filed 07/27/2009
Effective 08/26/2009
Agency Contact: James Schenk (916) 263-2249

File# 2009-0626-03
BOARD OF OCCUPATIONAL THERAPY
Application

Business and Professions Code section 2570.15 provides that foreign trained applicants who apply for licensure to practice occupational therapy must meet educational and fieldwork requirements that are substantially equal to those specified in Business and Professions Code section 2570.6. This regulatory action defines "substantially equal" as meaning educational and supervised fieldwork requirements approved by the board and specified professional associations.

Title 16
California Code of Regulations
AMEND: 4110
Filed 07/28/2009
Effective 08/27/2009
Agency Contact: James Schenk (916) 263-2249

File# 2009-0617-02
BOARD OF PSYCHOLOGY
Psychological Assistant Renewals

This action shifts the period of annual registration for all psychological assistants from one with a common beginning and ending date of January 31 to a period of one year after issuance of the registration to any particular applicant and makes a corresponding change in the due date for annual reporting by a supervisor of a psy-

chological assistant concerning the experience that has been obtained.

Title 16
California Code of Regulations
AMEND: 1391.10, 1391.12
Filed 07/24/2009
Effective 08/23/2009
Agency Contact: Jeffrey Thomas (916) 263-1617

File# 2009-0617-01
BOARD OF PSYCHOLOGY
Psychological Assistant Plans for SPE

This action would oblige a psychological assistant who intends to acquire supervised professional experience in a private practice setting, as defined, to prepare a plan together with the intended primary supervisor; submit the plan to the Board; and obtain approval prior to commencement of the experience in order for it to be counted toward qualification for licensure as a psychologist.

Title 16
California Code of Regulations
AMEND: 1387, 1387.6
Filed 07/24/2009
Effective 08/23/2009
Agency Contact: Jeffrey Thomas (916) 263-1617

File# 2009-0701-01
DEPARTMENT OF CHILD SUPPORT SERVICES
State Hearing Address Update

This action updates a form to change the address and related narrative to redirect all public contact regarding child support state hearings to the Department of Child Support Services.

Title 22
California Code of Regulations
AMEND: 120201
Filed 07/23/2009
Agency Contact: Lucila Ledesma (916) 464-5087

File# 2009-0625-02
DEPARTMENT OF CORRECTIONS AND REHABILITATION
Senate Bill 618 Regulation Revision

Senate Bill 618 authorizes counties to develop a multi-agency plan to prepare and enhance nonviolent offenders successful reentry into the community and authorizes the Department of Corrections and Rehabilitation to enter into an agreement with up to 3 counties to implement the plan and provide funding for the probation department to carry out its assessments. This filing is a certificate of compliance, with some amendments, for the emergency regulatory action implementing these provisions which was certified as an operational

necessity and deemed an emergency by the Legislature pursuant to Penal Code section 5058.3.

Title 15
 California Code of Regulations
 ADOPT: 3077, 3077.1, 3077.2, 3077.3, 3077.4
 AMEND: 3000, 3043.6, 3375
 Filed 07/28/2009
 Agency Contact: Diane Hawkins (916) 322-8447

File# 2009-0716-04
 DEPARTMENT OF FOOD AND AGRICULTURE
 Light Brown Apple Moth Interior Quarantine

This emergency action expands the regulated area in Contra Costa County (approximately 32 sq. miles) and expands the regulated area of Hollister (approximately 12 sq. miles). It also establishes new regulated areas in the Gonzales area of Monterey (approximately 18 sq. miles), Manteca (approximately 18 sq. miles) and Fairfield (approximately 15 sq. miles) with respect to the light brown apple moth (LBAM; *Epiphyas postvittana*): This would result in a total of approximately 3,473 sq. miles of area under quarantine for this pest in this State.

Title 3
 California Code of Regulations
 AMEND: 3434(b)
 Filed 07/24/2009
 Effective 07/24/2009
 Agency Contact:
 Stephen S. Brown (916) 654-1017

File# 2009-0716-02
 DEPARTMENT OF FOOD AND AGRICULTURE
 Mediterranean Fruit Fly Interior Quarantine

This emergency regulatory action will remove a portion, approximately 105 square miles, of the El Cajon area of San Diego County from the area currently under quarantine (approximately 198 square miles) for the Mediterranean fruit fly.

Title 3
 California Code of Regulations
 AMEND: 3406(b)
 Filed 07/22/2009
 Effective 07/22/2009
 Agency Contact:
 Stephen S. Brown (916) 654-1017

File# 2009-0720-02
 DEPARTMENT OF FOOD AND AGRICULTURE
 White Striped Fruit Fly

This rulemaking action adds section 3591.23 to Title 3 of the California Code of Regulations and, thereby, establishes Los Angeles County as an eradication area for

the White Striped Fruit Fly. The adopted regulation further identifies the host plants, fruits, and soils of the White Striped Fruit Fly and specifies the means and methods authorized for the eradication and control of this pest.

Title 3
 California Code of Regulations
 ADOPT: 3591.23
 Filed 07/22/2009
 Effective 07/22/2009
 Agency Contact:
 Stephen S. Brown (916) 654-1017

File# 2009-0611-02
 DEPARTMENT OF HEALTH CARE SERVICES
 Reimbursement for Pathology Services

This filing amends section 51529 of title 22 of the California Code of Regulations to conform with changes necessitated by Welfare and Institutions Code sections 14105.22 and 14105.05(a) and is submitted pursuant to section 100 of title 1 of the California Code of Regulations.

Title 22
 California Code of Regulations
 AMEND: 51529
 Filed 07/22/2009
 Agency Contact: Ben Carranco (916) 440-7766

File# 2009-0617-06
 DEPARTMENT OF INSURANCE
 Title Marketing Representative Certificate Application and Renewal

This is the Certificate of Compliance filing making permanent the prior emergency adoption of application and renewal procedures for obtaining a certificate of registration as a title marketing representative. The prior emergency action made permanent here was OAL file number 2008-1222-06E.

Title 10
 California Code of Regulations
 ADOPT: 2194.50, 2194.51, 2194.52, 2194.53, 2194.54, 2194.55
 Filed 07/29/2009
 Agency Contact: George Teekell (415) 538-4390

File# 2009-0715-01
 NEW MOTOR VEHICLE BOARD
 Conflict of Interest Code

The New Motor Vehicle Board is amending its conflict of interest code found at section 599, title 13, California Code of Regulations. The Fair Political Practices Commission approved the changes for filing on June 26, 2009.

Title 13
California Code of Regulations
AMEND: 599
Filed 07/29/2009
Effective 08/28/2009
Agency Contact:
Howard Weinberg (916) 445-2080

File# 2009-0619-03
OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD
Marine Terminal Operations — Vertical Tandem Lifts

This action concerns adopting standards on Marine Terminal Operations, Vertical Tandem Lifts. This action is exempt from OAL review pursuant to Labor Code section 142.3(a)(3) and is submitted for filing with the Secretary of State and printing only.

Title 8
California Code of Regulations
AMEND: 3466
Filed 07/24/2009
Effective 07/24/2009
Agency Contact: Marley Hart (916) 274-5721

File# 2009-0619-05
OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD
Mobile and Tower Crane Operator Qualifications — Accreditation of Certifying Entities

The Occupational Safety and Health Standards Board (Board) amends section 5006.1(c) of Title 8 of the California Code of Regulations relating to mobile crane and tower crane-operator qualifications and certifications. Section 5006.1 generally sets forth requirements for crane operator qualifications including the requirement of a valid certificate of competency issued by an “accredited certifying entity.” 5006.1(c) currently defines “accredited certifying entity” as an organization whose certification program is accredited by the National Commission for Certifying Agencies. In this rulemaking, the Board includes the American National Standards Institute (ANSI) personnel certification accreditation program as an “accredited certifying entity” as an alternative to the National Commission for Certifying Agencies.

Title 8
California Code of Regulations
AMEND: 5006.1
Filed 07/27/2009
Effective 08/26/2009
Agency Contact: Marley Hart (916) 274-5721

File# 2009-0619-06
OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD
Use of High Visibility Apparel

Existing sections 1598 and 1599 of title 8 require employees (on foot) exposed to the hazard of vehicular traffic and flaggers to wear warning garments in orange, strong yellow-green, or fluorescent versions of these colors. This regulatory action would revise these regulations to require employees (on foot) and flaggers to wear warning garments manufactured in accordance with the requirements of the American National Standards Institute (ANSI)/International, Safety Equipment Association (ISEA) 107-2004, High Visibility Safety Apparel and Headwear.

Title 8
California Code of Regulations
AMEND: 1598, 1599
Filed 07/23/2009
Effective 08/22/2009
Agency Contact: Marley Hart (916) 274-5721

File# 2009-0611-01
OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT
Proposition 65 — Safe Use Determinations

The Office of Environmental Health Hazard Assessment (OEHHA) submitted this action to amend title 27, California Code of Regulations, section 25204, which sets forth procedural requirements, eligibility criteria, and fees for requesting a safe use determination from OEHHA.

Title 27
California Code of Regulations
AMEND: 25204
Filed 07/23/2009
Effective 08/22/2009
Agency Contact:
Fran Kammerer (916) 445-4693

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN February 25, 2009 TO
July 29, 2009**

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

07/20/09 ADOPT: 721
 07/07/09 AMEND: 18450.4
 07/06/09 AMEND: 18940.2
 06/15/09 ADOPT: 18746.4 AMEND: 18741.1, 18746.1, 18746.3
 06/12/09 ADOPT: 649.14, 649.17, 649.18, 649.23, 649.25, 649.29, 649.32, 649.33, 649.48 AMEND: 647.4, 649, 649.2, 649.4, 649.7, 649.8, 649.11, 649.12, 649.13, 649.15, 649.16, 649.22, 649.24, 649.26, 649.27, 649.28, 649.30, 649.31, 649.35, 649.36, 649.50, 649.51, 649.57, 649.58, 649.59, 649.62 REPEAL: 649.3, 649.6, 649.9, 649.10, 649.14, 649.23, 649.25
 06/09/09 ADOPT: 18405
 06/01/09 ADOPT: 250.1
 05/21/09 AMEND: 18705.1
 05/14/09 ADOPT: 21000, 21001, 21002, 21003, 21004, 21005, 21006, 21007, 21008, 21009
 05/08/09 ADOPT: 18410 AMEND: 18402
 04/30/09 AMEND: 1859.129, 1859.197
 04/28/09 AMEND: div. 8, ch. 111, section 59560
 04/22/09 ADOPT: 1859.148.2, 1859.166.2 AMEND: 1859.2, 1859.121, 1859.164.2, 1859.197
 03/05/09 AMEND: 18704

Title 3

07/24/09 AMEND: 3434(b)
 07/22/09 ADOPT: 3591.23
 07/22/09 AMEND: 3406(b)
 07/21/09 AMEND: 3591.2(a)
 07/20/09 AMEND: 3591.20(a)
 07/13/09 AMEND: 625
 07/07/09 AMEND: 3435
 07/02/09 AMEND: 3423(b)
 06/30/09 AMEND: 3434(b)
 06/22/09 AMEND: 3434(b)
 06/19/09 AMEND: 3591.20(a)
 06/15/09 AMEND: 3406(b)
 06/15/09 AMEND: 3434(b)
 06/01/09 AMEND: 3406(b)
 06/01/09 ADOPT: 3408
 05/26/09 AMEND: 3434(b)
 05/20/09 AMEND: 3434(b)
 05/20/09 AMEND: 3434(b)
 05/13/09 AMEND: 6800
 05/04/09 AMEND: 3434(b)
 04/27/09 AMEND: 3434(b)
 04/20/09 AMEND: 6452.2
 03/30/09 AMEND: 3434(b)
 03/25/09 AMEND: 6860
 03/23/09 AMEND: 3423(b)

03/19/09 ADOPT: 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222.1, 1222.4, 1209, 1209.1, 1245.1, 1245.2, 1245.3, 1245.4, 1260.2, 1269, 1269.1, 1269.2, 1271 AMEND: 1200, 1201, 1202, 1204, 1205, 1206, 1207, 1208, 1222, 1223, 1223.1, 1235, 1236, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1245.1, 1245.2, 1245.3, 1245.4, 1245.5, 1245.6, 1245.7, 1245.8, 1245.9, 1245.10, 1245.11, 1245.12, 1245.13, 1245.14, 1245.15, 1245.16, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1260.1, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270 REPEAL: 1203, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1237

03/18/09 AMEND: 3435(b)
 03/10/09 AMEND: 3434
 03/05/09 AMEND: 3591.20(a)
 03/04/09 AMEND: 3435
 02/27/09 AMEND: 3434(b)
 02/26/09 AMEND: 850

Title 4

07/21/09 AMEND: 1979, 1979.1
 07/21/09 REPEAL: 1950.1
 06/25/09 ADOPT: 12486
 06/22/09 ADOPT: 8078.1 AMEND: 8070, 8072, 8076, 8078
 06/04/09 AMEND: 106
 05/18/09 ADOPT: 12488, 12508, 12510, 12511, 12514 AMEND: 12480, 12486
 05/18/09 ADOPT: 12482
 05/12/09 AMEND: 406
 05/12/09 ADOPT: 12591
 04/24/09 ADOPT: 12480, 12492, 12494, 12496, 12498, 12499, 12501, 12502, 12504 AMEND: 12482
 04/24/09 AMEND: 12482
 03/23/09 AMEND: 10175, 10176, 10177, 10182, 10185, 10187, 10188, 10189, 10190
 03/11/09 AMEND: 1865
 03/10/09 ADOPT: 12388, 12410
 03/05/09 ADOPT: 2066
 03/05/09 ADOPT: 1504.5 AMEND: 1481, 1486
 03/04/09 AMEND: 2073

Title 5

07/21/09 ADOPT: 43200
 07/21/09 ADOPT: 43220
 07/21/09 AMEND: 42920

07/21/09 ADOPT: 40411
 07/09/09 AMEND: 18100
 07/03/09 ADOPT: 80027.1, 80048.7 AMEND: 80027
 06/29/09 ADOPT: 19821.5, 19825.1, 19828.4, 19837.3, 19839, 19845.2 AMEND: 19815, 19816, 19816.1, 19828.3, 19837.2, 19845.1, 19846
 05/28/09 AMEND: 9521
 05/11/09 AMEND: 80023, 80024.4, 80024.5, 80024.6, 80025.5, 80026, 80026.1, 80026.6, 80034.5 REPEAL: 80024.3, 80026.4, 80042, 80042.5, 80569
 05/11/09 AMEND: 24002, 24003, 24005
 05/07/09 ADOPT: 3090, 3090.1, 3091, 3092, 3093, 3094, 3095, 3096, 3096.1, 3096.2, 3097, 3098, 3098.1, 3098.2, 3099
 04/30/09 ADOPT: 26000
 03/27/09 AMEND: 3001, 3051, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070
 03/05/09 AMEND: 80225

Title 8

07/27/09 AMEND: 5006.1
 07/24/09 AMEND: 3466
 07/23/09 AMEND: 1598, 1599
 07/06/09 ADOPT: 5199
 07/06/09 ADOPT: 5199.1
 06/22/09 AMEND: 230.1
 06/18/09 ADOPT: 9792.23.1, 9792.23.2, 9792.23.3, 9792.23.4, 9792.23.5, 9792.23.6, 9792.23.7, 9792.23.8, 9792.23.9, 9792.24, 9792.24.1, 9792.24.2, 9792.24.3, 9792.25, 9792.26 AMEND: 9792.20, 9792.21, 9792.22, 9792.23
 05/01/09 AMEND: 3030, 3037, 3089, 3097, 3098, 3101, 3107
 05/01/09 AMEND: 4530
 04/20/09 AMEND: 10100.2, 10101.1, 10103.2, 10104, 10105, 10106.1, 10106.5, 10107.1, 10108, 10109, 10111.1, 10111.2, 10112, 10113.4, 10113.5, 10114.2, 10115, 10115.1, 10115.2
 04/06/09 ADOPT: 227, 314, 389 AMEND: 281, 303, 323, 368, 523
 04/01/09 ADOPT: 2710.1, 2716.1, 2718, 2718.1, 2738, 2739.0, 2739.4, 2742.0, 2742.1, 2742.2, 2742.3, 2745.0, 2745.1, 2749.2, 2754.1, 2754.2, 2796, 2799.1, 2799.2, 2799.3, 2799.4, 2799.5, 2799.6, 2812.2, 2812.3, 2832, 2833.1, 2833.2, 2882.2, 2985.0, 2985.1, 2985.2, 2987.0, 2987.1, 2989.0, 2989.1 AMEND: 2700, 2706, 2707, 2710, 2712, 2714, 2715, 2725, 2735, 2739.1, 2743, 2745.2, 2749.1, 2753, 2790, 2791, 2792, 2795, 2797, 2799.0, 2805, 2810, 2812.1, 2816, 2819, 2820, 2833, 2845, 2847, 2863, 2873, 2874, 2875, 2880, 2882.1, 2890, 2893, 2908, 2910, 2931, 2932, 2933, 2934, 2935, 2946, 2974 REPEAL: 2742
 03/04/09 AMEND: 3248
 03/02/09 ADOPT: 15475.1, 15475.2, 15475.3, 15482, 15482.1, 15482.2, 15483, 15484, 15485, 15486, 15486.1, 15487, 15488, 15489, 15489.1, 15490, 15490.1, 15491, 15496, 15497, 15497.1, 15498, 15499, 15499.5 AMEND: 15201, 15203, 15203.1, 15203.2, 15203.3, 15203.4, 15203.5, 15203.6, 15203.7, 15203.8, 15203.9, 15203.10, 15204, 15205, 15210, 15210.1, 15210.2, 15210.3, 15211, 15211.1, 15211.2, 15215, 15230, 15251, 15353, 15360, 15405, 15470, 15471, 15472, 15473, 15474, 15475, 15476, 15477, 15478, 15479, 15480, 15481, 15601.7
 03/02/09 AMEND: 3209, 3299, 4885, 5049, 5085, 5152, 5193, 5207, 5215, 5297, 5299, 5302, 5304, 5449, 6402, 6503, 6600
 02/25/09 REPEAL: 10116.4, 10122, 10122.1, 10123, 10123.2, 10123.3, 10124, 10124.1, 10125, 10125.1, 10125.2, 10125.3, 10126, 10127, 10127.1, 10127.2, 10127.3, 10128, 10129, 10129.1, 10130, 10131, 10131.1, 10131.2, 10132, 10132.1, 10133, 10133.2, 10133.4, 10133.10, 10133.11, 10133.12, 10133.13, 10133.14, 10133.15, 10133.16, 10133.17, 10133.18, 10133.19, 10133.20, 10133.21, 10133.22

Title 9

06/29/09 ADOPT: 10700, 10701 AMEND: 10518, 10529 REPEAL: 10532, 10533
 06/26/09 ADOPT: 7212.1, 7212.2, 7212.3, 7212.4 AMEND: 7210, 7211, 7212

Title 10

07/29/09 ADOPT: 2194.50, 2194.51, 2194.52, 2194.53, 2194.54, 2194.55
 07/14/09 ADOPT: 2359.8
 07/09/09 AMEND: 2797
 07/06/09 AMEND: 250.30
 06/24/09 AMEND: 2498.4.9
 06/24/09 AMEND: 2498.4.9

06/24/09 AMEND: 2498.4.9
 06/24/09 AMEND: 2498.4.9
 06/01/09 ADOPT: Article 1, 2031.1, 2031.2, 2031.3, 2031.4, 2031.5, 2031.6, Article 2, 2031.7, 2031.8, Article 3, 2031.9, Article 4, 2031.10
 06/01/09 ADOPT: 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10
 06/01/09 ADOPT: 2850.1, 2850.2, 2850.3, 2850.4, 2850.5, 2850.6, 2850.7, 2850.8, 2850.9, 2850.10
 05/29/09 ADOPT: 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5507
 05/12/09 AMEND: 2716.1, 2790.1.5, 2810.5
 05/01/09 AMEND: 2699.6603
 03/27/09 AMEND: 2498.6 (Exhibit C)
 03/25/09 AMEND: 2661.3, 2661.4, 2662.1
 03/23/09 AMEND: 2498.6
 02/26/09 AMEND: 2699.6805

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 05/21/09 AMEND: 1005, 1007, 1008
 04/17/09 AMEND: 30.1
 04/01/09 ADOPT: 9056, 9057, 9058, 9059, 9060
 AMEND: 1018
 04/01/09 ADOPT: 9050, 9051, 9052, 9053, 9054, 9055 REPEAL: 1002
 03/30/09 ADOPT: 30.15
 03/03/09 AMEND: 9070, 9077

Title 12
 02/26/09 ADOPT: 800, 800.1, 801, 802, 803, 804, 805, 806, 807, 808, 809

Title 13
 07/29/09 AMEND: 599
 07/17/09 AMEND: 2111, 2112, Appendix A, 2139, 2147, 2440, 2441, 2442, 2443.1, 2443.2, 2443.3, 2444.1, 2444.2, 2445.1, 2445.2, 2446, 2447, 2474, Documents Incorporated by Reference REPEAL: 2448
 06/29/09 AMEND: 2702, 2704
 06/16/09 AMEND: 1239
 06/04/09 ADOPT: 2340, 2341, 2342, 2343, 2344, 2345
 05/22/09 ADOPT: 225.38 AMEND: 225.00, 225.03, 225.06, 225.09, 225.21, 225.35, 225.45, 225.48, 225.54, 225.72
 03/18/09 ADOPT: 1962.1 AMEND: 1900, 1962, 1962.1 renumber as 1962.2
 03/10/09 ADOPT: 1160.6 AMEND: 1160.3, 1160.4
 02/26/09 ADOPT: 29.00

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 05/29/09 ADOPT: Title 13: 2299.2, Title 17: 93118.2 AMEND: Title 13: 2299.1, Title 17: 93118

Title 14
 07/14/09 AMEND: 124
 07/13/09 AMEND: 163
 06/23/09 AMEND: 3959(b)(4)
 06/23/09 ADOPT: 4351.1 AMEND: 4351
 06/16/09 AMEND: 753.5
 06/15/09 AMEND: 27.80
 06/12/09 AMEND: 265, 353, 360, 361, 362, 363, 364, 555, 708
 06/02/09 AMEND: 7.50(b)(91.1)
 05/26/09 AMEND: 7.00, 7.50
 05/21/09 AMEND: 7.50(b)(178)
 05/15/09 AMEND: 790, 818.02, 827.02
 05/14/09 ADOPT: 874.2.5 AMEND: 790, 873.1, 873.2, 873.4, 873.5, 873.7, 874.2, 877.2, 877.3 REPEAL: 873.3
 05/13/09 AMEND: 25201
 05/07/09 AMEND: 25201
 05/04/09 AMEND: 670.5
 04/27/09 ADOPT: 749.5
 04/08/09 AMEND: 2245, 2320
 03/18/09 AMEND: 632
 03/16/09 ADOPT: 20004.1, 20009.1, 20009.2
 AMEND: 20000, 20001, 20002, 20003, 20004, 20005, 20008, 20009
 03/04/09 AMEND: 2000, 2090, 2516, 2530, 2620, 2630, 2660, 2670, 2720, 2730
 03/03/09 ADOPT: 27.32 AMEND: 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.51, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.51, 28.52, 28.53, 28.54, 28.55, 28.56, 28.57, 28.58
 03/02/09 AMEND: 791.7(a), Form FG OSPR-1924, Form FG OSPR-1925, Form FG OSPR-1972
 02/25/09 AMEND: 1038, 1052

Title 15
 07/28/09 ADOPT: 3077, 3077.1, 3077.2, 3077.3, 3077.4 AMEND: 3000, 3043.6, 3375
 06/17/09 ADOPT: 3640, 3730 AMEND: 3500, 3501, 3502, 3600, 3610, 3620, 3625, 3630, 3740
 06/17/09 ADOPT: 3099
 05/12/09 AMEND: 3000, 3190, 3375, 3376.1, 3379
 05/04/09 AMEND: 3335(d)(3)

04/20/09 AMEND: 1004, 1006, 1007, 1008, 1012, 1013, 1018, 1027, 1028, 1029, 1032, 1040, 1044, 1045, 1046, 1055, 1056, 1059, 1063, 1066, 1082, 1101, 1105, 1144, 1151, 1161, 1209, 1217, 1230, 1241, 1243, 1245, 1247, 1262, 1272
 04/02/09 ADOPT: 3334 AMEND: 3000

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07/28/09 AMEND: 4110
 07/27/09 AMEND: 4130
 07/24/09 AMEND: 1391.10, 1391.12
 07/24/09 AMEND: 1387, 1387.6
 07/17/09 AMEND: 1999.5
 06/26/09 ADOPT: 2611 AMEND: 2606, 2614, 2615, 2616, 2621, 2649 REPEAL: 2612, 2613, 2623
 06/26/09 AMEND: 426.51
 06/16/09 AMEND: 1524
 06/12/09 AMEND: 2021, 2068.5, 2068.6
 REPEAL: 2067, 2068
 06/03/09 AMEND: 1888
 06/02/09 AMEND: 1419, 1419.1, 1419.3
 05/20/09 ADOPT: 1815 AMEND: 1886.40
 04/28/09 AMEND: 1524
 04/27/09 AMEND: 1760
 04/03/09 AMEND: 3830
 03/24/09 ADOPT: 1398.12
 03/20/09 AMEND: 1937, 1950, 1950.5, 1953
 03/11/09 AMEND: 1715, 1784, Form 17M-13, Form 17M-14, Form 17M-26
 03/04/09 AMEND: 4181
 03/04/09 AMEND: 1351.5, 1352
 03/04/09 ADOPT: 389
 03/04/09 AMEND: 998
 03/04/09 AMEND: 950.2
 03/03/09 AMEND: 305 REPEAL: 306.1

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06/18/09 AMEND: 94508, 94509, 94510, 94512, 94513, 94515
 04/24/09 AMEND: 30100, 30346.1, 30373
 03/11/09 AMEND: 93119

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06/04/09 AMEND: 1532, 1533.1, 1533.2, 1534, 1535
 05/21/09 AMEND: 25114
 05/12/09 AMEND: 1502
 04/29/09 AMEND: 1591
 04/06/09 ADOPT: 25113 AMEND: 25111
 03/19/09 AMEND: 23701, 23772
 03/11/09 AMEND: 1506, 1524
 03/11/09 AMEND: 1705

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07/10/09 AMEND: 1601, 1602, 1604, 1605.3, 1606
 07/10/09 AMEND: 1601, 1602, 1603, 1604, 1605.1, 1605.2, 1605.3, 1606, 1607, 1608
 06/23/09 AMEND: 3.1, 3.2, 4.3, 8.6, 10.3, 11.3, 13.2
 06/04/09 AMEND: 1.4, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 1.15, 1.16, 2.3, 2.6, 3.2, 3.6, 8.1, 8.2, 8.3, 11.6, 13.9, 14.2, 14.3, 14.6, 15.2, 17.3, 17.4, 18.1
 04/22/09 ADOPT: 3100, 3101, 3101.5, 3102, 3103, 3104, 3105, 3106, 3107, 3108

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06/22/09 ADOPT: 7700, 7701, 7702, 7703, 7704, 7705, 7706, 7707, 7708, 7709, 7710, 7711
 05/14/09 AMEND: 1554, 1556

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07/23/09 AMEND: 120201
 07/22/09 AMEND: 51529
 07/20/09 AMEND: 68201, 68202, 68205, 68206, 68207, 68208, 68209, 68210, 68211, and Appendix 1 to Article 1 of Chapter 47
 07/13/09 AMEND: 66273.3, 66273.39
 06/17/09 AMEND: 926-3, 926-4, 926-5
 05/21/09 AMEND: 2601-1
 04/21/09 AMEND: 51543
 03/12/09 AMEND: 51517
 03/03/09 ADOPT: 63000.48, 63051, 63052
 AMEND: 63000.16, 63000.25, 63000.43, 63000.46, 63000.66, 63000.68, 63000.77, 63010, 63011, 63013, 63020, 63021, 63029, 63030, 63040, 63050, 63055 REPEAL: 63051

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07/09/09 ADOPT: 3959.3
 06/25/09 ADOPT: 3989.8
 06/16/09 ADOPT: 3939.36
 06/01/09 ADOPT: 2631.2
 05/14/09 ADOPT: 2920

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05/22/09 ADOPT: 4200, 4202, 4204, 4206, 4208, 4210, 4212, 4214, 4216
 05/20/09 AMEND: 8217
 05/13/09 ADOPT: 6932 REPEAL: 6932
 05/07/09 ADOPT: 6932 REPEAL: 6932

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07/23/09 AMEND: 25204
 04/07/09 AMEND: 25705(b)

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02/18/09	AMEND: 20921	06/29/09	AMEND: 11-425, 22-001, 22-003, 22-009, 45-302, 45-303, 45-304, 45-305, 45-306
Title MPP			
07/06/09	ADOPT: 31-003, 31-502 AMEND: 31-002		