



# California Regulatory Notice Register

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Multi-County: El Dorado Irrigation District

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

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**PROPOSED ACTION ON  
REGULATIONS**

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**TITLE 2. FAIR POLITICAL PRACTICES  
COMMISSION**

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

**CONFLICT-OF-INTEREST CODES**

**AMENDMENT**

STATE: Hastings College of the Law  
MULTI-COUNTY: El Dorado Irrigation District

**ADOPTION**

MULTI-COUNTY: Red Bluff Joint Union High School

A written comment period has been established commencing on August 17, 2012, and closing on October 1, 2012. Written comments should be directed to the Fair Political Practices Commission, Attention Adrienne Tackley, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than October 1, 2012. 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 Adrienne Tackley, Fair Political Practices Commission, 428 Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED  
CONFLICT-OF-INTEREST CODES

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

**TITLE 4. CALIFORNIA GAMBLING  
CONTROL COMMISSION**

**NOTICE OF PROPOSED  
REGULATORY ACTION  
AND PUBLIC HEARING CONCERNING**

**NOTICE OF CHANGE OF CONTACT  
INFORMATION AND NOTICE OF  
RELOCATION OF GAMBLING  
ESTABLISHMENT**

**CGCC-GCA-2012-04-R**

**NOTICE IS HEREBY GIVEN** that the California Gambling Control Commission (Commission) is proposing to take the action described in the Informative Digest. Any interested person, or his or her authorized representative, may present statements or arguments orally or in writing relevant to the proposed regulatory action at a public hearing to be held at **10:00 a.m. on November 1, 2012**, at 2399 Gateway Oaks Drive, Suite 100, Sacramento, CA 95833.

**WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Commission at any time during the 45-day public comment period, which closes on October 1, 2012. Written comments will also be accepted at the above-referenced hearing.

Written comments relevant to the proposed regulatory action may be sent by mail, facsimile, or e-mail, directed to one of the individuals designated in this notice as a contact person. To be eligible for the Commission's consideration, all written comments must be **received at its office no later than 5:00 p.m. on October 1, 2012**, or provided to the Commission at the above-referenced hearing. **Comments sent to persons and/or addresses other than those specified under Contact Persons, or received after the date and time specified above, will be included in the record of this proposed**

**regulatory action, but will not be summarized or responded to regardless of the manner of transmission.**

**ADOPTION OF PROPOSED ACTION**

After the close of the public comment period, the Commission, upon its own motion or at the instance of any interested party, may thereafter formally 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 oral or written 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 19811, 19823, 19824, 19826, 19840, 19841, 19853, 19860, 19862, 19864, and 19984 of the Business and Professions Code; and to implement, interpret or make specific sections 19811, 19824, 19826, 19850, 19852, 19860, 19862, and 19868 of the Business and Professions Code,<sup>1</sup> the Commission is proposing to adopt the following changes to Chapter 1 and Chapter 6 of Division 18 of Title 4 of the California Code of Regulations:

**INFORMATIVE DIGEST AND POLICY  
STATEMENT OVERVIEW**

**INTRODUCTION:**

The Commission is the state agency charged with the administration and implementation of the Gambling Control Act (Act).<sup>2</sup> The Commission is authorized to adopt regulations governing the operation of gambling establishments (cardrooms) in California,<sup>3</sup> including, in limited circumstances, the location of those establishments.

Currently, there is no formally established process for an owner-licensee to relocate a gambling establishment. Under existing practice, an owner-licensee can submit a request to the Commission to relocate the establishment, and the Commission considers each request on a case-by-case basis at a public hearing. In order to provide guidance and uniformity regarding the

<sup>1</sup>All statutory references hereafter are to the Business and Professions Code, unless otherwise specified.

<sup>2</sup> Business and Professions Code, Division 8, Chapter 4, section 19800 et seq.

<sup>3</sup> Business and Professions Code section 19840.

relocation of a gambling establishment, the Commission has proposed these regulations.

**SPECIFIC PROPOSAL:**

These proposed regulations establish a process by which a gambling enterprise shall notify the Bureau of Gambling Control (Bureau) of a planned physical relocation of a gambling establishment. The regulations also make technical, clarifying changes to existing regulations regarding changes of address or other contact information.

**EXISTING LAW:**

Under the Act, most of the authority to regulate the location of gambling establishments is placed with the local governing jurisdiction, as evidenced by the following:

- Section 19801(l) states that “the location of lawful gambling premises . . . [is a] proper subject for regulation by local government bodies.”
- Section 19860(a) requires the Commission to deny a license with respect to any gambling establishment that is located in a local jurisdiction that does not have an ordinance governing, among other things, the location of gambling establishments.

The Act also provides some authority, under specified limited circumstances, for the Commission to consider the location of gambling establishments:

- Section 19824 authorizes the Commission to “take actions deemed to be reasonable to ensure that gambling activities take place only in suitable locations.”
- Section 19801(l) states that “consideration of [the location of lawful gambling premises] by a state regulatory agency . . . is warranted when local governmental regulation respecting those subjects is inadequate or the regulation fails to safeguard the legitimate interests of residents in other governmental jurisdictions.” (emphasis added)
- Section 19841(p) allows the Commission to promulgate regulations to “define and limit the area” of controlled games if it determines that “local regulation of these subjects is insufficient to protect the health, safety, or welfare of residents in geographical areas proximate to a gambling establishment.” (emphasis added)
- Section 19862 allows the Commission to deny a license for a new gambling establishment, or the expansion of the existing establishment, if the proposed location is next to an unsuitable location (e.g., a school, place of worship, playground, hospital, or convalescence facility) in a neighboring jurisdiction. (emphasis added)

**EFFECT OF REGULATORY ACTION:**

This proposed action would make the following specific changes in Articles 1 and 3 of Chapter 7 of Division 18 of Title 4 of the California Code of Regulations:

**Section 12004**

Section 12004 is amended to clarify that any change of contact information must be reported to the Commission within 10 days of such change. The relevant form (CGCC–032) with which to notify the Commission of such changes is updated and the date is changed accordingly. Additionally, amendments are made to clarify that this section does not apply to the physical relocation of a gambling establishment.

- CGCC–032 (Rev. 06/12) — The previous version of the form, *Notice of Address Change, CGCC–032 (New 06–05)*, is repealed and replaced with a revised version, *Notice of Contact Information Change, CGCC–032 (Rev. 06/12)*. The form is streamlined and removes some of the superfluous information (e.g., previous address and previous phone number). Spaces are added to include the individual’s license, permit, or registration number and type.

**Section 12364**

Subsection (a) defines a “physical relocation” to be the relocation of a gambling establishment to a site for which a different parcel number has been assigned by the county assessor.

Subsection (b) requires an owner–licensee to notify the Bureau of a planned physical relocation of a gambling establishment at least 90 days in advance of the intended commencement of gambling operations, using a newly–created form, CGCC–050 (New 06/12).

- CGCC–050 (New 06/12) — this new form is to be used to notify the Bureau of the planned physical relocation of a cardroom.
  - Section 1 requests basic information from the owner–licensee, including the name of the owner–licensee, license number, name of the gambling establishment, the previous address, the new address, the new phone and fax numbers, the date of the planned commencement of gambling operations, and the local jurisdiction. This section also includes a place to indicate whether or not the new location is within 1,000 feet of the boundary line of the local jurisdiction.
  - Section 2 provides a summary of the required documentation that must be provided to the Bureau prior to the commencement of the associated activity.
  - Section 3 applies only to those gambling establishments that will be located within

1,000 feet of the boundary line of the local jurisdiction. Paragraph (2) of subsection (b) requires the owner–licensee to obtain documentation from a neighboring jurisdiction confirming that the neighboring jurisdiction has no concerns with the location. Section 3 of form CGCC–050 provides a convenient location for the appropriate individual in the neighboring jurisdiction to indicate there are no concerns with the location or, if such documentation cannot be obtained, for the owner–licensee to request the matter be placed before the Commission for review.

- Section 4 includes the standard declaration and signature included on all Commission forms.
- Paragraph (1) addresses circumstances in which the new location of the gambling establishment will not be within 1,000 feet of the boundary line of the local jurisdiction, and requires that the following information be submitted to the Bureau prior to the commencement of gambling operations.
  - Subparagraph (A): A copy of the rental or lease agreement, or evidence of the owner–licensee’s ownership of the new location.
  - Subparagraph (B): A copy of the licensee’s fully executed fire safety and evacuation plan for the new location.
  - Subparagraph (C): A copy of the licensee’s security and surveillance plan.
  - Subparagraph (D): Documentary evidence of all required approvals, licenses, and permits by any applicable local jurisdictional entity.
  - Subparagraph (E): Documentary evidence of all required approvals, licenses, and permits by any applicable state or federal agency.
- Paragraph (2) addresses circumstances in which the new location of the gambling establishment will be within 1,000 feet of the boundary line of the local jurisdiction. The owner–licensee would be required to obtain the signature of the appropriate official in the appropriate agency or department attesting that the neighboring jurisdiction has no objections to the proposed location of the gambling establishment.

If the neighboring jurisdiction objects, the regulation requires the objection to be based upon evidence of probable negative effects resulting from the location of the gambling establishment or

proof that the legitimate interests of the residents in the neighboring jurisdiction are threatened.

Subsection (c) allows the owner–licensee to request that the matter be placed before the Commission for consideration in instances where the owner–licensee cannot obtain sign–off from a neighboring local jurisdiction. The Commission will notify the neighboring jurisdiction of the scheduled Commission hearing, so that representatives of the jurisdiction have the opportunity to attend and be heard.

Subsection (d) offers two options for public comment. The Commission wishes to hear the comments from interested parties on both options and then make a decision regarding the desired policy. The options are as follows:

- Option 1: Paragraph (1) requires the Bureau to schedule and conduct a site visit of the new location prior to the commencement of gambling operations or within 30 days after gambling operations have begun. A written report of the findings must be provided to the Commission. Paragraph (2) requires the Bureau to issue a notice to correct any noted deficiency, specifying a reasonable time in which the deficiency is to be corrected. This paragraph also limits the circumstances under which a noted deficiency can delay the commencement of gambling operations or suspend gambling operations to those cases in which the deficiency prevents substantial compliance with laws or regulations, materially threatens public safety or the integrity of gambling operations, and cannot be cured or mitigated within a reasonable time.
- Option 2: Paragraph (1) requires the Bureau to conduct a site visit of a new location prior to the commencement of gambling operations to ensure that specified internal controls meet existing regulatory standards. Paragraph (2) requires any deficiency noted by the Bureau to be corrected before gambling operations begin.

Subsection (e) states that gambling operations may not be conducted at the new location until the required notifications and reviews have been completed.

Subsections (f) and (g) explicitly apply the disciplinary provisions of Chapter 10 to violations of subsection (e).

#### CONSISTENCY OR COMPATIBILITY WITH EXISTING STATE REGULATIONS

The Commission has evaluated this regulatory action and determined that the proposed regulations are neither inconsistent nor incompatible with any other existing state regulations. As provided in subdivision (b) of section 19811, the Commission is vested with jurisdic-

tion and supervision over gambling establishments, and over all persons or things having to do with the operations of gambling establishments in California. The scope and content of the Commission's regulations are set forth in section 19841. While the Bureau [Department of Justice] has also been granted some authority to adopt regulations (section 19826), that authority is limited to the adoption of regulations reasonably related to its specified duties and responsibilities. These proposed regulations are not inconsistent or incompatible with any Bureau regulation (Title 11, CCR, Division 3), nor do they fall within the Bureau's authority to adopt regulations.

**COMPARABLE FEDERAL LAW**

There are no existing federal regulations or statutes comparable to the proposed 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.

**NON-DISCRETIONARY COST OR SAVINGS IMPOSED UPON LOCAL AGENCIES:**

None.

**MANDATE IMPOSED ON ANY LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH PART 7 (COMMENCING WITH SECTION 17500) OF DIVISION 4 OF THE GOVERNMENT CODE REQUIRES REIMBURSEMENT:**

None.

**COST TO ANY LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH PART 7 (COMMENCING WITH SECTION 17500) OF DIVISION 4 OF THE GOVERNMENT CODE REQUIRES REIMBURSEMENT:**

None.

**IMPACT ON BUSINESS:**

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

This regulation modifies the process by which a relocation of a gambling establishment is addressed. Specifically, rather than requiring Commission approval for any relocation, this regulation requires only *notification* to the Bureau for the majority of relocations. It is anticipated that this will likely result in a minor decrease in the cost associated with a gambling establishment relocation, as the owner-licensee would not need

to appear before the Commission at a public hearing. More importantly, this proposal decreases the uncertainty currently in place regarding relocating a gambling establishment. Under the existing practice, there is no guarantee that the Commission will approve the new location. Under this proposal, there is no need, except in limited cases, for the Commission to review the location. If the owner-licensee receives the necessary approvals required by the local governing jurisdiction as to the proposed location, there would be no need for approval by the Commission.

In a small number of cases, the relocation would have to be reviewed by the Commission; however, this process would not differ significantly in terms of cost from the current process. It is anticipated that this review would be sought before the owner-licensee invested a significant amount of money into a new location.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS:**

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

**EFFECT ON HOUSING COSTS:**

None.

**EFFECT ON SMALL BUSINESS:**

The Commission has determined that the proposed regulatory action may affect small businesses, if any affected gambling establishment would qualify as a small business.

However, this regulation simplifies the process by which a gambling establishment, including any gambling establishment that would qualify as a small business, can relocate. As noted previously, this regulation only requires notification to the Bureau, rather than approval by the Commission, which is anticipated to decrease the costs associated with relocation.

**RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS**

**IMPACT ON JOBS/NEW BUSINESSES:**

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

**BENEFITS OF PROPOSED REGULATION:**

This proposed action will likely result in a minor decrease in the cost associated with a gambling establishment relocation, as the owner-licensee would not need to appear before the Commission at a public hearing. This proposal also decreases the uncertainty regarding relocating a gambling establishment. Under the exist-

ing practice, there is no certainty that the Commission will approve the new location. Under this proposal, there is no need, except in limited cases, for the Commission to review the location. If the owner–licensee receives the necessary approvals required by the local governing jurisdiction as to the proposed location, there would be no need for additional approval by the Commission.

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

#### CONSIDERATION OF ALTERNATIVES

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

#### INITIAL STATEMENT OF REASONS, INFORMATION AND TEXT OF PROPOSAL

The Commission has prepared an Initial Statement of Reasons and the exact language for the proposed action and has available all the information upon which the proposal is based. Copies of the language 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 Commission at 2399 Gateway Oaks Drive, Suite 220, Sacramento, CA 95833–4231.

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

All the information upon which the proposed action is based is contained in the Rulemaking File that will be available for public inspection and copying at the Commission’s office throughout the rulemaking process. Arrangements for inspection and/or copying may be made by contacting the backup contact person named below.

Upon its completion, the Final Statement of Reasons will also be available. A copy of the Final Statement of Reasons may be obtained, once it has been prepared, by making a written request to one of the contact persons named below or by accessing the Commission’s Web site listed below.

#### CONTACT PERSONS

All comments and inquiries concerning the substance of the proposed action should be directed to the following **primary** contact person:

James B. Allen, Manager  
Regulatory Actions Unit  
California Gambling Control Commission  
2399 Gateway Oaks Drive, Suite 220, Sacramento,  
CA 95833–4231  
Telephone: (916) 263–4024  
Fax: (916) 263–0499  
E–mail: [Jallen@cgcc.ca.gov](mailto:Jallen@cgcc.ca.gov)

Requests for a copy of the Initial Statement of Reasons, proposed text of the regulation, modified text of the regulation, if any, or other technical information upon which the proposed action is based should be directed to the following **backup** contact person:

Joshua Rosenstein, Regulatory Actions Analyst  
Regulatory Actions Unit  
California Gambling Control Commission  
2399 Gateway Oaks Drive, Suite 220,  
Sacramento, CA 95833–4231  
Telephone: (916) 274–5823  
Fax: (916) 263–0499  
E–mail: [jrosenstein@cgcc.ca.gov](mailto:jrosenstein@cgcc.ca.gov)

#### WEB SITE ACCESS

Materials regarding this proposed action are also found on the Commission’s Web site at [www.cgcc.ca.gov](http://www.cgcc.ca.gov).

#### **TITLE 4. CALIFORNIA HEALTH FACILITIES FINANCING AUTHORITY**

The California Health Facilities Financing Authority (Authority) proposes to adopt the regulations described below after considering all comments, objections and recommendations regarding the proposed action.

#### PUBLIC HEARING

The Authority has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

#### WRITTEN COMMENT PERIOD

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

proposed regulatory action to the Authority. Comments may also be submitted by facsimile (FAX) at (916) 654-5362 or email at [chffa@treasurer.ca.gov](mailto:chffa@treasurer.ca.gov). The written comment period closes at 5:00 p.m. on October 5, 2012. The Authority will consider only comments received at the Authority offices by that time. Submit comments to:

Barbara Webster-Hawkins,  
 Treasury Program Manager  
 California Health Facilities Financing Authority  
 915 Capitol Mall, Room 590  
 Sacramento, CA 95814

AUTHORITY AND REFERENCE

Government Code sections 15437, 15438(a) and 15438.10(b) authorize the Authority to adopt the proposed regulations, which implement, interpret, and make specific section 15438.10 of the Government Code.

INFORMATIVE DIGEST/POLICY STATEMENT  
 OVERVIEW

This rulemaking action clarifies and makes specific the California Health Access Model Program authorized pursuant to Section 15438.10 of the Government Code. Implementation of these regulations is consistent and compatible with Section 15438.10 and is not inconsistent nor incompatible with any other statutes or regulations.

Government Code section 15438.10 authorizes the Authority to provide up to \$1.5 million in grant funds to a demonstration project, or projects, designed to demonstrate innovative methods of delivering health care services, including preventive services, to improve access for vulnerable populations or communities, or both, and to enhance health outcomes. The Authority is required to award the grant funds following a competitive process.

Following completion of a demonstration project that receives grant funds and, assuming an outcome that supports replication of the health care service delivery model, the Authority is authorized, pursuant to section 15438.10, to allocate up to \$5 million for applicants interested in replicating the demonstrated model.

These regulations provide the framework for a two-step competitive process for the selection and funding of the demonstration project or projects. The regulations include:

- (1) relevant definitions (section 7100)
- (2) the purpose of the regulations (section 7101)
- (3) the requirements an eligible applicant must meet (section 7102)

- (4) the requirements an eligible demonstration project must meet (section 7103)
- (5) the requirements for a Letter of Interest, the first step in the selection process (section 7104)
- (6) the evaluation process for submitted Letters of Interest (section 7105)
- (7) the requirements for an Application, the second step in the selection process, to be submitted by Interested Parties that met the Authority's requirement at the Letter of Interest stage (section 7106)
- (8) the evaluation criteria for the Authority's review of the Applications (section 7107)
- (9) a description of the grant award and Commitment Letter for the successful Applicant(s) (section 7108)
- (10) the requirements for a Grant Agreement that must be executed before funds may be disbursed (section 7109)
- (11) reporting requirements and the funds disbursement process (section 7110)
- (12) project completion and records retention requirements (section 7111)
- (13) the process the Authority will follow in the event of grantee non-performance or unused funds (section 7112)

The benefits of the proposed regulations include providing needed health care funding for vulnerable communities or populations with the goal of improving access to and quality of care as well as health care outcomes. Initial funding for an already underway demonstration project (or projects) aims to identify an innovative model for delivering health care services. Additional funding for replication of the innovative model aims to spread the innovative model of delivering healthcare throughout the State. For example, a demonstration project might identify an innovative model for the delivery of dental services in communities with limited access to dental care and the replication of this model might then allow this model to be carried out in communities throughout the state. Another example might be that the demonstration project identifies an innovative model for the delivery of preventive care in school health clinics. The anticipated benefit of this program is improved access to and quality of care as well as health care outcomes in preventive care and other forms of health care for individuals and/or communities with limited access to care.

DISCLOSURES REGARDING THE  
 PROPOSED ACTION

The Authority has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: Implementation of these regulations, consistent with section 15438.10 of the Government Code, may result in an expenditure of up to \$1.5 million across fiscal years 2012–13, 2013–14, and 2014–15. However, the expenditure of the funds has been authorized pursuant to section 15438.10, is continuously appropriated, and will come from available Authority funds. No other State agency or funding will be affected.

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

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

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

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

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

Adoption of these regulations will not:

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

Significant effect on housing costs: None.

Small Business Determination: The proposed regulations do not affect small business as they do not place any obligation or regulatory requirement on any business.

### RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

A. The proposed regulations will unlikely have an impact on the creation or elimination of jobs within the State of California. To be eligible for a demonstration project grant, a demonstration project must already be underway. Consequently, the personnel employed or otherwise working for the demonstration project will likely already be in place. In addition, the Authority is unaware of any reason providing grant funds to a demonstration project would result in the elimination of jobs. While the second stage of the grant program, should the demonstration project result in a replicable model, may create an opportunity for

additional jobs in health care, the proposed regulations address only the demonstration project stage and any potential impact on jobs from the replication stage is too attenuated at this time. The purpose of the proposed regulations is to identify the administrative criteria for eligible applicants, eligible demonstration projects, and the process by which the Authority will provide demonstration project grant funds. There are no provisions within the proposed regulations which place additional burdens, obligations, or expenses on existing businesses such that jobs would be created or eliminated as a result.

B. The proposed regulations will unlikely have an impact on the creation or elimination of new businesses within the State of California. As noted above, a demonstration project, to be considered eligible, must be underway, with established partners in place to see the project to completion. The purpose of the proposed regulations is to identify the administrative criteria for eligible applicants, eligible demonstration projects, and the process by which the Authority will provide grant funds. There are no provisions within the proposed regulations which place additional burdens, obligations, or expenses on existing businesses such that businesses would be created or eliminated as a result.

C. The proposed regulations will unlikely have an impact on the expansion of businesses currently doing business within the State of California. The proposed regulations establish the administrative criteria for administering a grant program that will disburse funds to existing demonstration projects that are underway and only in need of funds to complete their projects. It is possible, if not likely, that a subsequent set of regulations dealing with the replication stage, should the demonstration project(s) prove successful, may have an impact on the expansion of existing businesses.

D. The proposed regulations provide the administrative criteria for the award of grant funds to eligible demonstration projects that are underway in developing innovative health care delivery systems to serve vulnerable communities or populations. As such, the award of those funds will provide a benefit to the extent the demonstration projects are successfully completed and identify a model of health care delivery that can be replicated and made available to vulnerable populations and communities throughout the State.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Barbara Webster-Hawkins  
 California Health Facilities Financing Authority  
 915 Capitol Mall, Room 590  
 Sacramento, CA 95814  
 (916) 653-2799  
 barbara.webster-hawkins@treasurer.ca.gov

The back-up contact person for these inquiries is:

Mark Paxson, General Counsel  
 State Treasurer's Office  
 915 Capitol Mall, Room 110  
 Sacramento, CA 95814  
 (916) 653-2995  
 mark.paxson@treasurer.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 Barbara Webster-Hawkins at the above address.

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

The Authority 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, 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 Barbara Webster-Hawkins at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Authority may adopt the proposed regulations substantially as described in this notice. If the Authority 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 Authority adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Barbara Webster-Hawkins at the address indicated above. The Authority will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Barbara Webster-Hawkins at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

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

**TITLE 16. BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**

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

**Date:** **October 2, 2012**

**Time:** 10:00 a.m.

Board for Professional Engineers & Land Surveyors  
 2535 Capitol Oaks Drive,  
 3<sup>rd</sup> Floor Conference Room  
 Sacramento, California 95833

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 October 2, 2012, or must be received by the Board at the hearing. 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 fifteen (15) days prior to its adoption from the person designated in this Notice as the 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 101.6, 108, 2854 and 4504 of the Business and Professions (B&P) Code; and to implement, interpret or make specific sections 2878.1, 2878.5, 4502, 4503, 4504, 4520, 4521, and 4521.2 of the B&P Code, the Board is considering changes to Division 25 of Title 16 of the California Code of Regulations (CCR).

**INFORMATIVE DIGEST**

**A. Informative Digest**

The Board’s highest priority is protection of California consumers. B&P Code sections 2841.1 (VN) and 4501.1 (PT) mandate that the protections of the public shall be the highest priority of the Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

B&P Code section 2854 (VN) and section 4548 (PT) authorize the Board to adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable it to carry into effect the provisions of the Vocational Nursing Practice Act and the Psychiatric Technicians Law.

B&P Code sections 2878.1 (VN) and 4521.2 (PT) require employers of licensed vocational nurses (LVN) and psychiatric technicians (PT) to report the suspension or termination for cause, resignation for cause, or rejection from assignment for cause of any LVN or PT in its employ. These statutes also authorize the Board to issue an administrative fine to employers who fail to comply with the reporting requirements.

This proposal expands and makes specific the statutory conditions of mandatory employer reporting and instances which subject an employer to an administra-

tive fine if compliance with the reporting requirements is not met. In order to enhance the Board’s consumer protection mandate, the Board is proposing the following changes:

**(1) Amend Sections 2520.5 (VN) and 2577.6 (PT)**

As they currently exist, Sections 2520.5 (VN) and 2577.6 (PT) require any employer of a LVN or PT to report to the Board the suspension or termination for cause of any LVN or PT in its employ.

This regulatory proposal amends existing regulations to comply with B&P Code Sections 2878.1 (VN) and 4521.2 (PT) and therefore would also require employers to report LVN and PT resignations for cause; require employment agencies and nursing registries to report LVNs and PTs who are rejected from assignment due to acts that would be cause for suspension or termination; defines “employer” to include employment agencies and nursing registries; and includes “resignation for cause” and “rejection from assignment” among the acts that must be reported directly to the Board.

**(2) Amend Sections 2523.2 (VN) and 2579.4 (PT)**

B&P Code sections 2878.1(e) (VN) and 4521.2(e) (PT) authorize the Board to issue an administrative fine, not to exceed ten thousand dollars (\$10,000) per violation, to employers who fail to report to the Board the suspension or termination for cause, resignation for cause, or rejection from assignment for cause of any LVN or PT in its employ. As they currently exist, Sections 2523.2(c) (VN) and 2579.4(c) (PT) specify that a “Class A” violation is the failure of an employer to report to the Board, as specified in Section 2520.5 or 2577.6, the suspension or termination for cause of a LVN or PT.

This regulatory proposal expands the existing regulation’s criteria of a Class “A” violation so that it is consistent with B&P Code sections 2878.1(e) (VN) and 4521.2(e) (PT) and with the proposed amendment to Sections 2520.5 (VN) and 2577.6 (PT) described above by including an employer’s failure to report to the Board the rejection from assignment or resignation for cause of an LVN or PT. In addition, other minor edits are incorporated for clean up purposes.

**B. Policy Statement Overview/Anticipated Benefits of Proposal**

As stated above, public protection is the highest priority of the Board whenever it exercises its regulatory authority. This proposal is consistent with that objective. Employment agencies and nursing registries will be included in the definition of “employers” of vocational nurses and psychiatric technicians and will be subject to the same reporting requirements as other

employers, such as skilled nursing facilities and convalescent hospitals.

In addition, the current regulations require employers to report the suspension or termination of licensees for cause, for reasons that include but are not limited to instances of gross negligence, patient abuse or neglect, or use of controlled substances/alcohol that impair a licensee's ability to practice safely. The proposed amendment of the regulations adds "resignation for cause" and "rejection from assignment" to the events that must be reported to the Board. This will help ensure that serious violations of the Vocational Nursing Practice Act and Psychiatric Technicians Law come to the Board's attention.

C. Consistency and Compatibility with Existing State Regulations

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

FISCAL IMPACT ESTIMATES

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

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: 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.

Impact on Jobs/New Businesses: The Board has determined that this proposed regulatory action will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

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

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would only affect small businesses that are employers of LVNs and/or PTs. Any employer of an LVN

or PT must comply with reporting to the Board the suspension or termination for cause, resignation for cause, or rejection from assignment for cause of any LVN or PT in its employ, or be subject to an administrative fine of up to \$10,000.

However, there is no direct cost associated with compliance with the reporting requirement.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses: The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulations: Consumer protection will be enhanced when all employers report violations of the practice acts to the Board. The expanded reporting of misconduct by licensees will allow the Board to take disciplinary action in appropriate cases.

BUSINESS REPORTING REQUIREMENT

The Board finds that it is necessary for the health, safety, or welfare of the people of this state that this regulation, which requires a report, applies to businesses.

CONSIDERATION OF ALTERNATIVES

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

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

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

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

the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board at 2535 Capitol Oaks Drive, Suite 205, Sacramento, California 95833 or on the Board's website listed below.

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

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

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

**CONTACT PERSON**

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

Name: Linda Ruyters,  
Administrative Analyst  
Address: 2535 Capitol Oaks Drive,  
Suite 205  
Sacramento, CA 95833  
Telephone No: (916) 263-7845  
Fax No: (916) 263-7859  
E-mail Address: [linda.ruyters@dca.ca.gov](mailto:linda.ruyters@dca.ca.gov)

The backup contact person is:

Name: Alice Delvey-Williams,  
Enforcement Program  
Manager  
Address: 2535 Capitol Oaks Drive,  
Suite 205  
Sacramento, CA 95833  
Telephone No: (916) 263-7832  
Fax No: (916) 263-7857  
E-mail Address: [alice.delvey-williams@dca.ca.gov](mailto:alice.delvey-williams@dca.ca.gov)

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

**TITLE 16. COURT REPORTERS BOARD**

NOTICE IS HEREBY GIVEN that the Court Reporters 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 in the third floor conference room at 2535 Capitol Oaks Drive, Sacramento, California, at 1:00 p.m., on Monday, October 1, 2012. Written comments, including those sent by mail, facsimile, or e-mail, should be addressed to the attention of Paula Bruning, who is listed as the contact person in this Notice, and must be received by the Court Reporters Board at its office not later than 5:00 p.m. on Monday, October 1, 2012, or must be received at the hearing. The Court Reporters Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

**Authority and Reference:** Pursuant to the authority vested by Sections 8007 and 8008 of the Business and Professions Code, and to implement, interpret or make specific Sections 8025 and 8025.1 of said Code, the Court Reporters Board is considering changes to Division 24 of Title 16 of the California Code of Regulations as follows:

**INFORMATIVE DIGEST**

**A. Informative Digest**

Existing law currently sets a limit of \$100 for receiving and giving gifts to or from any person or entity associated with a proceeding being reported. The proposed change would make clear that the limit applies to a single recipient, whether company or individual.

**B. Policy Statement Overview/Anticipated Benefits of Proposal**

The proposed change ensures the integrity of judicial records by maintaining the impartiality of court reporters. Additionally, it will make it easier for the Board to enforce the regulations as it clears up the ambiguity in existing language.

**C. Consistency and Compatibility with Existing State Regulations**

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

INCORPORATION BY REFERENCE  
(Not applicable)

FISCAL IMPACT ESTIMATES

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

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: Not Applicable.

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

Business Impact:

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

**AND**

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

Cost Impact on Representative Private Person or Business:

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

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The board has determined that the proposed regulations would affect small businesses only to the extent they may make them more competitive by making the playing field more level as regards gift-giving.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/Businesses:

The board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or

the expansion of businesses in the State of California.

Benefits of Regulation:

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

The regulation will help to ensure the integrity of judicial records by maintaining the impartiality of court reporters.

CONSIDERATION OF ALTERNATIVES

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

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

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

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

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

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

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

#### CONTACT PERSON

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

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

The backup contact person is:

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

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

## TITLE 22. DEPARTMENT OF TOXIC SUBSTANCES CONTROL

### *Standards for Management of Hazardous Waste Solar Modules*

Department Reference Number: **R-2010-01**  
Office of Administrative Law Notice File Number: **Z-2012-0802-01**

**NOTICE IS HEREBY GIVEN** that the Department of Toxic Substances Control (DTSC) proposes to amend California Code of Regulations, title 22, division 4.5, section 66260.10 of chapter 10, sections 66261.6 and 66261.9 of chapter 11, and sections 66273.1, 66273.7.1, 66273.9, 66273.32, 66273.33, 66273.34, 66273.36, 66273.39, and 66273.51 of chapter 23. The proposed regulations will implement Health and Safety Code division 20, chapter 6.5, section 25150.

#### PUBLIC HEARING

DTSC will hold a public hearing on the proposed regulations on **October 1, 2012** in the *Sierra Hearing Room*, Cal/EPA Building, 2nd Floor, 1001 "I" Street, Sacramento, at which time any person may present

statements or arguments orally or in writing relevant to this proposal. The public hearing will convene at 9:00 a.m. and will remain open as long as attendees are presenting testimony. Please submit written comments to the contact person listed at the end of this notice. For written comments to be considered they must be submitted no later than 5:00 p.m. on **October 1, 2012**.

Representatives of DTSC will preside at the hearing. DTSC requests persons who wish to speak to register before the hearing. Pre-hearing registration is conducted at the location of the hearing from **8:30 a.m. to 10:30 a.m.** Registered persons will be heard in the order of their registration. Anyone else wishing to speak at the hearing will have an opportunity after all registered persons have been heard.

All visitors are required to sign in prior to attending any meeting at the Visitor and Environmental Services Center, located just inside and to the left of the building's public entrance. Please allow adequate time to sign in and receive a visitor badge before the public hearing begins.

**Notice to Hearing Impaired — Accessibility.** If you have special accommodation or language needs, please contact our Reasonable Accommodation Coordinator, **Mr. Adrian Recio**, at (916) 324-3095 or by e-mail at [arecio@dtsc.ca.gov](mailto:arecio@dtsc.ca.gov) as soon as you read this document. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

#### AUTHORITY AND REFERENCE

These regulations are being proposed under the following authorities:

Health and Safety Code section 25150. This section grants DTSC authority to adopt standards regarding the management and recycling of hazardous waste.

Health and Safety Code section 58012. This section grants DTSC authority to adopt regulations to execute its duties.

These regulations implement, interpret, or make specific the following:

Health and Safety Code section 25150. This section grants DTSC authority to adopt standards regarding the management and recycling of hazardous waste.

These regulations are based on, but are not identical to, the following federal regulations: 40 Code of Federal Regulations, part 273.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

##### **Policy Statement Overview**

The State of California is currently experiencing increased deployment of photovoltaic module technology (e.g., solar modules). Photovoltaic technology has

been in existence for many years and it has only recently become both affordable and efficient enough to challenge more traditional forms of electrical production in the marketplace. It is expected that market demands<sup>1</sup> and government programs<sup>2</sup> will increase the number of installed solar modules in California by hundreds of millions in the next 20 years. The installation of that magnitude of solar module arrays is part of the California strategy to combat global warming and increase renewable energy resources.

Solar modules are a form of photovoltaic technology where a semiconductor material, such as silicon, cadmium telluride or copper indium selenium, is encapsulated between two sheets of tempered glass. Solar modules are relatively simple, being comprised predominantly of a silicon or semiconductor substrate, which for thin-film modules is a thin layer of two or more metal-based semiconductors applied to the surface of glass.

Available information indicates that some solar modules are likely to exhibit the characteristic of toxicity due to heavy metals (e.g., cadmium, copper, lead, and selenium) and thus would be classified as hazardous waste, if disposed. As such, these devices may not be disposed of in municipal solid waste landfills.

Cadmium and certain cadmium compounds (as particulates) are possible human carcinogens and long-term exposure to cadmium can have detrimental effects on the kidneys, lungs, and bones. Cadmium's primary toxic route of exposure is inhalation, although some forms of cadmium can be ingested through contaminated water and food.

Lead is a potent developmental neurotoxicant. Recent research has shown that any measurable level of lead found in children's blood is accompanied by statistically significant deficits in intellectual performance. Additionally, lead exposure can result in toxic effects upon the kidneys and circulatory and skeletal systems.

Currently, the volume of waste solar modules in California is very small with the exact number unknown. However, with the increase in deployment of solar modules throughout the state to meet its increasing energy needs, as well as meet the renewable energy goals established by the Governor, that volume of waste solar modules is anticipated to increase at a steady rate

over the next 20 years. Older solar modules will be replaced by new module technology and the first large scale change-outs of this kind will occur over the next five to 10 years. Solar modules that are determined to be hazardous waste will need to be managed appropriately and in accordance with existing standards.

Research has been conducted on whether solar modules, both existing technologies and new technologies, are amenable to recycling. Research has shown, primarily in pilot scale applications, that solar modules can be recycled. Due to the simplicity of the modules and the recyclable nature of their components, very high recycling recovery rates may be achieved.<sup>3</sup> For example, for certain thin-film solar modules that use rare metal alloys in their semiconductor layers (e.g., cadmium-telluride modules), it has been shown through recent research that recycling can recover over 95% of the semiconductor metals and a similarly high percentage of the glass.<sup>4</sup> The high value of the semiconductors,<sup>5</sup> combined with their relative scarcity and the high recovery rate which can be achieved when waste solar modules are recycled, makes it possible for manufacturers or independent facilities to derive economic value from the recycling of thin-film semiconductor modules.

Currently, there is only one permitted facility in California that DTSC is aware of which recycles solar modules, and there currently is only one industrial-scale solar module recycling facility in Ohio. To reclaim portions of solar modules for reuse requires the use of both thermal and chemical processes. In California, such hazardous waste recycling processes (i.e., hazardous waste treatment) require a permit or other grant of authorization from DTSC.

It is anticipated that with the increasing volumes of waste solar modules over time that recycling opportunities will also increase as new and existing recycling businesses enter the solar module recycling market. And, given that solar modules can be recycled and that portions of the modules can be reclaimed for use in new modules, or used in other products such as fiberglass, it is timely for DTSC to evaluate the benefits of creating regulatory mechanisms that will both encourage recycling and facilitate collection and transport. The new regulatory mechanisms proposed provide that standards

<sup>1</sup> To achieve the goals of Assembly Bill 32, the state has passed legislation requiring utilities to obtain 20% of their electricity from renewable energy sources, such as solar modules, by 2010.  
<sup>2</sup> SB 585, signed by Governor Brown to finance solar installations by increasing by \$200 million the amount of money collected from independent-owned utilities customers for shortfalls to the California Solar Initiative (CSI).

Former Governor Schwarzenegger established a "Million Solar Roofs" initiative, which was designed to encourage individuals to install one million solar module arrays on their roofs by 2018. Senate Bill 1 (Stats. of 2004).

<sup>3</sup> Brookhaven National Laboratory, "Recycling of CdTe Photovoltaic Modules: Recovery of Cadmium and Tellurium," 2006. Brookhaven National Laboratory, "Extraction and Separation of Cd and Te from Cadmium Telluride Photovoltaic Manufacturing Scrap," 2006. BMU/EPIA, "Study on the Development of a Take Back and Recovery System for Photovoltaic Products," 2007.

<sup>4</sup> *Id.*

<sup>5</sup> Tellurium, for example, currently trades at over \$100 a pound. The price for indium fluctuated in 2007 from \$700 to \$1000 per kilogram. The value of gallium was in the range of \$500 per kilogram in 2007.

for such activities be protective of human health and the environment.

Based on DTSC’s experience in managing other similar waste streams, such as electronic wastes, it believes that waste solar modules fit well within an alternative set of management standards which are commensurate with the risks posed in managing such modules. In addition, encouraging the recycling of solar modules conserves valuable resources which further California’s renewable energy generation goals.

The broad objectives of these regulations are to:

- Establish a conditional exemption in section 66261.6 (recyclable materials) for non-RCRA<sup>6</sup> hazardous waste solar modules that are collected, transported and recycled by being reclaimed as part of a reclamation program administered by a solar module vendor (as defined in the proposed regulations).
- Designate hazardous waste solar modules, that are either RCRA hazardous waste or non-RCRA hazardous waste, as universal waste provided that the solar modules are recycled, not disposed, and are managed in accordance with the existing requirements of chapter 23 (Standards for Universal Waste Management).
- Maintain the existing hazardous waste requirement for recycling activities, including reclamation activities and other forms of hazardous waste treatment activities, which require a hazardous waste facility permit or other grant of authorization from DTSC.

The proposed regulations are, in effect, a preemptive strategy to limit the number of hazardous waste solar modules in California’s landfills by managing the waste stream and recycling activities of solar modules. Fewer hazardous substances in our environment lead to healthier air quality, cleaner drinking water, and a safer workplace.

### Existing Laws and Regulations

The following hazardous wastes are eligible for management as universal wastes under California Code of Regulations, title 22, division 4.5<sup>7</sup>, chapter 23 (commencing with §66273.1): batteries; electronic devices; mercury-containing equipment; lamps; cathode ray tubes (CRTs); and CRT glass.

Section 66260.22 establishes the petition process for adding additional hazardous waste or a category of hazardous waste to the universal waste category. This section provides DTSC with the flexibility to add additional universal wastes.

<sup>6</sup> RCRA means the federal Resource Conservation and Recovery Act.

<sup>7</sup>Unless otherwise specified, all regulatory citations from this point forward are to the Cal. Code Regs., tit. 22, div. 4.5.

Section 66260.23 provides the factors that DTSC uses to add a universal waste as well as to evaluate a petition made pursuant to section 66260.22. In evaluation of these factors, DTSC considers the overall weight of evidence presented in determining whether regulation under the universal waste rule is appropriate for the waste, and whether the chapter 23 regulation will further DTSC’s goals of improving management practices for the waste and improving implementation of the hazardous waste program.

California Health and Safety Code section 25150, subdivision (e) provides DTSC with the authority to “adopt, and revise when appropriate, regulations for the recycling of hazardous waste to protect against hazards to the public health, domestic livestock, wildlife, or to the environment, and to encourage the best use of natural resources.” Health and Safety Code section 25150, subdivisions (a) and (e) also provide statutory authority to develop regulations for the management and recycling of hazardous wastes.

### Relation to Existing Federal Regulations

Existing federal universal waste regulations are set forth at 40 Code of Federal Regulations part 273. These regulations provide streamlined collection and management requirements for hazardous waste batteries, pesticides, mercury-containing equipment and lamps. Unlike the California rules, they do not address universal waste electronic devices, CRTs, or CRT glass.

The United States Environmental Protection Agency (U.S. EPA) has not proposed regulations regarding solar modules, nor is there any indication that the agency is planning to do so. Therefore, the proposed regulations will neither duplicate nor conflict with the federal regulations. In addition, available and published information indicates that most solar modules do not meet federal hazardous waste criteria.

### Relation to Existing State Regulations

Proposed regulations in California Code of Regulations, title 22, division 4.5, chapter 10 (commencing with §66260.10) and chapter 11 (commencing with §66261.1):

- Define solar modules and solar module vendor for purposes of the conditional exemption proposed under section 66261.6 for recyclable materials. Add hazardous waste solar modules to the list of recyclable materials in section 66261.6, and provide the management standards of the conditional exemption. Includes a provision that the hazardous waste solar modules managed pursuant to this section are part of a reclamation program administered by a solar module vendor.
- Under a separate management structure (not part of the conditional exemption proposed in section 66261.6 for solar modules managed under the

specified reclamation program), add solar modules to the list of hazardous wastes that may be managed as universal waste under chapter 23. Provide the same exemption status for universal waste solar modules as existing universal wastes.

Proposed regulations in California Code of Regulations, title 22, division 4.5, chapter 23 (commencing with §66273.1):

- Add solar modules to the list of universal wastes under which the standards of chapter 23 apply.
- Provide an applicability section which contains an explanation of when a hazardous waste may be managed pursuant to chapter 23, and when it must continue to be managed as a hazardous waste, or under some other existing exclusion or exemption. Also provides guidance on when a solar module becomes a waste and thus subject to regulation.
- Add universal waste solar modules to the existing requirements in chapter 23, including containment, labeling, accumulation time limits, personnel training, record-keeping of shipments, response to releases and export.
- Add a provision that certain universal waste handlers of solar modules provide notification to DTSC (handlers who accumulate at any one time 10,000 kilograms of solar modules).

The proposed regulations are consistent and compatible with the existing state regulations because DTSC believes that these wastes fit the same criteria that have been established for adding universal waste through regulation.

An automated search of Title 18, 22 and 26 using the following keywords “solar module”, “photovoltaic modules”, and “cadmium telluride” was conducted via Westlaw and yielded no conflicting state regulations. The same keywords were also searched via the California Legislative Information search engine and yielded no related statutes. No additional information regarding the management of solar panels at the end-of-life was found.

#### CONSIDERATION OF ALTERNATIVES

DTSC must determine that no reasonable alternative is considered or that has otherwise been identified and brought to the attention of DTSC 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. DTSC invites interested persons to present arguments, with respect to the

various options, at the scheduled hearing or during the written comment period.

#### MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS

DTSC has made a preliminary determination that adoption of these regulations will create no new local mandates.

#### COST OR SAVINGS TO STATE OR LOCAL AGENCIES, OR SCHOOL DISTRICTS SUBJECT TO REIMBURSEMENT

Local agencies, acting as Certified Unified Program Agencies (CUPAs), are responsible for inspecting many of the businesses that generate hazardous waste, universal waste being a subset of hazardous waste. CUPAs are authorized by Health and Safety Code section 25404.3 to assess fees to cover the costs of these inspections and enforcement programs. DTSC has made a preliminary determination that the proposed regulations will not impose a local mandate or result in costs subject to reimbursement pursuant to part 7 of division 4, commencing with section 17500, of the Government Code or other nondiscretionary costs or savings to local agencies or school districts.

**Cost or Savings to Any State Agency:** DTSC has made a preliminary determination that the proposed regulations will have no significant impacts on State revenue or costs. In the event that a state agency may generate waste solar modules, the proposed regulations would allow state agencies to choose to manage solar modules as universal wastes instead of managing them as hazardous wastes. The potential cost savings to state agencies for managing solar modules is unknown as there is no indication that state agencies currently manage any waste solar modules. Managing waste solar modules as universal waste would provide cost savings for state agencies through nonpayment of generator fees, not manifesting shipments, and not using a registered hazardous waste transporter.

DTSC could incur minimal costs associated with receipt and tracking of notifications for solar module vendors and certain universal waste handlers of solar modules as described in the proposed regulations. However, this cost would be absorbable. DTSC may also incur costs to train CUPAs and industry on the new regulations. These costs would also be absorbable because the associated workload would be incorporated into DTSC’s existing training on universal waste standards.

**Cost or Savings in Federal Funding to the State:** DTSC has made a preliminary determination that the proposed regulations will have no impact on federal revenue or costs. The proposed regulations place solar

modules in the universal waste category, which is permissible for an authorized state program operating in lieu of the federal hazardous waste management program.

#### DETERMINATION OF NO ADVERSE STATEWIDE ECONOMIC IMPACT

DTSC has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability to compete with businesses in other states.

**Business report** — DTSC has determined that this rulemaking will not require businesses to write a new report, as defined by Government Code section 11346.3(c). However, the proposed regulations would require a brief notification be made to DTSC for solar module vendors and certain universal waste handlers of solar modules. The substance of these notifications is not beyond the typical information that these types of entities already compile and maintain as part of normal business practices. General information on the specific entities that will be managing hazardous waste solar modules is necessary for DTSC to obtain location and contact information to ensure the solar modules are managed appropriately and in a manner that is protective of human health and public safety.

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

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

#### RESULTS OF REGULATORY ECONOMIC IMPACT ANALYSIS

Per the economic impact assessment required by Government Code section 11346.3, DTSC has determined the following regarding the proposed regulation:

**Creation or elimination of jobs within California** — DTSC has made a preliminary determination that no jobs will be created or eliminated in California as a result of the proposed regulations. However, the proposed regulations may lead to some increase in the employment in the collection and transport of solar modules, which is different than current disposal operations. DTSC does not expect that the regulations will lead to the elimination of any jobs at businesses involved in hazardous waste transport or disposal.

**Creation of new businesses or the elimination of existing businesses within California** — DTSC has made a preliminary determination that no businesses will be created or eliminated in California as a result of the proposed regulations. A few new businesses may be created to meet the demands for collection and transport services, although it is more likely that existing universal waste businesses will expand to accommodate this new demand. Businesses currently handling or disposing of solar modules would not be eliminated because this waste stream comprises a minor share of the waste handled by these firms, if handled at all.

**Expansion of businesses currently doing business in California** — DTSC has made a preliminary determination that recycling businesses in California may expand as a result of the proposed regulations. DTSC is unable to quantify the amount of this expansion.

**Benefits of the Regulation** — The proposed regulations will reduce the number of hazardous waste solar modules in California's landfills by managing the waste stream and recycling activities of solar modules. Fewer hazardous substances in our environment lead to healthier air quality, cleaner drinking water and a safer workplace.

#### EFFECTS ON HOUSING COSTS

DTSC has made an initial determination that there will be no impact on housing costs.

#### EFFECT ON SMALL BUSINESSES

DTSC has made a preliminary determination that provisions of this rulemaking will have a positive effect on small businesses. The proposed regulations will allow small businesses to avoid the high compliance costs associated with managing waste solar modules as hazardous wastes, i.e., hazardous waste generator fees, manifest fees, hazardous waste transporter fees, and associated disposal costs.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

DTSC has made a preliminary finding that this rulemaking project is exempt under CEQA as the proposed project will pose no significant effect on the environment. DTSC believes that a Notice of Exemption (NOE) is appropriate because the proposed regulations will result in the diversion of solar modules from land disposal to recycling facilities subject to full hazardous waste requirements thus ensuring human health and safety and the environment are protected. A draft of NOE will be made available for review with the rulemaking file prior to adoption of these proposed regula-

tions. A copy of the draft NOE will be posted on the DTSC Internet site at [http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/Reg\\_Exempt\\_HW\\_Solar\\_Panels.cfm](http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/Reg_Exempt_HW_Solar_Panels.cfm).

PEER REVIEW

Under the provisions of Health and Safety code section 57004, peer review is not required because the proposed regulations do not establish a regulatory level, standard or other requirement subject to scientific peer review.

CONTACT PERSONS

Inquiries regarding technical aspects of the proposed regulations may be directed to Mr. Ron Ohta of DTSC at (916) 324-5192 or, if unavailable, Mr. Andre Algazi of DTSC at (916) 324-3114. However, such oral inquiries are not part of the rulemaking record.

A public comment period for has been established commencing on **August 17, 2012**, and closing on **October 1, 2012** for statements, arguments, or contentions regarding the rulemaking and/or supporting documents that must be submitted in writing or may be presented orally or in writing at the public hearing in order for them to be considered by DTSC before it adopts, amends, or repeals these regulations.

AVAILABILITY OF TEXT OF REGULATIONS AND STATEMENT OF REASONS

Copies of the Notice, Initial Statement of Reasons, the text of the proposed regulations, all the information upon which its proposal is based, and the express terms of the proposed regulation are posted to DTSC's Internet site at <http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/index.cfm> or may be obtained from **Krysia Von Burg** of DTSC's Regulations Section as specified below.

After the close of the comment period, DTSC may adopt the proposed regulations. If substantial changes are made, the modified full text will be made available for comment for at least 15 days prior to adoption. Only persons who request the specific proposed regulations, attend the hearing, or provide written comments on these specific regulations will be sent a copy of the modified text if substantive changes are made.

Once regulations have been adopted, DTSC prepares a Final Statement of Reasons which updates the Initial Statement of Reasons and summarizes how DTSC addressed comments and includes other materials, as required by Government Code section 11346.9. Copies of the Final Statement of Reasons may be obtained from

Ms. Von Burg at the address listed below. A copy of the Final Statement of Reasons will also be posted on DTSC's Internet site at [http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/Reg\\_Exempt\\_HW\\_Solar\\_Panels.cfm](http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/Reg_Exempt_HW_Solar_Panels.cfm), along with the date the rulemaking is filed with the Secretary of State and the effective date of the regulations.

To be included in this regulation package's mailing list, and to receive updates of this rulemaking, please visit <http://www.dtsc.ca.gov/ContactDTSC/ELists.cfm> and subscribe to the applicable EList or e-mail: [regs@dtsc.ca.gov](mailto:regs@dtsc.ca.gov).

Please direct all written comments, procedural inquiries and requests for documents by mail, e-mail or fax to:

Krysia Von Burg, Regulations Coordinator  
Regulations Section  
Department of Toxic Substances Control

Mailing Address: P.O. Box 806  
Sacramento, CA 95812-0806

E-mail Address: [regs@dtsc.ca.gov](mailto:regs@dtsc.ca.gov)

Fax Number: (916) 324-1808

Ms. Von Burg's phone number is (916) 324-2810. If Ms. Von Burg is unavailable, please call Mr. Jon Cordova at (916) 324-7193.

**TITLE 22. DEPARTMENT OF TOXIC SUBSTANCES CONTROL**

*Mercury Thermostat Collection and Performance Requirement*

**Department Reference Number: R-2010-03**

**Office of Administrative Law Notice File Number: Z2012-0807-05**

**NOTICE IS HEREBY GIVEN** that the Department of Toxic Substances Control (DTSC) proposes to adopt California Code of Regulations, title 22, division 4.5, chapter 24, article 1, sections **66274.1 to 66274.8**.

PUBLIC HEARING

DTSC will hold a public hearing on the proposed regulations on **October 2, 2012** in the Byron Sher Auditorium, Cal/EPA Building, 2nd Floor, 1001 "I" Street, Sacramento, at which time any person may present statements or arguments orally or in writing relevant to this proposal. The public hearing will convene at 9:00

a.m. and will remain open as long as attendees are presenting testimony. Please submit written comments to the contact person listed at the end of this notice. For written comments to be considered they must be submitted no later than 5:00 p.m. on **October 2, 2012**.

Representatives of DTSC will preside at the hearing. DTSC requests persons who wish to speak to register before the hearing. Pre-hearing registration is conducted at the location of the hearing from **8:30 a.m. to 10:30 a.m.** Registered persons will be heard in the order of their registration. Anyone else wishing to speak at the hearing will have an opportunity after all registered persons have been heard.

All visitors are required to sign in prior to attending any meeting at the Visitor and Environmental Services Center, located just inside and to the left of the building's public entrance. Please allow adequate time to sign in and receive a visitor badge before the public hearing begins.

**Notice to Hearing Impaired — Accessibility.** If you have special accommodation or language needs, please contact Reasonable Accommodation Coordinator **Adrian Recio, at (916) 324-3095 or by e-mail at arecio@dtsc.ca.gov** as soon as you receive this document. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

#### AUTHORITY AND REFERENCE

These regulations are being proposed under the following authorities.

Health and Safety Code section **58012**. This section grants DTSC authority to adopt and enforce rules and regulations to execute its duties. (*Added by Governor's Reorganization Plan No. 1, §146, eff. July 17, 1991. See [http://www.dtsc.ca.gov/LawsRegsPolicies/upload/OEARA\\_REG\\_GRP1.pdf](http://www.dtsc.ca.gov/LawsRegsPolicies/upload/OEARA_REG_GRP1.pdf)*).

Health and Safety Code section **25150**. This section grants DTSC authority to adopt standards and regulations dealing with the management of hazardous waste.

Health and Safety Code section **25187**. This section grants DTSC authority to enforce the standards and regulations dealing with out-of-service mercury-added thermostats.

Health and Safety Code section **25214.8.13**. This section provides requirements for manufacturers of out-of-service mercury-added thermostats.

Health and Safety Code section **25214.8.15** that establishes requirements for heating, ventilation and air-conditioning contractors who install and remove out-of-service mercury-added thermostats.

These regulations implement, interpret, or make specific the following:

Health and Safety Code section **25187** that grants DTSC authority to enforce the standards and regulations dealing with out-of-service mercury-added thermostats.

Health and Safety Code section **25214.8.11** that defines terms dealing with the collection of mercury-added thermostats.

Health and Safety Code section **25214.8.12** that provides manufacturer establish and maintain a program for out-of-service mercury-added thermostats in compliance.

Health and Safety Code section **25214.8.13**. This section provides requirements for manufacturers of out-of-service mercury-added thermostats.

Health and Safety Code section **25214.8.14** that establishes collection locations for out-of-service mercury-added thermostats.

Health and Safety Code section **25214.8.15** that establishes requirements for heating, ventilation and air-conditioning contractors who install and remove out-of-service mercury-added thermostats.

Health and Safety Code section **25214.8.16** that establishes requirements for demolition professionals handling out-of-service mercury-added thermostats.

Health and Safety Code section **25214.8.17** that grants DTSC authority to adopt, by regulation, criteria for the collection of out-of-service mercury-added thermostats.

Health and Safety Code section **25214.8.18** that provides criteria for the identification of out-of-service mercury-added thermostats that become waste.

California Code of Regulations, title 16, sections **832.20 and 832.21** that defines contractors dealing with the management of mercury-added thermostats.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

##### Policy Statement Overview

Thermostats are used in heating, ventilation and air conditioning (HVAC) devices and in temperature controls for heat pumps. Before the 1990s, most thermostats contained mercury. Research found that mercury-added thermostats were a major source of mercury pollution and on January 1, 2006, the State of California banned the sale of mercury-added thermostats. Mercury has been found to cause neurological and reproductive disorders in humans and wildlife, and when it is released into the environment it has serious, long-term environmental and public health effects. Not only can mercury be transported long distances, in aquatic ecosystems it can be converted into methyl mercury, a highly toxic form that accumulates in fish and humans.

Accordingly, DTSC proposes to adopt a new chapter 24, Mercury Thermostat Collection and Performance

Requirements, to division 4.5 of Title 22, California Code of Regulations to satisfy the mandates of Health and Safety Code sections 25214.8.17 directs DTSC to adopt regulations that develop performance requirements to specify collection rates for out-of-service mercury-added thermostats and establish a methodology for calculating the number of out-of-service mercury-added thermostats becoming waste annually. This rulemaking assists in the reduction of mercury pollution with the aim of protecting public health and the environment.

**Existing Laws and Regulations**

In California Health and Safety Code sections 25214.8.1 through 25214.8.6 mercury thermostats are classified as a hazardous waste and their sale, distribution or disposal in solid waste landfills are prohibited.

Health and Safety Code section 25214.8.12 requires a thermostat manufacturer or a group of thermostat manufacturers to establish a collection and recycling program.

Health and Safety Code section 25214.8.13 requires HVAC wholesalers that have a physical location in California to act as a collection location for mercury-added thermostats.

Health and Safety Code section 25214.8.17 directs DTSC to adopt regulations that develop performance requirements to specify collection rates for out-of-service mercury-added thermostats and establishes a methodology for calculating the number of out-of-service mercury-added thermostats becoming waste annually.

**Relation to Existing Federal Regulations**

Existing federal universal waste regulations provide streamlined collection and management requirements for mercury-containing equipment and lamps (40 CFR 273). Unlike California, the federal rule does not address out-of-service mercury-added thermostats. The United States Environmental Protection Agency (U.S. EPA) does not have proposed regulations regarding out-of-service mercury-added thermostats. Therefore, the proposed regulations will neither duplicate nor conflict with the federal regulations.

**Relation to Existing State Regulations**

The proposed regulation is not inconsistent or incompatible with any existing state regulations. An automated search of Titles 16 and 22 using the following keywords “mercury”, “thermostats”, “mercury-added thermostats”, and “mercury collection” was conducted via Westlaw and yielded no conflicting state regulations.

CONSIDERATION OF ALTERNATIVES

**Chosen Alternative**

DTSC must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of DTSC 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.

**Rejected Alternatives**

1. *Do Nothing.* DTSC rejected this option because HSC section 25214.8.17 directs DTSC to adopt regulations that develop performance requirements to specify collection rates for out-of-service mercury-added thermostats and establish a methodology for determining the number of out-of-service mercury-added thermostats becoming waste annually. To do nothing would place Californians in jeopardy of continued exposure to mercury, which could have serious environmental and public health problems as research as demonstrated.

2. *Contractor Reporting Requirements.* DTSC rejected this alternative because new contractor reporting requirements would have imposed an added financial burden on thousands of small businesses in California. Compliance rates would likely have been low, reporting errors would have been inevitable and the resources required of DTSC to effectively enforce a new administrative requirement on such a large number of individual businesses would have been considerable. Furthermore, this alternative contradicts the intent of the legislature in adopting an extended producer responsibility law: that the responsibility and costs for collecting and properly managing out-of-service mercury-added thermostats should fall primarily to the manufacturers.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS

DTSC has made an initial determination that adoption of this regulation will not impose a local mandate or result in costs subject to reimbursement pursuant to part 7 of division 4, commencing with section 17500, of the Government Code or other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO STATE OR LOCAL AGENCIES, OR SCHOOL DISTRICTS SUBJECT TO REIMBURSEMENT

DTSC has determined that the proposed regulation will not impose costs or savings to any state or local agency or school district that is required to be reim-

bursed pursuant to part 7 of division 4, commencing with section 17500 of the Government Code. The proposed regulation is not anticipated to result in any other nondiscretionary cost or savings imposed on local agencies or any change in federal funding to the state.

#### DETERMINATION OF NO ADVERSE STATEWIDE ECONOMIC IMPACT

DTSC has made an initial determination found through the economic analysis assessment that the proposed regulation will not have a significant statewide adverse economic impact directly affecting businesses, including the ability to compete with businesses in other states.

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

Since 2002, mercury-added thermostats have been deemed universal waste. The statute allows demolition contractors, and requires heating, ventilation and air-conditioning contractors, to minimize costs by using the manufacturer-sponsored take-back program that provides HVAC wholesalers with a thermostat collection container. These regulations set a performance requirement for the manufacturers to collect and recycle a certain number of out-of-service mercury-added thermostats annually. Although the statute reduces handling costs to small businesses, the costs to manufacturers are likely to increase. The lifetime cumulative cost to manufacturers for compliance with the proposed performance requirement regulations is estimated to be between \$3 million and \$5 million.

#### RESULTS OF REGULATORY ECONOMIC IMPACT ANALYSIS

DTSC has conducted an economic impact assessment, as required by Government Code section 11346.3, and found that no businesses or jobs will be created, expanded or eliminated in California as a result of the proposed regulation. The rulemaking does, however, aim to reduce the amount of mercury pollution, which helps to protect public health and the environment.

The regulation does not impact HVAC and demolition contractors who are required to take all out-of-service mercury added thermostat to local HVAC wholesalers who are deemed by law to be manufacturer-sponsored collection locations.

It is estimated the regulation would require thermostat manufacturers operating a collection program an estimated \$2,916,638 over the next 10 years. However,

the cost avoidance provided by this regulation is estimated to be \$492,262, in comparison to the current cost of operating a national program.

#### EFFECT ON HOUSING COSTS

DTSC has made a determination that the proposed regulation will have no significant effect on housing costs.

#### EFFECT ON SMALL BUSINESSES (1 CCR 4)

DTSC has determined that the regulation could have a small positive impact on small businesses. HVAC and demolition contractors may experience a cost savings resulting from the opportunity to transport out-of-service mercury-added thermostats to local HVAC wholesale collection locations instead of transporting the thermostats to household hazardous waste collection facilities or paying a hazardous waste company to transport the thermostats to a Class 1 hazardous waste facility for disposal.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

DTSC has found this rulemaking to be an exempt General Rule [CCR, Sec. 15061(b)(3)] under the California Environmental Quality Act (Public Resources Code section 21000, et seq.). This rulemaking meets the statutory exemption available under subdivision (b)(8) of Public Resources Code section 21080. A draft Notice of Exemption is available for review with the rulemaking file and will be filed with the State Clearinghouse when the regulations are adopted.

#### PEER REVIEW

Prior to taking any action to adopt the final version of this regulation, DTSC will submit information to the University of California to perform an external peer review for the proposed adoption of these regulations. DTSC will report the findings of the peer reviewers on the information and data, in accordance with the requirements of California Health and Safety Code section 57004. DTSC has determined that the survey plan sponsored by the thermostat manufacturers provides a sufficient framework to establish a method to generate statistically valid data in order to estimate the number of mercury thermostats still in use in California and becoming waste annually. The survey plan titled, Mercury Thermostats: Estimating Inventory and Flow from Existing Buildings: Technical Approach Summary (March 2009) was conducted by Skumatz Economic

Research Associates (SERA) on behalf of the Thermostat Recycling Corporation (TRC).

TRC is a non-profit corporation formed by the manufacturers to establish and operate a thermostat collection and recycling program in California.

#### INCORPORATED BY REFERENCE

The regulation incorporates this reference: 'SERA Report': "A Study to Meet Requirements for State of California Thermostat Recycling Legislation — Mercury-Containing Thermostats: Estimating Inventory and Flow from Existing Residential & Commercial Buildings," prepared for Mark Tibbetts, Thermostat Recycling Corporation, by Lisa A. Skumatz, Ph.D., Skumatz Economic Research Associates, Inc. (SERA), December 2009, appended attachment June 2010.

#### CONTACT PERSONS

Inquiries regarding technical aspects of the proposed regulation or CEQA documents may be directed to **Neena Sahasrabudhe** of DTSC at (916) 324-8660 or, if unavailable, to **Andre Algazi** of DTSC at (916) 324-3114. However, such oral inquiries are not part of the rulemaking record.

A public comment period has been established commencing on **August 17, 2012**, and closing on **October 2, 2012** for statements, arguments, or contentions regarding the rulemaking and/or supporting documents that must be submitted in writing or may be presented orally or in writing at the public hearing in order for them to be considered by DTSC before it adopts, amends, or repeals these regulations.

#### AVAILABILITY OF TEXT OF REGULATIONS AND STATEMENT OF REASONS

Copies of the Notice, Initial Statement of Reasons, the text of the proposed regulations, all the information upon which its proposal is based, and the express terms of the proposed regulation are posted to DTSC's Internet site at <http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/index.cfm> or may be obtained from **Kryisia Von Burg** of DTSC's Regulations Section as specified below.

After the close of the comment period, DTSC may adopt the proposed regulation. If substantial changes are made, the modified full text will be made available for comment for at least 15 days prior to adoption. Only persons who request the specific proposed regulation, attend the hearing, or provide written comments on this specific regulation will be sent a copy of the modified text if substantive changes are made.

Once the regulation has been adopted, DTSC prepares a Final Statement of Reasons which updates the Initial Statement of Reasons, summarizes how DTSC addressed comments and includes other materials, as required by Government Code section 11346.9. Copies of the Final Statement of Reasons may be obtained from **Kryisia Von Burg** at the address listed below. A copy of the Final Statement of Reasons will also be posted on DTSC's Internet site at <http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/index.cfm>, along with the date the rulemaking is filed with the Secretary of State and the effective date of the regulation.

To be included in this regulation package's mailing list and to receive updates of this rulemaking, please visit <http://www.dtsc.ca.gov/ContactDTSC/ELists.cfm> and subscribe to the applicable EList or e-mail: [regs@dtsc.ca.gov](mailto:regs@dtsc.ca.gov).

Please direct all written comments, procedural inquiries, and requests for documents by mail, e-mail, or fax to:

Kryisia Von Burg,  
Regulations Coordinator  
Regulations Section  
Department of Toxic Substances  
Control  
P.O. Box 806  
Sacramento, CA 95812-0806

E-mail Address: [regs@dtsc.ca.gov](mailto:regs@dtsc.ca.gov)

Fax Number: (916) 324-1808

Ms. Von Burg's phone number is (916) 324-2810. If Ms. Von Burg is unavailable, please call Mr. Cordova at (916) 324-7193.

### GENERAL PUBLIC INTEREST

#### DEPARTMENT OF FOOD AND AGRICULTURE

#### NOTICE OF A REQUESTED HEARING

**NOTICE IS HEREBY GIVEN** that the Department of Food and Agriculture (Department) has proposed to amend section 1180.1 of Article 37, amend section 1180.3.2 of Article 37.1, amend section 1180.20, and repeal and adopt section 1180.24 of Article 42, Subchapter 2, Chapter 4, Division 2, of Title 3 of the California Code of Regulations. The proposal was published in the *California Regulatory Notice Register* on June 8, 2012 [Register 2012, No. 23-Z] but no hearing

was scheduled. The Department has received a request for a public hearing; therefore, the hearing will be held in accordance with Government Code section 11346.8 for the proposal relating to the regulation of transporters of inedible kitchen grease.

Food and Agricultural Code section 407 authorizes the Department to adopt such regulations that are reasonably necessary to carry out the provisions of the Food and Agricultural Code which it is authorized to administer or enforce. Section 19305 and sections 19310 through 19317 of the Food and Agricultural Code authorize the Department to regulate, in part, shipments and transactions of renderers, collection centers, and transporters of inedible kitchen grease, and to establish a tracking system for the pick-up, transport, and disposal of inedible kitchen grease.

This proposal amends the requirements for transporters of inedible kitchen grease and implements a manifest tracking system under Articles 37, 37.1 and 42 of Subchapter 2, Chapter 4, Division 2, of Title 3 of the California Code of Regulations. This proposal also incorporates by reference a manifest, MPES Form 79-120 (Est. 03/12) Manifest — Inedible Kitchen Grease Transport utilized by the Meat, Poultry and Egg Safety Branch of the Department for use by the rendering industry.

**Hearing Date, Time, Location**

August 21, 2012  
9:30 a.m.–11:00 a.m. (or until all public testimony has been completed)  
Department of Food and Agriculture,  
Animal Health and Food Safety Services  
2800 Gateway Oaks Drive, Room 101,  
Sacramento, CA 95833

**Public Comments**

Any interested person, or his or her duly authorized representative, may appear and be heard and provide written and/or oral testimony. Written comments may be faxed or emailed by 5:00 p.m., August 21, 2012, to the contact person named in this Notice. Any person who submitted a written comment during the 45-day public comment period ending July 23, 2012, remains in the Department's official rulemaking file.

**Contact Persons**

Inquiries or comments concerning the substance of the proposed regulations are to be addressed to:

Douglas Hepper, DVM, Branch Chief  
Department of Food and Agriculture,  
Meat, Poultry and Egg Safety Branch  
1220 N Street, Sacramento, CA 95814  
Telephone (916) 900-5004, Fax (916) 900-5334,  
douglas.hepper@cdfa.ca.gov

The backup contact person is:

Nancy Grillo, Regulation/Legislation Coordinator  
Department of Food and Agriculture,  
Animal Health and Food Safety Services  
1220 N Street, Sacramento, CA 95814  
Telephone (916) 900-5033, Fax (916) 900-5332,  
nancy.grillo@cdfa.ca.gov

**Website Access**

Materials regarding this proposal can be found at <http://www.cdfa.ca.gov/ahfs/regulations.html>

**STUDENT AID COMMISSION**

**NOTICE OF RESCHEDULED  
PUBLIC HEARING**

**AMENDMENT TO TITLE 5,  
DIVISION 4, CHAPTER 1  
CALIFORNIA CODE OF REGULATIONS**

**Cal Grant Program and Participating Institution  
Data Reporting Requirements**

**NOTICE IS HEREBY GIVEN** that the California Student Aid Commission's (Commission) Student Impact Committee (Committee) is rescheduling its public hearing to receive public input and comments on rulemaking file Z2012-0626-04. Instead of the date listed in the Notice of Proposed Rulemaking, which was published in the California Notice Register on July 6, 2012, the location and time of the public hearing is as follows:

**Wednesday, August 22, 2012, at 1:00 p.m.  
Sacramento City College  
3835 Freeport Boulevard  
Room LRC (Learning Resource Center)  
105, 1st Floor  
Sacramento, CA**

A quorum of the Committee may be present at the public hearing; however, no Committee action will be taken.

**SUBMISSION OF WRITTEN COMMENTS**

The Committee will accept both written and oral comments on the proposed rulemaking. Written comments must be received by **5:00 p.m. on August 20, 2012** and addressed to:

California Student Aid Commission  
Attention: Kristen Trimarche, Legal Services  
P. O. Box 419029  
Rancho Cordova, CA 95741-9029

Comments may also be submitted by facsimile (FAX) at (916) 464-8033 or by e-mail to [CalGrantRegsComment@sac.ca.gov](mailto:CalGrantRegsComment@sac.ca.gov). Comments must be submitted before 5:00 p.m. on August 20, 2012 to be considered. Couriers delivering hard copies of comment letters must check in with lobby security personnel.

#### DOCUMENT AVAILABILITY

The Commission has made the entire rulemaking file available for download and review on the Commission's website at [www.csasc.ca.gov](http://www.csasc.ca.gov).

A hardcopy of the relevant documents may also be received by contacting Ms. Kristen Trimarche at (916) 464-6439 or [ktrimarc@csac.ca.gov](mailto:ktrimarc@csac.ca.gov).

#### PROCEDURAL MATTERS

Participants are encouraged to submit written comments prior to the hearing, in accordance with the Deadline specified above. At the hearing, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. There will be no sworn testimony or cross-examination of participants. However, the Committee and Commission staff may ask clarifying questions. To ensure a productive and efficient hearing in which all participants have an opportunity to participate, oral presentations may be time-limited.

#### ACCESSIBILITY

Members of the public who are interested in listening to the public hearing may do so by streaming the meeting over the internet via the following link:

<https://csacevents.webex.com/csacevents/onstage/g.php?t=a&d=668816634>

Participants listening over the internet will not be able to offer comments, ask questions, or otherwise participate in the meeting.

The meeting location is accessible to the disabled. If you require special assistance, please contact Gloria Lopez at least 5 days before the meeting to make special arrangements.

Any questions concerning the hearing may be directed to Ms. Gloria Lopez at (916) 464-8074 or Ms. Kristen Trimarche at (916) 464-6439.

## INDEX OF PRECEDENTIAL DECISIONS

### EDUCATION AUDIT APPEALS PANEL

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

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

## SUMMARY OF REGULATORY ACTIONS

### REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates 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# 2012-0625-03  
AIR RESOURCES BOARD  
LEV III and GHG 2012

This rulemaking action by the Air Resources Board adds the comprehensive "LEV III" amendments to the California Low-Emission Vehicle (LEV) regulations within title 13 of the California Code of Regulations.

These amendments reduce emissions of criteria pollutants from new light- and medium-duty vehicles by: reducing fleet average emissions from new passenger cars, light-duty trucks, and medium-duty passenger vehicles to super ultra-low-emission vehicle levels by 2025; replacing separate non-methane organic gas (NMOG) and oxides of nitrogen (NOx) standards with combined NMOG plus NOx standards; increasing full useful life durability requirements from 120,000 miles to 150,000 miles, which guarantees vehicles operate longer at these proposed extremely low emission particulate levels; creating a backstop to assure continued production of super ultra-low-emission vehicles after partial zero-emission vehicles as a category are moved from the Zero-Emission Vehicle (ZEV) program to the

LEV III program in 2018; establishing more stringent particulate matter standards for light- and medium-duty vehicles; establishing zero fuel evaporative emission standards for passenger cars and light-duty trucks, and more stringent evaporative standards for medium-duty vehicles; establishing more stringent supplemental federal test procedure (SFTP) standards for passenger cars and light-duty trucks; and, for the first time, requiring medium-duty vehicles to meet SFTP standards.

Other minor amendments (e.g., in-use verification testing requirements, reporting requirements, etc.) are proposed to align existing related procedures with the principal amendments. These amendments also establish more stringent greenhouse gas regulations that: are comprised of three emission standards; use a footprint-based approach to reduce emissions from new light-duty vehicles and medium-duty passenger vehicles; provide credits for improvements to the vehicle air conditioning system (either from the use of a refrigerant with a low Global Warming Potential or by incorporating improvements to the efficiency of the system); provide credits for technologies that reduce CO2 emissions but are not measured on the applicable test cycles; and provide credits for technology innovations on the largest of pickup trucks.

**Title 13**

California Code of Regulations

ADOPT: 1961.2, 1961.3 AMEND: 1900, 1956.8, 1960.1, 1961, 1961.1, 1965, 1968.2, 1968.5, 1976, 1978, 2037, 2038, 2062, 2112, 2139, 2140, 2145, 2147, 2235, 2317

Filed 08/07/2012

Effective 08/07/2012

Agency Contact: Trini Balcazar (916) 445-9564

File# 2012-0625-04

**AIR RESOURCES BOARD**

**Zero Emission Vehicles 2012 Amendments**

This regulatory action amends regulations that require automobile manufacturers to develop and commercialize zero emission vehicle (ZEV) technologies. These include: increases ZEV percentage requirements for model years 2018 through 2025; increases flexibility for manufacturers to comply with ZEV requirements; simplifies the credit system for ZEVs and plug-in hybrid electric vehicles (PHEVs); and creates an optional compliance path for manufacturers in Section 177 states.

**Title 13**

California Code of Regulations

ADOPT: 1962.2 AMEND: 1962.1, 1962.2 (renumbered to 1962.3)

Filed 08/07/2012

Effective 08/07/2012

Agency Contact: Amy Whiting (916) 322-6533

File# 2012-0713-02

**BOARD OF EQUALIZATION**

**United States Government Supply Contracts**

The State Board of Equalization amended section 1618 of title 18 of the California Code of Regulations to provide that effective June 14, 2007, the word "tools" as used in the definition of "Direct consumable supplies" shall include "special tooling" that was previously covered by Federal Acquisition Regulation (FAR) 52.245-17 and to make other clarifying changes. The change described above is being made to conform to changes made to the Code of Federal Regulations in 2007 repealing FAR 52.245-17.

**Title 18**

California Code of Regulations

AMEND: 1618

Filed 08/07/2012

Effective 09/06/2012

Agency Contact:

Richard E. Bennion (916) 445-2130

File# 2012-0726-02

**CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE**

**Administration of California's Limited Tax-Exempt Debt Authority**

The California Debt Limit Allocation Committee (CDLAC) readopted an emergency regulation that amended section 5052 of title 4 of the California Code of Regulations to allow the full refund of the performance deposit if 80% or more of the Allocation is used to issue bonds or issue at least one (1) Mortgage Credit Certificate prior to the expiration date.

**Title 4**

California Code of Regulations

AMEND: 5000, 5052

Filed 08/01/2012

Effective 08/01/2012

Agency Contact: Annie Ong (916) 653-8018

File# 2012-0725-01  
 CALIFORNIA DEBT LIMIT ALLOCATION  
 COMMITTEE  
 Administration of California's Limited Tax-Exempt  
 Debt Authority

This regulatory action is a deemed emergency pursuant to Government Code section 8869.94. The purpose of these adoptions and amendments is to promote housing for lower income families and individuals and to preserve and rehabilitate existing government-assisted housing for this same population. Definitions are added; clarifications are made regarding evaluation criteria; application requirements are provided for both scattered site projects and for seeking a forward commitment in lieu of award; and four incorporated-by-reference documents are updated to reflect these changes.

Title 4  
 California Code of Regulations  
 ADOPT: 5255, 5256 AMEND: 5170, 5230, 5250,  
 5560, 5580  
 Filed 08/01/2012  
 Effective 08/01/2012  
 Agency Contact: Annie Ong (916) 653-8018

File# 2012-0727-01  
 DEPARTMENT OF FOOD AND AGRICULTURE  
 Asian Citrus Psyllid Interior Quarantine

The Department of Food and Agriculture submitted this emergency action to expand the interior quarantine area of Riverside County for the Asian citrus psyllid by approximately 832 square miles.

Title 3  
 California Code of Regulations  
 AMEND: 3435(b)  
 Filed 08/06/2012  
 Effective 08/06/2012  
 Agency Contact:  
 Stephen S. Brown (916) 654-1017

File# 2012-0802-01  
 DEPARTMENT OF INSURANCE  
 Gender Nondiscrimination in Health Insurance

This rulemaking is the re-submittal of withdrawn rulemaking 2012-0530-05S. This rulemaking adopts sections 2561.1 and 2561.2 in Title 10 of the California Code of Regulations. The purpose of this rulemaking is to specify forms of gender discrimination considered to be a violation of the prohibition in California Insurance Code section 10140. The specified forms of gender discrimination include:

Denying or cancelling an insurance policy on the basis of gender identity;  
 Using gender identity as a basis for determining premium;  
 Considering gender identity as a pre-existing condition; or  
 Denying coverage or claims for health care services to transgender people when coverage is provided to non-transgender people for comparable services.

Title 10  
 California Code of Regulations  
 ADOPT: 2561.1, 2561.2  
 Filed 08/03/2012  
 Effective 09/02/2012  
 Agency Contact: George Teekell (415) 538-4390

File# 2012-0723-02  
 DEPARTMENT OF MOTOR VEHICLES  
 Tax Delinquency Suspension Fee

The Department of Motor Vehicles (DMV) submitted this deemed emergency action, pursuant to Business and Professions Code section 494.5(o), to adopt section 426 to title 13 of the California Code of Regulations. The proposed regulation sets forth administrative fees imposed on DMV licensees whose licenses are suspended pursuant to Business and Professions Code section 494.5.

Title 13  
 California Code of Regulations  
 ADOPT: 426.00  
 Filed 08/02/2012  
 Effective 08/02/2012  
 Agency Contact: Randi Calkins (916) 657-8898

File# 2012-0620-01  
 DEPARTMENT OF RESOURCES RECYCLING  
 AND RECOVERY  
 Beverage Manufacturer and Distributor Forms and Registration

This regulatory action by the Department of Resources, Recycling and Recovery (Division) amends and adds sections to Title 14 that are designed to facilitate the registration, recordkeeping, reporting, and payment processes for beverage manufacturers and beverage distributors who are subject to the California Beverage Container Recycling and Litter Reduction Act (Act). Specifically, Title 14 CCR § 2000 is amended to provide a definition of "vegetable juice". Section 2200 is amended to specify when a beverage manufacturer must submit a beverage container and/or label for the Division's approval. Sections 2230, 2235, 2240 and 2245 are amended to clarify the applicability of the Act to beverage manufacturers, as well as the record keep-

ing, reporting, and payment requirements under the Act, including online reporting and the deletion of form DR 4 (1/00). New section 2231 is added to specify the registration requirements for a beverage manufacturer under the Act. New section 2301 is added to specify the registration requirements for beverage distributors under the Act. Sections 2300, 2305, 2310, and 2320 are amended to clarify the applicability of the Act to beverage distributors, and the recording keeping, reporting, and payment requirements for beverage distributors under the Act, including online reporting and the deletion of form DR 4 (1/00).

Title 14  
 California Code of Regulations  
 ADOPT: 2231, 2301 AMEND: 2000, 2200, 2230, 2235, 2240, 2245, 2300, 2305, 2310, 2320  
 Filed 08/02/2012  
 Effective 09/01/2012  
 Agency Contact: Sharon Siozon (916) 322-1760

File# 2012-0716-02  
 EDUCATION AUDIT APPEALS PANEL  
 Supplement to Audits of K-12 LEAs — FY 2011-12

This is a certificate of compliance for emergency action 2012-0130-01E, which made the annual revisions to the audit guide pursuant to Education Code section 14502.1. Section 14502.1(b) authorizes the use of the emergency process to adopt the guide before March 1 of each year. This enables accounting firms to prepare training materials and provide training to their field auditors prior to the commencement of auditing. The revisions include authorized reductions in the required number of instructional days and expanded pertussis immunization requirements.

The State Controller in consultation with the Department of Finance makes an annual proposal of the auditing guide for the annual financial and compliance audits of school districts, county office of education and other local educational agencies serving K-12. The Controller submits the guide to EAAP for review and potential amendment. The EAAP must then adopt the guide pursuant to the APA.

Title 5  
 California Code of Regulations  
 ADOPT: 19824.1, 19841, 19851.1, 19854.1  
 AMEND: 19816, 19816.1, 19824, 19850, 19851, 19854  
 Filed 08/08/2012  
 Agency Contact: Carolyn Pirillo (916) 445-7745

File# 2012-0713-03  
 FAIR POLITICAL PRACTICES COMMISSION  
 Activity Expenses

In this regulatory action, the Fair Political Practices Commission amends section 18640 governing the reporting, valuation, and calculation of activity expenses for a government official and/or guest accompanying the official attending to an event as described in section 18946.2, subdivisions (a) and (b).

OAL's review of FPPC proposed regulations is limited to the provisions of the APA as it was enacted on June 4, 1974, when voters adopted the California Political Reform Act. (Fair Political Practices Commission v. Office of Administrative Law, Linda Stockdale Brewer, (April 27, 1992, C010924 [nonpub. opn.].) As such, OAL's review is limited to determining if the proposed regulations comply with "the form and style prescribed by the Secretary of State. If the department approves the regulation or order of repeal for filing, it shall endorse on the certified copy thereof its approval for filing and shall transmit such copy to the Secretary of State." (Former Gov. Code, sec. 11380.2, repealed by Stats. 1979, ch. 467, § 2.)

Title 2  
 California Code of Regulations  
 AMEND: 18640  
 Filed 08/07/2012  
 Effective 09/06/2012  
 Agency Contact:  
 Virginia Latteri-Lopez (916) 322-5660

File# 2012-0625-01  
 OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD  
 Guarding of Microtomes

This rulemaking by the Occupational Safety and Health Standards Board (OSHSB) establishes safety standards for the use of microtomes, also known as "cryostats" or "histotomes" by California employers and employees. Specifically, Title 8, section 3207 is amended to add a definition of "microtome" for use in these regulations. Section 3558 is adopted to provide safety standards specific to microtomes addressing the use, operation, and maintenance of microtomes in the workplace. Lastly, section 4184, which contains general requirements for the point-of-operation guarding of machinery by Title 8, Group 8, is amended to provide an exception for microtomes when used in accordance with the standards set forth in new section 3558.

Title 8  
 California Code of Regulations  
 ADOPT: 3558 AMEND: 3207, 4184  
 Filed 08/07/2012  
 Effective 09/06/2012  
 Agency Contact: Marley Hart (916) 274-5721

File# 2012-0626-01  
 STATE WATER RESOURCES CONTROL BOARD  
 Colorado River Basin Revision Bacterial Indicator —  
 Coachella Valley Storm Water Channel BPA

The Colorado River Basin Regional Water Quality Control Board adopted Resolution R7-2010-0027 and Appendix I on May 20, 2010, amending the Water Quality Control Plan (Basin Plan) for Colorado River Basin Region to revise indicator bacteria for a 17-mile reach of the Coachella Valley Storm Water Channel. The Basin Plan Amendment adopted by the Colorado River Basin Water Board removes two of the three bacterial indicators for pathogens for the subject reach of the Coachella Valley Storm Water Channel in accordance with 1986 U.S. Environmental Protection Agency water quality criteria guidelines and recommendations, leaving E. coli as the sole indicator. The State Water Resources Control Board approved the adoption of the amendments on December 6, 2011 (Resolution No. 2011-0060).

This rulemaking is a water quality plan amendment subject to the special and limited APA provisions of Government Code section 11353.

Title 23  
 California Code of Regulations  
 ADOPT: 3969.2  
 Filed 08/08/2012  
 Agency Contact:  
 Thomas Vandenberg (916) 341-5195

**CCR CHANGES FILED  
 WITH THE SECRETARY OF STATE  
 WITHIN March 14, 2012 TO  
 August 8, 2012**

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**

08/07/12 AMEND: 18640  
 07/16/12 AMEND: 18215.3  
 07/09/12 ADOPT: 22620.1, 22620.2, 22620.3,  
 22620.4, 22620.5, 22620.6, 22620.7,  
 22620.8  
 06/28/12 AMEND: 649.32  
 06/19/12 AMEND: 56800  
 06/04/12 ADOPT: 18313.6

05/29/12 AMEND: 20811(c)  
 05/15/12 AMEND: 1859.2  
 05/10/12 AMEND: 1859.2, 1859.82  
 05/08/12 ADOPT: 559.1  
 04/30/12 ADOPT: 565.5 AMEND: 565.1, 565.2,  
 565.3  
 04/26/12 AMEND: 554.4  
 04/23/12 AMEND: 18705.5  
 04/23/12 AMEND: 554.3  
 04/19/12 ADOPT: 18412 AMEND: 18215, 18413  
 04/10/12 ADOPT: 18215.3  
 04/09/12 ADOPT: 59710  
 03/26/12 AMEND: 1859.2, 1859.71.4, 1859.78.1,  
 1859.79.2, 1859.82, 1859.83, 1859.106,  
 1859.125, 1859.125.1, 1859.145,  
 1859.163.1, 1859.163.5, 1859.193

**Title 3**

08/06/12 AMEND: 3435(b)  
 06/19/12 ADOPT: 6970, 6972 AMEND: 6000  
 05/17/12 AMEND: 4603(i)  
 05/01/12 AMEND: 3423(b)  
 04/16/12 AMEND: 3591.19  
 04/16/12 AMEND: 3439  
 04/12/12 AMEND: 3591.21(b)  
 04/12/12 ADOPT: 3435(c)  
 04/12/12 AMEND: 3434(b)&(c)  
 04/03/12 ADOPT: 3639  
 04/03/12 ADOPT: 3439  
 04/02/12 AMEND: 480.9, 498, 499, 499.5, 500,  
 501, 576.1, 623, 755.2, 756.2, 760.2, 790,  
 790.2, 791, 791.1, 796.2, 797, 799, 820.1,  
 821.2, 900, 900.1, 900.2, 901.3, 901.8,  
 901.9, 901.11, 902, 902.15, 907.3, 909.3,  
 910.4, 910.7, 913, 913.1, 1180, 1180.11,  
 1200, 1204, 1205, 1210, 1235, 1242,  
 1246, 1246.14, 1247, 1256, 1266, 1268,  
 1269, 1271, 1300.1, 1310.1  
 03/20/12 AMEND: 1430.5, 1430.6, 1430.35,  
 1430.36, 1430.37, 1430.38

**Title 4**

08/01/12 ADOPT: 5255, 5256 AMEND: 5170,  
 5230, 5250, 5560, 5580  
 08/01/12 AMEND: 5000, 5052  
 07/26/12 AMEND: 8070  
 07/26/12 AMEND: 12101, 12202, 12205.1,  
 12218, 12218.7, 12218.8, 12222,  
 12225.1, 12233, 12235, 12238, 12309,  
 12335, 12342, 12350, 12352, 12354  
 07/23/12 AMEND: 8035  
 07/16/12 AMEND: 10050, 10051, 10052, 10053,  
 10054, 10055, 10056, 10057  
 06/25/12 AMEND: 8070, 8071, 8072, 8078,  
 8078.2  
 06/25/12 AMEND: 1663

**CALIFORNIA REGULATORY NOTICE REGISTER 2012, VOLUME NO. 33-Z**

06/06/12 AMEND: 1843.3  
 06/01/12 ADOPT: 5205 AMEND: 5000, 5054, 5144, 5170, 5190, 5200, 5230, 5350, 5370 REPEAL: 5133  
 05/15/12 REPEAL: 61.3  
 05/04/12 ADOPT: 10050, 10051, 10052, 10053, 10054, 10055, 10056, 10057, 10058, 10059, 10060  
 04/30/12 ADOPT: 511 AMEND: 399  
 04/26/12 AMEND: 2066  
 04/19/12 ADOPT: 10192, 10193, 10194, 10195, 10196, 10197, 10198, 10199  
 04/17/12 AMEND: 53  
 04/12/12 AMEND: 10317, 10325  
 04/11/12 AMEND: 10302, 10310, 10315, 10317, 10322, 10325, 10327, 10328  
 04/04/12 AMEND: 5000, 5170, 5200, 5230, 5370, 5500, 5540  
 03/29/12 AMEND: 12008, 12335, 12342, 12345, 12357, 12359  
 03/21/12 AMEND: 12200, 12200.9, 12200.10A, 12200.11, 12200.13, 12220, 12220.13, 12342, 12464

**Title 5**

08/08/12 ADOPT: 19824.1, 19841, 19851.1, 19854.1 AMEND: 19816, 19816.1, 19824, 19850, 19851, 19854  
 07/31/12 AMEND: 19816, 19816.1, 19845.2  
 06/12/12 ADOPT: 18004 AMEND: 18000, 18001, 18002, 18003  
 05/29/12 AMEND: 42600  
 04/25/12 AMEND: 80028, 80301, 80442  
 04/20/12 AMEND: 18013, 18054, 18111 REPEAL: 18006, 18200, 18201, 18202, 18203, 18205, 18206, 18207  
 04/11/12 AMEND: 19816, 19816.1, 19845.2  
 04/02/12 ADOPT: 27000, 27001, 27002, 27003, 27004, 27005, 27006, 27007, 27008, 27009  
 04/02/12 ADOPT: 1039.2, 1039.3  
 03/26/12 AMEND: 1216.1  
 03/26/12 ADOPT: 620, 621, 622, 623, 624, 625, 626, 627

**Title 7**

07/03/12 AMEND: 219

**Title 8**

08/07/12 ADOPT: 3558 AMEND: 3207, 4184  
 07/30/12 ADOPT: 32802, 32804 AMEND: 32380, 32603, 32604  
 05/21/12 ADOPT: 10582.5, 10770.1 AMEND: 10770  
 05/07/12 AMEND: 477  
 05/07/12 AMEND: 2340.22

05/02/12 AMEND: 20363, 20365, 20393, 20400, 20402  
 05/01/12 AMEND: 1533, 1541, 8403  
 03/14/12 AMEND: 32602, 32603, 32620, 32621, 32625, 32630, 32635, 32640, 32644, 32647, 32648, 32649, 32650, 32661, 32680, 32690, 61360(a)

**Title 9**

07/27/12 AMEND: 7141.5, 7143, 7227, 7350, 7351, 7353.6, 7354, 7355, 7356, 7357, 7358, 7400  
 03/22/12 AMEND: 9795, 9800, 9801.5, 9801.6, 9804, 9812, 9816, 9820, 9822, 9829, 9836, 9838, 9846, 9848, 9849, 9851, 9852, 9854, 9858, 9862, 9866, 9867, 9868, 9874, 9876, 9876.5, 9878, 9879, 9884, 9886

**Title 10**

08/03/12 ADOPT: 2561.1, 2561.2  
 07/19/12 AMEND: 2698.302  
 07/19/12 AMEND: 2699.301  
 07/19/12 AMEND: 5501, 5506  
 05/31/12 AMEND: 2318.6, 2353.1, 2354  
 05/09/12 AMEND: 2698.208  
 04/23/12 AMEND: 2355.1, 2355.2  
 04/10/12 AMEND: 260.204.9  
 04/09/12 ADOPT: 6400  
 03/15/12 AMEND: 2690

**Title 11**

07/31/12 AMEND: 999.16, 999.17, 999.19, 999.22  
 06/26/12 AMEND: 1005, 1007, 1008  
 06/21/12 AMEND: 1005, 1007  
 05/09/12 ADOPT: 1019 REPEAL: 9020  
 05/07/12 ADOPT: 999.24, 999.25, 999.26, 999.27, 999.28, 999.29 AMEND: 999.10, 999.11, 999.14, 999.16, 999.17, 999.19, 999.20, 999.21, 999.22  
 04/03/12 AMEND: 1001, 1005, 1007, 1008, 1052, 1055  
 03/14/12 AMEND: 1005, 1007, 1008

**Title 12**

06/04/12 AMEND: 506

**Title 13**

08/07/12 ADOPT: 1962.2 AMEND: 1962.1, 1962.2 (renumbered to 1962.3)  
 08/07/12 ADOPT: 1961.2, 1961.3 AMEND: 1900, 1956.8, 1960.1, 1961, 1961.1, 1965, 1968.2, 1968.5, 1976, 1978, 2037, 2038, 2062, 2112, 2139, 2140, 2145, 2147, 2235, 2317  
 08/02/12 ADOPT: 426.00  
 07/30/12 AMEND: 1268, 1270.3

07/12/12 ADOPT: 345.58, 345.73 AMEND:  
345.50, 345.52, 345.56, 345.74, 345.78,  
345.86, 345.88, 345.90 REPEAL:  
345.54, 345.58, 345.60

06/29/12 AMEND: 225.00, 225.03, 225.09,  
225.12, 225.15, 225.18, 225.21, 225.24,  
225.35, 225.36, 225.38, 225.42, 225.45,  
225.54, 225.60, 225.63, 225.66, 225.69,  
225.72 REPEAL: 225.06

04/19/12 ADOPT: 345.31, 345.32, 345.42  
AMEND: 345.02, 345.04, 345.05,  
345.06, 345.07, 345.11, 345.13, 345.15,  
345.16, 345.18, 345.20, 345.22, 345.23,  
345.24, 345.27, 345.28, 345.29, 345.30,  
345.34, 345.36(renumbered to 345.33),  
345.38 (renumbered to 345.35), 345.39  
(renumbered to 345.36), 345.40, 345.41  
REPEAL: 345.17, 345.21, 345.25,  
345.26

04/10/12 ADOPT: 553.30 AMEND: 553, 553.10,  
553.20, 553.50, 553.70, 553.72

**Title 14**

08/02/12 ADOPT: 2231, 2301 AMEND: 2000,  
2200, 2230, 2235, 2240, 2245, 2300,  
2305, 2310, 2320

07/26/12 AMEND: 18836

07/12/12 AMEND: 790, 851.20, 851.21, 851.22,  
851.25, 851.26, 851.27, 851.27.1,  
851.28, 851.29, 851.30, 851.31, 851.32

07/09/12 ADOPT: 1665.1, 1665.2, 1665.3, 1665.4,  
1665.5, 1665.6, 1665.7, 1665.8

07/02/12 ADOPT: 602

06/28/12 ADOPT: 17944.1, 17945.1, 17945.4,  
17946, 17946.5, 17948.1, 17948.2  
AMEND: 17943, 17944, 17946(a)-(h)  
renumber as 17945.2, 17946(i) renumber  
as 17945.3, 17946.5 renumber as  
17945.5, 17947, 17948, 17948.5, 17949  
REPEAL: 17942, 17944.2, 17944.5,  
17945

06/25/12 AMEND: 791.7

06/06/12 ADOPT: 18950, 18951, 18952, 18953,  
18954, 18955, 18955.1, 18955.2,  
18955.3, 18956, 18957, 18958

06/01/12 REPEAL: 660

05/30/12 AMEND: 11960

05/29/12 AMEND: 360, 361, 362, 363, 364, 365,  
708.12

05/21/12 AMEND: 703

05/21/12 AMEND: 7.50

05/21/12 AMEND: 705

05/17/12 AMEND: 7.50

05/07/12 ADOPT: 18835, 18836, 18837, 18838,  
18839

05/01/12 AMEND: 27.80

05/01/12 ADOPT: 4870, 4871, 4872, 4873, 4874,  
4875, 4876, 4877

05/01/12 AMEND: 791.7, 870.17

04/30/12 AMEND: 632

04/27/12 AMEND: 228, 228.5

04/05/12 AMEND: 28.29, 52.10, 150.16

04/03/12 ADOPT: 791.6 AMEND: 791.7, 795, 796

03/28/12 AMEND: 11900, 11945

03/26/12 AMEND: 11960

03/22/12 AMEND: 27.80

**Title 15**

07/02/12 ADOPT: 3999.12

06/26/12 ADOPT: 1712.1, 1714.1, 1730.1, 1740.1,  
1748.5 AMEND: 1700, 1706, 1712,  
1714, 1730, 1731, 1740, 1747, 1747.1,  
1747.5, 1748, 1751, 1752, 1753, 1754,  
1756, 1760, 1766, 1767, 1768, 1770,  
1772, 1776, 1778, 1788 REPEAL: 1757

06/26/12 ADOPT: 3079, 3079.1 AMEND: 3000,  
3075.2, 3075.3

06/26/12 AMEND: 3000, 3076.1, 3076.3, 3375,  
3375.1, 3375.2, 3375.3, 3375.4, 3375.5,  
3377.2, 3521.2

06/06/12 AMEND: 3000, 3006, 3170.1, 3172.1,  
3173.2, 3315, 3323

05/10/12 ADOPT: 3375.6 AMEND: 3000, 3375

04/11/12 AMEND: 3187, 3188

04/09/12 AMEND: 3172.2

04/05/12 AMEND: 3341.5, 3375.2, 3377.1

04/02/12 ADOPT: 3571, 3582, 3590, 3590.1,  
3590.2, 3590.3 AMEND: 3000

03/28/12 ADOPT: 3352.3 AMEND: 3350.1, 3352,  
3352.1, 3352.2, 3354, 3354.2, 3355.1,  
3358

03/19/12 ADOPT: 3078, 3078.1, 3078.2, 3078.3,  
3078.4, 3078.5, 3078.6 AMEND: 3000,  
3043, 3075.2, 3097, 3195, 3320, 3323

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07/23/12 ADOPT: 1397.2 AMEND: 1380.4

07/17/12 ADOPT: 1399.23, 1399.24 AMEND:  
1398.4

07/10/12 ADOPT: 3394.25, 3394.26, 3394.27

06/18/12 ADOPT: 1727.2 AMEND: 1728

06/18/12 AMEND: 443

06/14/12 ADOPT: 302.5

05/25/12 ADOPT: 1399.364, 1399.375, 1399.377,  
1399.381, 1399.384 AMEND: 1399.301,  
1399.302, 1399.303, 1399.320,  
1399.330, 1399.352.7, 1399.353,  
1399.360, 1399.370, 1399.374, 1399.376  
(renumbered to 1399.382), 1399.380,  
1399.382 (renumbered to 1399.383),  
1399.383 (renumbered to 1399.385),

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- 1399.384 (renumbered to 1399.378),  
1399.385 (renumbered to 1399.379),  
1399.395 REPEAL: 1399.340,  
1399.381, 1399.387, 1399.388,  
1399.389, 1399.390, 1399.391
- 05/17/12 ADOPT: 4544, 4600, 4602, 4604, 4606,  
4608, 4610, 4620, 4622 AMEND: 4422,  
4440, 4446, 4470
- 05/14/12 AMEND: 932
- 05/04/12 ADOPT: 2509, 2518.8, 2524.1, 2568,  
2576.8, 2579.11 AMEND: 2503, 2524.1  
(renumber to 2524.5), 2563, 2579.11  
(renumber to 2579.20)
- 04/27/12 AMEND: 407, 428
- 04/26/12 AMEND: 3605
- 04/23/12 AMEND: 3005
- 04/16/12 ADOPT: 2295, 2295.1, 2295.2, 2295.3  
AMEND: 2252, 2275, 2284
- 03/30/12 AMEND: 3340.43, 3394.3, 3394.4,  
3394.5, 3394.6, 3394.7
- 03/29/12 AMEND: 109, 116, 117, 121
- 03/19/12 AMEND: 4155
- Title 17**
- 07/26/12 AMEND: 94006
- 06/15/12 AMEND: 6508
- 04/18/12 AMEND: 100607, 100608
- 03/28/12 AMEND: 100080
- 03/15/12 ADOPT: 58883
- 03/15/12 AMEND: 6020, 6035, 6051, 6065, 6070,  
6075
- Title 18**
- 08/07/12 AMEND: 1618
- 07/27/12 AMEND: 1684
- 07/10/12 AMEND: 1205, 1212, 1271
- 07/10/12 AMEND: 1105, 1120, 1132, 1161
- 07/10/12 AMEND: 1435, 1436
- 07/10/12 AMEND: 25128.5
- 07/03/12 AMEND: 3301
- 07/03/12 AMEND: 263
- 05/01/12 AMEND: 1685.5
- 03/26/12 ADOPT: 25137-8.2 AMEND: 25137-8  
(re-numbered to 25137-8.1)
- Title 22**
- 07/12/12 AMEND: 66263.18, 66263.41,  
66263.43, 66263.44, 66263.45, 66263.46
- 07/12/12 AMEND: 66268.40, 66268.48
- 07/09/12 AMEND: 4416
- 07/03/12 AMEND: 51516.1
- 06/28/12 AMEND: 91477
- 06/21/12 AMEND: 50195, 50197, 50256, 50258,  
50258.1, 50262, 50268, 50815, 51000.53
- 06/12/12 AMEND: 66261.32
- 05/24/12 AMEND: 90417
- 05/22/12 ADOPT: 60098, 64400.05, 64400.29,  
64400.36, 64400.41, 64400.66,  
64400.90, 64402.30, 64400.46 AMEND:  
60001, 60003, 63790, 63835, 64001,  
64211, 64212, 64213, 64252, 64254,  
64256, 64257, 64258, 64259, 64400.45,  
64415, 64463.1, 64463.4, 64470, 64481,  
64530, 64531, 64533, 64534, 64534.2,  
64534.4, 64534.6, 64534.8, 64535,  
64535.2, 64535.4, 64536.6, 64537,  
64537.2 REPEAL: 60430, 64002, 64439,  
64468.5
- 05/17/12 AMEND: 51240, 51305, 51476
- 05/04/12 AMEND: 123000
- 04/11/12 AMEND: 97174
- 03/15/12 ADOPT: 123000 and Appendices  
REPEAL: 123000 and Appendices
- Title 23**
- 08/08/12 ADOPT: 3969.2
- 07/30/12 ADOPT: 2923
- 07/11/12 ADOPT: 597, 597.1, 597.2, 597.3, 597.4
- 07/05/12 AMEND: 570, 571, 572, 573, 574, 575,  
576
- 04/23/12 ADOPT: 3979.4
- 04/10/12 AMEND: 2631
- 04/09/12 ADOPT: 3969.1
- 04/05/12 AMEND: 645
- 03/21/12 ADOPT: 3969
- 03/21/12 ADOPT: 3939.41
- 03/21/12 ADOPT: 3939.44
- 03/15/12 ADOPT: 3939.43
- Title 25**
- 06/07/12 ADOPT: 4326, 4328 AMEND: 4004,  
4200, 4204, 4208
- Title 27**
- 07/12/12 AMEND: 25305, 25701, 25705, 25801
- 06/18/12 AMEND: 25705
- 03/26/12 AMEND: 25705
- 03/15/12 AMEND: 25705
- Title MPP**
- 06/25/12 AMEND: 40-105.4(g)(1), 44-111.23,  
44-113.2, 44-133.54(QR),  
44-315.39(QR), 89-201.513
- 06/25/12 AMEND: 41-440, 42-716, 42-717,  
44-207
- 06/25/12 AMEND: 40-107, 42-301, 42-302,  
42-431, 42-712, 42-713, 42-716,  
42-717, 42-721, 44-133, 44-307,  
44-316, 82-833
- 04/11/12 AMEND: 47-230, 47-240, 47-401
- 03/15/12 AMEND: 25705