



# California Regulatory Notice Register

REGISTER 2016, NO. 32-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

AUGUST 5, 2016

## PROPOSED ACTION ON REGULATIONS

### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

<i>Conflict-of-Interest Code — Notice File No. Z2016-0726-02</i>	1357
<i>Amendment</i>	
Multi-County                      Valley Insurance Program, JPA	

### TITLE 10. GOVERNOR’S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT

<i>California Competes Tax Credit — Notice File No. Z2016-0725-03</i>	1358
---	------

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

<i>Peace Officer Selection Requirements and Background Investigations Updates — Notice File No. Z2016-0726-11</i>	1360
---	------

### TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

<i>End of Life Option Action Exemption — Notice File No. Z2016-0725-02</i>	1362
--	------

### TITLE 16. BOARD OF REGISTERED NURSING

<i>Advanced Practice Registered Nurses — Notice File No. Z2016-0720-01</i>	1364
--	------

### TITLE 16. BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION

<i>Fees — Notice File No. Z2016-0725-01</i>	1367
---	------

### TITLE 17. AIR RESOURCES BOARD

<i>Cap and Trade 2016 — Notice File No. Z2016-0719-09</i>	1370
---	------

### TITLE 19. OFFICE OF THE STATE FIRE MARSHAL

<i>Hazardous Liquid Pipelines – Annual Inspection — Notice File No. Z2016-0726-12</i>	1385
---	------

### TITLE 22. DEPARTMENT OF SOCIAL SERVICES

<i>Social Rehabilitation Facilities Regulations Revisions — Notice File No. Z2016-0726-03</i>	1389
---	------

(Continued on next page)

***Time-Dated Material***

TITLE 22. EMERGENCY MEDICAL SERVICES AUTHORITY  
*Emergency Medical Technician (EMT) Regulations — Notice File No. Z2016-0726-08* ..... 1391

TITLE MPP. DEPARTMENT OF SOCIAL SERVICES  
*CalWORKs Stage One Child Care Technical Language — Notice File No. Z2016-0726-04* ..... 1394

**GENERAL PUBLIC INTEREST**

BOARD OF EQUALIZATION  
*Notice of Correction Concerning Responsible Person Liability (Previously Published in Notice Register 2016, No. 29-Z)* ..... 1396

DEPARTMENT OF HEALTH CARE SERVICES  
*Notice of Correction Concerning Supplemental Payments to Non-Designated Public Hospitals (Previously Published in Notice Register 2016, No. 19-Z)* ..... 1397

**PROPOSITION 65**

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT  
*Proposition 65 Listing Notice — 1 — Bromopropane* ..... 1397

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT  
*Proposition 65 Updated Chemical List — August 5, 2016* ..... 1397

**DECISION NOT TO PROCEED**

DEPARTMENT OF CORRECTIONS AND REHABILITATION  
*Concerning Substance Abuse Treatment Referrals/Administrative Determinants (Previously Published in Notice Register 2016, No. 16-Z)* ..... 1417

STATE BOARD OF GUIDE DOGS FOR THE BLIND  
*Concerning Examinations (Previously Published in Notice Register 2016, No. 2-Z)* ..... 1417

PHYSICAL THERAPY BOARD OF CALIFORNIA  
*Concerning Retired License Status Concerning Responsible Person Liability (Previously Published in Notice Register 2016, No. 27-Z)* ..... 1418

**DISAPPROVAL DECISION**

BOARD OF PHARMACY  
*Advanced Practice Pharmacist* ..... 1418

(Continued on next page)

## SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State . . . . .	1419
Sections Filed, February 24, 2016 to July 27, 2016 . . . . .	1423

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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.

CALIFORNIA REGULATORY NOTICE REGISTER (USPS 002-931), (ISSN 1041-2654) is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 888-3600. "Periodicals Postage Paid in Saint Paul, MN." **POSTMASTER:** Send address changes to the: CALIFORNIA REGULATORY NOTICE REGISTER, Barclays, a subsidiary of West, a Thomson Reuters Business, P.O. Box 2006, San Francisco, CA 94126. The Register can also be accessed at <http://www.oal.ca.gov>.



**PROPOSED ACTION ON  
REGULATIONS**

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**TITLE 2. FAIR POLITICAL  
PRACTICES COMMISSION**

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

**CONFLICT-OF-INTEREST CODES**

**AMENDMENT**

**MULTI-COUNTY:** Valley Insurance Program, JPA

A written comment period has been established commencing on August 5, 2016, and closing on September 19, 2016. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

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

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

posed conflict-of-interest code(s). Any written comments must be received no later than September 19, 2016. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

**COST TO LOCAL AGENCIES**

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

**EFFECT ON HOUSING COSTS  
AND BUSINESSES**

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

**AUTHORITY**

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

**REFERENCE**

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

**CONTACT**

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

**AVAILABILITY OF PROPOSED  
CONFLICT-OF-INTEREST CODES**

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

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

## TITLE 10. GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT

### California Competes Tax Credit

The Governor's Office of Business and Economic Development (GO-Biz) proposes to adopt amendments to Title 10, Chapter 13, Article 1, Sections 8000 and 8030 after considering all comments, objections, and recommendations regarding the Proposed Action. These proposed regulatory amendments are hereafter referred to as the "Proposed Action."

### PUBLIC PROCEEDINGS, AUTHORITY, AND REFERENCE

Any interested person, or his or her authorized representative, may submit written comments relevant to the Proposed Action to GO-Biz at the address below. Comments may also be submitted by email to [calcompetes@gov.ca.gov](mailto:calcompetes@gov.ca.gov). The written comment period closes at **5:00 p.m. on September 19, 2016**. GO-Biz will only consider comments received at the GO-Biz office by that time. Submit comments to:

Kristen Kane, CCTC Deputy Director  
Governor's Office of Business and Economic  
Development  
1325 J Street, Suite 1800  
Sacramento, CA 95814

Revenue and Taxation Code sections 17059.2(h) and 23689(h) authorize GO-Biz to amend Title 10, Chapter 13, Article 1, Sections 8000 and 8030. The Proposed Action implements, interprets, and makes specific, sections 17059.2 and 23689 of the Revenue and Taxation Code. A public hearing on the Proposed Action will be scheduled upon request. To request a hearing, send a letter to the address listed above no later than **fifteen days prior to the close of the written comment period**.<sup>1</sup> GO-Biz will send notice of the hearing to the requestor and to the interested parties on the California Competes Tax Credit (CCTC) interested parties list for regulatory public hearings. The notice will also be posted on the GO-Biz website at least ten days before the public hear-

<sup>1</sup> If you have special accommodation or language needs, please include this in your request for a public hearing. TTY/TDD speech-to-text users may dial 7-1-1 for the California Relay Service.

ing date pursuant to Government Code section 11346.8(a). The notice will provide the date, time, and location of the hearing. If a hearing is scheduled and you have special accommodation or language needs, please contact Kristen Kane via email at [calcompetes@gov.ca.gov](mailto:calcompetes@gov.ca.gov) at least one week in advance of the hearing.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Governor Edmund G. Brown Jr. established the Governor's Economic Development Initiative (GEDI) by signing Assembly Bill 93 (Cmte. on Budget, Chapter 69, Statutes of 2013(AB 93)) and Senate Bill 90 (Galgiani, Chapter 70, Statutes of 2013) into law. GEDI is comprised of the Manufacturing Equipment Sales and Use Tax Exemption, New Employment Credit, and the CCTC. GO-Biz is responsible for implementation of the CCTC. The CCTC is a state-wide program available to both large and small businesses, with 25 percent of the available credit each year specifically reserved for small businesses. Section 1 of AB 93 makes it clear that the intent of GEDI is to attract and retain high-value employers while at the same time ensuring accountability for the state's job creation efforts and the effective use of taxpayer dollars.

The Proposed Action modifies the application process used to administer the CCTC, and specifies and clarifies definitions for terms used in the administration of the CCTC.

#### Anticipated Benefits of the Proposed Action:

The Proposed Action will assist businesses whose projects will take place in areas with high unemployment and/or poverty by automatically advancing their applications to the second phase of the evaluation process. The specification and clarification of definitions used in the program will help ensure that all CCTC applicants are evaluated in the same manner, and that no similarly situated applicants will receive different treatment due to a misunderstanding of definitions.

#### Determination of Inconsistency/Incompatibility with Existing State Regulations:

No other state agency has issued any regulations relating to the CCTC program, therefore there are no inconsistencies or incompatibilities with existing state regulations relating to the CCTC program.

### DISCLOSURES REGARDING THE PROPOSED ACTION

#### GO-Biz has made the following initial determinations:

- Mandate on local agencies and school districts: None.
- Cost or savings to any state agency: None.
- Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.

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

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

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

Significant effect on housing costs: None.

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

Small business determination: The minor amendments will not have any discernible economic impact on small businesses because they do not impact the cost to prepare the application or impose any additional programmatic burdens or requirements on small businesses. To the contrary, these proposed regulations, as noted, provide clarity on the nature and type of information required, and as such, will aid small businesses in the CCTC application process.

Results of the Economic Impact Analysis/Assessment: The amendments are designed to provide clarity to businesses on the definitions and application process. The amendments do not substantively alter the application or program implementation processes. Further, they make clear the information business applicants will need to gather and submit as part of the application and evaluation processes. These amendments do not: 1) benefit or otherwise impact worker safety and the state’s environment, 2) impact the creation/elimination of California jobs, 3) the creation/elimination of California businesses, or 4) impact the expansion of existing California businesses.

#### CONSIDERATION OF ALTERNATIVES

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

#### CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Kristen Kane, CCTC Deputy Director  
 Governor’s Office of Business and Economic  
 Development  
 1325 J Street, Suite 1800  
 Sacramento, CA 95814  
 Email: calcompetes@gov.ca.gov  
 Phone: (916) 323–3880

Or:

Scott Dosick, CCTC Assistant Deputy Director  
 Governor’s Office of Business and Economic  
 Development  
 1325 J Street, Suite 1800  
 Sacramento, CA 95814  
 Email: calcompetes@gov.ca.gov  
 Phone: (916) 322–0676

Please direct requests for copies of the text of the proposed amended regulations, the ISOR, or other information upon which the rulemaking is based to Kristen Kane at the above address.

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

Go–Biz will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the Initial Statement of Reasons. Copies may be obtained by downloading them at [www.business.ca.gov/calcompetes.aspx](http://www.business.ca.gov/calcompetes.aspx) or contacting Kristen Kane at [calcompetes@gov.ca.gov](mailto:calcompetes@gov.ca.gov).

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, GO–Biz may adopt the proposed regulations substantially as described in this notice. If GO–Biz makes modifications which are sufficiently different from the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before GO–Biz adopts the regulations as revised. Please send requests for

copies of any modified regulations to the attention of Kristen Kane at the address indicated above. GO–Biz will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### **AVAILABILITY OF THE FINAL STATEMENT OF REASONS**

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

#### **AVAILABILITY OF THE DOCUMENTS ON THE INTERNET**

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, and the text of the proposed amendments can be accessed through the GO–Biz website at [www.business.ca.gov/calcompetes.aspx](http://www.business.ca.gov/calcompetes.aspx).

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

#### **POST Peace Officer Selection Standards Regulations 1950 and 1953**

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code Section 11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

#### **Public Comments Due by September 19, 2016, at 5:00 p.m.**

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227–5271, or by letter to:

Commission on POST  
Attention: Rulemaking  
860 Stillwater Road, Suite 100  
West Sacramento, CA 95605–1630

#### **AUTHORITY AND REFERENCE**

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

#### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

The POST Peace Officer Selection Requirements are contained in Commission Regulations 1950–1955. Current regulations require that a peace officer who returns to a department after a break in service of any length must undergo, at a minimum, an updated background investigation and new medical and psychological evaluations prior to rehire.

The proposed regulations would remove POST–imposed screening requirements for peace officers who return to their department within 180 days of a voluntary separation. The proposed changes will allow law enforcement hiring authorities, who have extensive, first–hand knowledge of their recently–separated officers, to determine for themselves what if any assessments are necessary to ensure that those officers meet the minimum standards imposed by California Government Code 1031. Enacting this change will therefore relieve agencies of unnecessary, costly screening burdens and hiring delays for officers rehired in temporary, part–time positions and for voluntarily separated officers who are returning to the same agency after a minimal break in service.

The specific benefits anticipated by the proposed changes to the regulations will be to provide economic relief to departments by providing them discretion to determine the appropriate assessments for returning officers. It may also serve to allow departments to be more responsive and efficient in responding to staffing shortages, which could provide a benefit to public health and safety. There would be no perceived effect to benefits in worker safety, or the environment, the prevention of discrimination, and the increase in openness and transparency in business and government.

During the process of developing these regulations and amendments, the Commission on Peace Officer Standards and Training has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing State regulations.

ADOPTION OF PROPOSED REGULATIONS

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

ESTIMATE OF ECONOMIC IMPACT

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

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

Local Mandate: None.

Costs to any Local Agency or School District for which Government Code Sections 17500 – 17630 requires reimbursement: None.

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, including Small Business: The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will not affect California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement which does not impact California businesses, including small businesses.

Cost Impacts on Representative Private Persons or Businesses: The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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

RESULTS OF ECONOMIC IMPACT ASSESSMENT PER GOV. CODE SEC. 11346.3(b)

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

The benefits of the proposed amendments of regulations to the health and welfare of California residents would be to provide economic relief to departments who are rehiring peace officers within a specified time frame after a voluntary separation from the department. There would be no impact that would affect worker safety or the State’s environment.

CONSIDERATION OF ALTERNATIVES

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

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to Melani Singley, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630, at [melani.singley@post.ca.gov](mailto:melani.singley@post.ca.gov), or (916) 227–4258. The backup contact is Dave Cornejo at (916) 227–2809. General questions regarding the regulatory process may be directed to Brian Clark at [brian.clark@post.ca.gov](mailto:brian.clark@post.ca.gov), (916) 227–4847, or FAX (916) 227–5271.

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

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting Brian Clark at [brian.clark@post.ca.gov](mailto:brian.clark@post.ca.gov), (916) 227–4847, or FAX (916) 227–5271.

To request a copy of the Final Statement of Reasons once it has been approved, submit a written request to Brian Clark, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630.

TEXT OF PROPOSAL

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

**TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION**

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Section 5058, proposes to add Section 3359.8 of the California Code of Regulations (CCR), Title 15, Division 3, concerning End of Life Option Act Exemption.

PUBLIC HEARING

Date and Time: **September 21, 2016 – 9:00 a.m. to 10:00 a.m.**  
Place: Department of Corrections and Rehabilitation  
Kern Room  
1515 S Street – North Building  
Sacramento, CA 95811  
Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD

The public comment period will close **September 21, 2016 at 5:00 p.m.** Any person may submit public comments in writing (by mail, by fax, or by e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 324-6075; or by e-mail at [RPMB@cdcr.ca.gov](mailto:RPMB@cdcr.ca.gov) before the close of the comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:

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

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

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

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

**Julie Inderkum  
CA Correctional Health Care Services  
(916) 691-0697**

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

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

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

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

- Adopts provisions governing health care provided to terminally ill inmates in the custody of the California Department of Corrections and Rehabilitation (CDCR).
- Prevents inmates from accessing aid-in-dying drugs under the End of Life Option Act.
- Prohibits CDCR employees, independent contractors and other persons and entities from participating in activities under the End of Life Option Act.

FORMS INCORPORATED BY REFERENCE

None.

**SPECIFIC BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS**

The proposed regulatory action will benefit CDCR staff and inmates by providing guidance and clarity regarding end of life care. The proposed regulation also benefits inmates by specifying the health care services to be provided to terminally ill inmates remaining in the custody of CDCR. This regulatory action may ensure the health, safety and security of inmates, CDCR employees, contractors, and other persons and entities by prohibiting participation in activities under the End of Life Option Act.

**EVALUATION OF CONSISTENCY/COMPATIBILITY WITH EXISTING REGULATIONS**

The Department has researched existing regulations and has determined that these proposed regulations are consistent and compatible with existing state laws and regulations. After a review for any regulations that would relate to or affect this area, CDCR had concluded that these are the only regulations that concern CDCR participation in the End of Life Option Act.

**LOCAL MANDATES**

The proposed regulatory action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to Government Code Sections 17500 – 17630.

**FISCAL IMPACT STATEMENT**

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

**EFFECT ON HOUSING COSTS**

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

**SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS**

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

**RESULTS OF ECONOMIC IMPACT ASSESSMENT**

The Department has determined that the proposed regulations will have no impact on the creation of new or the elimination of existing jobs or businesses within California or affect the expansion of businesses currently doing business in California. The Department has determined that the proposed regulations will have no effect on worker safety, or the state’s environment, because the proposed regulations relate strictly to the internal management of CDCR institutions. This regulatory action may ensure the health, safety and security of inmates, CDCR employees, contractors, and other persons and entities by prohibiting participation in activities under the End of Life Option Act.

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

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

**EFFECT ON SMALL BUSINESSES**

The Department has determined that the proposed regulations may not affect small businesses. It is determined that this action has no significant adverse economic impact on small business because they are not affected by the internal management of state prisons.

**CONSIDERATION OF ALTERNATIVES**

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

any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

CDCR considered an alternative to preventing inmates from accessing aid-in-dying drugs, which would include the establishment of policies and procedures allowing CDCR inmates to request aid-in-dying drugs. However, this was rejected because as indicated above, significant informed consent and conflict-of-interest questions arise if CDCR were to allow its staff to act on inmate requests for these medications.

Due to the inherent safety and security concerns, inmates would have to be placed in housing with severe restrictions on their movement and any remaining quality of life due to the safety and security concerns relating to their access to the medications. Those pressures would increase the pressures on the inmate, further undermining the intent that the decision to self-administer the drugs is to be undertaken freely and voluntarily and without coercion. Employees or contractors providing services to inmates may elect to not participate in the process under Health and Safety Code section 443.14(e). This would either result in allowing only those inmates with willing providers to get prescriptions or require CDCR to locate and contract with providers willing to act on inmate requests.

#### AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

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

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

#### AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regu-

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

### TITLE 16. BOARD OF REGISTERED NURSING

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

**Board of Registered Nursing**  
**1747 N. Market Blvd.**  
**Sapphire Room, #285**  
**Sacramento, CA 95834**  
**September 19, 2016**  
**9:00 a.m.**

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on September 19, 2016. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 2715, 2718, 2725(c), 2725.5, 2835.5, 2835.7, 2836 and 2836.1 of the Business and Professions Code (Code), and to implement, interpret or make specific Section 2729, 2785, 2786, 2786.5, 2786.6, 2788, 2798, 2815, 2834, 2835, 2835.5, 2835.7, 2836, 2836.1, 2836.2, 2836.3 and 2837 of said Code, the Board is considering changes to Division 14 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW

Amend 1480 — Definitions

Existing law sets forth definitions relating to nurse practitioners. The Board is proposing regulations that will add and update definitions in these regulations. The purpose of the amendment is to update and add definitions for clarification.

Amend 1481 — Categories of Nurse Practitioners

Existing law sets forth requirements for registered nurses who have met the requirements of Section 1482 of the Business and Professions Code to hold out as a nurse practitioner that would allow the registered nurse to place the letters “R.N., N.P.” after their name along with identifying categories of specialization. The Board is proposing regulations that will identify the different types of categories for nurse practitioners.

Amend 1482 — Requirements for Holding Out as a Nurse Practitioner

Existing law sets forth the requirements for holding oneself out as a nurse practitioner. The Board is proposing to update these requirements to keep up with current practices.

Amend 1483 — Evaluation of Credentials

Existing law states that there is an application for evaluation of a registered nurse’s qualifications to hold out as a nurse practitioner. The Board is proposing regulations to specify the submission of information for the applicant to be qualified as a Certified Nurse Practitioner.

Adopt 1483.1 — Requirements for Nurse Practitioner Education Programs in California

Existing law sets forth the requirements for education for prelicensure programs based in California.

Existing regulations do not set forth the requirements for Advanced Practice Nurse Practitioner (APRN–NP) Education Programs based in California.

The Board is proposing regulations that will set forth requirements for APRN–NP Education Programs based in California.

This section is necessary for consumer protection to ensure that APRN–NP Education Programs based in California meet the minimum requirements for training and competence of nurse practitioners.

Adopt 1483.2 — Requirements for Reporting Nurse Practitioner Education Program Changes

Existing law sets forth the requirements for reporting program changes for Board approved prelicensure programs.

Existing regulations do not set forth the requirements for reporting APRN–NP program changes.

The Board is proposing regulations that will set forth requirements for reporting an APRN–NP Education Program change. This section is necessary for consumer protection to ensure that APRN–NP Education Programs keep the Board informed of changes to their program, so that the Board may ensure the programs continue to meet the minimum requirements to be an APRN–NP Education Program.

Amend 1484 — Standards of Education

Existing law sets forth the standards of education for the program of study preparing a nurse practitioner. The Board is proposing regulations to update these standards of education. This section is necessary for consumer protection to ensure that nurse practitioners are properly trained.

Adopt 1486 — Requirements for Clinical Practice Experience for Nurse Practitioner Students Enrolled in Out of State Nurse Practitioner Education Programs

The Board is proposing regulations that will set forth requirements for clinical practice experience for nurse practitioner students enrolled in out of state APRN–NP Education Programs.

INCORPORATION BY REFERENCE

Section 1483 — Evaluation of Credentials

- Application for Nurse Practitioner Certification (rev 5/2014)
- Nurse Practitioner Furnishing Number Application (rev 10/2012)

ANTICIPATED BENEFITS OF THE  
PROPOSED REGULATION

The anticipated benefits of these proposed rulemaking will further define Code section 2836 to make specific requirements for nurse practitioners, the administration of training of nurse practitioners, and the requirements for clinical practice experience for nurse practitioner students enrolled in out of state APRN–NP Education Programs. The minimum requirements set forth in the proposed regulations are necessary to further the Board’s mission of consumer protection by ensuring that nurse practitioners have the proper training and supervision.

DETERMINATION OF  
INCONSISTENCY/INCOMPATIBILITY WITH  
EXISTING REGULATION

During the process of developing these regulations and amendments, the Board of Registered Nursing has conducted a search of any similar regulations on this

topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

#### FISCAL IMPACT ESTIMATES

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

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

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

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

Benefits of the Proposed Action: The proposed regulation will benefit California residents by having properly trained and competent nurse practitioners to give them appropriate treatment. It also allows the nurse practitioner to easily be recognized by category, the type of nurse practitioner they are for easier identification. Being that the requirements for nurse practitioners will be updated with today's standards, they would be able to further protect the consumer.

Cost Impact on Representative Private Person or Business:

The proposed regulations will not affect nurses wanting to become nurse practitioners. They already incur costs from a school program for education; these regulations will only set forth updated requirements for nurse practitioner standards and APRN–NP Education Programs. They should not incur any further costs than what they already have to pay. The Board is not aware of any cost impacts a business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

#### EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not adversely affect small businesses, since

as proposed regulations are updating existing regulations with today's standards.

#### CONSIDERATION OF ALTERNATIVES

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

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

#### INITIAL STATEMENT OF REASONS AND INFORMATION

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

#### TEXT OF PROPOSAL

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

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

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

#### CONTACT PERSON

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

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

The backup contact person is:

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

Website Access: Materials regarding this proposal can be found at [www.rm.ca.gov](http://www.rm.ca.gov).

**TITLE 16. BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION**

**Division 27. Bureau of Electronic and Appliance Repair**

NOTICE IS HEREBY GIVEN that the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation (Bureau), Department of Consumer Affairs, is proposing to take the action described in the Informative Digest.

Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Department of Consumer Affairs' First Floor Hearing Room located at 1625 North Market Blvd, Sacramento, California 95834, at 10:00 a.m. on September 19, 2016. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Bureau at its office not later than 5:00 p.m. on September 19, 2016, or must be received by the Bureau at the hearing.

The Bureau, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption

from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by sections 9814 of the Business and Professions Code (BPC) and to implement, interpret, or make specific sections 9873 of said code, the Bureau is considering changes to Division 27 of Title 16 of the California Code of Regulations as follows:

**INFORMATIVE DIGEST**

**A. Informative Digest**

In accordance with the provisions of the Administrative Procedures Act, Business and Professions Code section 9814 generally authorizes the Bureau to adopt rules and regulations declaring policy of the Bureau and for the administration of Division 27 of that code.

Business and Professions Code section 9873 establishes the statutory maximum fee schedule for application, annual renewal, and other fees for the Bureau's service dealer applicants and registrants.

Business and Professions Code section 9873 establishes the criteria to determine the delinquency fee for registrations that are not renewed prior to their expiration.

Assembly Bill (AB) 1175 (Ridley-Thomas, Chapter 187, Statutes of 2015) amends section 9873 of the Business and Professions Code to increase the statutory fee ceilings for all registration types by approximately 25 percent. Prior to this, the statutory fee schedule was last amended in 1998.

Title 16 of the California Code of Regulations Section 2760 specifies fee schedules for the application and annual renewal of various registrations. The fee schedule was last updated January 1998 to raise the fees for the Bureau of Electronic and Appliance Repair.

This proposed rulemaking seeks to amend section 2760 to increase registration fees by approximately 19 percent. Depending on the registration type, the proposed increase will equate to an additional \$20 to \$50 annually per registrant. The implementation of the fee increase will make the following changes to existing regulations:

**Amend Section 2760 of Article 6 of Title 16 of the California Code of Regulation:**

This proposed amendment raises the registration fee and annual renewal fee for service dealers and service contractors.

Pursuant to section 9873 and in response to the implementation of the proposed fee increase, the delinquency fees imposed on those that fail to renew their registration prior to expiration will also increase. As mandated, a delinquency fee will be assessed at the rate of 50 percent of the renewal fee. Depending on the registration type, the increase to the delinquency fee equates to \$10 to \$37.50.

The proposed fee increase intends to address the Bureau's structural imbalance and protect the Electronic and Appliance Repair Fund (Fund) from becoming insolvent as projected in Fiscal Year (FY) 2018/19. Specifically, at the conclusion of FY 2017/18, the Fund is expected to have 1.2 months in reserve. In FY 2018/19, the Fund is expected to have a deficit of -1.6 months in reserve. Correcting the Bureau's structural imbalance will be unattainable without a fee increase.

The fund balance provides specific information on the Bureau's current fund as well as projections for future years. There are several factors that have contributed to the fund's imbalance such as the costs the Bureau incurs to deliver its services. In addition, the fees for all registration types have remained unchanged while inflation has increased over the years. According to the Consumer Price Index, the rate of inflation is calculated at 30.75 percent since 2002 and 58.00 percent since 1994. A review of the Bureau's Fund condition report demonstrates that the overall revenue of the Bureau has increased by 33 percent, yet expenditures have increased by 55 percent, since FY 2002/03.

**B. Policy Statement/Benefits of the Proposed Regulations**

The Bureau regulates approximately 19,867 registrants in its service dealer and service contractor program. Through this rulemaking, the Bureau proposes to amend section 2760 of the California Code of Regulation to increase registration fees by an average of 19 percent. This proposal is necessary to ensure sufficient resources are available to maintain current Bureau operations to meet its consumer protection mandate.

As specified in Business and Professions Code section 19004.1, protection of the public shall be the highest priority for the Bureau when exercising its regulatory function under this chapter. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

The proposed fee increase ensures registration revenues match expenditures, thereby protecting the Bureau's Fund from insolvency. This proposal benefits consumer protection as it is designed to enable the Bureau to maintain its registration and oversight operations while also ensuring significant surpluses are not created. In addition, the proposal minimizes the economic

impact of a fee increase by raising the fee an average of 19 percent rather than to the statutory ceiling.

**C. Consistency and Compatibility With Existing Regulations**

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

**FISCAL IMPACT ESTIMATES**

**Fiscal Impact on Public Agencies Including Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State**

It is estimated that the proposed fee increase will result in an increase in Bureau revenues for FY 16/17 by approximately \$241,000 and an increase to ongoing annual revenue by approximately \$482,000.

The Bureau does not anticipate any impact on federal funding.

**Nondiscretionary Costs/Savings to Local Agencies**

None.

**Local Mandate**

None.

**Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement**

None.

**Business Impact**

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

The business impact is expected to be minimal as the registration fees for service dealers and service contractors have not been increased since 1998. During that time, the Consumer Price Index has increased more than 59 percent; however, a fee increase of that scale would not be reasonable. In order to minimize the impact to its registrants' businesses, the Bureau is proposing an increase that would ensure it remains fiscally solvent but will not generate significant surpluses.

**Cost Impact on Representative Private Person or Business**

The Bureau is not aware of any significant cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. This initial determination is based on the fact that the registration fee will be increased by \$20 to \$50 annually, depending on the registration type. An additional \$10 to \$37.50 delinquent fee may be as-

essed only when a registrant fails to renew their registration prior to expiration.

The cost impact is expected to be minimal as the registration fees have not been increased since 1998. In addition, based upon the absence of testimony or comment to the Bureau during Advisory Council discussions about this regulation proposal, the Bureau anticipates a minimal impact on representative private persons or businesses.

Effect on Housing Costs

None.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Business

The Bureau has determined that this regulatory proposal will not have a significant impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California. The proposed registration fee increase equates to \$20 to \$50 annually which is anticipated to have a minimal impact on businesses. The Bureau does not anticipate the fee increase will have any impact on current business practices or registration trends that would necessitate the creation or elimination of jobs or the expansion of businesses.

Effect on Small Business

The Bureau has determined that this regulatory proposal will not have a significant impact on small businesses in the State of California. This initial determination is based on the fact that the registration fee will be increased by \$20 to \$50 annually, depending on the registration type. An additional \$10 to \$37.50 delinquent fee may be assessed only when a registrant fails to renew their registration prior to expiration.

The cost impact is expected to be minimal as the registration fees have not been increased since 1998. Although the Bureau does not have nor does it maintain data to determine if any of its registrants are “small businesses” as defined in Government Code Section 11342.610, this determination has been made based upon the absence of public testimony to this effect during public meetings where this proposal has been discussed, most recently during the February 10, 2016, Advisory Council Meeting.

Benefits of Regulation:

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

- This regulatory proposal may benefit the health and welfare of California residents because this proposal is designed to enable the Bureau to maintain its registration and oversight operations while also ensuring significant surpluses are not created.
- This regulatory proposal does not affect worker safety because this proposal is specific to fee increases and it is not anticipated to impact current business practices or registration trends affecting worker safety.
- This regulatory proposal does not affect the state’s environment because it is specific to an increase in fees and is not anticipated to impact current business practices that may affect the state’s environment.

Consideration of Alternatives

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

Any interested person may present written statements relevant to the above determinations to the Bureau at the address indicated under contact person.

Initial Statement of Reasons and Information

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

Text of Proposal

Copies of the exact language of the proposed regulations and of the initial statement of reasons may be obtained upon request from the Bureau at 4244 South Market Court, Suite D, Sacramento, California 95834, or from the Bureau website at [www.bearhfti.ca.gov](http://www.bearhfti.ca.gov).

Availability and Location of the Final Statement of Reasons and Rulemaking File

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

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

Contact Person

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

Terri Rice  
Bureau of Electronic and Appliance Repair,  
Home Furnishings & Thermal Insulation  
4244 South Market Ct., Ste. D,  
Sacramento, California 95834  
Phone: (916) 999-2058  
Fax: (916) 921-7279  
Email: terri.rice@dca.ca.gov

The backup contact person is:

Diana Godines  
Bureau of Electronic and Appliance Repair,  
Home Furnishings & Thermal Insulation  
4244 South Market Ct., Ste. D,  
Sacramento, California 95834  
Phone: (916) 999-2068  
Fax: (916) 921-7279  
Email: diana.godines@dca.ca.gov

Website Access: Materials regarding this proposal can be found at [www.bearhfti.ca.gov](http://www.bearhfti.ca.gov).

## TITLE 17. AIR RESOURCES BOARD

### NOTICE OF PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE CALIFORNIA CAP ON GREENHOUSE GAS EMISSIONS AND MARKET-BASED COMPLIANCE MECHANISMS REGULATION

The Air Resources Board (ARB or Board) will conduct a public hearing at the time and place noted below to consider proposed amendments to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms Regulation.

DATE: September 22, 2016  
TIME: 9:00 a.m.  
PLACE: California Environmental  
Protection Agency  
Air Resources Board  
Byron Sher Auditorium  
1001 I Street  
Sacramento, California 95814

This item may be considered at any time during a meeting of the Board that will commence at 9:00 a.m. on September 22, 2016, and may continue at 8:30 a.m. on September 23, 2016. This item may not be considered until September 23, 2016. Please consult the agenda for the hearing, which will be available at least ten days before September 22, 2016, to determine the day on which this item will be considered. This will be the first of two planned Board hearings on the proposed

amendments. The Board will not consider adopting the proposed amendments until a future hearing to be scheduled at a later date.

### WRITTEN COMMENT PERIOD AND SUBMITTAL OF COMMENTS

Interested members of the public may present comments orally or in writing at the hearing and may provide comments by postal mail or by electronic submittal before the hearing.

Written comments not physically submitted at the hearing must be submitted on or after August 5, 2016, and received **no later than 5:00 p.m.** on September 19, 2016. ARB requests that when possible, written and email statements be filed at least ten days before the hearing to give ARB staff and Board members additional time to consider each comment. The Board also 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. Comments submitted in advance of the hearing must be addressed to one of 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](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) become part of the public record and can be released to the public upon request.

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

### AUTHORITY AND REFERENCES

This regulatory action is proposed under that authority granted in California Health and Safety Code, sections 38510, 38560, 38562, 38570, 38571, 38580, 39600, 39601, and 39602. This action is proposed to implement, interpret and make specific sections 38530, 38560.5, 38564, 38565, 38570, and 39600 of the Health and Safety Code and sections 12894 and 16428.8 of the Government Code.

INFORMATIVE DIGEST OF PROPOSED ACTION  
AND POLICY STATEMENT OVERVIEW**Sections Affected:**

Proposed amendments to sections 95802, 95811, 95812, 95813, 95814, 95830, 95831, 95832, 95833, 95834, 95840, 95841, 95841.1, 95851, 95852, 95852.1, 95852.2, 95853, 95856, 95857, 95858, 95870, 95890, 95891, 95892, 95893, 95894, 95895, 95910, 95911, 95912, 95913, 95914, 95920, 95921, 95922, 95941, 95943, 95972, 95973, 95974, 95975, 95976, 95977, 95977.1, 95978, 95979, 95980, 95980.1, 95981, 95981.1, 95983, 95985, 95987, 95990, 96014, and Appendix C, title 17, California Code of Regulation. Proposed adoption of new sections 95803, 95835, 95859, 95871, 95944, 95945, new Appendix D, and new Appendix E, title 17, California Code of Regulations.

**Documents Incorporated by Reference:**

The following documents are hereby proposed for incorporation by reference to the regulation:

- Processing Tomato Advisory Board (2014). Processing Tomato Advisory Board Inspection Procedures.

**Background and Effect of the Proposed Regulatory Action:**

The California Global Warming Solutions Act of 2006 (Assembly Bill 32 or AB 32; Nunez, Statutes of 2006, Chapter 488) authorizes ARB to implement a comprehensive, multi-year program to reduce greenhouse gas (GHG) emissions in California. AB 32 requires ARB to develop a scoping plan to reduce GHG emissions in California to 1990 levels by 2020 and to maintain and continue GHG emissions reductions beyond 2020. ARB's adopted Scoping Plan includes a comprehensive set of actions designed to reduce GHG emissions in California, improve the environment, reduce dependence on foreign oil, diversify energy sources, save energy, create new jobs, and enhance public health. Meeting the goals of AB 32 requires a coordinated set of strategies that work within a comprehensive tracking, reporting, verification, and enforcement framework to reduce GHG emissions throughout the economy. The Scoping Plan includes a variety of measures that complement and reinforce one another to achieve AB 32 goals, including direct regulations, performance-based standards, and market-based mechanisms.

The Scoping Plan identified a cap-and-trade program (Program) as a key element of California's GHG reduction strategy. As envisioned in the Scoping Plan, the California Cap-and-Trade Program would eventually be linked with cap-and-trade programs operating in other states and provinces. The California Cap on Greenhouse Gas Emissions and Market-Based Com-

pliance Mechanisms Regulation (Cap-and-Trade Regulation or Regulation) sets a fixed limit on GHG emissions from the sources responsible for approximately 80 percent of the State's total GHG emissions and reduces GHG emissions by applying a declining aggregate cap on GHG emissions. The Regulation creates a flexible compliance system through the use of tradable compliance instruments (allowances and offset credits), and it is designed to link with partners in other jurisdictions. The Cap-and-Trade Regulation went into effect January 1, 2012.

In 2015, California ranked as the world's sixth largest economy, up from number ten in 2012. Yet, GHGs per capita and GHG's per gross domestic product declined while the economy grew. Over the past half century, the State has made great strides in addressing air pollution and continues to seek and implement new policies to meet national and state air quality standards. California's current climate program relies on a mix of an economy-wide cap with a market-based allowance trading system, accompanied by a suite of sector specific policies such as a renewable portfolio standard for electricity, a low carbon fuel standard, and strong vehicle emission standards. The recently released 2014 GHG inventory demonstrates that the State's suite of climate policies are yielding GHG reductions and the State is on track to achieve the 2020 statewide target and accomplish our longer-term climate goals.

Executive Order B-30-15 calls on ARB to update the AB 32 Climate Change Scoping Plan to incorporate the 2030 target. The 2030 Target Draft Scoping Plan will serve as the framework to define the State's climate change priorities for the next 15 years and beyond. Staff intends for the Board to consider and act on an update to the Scoping Plan prior to final action on the Cap-and-Trade Regulation amendments. It will chart the path to achieving the 2030 target and describe the potential role of a post-2020 Cap-and-Trade Program. ARB is proposing to move forward with the regulatory amendments to address areas for the third compliance period (2018-2020) and to provide an investment signal that the current suite of climate policies, including the Cap-and-Trade Program, are delivering the reductions needed to achieve the 2020 target and have an essential continued role to play in achieving the 2030 target. If the Board does not approve a 2030 Target Scoping Plan that includes a post-2020 Cap-and-Trade Program, the post-2020 related amendments would not move forward for Board consideration.

The Regulation is designed to achieve the most cost-effective statewide GHG emissions reductions; there are no individual or facility-specific emissions reduction requirements. Each entity covered by the Regulation has a compliance obligation that is set by its GHG emissions over a compliance period, and entities are re-

quired to meet that compliance obligation by acquiring and surrendering allowances in an amount equal to their compliance obligation. Companies can also meet a limited portion of their compliance obligation by acquiring and surrendering offset credits, which are compliance instruments that are based on rigorously verified emission reductions that occur from projects outside the scope of the Program. Like allowances, each offset credit is equal to one metric ton of GHG emissions.

In 2012, ARB staff proposed two sets of amendments to the Regulation. The first set was focused on implementation requirements and the second on linking the California and Québec cap-and-trade programs. At its June 2012 Board hearing, the Board approved the implementation amendments, which became effective September 1, 2012. At its April 2013 Board hearing, the Board approved the linkage amendments with a linked California and Québec cap-and-trade program effective January 1, 2014.

In 2013, ARB proposed another set of amendments to the Regulation that extended transition assistance for some covered entities, refined the required data collected from registered participants to support market oversight, and added an additional cost containment measure. These amendments also included a new Mine Methane Capture compliance offset protocol, updates to offset implementation and usage, refinement of resource shuffling provisions, and changes to the surrender order of compliance instruments. The Board approved these amendments in April 2014, and they took effect July 1, 2014.

In 2014, ARB staff proposed an additional two sets of Cap-and-Trade Regulation amendments. The first set of targeted amendments clarified the quantification of production data, updated the compliance offset protocols, and modified requirements related to compliance, corporate association disclosures, and offset transfer price reporting related to the transaction of market instruments. This first set of 2014 amendments was adopted by the Board in September 2014, and they took effect January 1, 2015. The second set of 2014 amendments modified the Regulation to include a new Rice Cultivation Compliance Offset Protocol and to update the United States Forest Compliance Offset Protocol to allow eligibility for projects in parts of Alaska. This second set of amendments was adopted by the Board in June 2015 and became effective November 1, 2015.

This proposed regulatory action includes ARB staff's proposal to amend the Cap-and-Trade Regulation to extend the major provisions of the Program beyond 2020, to broaden the Program through linkage with Ontario, Canada, to prevent emissions leakage in the most cost-effective manner through appropriate allocation to entities, to clarify compliance obligations for certain sectors, and to enhance ARB's ability to implement and

oversee the Program. Amendments also propose to use the Program to demonstrate California's compliance with the federal Clean Power Plan.

In developing the proposed amendments described in this notice, ARB staff held a total of ten publicly noticed workshops from October 2015 through June 2016 and released four discussion papers and three research papers on amendment topics that warranted special attention. Staff engaged with the Environmental Justice Advisory Committee, which was established by ARB pursuant to AB 32 to provide advice in developing the Scoping Plan and other pertinent matters, through calls with the members and public workshops. In addition, ARB staff held numerous informal meetings with stakeholders to discuss specific topics related to the proposed amendments. These forums provided ARB staff and stakeholders with opportunities to present and discuss initial regulatory concepts and potential alternatives. The timeframe of the workshops and meetings allowed ARB to incorporate stakeholder feedback and alternatives into the proposed amendments. Over 200 input letters were received in response to the workshops. For more information on the public process for these proposed amendments, please refer to Chapter IX of the Staff Report.

#### **Objectives and Benefits of the Proposed Regulatory Action:**

Air Resources Board staff is proposing these amendments to achieve several goals: (1) to continue the Cap-and-Trade Program beyond 2020, (2) to provide for California compliance with the federal Clean Power Plan, (3) to link the Program with the new cap-and-trade program in Ontario, Canada beginning January 1, 2018, and supplement the regulatory process for potential future linkages, (4) to update the Program with the latest information on leakage risks and other allocation factors; and (5) streamline certain aspects of the Program. The proposed amendments also address stakeholder concerns related to cost-containment. To that effect, staff is proposing amendments to the Regulation, including those related to continuing the Program beyond 2020, regarding compliance period duration, allowance allocation, market program implementation, and offset program implementation. Staff has proposed annual post-2020 allowance budgets. Staff has also proposed post-2020 compliance periods and backstop requirements that support California's compliance with the Federal Clean Power Plan. Staff further proposes to update many assistance factors and some benchmarks used to calculate allowance allocation. Proposed amendments for market provisions relate to implementation, auction and reserve sales, information reporting, cost-containment, and enhancements of market oversight.

Anticipated benefits of the proposed amendments include reducing statewide GHG emissions to 40 percent below 1990 levels by 2030 in accordance with California's Executive Order B-30-15. Given the GHG emissions reductions that will occur because of the Program, these amendments may also directly improve the health and welfare of California residents, worker safety, and the State's environment. Moreover, expanding the number of sources that are able to trade allowances via Program linkage reduces the overall cost of achieving emissions reductions and improves the efficiency of the Program. Additional benefits include improved clarity for covered entities regarding allowance allocation, compliance timelines, and offset program implementation. The proposed amendments will also improve cost-containment, enhance market monitoring, and clarify the emissions reductions that are achieved by the Program.

Specific discussion of the proposed amendments to the Cap-and-Trade Regulation follows. A detailed description of the proposed updates is provided in Chapter II of the "Staff Report: Initial Statement of Reasons for Rulemaking-Proposed Amendments to the California Cap on Greenhouse Gas Emissions and Market-Based compliance mechanisms," referred to as the ISOR. The proposed Regulation Order is provided in Appendix A of the ISOR.

### ***Setting Emissions Caps***

Staff proposes amendments that establish the annual GHG allowance budgets for the post-2020 Program; these budgets prescribe the number of allowances that will be issued by ARB, and thereby set the emissions caps. As with the existing annual caps through 2020, staff proposes to set a cap trajectory for the post-2020 Program that provides a gradual GHG emissions reduction path toward the 2030 and 2050 targets. Staff also proposes to set initial annual allowance budgets for 2031 through 2050 to signal the long-term trajectory of the Program and inform investment decisions. As the Scoping Plan is required to be updated at least once every five years, staff recognizes the equation for the caps from 2032 to 2050 will need to be refined as part of a post-2030 discussion in how best to meet the long-term 2050 target.

### ***Allowance Price Containment Reserve***

Staff is proposing revisions to the operation of the Allowance Price Containment Reserve (Reserve), some of which would take effect beginning in 2018 and some of which would take effect beginning in 2021. The proposed amendments that would take effect in 2018 would transfer to the Reserve State-owned (not utility-consigned) allowances that remain unsold at auction for a significant period of time. The proposed method would specify that allowances that remain unsold for

more than 24 months would be transferred to the Reserve. Staff is also proposing a change in the scheduling of Reserve sales such that, outside of the Reserve sale immediately prior to a compliance deadline, Reserve sales would only be held if the settlement price from the auction held in the prior quarter is high enough to equal 60 percent of the lowest Reserve tier price through 2020 and 60 percent of the Reserve Sale Price post-2020. The proposed changes that would take effect in 2021 would collapse the three Reserve tier prices of the existing Reserve into a single tier and would offer allowances from that tier at each Reserve sale at a single price, which would be the sum of the Auction Reserve Price used at auction plus \$60. This \$60 amount reflects the estimated 2020 difference between the Auction Reserve Price and highest Reserve tier price.

### ***Western Climate Initiative and Linkage with Ontario, Canada***

The California Cap-and-Trade Program is linked with the cap-and-trade program in the Canadian province of Québec and is proposing linkage with the new cap-and-trade program of Ontario, Canada, starting in 2018. Linking with other programs expands the number of sources that are able to trade allowances, which reduces the overall cost of achieving emissions reductions and improves the efficiency of the allowance market. In addition, an expanded, linked Program can result in greater emissions reductions relative to the stand-alone California Cap-and-Trade Program because each linked partner jurisdiction also achieves emissions reductions.

As members of the Western Climate Initiative, California, Québec, and Ontario collaborated on the development of cap-and-trade program-design recommendations, providing a roadmap for program implementation and harmonization. The similar design features and minimum stringency requirements facilitate linkage among the programs. Senate Bill (SB) 1018 (Ch. 39, Statutes of 2012) requires that the Governor of California make several findings prior to linking the California Program with other jurisdictions to enable compliance instruments (allowances or offset credits) issued by other jurisdictions to be used in California's Program (Gov. Code, § 12894(f)).

Currently, the existing Québec and proposed Ontario programs have identified annual allowance budgets only through 2020, and both will begin the process of updating their regulations later this year. Ontario will also include provisions related to offset credits as part of their rulemaking documents later this year. Because neither jurisdiction had begun its rulemaking processes to set post-2020 annual allowance budgets and, in the case of Ontario, to adopt offset provisions, at the time of this Staff Report, ARB staff will include Québec-

specific and Ontario-specific rulemaking documents as additional rulemaking materials in fall 2016 as information becomes available. Ontario-specific post-2020 annual allowance budgets and offset credit provisions are expected prior to the submittal of the required SB 1018 findings for linkage with Ontario. The existing SB 1018 findings related to California's linkage with Québec remain valid, and no additional findings under SB 1018 are necessary to remain linked with Québec.

#### ***Linkage with External Greenhouse Gas Emissions Trading Systems and Programs***

ARB has considered forms of linkage that would allow registrants to have access to the compliance instruments issued by another Greenhouse Gas Emissions Trading System (GHG ETS) or GHG Program that would not require as extensive of harmonization of operating rules as are required for a Québec or Ontario-style linkage. The need for a more limited form of linkage arises from discussions with other GHG ETSs that have different market rules, different sectoral coverages, and different compliance obligations. In addition, the successful operation of California's Cap-and-Trade Program and offsets protocols has led other jurisdictions to consider adoption of non-ETS programs that would allow retirement of California compliance instruments as a compliance option. While no formal negotiations are under way, staff is proposing several regulatory provisions to clarify how such approaches could be implemented.

Staff is proposing two new forms of agreement with other jurisdictions that would not require the same level of bilateral integration or equivalency as the California-Québec style linkage. The first type would allow entities in California to retire compliance instruments issued by another GHG ETS to be used to meet their compliance obligation in California. Implementation of this type of linkage would require a Board-approved linkage agreement and SB 1018 linkage findings prior to Board approval. The second form would allow entities registered in a non-California GHG Program to retire California compliance instruments to meet obligations in their own program. (The term "program" encompasses GHG ETS as a specific kind of program, but is not limited to an emissions trading system.) SB 1018 findings would not be required for this type of agreement. For either of these agreements to be reached, there would be a formal rulemaking and public process with a final step of Board approval.

#### ***Compliance with the Federal Clean Power Plan (CPP)***

Staff proposes several amendments that will support California's compliance with the federal Clean Power Plan (CPP), a set of control requirements promulgated by U.S. EPA for GHG emissions from existing electri-

cal generating units (EGU). The proposed amendments would allow compliance by EGUs with the Regulation to demonstrate California's compliance with CPP as well. The proposed amendments include alignment of Cap-and-Trade Program compliance periods with CPP compliance periods, including an initial bridge period to link the two programs; requirements for all CPP affected EGUs to participate in the Cap-and-Trade Program; provisions setting interim mass targets and final mass targets for aggregate emissions from affected EGUs; and provisions establishing federally enforceable backstop emissions standards.

#### ***Allowance Allocation***

Staff proposes to retain the same general approaches to calculating allowance allocation to industrial covered entities, electrical distribution utilities (EDUs), natural gas suppliers, and other entities; however, some changes to allowance allocation provisions are proposed. Some of these changes would take effect beginning in the third compliance period, and further modifications are proposed for the post-2020 Program. Methodologies for post-2020 changes are presented in the Staff Report and placeholders for regulatory language that would allow for implementation of these methodologies are included in the proposed Regulation. Staff proposes to continue stakeholder engagement on proposed methodologies and any proposed revisions to the methodologies. Any additional proposed changes to regulatory text would be circulated for a 15-day comment period.

For allocation to industrial covered entities in the third compliance period, staff proposes changes to update some product-based benchmarks using data that more accurately represent the current sector makeup, eliminate some product data benchmarks, define products such that they align with data reported to ARB in prior product benchmark processes, streamline product benchmarks in the fluid dairy sector, and align benchmarks to ensure that entities producing the same products are allocated to under the same benchmarks. Staff also proposes to eliminate the product-based benchmarks for nut and tissue products and to shift to energy-based benchmarks for these sectors because of technical challenges and data availability. For some sectors, notice is provided in the amendments that staff expects to re-calculate the benchmark, but a newly calculated value is not yet available. Staff is committed to working with stakeholders to acquire the needed data to update these benchmarks before the upcoming 15-day changes to the Regulation, which will occur during this rulemaking and prior to final consideration of the amendments by the Board.

In 2011 and 2012, Board Resolutions 11-32 and 12-33, respectively, directed staff to investigate poten-

tial improvements to industrial allowance allocation to better meet the AB 32 objective to “minimize emissions leakage” to the extent feasible.<sup>1</sup> In response to this Board direction, ARB commissioned three emissions leakage potential studies to inform the development of assistance factors for allowance allocation to manufacturing sectors. Staff proposes to use the findings from these studies, along with complementary data, to revise the methodology for developing assistance factors and to establish new assistance factors for industrial sectors for the post-2020 period. Each of the three studies errs on the side of caution in that they make assumptions that result in higher leakage risk assessments. In utilizing the results of the studies, staff proposes to err on the side of caution to translate the study findings into assistance factors. The assumptions used in the studies and staff’s approach would ensure that sectors in need of high emissions leakage protection will receive appropriate protection. A description of the proposed methodology for calculating revised assistance factors can be found in Appendix E of the ISOR. As this proposed methodology is a new framework relative to the existing methodology for establishing assistance factors and stakeholders have expressed concern regarding adequate time to review the leakage studies and work with staff to review and refine any proposed use of those studies, staff is not including any specific post-2020 assistance factors in the 45-day proposed Regulation, but proposes to continue the discussion with stakeholders and may provide industry specific assistance factors in a 15-day comment period.

Staff proposes several changes and clarifications to the Regulation about allowed uses of EDU and natural gas supplier use of allocated allowance value that would be implemented starting in 2018. Staff proposes to add a requirement that any EDU allocated allowance auction proceeds must be returned to ratepayers in a non-volumetric manner. This requirement would align EDU and natural gas supplier proceeds return requirements. The proposed amendments also create a 10-year deadline for spending allocated allowance auction proceeds to ensure that this value is expended within a reasonable period. Staff also proposes to amend reporting on use of EDU and natural gas supplier allowance value to focus on allocated allowance auction proceeds spent during the previous year, instead of requiring (as is done under the current Regulation) reporting of the previous vintage year’s allocated allowance value.

Staff proposes to continue allowance allocation to EDUs after 2020 using an approach based in part on the methodology used for 2013–2020 EDU allocations. Under this methodology, the 2020 expected cost burden (either the direct cost of compliance with the Program

or the pass-through cost in purchased electricity) for each EDU would be the starting point for calculating post-2020 allowance allocations. Staff would calculate the 2020 emissions cost burden for each EDU using load data from the California Energy Commission’s 2015 Demand Forecast and resource data from 2015 S-2 forms, supplemented by additional data as needed. The allowance allocation calculation would be modified to exclude some allowances that are currently provided to the electricity sector; these allowances would instead be allocated directly to industrial entities. Staff also proposes to allocate to EDUs for renewable electricity in certain cases where the entity has invested renewable generation sources, but the electricity from those sources is not directly delivered to California. This allowance allocation would be instead of continuing the Renewables Portfolio Standard (RPS) adjustment in the post-2020 Program. To address the reality that not all renewable electricity is directly delivered to California, staff proposes to set the amount of zero-GHG emission RPS-eligible electricity for the expected 2020 emissions calculation for each EDU at 28 percent instead of 33 percent, which is the 2020 RPS requirement for all EDUs. The amount allocated to each EDU would then decline at the annual cap decline factor in subsequent years. In addition, because the final large coal-powered generator providing electricity to California utilities will be retired by 2026, utilities using power from that resource would have their allowance allocation adjusted to account for the replacement of coal power with natural gas power beginning with vintage 2026 allowance allocations. Staff proposes to continue stakeholder engagement on this proposed methodology and any proposed revisions to the methodology. Proposed regulatory text would be circulated for a 15-day comment period.

For post-2020 natural gas supplier allocation, staff is evaluating an acceleration of the consignment requirement to ensure a level playing field in terms of consignment for electricity and natural gas utilities. This change would ensure that a carbon cost is felt by all users of natural gas, whether those users are covered entities with a direct carbon cost or non-covered entities that face an indirect carbon cost. Ensuring that the cost signal is felt by all natural gas customers will further the policy desire to limit the amount of fugitive methane emissions from this sector, incentivizing efficiency or alternatives to the use of natural gas. Staff proposes to continue stakeholder engagement on natural gas supplier consignment. Proposed regulatory text would be circulated for a 15-day comment period. Related to reaching full consignment of natural gas supplier allocation, staff proposes to extend the limited exemption of emissions from qualified thermal output for operators of cogeneration facilities and district heating facilities until

<sup>1</sup> Health & Saf. Code, § 38562(b)(8).

natural gas suppliers are required to consign all allowances to auction. Once full consignment of allocated allowances to auction is achieved, there will no longer be a need for the exemption.

Staff proposes minor changes to the legacy contract generator allocation provisions of the current Regulation to move the application deadline earlier in the year and to the requirements for what constitutes a good faith renegotiation. Staff also proposes to amend the regulatory requirements for return of allocated allowances to ARB when an entity does not operate under the activity for which it was provided allocation or when the entity does not have a compliance obligation. These changes would be implemented in the third compliance period.

For the post-2020 period, staff is also evaluating amendments that may continue to allocate allowances to universities, public service facilities, and water agencies after 2020 using the same methodologies that currently apply to budget year 2016 to 2020 allocations. Proposed regulatory text would be circulated for a 15-day comment period.

#### ***Covered Sectors, Covered Entities, and Exempt Emissions***

Staff proposes to change some Regulation provisions that define which entities and emissions are covered by the Program. These changes generally aim to provide more equitable treatment of facilities and emissions that are covered by the Program and to enhance the environmental benefits of the Program. Staff proposes to change the entity that incurs the compliance obligation for emissions associated with imported liquefied petroleum gas (LPG) from the consignee of the LPG to the importer of the LPG. This change harmonizes the Cap-and-Trade Regulation with the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions (MRR).

Staff proposes to add a limited exemption from a compliance obligation for emissions from the direct combustion of municipal solid waste in a waste-to-energy facility for the 2016 and 2017 data years. Emissions from waste-to-energy facilities were exempt from the Program from 2013 through 2015, and this change extends the exemption through the second compliance period. The waste-to-energy facilities will no longer be exempt beginning in 2018. Staff also proposes to extend the limited exemption of emissions from qualified thermal output for operators of cogeneration facilities and district heating facilities until natural gas suppliers are required to consign all allowances to auction.

Staff proposes a limited exemption of emissions for liquefied natural gas suppliers for the second compliance period. Staff believes that a limited exemption of these emissions from the Program is necessary during

the second compliance period to address the potential for emissions leakage created by a mismatch in the points of compliance between MRR and the Cap-and-Trade Regulation. With the proposed changes to the Regulation and MRR, the points of compliance will be aligned and there will no longer be a leakage risk.

Staff proposes to remove emissions from natural gas hydrogen fuel cells from the list of emissions without a compliance obligation; emissions from these sources would begin incurring a compliance obligation in 2018, at the start of the third compliance period. In addition, staff proposed to remove emissions from continuous-bleed pneumatic devices from the list of emissions without a compliance obligation beginning in 2019.

Finally, staff proposes changes to the Regulation to allow a covered entity that is eligible to exit the Program due to reduced annual emissions that were below the threshold for an entire compliance period to remain in the Program as an opt-in covered entity if the entity so chooses.

#### ***Electricity Sector***

The current accounting system in place for imported electricity through the California Independent System Operator's (CAISO) Energy Imbalance Market (EIM) is inconsistent with the requirement of AB 32 that ARB account for the total GHG emissions in the State, including all GHG emissions from the generation of electricity delivered to and consumed in California. Because the EIM cost optimization model may not in all cases report the full GHG burden experienced by the atmosphere as a consequence of the electricity consumed in California, resulting in emissions leakage, ARB staff proposes to retain the current point of compliance of the CAISO participating resource scheduling coordinator, but to supplement that compliance obligation with a compliance obligation on entities that purchase from EIM ("EIM purchasers") to serve load in California. The regulatory amendments provide one approach to support full GHG accounting. Staff will continue to coordinate with CAISO and stakeholders to evaluate any needed alternatives or refinements to the proposed amendments. Further options have been provided to stakeholders in a recent workshop,<sup>2</sup> and may be explored later in this regulatory process, with an opportunity for notice and comment, as an alternative to the option currently proposed.

In addition, as described above in the allowance allocation section, staff proposes to discontinue the RPS adjustment after 2020. This RPS adjustment is voluntary, and it is only applicable when the importer purchases both electricity and renewable energy credits (REC) to-

<sup>2</sup>[http://www.arb.ca.gov/cc/capandtrade/meetings/062016/arb\\_and\\_caiso\\_staff\\_presentations.pdf](http://www.arb.ca.gov/cc/capandtrade/meetings/062016/arb_and_caiso_staff_presentations.pdf); also included in Appendix F.

gether and can demonstrate that the electricity was not delivered to California. This provision of the Regulation was extremely difficult to track and enforce, in part because the Regulation requires that RPS adjustments could only be taken in cases in which the electricity associated with the RECs was not directly delivered to California and in several cases resulted in claims of a RPS adjustment that exceeded the generation capacity of a specific generating unit. After 2020, staff proposes to modify the Regulation to provide each EDU with an allowance allocation that accounts for RPS-eligible electricity that is purchased together with RECs but cannot be directly delivered to California, and eliminate the RPS adjustment from the Regulation.

Staff proposes to modify the eligibility requirements for Voluntary Renewable Electricity (VRE) program participation to permit allowance retirement for electricity generation from solar installations interconnected with the distribution system of a California EDU, permit allowance retirement for RECs as long as they have not been used for compliance in any other program, and continue to permit allowance retirement for solar generation that has received an incentive under California's Solar Initiative Programs. Additional proposed modifications specify how allowance retirement will be allocated among VRE applicants during the year in which the VRE account is exhausted and clarify requirements for documentation of generator eligibility. Staff does not propose to allocate any additional allowances to the VRE Reserve Account because requests for VRE retirement have been much lower than anticipated. Finally, staff proposes several changes to provide greater clarity and eliminate language that is no longer necessary.

In addition, staff is proposing to remove the qualified export exemption in the third compliance period to ensure that emissions leakage is minimized to the extent feasible, as required by AB 32.

### ***Compliance Offset Credits***

Staff is proposing to clarify and modify aspects of offset program implementation. These amendments address listing and delegation requirements, regulatory compliance, changes in law, Authorized Project Designee requirements, offset project listing requirements, project transfer requirements, monitoring and reporting requirements, verification requirements, verification body requirements, offset credit issuance, forestry reversals, invalidation, and the early action program.

Staff is proposing modifications to the offset listing requirements to specify that all projects must list no later than one year after Offset Project Commencement. Staff is also proposing modifications to allow offset projects to transfer from one Offset Project Registry to

another and to allow transferring of offset projects to and from ARB. Staff is proposing a clarification to the listing requirements for forest offset projects to prevent relisting projects on the same land as a previous project. Staff is proposing modifications to the Authorized Project Designee section to define which individuals from the Offset Project Operator may delegate responsibility to the Authorized Project Designee.

Staff is proposing clarifications to the offset project reporting requirements to more expressly identify the consequences of not reporting and clarify that a project will terminate if reporting is not continuous. Proposed changes clarify that the offset project must relist under the most recent version of the applicable offset protocol if the initial reporting deadline is missed. Additional proposed modifications extend the initial reporting deadline to 28 months to allow for a 24-month Reporting Period and an additional four months to prepare the Offset Project Data Report. Other changes clarify attestation, version number, and date requirements for Offset Project Data Reports. Staff is also proposing modifications to the procedures for interim data collection to recognize that more than gas and fuel data are used in the quantification of GHG emissions reduction and removal enhancements.

Staff is proposing modifications to the requirement that offset projects may not receive ARB offset credits for the entire Reporting Period when they are out of regulatory compliance with any local, regional, and national environmental health and safety laws and regulations that apply to the offset project. The proposed amendments would limit the period of time livestock and mine methane capture offset projects are ineligible to receive ARB offset credits for not being in regulatory compliance to the time period the project was actually out of regulatory compliance, to the extent that time period can be proven.

Staff is also proposing clarifications that if a law, regulation, or legally binding mandate to limit GHG emissions that directly applies to an offset project goes into effect during the crediting period of a project, then the project may continue to receive ARB offset credits for the remainder of their crediting period, but may not renew their crediting period. Staff is proposing modifications to the verification requirement for sequestration offset projects to recognize that, even after a crediting period ends for a sequestration project, the project may continue to sequester carbon. For projects that significantly increase their stored carbon, the proposed changes would permit less-frequent verification. Staff is also proposing modifications to the verification requirements to clarify that, if a project is deferring verification for a Reporting Period, the Offset Verification

Statement does not need to be submitted to ARB within eleven months of the end of the Reporting Period.

Staff is proposing modifications to the verification services requirements to simplify verifier and verification body rotation. Further proposed modifications clarify requirements for the start of verification services and scheduling of verification body audits. Staff is also proposing modifications to provide verifiers additional flexibility about where verification activities must occur. Verifiers may choose which activities are necessary to conduct while on site and which activities may be completed during the desk review. The proposed modifications also clarify that offset verification services are not complete until ARB offset credits have been issued for the Reporting Period, that the verification body has 15 calendar days to revise the offset verification report and the Offset Verification Statement in response to an ARB request, and that the Offset Project Operator or Authorized Project Designee are the only entities that may change the Offset Project Data Report. Staff is also proposing modifications to the verification body requirements to clarify that direct supervision of a technical expert is only needed during the site visit and modifications to the conflict of interest requirements.

Staff is proposing modifications to the issuance procedures for both registry and ARB offset credits to allow the Authorized Project Designee to request issuance of both registry and ARB offset credits to any authorized party. Staff is proposing modifications to the issuance of ARB offset credits to clarify that ARB offset credits may only be issued for GHG emissions reductions or removal enhancements that occur during a Reporting Period, to clarify that ARB offset credits will not be issued if they would immediately be subject to invalidation, and to clarify that the GHG emissions reductions and removal enhancements must meet the requirements of the entire Regulation and the relevant Compliance Offset Protocol to be issued ARB offset credits. The proposed changes also clarify that the issuance of ARB offset credits is limited to projects located in the United States or United States Territories, which is consistent with the geographic scope of the compliance offset protocols. Further modifications are proposed to change the order in which registry offset credits are canceled during the ARB offset credit issuance process.

Staff is proposing modifications to forestry offset reversal requirements to allow additional time to provide a verified estimate of carbon stocks after an unintentional reversal to allow for salvage harvesting, reinventory, and verification. Additional proposed modifications correct errors in the calculation of the number of ARB offset credits to retire or replace after a reversal.

Finally, staff is proposing several modifications to the invalidation requirements. Proposed changes clarify that correctable errors found during a second verifica-

tion of an Offset Project Data Report cannot be fixed and should be noted in the Offset Verification Statement. Further proposed modifications clarify that more than three early action reporting periods may have their invalidation timeframes shortened by a subsequent full offset verification. Proposed modifications also allow compliance offset projects to have the invalidation timeframe of the last three Reporting Periods, instead of just the final Reporting Period, in a non-renewed crediting period reduced by a reverification of the final Offset Project Data Report. Staff is proposing modifications to existing provisions that make offset credits subject to invalidation for the entire Reporting Period when the offset project is out of regulatory compliance with any local, regional, and national environmental health and safety laws and regulations that apply to the offset project. Specifically, the proposed amendments would limit the period of time offset credits issued to livestock and mine methane capture projects are subject to invalidation for not being in regulatory compliance to the time period the project was actually out of regulatory compliance, to the extent that time period can be proven. Additional proposed modifications quantify the number of ARB offset credits that must be removed from the ARB Forest Buffer Account after an invalidation and identify who is responsible for replacing a portion of the invalidated ARB offset credits.

#### ***Registration in CITSS***

Staff is proposing an amendment to the Regulation that directs a covered entity to register in the jurisdiction in which the entity incurs a compliance obligation. The proposed change requires that such entities register in CITSS as California covered entities. The proposed change will allow an entity that incurs compliance obligations in more than one jurisdiction to have a CITSS entity account in each jurisdiction in which an obligation is incurred.

Staff is proposing an amendment to the Regulation to allow designated account representatives to be swapped at any time upon receipt of a designation of a Primary Account Representative or Alternate Account Representative, and to make an individual who has been convicted of a felony offense in the United States or outside of the United States ineligible for user registration. Staff is also proposing to amend the Regulation to allow an individual who will be a representative of a covered entity located outside of the United States to submit evidence of an account at a bank outside of the United States. The user registration must be accompanied by an attestation from the covered entity that the individual will be a designated representative and that the covered entity does not have personnel located in the United States that could be designated as the representative.

Staff is proposing to move the requirements for initial registration, account assignment, assignment of account representatives, corporate association disclosures, and know-your-customer requirements to sections 95830 through 95834 of the Regulation. Provisions relating to changes in facility assignment to accounts, new facilities, changes in entity registration type, and requirements for leaving the Program are all consolidated in new section 95835.

Staff incorporated, and then modified, several corporate association disclosure requirements during rule-making proceedings in 2013 and 2014. Staff proposes changes to the requirements to further clarify and streamline these disclosure requirements. The proposed amendments would require that a registered entity would continue to disclose (a) all direct and indirect corporate associations with other registered entities; (b) all parent entities up through the ultimate parent (even if those entities are not registered); and (c) all direct and indirect corporate associations between chains of registered entities that have a direct or indirect association. A registered entity would also have to disclose direct corporate associations with another registered entity if the two entities employ the same account representative or consultant, unless the entities have documented procedures to prevent the sharing of information. Outside of the above disclosures, the proposed amendments specify that a registered entity would only have to disclose direct corporate associations with unregistered entities (a) that operate in related markets and (b) upon request of the Executive Officer. Finally, a registered entity that intends to only hold offset credits would not have to disclose any corporate associations.

**Auction and Reserve Sale Administration**

Staff is proposing modifications to Regulation provisions that describe the administration and format of auctions and sales of allowances from the Allowance Price Containment Reserve (Reserve sales). The proposed modifications are largely to provide clarity, internal consistency, and improvements for implementation efficiency. All proposed changes are informed by staff experience gained through conducting jurisdiction-specific auctions, conducting joint auctions with Québec, and offering Reserve sales to date.

**COMPARABLE FEDERAL REGULATIONS**

There are no directly comparable federal regulations mandating economy-wide Cap-and-Trade Programs. The proposed regulatory action continues to place a compliance obligation on large industrial sources, fuel suppliers, and electricity generators and importers for the GHG emissions associated with their activities in 2021 and beyond. The GHG emissions from these enti-

ties, except for the GHG emissions from electricity generating units (EGUs) covered by the federal Clean Power Plan (Code of Federal Regulations, Title 40, Chapter 1, Subchapter C, Part 60, Subpart UUUU) (CPP), beginning in 2022, are not currently covered by any federal regulations. Covering these GHG emissions does not conflict with federal regulations.

Affected EGUs under CPP are covered under the proposed regulatory action; indeed, compliance by affected EGUs with the proposed amendments is the means by which the State proposes to demonstrate compliance with CPP. The federal CPP allows for “state measures,” such as California’s Cap-and-Trade Program, that place requirements on affected EGUs in order to meet aggregate mass-based emissions limits for the entire sector during each compliance period. The proposed regulatory action is not different from federal regulations; it is a “state measure” that is embraced by the CPP as a means of complying with federal regulations.

**AN EVALUATION OF INCONSISTENCY OR INCOMPATIBILITY WITH EXISTING STATE REGULATIONS**

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

**MANDATED BY FEDERAL LAW OR REGULATIONS**

The proposed regulatory action is not generally mandated by federal law or regulations. However, CPP mandates, discussed above, do require that California limit emissions from electricity generating units at certain power plants by developing a compliance plan and accompanying regulations. Although California has discretion as to how it complies with CPP, it must achieve compliance. ARB is proposing amendments to the Cap-and-Trade Regulation, as described above, that can address CPP compliance, thereby supporting compliance with both state and federal mandates.

**DISCLOSURES REGARDING THE PROPOSED REGULATION**

**Fiscal Impact/Local Mandate Determination Regarding the Proposed Action**

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

Cost to any Local Agency or School District Requiring Reimbursement under section 17500 et seq.:

Currently, some local government entities (e.g., local utilities) are regulated parties in the Program and would continue to have a compliance obligation under the proposed regulatory action. These local governments could face administrative costs as well as costs associated with obtaining and surrendering compliance instruments. There may be additional impacts based on the continuance and appropriation of Greenhouse Gas Reduction Fund (GGRF) funds (i.e., the State’s portion of proceeds from Cap-and-Trade auctions) that are directed to local government. However, 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 mandate to any local agency or school district that are reimbursable by the State pursuant to Government Code, title 2, division 4, part 7 (commencing with section 17500).

Cost or Savings for State Agencies:

The Cap-and-Trade Program covers some State government entities. Examples include several University of California and California State University campuses. These entities would incur compliance costs under the proposed regulatory action. The State universities receive an allocation of allowances so they do not have to cover the full cost of their emissions obligation. State entities that purchase goods and fossil fuels in California, but are not directly covered by the Regulation, will face higher prices for fossil fuels and products that use fossil fuels. State entities could also potentially benefit from new lower-carbon technologies and innovations that may be indirect benefits of the proposed regulatory action. There could also be impacts to the State budget based on the continuance of GGRF fund that are directed to State government. Any changes to allowance allocation that provide for greater amounts of industrial assistance will also shift some allowance value that would have gone to the State for appropriation through the GGRF to covered entities, and vice versa.

Other Non-Discretionary Costs or Savings on Local Agencies:

No additional costs or savings to local agencies beyond those addressed above under “Cost to any Local Agency or School District Requiring Reimbursement under section 17500 et seq.” are anticipated.

Cost or Savings in Federal Funding to the State:

No costs or savings in federal funding is anticipated.

Housing Costs (Gov. Code, § 11346.5, subd. (a)(12)):

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

**Significant Statewide Adverse Economic Impact Directly Affecting Business, Including Ability to Compete**

The Executive Officer has made the 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.

**MAJOR REGULATION: Statement of the Results of the Standardized Regulatory Impact Analysis (SRIA) (Gov. Code, § 11346.3, subd. (c)):**

On April 1, 2016, ARB submitted a Standardized Regulatory Impact Assessment (SRIA) to the California Department of Finance (DOF). On May 9, 2016, DOF provided ARB with written comments on the submitted SRIA. ARB has revised the SRIA based on modifications included in the proposed regulatory action since the original SRIA submittal and to address DOF comments. The revised SRIA is included as Attachment C to the ISOR. The SRIA analysis is based on a range of prices that are intended to bound the possible allowance prices that may be observed under the proposed regulatory action. A large number of factors influence allowance price, including the ease of substitution by firms to low-carbon production methods, consumer price response, and the pace of technological progress. A number of policy factors also impact the allowance price including methods for allocating allowances, the use of auction proceeds, and linkage with other jurisdictions, as well as factors such as the cost of GHG emission reduction technology, and potential impacts to the price of fuel. Impacts on California State Gross Domestic Product are small relative to the size of the California economy across the allowance prices analyzed.

Creation or elimination of jobs within the State.

The proposed regulatory action is estimated to result in small increases or decreases in employment. In aggregate, the REMI model utilized for the SRIA analysis predicts a small impact on overall employment in the State at the allowance prices analyzed. The slight increase in employment growth can be attributed to the recycling of allowance value to GGRF recipients and consumers. However, over the entire timeframe of the analysis, estimated increases in production costs mitigate the effect of the allowance value return leaving employment growth roughly unchanged relative to the baseline scenario in which the proposed amendments are not implemented.

The creation of new businesses or the elimination of existing businesses within the state.

The proposed regulatory action may lead to the elimination of some businesses in California as similar busi-

nesses outside California do not currently have to account for carbon costs. However, allocation to covered sectors is meant to minimize the potential for business elimination in California. The proposed regulatory action may also lead to the creation of businesses that produce or sell low-carbon technologies or other market related businesses such as offset providers and verifiers. The 2015 Paris Agreement under the United Nations Framework Convention on Climate Change aims keeping the global temperature rise below 2 °C. The agreement is intended to motivate the United States and other signatories to start to take action to reduce GHG emissions. Increased global carbon pricing may mitigate the impact of the proposed regulatory action on the creation and elimination of business in California.

Competitive advantages or disadvantages for businesses currently doing business within the State.

Allocation of allowances to covered sectors is meant to minimize the potential for emissions leakage, which has the associated effect of minimizing competitive disadvantage for California businesses. In the short-term, this design feature of the Program should mitigate some competitive disadvantages for businesses in California as similar businesses outside California currently do not face a carbon price. Because of the 2015 Paris agreement under the United Nations Framework Convention on Climate Change, aimed at keeping the global temperature rise below 2 °C, we can expect the United States and other signatories to start to take action to reduce GHG emissions. As these policies come online, businesses outside of the state will begin to face similar carbon costs in order to reduce GHGs, reducing the relative impact of the proposed regulatory action on California businesses.

Increase or decrease of investment in the State.

The proposed regulatory action is estimated to have a small impact on California private investment, which consists of purchases of residential and nonresidential structures and of equipment and software by private businesses and nonprofit institutions. The macroeconomic modeling results estimate that the annual rate of California investment is basically unchanged from the baseline scenario by the proposed amendments.

The incentives for innovation in products, materials, or processes.

The proposed regulatory action may offer some additional incentives for innovation in low carbon technology above what is provided by the complementary policies. The declining cap over time will require Cap-and-Trade Program covered entities to reduce emissions. The carbon price sends a signal for research, development, and deployment of innovative technologies and fuels that can support long-term GHG emissions reductions while production and the economy continue to

grow. The carbon price may also lead existing covered entities to evolve from the production of traditional fuels to the production of the lower carbon fuels.

The benefits of the regulation.

The SRIA analysis does not quantify the benefits of the proposed regulatory action. However, the Cap-and-Trade Program has supported the mitigation of the economic consequences of rising GHG emissions. The Program has been designed to support growth in activities that result in lower GHG emissions. Most benefits are an indirect result of the Program, as investments in energy efficiency and energy conservation can result in economic benefits to consumers and clean energy sectors. For additional benefit analysis, please see heading titled, “Objectives and Benefits of the Proposed Regulatory Action”.

Department of Finance Comments and ARB Responses.

ARB summarized the comments received on May 9, 2016, from DOF. Subsequently, ARB revised the SRIA to address DOF comments and changes to the proposed regulatory action. The revised SRIA and ARB’s responses to DOF’s comments can be found in Appendix C of the ISOR. The original SRIA submitted to DOF on April 1, 2016, and DOF’s comment letter can be found at the DOF Major Regulations website.<sup>3</sup> Below is a summary of DOF’s comments and ARB’s responses.

In comments addressing the SRIA of the proposed amendments to the Regulation, DOF generally concurred with the methodology and results of the SRIA. While the results of the assessment were sufficient to meet the requirements of CCR, Title I, Section 2002 (a)(1), some enhancements to the analysis were suggested by DOF to clarify the results. Specifically, DOF made three main suggestions for ARB to:

- Narrow the ranges of estimated impacts, if possible;
- Provide historical context to demonstrate how the current Cap-and-Trade Program has differed from initial expectations; and
- Translate results into specific impacts on individuals and businesses.

DOF Comment #1

The SRIA could be more specific about what impacts are expected rather than relying on a very large range in allowance value price. It is necessary to use a range of allowance values in this modeling assessment, as there will be uncertainty, but a smaller range would be helpful for the public in focusing their comments. In addition, future SRIAs for proposed regulations that affect the Cap-and-Trade Program should discuss how those regulations would affect the impacts discussed here.

<sup>3</sup> [http://www.dof.ca.gov/Forecasting/Economics/Major\\_Regulations/Major\\_Regulations\\_Table/](http://www.dof.ca.gov/Forecasting/Economics/Major_Regulations/Major_Regulations_Table/)

ARB Response to DOF Comment #1

A large number of factors influence the price of allowances in the Cap-and-Trade Program. The technological and behavioral factors include the ease of switching to low-GHG methods of production, the extent to which consumers shift to low-GHG products in response to price changes, and the pace of technological progress. A number of policy factors also apply, including emissions reductions from complementary environmental policies. The proposed amendments will affect the cost of using energy derived from fossil fuels, which in turn will affect the price of most goods and services throughout the California economy. Some covered entities will make efficiency improvements that result in reduced fuel expenditures and reduced emissions. The increased price of energy will cause secondary emissions reductions by non-covered entities though increased energy efficiency, decreased purchases of energy-intensive goods and services, and increased conservation (e.g., driving less).

Since the Regulation does not specify how or where emissions reductions will occur, it is impossible to know in advance what covered or non-covered entities will do to comply, or how they will respond to the proposed amendments. Therefore, possible compliance responses, as observed through the estimated change in capital, labor, energy, and fuel expenditures, must be modeled across a wide range of carbon prices. In addition, the impacts of any future regulatory action on these amendments to the Cap-and-Trade Regulation will be discussed when appropriate in subsequent rulemakings.

DOF Comment #2

The SRIA could provide some historical context about how results of the existing Cap-and-Trade Program differed from initial expectations, and where uncertainty still remains. This information would be helpful in drawing attention to areas where the public could provide additional information on new technologies, or weigh in on potential unintended consequences.

ARB Response to DOF Comment #2

California's Cap-and-Trade Regulation was adopted by ARB in October 2011 and achieved full implementation in 2015 with the inclusion of transportation fuels and natural gas suppliers under the cap. To date there have been two compliance deadlines in the Program, covering the first compliance period, 2013 and 2014. While there are many ex ante estimates of the impact of the Cap-and-Trade Program, it is difficult to assess the realized impacts given the short implementation timeline thus far. Amendments to the Cap-and-Trade Regulation in 2012, 2013, and 2014 provided opportunities to modify the Program and address unanticipated impacts, including changes to the tracking system, al-

lowance allocation, and cost containment provisions. ARB will continue to monitor the Program and make modifications as necessary.

DOF Comment #3

There are some areas where it is difficult to translate results into how individuals or businesses would be affected. For example, Tables 10 and Table 13 present percentage changes, but this information would be more relatable if presented in dollar amounts. Additional examples of how individuals and businesses could be affected would be helpful.

ARB Response to DOF Comment #3

The SRIA has been revised to address these concerns. Table 10 and Table 13, now Tables 9 and 13 in the revised SRIA, have been modified to present the information in absolute dollar amounts, and additional detail has been added to the discussion regarding the impact to businesses and individuals.

Effect on Small Business

Based on the Program inclusion threshold and on the entities already subject to the Cap-and-Trade Regulation, no small businesses would face a compliance obligation under the proposed regulatory action. Small businesses will be indirectly affected by the Cap-and-Trade Program due to the increased price of fossil fuels. Costs will vary based on the business's use of fossil fuels and its ability to reduce fossil fuel in its operations. Small businesses could experience some energy cost savings as a result of adoption of energy efficient technologies. The proposed regulatory action may also benefit small businesses that produce or sell low-carbon technologies and could result in the creation of some new small businesses. A detailed discussion of these impacts can be found in Chapter VI of the Staff Report.

Business Report (Gov. Code, §§ 11346.5, subd. (a)(11); 11346.3, subd. (d)):

In accordance with Government Code sections 11346.5, subdivisions (a)(11) and 11346.3, subdivision (d), the Executive Officer finds the reporting requirements of the proposed regulatory action which apply to businesses are necessary for the health, safety, and welfare of the people of the State of California.

Cost Impacts on Representative Private Persons or Businesses (Gov. Code, § 11346.5, subd. (a)(9)):

In developing this regulatory proposal, ARB staff evaluated the potential economic impacts on representative private persons or businesses. While individuals are not directly covered by the Cap-and-Trade Regulation, the proposed regulatory action will result in a cost to individuals through an increase in the price of fossil fuels and other goods based on their carbon content. Some businesses are covered by the Cap-and-Trade regulation, but sector costs vary widely, so there is no typical business for purposes of estimating cost of com-

pliance. Businesses in California will also face an increase in the cost of goods based on their carbon content. ARB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### **Alternatives Statement**

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 that the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

The Executive Officer analyzed two alternatives to the proposed regulation: one less flexible than the proposal (Alternative 1: Facility Specific Requirements); and one that may not achieve the environmental objectives (Alternative 2: Carbon Fee).

Under Alternative 1, ARB would cease to operate the Cap-and-Trade Program and would instead implement facility-specific requirements designed to achieve the same amount of estimated emissions reductions. This option would focus on requiring each covered facility to reduce emissions from a historical baseline level to 40 percent below that level by 2030 with interim targets. In addition to these reductions, supplemental policies may be needed to reduce emissions from non-covered sources. This alternative was rejected because it increases costs, reduces flexibility, and could generate more emissions leakage compared to the proposed Cap-and-Trade Program.

Under Alternative 2, a carbon fee would provide price certainty to covered facilities but would not guarantee that California would meet its GHG reduction goals. With perfect information, a carbon fee and a cap-and-trade program could be designed to have identical effects on the economy. With imperfect information about the costs of emissions, a carbon fee would provide price certainty and an uncertain amount of emissions reductions, while a cap-and-trade program would provide a certain cap on emissions at an uncertain price. A carbon fee might not result in meeting the 2030 emissions target, or it could result in overshooting the target at an unnecessarily high cost. Because the primary goal of the Cap-and-Trade Program is to meet GHG emissions targets while minimizing costs, ARB staff believes a cap-and-trade program is a better match to California's goals.

### ENVIRONMENTAL ANALYSIS

ARB, as the lead agency for the Cap-and-Trade Regulation, prepared a Draft Environmental Analysis (EA) in accordance with the requirements of its regulatory program certified by the Secretary of Natural Resources. (California Code of Regulation, title 17, sections 60006–60008; California Code of Regulation, title 14, section 15251, subdivision (d).) The Draft EA provides a single coordinated programmatic environmental analysis of an illustrative, reasonably foreseeable compliance scenario that could result from implementation of the proposed amendments to the Cap-and-Trade Regulation as well as the proposed Clean Power Plan (CPP) Compliance Plan, including aspects of the Regulation that implement aspects of the proposed CPP Compliance Plan. The proposed Cap-and-Trade Regulation and CPP Compliance Plan have two separate notices and staff reports and will be considered by the Board in separate proceedings, but are connected actions. This approach is consistent with CEQA's requirement that an agency consider the whole of an action when it assesses a project's environmental effects, even if the project consists of separate approvals (Cal. Code Regs., tit. 14, § 15378(a)).

The resource areas from the California Environmental Quality Act (CEQA) Guidelines Environmental Checklist were used as a framework for a programmatic environmental analysis of the direct and reasonably foreseeable indirect environmental impacts resulting from implementation of the proposed amendments to the Cap-and-Trade Regulation, including those related to the CPP Compliance Plan. The Draft EA provides an analysis of both the beneficial and adverse impacts and feasible mitigation measures for the reasonably foreseeable compliance responses associated with the recommended amendments.

The Draft EA concluded implementation of these proposed amendments could result in the following short-term and long-term beneficial and adverse impacts: beneficial short-term and long-term impacts to air quality (statewide), energy demand and greenhouse gases; less-than-significant impacts to aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, energy demand, geology, soils, and mineral resources, greenhouse gases, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population employment, and housing, public services, recreation, transportation and traffic and utilities and service systems; and potentially significant and unavoidable adverse impacts to aesthetics, agriculture and forest resources, air quality (construction-related impacts, potential localized increases, and potential odor impacts from Livestock Pro-

tol implementation), biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, recreation, and transportation/traffic. The potentially significant and unavoidable adverse impacts are primarily related to short-term, construction-related activities and implementation of offset projects that are reasonably foreseeable as a result of the proposed amendments to the Cap-and-Trade Regulation. This explains why some resource areas are identified above as having both less-than-significant impacts and potentially significant impacts. Please refer to the Draft EA for further details.

The Draft EA is included as Appendix B to the ISOR and can be obtained from ARB's website at: <http://www.arb.ca.gov/regact/2016/capandtrade16/capandtrade16.htm>

### SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

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

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

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

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

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

### AGENCY CONTACT PERSONS

Inquiries concerning the substance of the proposed regulatory action may be directed to the agency representative Mary Jane Coombs, Manager, at (916) 322-7554, Jason Gray, Manager, at (916) 324-3507, or (designated back-up contact) Mark Sippola, Air Resources Engineer, at (916) 323-1095, of the Climate Change Program Evaluation Branch.

### AVAILABILITY OF DOCUMENTS

ARB staff has prepared an ISOR for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is entitled "Staff Report: Initial Statement of Reasons for Rulemaking-Proposed Amendments to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms."

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strikeout format to allow for comparison with the existing regulations, may be accessed on ARB's website listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322-2990 on August 2, 2016.

Further, the agency representative to whom non-substantive inquiries concerning the proposed administrative action may be directed is Trini Balcazar, Regulations Coordinator, (916) 445-9564. The Board staff has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request beginning August 2, 2016 to the contact persons.

### 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 vote on a resolution directing the Executive Officer to: make any proposed modified regulatory language that is sufficiently related to the originally proposed text that the public was adequately placed on notice that the regulatory language as modified could result from the proposed regulatory action, and to make any additional supporting documents and information available to the public for a period of at least 15 days; to consider written comments submitted during this period; and make any further modifications as may be appropriate in light of the comments received available for further public comment. The Board may also direct the Executive Of-

ficer to: evaluate all comments received during the public comment periods, including comments regarding the CEQA determination above, and prepare written responses to those comments as appropriate; and present to the Board, at a subsequently scheduled public hearing, the final proposed regulatory language, and staff's written responses to relevant comments.

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.

**FINAL STATEMENT OF REASONS AVAILABILITY**

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

**INTERNET ACCESS**

This notice, the ISOR, and all subsequent regulatory documents, including the FSOR, when completed, are available on ARB's website for this rulemaking at: <http://www.arb.ca.gov/regact/2016/capandtrade16/capandtrade16.htm>

**TITLE 19. OFFICE OF THE STATE FIRE MARSHAL**

**NOTICE OF PROPOSED RULEMAKING TO OFFICE OF THE STATE FIRE MARSHAL California Code of Regulations, Title 19, Division 1, Chapter 14**

**Hazardous Liquid Pipelines – Annual Inspection**

The State Fire Marshal (SFM) is providing notice to adopt proposed regulations related to the annual pipeline inspection of every intrastate hazardous liquid pipeline and operators of intrastate hazardous liquid pipelines as described below after considering all comments, objections, or recommendations regarding the proposed action.

**WRITTEN COMMENT PERIOD**

The SFM will accept written comments regarding this proposed regulatory action for at least 45 days beginning August 5, 2016 until 5:00 p.m. on September 19, 2016. All written comments submitted via email or fax shall include "**Title 19, Chapter 14, 45-Day Comments**" in the subject line.

Comments may be submitted to the SFM via:

- Email: [diane.arend@fire.ca.gov](mailto:diane.arend@fire.ca.gov); or
- Facsimile: (916) 445-8458; or
- US Mail (**postmarked no later than September 19, 2016**):

Office of the State Fire Marshal  
P.O. Box 944246  
Sacramento, CA 94244-2460  
Attn: Diane Arend, Code Development & Analysis Division

**PUBLIC HEARING**

The State Fire Marshal has not scheduled a public hearing on this proposed action. However, The State Fire Marshal will hold a public hearing if a written request is received from any interested party or their authorized representative no later than 15 days before the end of the 45-day comment period, pursuant to Government Code Section 11346.8.

If a written request for a hearing is received the State Fire Marshal will hold a public hearing as scheduled below:

**Date: September 19, 2016**  
**Resources Building**  
**First Floor Auditorium**  
**1416 Ninth Street**  
**Sacramento, CA 95814**  
**From 10 a.m. to 12 p.m.**

If a public hearing is held, the SFM will provide notice of the hearing in accordance with the requirements of Gov. Code sec. 11346.8(a), in addition to posting the information on our website.

The public hearing facilities are accessible to persons with mobility impairments. If any special assistance is required (i.e. interpreter), please notify the contact person named in this notice at least 15 days prior to the public hearing.

At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony at the hearing.

AVAILABILITY OF CHANGED OR  
MODIFIED TEXT

Following the 45-day comment period, the SFM may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text — with changes indicated — shall be made available to the public for at least 15 days before the SFM adopts, amends, or repeals the regulations as revised. The SFM will accept written comments on the modified regulations for 15 days after the date on which they are made available. **NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modified regulations. Requests should be sent to the contact person at the address indicated above.

AUTHORITY AND REFERENCE

The SFM is proposing this regulatory action pursuant to Government Code §51015.1, with reference to Government Code §51015.1, in that the SFM, or an officer or employee authorized by the SFM, shall adopt regulations and annually inspect all intrastate hazardous liquid pipelines and operators of intrastate hazardous liquid pipelines under the jurisdiction of the SFM to ensure compliance with applicable laws and regulations associated with the implementation of this section.

INFORMATIVE DIGEST — POLICY  
STATEMENT OVERVIEW

The broad objective of the proposed action is to define the regulatory requirements of the SFM for annual inspection of hazardous liquid pipelines and operators of hazardous liquid pipelines as mandated pursuant to Government Code §51015.1. The regulations proposed in this rulemaking action would specify and define the regulatory requirements by making the following changes:

Develop a SFM annual inspection program for each pipeline and pipeline operator under the jurisdiction of the SFM to protect California’s vital natural resources, and reduce the risk of future pipeline accidents.

The SFM is proposing to adopt California Code of Regulations (CCR), Title 19, Chapter 14, Sections 2020, 2021 and 2030. The SFM is proposing to incorporate by reference the California Intrastate Pipeline Operator Annual Report Form PSD-101 (dated July 1, 2016), instructions for Form PSD-101(dated July 1, 2016) and Annual Inspection Procedure identified in the text of regulations in Sections 2020 which are used in the annual inspection process for each intrastate haz-

ardous liquid pipeline and operators of intrastate hazardous liquid pipelines.

**Forms and Documents Incorporated by Reference**

The forms and documents incorporated by reference in Title 19 have also been included in this rulemaking file as follows:

- California Intrastate Pipeline Operator Annual Report, Form PSD-101 (dated July 1, 2016)
- Instructions for Form PSD-101 (dated July 1, 2016)
- California State Fire Marshal Annual Inspection Procedures (dated July 1, 2016)

The SFM consulted with the SFM Pipeline Safety Advisory Committee (PSAC) and the OSFM Pipeline Safety Regulations Work Group and sought their recommendations and analysis of the proposed amendments. They both concur with the proposed rulemaking establishing an intrastate hazardous liquids pipeline annual inspection program. These were conversations only, and there were no documents relied upon in connection with these consultations except for the meeting summary notes for the OSFM Pipeline Safety Regulations Work Group (dated June 2016).

Summary of Existing Laws

Currently, Government Code Section 51011 authorizes the State Fire Marshal to adopt hazardous liquid pipeline safety regulations in compliance with the federal law relating to hazardous liquid pipeline safety, including compliance orders, penalties, and inspection and maintenance provisions, and including amendments to those laws and regulations which may be hereafter enacted and adopted. Government Code Section 51012.3 requires that every operator of a pipeline to conform to the federal regulations in Subparts A to F, inclusive, of Part 195 of Title 49 of the Code of Federal Regulations.

Section 51015.1 is added to the Government Code, to read:

“(a) Commencing January 1, 2017, the SFM, or an officer or employee authorized by the SFM, shall annually inspect all intrastate hazardous liquid pipelines and operators of intrastate hazardous liquid pipelines under the jurisdiction of the SFM to ensure compliance with applicable laws and regulations. By January 1, 2017, the SFM shall adopt regulations implementing this subdivision.”

This section mandates the SFM to propose regulation for adoption an annual inspection program for inspecting all intrastate hazardous liquid pipelines and operators of intrastate hazardous liquid pipelines under the jurisdiction of the SFM.

Summary of Existing Regulations

Title 19, Chapter 14, Article 1, Section 2000 adopted by reference Title 49, Federal Code of Regulations, Part

195 as it relates to hazardous liquids pipelines. The SFM currently regulates the safety of intrastate hazardous liquid pipeline through the certification from United States Department of Transportation (USDOT), Pipeline and Hazardous Materials Safety Administration (PHMSA). The current USDOT PHMSA certification requires the SFM to conduct six different types of inspections on each operator of hazardous liquid pipeline, and two different types of inspections on each intrastate hazardous liquid pipeline once every five years.

There are no existing regulations that require annual inspection of intrastate hazardous liquid pipelines under the jurisdiction of the SFM.

The SFM proposes to adopt new CCR, Title 19, Chapter 14, Article 2, entitled Annual Inspection of Intrastate Hazardous Liquid Pipelines and Operators of Intrastate Hazardous Liquid Pipeline, Sections 2020, 2021, and 2030.

Summary of Effect

The effect of this proposed rulemaking is the establishment of an annual inspection program that will ensure compliance with federal and state regulations, enhance public safety, protect California’s vital natural resources, and reduce the risk of future pipeline accidents. The proposed rulemaking serves to improve pipeline inspections which have no negative effect on the business environment.

The proposed rulemaking establishes additional inspections of intrastate hazardous liquid pipelines and operators of intrastate hazardous liquid pipelines. The proposed rulemaking specifies violations and specifies existing penalties for such violations.

Comparable Federal Statute or Regulations

There are no comparable federal regulations or statutes.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations

After conducting a review of any and all other regulations that would relate to or affect the area of intrastate hazardous liquid pipelines and operators of intrastate hazardous liquid pipelines inspections, the SFM concluded that this proposed rulemaking is the only rulemaking that concerns the establishment of minimum statutory mandate. The SFM has determined this proposed regulation is not inconsistent or incompatible with existing regulations.

Objective and Anticipated Benefits

The broad objective of the proposed rulemaking is to ensure that pipelines and pipeline operators in California are inspected more frequently to mitigate the risk of spill and/or accident that harm the environment. The an-

anticipated benefit would be to enhance public safety, protect California’s vital natural resources and wildlife, and reduce the risk of future pipeline accidents/spills.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

There are no other matters prescribed by statute applicable to the SFM, or to any specific regulation or class of regulations. There are no other matters to identify.

DISCLOSURES REGARDING THE PROPOSED ACTION

The SFM has made the following initial determinations:

1. Mandate on local agencies and school districts: **None**
2. Cost or savings to any other State agency: **None**
3. Cost to any local agency or school district which must be reimbursed in accordance with Government Code, Sections 17500–17630: **None**
4. Other non–discretionary cost or savings imposed upon local agencies: **None**
5. Cost or savings in federal funding to the State: **None**
6. Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other States: **None**
7. Significant effect on housing costs: **None**

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

8. The cost impacts that a pipeline operator would necessarily incur in reasonable compliance with the proposed action are provided as follows:  
Title 19, Chapter 14, Sections 2020 and 2021 will result in an insignificant cost to a pipeline operator. All intrastate hazardous liquid pipelines and operators of intrastate hazardous liquid pipelines are required to have inspections every 5 years as required by US DOT PHMSA. The SFM annual inspection will focus on the risks of every intrastate hazardous liquid pipeline and carry out the customized inspections every year.

The proposed regulation will comply with statutory mandate, enhance public safety, protect California's vital natural resources and wildlife, and reduce the risk of future pipeline accidents/spills. The costs for litigation, fines, oil discharge containment and clean-up from pipeline releases are far more significant compared to the cost impact for the operators that are incurred by this proposed rulemaking.

#### DECLARATION OF EVIDENCE

The SFM conducted a survey on the economic and fiscal impact to the operators of intrastate hazardous liquid pipelines that incur by this rulemaking. The SFM has not relied on any other facts, evidence, documents, or testimony to make its initial determination of no statewide adverse economic impact.

#### SMALL BUSINESS EFFECTS

The SFM has made the initial determination that these proposed regulations will have no "substantial" effect to small businesses and the SFM has not identified any alternatives that would lessen any adverse impact, if any, on small business. Government Code Section 11342.610 (b)(9) excludes a petroleum producer, a natural gas producer, a refiner, or a pipeline from the definition of "small business".

#### RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The SFM concludes that the proposed regulatory action, within the State of California, would have no significant adverse economic impact and adoption of these regulations *will not*:

- a) Create or eliminate jobs within California;
- b) Create new businesses or eliminate existing businesses within California; or
- c) Affect the expansion of businesses currently doing business within California.

The SFM has assessed that this regulatory proposal *will*:

- d) Will benefit the public health and welfare of California residents, enhance public safety, and benefit the environment by protecting California's vital natural resources and wildlife, and reducing the risk of future pipeline accidents/spills.

#### CONSIDERATION OF ALTERNATIVES

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

There is no reasonable alternative since the new law mandates the SFM to conduct annual inspection of all intrastate pipelines and operators of intrastate pipelines. The SFM invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

#### BUSINESS REPORT

This regulatory proposal does not mandate any new annual reporting or recordkeeping requirements beyond the business practice that has already been established by the SFM.

#### CONTACT PERSON(S)

Inquiries concerning the proposed regulatory action, or requests for copies of the proposed text of the regulations, the initial statement of reasons, the modified text of the regulations or other information upon which the rulemaking is based may be directed to:

Office of the State Fire Marshal:

Diane Arend, Senior Deputy SFM (RA),  
Regulations Coordinator, for general inquiries  
Phone: (916) 324-9592  
Email: [diane.arend@fire.ca.gov](mailto:diane.arend@fire.ca.gov)

Doug Allen, Supervising Pipeline Safety Engineer,  
Pipeline Safety Division,  
for substantive or technical questions  
Phone: (916) 445-8345  
Email: [doug.allen@fire.ca.gov](mailto:doug.allen@fire.ca.gov)

Ben Ho, Pipeline Safety Engineer,  
Pipeline Safety Division,  
for back-up substantive or technical questions  
Phone: (916) 445-8348  
Email: [ben.ho@fire.ca.gov](mailto:ben.ho@fire.ca.gov)

AVAILABILITY OF STATEMENT OF REASONS  
AND TEXT OF PROPOSED REGULATIONS

The SFM will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office located at 1131 "S" Street, Sacramento, California 95811. As of the date this notice is published in the Notice Register, the SFM's rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons for the proposed action, all documents incorporated by reference and an economic impact assessment contained in the initial statement of reasons. Copies may be obtained through the contact(s) at the address or telephone numbers listed above.

AVAILABILITY OF THE FINAL STATEMENT  
OF REASONS

Upon its completion, copies of the Final Statement of Reasons (FSOR) may be obtained by making a written request to the contact person at the above address or by accessing the website listed below.

AVAILABILITY OF DOCUMENTS ON  
THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons (ISOR), the text of proposed regulations in underline and strikeout, documents incorporated by reference and all information upon which this rulemaking is based may be accessed through the SFM web site at:

[http://osfm.fire.ca.gov/codedevelopment/  
codedevelopment\\_title19development.php](http://osfm.fire.ca.gov/codedevelopment/codedevelopment_title19development.php)

**TITLE 22. DEPARTMENT OF  
SOCIAL SERVICES**

ORD#0216-04

NOTICE OF PROPOSED CHANGES IN  
REGULATIONS OF THE CALIFORNIA  
DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM # 1 Social Rehabilitation Facilities  
Regulations Revisions

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held on September 22, 2016, at the following address:

Office Building # 8  
744 P Street, Room 103  
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on September 22, 2016.

Following the public hearing CDSS 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 nonsubstantive, technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahw.net.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below:

CONTACT

Office of Regulations Development  
California Department of Social Services  
744 P Street, MS 8-4-192  
Sacramento, California 95814  
TELEPHONE: (916) 657-2586  
FACSIMILE: (916) 654-3286  
E-MAIL: [ord@dss.ca.gov](mailto:ord@dss.ca.gov)

CHAPTERS

California Code of Regulations, Title 22, Division 6, Chapter 2 (Social Rehabilitation Facilities), Sections 81001 (Definitions), 81010 (Limitations on Capacity and Ambulatory Status), 81020 (Fire Clearance), 81022 (Plan of Operation), 81026 (Safeguards for Cash Resources, Personal Property, and Valuables), 81068.2 (Needs and Services Plan), 81068.4 (Acceptance and Retention Limitations), 81068.5 (Eviction Procedures), 81069 (Client Medical Assessments), 81071 (Register of Clients), 81075 (Health-Related Services), 81077.2 (Care for Clients Who Rely Upon Others to Perform All Activities of Daily Living), 81077.4 (Care for Clients with Incontinence), 81077.5 (Care for Clients with Contractures), 81087 (Buildings and Grounds), 81088 (Fixtures, Furniture, Equipment and Supplies), 81090 (Health and Safety Services), 81092 (Restricted Health Conditions), 81092.3 (Inhalation-Assistive Devices), 81092.4 (Colostomy/Ileostomy), 81092.5 (Fecal Impaction Removal, Enemas, or Suppositories), 81092.6 (Indwelling Urinary Catheter/Catheter Procedure), 81092.7 (Staph or Other Serious, Communicable Infections), 81092.8 (Diabetes), 81092.9 (Wounds), 81092.10 (Gastrostomy Feeding, Hydration, and Care), 81092.11 (Tracheostomies), and 81094 (Health Condition Relocation Order)

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Social Rehabilitation Facilities (SRFs) are facilities licensed by CDSS, Community Care Licensing Division (CCLD) and certified by the California Department of Health Care Services (DHCS). Current laws (Health and Safety Code sections 1500 through 1567.87) and regulations (California Code of Regulations (CCR) Title 22, Division 6, Chapter 2) govern the management of SRFs regarding the care and supervision of clients, including client management, facility management, staff background checks, training and documentation requirements. SRFs provide care and supervision to mentally ill adults recovering from mental illness who temporarily need assistance, guidance or counseling. There are approximately 102 licensed SRFs in California.

The CCLD has been working with the California Association of Social Rehabilitation Agencies (CASRA) to identify necessary regulatory amendments that will improve the quality of care and supervision provided in the SRFs as short-term crisis facilities. This regulatory package will update the SRF regulations with changes originated as a result of stakeholder meetings with CASRA. The CASRA requested that these amendments be made to meet the needs of the client popula-

tion served by this facility type. Some examples of these requested amendments include:

- Allowing clients to have access to cleaning supplies, when appropriate.
- Amend the total licensed capacity language to more closely align with Medi-Cal standards.
- Update all regulatory references from “accept” and “acceptance” to “admit” or “admittance” for clarity and consistency.
- Allow licensees to ensure that a client’s Needs and Services Plan is completed within three days of admission, rather than prior to admission.
- Allow short-term crisis facilities to give clients an eviction notice of fewer than 30-days.
- Clarity on uncovered trash cans.

These regulatory amendments are being made to meet the needs of the client population served by the SRFs. The amendments include clean-up of some terms that are not used consistently, align the regulations with Medi-Cal standards and better support the functionality of these short-term crisis facilities.

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

COST ESTIMATE

1. Costs or Savings to State Agencies: No fiscal impact exists.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500 – 17630: None.
3. Nondiscretionary Costs or Savings to Local Agencies: No fiscal impact exists.
4. Federal Funding to State Agencies: No fiscal impact exists.

LOCAL MANDATE STATEMENT

These regulations do impose a mandate upon local agencies. The mandate is not required to be reimbursed pursuant to part 7 (commencing with Section 17500) of Division 4 of the Government Code or Section 6 of Article XIII B of the California Constitution because implementation of the regulations only impact licensees that make the business decision to admit the clients which would require these regulatory provisions. In addition, some of these regulations actually ease the requirements upon the licensee.

STATEMENT OF SIGNIFICANT ADVERSE  
ECONOMIC IMPACT ON BUSINESS

The CDSS has made an initial determination that the proposed 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.

STATEMENT OF POTENTIAL COST IMPACT ON  
PRIVATE PERSONS OR BUSINESSES

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

SMALL BUSINESS IMPACT STATEMENT

These proposed regulations will apply to SRFs, which the state considers small businesses. The SRF regulations will be amended to implement CASRA requested amendments that will bring the regulations up to date and make them more applicable to the client base served by this facility type. The regulatory amendments will be published in Chapter 2, Title 22, Division 6 of the CCR.

However, these regulations do not have an adverse economic impact on small businesses as they represent clarifications of terms and the provider group recommendations which will enable them to better meet the needs of their clients.

STATEMENT OF RESULTS OF ECONOMIC  
IMPACT ASSESSMENT

No economic impact is anticipated for CDSS or for SRF licensees by this regulatory activity as determined by the economic impact assessment. The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

The amendments to the existing regulations are anticipated to benefit community-based providers by clarifying and providing regulations that emphasize the needs, health, and safety of people living in SRFs. These amendments promote self-help amongst people living in SRFs and ensure statewide consistency and interpretation of the Title 22 regulations.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

Through a series of stakeholder meetings it was determined that these regulations were necessary to meet the needs and service requirements for the clients in SRFs. The CDSS determined there was no other alternative solution available to achieve the objective of these regulations as requested by the CASRA.

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

AUTHORITY AND REFERENCE CITATIONS

The CDSS adopts these regulations under the authority granted in Section 1530, Health and Safety Code. Subject regulations implement and make specific Section 1501, Health and Safety Code; Section 5670.5(a)(2), Welfare and Institutions Code; and California Code of Regulations, Title 9, Sections 532.1(c) and (g), 532.2(b), 532.4, 1840.332(b) and 1840.334(c).

CDSS REPRESENTATIVE REGARDING THE  
RULEMAKING PROCESS OF THE  
PROPOSED REGULATION

Contact Person:  
Everardo Vaca  
(916) 657-2586

Backup:  
Ying Sun  
(916) 657-2586

**TITLE 22. EMERGENCY MEDICAL  
SERVICES AUTHORITY**

**DIVISION 9. PREHOSPITAL EMERGENCY  
MEDICAL SERVICES  
CHAPTER 2. EMERGENCY MEDICAL  
TECHNICIANS**

The Emergency Medical Services Authority (“EMSA”) proposes to adopt regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

EMSA will hold a public hearing on September 27, 2016. The hearing will begin at 10:00 a.m. and end at

12:00 p.m. The location of the public hearing is: 10901 Gold Center Drive, Suite 400, Rancho Cordova, CA 95670. EMSA requests that persons making oral comments at the hearing also submit a written copy of their testimony at the hearing.

#### WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the EMSA. Comments may also be submitted by facsimile (FAX) at (916) 324-2875 or by e-mail to [corrine.fishman@emsa.ca.gov](mailto:corrine.fishman@emsa.ca.gov). The written comment period closes at **5:00 p.m.** September 27, 2016. The EMSA will consider only comments received at the EMSA offices by that time. Submit comments to:

Corrine Fishman, Program Analyst  
EMS Authority  
10901 Gold Center Drive, Suite 400  
Rancho Cordova, CA 95670

#### AUTHORITY AND REFERENCE

The Health and Safety Code, Section 1797.107 authorizes the EMSA to adopt the proposed regulations, which would implement, interpret, or make specific Sections 1797.170, 1797.184, of the Health and Safety Code.

#### INFORMATIVE DIGEST/ POLICY STATEMENT OVERVIEW

The Legislature passed SB1438 (Pavley, Chapter 491, Statutes of 2014) amending Sections 1797.170, 1797.197, and 11601 of the Health and Safety Code (HSC). The major provisions of 1797.170 and 1797.197 charge the EMSA with developing and adopting regulations and training standards to include the use and administration of naloxone hydrochloride and other opioid antagonists in the training and scope of practice for EMT certification.

These regulations are proposing to further expand the EMT basic scope of practice to include the use of a glucometer, the administration of epinephrine by auto-injector and training in tactical casualty care (TCC). Under current regulations only advanced EMTs and paramedics are able to utilize a glucometer, which may delay patient assessment for diabetic emergencies. The administration of epinephrine by auto-injector is currently permitted as an optional skill, which presents a barrier for state wide accessibility for patients suffering from anaphylaxis. TCC has been added to the course

content in response to AB 1598 (Rodriguez, Chapter 668, Statute of 2014) to better prepare public safety personnel to provide TCC and coordinate with emergency medical services during terrorism and active shooter incidents. This is consistent with the public safety regulations (Chapter 1.5, Division 9, Title 22, CCR) that were revised to allow public safety personnel to be trained in elements of TCC.

This rulemaking action clarifies and makes specific the EMT basic scope of practice and required training for EMTs in the administration of naloxone, epinephrine, the use of a glucometer and training in TCC, thereby improving the emergency medical service provided to the public.

The regulations proposed in this rulemaking action intend to: add the administration of naloxone to the basic scope of practice for all EMTs as authorized in statute; add the administration of epinephrine to the EMT scope of practice; add the use of a glucometer to the EMT scope of practice; add training in tactical casualty care; improve the clarity of EMT certification requirements; specify the components all EMT training programs shall include in their training in the use and administration of naloxone hydrochloride, epinephrine, the use of a glucometer, and training in TCC; eliminate the skills competency verification form; eliminate the recertification requirement for individuals whose certification has lapsed over 24 months.

#### Anticipated Benefits of the Proposed Regulation:

The broad objective of the regulation is to expand the basic scope of practice and required training for EMTs in the administration of naloxone, epinephrine by auto-injector, the use of a glucometer and TCC; thereby improving the emergency medical service provided to the public. Expanding the basic scope of practice and training as proposed will enable EMTs to provide service to the public in a standardized and consistent manner as deemed necessary by the medical director of each local EMS agency. The proposed regulations also improve the clarity of EMT certification requirements, which will lead to consistent state wide application of the requirements.

#### Determination of Inconsistency/Incompatibility with Existing State Regulations:

EMSA has determined that this proposed regulation is not inconsistent or incompatible with existing regulations. Existing regulations already require EMTs to complete a specified number of continuing education hours and the proposed regulations do not increase those requirements. Existing EMT training programs are available and will revise their course curriculum to meet the new requirements proposed in these regulations. Finally, the proposed regulations do not impose any requirements upon EMS service providers. EMSA

has determined that these regulations will not cause inconsistency or incompatibility with other existing regulations that concern EMTs.

Incorporated by Reference Forms

- Request for Approval of Undefined Scope of Practice — Revised (Form #EMSA-0391, Revised 07/16)
- Skills Competency Verification Form (Form EMSA-SCV, Revised 08/10)

DISCLOSURES REGARDING THE PROPOSED ACTION

*The EMSA has made the following initial determinations:*

- Mandate on local agencies and school districts: None
- Cost or savings to any state agency: EMSA is not aware of any significant cost impacts that a state agency would incur in reasonable compliance with the proposed action. Existing regulations already require EMTs to complete a specified number of continuing education hours and the proposed regulations do not increase those requirements. Existing EMT training programs are available and will revise their course curriculum to meet the new requirements proposed in these regulations. While a training program may incur a cost to revise their curriculum the cost is not anticipated to be significant as the structure for the required training is already in place. State agencies that may be required to revise their course curriculum include: California Department of Parks and Recreation, California Department of Forestry and Fire Protection (CAL FIRE) and California Highway Patrol (CHP).
- Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630: None
- Other nondiscretionary cost or savings imposed on local agencies: None
- Cost or savings in federal funding to the state: None

- Cost impacts on a business: EMSA is not aware of any significant cost impacts that a business would incur in reasonable compliance with the proposed action. Existing regulations already require EMTs to complete a specified number of continuing education hours and the proposed regulations do not increase those requirements. Existing EMT training programs are available and will revise their course curriculum to meet the new requirements proposed in these regulations. While a training program may incur a cost to revise their curriculum the cost is not anticipated to be significant as the structure for the required training is already in place.
- Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None
- Significant effect on housing costs: None
- The proposed regulations may affect small businesses.

Results of the Economic Impact Analysis/Assessment

The EMSA concludes that it is (1) unlikely that the proposal will eliminate any jobs or training programs (2) unlikely the proposal will create any new jobs (3) unlikely the proposal will create any new businesses providing training programs (4) unlikely the proposal will eliminate any existing businesses, and (5) unlikely the regulations will result in the expansion of businesses currently doing business within the state.

Benefits of the Proposed Action: The proposed regulations will benefit California residents by ensuring that all EMTs receive training in rendering emergency care to a person suffering from an opioid overdose-related emergency, an anaphylaxis emergency, a diabetic emergency and in preparation for active shooter events, thereby improving the emergency medical service provided to the public. The regulations also enable EMTs to provide service to the public in a standardized and consistent manner and improve the clarity of EMT certification requirements leading to consistent state wide application of the requirements.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), EMSA must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the

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

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

#### CONTACT PERSON

Inquiries concerning the proposed administrative action may be directed to:

Corrine Fishman, Program Analyst  
EMS Authority  
10901 Gold Center Drive, Suite 400  
Rancho Cordova, CA 95670  
(916) 431-3727  
[Corrine.fishman@emsa.ca.gov](mailto:Corrine.fishman@emsa.ca.gov)

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Corrine Fishman at the above address. If Corrine Fishman is unavailable Priscilla Rivera can be contacted as backup at [Priscilla.rivera@emsa.ca.gov](mailto:Priscilla.rivera@emsa.ca.gov) or (916) 431-3707.

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

The EMSA will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. Copies may be obtained by contacting Corrine Fishman at the address or phone number listed above or accessed through our website at [www.emsa.ca.gov](http://www.emsa.ca.gov).

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the EMSA adopts the regulation as revised. Please send requests for copies of the modified regulations to the attention of Corrine Fishman at the address indicated on the previous page. The EMSA will accept written comments on the modified regulations for 15 days after the date on which they were made available.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Corrine Fishman at the address listed on the previous page.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at [www.emsa.ca.gov](http://www.emsa.ca.gov).

#### TITLE MPP. DEPARTMENT OF SOCIAL SERVICES

ORD#0616-07

#### NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM # 2: CalWORKs Stage One Child Care  
Technical Language

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held September 22, 2016, as follows:

Office Building # 8  
744 P Street, Room 103  
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please

notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on September 22, 2016.

Following the public hearing CDSS 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 nonsubstantive, technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below:

**CONTACT**

Office of Regulations Development  
 California Department of Social Services  
 744 P Street, MS 8-4-192  
 Sacramento, California 95814  
 TELEPHONE: (916) 657-2586  
 FACSIMILE: (916) 654-3286  
 E-MAIL: [ord@dss.ca.gov](mailto:ord@dss.ca.gov)

**CHAPTERS**

Manual of Policies and Procedures (MPP), Chapters 47-200 and 47-400

**INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

The passage of Assembly Bill 1944 (Ch. 460, 2014 Stats.) (AB 1944), relating to child care, repeals the requirement for parents to sign and return the Notification

and Certification for 11- and 12-Year-Old Children (Form CD 9608) to their contractor prior to the child's 11th birthday, identifying the reason why a before or after school program did not meet all or part of the child care needs of the family. These proposed regulations aim to conform to AB 1944 and clarify reporting requirements for 11 and 12 year-old children.

In addition, the proposed regulations require the County Welfare Departments (CWD) to refer to a specific Education Code citation regarding the Family Fee Schedule in the MPP. In order to locate the appropriate section, CDSS regulations must be updated to reflect the correct citation number.

The proposed regulations also adds language to MPP section 47-420.1 that is currently in 47-420.2 regarding Payment of Child Care Costs to the clients and the providers. The rearranging and renumbering in MPP sections 47-420.1 and 47-420.2 will simplify directions for CWDs involving payments to child care providers and child care clients. The changes will clarify what is needed for payments to both the providers and the clients.

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

**Anticipated Benefits**

This regulatory action will benefit the county welfare staff and the parents who access childcare by eliminating additional paperwork that identifies the reason why a before or after school program did not meet all or part of the child care needs of the family. The regulations will benefit CDSS and CWDs by updating correct citation and section numbers in the MPP for the purpose of informing counties of what is needed to issue payments to the child care provider.

**COST ESTIMATE**

1. Costs or Savings to State Agencies: None
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code sections 17500 - 17630: None
3. Nondiscretionary Costs or Savings to Local Agencies: None
4. Federal Funding to State Agencies: None

**LOCAL MANDATE STATEMENT**

There are no "state-mandated local costs" in these regulations.

**STATEMENT OF SIGNIFICANT ADVERSE  
ECONOMIC IMPACT ON BUSINESS**

The CDSS has made an initial determination that the proposed 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. This determination was made because the regulation changes reduce paperwork for CWDs and families who have children in child care settings. In addition, the other regulation changes will renumber and add technical language to create regulations that are easier to understand.

**STATEMENT OF POTENTIAL COST IMPACT ON  
PRIVATE PERSONS OR BUSINESSES**

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

**SMALL BUSINESS IMPACT STATEMENT**

The CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

**STATEMENT OF RESULTS OF ECONOMIC  
IMPACT ASSESSMENT**

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California. The benefits of the regulatory action to the health and welfare of California residents, worker safety and the state's environment are as follows: This regulation package will simplify the process for CWDs and families with children in child care by lessening the amount of required paperwork.

**STATEMENT OF EFFECT ON HOUSING COSTS**

The proposed regulatory action will have no effect on housing costs.

**CONSIDERATION OF ALTERNATIVES**

The Department must determine that no reasonable alternative it considered or that has otherwise been

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

**AUTHORITY AND REFERENCE CITATIONS**

The CDSS adopts these regulations under the authority granted in Welfare and Institutions Code sections 10553 and 10554 and Section 8263 of the Education Code is being referenced to make the regulations more specific.

**CDSS REPRESENTATIVE REGARDING THE  
RULEMAKING PROCESS OF THE PROPOSED  
REGULATION**

Contact Person:  
Oliver Chu  
(916) 657-2586

Backup:  
Ying Sun  
(916) 657-2586

**GENERAL PUBLIC INTEREST**

**BOARD OF EQUALIZATION**

**NOTICE OF CORRECTION**

The State Board of Equalization (Board) published a Notice of Proposed Regulatory Action (NOPRA) concerning proposed amendments to California Code of Regulations, title 18, section (Regulation) 1702.5, *Responsible Person Liability*, in the July 15, 2016, edition of the California Regulatory Notice Register (Register 2016, No. 29-Z, Page 1200).

On page 1202 of the published NOPRA, the Informative Digest/Policy Statement Overview has the subheading of "Effects, Objective, and Benefit of the Proposed Amendments to Regulation 1591," although the NOPRA is for amendments to Regulation 1702.5 that have one effect. Therefore, this subheading should have correctly referred to the "Effect, Objective, and Benefit of the Proposed Amendments to Regulation 1702.5," not Regulation 1591.

Any inquiries regarding this correction should be made to Mr. Rick Bennion, Regulations Coordinator, by telephone at (916) 445-2130, by fax at (916) 324-3984, by e-mail at Richard.Bennion@boe.ca.gov, or by mail at State Board of Equalization, Attn: Rick Bennion, MIC:81, 450 N Street, P.O. Box 942879, Sacramento, CA 94279-0080.

**DEPARTMENT OF HEALTH  
CARE SERVICES**

**NOTICE OF CORRECTION**

**Concerning the Notice re: Supplemental Payments  
to Non-Designated Public Hospitals  
(OAL File No. Z2016-0425-01)**

Originally Published May 06, 2016

The above-referenced notice was originally published in the California Regulatory Notice Register 2016, 19-Z, May 6, 2016. The Notice incorrectly references **State Plan Amendment (SPA) number 16-002**.

Any and all references to **State Plan Amendment (SPA) 16-002** should correctly reflect **State Plan Amendment (SPA) 16-031**.

If you have any questions, please contact John Mendoza at (916) 552-9130 or [John.Mendoza@dohcs.ca.gov](mailto:John.Mendoza@dohcs.ca.gov).

**PROPOSITION 65**

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES  
August 5, 2016**

**CHEMICAL LISTED EFFECTIVE AUGUST 5,  
2016**

**AS KNOWN TO THE STATE OF CALIFORNIA  
TO CAUSE CANCER: 1-BROMOPROPANE**

Effective **August 5, 2016**, the Office of Environmental Health Hazard Assessment (OEHHA) is adding *1-bromopropane* (CAS No. 106-94-5) to the list of

chemicals known to the state to cause cancer for purposes of Proposition 65<sup>1</sup>.

The listing of *1-bromopropane* is based on formal identification by the National Toxicology Program (NTP), an authoritative body<sup>2</sup>, that the chemical causes cancer. The criteria used by OEHHA for the listing of chemicals under the “authoritative bodies” mechanism can be found in Title 27, Cal. Code of Regs., section 25306.

The documentation supporting OEHHA’s determination that the criteria for administrative listing have been satisfied for 1-bromopropane is included in the “Notice of Intent to List 1-bromopropane” posted on OEHHA’s website and published in the July 10, 2015 issue of the California Regulatory Notice Register (Register 2015, No. 28-Z). The publication of the notice initiated a public comment period that closed on August 10, 2015. OEHHA received one public comment on 1-bromopropane. The comment and OEHHA’s response are posted with the Notice of Intent to List.

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

In summary, 1-bromopropane is listed under Proposition 65 as known to the state to cause cancer, as follows:

Chemical	CAS No.	Endpoint	Listing Mechanism*
1-Bromo-propane	106-94-5	Cancer	AB (NTP)

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

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

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

**CHEMICALS KNOWN TO THE STATE  
TO CAUSE CANCER OR  
REPRODUCTIVE TOXICITY  
August 5, 2016**

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

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

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

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</u> <del>Delisted October 29, 1999</del>	<del>107-05-1</del>	<del>January 1, 1990</del>
Aloe vera, non-decolorized whole leaf extract		December 4, 2015
2-Aminoanthraquinone	117-79-3	October 1, 1989
<i>p</i> -Aminoazobenzene	60-09-3	January 1, 1990
<i>ortho</i> -Aminoazotoluene	97-56-3	July 1, 1987
4-Aminobiphenyl (4-aminodiphenyl)	92-67-1	February 27, 1987
1-Amino-2,4-dibromoanthraquinone	81-49-2	August 26, 1997
3-Amino-9-ethylcarbazole hydrochloride	6109-97-3	July 1, 1989
2-Aminofluorene	153-78-6	January 29, 1999
1-Amino-2-methylantraquinone	82-28-0	October 1, 1989
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712-68-5	July 1, 1987
4-Amino-2-nitrophenol	119-34-6	January 29, 1999
Amitrole	61-82-5	July 1, 1987
Amsacrine	51264-14-3	August 7, 2009
Analgesic mixtures containing phenacetin	—	February 27, 1987
Androstenedione	63-05-8	May 3, 2011
Aniline	62-53-3	January 1, 1990
Aniline hydrochloride	142-04-1	May 15, 1998
<i>ortho</i> -Anisidine	90-04-0	July 1, 1987
<i>ortho</i> -Anisidine hydrochloride	134-29-2	July 1, 1987
Anthraquinone	84-65-1	September 28, 2007
Antimony oxide (Antimony trioxide)	1309-64-4	October 1, 1990
Aramite	140-57-8	July 1, 1987
Areca nut	—	February 3, 2006
Aristolochic acids	—	July 9, 2004
Arsenic (inorganic arsenic compounds)	—	February 27, 1987
Asbestos	1332-21-4	February 27, 1987
Auramine	492-80-8	July 1, 1987
Azacitidine	320-67-2	January 1, 1992
Azaserine	115-02-6	July 1, 1987

**CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 32-Z**

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
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
Benzophenone	119-61-9	June 22, 2012
Benzo[a]pyrene	50-32-8	July 1, 1987
Benzotrichloride	98-07-7	July 1, 1987
Benzyl chloride	100-44-7	January 1, 1990
Benzyl violet 4B	1694-09-3	July 1, 1987
Beryllium and beryllium compounds	—	October 1, 1987
Betel quid with tobacco	—	January 1, 1990
Betel quid without tobacco	—	February 3, 2006
2,2-Bis(bromomethyl)-1,3-propanediol	3296-90-0	May 1, 1996
Bis(2-chloroethyl)ether	111-44-4	April 1, 1988
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlornapazine)	494-03-1	February 27, 1987
Bischloroethyl nitrosourea (BCNU) (Carmustine)	154-93-8	July 1, 1987
Bis(chloromethyl)ether	542-88-1	February 27, 1987
Bis(2-chloro-1-methylethyl) ether, technical grade	—	October 29, 1999
Bitumens, extracts of steam-refined and air refined	—	January 1, 1990
Bracken fern	—	January 1, 1990
Bromate	15541-45-4	May 31, 2002
Bromochloroacetic acid	5589-96-8	April 6, 2010
Bromodichloroacetic acid	71133-14-7	July 29, 2016
Bromodichloromethane	75-27-4	January 1, 1990
Bromoethane	74-96-4	December 22, 2000
Bromoform	75-25-2	April 1, 1991
<u>1-Bromopropane</u>	<u>106-94-5</u>	<u>August 5, 2016</u>
1,3-Butadiene	106-99-0	April 1, 1988
1,4-Butanediol dimethanesulfonate (Busulfan)	55-98-1	February 27, 1987
Butylated hydroxyanisole	25013-16-5	January 1, 1990
beta-Butyrolactone	3068-88-0	July 1, 1987
Cacodylic acid	75-60-5	May 1, 1996
Cadmium and cadmium compounds	—	October 1, 1987
Caffeic acid	331-39-5	October 1, 1994
Captafol	2425-06-1	October 1, 1988
Captan	133-06-2	January 1, 1990
Carbaryl	63-25-2	February 5, 2010
Carbazole	86-74-8	May 1, 1996
Carbon black (airborne, unbound particles of respirable size)	1333-86-4	February 21, 2003
Carbon tetrachloride	56-23-5	October 1, 1987
Carbon-black extracts	—	January 1, 1990
N-Carboxymethyl-N-nitrosourea	60391-92-6	January 25, 2002
Catechol	120-80-9	July 15, 2003
Ceramic fibers (airborne particles of respirable size)	—	July 1, 1990
Certain combined chemotherapy for lymphomas	—	February 27, 1987

**CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 32-Z**

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Chloral	75-87-6	September 13, 2013
Chloral hydrate	302-17-0	September 13, 2013
Chlorambucil	305-03-3	February 27, 1987
Chloramphenicol <u>Delisted January 4, 2013</u>	56-75-7	October 1, 1989
Chloramphenicol sodium succinate	982-57-0	September 27, 2013
Chlordane	57-74-9	July 1, 1988
Chlordecone (Kepone)	143-50-0	January 1, 1989
1988Chlordimeform	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
<i>p</i> -Chloroaniline	106-47-8	October 1, 1994
<i>p</i> -Chloroaniline hydrochloride	20265-96-7	May 15, 1998
Chlorodibromomethane <u>Delisted October 29, 1999</u>	124-48-1	January 1, 1990
Chloroethane (Ethyl chloride)	75-00-3	July 1, 1990
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	13010-47-4	January 1, 1988
1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea (Methyl-CCNU)	13909-09-6	October 1, 1988
Chloroform	67-66-3	October 1, 1987
Chloromethyl methyl ether (technical grade)	107-30-2	February 27, 1987
3-Chloro-2-methylpropene	563-47-3	July 1, 1989
1-Chloro-4-nitrobenzene	100-00-5	October 29, 1999
4-Chloro-ortho-phenylenediamine	95-83-0	January 1, 1988
<i>p</i> -Chloro- <i>o</i> -toluidine	95-69-2	January 1, 1990
<i>p</i> -Chloro- <i>o</i> -toluidine, strong acid salts of	—	May 15, 1998
5-Chloro- <i>o</i> -toluidine and its strong acid salts	—	October 24, 1997
Chloroprene	126-99-8	June 2, 2000
Chlorothalonil	1897-45-6	January 1, 1989
Chlorotrianisene	569-57-3	September 1, 1996
Chlorozotocin	54749-90-5	January 1, 1992
Chromium (hexavalent compounds)	—	February 27, 1987
Chrysene	218-01-9	January 1, 1990
C.I. Acid Red 114	6459-94-5	July 1, 1992
C.I. Basic Red 9 monohydrochloride	569-61-9	July 1, 1989
C.I. Direct Blue 15	2429-74-5	August 26, 1997
C.I. Direct Blue 218	28407-37-6	August 26, 1997
C.I. Disperse Yellow 3	2832-40-8	February 8, 2013
C.I. Solvent Yellow 14	842-07-9	May 15, 1998
Ciclosporin (Cyclosporin A; Cyclosporine)	59865-13-3	January 1, 1992
	79217-60-0	
Cidofovir	113852-37-2	January 29, 1999
Cinnamyl anthranilate	87-29-6	July 1, 1989
Cisplatin	15663-27-1	October 1, 1988
Citrus Red No. 2	6358-53-8	October 1, 1989
Clofibrate	637-07-0	September 1, 1996
Clomiphene citrate	50-41-9	May 24, 2013
CMNP (pyrazachlor)	6814-58-0	August 21, 2015
Cobalt metal powder	7440-48-4	July 1, 1992
Cobalt [II] oxide	1307-96-6	July 1, 1992
Cobalt sulfate	10124-43-3	May 20, 2005
Cobalt sulfate heptahydrate	10026-24-1	June 2, 2000
Coconut oil diethanolamine condensate (cocamide diethanolamine)	—	June 22, 2012

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Coke oven emissions	—	February 27, 1987
Conjugated estrogens	—	February 27, 1987
Creosotes	—	October 1, 1988
<i>para</i> -Cresidine	120-71-8	January 1, 1988
Cumene	98-82-8	April 6, 2010
Cupferron	135-20-6	January 1, 1988
Cycasin	14901-08-7	January 1, 1988Cy-
clopenta[ <i>cd</i> ]pyrene	27208-37-3	April 29, 2011
Cyclophosphamide (anhydrous)	50-18-0	February 27, 1987
Cyclophosphamide (hydrated)	6055-19-2	February 27, 1987
Cytembena	21739-91-3	May 15, 1998
D&C Orange No. 17	3468-63-1	July 1, 1990
D&C Red No. 8	2092-56-0	October 1, 1990
D&C Red No. 9	5160-02-1	July 1, 1990
D&C Red No. 19	81-88-9	July 1, 1990
Dacarbazine	4342-03-4	January 1, 1988
Daminozide	1596-84-5	January 1, 1990
Dantron (Chrysazin; 1,8-Dihydroxyanthraquinone)	117-10-2	January 1, 1992
Daunomycin	20830-81-3	January 1, 1988
DDD (Dichlorodiphenyldichloroethane)	72-54-8	January 1, 1989
DDE (Dichlorodiphenyldichloroethylene)	72-55-9	January 1, 1989
DDT (Dichlorodiphenyltrichloroethane)	50-29-3	October 1, 1987
DDVP (Dichlorvos)	62-73-7	January 1, 1989
N,N' -Diacetylbenzidine	613-35-4	October 1, 1989
2,4-Diaminoanisole	615-05-4	October 1, 1990
2,4-Diaminoanisole sulfate	39156-41-7	January 1, 1988
4,4' -Diaminodiphenyl ether (4,4' -Oxydianiline)	101-80-4	January 1, 1988
2,4-Diaminotoluene	95-80-7	January 1, 1988
Diaminotoluene (mixed) <u>Delisted November 20, 2015</u>	—	January 1, 1990
Diazoaminobenzene	136-35-6	May 20, 2005
Dibenz[ <i>a,h</i> ]acridine	226-36-8	January 1, 1988
Dibenz[ <i>a,j</i> ]acridine	224-42-0	January 1, 1988
Dibenzanthracenes	—	December 26, 2014
Dibenz[ <i>a,c</i> ]anthracene	215-58-7	December 26, 2014
Dibenz[ <i>a,h</i> ]anthracene	53-70-3	January 1, 1988
Dibenz[ <i>a,j</i> ]anthracene	224-41-9	December 26, 2014
7H-Dibenzo[ <i>c,g</i> ]carbazole	194-59-2	January 1, 1988
Dibenzo[ <i>a,e</i> ]pyrene	192-65-4	January 1, 1988
Dibenzo[ <i>a,h</i> ]pyrene	189-64-0	January 1, 1988
Dibenzo[ <i>a,i</i> ]pyrene	189-55-9	January 1, 1988
Dibenzo[ <i>a,l</i> ]pyrene	191-30-0	January 1, 1988
Dibromoacetic acid	631-64-1	June 17, 2008
Dibromoacetonitrile	3252-43-5	May 3, 2011
1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	July 1, 1987
2,3-Dibromo-1-propanol	96-13-9	October 1, 1994
Dichloroacetic acid	79-43-6	May 1, 1996
<i>p</i> -Dichlorobenzene	106-46-7	January 1, 1989
3,3' -Dichlorobenzidine	91-94-1	October 1, 1987
3,3' -Dichlorobenzidine dihydrochloride	612-83-9	May 15, 1998
1,4-Dichloro-2-butene	764-41-0	January 1, 1990
3,3' -Dichloro-4,4' -diaminodiphenyl ether	28434-86-8	January 1, 1988
1,1-Dichloroethane	75-34-3	January 1, 1990

**CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 32-Z**

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Dichloromethane (Methylene chloride)	75-09-2	April 1, 1988
1,2-Dichloropropane	78-87-5	January 1, 1990
1,3-Dichloro-2-propanol (1,3-DCP)	96-23-1	October 8, 2010
1,3-Dichloropropene	542-75-6	January 1, 1989
Diclofop-methyl	51338-27-3	April 6, 2010
Dieldrin	60-57-1	July 1, 1988
Dienestrol <u>Delisted January 4, 2013</u>	84-17-3	January _____ 1,
1990dDiepoxybutane	1464-53-5	January 1, 1988
Diesel engine exhaust	—	October 1, 1990
Diethanolamine	111-42-2	June 22, 2012
Di(2-ethylhexyl)phthalate	117-81-7	January 1, 1988
1,2-Diethylhydrazine	1615-80-1	January 1, 1988
Diethyl sulfate	64-67-5	January 1, 1988
Diethylstilbestrol (DES)	56-53-1	February 27, 1987
Diglycidyl resorcinol ether (DGRE)	101-90-6	July 1, 1989
Dihydrosafrole	94-58-6	January 1, 1988
Diisononyl phthalate (DINP)	—	December 20, 2013
Diisopropyl sulfate	2973-10-6	April 1, 1993
3,3' -Dimethoxybenzidine (ortho-Dianisidine)	119-90-4	January 1, 1988
3,3' -Dimethoxybenzidine dihydrochloride (ortho-Dianisidine dihydrochloride)	20325-40-0	October 1, 1990
3,3' -Dimethoxybenzidine-based dyes metabolized to 3,3' -dimethoxybenzidine	—	June 11, 2004
3,3' -Dimethylbenzidine-based dyes metabolized to 3,3' -dimethylbenzidine	—	June 11, 2004
Dimethyl sulfate	77-78-1	January 1, 1988
4-Dimethylaminoazobenzene	60-11-7	January 1, 1988
trans-2-[(Dimethylamino)methylimino]-5-[2-(5-nitro-2-furyl)vinyl]-1,3,4-oxadiazole	55738-54-0	January 1, 1988
7,12-Dimethylbenz(a)anthracene	57-97-6	January 1, 1990
3,3' -Dimethylbenzidine (ortho-Tolidine)	119-93-7	January 1, 1988
3,3' -Dimethylbenzidine dihydrochloride	612-82-8	April 1, 1992
Dimethylcarbamoyl chloride	79-44-7	January 1, 1988
1,1-Dimethylhydrazine (UDMH)	57-14-7	October 1, 1989
1,2-Dimethylhydrazine	540-73-8	January 1, 1988
2,6-Dimethyl-N-nitrosomorpholine (DMNM)	1456-28-6	February 8, 2013
N,N-Dimethyl-p-toluidine	99-97-8	May 2, 2014
Dimethylvinylchloride	513-37-1	July 1, 1989
3,7-Dinitrofluoranthene	105735-71-5	August 26, 1997
3,9-Dinitrofluoranthene	22506-53-2	August 26, 1997
1,3-Dinitropyrene	75321-20-9	November 2, 2012
1,6-Dinitropyrene	42397-64-8	October 1, 1990
1,8-Dinitropyrene	42397-65-9	October 1, 1990
Dinitrotoluene mixture, 2,4-/2,6-	—	May 1, 1996
2,4-Dinitrotoluene	121-14-2	July 1, 1988
2,6-Dinitrotoluene	606-20-2	July 1, 1995
Di-n-propyl isocinchomeronate (MGK Repellent 326)	136-45-8	May 1, 1996
1,4-Dioxane	123-91-1	January 1, 1988
Diphenylhydantoin (Phenytoin)	57-41-0	January 1, 1988
Diphenylhydantoin (Phenytoin), sodium salt	630-93-3	January 1, 1988
Direct Black 38 (technical grade)	1937-37-7	January 1, 1988
Direct Blue 6 (technical grade)	2602-46-2	January 1, 1988
Direct Brown 95 (technical grade)	16071-86-6	October 1, 1988

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Disperse Blue 1	2475-45-8	October 1, 1990
Diuron	330-54-1	May 31, 2002
Doxorubicin hydrochloride (Adriamycin)	25316-40-9	July 1, 1987
Emissions from combustion of coal	—	August 7, 2013
Emissions from high-temperature unrefined rapeseed oil	—	January 3, 2014
Epichlorohydrin	106-89-8	October 1, 1987
Epoxiconazole	135319-73-2	April 15, 2011
Erionite	12510-42-8/ 66733-21-9	October 1, 1988
Estradiol 17B	50-28-2	January 1, 1988
Estragole	140-67-0	October 29, 1999
Estrogens, steroidal	—	August 19, 2005
Estrogen-progestogen (combined) used as menopausal therapy	—	November 4, 2011
Estrone	53-16-7	January 1, 1988
Estropipate	7280-37-7	August 26, 1997
Ethanol in alcoholic beverages	—	April 29, 2011
Ethinylestradiol	57-63-6	January 1, 1988
Ethoprop	13194-48-4	February 27, 2001
Ethyl acrylate	140-88-5	July 1, 1989
Ethylbenzene	100-41-4	June 11, 2004
Ethyl methanesulfonate	62-50-0	January 1, 1988
Ethyl-4,4'-dichlorobenzilate	510-15-6	January 1, 1990
Ethylene dibromide	106-93-4	July 1, 1987
Ethylene dichloride (1,2-Dichloroethane)	107-06-2	October 1, 1987
Ethylene oxide	75-21-8	July 1, 1987
Ethylene thiourea	96-45-7	January 1, 1988
Ethyleneimine (Aziridine)	151-56-4	January 1, 1988
Etoposide	33419-42-0	November 4, 2011
Etoposide in combination with cisplatin and bleomycin	—	November 4, 2011
Fenoxycarb	72490-01-8	June 2, 2000
Folpet	133-07-3	January 1, 1989
Formaldehyde (gas)	50-00-0	January 1, 1988
2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole	3570-75-0	January 1, 1988
FumonisinB <sub>1</sub>	116355-83-0	November 14, 2003
Furan	110-00-9	October 1, 1993
Furazolidone	67-45-8	January 1, 1990
Furmecyclox	60568-05-0	January 1, 1990
Fusarin C	79748-81-5	July 1, 1995
Gallium arsenide	1303-00-0	August 1, 2008
Ganciclovir	82410-32-0	August 26, 1997
Gasoline engine exhaust (condensates/extracts)	—	October 1, 1990
Gemfibrozil	25812-30-0	December 22, 2000
Glass wool fibers (inhalable and biopersistent)	—	July 1, 1990
Glu-P-1 (2-Amino-6-methyldipyrido[1,2-a:3',2'-d]imidazole)	67730-11-4	January 1, 1990
Glu-P-2 (2-Aminodipyrido[1,2-a:3',2'-d]imidazole)	67730-10-3	January 1, 1990
Glycidaldehyde	765-34-4	January 1, 1988
Glycidol	556-52-5	July 1, 1990
Goldenseal root powder	—	December 4, 2015
Griseofulvin	126-07-8	January 1, 1990
Gyromitrin (Acetaldehyde methylformylhydrazone)	16568-02-8	January 1, 1988
HC Blue 1	2784-94-3	July 1, 1989

**CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 32-Z**

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Heptachlor	76-44-8	July 1, 1988
Heptachlor epoxide	1024-57-3	July 1, 1988
Herbal remedies containing plant species of the genus Aristolochia	—	July 9, 2004
Hexachlorobenzene	118-74-1	October 1, 1987
Hexachlorobutadiene	87-68-3	May 3, 2011
Hexachlorocyclohexane (technical grade)	—	October 1, 1987
Hexachlorodibenzodioxin	34465-46-8	April 1, 1988
Hexachloroethane	67-72-1	July 1, 1990
2,4-Hexadienal (89% trans, trans isomer; 11% cis, trans isomer)	—	March 4, 2005
Hexamethylphosphoramide	680-31-9	January 1, 1988
Hydrazine	302-01-2	January 1, 1988
Hydrazine sulfate	10034-93-2	January 1, 1988
Hydrazobenzene (1,2-Diphenylhydrazine)	122-66-7	January 1, 1988
1-Hydroxyanthraquinone	129-43-1	May 27, 2005
Imazalil	35554-44-0	May 20, 2011
Indeno [1,2,3-cd]pyrene	193-39-5	January 1, 1988
Indium phosphide	22398-80-7	February 27, 2001
IQ (2-Amino-3-methylimidazo[4,5-f]quinoline)	76180-96-6	April 1, 1990
Iprodione	36734-19-7	May 1, 1996
Iprovalicarb	140923-17-7	June 1, 2007
	140923-25-7	
Iron dextran complex	9004-66-4	January 1, 1988
Isobutyl nitrite	542-56-3	May 1, 1996
Isoprene	78-79-5	May 1, 1996
Isopyrazam	881686-58-1	July 24, 2012
<u>Isosafrole Delisted December 8, 2006</u>	120-58-1	October 1, 1989
Isoxaflutole	141112-29-0	December 22, 2000
Kresoxim-methyl	143390-89-0	February 3, 2012
Lactofen	77501-63-4	January 1, 1989
Lasiocarpine	303-34-4	April 1, 1988
Lead acetate	301-04-2	January 1, 1988
Lead and lead compounds	—	October 1, 1992
Lead phosphate	7446-27-7	April 1, 1988
Lead subacetate	1335-32-6	October 1, 1989
Leather dust	—	April 29, 2011
Lindane and other hexachlorocyclohexane isomers	—	October 1, 1989
Lynestrenol	52-76-6	February 27, 2001
Malathion	121-75-5	May 20, 2016
Malonaldehyde, sodium salt	24382-04-5	May 3, 2011
Mancozeb	8018-01-7	January 1, 1990
Maneb	12427-38-2	January 1, 1990
Marijuana smoke	—	June 19, 2009
Me-A-alpha-C (2-Amino-3-methyl-9H-pyrido[2,3-b]indole)	68006-83-7	January 1, 1990
Medroxyprogesterone acetate	71-58-9	January 1, 1990
Megestrol acetate	595-33-5	March 28, 2014
MeIQ(2-Amino-3,4-dimethylimidazo[4,5-f]quinoline)	77094-11-2	October 1, 1994
MeIQx(2-Amino-3,8-dimethylimidazo[4,5-f]quinoxaline)	77500-04-0	October 1, 1994
Melphalan	148-82-3	February 27, 1987
Mepanipyridin	110235-47-7	July 1, 2008
Merphalan	531-76-0	April 1, 1988
Mestranol	72-33-3	April 1, 1988
Metam potassium	137-41-7	December 31, 2010

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Metham sodium	137-42-8	November 6, 1998
8-Methoxypsoralen with ultraviolet A therapy	298-81-7	February 27, 1987
5-Methoxypsoralen with ultraviolet A therapy	484-20-8	October 1, 1988
2-Methylaziridine (Propyleneimine)	75-55-8	January 1, 1988
Methylazoxymethanol	590-96-5	April 1, 1988
Methylazoxymethanol acetate	592-62-1	April 1, 1988
Methyl carbamate	598-55-0	May 15, 1998
3-Methylcholanthrene	56-49-5	January 1, 1990
5-Methylchrysene	3697-24-3	April 1, 1988
4,4' -Methylene bis(2-chloroaniline)	101-14-4	July 1, 1987
4,4' -Methylene bis(N,N-dimethyl)benzenamine	101-61-1	October 1, 1989
4,4' -Methylene bis(2-methylaniline)	838-88-0	April 1, 1988
4,4' -Methylenedianiline	101-77-9	January 1, 1988
4,4' -Methylenedianiline dihydrochloride	13552-44-8	January 1, 1988
Methyleugenol	93-15-2	November 16, 2001
Methylhydrazine and its salts	—	July 1, 1992
2-Methylimidazole	693-98-1	June 22, 2012
4-Methylimidazole	822-36-6	January 7, 2011
Methyl iodide	74-88-4	April 1, 1988
Methyl isobutyl ketone	108-10-1	November 4, 2011
Methylmercury compounds	—	May 1, 1996
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
$\alpha$ -Methyl styrene (alpha-Methylstyrene)	98-83-9	November 2, 2012
Methylthiouracil	56-04-2	October 1, 1989
Metiram	9006-42-2	January 1, 1990
Metronidazole	443-48-1	January 1, 1988
Michler's ketone	90-94-8	January 1, 1988
Mirex	2385-85-5	January 1, 1988
Mitomycin C	50-07-7	April 1, 1988
Mitoxantrone hydrochloride	70476-82-3	January 23, 2015
MON 4660 (dichloroacetyl-1-oxa-4-azaspiro(4,5)-decane)	71526-07-3	March 22, 2011
MON 13900 (furilazole)	121776-33-8	March 22, 2011
3-Monochloropropane-1,2-diol (3-MCPD)	96-24-2	October 8, 2010
Monocrotaline	315-22-0	April 1, 1988
MOPP (vincristine-prednisone-nitrogen mustard-procarbazine mixture)	113803-47-7	November 4, 2011
5-(Morpholinomethyl)-3-[(5-nitro-furfurylidene)-amino]-2-oxazolidinone	139-91-3	April 1, 1988
Mustard Gas	505-60-2	February 27, 1987
MX (3-chloro-4-(dichloromethyl)-5-hydroxy-2(5H)-furanone)	77439-76-0	December 22, 2000
beta-Myrcene	123-35-3	March 27, 2015
Nafenopin	3771-19-5	April 1, 1988
Nalidixic acid	389-08-2	May 15, 1998
Naphthalene	91-20-3	April 19, 2002
1-Naphthylamine	134-32-7	October 1, 1989
2-Naphthylamine	91-59-8	February 27, 1987
Nickel (Metallic)	7440-02-0	October 1, 1989
Nickel acetate	373-02-4	October 1, 1989
Nickel carbonate	3333-67-3	October 1, 1989

**CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 32-Z**

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
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> -Nitroanisole	91-23-6	October 1, 1992
Nitrobenzene	98-95-3	August 26, 1997
4-Nitrobiphenyl	92-93-3	April 1, 1988
6-Nitrochrysene	7496-02-8	October 1, 1990
Nitrofen (technical grade)	1836-75-5	January 1, 1988
2-Nitrofluorene	607-57-8	October 1, 1990
Nitrofurazone	59-87-0	January 1, 1990
1-[(5-Nitrofurfurylidene)-amino]-2-imidazolidinone	555-84-0	April 1, 1988
N-[4-(5-Nitro-2-furyl)-2-thiazolyl]acetamide	531-82-8	April 1, 1988
Nitrogen mustard (Mechlorethamine)	51-75-2	January 1, 1988
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	55-86-7	April 1, 1988
Nitrogen mustard N-oxide	126-85-2	April 1, 1988
Nitrogen mustard N-oxide hydrochloride	302-70-5	April 1, 1988
Nitromethane	75-52-5	May 1, 1997
2-Nitropropane	79-46-9	January 1, 1988
1-Nitropyrene	5522-43-0	October 1, 1990
4-Nitropyrene	57835-92-4	October 1, 1990
N-Nitrosodi- <i>n</i> -butylamine	924-16-3	October 1, 1987
N-Nitrosodiethanolamine	1116-54-7	January 1, 1988
N-Nitrosodiethylamine	55-18-5	October 1, 1987
N-Nitrosodimethylamine	62-75-9	October 1, 1987
<i>p</i> -Nitrosodiphenylamine	156-10-5	January 1, 1988
N-Nitrosodiphenylamine	86-30-6	April 1, 1988
N-Nitrosodi- <i>n</i> -propylamine	621-64-7	January 1, 1988
N-Nitroso-N-ethylurea	759-73-9	October 1, 1987
3-(N-Nitrosomethylamino)propionitrile	60153-49-3	April 1, 1990
4-(N-Nitrosomethylamino)-1-(3-pyridyl)1-butanone	64091-91-4	April 1, 1990
N-Nitrosomethyl- <i>n</i> -butylamine	7068-83-9	December 26, 2014
N-Nitrosomethyl- <i>n</i> -decylamine	75881-22-0	December 26, 2014
N-Nitrosomethyl- <i>n</i> -dodecylamine	55090-44-3	December 26, 2014
N-Nitrosomethylethylamine	10595-95-6	October 1, 1989
N-Nitrosomethyl- <i>n</i> -heptylamine	16338-99-1	December 26, 2014
N-Nitrosomethyl- <i>n</i> -hexylamine	28538-70-7	December 26, 2014
N-Nitrosomethyl- <i>n</i> -nonylamine	75881-19-5	December 26, 2014
N-Nitrosomethyl- <i>n</i> -octylamine	34423-54-6	December 26, 2014
N-Nitrosomethyl- <i>n</i> -pentylamine	13256-07-0	December 26, 2014
N-Nitrosomethyl- <i>n</i> -propylamine	924-46-9	December 26, 2014
N-Nitrosomethyl- <i>n</i> -tetradecylamine	75881-20-8	December 26, 2014
N-Nitrosomethyl- <i>n</i> -undecylamine	68107-26-6	December 26, 2014

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
N-Nitroso-N-methylurea	684-93-5	October 1, 1987
N-Nitroso-N-methylurethane	615-53-2	April 1, 1988
N-Nitrosomethylvinylamine	4549-40-0	January 1, 1988
N-Nitrosomorpholine	59-89-2	January 1, 1988
N-Nitrosornicotine	16543-55-8	January 1, 1988
N-Nitrosopiperidine	100-75-4	January 1, 1988
N-Nitrosopyrrolidine	930-55-2	October 1, 1987
N-Nitrososarcosine	13256-22-9	January 1, 1988
<i>o</i> -Nitrotoluene	88-72-2	May 15, 1998
Norethisterone (Norethindrone)	68-22-4	October 1, 1989
Norethynodrel	68-23-5	February 27, 2001
Ochratoxin A	303-47-9	July 1, 1990
Oil Orange SS	2646-17-5	April 1, 1988
Oral contraceptives, combined	—	October 1, 1989
Oral contraceptives, sequential	—	October 1, 1989
Oryzalin	19044-88-3	September 12, 2008
Oxadiazon	19666-30-9	July 1, 1991
Oxazepam	604-75-1	October 1, 1994
Oxymetholone	434-07-1	January 1, 1988
Oxythioquinox (Chinomethionat)	2439-01-2	August 20, 1999
Palygorskite fibers (> 5µm in length)	12174-11-7	December 28, 1999
Panfuran S	794-93-4	January 1, 1988
Parathion	56-38-2	May 20, 2016
Pentachlorophenol	87-86-5	January 1, 1990
Pentosan polysulfate sodium	—	April 18, 2014
Phenacetin	62-44-2	October 1, 1989
Phenazopyridine	94-78-0	January 1, 1988
Phenazopyridine hydrochloride	136-40-3	January 1, 1988
Phenesterin	3546-10-9	July 1, 1989
Phenobarbital	50-06-6	January 1, 1990
Phenolphthalein	77-09-8	May 15, 1998
Phenoxybenzamine	59-96-1	April 1, 1988
Phenoxybenzamine hydrochloride	63-92-3	April 1, 1988
<i>o</i> -Phenylenediamine and its salts	95-54-5	May 15, 1998
Phenyl glycidyl ether	122-60-1	October 1, 1990
Phenylhydrazine and its salts	—	July 1, 1992
<i>o</i> -Phenylphenate, sodium	132-27-4	January 1, 1990
<i>o</i> -Phenylphenol	90-43-7	August 4, 2000
PhiP(2-Amino-1-methyl-6-phenylimidazol[4,5-b]pyridine)	105650-23-5	October 1, 1994
Pioglitazone	111025-46-8	April 18, 2014
Pirimitcarb	23103-98-2	July 2, 2008
Polybrominated biphenyls	—	January 1, 1988
Polychlorinated biphenyls	—	October 1, 1989
Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
Polychlorinated dibenzo-p-dioxins	—	October 1, 1992
Polychlorinated dibenzofurans	—	October 1, 1992
Polygeenan	53973-98-1	January 1, 1988
Ponceau MX	3761-53-3	April 1, 1988
Ponceau 3R	3564-09-8	April 1, 1988
Potassium bromate	7758-01-2	January 1, 1990
Primidone	125-33-7	August 20, 1999

**CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 32-Z**

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
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
d1,3-Propane sultone	1120-71-4	January 1, 1988
Propargite	2312-35-8	October 1, 1994
beta-Propiolactone	57-57-8	January 1, 1988
Propoxur	114-26-1	August 11, 2006
Propylene glycol mono- <i>t</i> -butyl ether	57018-52-7	June 11, 2004
Propylene oxide	75-56-9	October 1, 1988
Propylthiouracil	51-52-5	January 1, 1988
Pulegone	89-82-7	April 18, 2014
Pymetrozine	123312-89-0	March 22, 2011
Pyridine	110-86-1	May 17, 2002
Quinoline and its strong acid salts	—	October 24, 1997
Radionuclides	—	July 1, 1989
Reserpine	50-55-5	October 1, 1989
Residual (heavy) fuel oils	—	October 1, 1990
Resmethrin	10453-86-8	July 1, 2008
Riddelliine	23246-96-0	December 3, 2004
Saccharin <u>Delisted April 6, 2001</u>	81-07-2	October 1, 1989
Saccharin, sodium <u>Delisted January 17, 2003</u>	128-44-9	January 1, 1988
Safrole	94-59-7	January 1, 1988
Salted fish, Chinese-style	—	April 29, 2011
Sedaxane	874967-67-6	July 1, 2016
Selenium sulfide	7446-34-6	October 1, 1989
Shale-oils	68308-34-9	April 1, 1990
Silica, crystalline (airborne particles of respirable size)	—	October 1, 1988
Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils)	—	February 27, 1987
Spirodiclofen	148477-71-8	October 8, 2010
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	100-42-5	April 22, 2016
Styrene oxide	96-09-3	October 1, 1988
Sulfallate	95-06-7	January 1, 1988
Sulfasalazine (Salicylazosulfapyridine)	599-79-1	May 15, 1998
Talc containing asbestiform fibers	—	April 1, 1990
Tamoxifen and its salts	10540-29-1	September 1, 1996
Teriparatide	52232-67-4	August 14, 2015
Terrazole	2593-15-9	October 1, 1994
Testosterone and its esters	58-22-0	April 1, 1988
3,3',4,4'-Tetrachloroazobenzene	14047-09-7	July 24, 2012
2,3,7,8-Tetrachlorodibenzo- <i>para</i> -dioxin (TCDD)	1746-01-6	January 1, 1988
1,1,1,2-Tetrachloroethane	630-20-6	September 13, 2013
1,1,2,2-Tetrachloroethane	79-34-5	July 1, 1990
Tetrachloroethylene (Perchloroethylene)	127-18-4	April 1, 1988

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
<i>p</i> -a,a,a-Tetrachlorotoluene	5216-25-1	January 1, 1990
Tetrachlorvinphos	22248-79-9	May 20, 2016
Tetrafluoroethylene	116-14-3	May 1, 1997
Tetranitromethane	509-14-8	July 1, 1990
Thioacetamide	62-55-5	January 1, 1988
4,4'-Thiodianiline	139-65-1	April 1, 1988
Thiodicarb	59669-26-0	August 20, 1999
Thiouracil	141-90-2	June 11, 2004
Thiourea	62-56-6	January 1, 1988
Thorium dioxide	1314-20-1	February 27, 1987
Titanium dioxide (airborne, unbound particles of respirable size)	—	September 2, 2011
Tobacco, oral use of smokeless products	—	April 1, 1988
Tobacco smoke	—	April 1, 1988
Toluene diisocyanate	26471-62-5	October 1, 1989
ortho-Toluidine	95-53-4	January 1, 1988
ortho-Toluidine hydrochloride	636-21-5	January 1, 1988
<u>para-Toluidine Delisted October 29, 1999</u>	106-49-0	January 1, 1990
Toxaphene (Polychlorinated camphenes)	8001-35-2	January 1, 1988
Toxins derived from <i>Fusarium moniliforme</i> ( <i>Fusarium verticillioides</i> )	—	August 7, 2009
Treosulfan	299-75-2	February 27, 1987
Triamterene	396-01-0	April 18, 2014
S,S,S-Tributyl phosphorotrithioate (Tribufos, DEF)	78-48-8	February 25, 2011
Trichlormethine (Trimustine hydrochloride)	817-09-4	January 1, 1992
Trichloroacetic acid	76-03-9	September 13, 2013
Trichloroethylene	79-01-6	April 1, 1988
2,4,6-Trichlorophenol	88-06-2	January 1, 1988
1,2,3-Trichloropropane	96-18-4	October 1, 1992
Trimethyl phosphate	512-56-1	May 1, 1996
2,4,5-Trimethylaniline and its strong acid salts	—	October 24, 1997
2,4,6-Trinitrotoluene (TNT)	118-96-7	December 19, 2008
Triphenyltin hydroxide	76-87-9	July 1, 1992
<del>Tris(aziridiny)l-para-benzoquinone (Triaziquone)</del> <u>Delisted December 8, 2006</u>	68-76-8	October 1, 1989
Tris(1-aziridiny)lphosphine sulfide (Thiotepa)	52-24-4	January 1, 1988
Tris(2-chloroethyl) phosphate	115-96-8	April 1, 1992
Tris(2,3-dibromopropyl)phosphate	126-72-7	January 1, 1988
Tris(1,3-dichloro-2-propyl) phosphate (TDCPP)	13674-87-8	October 28, 2011
Trp-P-1 (Tryptophan-P-1)	62450-06-0	April 1, 1988
Trp-P-2 (Tryptophan-P-2)	62450-07-1	April 1, 1988
Trypan blue (commercial grade)	72-57-1	October 1, 1989
Unleaded gasoline (wholly vaporized)	—	April 1, 1988
Uracil mustard	66-75-1	April 1, 1988
Urethane (Ethyl carbamate)	51-79-6	January 1, 1988
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

**CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 32-Z**

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
Wood dust	—	December 18, 2009
2,6-Xylidine (2,6-Dimethylaniline)	87-62-7	January 1, 1991
Zalcitabine	7481-89-2	August 7, 2009
Zidovudine (AZT)	30516-87-1	December 18, 2009
Zileuton	111406-87-2	December 22, 2000
Zineb <u>Delisted October 29, 1999</u>	12122-67-7	January 1, 1990

**CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY**

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Abiraterone acetate	developmental, female, male	154229-18-2	April 8, 2016
Acetazolamide	developmental	59-66-5	August 20, 1999
Acetohydroxamic acid	developmental	546-88-3	April 1, 1990
Acrylamide	developmental, male	79-06-1	February 25, 2011
Actinomycin D	developmental	50-76-0	October 1, 1992
All-trans retinoic acid	developmental	302-79-4	January 1, 1989
Alprazolam	developmental	28981-97-7	July 1, 1990
Altretamine	developmental, male	645-05-6	August 20, 1999
Amantadine hydrochloride	developmental	665-66-7	February 27, 2001
Amikacin sulfate	developmental	39831-55-5	July 1, 1990
Aminoglutethimide	developmental	125-84-8	July 1, 1990
tert-Amyl methyl ether <u>Delisted December 13, 2013</u>	developmental	994-05-8	December 18, 2009
Aminoglycosides	developmental	—	October 1, 1992
Aminopterin	developmental, female	54-62-6	July 1, 1987
Amiodarone hydrochloride	developmental, female, male	19774-82-4	August 26, 1997
Amitraz	developmental	33089-61-1	March 30, 1999
Amoxapine	developmental	14028-44-5	May 15, 1998
Anabolic steroids	female, male	—	April 1, 1990
Angiotensin converting enzyme (ACE) inhibitors	developmental	—	October 1, 1992
Anisindione	developmental	117-37-3	October 1, 1992
Arsenic (inorganic oxides)	developmental	—	May 1, 1997
Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.)	developmental, female	50-78-2	July 1, 1990
Atenolol	developmental	29122-68-7	August 26, 1997
Atrazine	developmental, female	1912-24-9	July 15, 2016
Auranofin	developmental	34031-32-8	January 29, 1999
Avermectin B1 (Abamectin)	developmental	71751-41-2	December 3, 2010
Azathioprine	developmental	446-86-6	September 1, 1996
Barbiturates	developmental	—	October 1, 1992
Beclomethasone dipropionate	developmental	5534-09-8	May 15, 1998
Benomyl	developmental, male	17804-35-2	July 1, 1991
Benzene	developmental, male	71-43-2	December 26, 1997
Benzodiazepines	developmental	—	October 1, 1992
Benzphetamine hydrochloride	developmental	5411-22-3	April 1, 1990
Bischloroethyl nitrosourea (BCNU) (Carmustine)	developmental	154-93-8	July 1, 1990

**CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 32-Z**

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Bisphenol A (BPA)	female	80-05-7	May 11, 2015
Bisphenol A (BPA)	developmental	80-05-7	April 11, 2013
<u>Delisted April 19, 2013</u>			
Bromacil lithium salt	developmental male	53404-19-6	May 18, 1999 January 17, 2003
1-Bromopropane	developmental, female, male	106-94-5	December 7, 2004
2-Bromopropane	female, male	75-26-3	May 31, 2005
Bromoxynil	developmental	1689-84-5	October 1, 1990
Bromoxynil octanoate	developmental	1689-99-2	May 18, 1999
Butabarbital sodium	developmental	143-81-7	October 1, 1992
1,3-Butadiene	developmental, female, male	106-99-0	April 16, 2004
1,4-Butanediol dimethane-sulfonate (Busulfan)	developmental	55-98-1	January 1, 1989
Butyl benzyl phthalate (BBP)	developmental	85-68-7	December 2, 2005
n-Butyl glycidyl ether	male	2426-08-6	August 7, 2009
<u>Delisted April 4, 2014</u>			
Cadmium	developmental, male	—	May 1, 1997
Carbamazepine	developmental	298-46-4	January 29, 1999
Carbaryl	developmental, female, male	63-25-2	August 7, 2009
Carbon disulfide	developmental, female, male	75-15-0	July 1, 1989
Carbon monoxide	developmental	630-08-0	July 1, 1989
Carboplatin	developmental	41575-94-4	July 1, 1990
Chenodiol	developmental	474-25-9	April 1, 1990
Chlorambucil	developmental	305-03-3	January 1, 1989
Chlorcyclizine hydrochloride	developmental	1620-21-9	July 1, 1987
Chlordecone (Kepone)	developmental	143-50-0	January 1, 1989
Chlordiazepoxide	developmental	58-25-3	January 1, 1992
Chlordiazepoxide hydrochloride	developmental	438-41-5	January 1, 1992
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	developmental	13010-47-4	July 1, 1990
Chloroform	developmental	67-66-3	August 7, 2009
2-Chloropropionic acid	male	598-78-7	August 7, 2009
Chlorsulfuron	developmental, female, male	64902-72-3	May 14, 1999
<u>Delisted June 6, 2014</u>			
Chromium (hexavalent compounds)	developmental, female, male	—	December 19, 2008
Cidofovir	developmental, female, male	113852-37-2	January 29, 1999
Cladribine	developmental	4291-63-8	September 1, 1996
Clarithromycin	developmental	81103-11-9	May 1, 1997
Clobetasol propionate	developmental, female	25122-46-7	May 15, 1998
Clomiphene citrate	developmental	50-41-9	April 1, 1990
Clorazepate dipotassium	developmental	57109-90-7	October 1, 1992
Cocalne	developmental, female	50-36-2	July 1, 1989
Codeine phosphate	developmental	52-28-8	May 15, 1998
Colchicine	developmental, male	64-86-8	October 1, 1992
Conjugated estrogens	developmental	—	April 1, 1990
Cyanazine	developmental	21725-46-2	April 1, 1990
Cycloate	developmental	1134-23-2	March 19, 1999
Cyclohexanol	male	108-93-0	November 6, 1998
<u>Delisted January 25, 2002</u>			
Cycloheximide	developmental	66-81-9	January 1, 1989
Cyclophosphamide (anhydrous)	developmental, female, male	50-18-0	January 1, 1989

**CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 32-Z**

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Cyclophosphamide (hydrated)	developmental, female, male	6055-19-2	January 1, 1989
Cyhexatin	developmental	13121-70-5	January 1, 1989
Cytarabine	developmental	147-94-4	January 1, 1989
Dacarbazine	developmental	4342-03-4	January 29, 1999
Danazol	developmental	17230-88-5	April 1, 1990
Daunorubicin hydrochloride	developmental	23541-50-6	July 1, 1990
2,4-D butyric acid	developmental, male	94-82-6	June 18, 1999
o,p' -DDT	developmental, female, male	789-02-6	May 15, 1998
p,p' -DDT	developmental, female, male	50-29-3	May 15, 1998
Demeclocycline hydrochloride (internal use)	developmental	64-73-3	January 1, 1992
Des-ethyl atrazine (DEA)	developmental, female	6190-65-4	July 15, 2016
Des-isopropyl atrazine (DIA)	developmental, female	1007-28-9	<u>July 15, 2016</u>
2,4-Diamino-6-chloro-s-triazine (DACT)	developmental, female	3397-62-4	July 15, 2016
Diazepam	developmental	439-14-5	January 1, 1992
Diazoxide	developmental	364-98-7	February 27, 2001
1,2-Dibromo-3-chloropropane (DBCP)	male	96-12-8	February 27, 1987
Di-n-butyl phthalate (DBP)	developmental, female, male	84-74-2	December 2, 2005
Dichloroacetic acid	developmental, male	79-43-6	August 7, 2009
1,1-Dichloro-2,2-bis(p-chlorophenyl) ethylene (DDE)	developmental, male	72-55-9	March 30, 2010
Dichlorophene	developmental	97-23-4	April 27, 1999
Dichlorophenamide	developmental	120-97-8	February 27, 2001
Diclofop methyl	developmental	51338-27-3	March 5, 1999
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
Diffenunisal	developmental, female	22494-42-4	January 29, 1999
Diglycidyl ether	male	2238-07-5	August 7, 2009
<u>Delisted April 4, 2014</u>			
Di-n-hexyl phthalate (DnHP)	female, male	84-75-3	December 2, 2005
Dihydroergotamine mesylate	developmental	6190-39-2	May 1, 1997
Di-isodecyl phthalate (DIDP)	developmental	68515-49-1/ 26761-40-0	April 20, 2007
Diltiazem hydrochloride	developmental	33286-22-5	February 27, 2001
N,N-Dimethylacetamide	developmental, male	127-19-5	May 21, 2010
m-Dinitrobenzene	male	99-65-0	July 1, 1990
o-Dinitrobenzene	male	528-29-0	July 1, 1990
p-Dinitrobenzene	male	100-25-4	July 1, 1990
2,4-Dinitrotoluene	male	121-14-2	August 20, 1999
2,6-Dinitrotoluene	male	606-20-2	August 20, 1999
Dinitrotoluene (technical grade)	female, male	—	August 20, 1999
Dinocap	developmental	39300-45-3	April 1, 1990
Dinoseb	developmental, male	88-85-7	January 1, 1989
Diphenylhydantoin (Phenytoin)	developmental	57-41-0	July 1, 1987
Disodium cyanodithioimidocarbonate	developmental	138-93-2	March 30, 1999
Doxorubicin hydrochloride (Adriamycin)	developmental, male	25316-40-9	January 29, 1999
Doxycycline (internal use)	developmental	564-25-0	July 1, 1990
Doxycycline calcium (internal use)	developmental	94088-85-4	January 1, 1992

<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Doxycycline hyclate (internal use)	developmental	24390-14-5	October 1, 1991
Doxycycline monohydrate (internal use)	developmental	17086-28-1	October 1, 1991
2,4 DP (dichloroprop) <u>Delisted January 25, 2002</u>	developmental	120-36-5	April 27, 1999
Endrin	developmental	72-20-8	May 15, 1998
Environmental tobacco smoke (ETS)	developmental	—	June 9, 2006
Epichlorohydrin	male	106-89-8	September 1, 1996
Ergotamine tartrate	developmental	379-79-3	April 1, 1990
Estropipate	developmental	7280-37-7	August 26, 1997
Ethionamide	developmental	536-33-4	August 26, 1997
Ethyl alcohol in alcoholic beverages	developmental	—	October 1, 1987
Ethyl-tert-butyl ether <u>Delisted December 13, 2013</u>	male	637-92-3	December 18, 2009
Ethyl dipropylthiocarbamate	developmental	759-94-4	April 27, 1999
Ethylene dibromide	developmental, male	106-93-4	May 15, 1998
Ethylene glycol (ingested)	developmental	107-21-1	June 19, 2015
Ethylene glycol monoethyl ether	developmental, male	110-80-5	January 1, 1989
Ethylene glycol monomethyl ether	developmental, male	109-86-4	January 1, 1989
Ethylene glycol monoethyl ether acetate	developmental, male	111-15-9	January 1, 1993
Ethylene glycol monomethyl ether acetate	developmental, male	110-49-6	January 1, 1993
Ethylene oxide	female	75-21-8	February 27, 1987
	developmental, male		August 7, 2009
Ethylene thiourea	developmental	96-45-7	January 1, 1993
2-Ethylhexanoic acid <u>Delisted December 13, 2013</u>	developmental	149-57-5	August 7, 2009
Etodolac	developmental, female	41340-25-4	August 20, 1999
Etoposide	developmental	33419-42-0	July 1, 1990
Etretinate	developmental	54350-48-0	July 1, 1987
Fenoxaprop ethyl	developmental	66441-23-4	March 26, 1999
Filgrastim	developmental	121181-53-1	February 27, 2001
Fluazifop butyl	developmental	69806-50-4	November 6, 1998
Flunisolide	developmental, female	3385-03-3	May 15, 1998
Fluorouracil	developmental	51-21-8	January 1, 1989
Fluoxymesterone	developmental	76-43-7	April 1, 1990
Flurazepam hydrochloride	developmental	1172-18-5	October 1, 1992
Flurbiprofen	developmental, female	5104-49-4	August 20, 1999
HFlutamide	developmental	13311-84-7	July 1, 1990
Fluticasone propionate	developmental	80474-14-2	May 15, 1998
Fluvalinate	developmental	69409-94-5	November 6, 1998
Ganciclovir	developmental, male	82410-32-0	August 26, 1997
Ganciclovir sodium	developmental, male	107910-75-8	August 26, 1997
Gemfibrozil	female, male	25812-30-0	August 20, 1999
Goserelin acetate	developmental, female, male	65807-02-5	August 26, 1997
Halazepam	developmental	23092-17-3	July 1, 1990
Halobetasol propionate	developmental	66852-54-8	August 20, 1999
aloperidol	developmental, female	52-86-8	January 29, 1999
Halothane	developmental	151-67-7	September 1, 1996
Heptachlor	developmental	76-44-8	August 20, 1999
Hexachlorobenzene	developmental	118-74-1	January 1, 1989
Hexafluoroacetone	developmental, male	684-16-2	August 1, 2008

**CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 32-Z**

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
LHexamethylphosphoramide	male	680-31-9	October 1, 1994
2,5-Hexanedione	male	110-13-4	December 4, 2015
Histrelin acetate	developmental	—	May 15, 1998
Hydramethylnon	developmental, male	67485-29-4	March 5, 1999
Hydrogen cyanide (HCN) and cyanide salts (CN salts)	male	—	July 5, 2013
Hydroxyurea	developmental	127-07-1	May 1, 1997
Idarubicin hydrochloride	developmental, male	57852-57-0	August 20, 1999
Ifosfamide	developmental	3778-73-2	July 1, 1990
Iodine-131	developmental	10043-66-0	January 1, 1989
Isotretinoin	developmental	4759-48-2	July 1, 1987
Lead	developmental, female, male	—	February 27, 1987
Leuprolide acetate	developmental, female, male	74381-53-6	August 26, 1997
Levodopa	developmental	59-92-7	January 29, 1999
Levonorgestrel implants	female	797-63-7	May 15, 1998
Linuron	developmental	330-55-2	March 19, 1999
Lithium carbonate	developmental	554-13-2	January 1, 1991
Lithium citrate	developmental	919-16-4	January 1, 1991
Lorazepam	developmental	846-49-1	July 1, 1990
Lovastatin	developmental	75330-75-5	October 1, 1992
Mebendazole	developmental	31431-39-7	August 20, 1999
Medroxyprogesterone acetate	developmental	71-58-9	April 1, 1990
Megestrol acetate	developmental	595-33-5	January 1, 1991
Melphalan	developmental	148-82-3	July 1, 1990
Menotropins	developmental	9002-68-0	April 1, 1990
Meprobamate	developmental	57-53-4	January 1, 1992
Mercaptopurine	developmental	6112-76-1	July 1, 1990
Mercury and mercury compounds	developmental	—	July 1, 1990
Methacycline hydrochloride	developmental	3963-95-9	January 1, 1991
Metham sodium	developmental	137-42-8	May 15, 1998
Methanol	developmental	67-56-1	March 16, 2012
Methazole	developmental	20354-26-1	December 1, 1999
Methimazole	developmental	60-56-0	July 1, 1990
Methotrexate	developmental	59-05-2	January 1, 1989
Methotrexate sodium	developmental	15475-56-6	April 1, 1990
Methyl bromide as a structural fumigant	developmental	74-83-9	January 1, 1993
Methyln-n-butyl ketone	developmental	591-78-6	December 4, 2015
Methyl chloride	male	—	August 7, 2009
	developmental	74-87-3	March 10, 2000
	male	—	August 7, 2009
Methyl isobutyl ketone (MIBK)	developmental	108-10-1	March 28, 2014
Methyl isocyanate (MIC)	developmental, female	624-83-9	November 12, 2010
Methyl isopropyl ketone	developmental	563-80-4	February 17, 2012
<u>Delisted April 4, 2014</u>			
Methyl mercury	developmental	—	July 1, 1987
N-Methylpyrrolidone	developmental	872-50-4	June 15, 2001
$\alpha$ -Methyl styrene	female	98-83-9	July 29, 2011
<u>Delisted April 4, 2014</u>			
Methyltestosterone	developmental	58-18-4	April 1, 1990
Metiram	developmental	9006-42-2	March 30, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Midazolam hydrochloride	developmental	59467-96-8	July 1, 1990
Minocycline hydrochloride (internal use)	developmental	13614-98-7	January 1, 1992
Misoprostol	developmental	59122-46-2	April 1, 1990
Mitoxantrone hydrochloride	developmental	70476-82-3	July 1, 1990
Molinate	developmental, female, male	2212-67-1	December 11, 2009
Myclobutanil	developmental, male	88671-89-0	April 16, 1999
Nabam	developmental	142-59-6	March 30, 1999
Nafarelin acetate	developmental	86220-42-0	April 1, 1990
Neomycin sulfate (internal use)	developmental	1405-10-3	October 1, 1992
Netilmicin sulfate	developmental	56391-57-2	July 1, 1990
Nickel carbonyl	developmental	13463-39-3	September 1, 1996
Nicotine	developmental	54-11-5	April 1, 1990
Nifedipine	developmental, female, male	21829-25-4	January 29, 1999
Nimodipine	developmental	66085-59-4	April 24, 2001
Nitrapyrin	developmental	1929-82-4	March 30, 1999
Nitrobenzene	male	98-95-3	March 30, 2010
Nitrofurantoin	male	67-20-9	April 1, 1991
Nitrogen mustard (Mechlorethamine)	developmental	51-75-2	January 1, 1989
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	developmental	55-86-7	July 1, 1990
Nitrous oxide	developmental, female	10024-97-2	August 1, 2008
Norethisterone (Norethindrone)	developmental	68-22-4	April 1, 1990
Norethisterone acetate (Norethindrone acetate)	developmental	51-98-9	October 1, 1991
Norethisterone (Norethindrone)/ Ethinyl estradiol	developmental	68-22-4/ 57-63-6	April 1, 1990
Norethisterone (Norethindrone)/Mestranol	developmental	68-22-4/ 72-33-3	April 1, 1990
Norgestrel	developmental	6533-00-2	April 1, 1990
Oxadiazon	developmental	19666-30-9	May 15, 1998
Oxazepam	developmental	604-75-1	October 1, 1992
p,p'-Oxybis(benzenesulfonyl hydrazide) <u>Delisted December 13, 2013</u>	developmental	80-51-3	August 7, 2009
Oxydemeton methyl	female, male	301-12-2	November 6, 1998
Oxymetholone	developmental	434-07-1	May 1, 1997
Oxytetracycline (internal use)	developmental	79-57-2	January 1, 1991
Oxytetracycline hydrochloride (internal use)	developmental	2058-46-0	October 1, 1991
Oxythioquinox (Chinomethionat)	developmental	2439-01-2	November 6, 1998
Paclitaxel	developmental, female, male	33069-62-4	August 26, 1997
Paramethadione	developmental	115-67-3	July 1, 1990
Penicillamine	developmental	52-67-5	January 1, 1991
Pentobarbital sodium	developmental	57-33-0	July 1, 1990
Pentostatin	developmental	53910-25-1	September 1, 1996
Phenacemide	developmental	63-98-9	July 1, 1990
Phenprocoumon	developmental	435-97-2	October 1, 1992
Phenyl glycidyl ether <u>Delisted April 4, 2014</u>	male	122-60-1	August 7, 2009
Phenylphosphine	developmental male	638-21-1	August 7, 2009

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</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
Propargite	developmental	2312-35-8	June 15, 1999
Propazine	developmental, female	139-40-2	July 15, 2016
Propylthiouracil	developmental	51-52-5	July 1, 1990
Pyrimethamine	developmental	58-14-0	January 29, 1999
Quazepam	developmental	36735-22-5	August 26, 1997
Quizalofop-ethyl	male	76578-14-8	December 24, 1999
Resmethrin	developmental	10453-86-8	November 6, 1998
Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.)	developmental	—	July 1, 1989
Ribavirin	developmental male	36791-04-5 36791-04-5	April 1, 1990 February 27, 2001
Rifampin	developmental, female	13292-46-1	February 27, 2001
Secobarbital sodium	developmental	309-43-3	October 1, 1992
Sermorelin acetate	developmental	—	August 20, 1999
Simazine	developmental, female	122-34-9	July 15, 2016
Sodium dimethyldithiocarbamate	developmental	128-04-1	March 30, 1999
Sodium fluoroacetate	male	62-74-8	November 6, 1998
Streptomycin sulfate	developmental	3810-74-0	January 1, 1991
Streptozocin (streptozotocin)	developmental, female, male	18883-66-4	August 20, 1999
Sulfasalazine (Salicylazosulfapyridine)	male	599-79-1	January 29, 1999
Sulfur dioxide	developmental	7446-09-5	July 29, 2011
Sulindac	developmental, female	38194-50-2	January 29, 1999
Tamoxifen citrate	developmental	54965-24-1	July 1, 1990
Temazepam	developmental	846-50-4	April 1, 1990
Teniposide	developmental	29767-20-2	September 1, 1996
Terbacil	developmental	5902-51-2	May 18, 1999
Testosterone cypionate	developmental	58-20-8	October 1, 1991
Testosterone enanthate	developmental	315-37-7	April 1, 1990
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	developmental	1746-01-6	April 1, 1991
Tetracycline (internal use)	developmental	60-54-8	October 1, 1991
Tetracyclines (internal use)	developmental	—	October 1, 1992
Tetracycline hydrochloride (internal use)	developmental	64-75-5	January 1, 1991
Thalidomide	developmental	50-35-1	July 1, 1987
Thioguanine	developmental	154-42-7	July 1, 1990
Thiophanate methyl	female, male	23564-05-8	May 18, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Tobacco smoke (primary)	developmental, female, male	—	April 1, 1988
Tobramycin sulfate	developmental	49842-07-1	July 1, 1990
Toluene	developmental female	108-88-3	January 1, 1991 August 7, 2009
Topiramate	developmental	97240-79-4	November 27, 2015
Triadimefon	developmental, female, male	43121-43-3	March 30, 1999
Triazolam	developmental	28911-01-5	April 1, 1990
Tributyltin methacrylate	developmental	2155-70-6	December 1, 1999
Trichloroethylene	developmental, male	79-01-6	January 31, 2014
Trientine hydrochloride	developmental	38260-01-4	February 27, 2001
Triforine	developmental	26644-46-2	June 18, 1999
1,3,5-Triglycidyl-s-triazinetriene	male	2451-62-9	August 7, 2009
<u>Delisted December 13, 2013</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, 1999
Urethane	developmental	51-79-6	October 1, 1994
Urofollitropin	developmental	97048-13-0	April 1, 1990
Valproate (Valproic acid)	developmental	99-66-1	July 1, 1987
Vinblastine sulfate	developmental	143-67-9	July 1, 1990
Vinclozolin	developmental	50471-44-8	May 15, 1998
Vincristine sulfate	developmental	2068-78-2	July 1, 1990
4-Vinylcyclohexene	female, male	100-40-03	August 7, 2009
Vinyl cyclohexene dioxide (4-Vinyl-1-cyclohexene diepoxide)	female, male	106-87-6	August 1, 2008
Warfarin	developmental	81-81-2	July 1, 1987
Zileuton	developmental, female	111406-87-2	December 22, 2000

Date: August 5, 2016

**DECISION NOT TO PROCEED**

**DEPARTMENT OF CORRECTIONS AND REHABILITATION**

*Substance Abuse Treatment Referrals/Administrative Determinants — Notice File No. Z2016-0330-02*

Pursuant to Government Code 11347, the California Department of Corrections and Rehabilitation (CDCR) hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Notice Register on April 15, 2016, Register 2016, No. 16-Z concerning Substance Abuse Treatment Referrals/Administrative Determinant (OAL Notice Z-2016-0330-02).

Any interested person with questions concerning this rulemaking should contact Jon Struckmann at either (916) 445-2276 or by e-mail at [jonathan.struckmann@cdcr.ca.gov](mailto:jonathan.struckmann@cdcr.ca.gov).

The Department will also post this Notice of Decision Not to Proceed on its website.

**STATE BOARD OF GUIDE DOGS FOR THE BLIND**

**DECISION NOT TO PROCEED**

Pursuant to Government Code Section 11347, the California State Board of Guide Dogs for the Blind hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Regulatory Notice Register on January 1, 2016, Register 2016 No. 2-Z. The proposed rulemaking concerned Examinations (OAL Notice Z2015-1228-01.) If you

have any questions regarding this notice or any related matter, please contact Brian Skewis, 1625 North Market Blvd., N-112, Sacramento, CA 95834 Tel: 916-574-7825, Fax: 916-574-7829, Email: [Brian.Skewis@dc.ca.gov](mailto:Brian.Skewis@dc.ca.gov).

**PHYSICAL THERAPY BOARD OF CALIFORNIA**

**DECISION NOT TO PROCEED**

Pursuant to Government Code Section 11347, the Physical Therapy Board of California (Board) has decided not to proceed with adopting Title 16, Division 13.2, Article 10, Section 1399.56 regarding Retired License Status (Notice File No. Z2016-0621-06), published in the California Regulatory Notice Register on July 1, 2016.

The Board will initiate at a later date, with notice as required by law, a new proposal to adopt regulations pertaining to the same or similar subject matter. The Board will also publish this notice of Decision Not to Proceed on the Board website.

Any interested person with questions concerning this Decision Not to Proceed should contact:

Brooke Arneson  
2005 Evergreen Street, Suite 1350  
Sacramento, California 95815  
Telephone: (916) 561-8260  
Fax: (916) 263-2560

Email  
Address: [Brooke.Arneseon@dca.ca.gov](mailto:Brooke.Arneseon@dca.ca.gov)  
The backup contact person is:

Liz Constancio  
2005 Evergreen Street, Suite 1350  
Sacramento, California 95815  
Telephone: (916) 561-8274  
Fax: (916) 263-2560

Email  
Address: [Liz.Constancio@dca.ca.gov](mailto:Liz.Constancio@dca.ca.gov)

Website Access: Materials regarding this proposal can be found at [www.ptbc.ca.gov](http://www.ptbc.ca.gov).

**DISAPPROVAL DECISION**

**DECISION OF DISAPPROVAL OF REGULATORY ACTION**

Printed below is the summary of an Office of Administrative Law disapproval decision. The full text of the disapproval decision is available at [www.oal.ca.gov](http://www.oal.ca.gov) under the "Publications" tab. You may also request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339, (916) 323-6225 – FAX (916) 323-6826. Please request by OAL file number.

**BOARD OF PHARMACY**

**In re:**  
**Board of Pharmacy**  
**Regulatory Action:**  
**Title 16, California Code of Regulations**  
**Adopt sections: 1730, 1730.1**  
**Amend section: 1749**

**DECISION OF DISAPPROVAL OF REGULATORY ACTION**  
**Government Code Section 11349.3**  
**OAL Matter Number: 2016-0603-02**  
**OAL Matter Type: Regular (S)**

**SUMMARY OF REGULATORY ACTION**

This rulemaking action by the Board of Pharmacy (Board) sets forth requirements and fees for a licensed pharmacist to obtain Board recognition as an Advanced Practice Pharmacist.

**DECISION**

On July 18, 2016, the Office of Administrative Law (OAL) notified the Board of the disapproval of this regulatory action. The reason for the disapproval was failure to comply with the "clarity" and "necessity" standards of Government Code section 11349.1.

**CONCLUSION**

For the reasons set forth above, OAL has disapproved this regulatory action. Pursuant to Government Code section 11349.4, subdivision (a), the Board may resubmit this rulemaking action within 120 days of its receipt of this Decision of Disapproval.

Any changes made to the regulation text to address the clarity issues discussed above must be made available for at least 15 days for public comment pursuant to Government Code section 11346.8 and section 44 of title 1 of the CCR prior to adoption by the Board. The Board must document in the rulemaking file its approval of the final text after consideration of all public comments and relevant information, as well as resolve all other issues raised in this Decision of Disapproval, before resubmitting to OAL.

If you have any questions, please contact me at (916) 322-3761.

Date: July 25, 2016

Eric Partington  
Attorney

For: Debra M. Cornez  
Director

Original: Virginia Herold  
Copy: Debbie Damoth

<p><b>SUMMARY OF REGULATORY ACTIONS</b></p>
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**REGULATIONS FILED WITH  
SECRETARY OF STATE**

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

File# 2016-0610-01  
AIR RESOURCES BOARD  
On-Board Diagnostic System Requirements (OBDII)

The Air Resources Board (Board) amended sections 1900, 1956.8, 1968.2, 1968.5, 1971.5, and 2485 of title 13 of the California Code of Regulations, amended sections 95302 and 95662 of title 17 of the California Code of Regulations, and updated 24 incorporated by reference documents. This action updates and clarifies on-board diagnostic (OBD II) systems requirements and related enforcement provisions for passenger cars, light-duty trucks, and medium-duty vehicles and engines to account for Low Emission Vehicle III applications. This action also streamlines procedures for certification of these vehicles and engines for sale and distri-

bution in California, provides greater compliance flexibility for manufacturers, and establishes ongoing tracking procedures for the Board to monitor OBD II systems to assure they detect emission control malfunctions in real-world conditions.

Title 13, 17  
AMEND: 1900, 1956.8, 1968.2, 1968.5, 1971.1, 1971.5, 2485, 95302, 95662  
Filed 07/25/2016  
Effective 07/25/2016  
Agency Contact:  
Trini Balcazar (916) 445-9564

File# 2016-0614-01  
BOARD OF EQUALIZATION  
Wholesale Cost of Tobacco Products

This rulemaking by the State Board of Equalization adopts section 4076 in Title 18 of the California Code of Regulations to further define the wholesale cost of "Other Than Tobacco Products" (OTP) and clarify how the wholesale cost of OTP should be calculated.

Title 18  
ADOPT: 4076  
Filed 07/27/2016  
Effective 10/01/2016  
Agency Contact: Richard Bennion (916) 445-2130

File# 2016-0615-02  
BOARD OF EQUALIZATION  
Miscellaneous Service Enterprises

This action by the Board of Equalization makes changes without regulatory effect to section 1506, subdivision (g), in title 18 of the California Code of Regulations by replacing the reference to the "Hearing Aid Dispensers Examining Committee" with "Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board" consistent with Statutes 2009, chapter 309 (AB 1535).

Title 18  
AMEND: 1506  
Filed 07/27/2016  
Agency Contact: Richard Bennion (916) 445-2130

File# 2016-0613-03  
CALIFORNIA COASTAL COMMISSION  
Permit Application Fee, Annual Increase

The California Coastal Commission submitted this action amending section 13055 of Title 14, to adjust the fees for permit applications and other filings as prescribed in section 13055(c). The Consumer Price Index for Urban Consumers base year for calculations is 2008. For the 2016 increase, the change is 13.3%.

Title 14  
AMEND: 13055  
Filed 07/25/2016  
Agency Contact: Robin Mayer (415) 904-5238

File# 2016-0615-06  
CALIFORNIA HIGHWAY PATROL  
Motor Carrier Safety Regulations — Consistency with Title 49, CFR

In this regular rulemaking, the California Highway Patrol (“CHP”) is amending sections 1202.1, 1202.2, and 1232 in Title 13 of the California Code of Regulations to update the Federal Motor Carrier Safety Regulations (the “FMCSRs”) adopted by reference in these sections from the FMCSRs published on October 1, 2006, to the FMCSRs published on October 1, 2014.

Title 13  
AMEND: 1202.1, 1202.2, 1232  
Filed 07/25/2016  
Effective 10/01/2016  
Agency Contact: Kristi McNabb (916) 843-3416

File# 2016-0715-02  
CALIFORNIA HORSE RACING BOARD  
Racing Secretary Conditions & Medication, Drugs and Other Substances

This emergency regulatory action by the California Horse Racing Board amends sections 1581 and 1843 in title 4, California Code of Regulations regarding racing secretary conditions, and medication, drugs and other substances.

Title 4  
AMEND: 1581, 1843  
Filed 07/25/2016  
Effective 07/25/2016  
Agency Contact: Philip Laird (916) 263-6025

File# 2016-0713-02  
DEPARTMENT OF DEVELOPMENTAL SERVICES  
DDS End of Life Option Act Implementation Regulations

The Department of Developmental Services (DDS) submitted this emergency action to adopt three sections under a new subchapter and article in title 17 of the California Code of Regulations to implement DDS protocols and procedures for individuals residing in a developmental center or state-operated facility under DDS jurisdiction who wish to exercise their rights under the End of Life Option Act (Act). The regulations preclude DDS employees and others acting on DDS’s behalf from providing end-of-life options on DDS premises; establish procedures for transferring a terminally ill individual residing in a developmental center or state-op-

erated facility under DDS jurisdiction to an appropriate community facility once the individual requests to exercise his or her rights under the Act; and provides an appeal process for terminally ill individuals seeking to participate in end-of-life options under the Act on the premises of a DDS facility when no community facility option is available.

Title 17  
ADOPT: 51000, 51001, 51002  
Filed 07/25/2016  
Effective 07/25/2016  
Agency Contact: Alyssa Carroll (916) 654-3405

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

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

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

File# 2016-0616-05  
DEPARTMENT OF FOOD AND AGRICULTURE  
Inspection and Testing Procedures

This regulatory action by the Department of Food and Agriculture amends the testing protocols used by an ongoing voluntary grapevine registration and certification program.

Title 3  
AMEND: 3024.5  
Filed 07/25/2016  
Effective 10/01/2016  
Agency Contact: Sara Khalid (916) 403-6625

File# 2016-0617-03  
DEPARTMENT OF FOOD AND AGRICULTURE  
Asian Citrus Psyllid Interior Quarantine

This Certificate of Compliance submitted by the Department of Food and Agriculture will make permanent the prior emergency regulatory action (OAL file no.

2015–1218–03E) that expanded the quarantine area for the Asian Citrus Psyllid (ACP) *Diaphorina citri* by approximately 114 square miles in the Mettler area of Kern County. The effect of this action provides continued authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the state that are already under quarantine for the ACP.

Title 3  
 AMEND: 3435(b)  
 Filed 07/25/2016  
 Effective 07/25/2016  
 Agency Contact: Sara Khalid (916) 403–6625

File# 2016–0617–04  
 DEPARTMENT OF FOOD AND AGRICULTURE  
 Asian Citrus Psyllid Interior Quarantine

This Certificate of Compliance submitted by the Department of Food and Agriculture will make permanent the emergency regulatory action (OAL file no. 2015–1229–01E) that expanded the quarantine area for the Asian Citrus Psyllid ((ACP) *Diaphorina citri*) by approximately 84 square miles in the Sumner Hill area of Madera and Fresno counties. The effect of this action provides continued authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the state.

Title 3  
 AMEND: 3435(b)  
 Filed 07/25/2016  
 Effective 07/25/2016  
 Agency Contact: Sara Khalid (916) 403–6625

File# 2016–0627–01  
 DEPARTMENT OF FOOD AND AGRICULTURE  
 Asian Citrus Psyllid Interior Quarantine

This Certificate of Compliance was submitted by the Department of Food and Agriculture to make permanent prior emergency regulatory action (OAL file no. 2016–0104–02E) that expanded the quarantine area for the Asian Citrus Psyllid ((ACP) *Diaphorina citri*) by approximately 94 square miles in the Lodi area, expanding into the Stockton area, of San Joaquin County. The effect of this action provides continued authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the state.

Title 3  
 AMEND: 3435(b)  
 Filed 07/25/2016  
 Effective 07/25/2016  
 Agency Contact: Sara Khalid (916) 403–6625

File# 2016–0627–03  
 DEPARTMENT OF FOOD AND AGRICULTURE  
 Asian Citrus Psyllid Interior Quarantine

This Certificate of Compliance by the Department of Food and Agriculture (the “Department”) makes permanent the prior emergency rulemaking action (OAL File No. 2016–0112–02E) that created quarantine areas for the Asian Citrus Psyllid (“ACP”) *Diaphorina citri* in the Fresno area of Fresno County and the Oakdale area of Stanislaus County. The Fresno quarantine area is approximately 97 square miles and was created in response to the identification of one adult ACP on December 14, 2015. The Oakdale quarantine area is approximately 133 square miles and was created in response to the identification of one adult ACP on November 18, 2015. This Certificate of Compliance provides authority for the state to continue to perform quarantine activities against ACP within these areas.

Title 3  
 AMEND: 3435(b)  
 Filed 07/21/2016  
 Effective 07/21/2016  
 Agency Contact: Sara Khalid (916) 403–6625

File# 2016–0613–02  
 DEPARTMENT OF TRANSPORTATION  
 Affordable Sales Program

This rulemaking action adopts new Chapter 9.5 (known as the Affordable Sales Program) in Division 2 of Title 21 of the California Code of Regulations. The adopted regulations establish the procedures which will enable the California Department of Transportation to dispose of surplus residential properties originally acquired by the state for State Route 710 in the cities of Los Angeles, South Pasadena, and Pasadena. Among other provisions, the regulations will increase the number of low and moderate income homeowners by allowing qualified tenants and occupants to purchase homes on the basis of affordability and will set forth the standards used to calculate the appropriate purchase prices to fulfill the state’s mission of providing affordable home ownership to Californians.

Title 21  
 ADOPT: 1475, 1476, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491  
 Filed 07/26/2016  
 Effective 07/26/2016  
 Agency Contact:  
 Kimberly E. Erickson (916) 654–7269

File# 2016–0621–05  
 EDUCATION AUDIT APPEALS PANEL  
 Supplement to Audits of K–12 LEAs— FY 2015–16

The Education Audit Appeals Panel (EAAP) submitted this timely certificate of compliance action to make permanent the supplement to the 2015–16 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting (Audit Guide), incorporated by reference in title 5, California Code of Regulations, section 19810, which was amended in OAL file no. 2016–0224–02E. The emergency, supplemental amendments to the Audit Guide generally addressed new legislation and included new audit steps for teacher effectiveness, subject to specific requirements of LEAs; the exclusion of any transitional kindergarten pupil who had their fifth birthday after December 2nd from average daily attendance or enrollment or unduplicated pupil counts, until such pupil attains his or her fifth birthday; the exclusion of independent study and special education pupils from audit testing for compliance with vaccine requirements; and technical amendments.

Title 5  
 AMEND: 19810  
 Filed 07/27/2016  
 Effective 07/27/2016  
 Agency Contact:  
 Timothy E. Morgan (916) 445–7745

File# 2016–0614–04  
 FISH AND GAME COMMISSION  
 Mammal Hunting 2016–2017

This regulatory action by the Fish and Game Commission sets the number of license tags available for several game mammals in hunting zones throughout the state and makes other regulatory changes applicable to the 2016–2017 hunting season. The other changes include modifying season dates, hunt periods, and hunt areas, deleting the provisions that prohibit the use of treeing switches and GPS–equipped dog collars, defining the term “softnose or expanding projectile,” and making non–substantive changes to improve clarity and consistency. New section 708.18 establishes a procedure for issuing refunds for unused fundraising tags.

Title 14  
 ADOPT: 708.18  
 AMEND: 265, 353, 360, 361, 362, 363, 364, 364.1  
 Filed 07/27/2016  
 Effective 07/27/2016  
 Agency Contact: Jon Snellstrom (916) 653–4899

File# 2016–0616–06  
 OFFICE OF ENVIRONMENTAL HEALTH  
 HAZARD ASSESSMENT  
 Prop. 65 Bisphenol A Maximum Allowable Dose Level (MADL) (dermal exposure from solid materials)

This action by the Office of Environmental Health Hazard Assessment makes changes without regulatory effect to section 28505, subdivision (b), in title 27 of the California Code of Regulations by adding the word “materials” to the entry for maximum allowable dose level for Bisphenol A.

Title 27  
 AMEND: 25805  
 Filed 07/27/2016  
 Agency Contact:  
 Esther Barajas–Ochoa (916) 322–2068

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

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

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

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

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

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

**CCR CHANGES FILED  
 WITH THE SECRETARY OF STATE  
 WITHIN February 24, 2016 TO  
 July 27, 2016**

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

**Title 2**

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

17520, 17521, 17525, 17527, 17528,  
 17530, 17532, 17534, 17538, 17542,  
 17544, 17546, 17548, 17550, 17551,  
 17552, 17553, 17554, 17555, 17556,  
 17557, 17558, 17559, 17560, 17561,  
 17562, 17563, 17564, 17565, 17566,  
 17567, 17570, 17571, 17572, 17575,  
 17576, 17580, 17581, 17582, 17588,  
 17590, 17592

05/25/16 AMEND: 604  
 05/23/16 AMEND: 23000  
 05/19/16 ADOPT: 18750 REPEAL: 18750,  
 18750.1, 18750.2, 18752  
 04/21/16 AMEND: 599.744  
 04/12/16 AMEND: 18239  
 04/12/16 AMEND: 18616  
 03/22/16 AMEND: 18215.3, 18247.5, 18404,  
 18405, 18422, 18425, 18427.1, 18450.4,  
 18531.5, 18531.62 REPEAL: 18402.5  
 03/22/16 AMEND: 18406, 18530.4, 18530.45,  
 18992

**Title 3**

07/25/16 AMEND: 3024.5  
 07/25/16 AMEND: 3435(b)  
 07/25/16 AMEND: 3435(b)  
 07/25/16 AMEND: 3435(b)  
 07/21/16 AMEND: 3435(b)  
 07/20/16 AMEND: 3435(b)  
 07/07/16 AMEND: 3435(b)  
 07/05/16 AMEND: 3435(b)  
 07/05/16 AMEND: 3435(b)  
 06/30/16 ADOPT: 450, 450.1, 450.2, 450.3, 450.4,  
 451, 452  
 06/30/16 AMEND: 3435(b)  
 06/30/16 AMEND: 3435(b)  
 06/28/16 AMEND: 3435(b)  
 06/22/16 AMEND: 3435(b)  
 06/22/16 AMEND: 3435(b)  
 06/20/16 AMEND: 3591.12  
 06/16/16 AMEND: 3435(b)  
 06/13/16 AMEND: 3435(b)  
 06/13/16 AMEND: 3435(b)  
 06/08/16 AMEND: 850  
 06/06/16 ADOPT: 1358.7  
 06/02/16 AMEND: 3439(b)  
 06/02/16 AMEND: 3435(b)  
 06/01/16 AMEND: 3435(b)  
 05/25/16 AMEND: 3435(b)  
 05/23/16 AMEND: 3435(b)  
 05/18/16 AMEND: 3435  
 05/17/16 AMEND: 3906  
 05/12/16 AMEND: 3435(b)  
 05/12/16 AMEND: 3435(b)  
 05/11/16 AMEND: 3435(b)

**CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 32-Z**

05/11/16 AMEND: 3435(b)  
05/10/16 AMEND: 3435(b)  
05/09/16 ADOPT: 3591.27  
04/25/16 AMEND: 3435(b)  
04/07/16 ADOPT: 450, 450.1, 450.2, 450.3, 450.4,  
451, 452  
04/05/16 AMEND: 3589  
03/29/16 AMEND: 3435(b)  
03/21/16 AMEND: 3435  
03/10/16 AMEND: 3435(b)  
03/09/16 AMEND: 3435(b)  
03/08/16 AMEND: 3435(b)

**Title 4**

07/25/16 AMEND: 1581, 1843  
07/19/16 AMEND: 5170  
07/19/16 ADOPT: 1866.1 AMEND: 1844  
07/05/16 AMEND: 1689.1  
06/29/16 AMEND: 8034, 8035  
06/15/16 ADOPT: 299 AMEND: 297, 300  
06/14/16 AMEND: 5000, 5033, 5052, 5144, 5205,  
5220, 5221, 5230  
04/27/16 AMEND: 10170.2, 10170.3, 10170.4,  
10170.5, 10170.6, 10170.7, 10170.8,  
10170.9, 10170.10, 10170.11, 10170.12  
04/25/16 ADOPT: 1866.1 AMEND: 1844  
04/21/16 ADOPT: 610  
04/13/16 ADOPT: 10091.1, 10091.2, 10091.3,  
10091.4, 10091.5, 10091.6, 10091.7,  
10091.8, 10091.9, 10091.10, 10091.11,  
10091.12, 10091.13, 10091.14, 10091.15  
04/12/16 AMEND: 1489  
03/28/16 AMEND: 10176(d), 10181  
03/23/16 ADOPT: 12465 AMEND: 12460, 12461,  
12462, 12463, 12464, 12466  
03/10/16 ADOPT: 5258, 5271, 5273 AMEND:  
5033, 5052, 5100, 5102 (renumbered to  
5101), 5103 (renumbered to 5102), 5104  
(renumbered to 5103), 5105 (renumbered  
to 5104), 5106 (renumbered to 5105),  
5107 (renumbered to 5106), 5132, 5170,  
5190, 5191, 5192, 5200, 5205, 5210,  
5230, 5232, 5250, 5255, 5260, 5267  
REPEAL: 5101  
03/08/16 AMEND: 1658

**Title 5**

07/27/16 AMEND: 19810  
07/20/16 AMEND: 30950, 30951, 30951.1,  
30952, 30953, 30954, 30955, 30956,  
30957, 30958, 30959  
07/14/16 ADOPT: 74117 AMEND: 74110, 74112  
07/05/16 REPEAL: 6100, 6101, 6102, 6103, 6104,  
6105, 6110, 6111, 6112, 6113, 6115,  
6116, 6120, 6125, 6126

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

**Title 8**

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

**Title 9**

06/27/16 ADOPT: 4600, 4601, 4602  
06/06/16 AMEND: 811, 812, 823, 836.2, 862, 865,  
865.4, 865.5  
05/31/16 ADOPT: 7006.5 AMEND: 7019.1, 7020,  
7024, 7029.9, 7054, 7055, 7060, 7062,  
7062.3, 7122, 7143, 7157, 7164, 7164.4,  
7194, 7198 REPEAL: 7004.3, 7019.2, 7022,  
7029.3  
05/12/16 AMEND: 7140, 7142, 7142.5, 7143.5,  
7164.6, 7196, 7211, 7290, 7353.6  
04/21/16 REPEAL: 1700, 1701, 1702, 1703, 1704,  
1705, 1706, 1707, 1708, 1709, 1710,  
1711, 1712, 1713, 1714, 1715, 1716,  
1717, 1718, 1719, 1720, 1721, 1722,  
1723, 1724, 1725, 1726, 1727, 1728,  
1729, 1730, 1731, 1739, 1740, 1741,  
1742, 1743, 1744, 1745, 1746, 1747,  
1748, 1749, 1750, 1751, 1752, 1753,

1754, 1755, 1765, 1766, 1767, 1768,  
1769, 1770, 1771, 1772, 1773, 1774,  
1775, 1776, 1777, 1778, 1779, 1790,  
1791, 1792, 1793, 1794, 1795, 1796,  
1797, 1798, 1799

**Title 10**

07/11/16 AMEND: 2053, 2053.1, 2054, 2054.1,  
2054.2, 2054.3, 2054.5, 2054.6, 2054.7,  
2055, 2056, 2057, 2058, 2059, 2061,  
2061.1, 2061.2, 2061.3, 2061.4, 2061.5,  
2062, 2062.1, 2062.2, 2063, 2063.1,  
2063.2, 2063.3, 2064, 2065, 2066,  
2066.1, 2066.2, 2066.3, 2066.4, 2066.5,  
2067, 2068, 2069, 2070, 2071, 2072,  
2073, 2074, 2075, 2076, 2077, 2077.1,  
2078, 2079, 2079.1, 2080, 2081, 2082,  
2083, 2083.1, 2084, 2086, 2087, 2088,  
2088.1, 2088.2, 2088.3, 2089, 2090,  
2091, 2092, 2094, 2094.1, 2094.2, 2095,  
2096, 2097, 2098, 2099, 2100, 2101,  
2101.1, 2101.2, 2101.3, 2102, 2103,  
2104 REPEAL: 2054.4, 2060

06/14/16 ADOPT: 6540, 6542, 6544, 6546, 6548,  
6550, 6552

06/07/16 ADOPT: 8100, 8110, 8120, 8130, 8140,  
8150

06/06/16 ADOPT: 6408, 6410, 6450, 6452, 6454,  
6470, 6472, 6474, 6476, 6478, 6480,  
6482, 6484, 6486, 6490, 6492, 6494,  
6496, 6498, 6500, 6502, 6504, 6506,  
6508, 6510, 6600, 6602, 6604, 6606,  
6608, 6610, 6612, 6614, 6616, 6618,  
6620, 6622

05/31/16 AMEND: 2500, 2501, 2503, 2504, 2505,  
2507.1, 2507.2, 2508 REPEAL: 2502

05/26/16 ADOPT: 6858

05/23/16 ADOPT: 6700, 6702, 6704, 6706, 6708,  
6710, 6712, 6714, 6716, 6718

05/11/16 ADOPT: 5508, 5509, 5510, 5511, 5512,  
5513, 5514, 5515, 5516

05/10/16 AMEND: 2318.6, 2353.1, 2354

05/10/16 AMEND: 2353.1

03/22/16 AMEND: 2544, 2544.1, 2544.2, 2544.3,  
2544.4, 2544.5, 2544.6

03/08/16 ADOPT: 2240.15, 2240.16, 2240.6,  
2240.7 AMEND: 2240, 2240.1, 2240.2,  
2240.3, 2240.4, 2240.5

**Title 11**

07/08/16 AMEND: 310, 312, 999.1

06/22/16 AMEND: 1004, 1011

06/09/16 AMEND: 1005, 1007, 1008, 1009, 1010,  
1011, 1054, 1058, 1070, 1081, 1082,  
1084, 1960

06/01/16 AMEND: 51.22

04/28/16 ADOPT: 2080, 2081, 2082, 2083, 2084,  
2085, 2086, 2087, 2088, 2089, 2090,  
2091, 2092, 2093, 2094, 2095, 2096,  
2097, 2098, 2099, 2100, 2101, 2102,  
2103, 2104, 2105, 2106, 2107, 2108,  
2109, 2130, 2131, 2132

04/25/16 ADOPT: 50.24

04/06/16 ADOPT: 28.5

04/06/16 ADOPT: 28.6

03/23/16 ADOPT: 4250, 4251, 4251.5, 4252,  
4253, 4254, 4255, 4256, 4257, 4258,  
4559

03/10/16 AMEND: 20

02/24/16 AMEND: 1005, 1007, 1008, 1052

02/24/16 AMEND: 1951, 1953, 1954, 1955

**Title 12**

06/17/16 ADOPT: 509

05/23/16 ADOPT: 462

**Title 13**

07/25/16 AMEND: 1202.1, 1202.2, 1232

07/25/16 AMEND: 1900, 1956.8, 1968.2, 1968.5,  
1971.1, 1971.5, 2485, 95302, 95662

07/07/16 AMEND: 15.01

06/23/16 ADOPT: 15.08 AMEND: 15.07

06/23/16 AMEND: 268.10

05/09/16 AMEND: 156.00, 156.01

04/06/16 ADOPT: 150.10

02/29/16 AMEND: 553.70

02/25/16 AMEND: 551.8, 551.12, 591, 592

**Title 14**

07/27/16 ADOPT: 708.18 AMEND: 265, 353, 360,  
361, 362, 363, 364, 364.1

07/25/16 AMEND: 13055

07/18/16 AMEND: 1038

07/07/16 AMEND: 1120 REPEAL: 1121

06/30/16 AMEND: 190, 195

06/30/16 AMEND: 18660.23, 18660.24,  
18660.25, 18660.33, 18660.34

06/23/16 AMEND: 502, 507

06/16/16 AMEND: 120.7

06/15/16 ADOPT: 8.01

06/09/16 AMEND: 7.50

05/25/16 AMEND: 1670

05/11/16 AMEND: 17852

05/02/16 AMEND: 29.85

04/28/16 ADOPT: 131

04/27/16 AMEND: 27.80

04/26/16 AMEND: 29.45

04/26/16 AMEND: 28.20

04/20/16 ADOPT: 1760.1, 1779.1

04/06/16 AMEND: 1038

03/29/16 AMEND: 27.80

03/28/16 ADOPT: 8.01

03/07/16 ADOPT: 749.8

**CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 32-Z**

03/01/16 AMEND: 7.50  
02/29/16 ADOPT: 1.57, 5.41 AMEND: 1.05, 1.53,  
1.86, 2.00, 5.60, 5.80, 5.81, 7.00, 7.50,  
27.00, 230

**Title 15**

07/13/16 AMEND: 8000, 8001, 8100, 8901  
06/29/16 AMEND: 3000, 3054, 3054.1, 3054.2,  
3054.3, 3054.4, 3054.5  
06/21/16 ADOPT: 3359.8  
06/02/16 AMEND: 3000, 3084.7, 3312, 3313,  
3314, 3315, 3316, 3317, 3317.1, 3317.2,  
3320, 3322, 3326, 3340, 3341.3, 3376,  
3378.6  
05/24/16 ADOPT: 3317.1, 3317.2 AMEND: 3310,  
3315, 3317  
05/11/16 AMEND: 3000, 3213  
05/10/16 AMEND: 3173.2  
04/28/16 AMEND: 3000  
03/30/16 AMEND: 8004.2  
03/30/16 REPEAL: 3999.16  
03/29/16 AMEND: 3315, 3375.2  
03/29/16 AMEND: 3000, 3078.1, 3078.2, 3078.3,  
3078.4  
03/10/16 ADOPT: 3000, 3268.2 REPEAL:  
3999.17

**Title 16**

07/19/16 AMEND: 1355.35  
07/12/16 AMEND: 36.1  
07/12/16 ADOPT: 1399.469.3  
06/22/16 AMEND: 438  
06/16/16 AMEND: 109  
06/07/16 ADOPT: 1100  
06/07/16 ADOPT: 1101, 1121, 1122, 1124, 1126,  
1127, 1133  
06/07/16 ADOPT: 1104, 1104.1, 1104.2  
05/26/16 ADOPT: 1815.5  
05/13/16 AMEND: 910  
05/10/16 AMEND: 2403  
05/04/16 AMEND: 4170  
05/03/16 ADOPT: 2326.2, 2326.3 AMEND: 2326,  
2326.1, 2326.5  
04/28/16 AMEND: 1417  
04/20/16 ADOPT: 1103, 1105, 1105.1, 1105.2,  
1105.3, 1105.4, 1106  
04/20/16 AMEND: 1715, 1784  
04/11/16 AMEND: 1399.523  
04/08/16 ADOPT: 1746.1  
04/04/16 AMEND: 974  
03/22/16 AMEND: 1970.4  
03/21/16 AMEND: 1380.5  
03/07/16 AMEND: 1001  
03/03/16 ADOPT: 1463.5, 1485.5  
02/29/16 ADOPT: 1960  
02/24/16 AMEND: 1446, 1447, 1447.1

02/23/16 AMEND: 109, 111

**Title 17**

07/25/16 ADOPT: 51000, 51001, 51002  
07/01/16 AMEND: 6540  
07/01/16 AMEND: 6508  
05/25/16 AMEND: 1050  
05/24/16 AMEND: 2500, 2502, 2505  
04/25/16 AMEND: 100800  
04/04/16 ADOPT: 6500.03, 6500.05, 6500.9,  
6500.21, 6500.33, 6500.43, 6500.50,  
6500.51, 6500.55, 6500.58, 6500.71,  
6500.78, 6501.5 AMEND: 6500.35,  
6500.39, 6500.45, 6501, 6505, 6506,  
6506.6, 6506.8, 6506.10 REPEAL:  
6500.65, 6500.67  
03/08/16 AMEND: 60201

**Title 18**

07/27/16 ADOPT: 4076  
07/27/16 AMEND: 1506  
06/28/16 AMEND: 1698, 4901  
06/21/16 AMEND: 1432  
04/22/16 AMEND: 1668  
04/20/16 AMEND: 5600, 5601, 5603  
03/28/16 AMEND: 2401, 2413, 2422  
03/17/16 AMEND: 3500

**Title 19**

06/30/16 AMEND: 1980.00, 1980.02, 1980.04,  
1980.05, 1980.06 1990.00, 1990.01,  
1990.02, 1990.03, 1990.04, 1990.05,  
1990.06, 1990.07, 1990.08, 1990.11,  
1990.12  
06/20/16 ADOPT: 2700, 2701, 2702, 2703, 2704,  
2705, 2706, 2707, 2708, 2709, 2710  
05/11/16 ADOPT: 2621, 2622, 2630, 2631, 2632,  
2640, 2642, 2643, 2644, 2645, 2646,  
2647, 2648, 2651, 2652, 2653, 2654,  
2655, 2656, 2657, 2658, 2659, 2670,  
2671 AMEND: 2650 renumbered to  
2621, 2660 renumbered to 2622, 2701  
renumbered to 2630, 2703 renumbered to  
2631, 2705 renumbered to 2632, 2720  
amended and renumbered to 2640, 2722  
renumbered to 2642, 2723 amended and  
renumbered to 2643, 2724 renumbered to  
2644, 2725 amended and renumbered to  
2645, 2726 renumbered to 2646, 2727  
renumbered to 2647, 2728 renumbered to  
2648, 2729 amended and renumbered to  
2650, 2729.1 amended and renumbered  
to 2651, 2729.2 amended and  
renumbered to 2652, 2729.3 amended  
and renumbered to 2653, 2729.4  
amended and renumbered to 2654,  
2729.5 amended and renumbered to

2655, 2729.6 amended and renumbered to 2656, 2729.7 amended and renumbered to 2657, 2731 renumbered to 2658, 2732 amended and renumbered to 2659, 2733 amended and renumbered to 2670, 2734 renumbered to 2671

**Title 20**

06/30/16 AMEND: 1601, 1602, 1604, 1605.1, 1605.2, 1605.3, 1606, 1607  
 04/12/16 AMEND: 1240, 3201, 3202, 3203, 3204, 3206, 3207  
 04/06/16 AMEND: 2401, 2402

**Title 21**

07/26/16 ADOPT: 1475, 1476, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491  
 05/09/16 ADOPT: 133, 134, 135, 136, 137, 138, 141, 151, 161, 162, 163, 164, 165, 171  
 AMEND: 111, 112, 113, 114, 121, 131, 133 (renumbered to 132) REPEAL: 132, 134, 135, 136, 141, 151, 152, 153

**Title 22**

07/20/16 AMEND: 97212, 97215, 97225, 97226, 97227, 97228, 97229, 97248, 97252, 97258, 97259, 97260, 97264 REPEAL: 97261  
 06/28/16 REPEAL: 75047  
 06/20/16 AMEND: 51179.7  
 06/09/16 ADOPT: 69600.1, 69600.2, 69600.3, 69600.4, 69600.5, 69600.6, 69600.7  
 06/08/16 AMEND: 7000  
 04/27/16 AMEND: 53626(a)  
 04/21/16 AMEND: 50188  
 04/19/16 AMEND: 123000  
 04/01/16 AMEND: 64417, 64418, 64418.1, 64418.2, 64418.3, 64418.4, 64418.5, 64418.6, 64418.7, 64419, 64420, 64420.1, 64420.2, 64420.3, 64420.4, 64420.5, 64420.6, 64420.7  
 03/29/16 AMEND: 51516.1  
 03/17/16 AMEND: 97232  
 02/25/16 ADOPT: 100450.100

**Title 22, MPP**

07/07/16 AMEND: 83074, 83087, 84074, 84087, 86074, 86087, 86574, 86587, 89374, 89387

**Title 23**

07/18/16 AMEND: 2922  
 07/18/16 ADOPT: 3909.2  
 07/18/16 ADOPT: 3909.4  
 07/14/16 ADOPT: 3909.3  
 07/12/16 ADOPT: 3929.14  
 07/11/16 AMEND: 3939.19  
 06/02/16 ADOPT: 3919.16

05/31/16 ADOPT: 863, 864, 864.5, 865, 866  
 05/17/16 ADOPT: 3991.1 REPEAL: 3989  
 05/04/16 AMEND: 3935, 3936, 3939.13  
 04/14/16 ADOPT: 3939.48  
 04/11/16 ADOPT: 3939.49  
 03/30/16 ADOPT: 876  
 03/21/16 ADOPT: 908, 911, 912, 916, 917, 922, 924, 931, 931.5, 932, 933, 934, 935, 936, 937, 938  
 03/07/16 AMEND: 3930

**Title 25**

07/05/16 ADOPT: 6924, 6932 REPEAL: 6924, 6932  
 02/25/16 ADOPT: 8402, 8403, 8404, 8405, 8406, 8407, 8408, 8409, 8414 AMEND: 8400, 8401, 8410, 8412 (renumbered to 8411), 8416 (renumbered to 8412), 8417 (renumbered to 8413), 8419 (renumbered to 8415), 8420 (renumbered to 8416), 8421 (renumbered to 8417) REPEAL: 8402, 8403, 8404, 8405, 8406, 8407, 8408, 8409, 8411, 8413, 8414, 8415, 8418

**Title 27**

07/27/16 AMEND: 25805  
 06/27/16 AMEND: 27001  
 06/22/16 AMEND: 27001  
 06/13/16 AMEND: 27001  
 06/13/16 AMEND: 25805  
 05/09/16 AMEND: 10052  
 04/18/16 AMEND: 25603.3  
 04/13/16 AMEND: 27001

**Title 28**

03/28/16 AMEND: 1010

**Title MPP**

07/19/16 AMEND: 30-754.2  
 06/13/16 ADOPT: 30-754 AMEND: 30-701  
 05/02/16 ADOPT: 45-102, 45-600, 45-601, 45-602, 45-604, 45-605, 45-606, 45-607 AMEND: 31-002, 31-003, 31-075, 31-201, 31-205, 31-206, 31-225, 31-425, 31-503, 90-101  
 03/30/16 REPEAL: 12-201, 12-202, 12-202.1, 12-202.1.11, 12-202.1.11.111, 12-202.2, 12-202.2.21, 12-202.2.21.211, 12-202.2.21.212, 12-202.2.22, 12-202.2.23, 12-202.2.24, 12-202.3, 12-202.3.31, 12-202.3.31.311, 12-202.3.31.312, 12-202.3.31.313, 12-202.3.32, 12-202.3.33, 12-202.3.33.331, 12-202.4, 12-202.4.41, 12-202.5, 12-202.5.51, 12-202.5.52, 12-202.5.53, 12-202.5.54, 12-202.6, 12-202.6.61,

12-202.6.61.611, 12-202.6.61.612,  
 12-202.6.61.613, 12-202.6.62,  
 12-202.7, 12-202.8, 12-202.8.81,  
 12-202.8.82, 12-202.8.83, 12-202.8.84,  
 12-202.8.84.841, 12-202.8.84.842,  
 12-202.8.85, 12-202.8.85.851, 12-203,  
 12-203.1, 12-203.1.11,  
 12-203.1.11.111, 12-203.1.11.112,  
 12-203.1.11.113, 12-203.1.11.113(a),  
 12-203.1.11.113(b),  
 12-203.1.11.113(c), 12-203.1.11.114,  
 12-203.1.11.114(a),  
 12-203.1.11.114(b),  
 12-203.1.11.114(c), 12-203.1.11.115,  
 12-203.2, 12-203.2.21, 12-203.2.22,  
 12-203.2.23, 12-203.3, 12-203.3.31,  
 12-203.3.32, 12-203.3.32.321,  
 12-203.3.32.322, 12-203.3.33,  
 12-203.4, 12-203.4.41, 12-203.4.42,  
 12-203.5, 12-203.6, 12-203.7,  
 12-203.7.71, 12-203.7.71.711,  
 12-203.7.71.712, 12-203.7.71.713,  
 12-203.7.72, 12-203.7.72.721,  
 12-203.7.73, 12-203.8, 12-204,  
 12-204.1, 12-204.1.11,  
 12-204.1.11.111, 12-204.1.11.112,  
 12-204.1.11.113, 12-204.1.11.114,  
 12-204.1.12, 12-204.1.13, 12-204.2,  
 12-204.3, 12-204.3.31,  
 12-204.3.31.311, 12-204.3.31.312,  
 12-204.3.31.313, 12-204.3.31.314,  
 12-204.3.31.315, 12-204.3.31.316,  
 12-205, 12-205.1, 12-205.1.11,  
 12-205.1.12, 12-205.1.13, 12-205.1.14,  
 12-205.1.15, 12-205.1.16, 12-205.1.17,  
 12-205.2, 12-205.2.21, 12-205.2.22,  
 12-205.2.23, 12-205.3, 12-205.3.31,  
 12-205.3.32, 12-205.4, 12-205.5,  
 12-205.5.51, 12-205.5.52, 12-205.5.53,  
 12-205.5.54, 12-205.5.55,  
 12-205.5.55.551, 12-205.5.55.552,  
 12-205.6, 12-205.6.61, 12-205.6.62,  
 12-205.6.62.621, 12-205.6.63,  
 12-205.6.63.631, 12-205.6.64,  
 12-205.6.65, 12-205.7, 12-206,  
 12-206.1, 12-206.2, 12-206.3,

12-206.3.31, 12-206.4, 12-206.4.41,  
 12-206.4.41.411, 12-206.4.41.411(a),  
 12-206.4.41.412, 12-206.4.41.412(a),  
 12-206.4.41.413, 12-206.4.41.413(a),  
 12-206.4.41.413(b),  
 12-206.4.41.413(c), 12-206.4.41.414,  
 12-206.4.41.415, 12-206.4.41.415(a),  
 12-206.4.41.416, 12-206.5, 12-207,  
 12-207.1, 12-207.1.11,  
 12-207.1.11.111, 12-207.1.11.112,  
 12-207.1.11.113, 12-207.2, 12-207.3,  
 12-207.3.31, 12-207.3.31.311,  
 12-207.3.31.312, 12-207.3.31.312(a),  
 12-207.3.31.312(b),  
 12-207.3.31.312(c), 12-207.3.32,  
 12-207.3.32.321, 12-207.3.32.322,  
 12-207.3.32.322(a),  
 12-207.3.32.322(b),  
 12-207.3.32.322(c), 12-207.4,  
 12-207.4.41, 12-207.4.42, 12-207.5,  
 12-207.5.51, 12-207.5.52, 12-207.5.53,  
 12-207.5.53.531, 12-207.5.53.532,  
 12-207.5.53.533, 12-207.6,  
 12-207.6.61, 12-207.6.62, 12-207.6.63,  
 12-207.7, 12-207.7.71,  
 12-207.7.71.711, 12-207.7.71.711(a),  
 12-207.7.71.711(b), 12-207.8,  
 12-207.8.81, 12-207.8.82, 12-210,  
 12-210.1, 12-210.1.11, 12-211,  
 12-211.1, 12-211.2, 12-222, 12-222.1,  
 12-222.1.11, 12-222.1.11.111,  
 12-222.1.12, 12-224, 12-224.1,  
 12.224.1.11, 12.224.1.12, 12.224.1.13,  
 12-224.2, 12.224.2.21, 12-224.2.22,  
 12-224.2.23, 12-225, 12-225.1,  
 12-225.2, 12-225.2.21, 12-228,  
 12-228.1, 12-228.1.11, 12-228.1.12,  
 12-228.1.13, 12-228.1.13.131,  
 12-228.1.13.132, 12-228.1.13.133,  
 12-228.1.13.134, 12-228.1.14,  
 12-228.2, 12-228.2.21,  
 12-228.2.21.211, 12-228.2.21.212,  
 12-228.2.22, 12-228.3, 12-228.4,  
 12-228.5, 12-228.6, 12-228.6.61,  
 12-228.6.62, 12-228.6.63, 12-228.6.64