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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**

Amadou Ba, Chief
Fertilizing Materials Inspection Branch
California Department of Food and Agriculture
1220 N Street
Sacramento, CA 95814

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

**DIVISION 4. PLANT INDUSTRY.
CHAPTER 1. CHEMISTRY.
SUBCHAPTER 1. FERTILIZING MATERIALS**
(Notice published January 21, 2011)

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the California Department of Food and Agriculture (Department) proposes to amend, Title 3, Division 4, Chapter 1, Subchapter 1 of the California Code of Regulations (CCR) sections 2300(g), 2300.1, 2302, 2303(l), 2320, and 2321. The Department also proposes to add the following sections to Title 3, Division 4, Chapter 1, Subchapter 1 of the California Code of Regulations: 2303(w), 2320.1, 2320.2, 2322, 2322.1, 2322.2, 2322.3, 2322.4, and 2323.

PUBLIC HEARING

The Department has not scheduled a public hearing on this proposed action. However, the Department 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 comment relevant to the proposed regulatory action to the Department. The written comment period closes at 5:00 p.m. on March 7, 2011. The Department will consider only comments received at the Department offices by that time. Submit comments to:

AUTHORITY AND REFERENCE

Notice is hereby given that the California Department of Food and Agriculture, pursuant to the authority vested by Sections 14, 401, 407, 14502, 14591, 14601, 14621, 14622, 14623, 14628, 14631, 14641, 14642, 14651.5, 14655, 14681, 14682 of the Food and Agricultural Code (FAC), and to implement, interpret, or make specific Sections 14528, 14532, 14533, 14550.5, 14557, 14558, 14583.5, 14591, 14601, 14611, 14523, 14631, 14641, 14642, 14651, 14651.5, 14652, 14655, 14661, 14681, and 14682 of the FAC.

Section 407 of the Food and Agricultural Code (FAC) authorizes the Secretary of the Department to adopt such regulations as are reasonably necessary to carry out the provisions of the Food and Agricultural Code which the Secretary is directed or authorized to administer or enforce.

FAC Section 14528 et seq. tasks the Secretary of CDFA with reviewing the definition of organic input materials and implementation issues that may arise or have arisen on account of that definition.

FAC Section 14601(f) requires organic input material manufacturers to be inspected at least once per year. The Department may perform site inspections of organic input material manufacturing processes used to validate label nutrient guarantees, claims, and compliance with National Organic Program standards during the registration process. The Department may accept inspections performed by a third-party organization recognized by the National Organic Program for out-of-state organic input material manufacturers. All inspection records obtained by the third-party organization shall be made available to the Department upon request. When a third-party organization is conducting a site inspection, the organization shall notify the department of when the inspection is going to take place no less than 72 hours in advance of the inspection. Department representatives may be present at the inspection.

FAC Section 14623 establishes that a tonnage report shall be submitted to the Department semiannually, not later than January 31 and July 31 of each year. The Department shall impose a penalty in the amount of \$200 on any person who does not submit the report on or before those dates. Any tonnage report that is more than 90 days past due is a cause for revocation of the license.

FAC Section 14631 provides that every lot, parcel, or package of fertilizing material distributed into or within this state shall have attached to it, or the shipment shall

be physically accompanied by, a label as required by the Department, by regulation. The Department may require proof of labeling statements and claims made for any fertilizing material. As evidence of proof, the Department may rely on experimental data, evaluations, or advice furnished by scientists, including scientists affiliated with the University of California, and may accept or reject additional sources of proof. The Department shall cancel the approval of, or refuse to approve, a fertilizing material label if the Department determines that adequate proof of label claims does not exist. The Department, after a hearing, may cancel the license of any person who distributes a fertilizing material with a label for which approval has been canceled or a label that has not been approved by the Department.

FAC Section 14641 mandates that the Department shall have free access at reasonable times to all records, premises, production processes, or conveyances that are used in the manufacture, transportation, importation, distribution, storage, or application of any fertilizing material.

FAC Section 14642 et seq. provides that the Department shall, at all times and to the extent necessary for enforcement, do all of the following: take samples of any substance; make analyses or examinations of any substance; conduct investigations concerning the use, sale, adulteration, or misbranding of any substance; and, inspect the fertilizing material manufacturing facilities and take samples at various stages of production to verify label and labeling claims and the production process.

FAC Section 14651 et seq. establishes that unless otherwise specified in this chapter, any violation of this chapter, or the regulations adopted pursuant to this chapter, is a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000) for the first violation and not less than one thousand dollars (\$1,000) for each subsequent violation. This section also provides for a hearing process for suspending or revoking any violation concerning this chapter.

FAC Section 14651.5 et seq. mandates that the Department shall levy a civil penalty against any person who violates this chapter in an amount of not more than \$5,000 for each violation. This section also provides that a person against whom a civil penalty is levied shall be afforded an opportunity for a hearing before the Department, upon a request being made within 30 days after the date of issuance of the notice of penalty.

FAC Section 14652 et seq. provides that it is unlawful for any person to manufacture or distribute in this state any fertilizing material without complying with this chapter or the regulations adopted pursuant to this chapter. This section also provides that any violation of this subdivision is a misdemeanor punishable by fines rang-

ing from \$5,000 to \$15,000, depending upon the severity of the violation.

FAC Section 14655(a) establishes that any lot of fertilizing material for which a hold order or notice is issued shall be held by the person having control of the material and shall not be distributed or moved except under the specific directions of the Department, pending final disposition pursuant to this chapter. This does not prevent the person who has control of the material from inspecting any seized material or from taking a reasonable sample for evidence while in the presence of a person designated by the Department.

FAC Section 14655(b) provides that the movement, distribution, or sale of all or part of any product by the person having control of the material that has been quarantined by the Department, unless the movement, distribution, or sale has the prior approval of the Department, is a violation subject to a civil penalty as specified in FAC Section 14651.5, or a misdemeanor punishable by a fine of not more than \$5,000. A second or subsequent violation of this subdivision is a misdemeanor punishable by a fine of not less than \$10,000.

FAC Section 14681 mandates that no person shall distribute misbranded fertilizing materials and defines the conditions under which a fertilizing material shall be deemed misbranded.

FAC Section 14682 provides that no person shall distribute an adulterated fertilizing material and defines the conditions under which a fertilizing material shall be deemed adulterated.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Proposed amendments to Section 2300 would provide that the statement “State of California Approved” or other indication of official approval is prohibited in labeling and advertising unless allowed for organic input material.

Proposed amendments to Section 2300.1 would establish definitions for the term “custom blend” and “blender” as they relate to fertilizing material.

Proposed amendments to Section 2302 would repeal provisions related to concentrations of non-nutrient metals for inorganic commercial fertilizers and specialty fertilizers.

Proposed amendments to Section 2303(l) would modify provisions for labeling requirements to specify that wetting agents shall state the name of the specific wetting agent on company letterhead and note if confidential.

Proposed Section 2303(w) would provide that in adopting the labeling requirements, accepted definitions, and official fertilizer terms listed in the 2010

American Association of Plant Food Control Officials Publication, volume 63 may be considered.

Proposed amendments to Section 2320 would modify registration provisions for fertilizer materials to provide that organic input material shall be registered in the name of the legal entity or person whose name appears on the label before being distributed in this state. In addition, organic input material shall not be sold or distributed unless the product is registered.

Proposed Section 2320.1 et seq. would establish a fee and registration renewal period for each organic input material product label submitted for registration. This section would also provide that if the Secretary returns an incomplete application for organic input material product registration to the applicant, the applicant has 180 days from the date the Secretary initially returned the application to resubmit a complete application without payment of a new registration fee. A new registration fee must accompany applications resubmitted after 180 days from the date the Secretary returned the application.

Proposed Section 2320.2 et seq. would mandate that organic input materials submitted for registration shall comply with the requirements of the National Organic Program standards. In addition, this section would establish that product label registration for organic input material shall be made on an application designated by the Department. In addition, this proposed regulation establishes the criteria required on the application for the organic input material product label registration.

Proposed amendments to Section 2321 would modify regulations requiring tonnage reporting to align with the statutory requirements provided in FAC Section 14623.

Proposed Section 2322 would establish civil penalty guidelines for applying the mandates of FAC Section 14651.5. Accordingly, the civil penalty guidelines define violation classes as “Serious,” “Moderate,” and “Minor.” A civil penalty matrix is included within proposed Section 2322 to enhance uniform and consistent application of the corresponding penalties.

Proposed Section 2322.1 would provide a mechanism for any person or his or her duly authorized representative to contest a notice of adverse determination and request an informal hearing.

Proposed Section 2322.2 would establish filing deadlines and procedures for contesting a notice of adverse determination for any violation of the applicable California Code of Regulations. In addition, this proposed section would provide a mechanism for a respondent to request a formal hearing in lieu of an informal one.

Proposed Sections 2322.3 and 2322.4 would mandate departmental proceedings for a hearing schedule and notification for formal and informal hearings.

Proposed Section 2323(a) would align the California Code of Regulations with the Food and Agricultural Code to provide that the Department shall have free access at reasonable times to all records, premises, production processes, storage facilities, inventories, or conveyances that are used in the manufacture, transportation, importation, distribution, storage, or application of organic input material.

Proposed Section 2323(b) would align the California Code of Regulations with the Food and Agricultural Code, authorizing the Department to perform site inspections of organic input material manufacturers and manufacturing processes used to validate label nutrient guarantees, claims, and compliance with National Organic Program standards at least once per year.

Proposed Section 2323(c) would establish procedures for the Department to accept inspections performed by a third-party organization recognized by the National Organic Program for out-of-state organic input material manufacturers.

Proposed Section 2323(d) would mandate manufacturers of organic input material to maintain all records demonstrating compliance with National Organic Program standards and submit complete documentation describing all ingredients, manufacturing processes, process control information, laboratory analysis of incoming ingredients and finished products, and other information as required by the Department.

Proposed Section 2323(e) would mandate the Department to conduct specified sampling and analysis for the purpose of determining compliance.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

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

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.

EFFECT ON SMALL BUSINESS

The Department has initially determined that the proposed changes to the regulations would result in no added costs to small businesses affected by these proposed changes. The proposed changes implement the statutory provisions contained in AB 856 (Ch. 257, Stats. of 2009) and are intended to regulate and enforce fertilizing materials standards and labeling, tonnage reporting, civil penalties, registration, and inspection.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Amadou Ba, Chief
Fertilizing Materials Inspection Branch
California Department of Food and Agriculture
1220 N Street
Sacramento, CA 95814
Telephone (916) 445-0444
Fax (916) 445-2171

The backup contact person for these inquiries is:

Brian Cote, Special Investigator
Inspection and Compliance Branch
California Department of Food and Agriculture
1220 N Street, Sacramento, CA 95814
Telephone: (916) 445-2180
Fax: (916) 445-2427

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department will have the rulemaking file available for inspection and copying throughout the rulemaking process at its office at 560 J Street, Suite 220, Sacramento, CA 95814. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons, and meeting minutes from various Fertilizer Inspection Advisory Board and Fertilizer Inspection Advisory Board AB 856 Subcommittee meetings. Copies may be obtained by contacting Brian Cote at the address or phone number listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications, which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Brian Cote at the address provided above. The Department 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 Brian Cote at the address provided above.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through the Department's website at: <http://www.cdfa.ca.gov/is/Regulations.html>.

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE OF THE DEPARTMENT OF MOTOR VEHICLES

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

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

This amendment reflects the organizational structure of the Department of Motor Vehicles as of April 1, 2009, and makes other technical changes to reflect the current organizational structure of the Department. Copies of the amended code are available and may be requested from the contact person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than March 7, 2011, or at the conclusion of the public hearing, if requested, whichever comes later, to the contact person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than February 25, 2011, by contacting the contact person set forth below.

The Department of Motor Vehicles has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the contact person set forth below.

The Department of Motor Vehicles has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

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

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

Randi Calkins, Regulations Analyst
 Department of Motor Vehicles
 Legal Affairs Division
 P.O. Box 932382, MS C-244
 Sacramento, CA 94232-3820
 Telephone: (916) 657-8898
 Facsimile: (916) 657-1204
 RCalkins@dmv.ca.gov

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

NOTICE OF PROPOSED RULEMAKING

[Published January 21, 2011]

Forest Legacy Program Procedures, 2011

The Board of Forestry and Fire Protection (Board) proposes to amend and adopt the regulations of Title 14 of the California Code of Regulations (14 CCR) described below after considering all comments, objections, and recommendations regarding the proposed action.

Adopt

- § 1570 Purpose of Guidelines
- § 1571 Definitions
- § 1572 Eligibility Criteria
 - § 1572.1 Eligible Costs
 - § 1572.2 Ineligible Costs
- § 1573 Applications and Content
 - § 1573.1 Applications Review
 - § 1573.2 Disapproval of Application
 - § 1573.3 Priority Ranking of Accepted Applications
 - § 1573.4 Availability of Federal Funds
 - § 1573.5 Availability of State Funds

§ 1573.6 Non-funded Applications
§ 1574 Conservation easement Criteria
§ 1575 Funded Applications
§ 1575.1 Responsibilities of the Department
§ 1575.2 Landowner Responsibilities
§ 1575.3 Disbursement of Funds
§ 1576 Responsibilities for Monitoring

PUBLIC HEARING

The Board will hold a public hearing starting at 8:00 a.m., on Wednesday, April 6, 2011, at the Resources Building Auditorium, 1st Floor, 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the *Informative Digest*. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code section 11125.1, any information presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record. Such information shall be retained by the Board and shall be made available upon request.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends at 5:00 p.m., Monday, March 7, 2011. The Board will consider only written comments received at the Board office by that time (in addition to those written comments received at the public hearing). The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Christopher Zimny
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506-14
1416 9th Street
Sacramento, CA

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

board.public.comments@fire.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Sections 12249 and 12249.5, Public Resources Code. Reference: Sections 12211 and 12240, Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The State Board of Forestry and Fire Protection (Board) is proposing a regulation required by the California Forest Legacy Program Act of 2000, as contained in Sections 12200-12292 of the Public Resources Code. These statutes establish a program for securing conservation easements for private forest lands. A conservation easement is a contract between a landowner and a government entity or nonprofit such as a land trust. The recorded easement permanently restricts use of specific land to protect its conservation values. The proposed regulations establish parameters and disclosure requirements for a parcel's eligibility for the program, eligible costs, documentation requirements, project ranking criteria, and program responsibility of the Department and landowner necessary for acquiring the conservation easement. The proposed regulation requires submission of an application to facilitate submittal by applicants and provide for equitable, information and efficient review of projects by the Director. The application is incorporated by reference and is titled: "California's Forest Legacy Program Application" and found at http://www.fire.ca.gov/resource_mgt/downloads/2005-06LegacyApplicationForm.pdf

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has determined the proposed action will have the following effects:

- Mandate on local agencies and school districts: None are known.
- Costs or savings to any State agency: None are known.
- Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC 17500: None are known.

- Other non-discretionary cost or savings imposed upon local agencies: None are known.
- Cost or savings in federal funding to the State: None are known.
- Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None are known.
- Potential cost impact on private persons or directly affected businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The Forest Legacy Program is voluntary and each landowner decides whether the Program is in their best economic interest. Conservation easements generally have an immediate economic benefit to landowners in that they are reimbursed for the forgone development value.
- Effect on small business: None. The Board has determined that the proposed amendments will not affect small business because the proposal adds no new operational or plan preparations cost.
- Significant effect on housing costs: None are known.
- Adoption of these regulations will not create or eliminate jobs within California.
- Adoption of these regulations will not: (1) create new businesses or eliminate existing businesses within California; or (2) affect the expansion of businesses currently doing business within California.

The proposed Rules do not conflict with, or duplicate Federal regulations.

BUSINESS REPORTING REQUIREMENT

The regulation does not require a report, which shall apply to businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Board must determine that no reasonable alternative it considers or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the *Initial Statement of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
 Attn: Christopher Zimny
 Regulations Coordinator
 P.O. Box 944246
 Sacramento, CA 94244-2460
 Telephone: (916) 653-9418

The designated backup person in the event Mr. Zimny is not available is Mr. George Gentry, California Department of Forestry and Fire Protection, at the above address and phone (916) 653-8007.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board has prepared an *Initial Statement of Reasons* providing an explanation of the purpose, background, and justification for the proposed regulations. The statement is available from the contact person on request.

When the *Final Statement of Reasons* has been prepared, the statement will be available from the contact person on request.

A copy of the express terms of the proposed action, using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKE-THROUGH~~ to indicate a deletion, is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at its office at the above address. All of the above-referenced information is also available on the CDF web site at: http://www.fire.ca.gov/BOF/board/board_proposed_rule_packages.html.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text—with the changes clearly indicated—available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including written and oral comments received at the public hearing, or
- c) requested notification of the availability of such changes from the Board of Forestry and Fire Protection.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

Crime Prevention and Corrections

NOTICE OF PROPOSED REGULATIONS

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Section 5058, in order to implement, interpret and make specific PC Section 5054, proposes to amend Section 3378 in the California Code of Regulations, Title 15, Division 3, concerning Documentation of Critical Case Information.

PUBLIC HEARING

- Date and Time: March 15, 2011 — 9:00 a.m. to 10:00 a.m.
- Place: Department of Corrections and Rehabilitation
Kern/Colorado Room
1515 S Street — North Building
Sacramento, CA 95811
- Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD

The public comment period will close March 15, 2011, at 5:00 p.m. Any person may submit public comments in writing (by mail, by fax or by e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the Department of Corrections and Rehabilitation, Regulation and Policy Management Branch, P.O. Box 942883, Sacra-

mento, CA 94283-0001; by fax at (916) 324-6075; or by e-mail at *RPMB@cdcr.ca.gov* before the close of the comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:

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

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

**G. Long
Regulation and Policy Management Branch
Telephone (916) 445-2276**

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

**Terry Rosenkrans
Special Agent
Office of Correctional Safety
916-631-0175**

LOCAL MANDATES

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

FISCAL IMPACT STATEMENT

- Cost or savings to any state agency: *None.*
- Other nondiscretionary cost or savings imposed on local agencies: *None.*
- Cost or savings in federal funding to the state: *None.*

EFFECT ON HOUSING COSTS

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

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

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

SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY
AFFECTING BUSINESS

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

EFFECT ON SMALL BUSINESSES

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

ASSESSMENTS OF EFFECTS ON JOB
AND/OR BUSINESS CREATION,
ELIMINATION OR EXPANSION

The Department has determined that the proposed regulation will have no effect on the creation of new, or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California.

CONSIDERATION OF ALTERNATIVES

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

AVAILABILITY OF PROPOSED TEXT AND
INITIAL STATEMENT OF REASONS

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

AVAILABILITY OF THE FINAL
STATEMENT OF REASONS

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

AVAILABILITY OF CHANGES
TO PROPOSED TEXT

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

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

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

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

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

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

This action will provide the following:

- Amends Article 10, Section 3378 to ensure clarity in the interpretation of what evidence can be considered a direct link for gang validation purposes.
- Provides uniformity relative to the documentation of gang validation information.

GENERAL PUBLIC INTEREST

AIR RESOURCES BOARD

ERRATA

TITLE 17. CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE CARBON INTENSITY LOOKUP TABLES IN THE LOW CARBON FUEL STANDARD REGULATION

By notice dated December 28, 2010, and published in the January 7, 2011, California Regulatory Notice Register, Register No. 1–Z, the Air Resources Board (ARB or Board) provided Notice of Public Hearing to Consider Amendments to the Carbon Intensity Lookup Tables in the Low Carbon Fuel Standard Regulation (Notice). The deadline for public comment on the proposed regulatory amendments and supporting documents is February 24, 2011.

PLEASE BE ADVISED that footnote 8 on page 3 of the Notice is incorrect and the reader should therefore disregard it. In addition, the paragraph on page 3 in which footnote 8 appears should be replaced with the following two paragraphs:

“As noted, there are three types of proposed CI amendments: (1) ARB initiated pathways, (2) Method 2A submittals, and (3) Method 2B submittals. Staff has developed carbon intensities for various additional fuel pathways — Used

Cooking Oil Biodiesel (with and without cooking) and Corn Oil Biodiesel. Staff has also initiated analyses for canola-to-biodiesel and sorghum-to-ethanol-pathways, and has posted interim carbon intensity values on the LCFS portal site (<http://www.arb.ca.gov/fuels/lcfs/2a2b/2a-2b-apps.htm>). Under LCFS Regulatory Advisory 10–04 (<http://www.arb.ca.gov/fuels/lcfs/122310lcfs-rep-adv.pdf>), regulated parties would be allowed to use the interim carbon intensities posted for these fuel pathways while staff’s analysis of their indirect effects is ongoing. When that analysis is complete, staff will pursue a subsequent rulemaking to incorporate these fuel pathways into the Lookup Tables.

In addition, staff has evaluated a number of Method 2A/2B customized CI pathway applications submitted by regulated parties or entities on behalf of regulated parties. The customized CI pathways under consideration include: corn ethanol, mixed feedstock ethanol (e.g., corn-sorghum), sugarcane ethanol processed pursuant to the Caribbean Basin Initiative, and liquefied natural gas. The various corn and mixed-feedstock ethanol pathways differ by process energy input, energy efficiency, production process technology, and co-product mix. Staff will be presenting these fuel pathways for Executive Officer consideration and, if approved, incorporation into the Lookup Tables.”

Also, in the Informative Digest of Proposed Action and Policy Statement Overview, the titles of the documents to be incorporated by reference into the regulation contained some minor errors, as described below:

Current Reference Title	Corrected Reference Title
Archer Daniels Midland Company Method 2B Application, November 5, 2010	Archer Daniels Midland Company Method 2B Application Package (November 5, 2010)
POET Method 2A Application, December 16, 2010	POET Method 2A Application Package (December 16, 2010)
Trinidad Bulk Traders LTD Method 2B Application, November 23, 2010	Trinidad Bulk Traders LTD Method 2B Application Package (November 23, 2010)
Green Plains, Lakota Plant Method 2A Application, November 3, 2010	Green Plains Holdings II LLC—Lakota Plant Division Method 2A Application Package (November 3, 2010)
Green Plains, Central City Plant Method 2A Application, October 20, 2010	Green Plains Central City LLC, Method 2A Application Package (October 20, 2010)
Louis Dreyfus Commodities Method 2A Application, December 1, 2010	Louis Dreyfus Commodities, Elkhorn Valley Ethanol LLC Method 2A Application Package (December 1, 2010)
ARB CA–GREET Model Pathway for Biodiesel Produced in the Midwest from Used Cooking Oil, December 14, 2010	Stationary Source Division, Air Resources Board (December 14, 2010), “Detailed California–Modified GREET Pathway for Biodiesel Produced in the Midwest from Used Cooking Oil and Used in California”
ARB CA–GREET Pathway for the Production of Biodiesel from Corn Oil at Dry Mill Ethanol Plants, December 14, 2010	Stationary Source Division, Air Resources Board (December 14, 2010, v. 1.0), “Detailed California–Modified GREET Pathway for the Production of Biodiesel from Corn Oil at Dry Mill Ethanol Plants”

Finally, Table 7 in the Proposed Regulation Order (ISOR, Appendix A at A-12, 13) and its analog, Table ES-2 in the Staff Report: Initial Statement of Reasons for Proposed Rulemaking (ISOR), have a number of rows that are misplaced in the incorrect fuel categories.

These tables should read as follows (for brevity, only corrected Table 7 is shown, but Table ES-2 in the ISOR as corrected would appear identical to Table 7 except that it would be labeled as Table ES-2):

Table 7. Carbon Intensity Lookup Table for Diesel and Fuels that Substitute for Diesel.

Fuel	Pathway Identifier	Pathway Description	Carbon Intensity Values (gCO ₂ e/MJ)		
			Direct Emissions	Land Use or Other Indirect Effect	Total
Diesel	<u>ULSD001</u>	ULSD — based on the average crude oil delivered to California refineries and average California refinery efficiencies	94.71	0	94.71
Biodiesel	<u>BIOD002</u>	Conversion of waste oils (Used Cooking Oil) to biodiesel (fatty acid methyl esters — FAME) where “cooking” is required	15.84	0	15.84
	<u>BIOD003</u>	Conversion of waste oils (Used Cooking Oil) to biodiesel (fatty acid methyl esters — FAME) where “cooking” is not required	11.76	0	11.76
	<u>BIOD001</u>	Conversion of Midwest soybeans to biodiesel (fatty acid methyl esters — FAME)	21.25	62	83.25
	<u>BIOD004</u>	<u>Conversion of waste oils (Used Cooking Oil) to biodiesel (fatty acid methyl esters— FAME) where “cooking” is required. Fuel produced in the Midwest</u>	<u>18.44</u>	<u>0</u>	<u>18.44</u>
	<u>BIOD005</u>	<u>Conversion of waste oils (Used Cooking Oil) to biodiesel (fatty acid methyl esters— FAME) where “cooking” is not required. Fuel produced in the Midwest</u>	<u>13.53</u>	<u>0</u>	<u>13.53</u>
	<u>BIOD007</u>	<u>Conversion of corn oil, extracted from distillers grains prior to the drying process, to biodiesel</u>	<u>5.90</u>	<u>0</u>	<u>5.90</u>
Renewable Diesel	<u>RNWD002</u>	Conversion of tallow to renewable diesel using higher energy use for rendering	39.33	0	39.33
	<u>RNWD003</u>	Conversion of tallow to renewable diesel using lower energy use for rendering	19.65	0	19.65
	<u>RNWD001</u>	Conversion of Midwest soybeans to renewable diesel	20.16	62	82.16
Compressed Natural Gas	<u>CNG001</u>	California NG via pipeline; compressed in CA	67.70	0	67.70
	<u>CNG002</u>	North American NG delivered via pipeline; compressed in CA	68.00	0	68.00
	<u>CNG003</u>	Landfill gas (bio-methane) cleaned up to pipeline quality NG; compressed in CA	11.26	0	11.26
	<u>CNG004</u>	Dairy Digester Biogas to CNG	13.45	0	13.45

Fuel	Pathway Identifier	Pathway Description	Carbon Intensity Values (gCO ₂ e/MJ)		
			Direct Emissions	Land Use or Other Indirect Effect	Total
Liquefied Natural Gas	<u>LNG001</u>	North American NG delivered via pipeline; liquefied in CA using liquefaction with 80% efficiency	83.13	0	83.13
	<u>LNG002</u>	North American NG delivered via pipeline; liquefied in CA using liquefaction with 90% efficiency	72.38	0	72.38
	<u>LNG003</u>	Overseas-sourced LNG delivered as LNG to Baja; re-gasified then reliquefied in CA using liquefaction with 80% efficiency	93.37	0	93.37
	<u>LNG004</u>	Overseas-sourced LNG delivered as LNG to CA; re-gasified then re-liquefied in CA using liquefaction with 90% efficiency	82.62	0	82.62
	<u>LNG005</u>	Overseas-sourced LNG delivered as LNG to CA; no re-gasification or re-liquefaction in CA	77.50	0	77.50
	<u>LNG006</u>	Landfill Gas (bio-methane) to LNG liquefied in CA using liquefaction with 80% efficiency	26.31	0	26.31
	<u>LNG007</u>	Landfill Gas (bio-methane) to LNG liquefied in CA using liquefaction with 90% efficiency	15.56	0	15.56
	<u>LNG008</u>	Dairy Digester Biogas to LNG liquefied in CA using liquefaction with 80% efficiency	28.53	0	28.53
	<u>LNG009</u>	Dairy Digester Biogas to LNG liquefied in CA using liquefaction with 90% efficiency	17.78	0	17.78
Electricity	<u>ELC001</u>	California average electricity mix	124.10	0	124.10
	<u>ELC002</u>	California marginal electricity mix of natural gas and renewable energy sources	104.71	0	104.71
Hydrogen	<u>HYGN001</u>	Compressed H ₂ from central reforming of NG (includes liquefaction and re-gasification steps)	142.20	0	142.20
	<u>HYGN002</u>	Liquid H ₂ from central reforming of NG	133.00	0	133.00
	<u>HYGN003</u>	Compressed H ₂ from central reforming of NG (no liquefaction and re-gasification steps)	98.80	0	98.80
	<u>HYGN004</u>	Compressed H ₂ from on-site reforming of NG	98.30	0	98.30
	<u>HYGN005</u>	Compressed H ₂ from on-site reforming with renewable feedstocks	76.10	0	76.10

These errata, the complete text of the notice, and the Initial Statement of Reasons are available on ARB’s website at the following address: <http://www.arb.ca.gov/regact/2011/lcfs11/lcfs11.htm>. Any questions regarding these corrections should be directed to John Courtis, Manager of the Alternative Fuels Section, at (916) 323-2661.

For individuals with sensory disabilities, this document and other related material can be made available in Braille, large print, audiocassette, or computer disk. For assistance, please contact the Clerk of the Board at (916) 322-5594 as soon as possible.

DEPARTMENT OF FISH AND GAME

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

For Publication January 21, 2011
CESA CONSISTENCY DETERMINATION
REQUEST FOR
Maxwell Public Utilities District (PUD)
Treated Effluence Reuse Project
Colusa County
2080–2011–001–02

The Department of Fish and Game (Department) received a notice on January 6, 2011 that the United States Department of Agriculture Rural Development (USDA Rural Development) proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect species protected by the California Endangered Species Act (CESA). The proposed action would consist of upgrading of an existing wastewater treatment facility, installation of an effluent pipeline and construction of an effluent reuse area with irrigation system.

The U.S. Fish and Wildlife Service (Service) issued a “no jeopardy” federal biological opinion (File No. 81420–2009–F–0835–4)(BO) and incidental take statement (ITS) to the United States Department of Agriculture on June 4, 2010 which considered the effects of the project on the Federally and State threatened Giant Garter snake (*Thamnophis gigas*).

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

FISH AND GAME COMMISSION

NOTICE OF RECEIPT OF PETITION

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2073.3 of the Fish and Game Code, the California Fish and Game Commission, on December 28, 2010 received a petition from the California Native Plant Society (Milo Baker Chapter) to list The Cedars wild buckwheat (*Eriogonum cedrorum*) as endangered under the California Endangered Species Act.

The Cedars wild buckwheat is found at The Cedars, in northwestern Sonoma County, but only in areas with serpentine talus slopes and rock crevices at 1000–1800 feet elevation. The Cedars wild buckwheat population is reported to be restricted to three areas that comprise less than 500 acres of The Cedars.

Pursuant to Section 2073 of the Fish and Game Code, on January 7, 2011 the Commission transmitted the petition to the Department of Fish and Game for review pursuant to Section 2073.5 of said code. It is anticipated that the Department’s evaluation and recommendation regarding the petition will be received by the Commission at its May or June 2011 meeting. Interested parties may contact Terri Stewart, Habitat Conservation Planning Branch, Department of Fish and Game, 1416 Ninth Street, 12th Floor, Sacramento, CA 95814, or telephone (916) 653–9834 for information on the petition or to submit information to the Department relating to the petitioned species.

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

CALIFORNIA ENVIRONMENTAL PROTECTION
AGENCY OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT

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

NOTICE OF INTENT TO LIST: MON 4660, MON
13900, AND PYMETROZINE

January 21, 2011

The California Environmental Protection Agency’s Office of Environmental Health Hazard Assessment (OEHHA) intends to list the chemicals *MON 4660* (*dichloroacetyl-1-oxa-4-azaspiro(4.5)decane*), *MON 13900* (*furilazole*), and *pymetrozine* as known to the State to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986.¹ This action is being taken under the authoritative bodies listing mechanism.²

¹ Commonly known as Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986 is codified in Health and Safety Code section 25249.5 *et seq.*

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

Chemical	CAS No.	Endpoint	Reference	Chemical Use
MON 4660 (dichloroacetyl-1-oxa-4-azaspiro(4.5)decane)	71526-07-3	Cancer	U.S. EPA (1999a)	Herbicide safener* used in formulations with acetanilide herbicides (such as alachlor and/or acetochlor).
MON 13900 (furalazole)	121776-33-8	Cancer	U.S. EPA (1999b)	Herbicide safener* used in formulations with the acetanilide herbicide acetochlor.
Pymetrozine	123312-89-0	Cancer	U.S. EPA (1999c)	Anti-feeding insecticide used on lettuce, broccoli, celery, and other vegetables and fruits.

* A safener is an inert ingredient used to protect the desired crop from the effects of the active herbicide.

OEHHA requested information relevant to the possible listing of *MON 4660*, *MON 13900*, and *pymetrozine* in a notice published in the *California Regulatory Notice Register* on October 22, 2010 (Register 2010, No. 43-Z). OEHHA received no public comments.

Background on listing via the authoritative bodies mechanism: A chemical must be listed under the Proposition 65 regulations when two conditions are met:

- 1) An authoritative body formally identifies the chemical as causing cancer (Section 25306(d)³).
- 2) The evidence considered by the authoritative body meets the sufficiency criteria contained in the regulations (Section 25306(e)).

However, the chemical is not listed if scientifically valid data which were not considered by the authoritative body clearly establish that the sufficiency of evidence criteria were not met (Section 25306(f)).

The U.S. Environmental Protection Agency (U.S. EPA) is one of several institutions designated as authoritative for the identification of chemicals as causing cancer (Section 25306(m)).

OEHHA is the lead agency for Proposition 65 implementation. After an authoritative body has made a determination about a chemical, OEHHA evaluates whether listing under Proposition 65 is required using the criteria contained in the regulations.

OEHHA's determination: *MON 4660*, *MON 13900*, and *pymetrozine* each meet the criteria for listing as known to the State to cause cancer under Proposition 65, based on findings of the U.S. EPA (U.S. EPA, 1999a; U.S. EPA, 1999b, U.S. EPA, 1999c).

Formal identification and sufficiency of evidence for MON 4660 (dichloroacetyl-1-oxa-4-azaspiro(4.5)decane): In 1999, the U.S. EPA published a report on *MON 4660*, entitled *Cancer Assessment Document, Evaluation of the Carcinogenic Potential of MON 4660*, which concludes that the chemical causes cancer (U.S. EPA, 1999a). This report satisfies the formal identification and sufficiency of evidence criteria in the Proposition 65 regulations.

OEHHA is relying on the U.S. EPA's discussion of data and conclusions in the report that *MON 4660*

causes cancer. The U.S. EPA report concludes that *MON 4660* is "likely to be carcinogenic to humans" by the oral route." Evidence described in the report includes studies showing that *MON 4660* increased the incidences of tumors as follows:

Male rats:

- Hepatocellular carcinomas and combined hepatocellular adenomas and carcinomas
- Combined squamous cell papillomas and carcinomas of the stomach

Female rats:

- Combined hepatocellular adenomas and carcinomas

Male mice:

- Hepatocellular carcinomas and combined hepatocellular adenomas and carcinomas
- Squamous cell carcinomas and combined squamous cell papillomas and carcinomas of the stomach

Female mice:

- Squamous cell carcinomas and combined papillomas and carcinomas of the stomach

Thus, the U.S. EPA (1999a) has found that *MON 4660* causes an increased incidence of malignant tumors or combined malignant and benign tumors in male rats and male and female mice, with tumors at multiple sites in male rats and mice.

Formal identification and sufficiency of evidence for MON 13900 (furalazole): In 1999, the U.S. EPA published a report on *MON 13900* (furalazole), entitled *Cancer Assessment Document, Evaluation of the Carcinogenic Potential of MON 13900*, which concludes that the chemical causes cancer (U.S. EPA, 1999b). This report satisfies the formal identification and sufficiency of evidence criteria in the Proposition 65 regulations.

OEHHA is relying on the U.S. EPA's discussion of data and conclusions in the report that *MON 13900* causes cancer. The U.S. EPA report concludes that *MON 13900* is "likely to be carcinogenic to humans" by the oral route." Evidence described in the report includes studies showing that *MON 13900* increased the incidences of tumors as follows:

³ All referenced sections are from Title 27 of the Cal. Code of Regulations.

Male rats:

- Combined hepatocellular adenomas and carcinomas
- Combined squamous cell papillomas and carcinomas of the stomach
- Testicular interstitial cell tumors of the testes

Female rats:

- Hepatocellular carcinomas and combined hepatocellular adenomas and carcinomas

Female mice:

- Hepatocellular carcinomas and combined hepatocellular adenomas and carcinomas
- Bronchio-alveolar carcinomas and combined bronchio-alveolar adenomas and carcinomas

Thus, the U.S. EPA (1999b) has found that MON 13900 causes increased incidences of malignant or combined malignant and benign tumors in male rats, female rats, and female mice, including rare stomach tumors in male rats and an increased incidence of tumors at multiple sites in male rats and female mice.

Formal identification and sufficiency of evidence for pymetrozine: In 1999, the U.S. EPA published a report on pymetrozine, entitled *Cancer Assessment Document, Evaluation of the Carcinogenic Potential of Pymetrozine*, which concludes that the chemical causes cancer (U.S. EPA, 1999c). This report satisfies the formal identification and sufficiency of evidence criteria in the Proposition 65 regulations.

OEHHA is relying on the U.S. EPA's discussion of data and conclusions in the report that pymetrozine causes cancer. The U.S. EPA report concludes pymetrozine is "likely to be a human carcinogen" by the oral route." Evidence described in the report includes studies showing that pymetrozine increased the incidences of hepatocellular carcinomas in male mice and combined benign hepatomas and hepatocellular carcinomas in male and female mice.

Thus, the U.S. EPA (1999c) has found that pymetrozine causes increased incidences of malignant liver tumors in male mice, and combined malignant and benign liver tumors in male and female mice.

Request for comments: OEHHA is committed to public participation in its implementation of Proposition 65. OEHHA wants to ensure that its regulatory decisions are based on a thorough consideration of all relevant information. OEHHA is requesting comments as to whether these three chemicals meet the criteria set forth in the Proposition 65 regulations for authoritative bodies listings. In order to be considered, **comments must be received by OEHHA by 5:00 p.m. on Tuesday, February 22, 2011.** We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by e-mail should be addressed

to coshita@oehha.ca.gov. Comments submitted in paper form may be mailed or delivered in person in triplicate, or faxed, to the addresses below:

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

Fax: (916) 323-8803

Street Address: 1001 I Street
Sacramento, California 95814

If you have any questions, please contact Ms. Oshita at coshita@oehha.ca.gov or at (916) 445-6900.

References

U.S. Environmental Protection Agency (U.S. EPA, 1999a). Cancer Assessment Document, Evaluation of the Carcinogenic Potential of MON 4660. Final Report. Cancer Health Effects Division, Office of Pesticide Programs. December 9, 1999.

U.S. Environmental Protection Agency (U.S. EPA, 1999b). Cancer Assessment Document, Evaluation of the Carcinogenic Potential of MON 13900. Health Effects Division, Office of Pesticides Programs. September 21, 1999.

U.S. Environmental Protection Agency (U.S. EPA, 1999c). Cancer Assessment Document, Evaluation of the Carcinogenic Potential, of Pymetrozine. Health Effects Division, Office of Pesticide Programs. August 24, 1999.

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# 2010-1129-01
BOARD OF EQUALIZATION
Farm Equipment and Machinery

This Section 100 rulemaking corrects an incorrect subsection cross-reference and adds a missing period

after the reference note in Title 18 CCR section 1533.1, Farm Equipment and Machinery.

Title 18
California Code of Regulations
AMEND: 1533.1
Filed 01/10/2011
Agency Contact:
Richard E. Bennion (916) 445-2130

File# 2010-1201-01
BOARD OF EQUALIZATION
Membership Fees

This Section 100 rulemaking amends T18 CCR section 1584, Membership Fees, prescribing the application of sales and use tax to membership fees retailers charge to customers to shop at a membership club. The amendment applies the applicable five year California Consumer Price Index (CCPI) change to adjust the threshold level at which membership fees are included in taxable gross receipts of the retailer.

Title 18
California Code of Regulations
AMEND: 1584
Filed 01/12/2011
Agency Contact:
Richard E. Bennion (916) 445-2130

File# 2010-1130-03
BUREAU OF AUTOMOTIVE REPAIR
Enhanced Fleet Modernization Program

This is the certification of compliance for an emergency action that adopted the Bureau of Automotive Repair's component of the Enhanced Fleet Modernization Program so that there will be a mechanism for administration of the state's program for enhancing air quality through the purchase and recycling of highly polluting and inefficient older vehicles.

Title 16
California Code of Regulations
ADOPT: 3394.7 AMEND: 3394.1, 3394.4, 3394.5, 3394.6
Filed 01/11/2011
Effective 01/11/2011
Agency Contact: Steven Hall (916) 255-2135

File# 2010-1227-02
CALIFORNIA DEBT LIMIT ALLOCATION
COMMITTEE
Administration of CA's Limited Tax-Exempt Debt Authority

The California Debt Limit Allocation Committee submitted this emergency readoption action, pursuant

to Government Code section 11346.1, to extend the emergency regulations adopted in OAL File Nos. 2010-0701-02ER and 2010-0720-09ER. Federal tax law imposes a limit on the amount of tax-exempt private activity bonds that a state may issue in a calendar year. The emergency regulations established a comprehensive set of regulations to create an allocation system to administer the state unified volume ceiling of tax exempt private activity bond allocation to state and local agencies. Adoption of these regulations is deemed to be an emergency under Government Code section 8869.94.

Title 4
California Code of Regulations
ADOPT: 5000, 5010, 5020, 5021, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 5050, 5051, 5052, 5053, 5054, 5055, 5056, 5060, 5061, 5062, 5063, 5064, 5080, 5081, 5082, 5100, 5101, 5102, 5103, 5104, 5105, 5106, 5107, 5120, 5130, 5131, 5132, 5140, 5141, 5142, 5143, 5150, 5151, 5152, 5153, 5154, 5155, 5170, 5180, 5181, 5182, 5183, 5190, 5191, 5192, 5193, 5194, 5200, 5210, 5211, 5212, 5220, 5230, 5231, 5232, 5240, 5250, 5260, 5265, 5266, 5267, 5268, 5269, 5270, 5275, 5280, 5281, 5282, 5283, 5290, 5291, 5300, 5310, 5311, 5312, 5313, 5314, 5315, 5320, 5321, 5330, 5340, 5350, 5360, 5370, 5371, 5372, 5380, 5381, 5382, 5383, 5384, 5400, 5410, 5411, 5420, 5421, 5422, 5423, 5430, 5431, 5432, 5433, 5434, 5435, 5440, 5450, 5460, 5461, 5470, 5480, 5490, 5491, 5492, 5493, 5494, 5500, 5510, 5520, 5530, 5531, 5532, 5533, 5534, 5540, 5550, 5560, 5570, 5571, 5572, 5573, 5580, 5590
Filed 01/06/2011
Effective 01/06/2011
Agency Contact: John Weir (916) 653-8018

File# 2010-1129-04
CALIFORNIA INSTITUTE FOR REGENERATIVE
MEDICINE
Loan Administration Policy

The California Institute for Regenerative Medicine (CIRM) adopted section 100800 in title 17 of the California Code of Regulations to establish their loan administration policy.

Title 17
California Code of Regulations
ADOPT: 100800
Filed 01/10/2011
Effective 01/10/2011
Agency Contact: C. Scott Tocher (415) 396-9136

File# 2010-1129-05
**CALIFORNIA INSTITUTE FOR REGENERATIVE
 MEDICINE**
 Acceptable Research Materials

The California Institute for Regenerative Medicine submitted this rulemaking action to amend title 17, California Code of Regulations, section 100080 to authorize the use of embryos donated by in vitro fertilization patients where donors received compensation for reproductive purposes, when such embryos are no longer needed for these purposes, and the use of somatic cells for which donors have received compensation for inconvenience as approved by an institutional review board (IRB).

Title 17
 California Code of Regulations
 AMEND: 100080
 Filed 01/10/2011
 Effective 02/09/2011
 Agency Contact:
 C. Scott Tocher (415) 396-9136

File# 2010-1124-01
**CALIFORNIA POLLUTION CONTROL
 FINANCING AUTHORITY**
 California Capital Access Program for Small Business

This rulemaking action makes permanent emergency regulatory amendments to sections of Title 4 of the California Code of Regulations concerning the California Capital Access Program (CalCAP) for small businesses. It adds several enterprises to the list of those for which loans cannot be enrolled under the program. It specifies the time during which a loan pre-qualification remains valid and the time limit on the term of enrollment of a loan. It removes the requirement that a lender notify the California Pollution Control Financing Authority (CPCFA) of any loan extension or renewal that does not increase the loan amount. It adds a provision which enables the CPCFA to withdraw all interest and income that has been credited to a lender's loss reserve account and limits a lender's principal and interest maximum reimbursement claim to the enrolled amount of the qualified loan. It specifies that if previous CalCAP loans are combined, a new loan enrollment form must be submitted and any applicable fees paid and further specifies that a participating financial institution's reimbursement claim may include reasonable out-of-pocket expenses, even if inclusion of these expenses results in a reimbursement claim which exceeds the enrolled amount of a qualified loan.

Title 4
 California Code of Regulations
 AMEND: 8070, 8072, 8073, 8074
 Filed 01/06/2011
 Effective 01/06/2011
 Agency Contact: Kamika McGill (916) 654-2492

File# 2010-1203-01
CALIFORNIA STUDENT AID COMMISSION
 California National Guard Education Assistance Award Program

This rulemaking action amends regulations in Title 5 of the California Code of Regulations to further define the California National Guard Educational Assistance Award Program. The rulemaking adds a program renewal application process and renewal application form and adds information point requirements for initial program application and to the initial program application form.

Title 5
 California Code of Regulations
 AMEND: 30730, 30731, 30735, 30736
 Filed 01/10/2011
 Effective 01/10/2011
 Agency Contact: Kathy Spencer (916) 464-3021

File# 2010-1227-01
DEPARTMENT OF FOOD AND AGRICULTURE
 Citrus Assessment Program

This File and Print action reduces existing citrus assessment rates pursuant to authority granted by AB 1795 (Chap. 365, Stats. 2010). This action is exempt from the Administrative Procedure Act (APA) and OAL review pursuant to Food and Agriculture Code section 48002(e).

Title 3
 California Code of Regulations
 AMEND: 1430.142
 Filed 01/11/2011
 Effective 01/01/2011
 Agency Contact: Steve Patton (916) 445-2180

File# 2010-1214-03
DEPARTMENT OF FOOD AND AGRICULTURE
 Light Brown Apple Moth Eradication Area

This is the certification of an emergency regulatory action designating the county of Sacramento as an additional "eradication area" with respect to the light brown apple moth (*Epiphyas postvittana*) due to the detection of the pest within the established boundaries and according to the established protocol.

Title 3
California Code of Regulations
AMEND: 3591.20(a)
Filed 01/11/2011
Effective 01/11/2011
Agency Contact:
Stephen S. Brown (916) 654-1017

File# 2010-1231-01
DEPARTMENT OF HEALTH CARE SERVICES
QAF Program/Medi-Cal LTC Reimbursement Act
This emergency action readopts and amends regulations and adopts a new regulation to implement the Quality Assurance Fee payable by residential care facilities for the elderly and the long term care reimbursement methodology.

Title 22
California Code of Regulations
ADOPT: 52000, 52100, 52101, 52102, 52104, 52500, 52501, 52502, 52503, 52504, 52505, 52506, 52507, 52508, 52509, 52510, 52511, 52512, 52513, 52514, 52515, 52516, 52600 REPEAL: 52103
Filed 01/10/2011
Effective 01/18/2011
Agency Contact: Ben Carranco (916) 440-7766

File# 2010-1129-03
DEPARTMENT OF HEALTH CARE SERVICES
Long Term Care Reimbursement
This is the Certificate of Compliance filing making permanent the prior emergency adoption of Medi-Cal rate changes authorized by the budget act of 2003/2004 (Statutes of 2003, Chapter 157, Items 4260-101-0001 and 4260-101-0890). The rates are "reimbursement rates established by the Department for specific types of facilities providing long-term care services to Medi-Cal beneficiaries."

Title 22
California Code of Regulations
AMEND: 51510, 51510.1, 51510.2, 51510.3, 51511, 51511.5, 51511.6, 51535, 51535.1, 51544, 54501
Filed 01/10/2011
Agency Contact: Ben Carranco (916) 440-7766

File# 2010-1122-01
DEPARTMENT OF PARKS AND RECREATION
OHMVR Grants and Cooperative Agreements Program
This regulatory action updates several incorporated by reference documents that are used in application for

the Off-Highway Motor Vehicle Recreation grants and cooperative agreements. It also clarifies a few of the requirements for the application.

Title 14
California Code of Regulations
AMEND: 4970.00, 4970.01, 4970.05, 4970.08, 4970.09, 4970.13
Filed 01/05/2011
Effective 01/10/2011
Agency Contact:
Sixto Fernandez (916) 324-1572

File# 2011-0104-05
FISH AND GAME COMMISSION
Stewarts Point SMR and Stewarts Point SMCA
This is a readopt of a prior emergency regulatory action (OAL file no. 2010-0709-02E) that established the Stewarts Point State Marine Conservation Area (SMCA). The general boundaries of the SMCA will be from the mean high tide line to a line that approximates a distance of 1000 feet offshore, and from the northern boundary of the existing Stewarts Point State Marine Reserve to just below Rocky Point, approximately four miles south. All commercial take of living marine resources is prohibited. The recreational take from shore of marine aquatic plants other than sea palm, marine invertebrates, finfish by hook and line, surf smelt by beach net, and species authorized in Section 28.80 (including surf smelt) by hand-held dip net will be authorized consistent with other applicable law. The proposed SMCA would leave three miles of coastline in State Marine Reserve status, which meets the minimum science guidelines for coastal protection of nearshore habitats.

Title 14
California Code of Regulations
AMEND: 632
Filed 01/12/2011
Effective 01/18/2011
Agency Contact:
Sherrie Fonbuena (916) 654-9866

File# 2010-1201-04
OFFICE OF THE STATE FIRE MARSHAL
Title 19 Clean-up and Waste Containers
This regulatory action makes editorial corrections, updates definitions, occupancy groups, references and standards, and makes revisions to test standards for large and small waste containers. These amendments also reflect revisions to the Building Standards Code in California Code of Regulations, title 24.

Title 19
 California Code of Regulations
 ADOPT: 3.00 AMEND: 1.05, 1.07, 1.08, 1.09, 1.11, 1.12, 1.13, 2.02, 3.00 (renumbered to 3.00.1), 3.01, 3.02, 3.03, 3.04, 3.06, 3.07, 3.08, 3.11, 3.12, 3.13, 3.15, 3.16, 3.17, 3.18, 3.19, 3.20, 3.22, 3.23, 3.25, 3.26, 3.28, 3.29, 3.31, 3.32, 4.3, 4.5, 204, 303, 315, 324, 325, 332, 340, 341, 571, 743, 745, 746, 747, 748, 749, 750, 753, 754, 755, 756, 760, 904, 904.7, 1173, 1174, 2060 REPEAL: 752
 Filed 01/12/2011
 Effective 01/12/2011
 Agency Contact: Diane Arend (916) 324-9592

File# 2010-1216-03
 STATE PERSONNEL BOARD
 Psychological Screening Regulations
 This regulatory action creates a dispute resolution process for peace officer candidates who have been disqualified from consideration as a peace officer as a result of the psychological screening determination. It revises procedures for a written appeal if the disqualification is not reversed by the dispute resolution process. It also makes several non-substantive changes.

Title 2
 California Code of Regulations
 ADOPT: 172.9, 172.10 AMEND: 172.6, 172.7, 172.8, 172.10 (renumbered to 172.11), 172.11 (renumbered to 172.12) REPEAL: 172.9
 Filed 01/12/2011
 Effective 02/11/2011
 Agency Contact: John D. Smith (916) 651-1041

File# 2010-1129-02
 STATE PERSONNEL BOARD
 Hearings and Appeals
 This action is to correct a cross-reference in one section which provides for an informal hearing in accordance with another section.

Title 2
 California Code of Regulations
 AMEND: 67.3
 Filed 01/06/2011
 Effective
 Agency Contact: John D. Smith (916) 651-1041

File# 2010-1213-01
 STATE PERSONNEL BOARD
 Hearings and Appeals
 This action corrects a spelling error on a two-page form (Appendix A) in section 59.3. This correction meets the section 100 criteria.

Title 2
 California Code of Regulations
 AMEND: 59.3 Appendix A
 Filed 01/12/2011
 Agency Contact: John D. Smith (916) 651-1041

File# 2010-1123-03
 VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD
 Victim Compensation Program Regulations
 This action updates the regulations on eligibility under the Victims Compensation Program including changes to conform new legislation.

Title 2
 California Code of Regulations
 ADOPT: 649.17.1, 649.19, 649.20 AMEND: 647.4, 649.14, 649.15, 649.16, 649.17, 649.26, 649.28, 649.31, 649.32, 649.33, 649.48, 649.50, 649.51, 649.57, 649.62
 Filed 01/06/2011
 Effective 02/05/2011
 Agency Contact:
 Geoff Feusahrens (916) 491-3863

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN August 11, 2010 TO
 January 12, 2011**

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
 01/12/11 ADOPT: 172.9, 172.10 AMEND: 172.6, 172.7, 172.8, 172.10 (renumbered to 172.11), 172.11 (renumbered to 172.12) REPEAL: 172.9
 01/12/11 AMEND: 59.3 Appendix A
 01/06/11 ADOPT: 649.17.1, 649.19, 649.20 AMEND: 647.4, 649.14, 649.15, 649.16, 649.17, 649.26, 649.28, 649.31, 649.32, 649.33, 649.48, 649.50, 649.51, 649.57, 649.62
 01/06/11 AMEND: 67.3
 12/28/10 AMEND: Div. 8, Ch. 114, Sec. 59590
 12/21/10 AMEND: 561, 561.1, 561.2, 561.3, 561.4, 561.5, 561.8, 561.9, 561.11 (renumbered to 561.10), 561.12

	(renumbered to 561.11), 561.13	09/01/10	AMEND: 234, 548.70
	(renumbered to 561.12) REPEAL:	09/01/10	AMEND: 234, 548.70
	561.10, 561.14	08/18/10	ADOPT: 51.3, 52.1, 52.2, 52.3, 52.5,
12/20/10	AMEND: 18723		52.8, 52.10, 53.1, 53.2, 53.3, 53.4, 54.1,
12/20/10	ADOPT: 18215.2 AMEND: 18215,		55.1, 56.1, 56.2, 56.3, 56.4, 57.1, 57.2,
	18225, 18450.1, 18450.4, 18450.5		58.1, 58.2, 58.6, 58.7, 58.9, 58.10, 58.11,
12/16/10	ADOPT: 1859.90.1 AMEND: renumber		59.2, 59.3, 59.4, 60.1, 63.1, 64.1, 64.2,
	1859.90.1 as 1859.90.2 (not shown),		64.3, 64.4, 64.5, 64.6 AMEND: 51
	1859.129, 1859.197		(renumbered to 51.1), 51.1 (renumbered
11/30/10	AMEND: 67.8 (Appendix A)		to 51.2), 51.2 (renumbered to 52.4), 52.3
11/23/10	ADOPT: 1190, 1190.01, 1190.02,		(renumbered to 52.6), 51.9 (renumbered
	1190.03, 1190.04, 1190.05		to 52.7), 51.5 (renumbered to 52.9), 52.6
11/22/10	AMEND: 1859.2, 1859.83		(renumbered to 55.2), 52.2 (renumbered
11/16/10	AMEND: 7286.1		to 58.3), 51.4 (renumbered to 58.4), 52.1
11/15/10	AMEND: 18545, 18703.4, 18730,		(renumbered to 58.5), 57.2 (renumbered
	18940.2, 18943		to 59.1), 52.5 (renumbered to 60.2), 57.3
11/15/10	AMEND: 18225		(renumbered to 60.3), 53.1 (renumbered
10/29/10	ADOPT: 1859.90.2 AMEND: Renumber		to 66.1), 56 (renumbered to 67.1), 56.1
	1859.90.2 to 1859.90.3, 1859.129,		(renumbered to 67.2), 56.2 (renumbered
	1859.197		to 67.3), 56.3 (renumbered to 67.4), 56.4
10/28/10	AMEND: 59.1		(renumbered to 67.5), 56.5 (renumbered
10/27/10	ADOPT: 1185.21, 1189 AMEND: 1181,		to 67.6), 56.6 (renumbered to 67.7), 56.7
	1181.1, 1181.2, 1181.4, 1183, 1183.01,		(renumbered to 67.8) REPEAL: 51.3, 52,
	1183.02, 1183.03, 1183.06, 1183.07,		52.4, 53, 53.2, 54, 54.2, 56.8, 57.1, 57.4,
	1183.08, 1183.081, 1183.09, 1183.11,		60, 60.1, 60.2, 60.3, 60.4, 60.5, 60.6,
	1183.12, 1183.131, 1183.14, 1183.2,		60.7, 60.8, 60.9, 60.10, 65, 547, 547.1
	1183.21, 1183.30, 1183.31, 1183.32,	08/13/10	AMEND: 18707
	1185, 1185.2, 1185.3, 1185.4, 1185.5,	Title 3	
	1185.6, 1186, 1187, 1187.2, 1187.3,	01/11/11	AMEND: 1430.142
	1187.9, 1188, 1188.1, 1188.2, 1188.3,	01/11/11	AMEND: 3591.20(a)
	1188.31, 1189.1, 1189.3 REPEAL:	12/30/10	AMEND: 3435(b)
	1181.3, 1189.4, 1189.5	12/29/10	AMEND: 3434(b) and (c)
10/26/10	ADOPT: 2297.1	12/20/10	ADOPT: 6446, 6446.1 AMEND: 6400,
10/21/10	ADOPT: 58.8 AMEND: 59.3		6452.4, 6624
10/11/10	ADOPT: 599.937.4	12/14/10	AMEND: 3434(b) and (c)
10/07/10	AMEND: 51.1	12/14/10	AMEND: 850
10/07/10	AMEND: 51.2(u)	12/09/10	AMEND: 6860
10/07/10	AMEND: div. 8, ch. 46, sec. 53500	12/06/10	AMEND: 3906
10/05/10	AMEND: div. 8, ch. 79, sec. 56800	11/30/10	AMEND: 3406
10/05/10	ADOPT: 1859.172 AMEND:	11/24/10	ADOPT: 3701, 3701.1, 3701.2, 3701.3,
	1859.162.3, 1859.171		3701.4, 3701.5, 3701.6, 3701.7, 3701.8
10/04/10	AMEND: 1859.2, 1859.81		AMEND: 3407
10/04/10	ADOPT: 642, 643, 644, 645 AMEND:	11/24/10	ADOPT: 3701, 3701.1, 3701.2, 3701.3,
	640, 641		3701.4, 3701.5, 3701.6, 3701.7, 3701.8
09/27/10	AMEND: 18942, 18944.1		AMEND: 3407
09/07/10	AMEND: Renaming of headings only, as	11/22/10	AMEND: 3435(c)
	follows: Article 4 of Chapter 1 to new	11/18/10	AMEND: 105, 108
	Subchapter 1.2; Subarticles 1–10 of nes	11/17/10	AMEND: 3434(b)
	Subchapter 1.2 to new Articles 1–10; and	11/17/10	AMEND: 3434(b)
	Chapters 1–5 of new Article 6 to new	11/17/10	AMEND: 3437
	Subarticles 1–5.	11/15/10	REPEAL: 3000, 3001, 3002, 3003, 3004
09/02/10	ADOPT: 60804.1, 60815.1, 60820.1,	11/09/10	AMEND: 3437
	60855, 60856, 60857, 60858, 60859,	10/27/10	AMEND: 6447, 6447.2, 6784
	60860, 60861, 60862, 60863 AMEND:	10/21/10	AMEND: 3591.5(a)
	60841, 60846, 60853 REPEAL: 60855		

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10/18/10	AMEND: 3437(b)	12/07/10	ADOPT: 12347, 12348 AMEND: 12002, 12345
10/11/10	AMEND: 3558(a)	11/29/10	AMEND: 1374.2
10/11/10	AMEND: 3855	11/29/10	AMEND: 8070, 8072, 8073, 8074
10/06/10	ADOPT: 1391, 1391.1, 1391.2, 1391.3, 1391.4 AMEND: 1391 (renumbered to 1391.5), 1391.1 (renumbered to 1391.6)	11/04/10	AMEND: 8034, 8035, 8042, 8043
10/01/10	AMEND: 3434(b)	11/02/10	AMEND: 12480, 12488, 12492, 12494, 12496, 12498, 12499, 12501, 12502, 12504, 12508
09/27/10	AMEND: 3	10/26/10	AMEND: 1844
09/27/10	AMEND: 3437	10/04/10	ADOPT: 10030, 10031, 10032, 10033, 10034, 10035, 10036
09/22/10	AMEND: 3591.20(a)	09/29/10	AMEND: 8070, 8072, 8073, 8074
09/14/10	AMEND: 3434(b)	09/15/10	AMEND: 10323
09/13/10	ADOPT: 3437	09/09/10	AMEND: 1766
09/09/10	AMEND: 3434(b)	09/09/10	AMEND: 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162, 10164
09/02/10	AMEND: 3425(b)	09/09/10	AMEND: 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162, 10164
08/26/10	AMEND: 3406(b)	08/30/10	ADOPT: 213.2 AMEND: 211, 213, 293, 405
08/26/10	AMEND: 3406(b)	08/20/10	AMEND: 130
08/26/10	AMEND: 3434(b) & (c)	08/16/10	AMEND: 1689
08/26/10	ADOPT: 6531 AMEND: 6502, 6511, 6530		
08/24/10	AMEND: 3700(c)		
08/19/10	AMEND: 3423(b)		
08/17/10	AMEND: 3437		
08/16/10	AMEND: 3425(b) and (c)		
08/13/10	AMEND: 3591.15(a) and (b)		
08/11/10	AMEND: 3437		

Title 4

01/06/11 AMEND: 8070, 8072, 8073, 8074
 01/06/11 ADOPT: 5000, 5010, 5020, 5021, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 5050, 5051, 5052, 5053, 5054, 5055, 5056, 5060, 5061, 5062, 5063, 5064, 5080, 5081, 5082, 5100, 5101, 5102, 5103, 5104, 5105, 5106, 5107, 5120, 5130, 5131, 5132, 5140, 5141, 5142, 5143, 5150, 5151, 5152, 5153, 5154, 5155, 5170, 5180, 5181, 5182, 5183, 5190, 5191, 5192, 5193, 5194, 5200, 5210, 5211, 5212, 5220, 5230, 5231, 5232, 5240, 5250, 5260, 5265, 5266, 5267, 5268, 5269, 5270, 5275, 5280, 5281, 5282, 5283, 5290, 5291, 5300, 5310, 5311, 5312, 5313, 5314, 5315, 5320, 5321, 5330, 5340, 5350, 5360, 5370, 5371, 5372, 5380, 5381, 5382, 5383, 5384, 5400, 5410, 5411, 5420, 5421, 5422, 5423, 5430, 5431, 5432, 5433, 5434, 5435, 5440, 5450, 5460, 5461, 5470, 5480, 5490, 5491, 5492, 5493, 5494, 5500, 5510, 5520, 5530, 5531, 5532, 5533, 5534, 5540, 5550, 5560, 5570, 5571, 5572, 5573, 5580, 5590
 12/14/10 AMEND: 10322(h)(5), 10325(c)(3)(B), 10325(c)(8)

Title 5

01/10/11 AMEND: 30730, 30731, 30735, 30736
 12/23/10 AMEND: 2, 30, 50, 70, 401, 641, 1021, 1023.1, 1025, 1030, 1633, 3082, 3088.1, 3947, 4417, 4421, 4422, 4424, 5504, 5594, 5601, 5710, 10042, 10070, 10090, 11004, 11005, 11010, 11214, 11234, 11250, 11503, 11508, 11523, 11530, 11531, 11537, 11538, 13000, 13009, 13014, 13025, 13039, 13040, 13043, 13052, 14100, 15106, 15158, 15184, 15375, 15376, 15384, 15405, 15531, 15532, 15534, 15535, 15550, 15551, 16000, 18000, 18009, 18013, 18016, 18025, 18031, 18032, 18056, 18057, 18070, 18071, 18072, 18073, 18242, 18300, 18303, 18305, 18306, 18307, 18308, 18460, 18461, 18533
 12/22/10 AMEND: 80413.3 REPEAL: 80430.2
 12/02/10 ADOPT: 4700, 4701, 4702, 4703
 12/01/10 ADOPT: 76020, 76140, 76212, 76240 AMEND: 76000, 76120, 76130, 76200, 76210, 76215 REPEAL: 76010, 76240
 11/18/10 ADOPT: 70030, 70040, 71135, 71320, 71390, 71395, 71400.5, 71401, 71475, 71480, 71485, 71640, 71650, 71655, 71716, 71750, 71760, 74110, 74115 AMEND: 70000, 70010, 70020, 71100, 71110, 71120, 71130, 71140, 71150, 71160, 71170, 71180, 71190, 71200, 71210, 71220, 71230, 71240, 71250, 71260, 71270, 71280, 71290, 71300,

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71310, 71340, 71380, 71400, 71405, 71450, 71455, 71460, 71465, 71470, 71500, 71550, 71600, 71630, 71700, 71705, 71710, 71715, 71720, 71730, 71735, 71740, 71745, 71770, 71810, 71850, 71865, 71920, 71930, 74000, 74002, 74004, 74006, 74120, 74130, 74140, 74150, 74160, 74170, 74190, 74200 REPEAL: 70030, 71000, 71005, 71010, 71020, 71330, 71360, 71410, 71415, 71420, 71490, 71495, 71505, 71510, 71515, 71520, 71555, 71560, 71565, 71605, 71610, 71615, 71650, 71655, 71725, 71775, 71800, 71805, 71830, 71855, 71860, 71870, 71875, 71880, 71885, 71890, 71900, 71905, 71910, 72000, 72005, 72010, 72020, 72101, 72105, 72110, 72120, 72130, 72140, 72150, 72160, 72170, 72180, 72190, 72200, 72210, 72220, 72230, 72240, 72250, 72260, 72270, 72280, 72290, 72300, 72310, 72330, 72340, 72360, 72380, 72400, 72405, 72410, 72415, 72420, 72450, 72455, 72460, 72465, 72470, 72500, 72505, 72515, 72520, 72550, 72555, 72560, 72565, 72570, 72600, 72605, 72610, 72615, 72650, 72655, 72700, 72701, 72705, 72710, 72715, 72720, 72725, 72730, 72735, 72740, 72745, 72770, 72775, 72800, 72805, 72810, 72830, 72850, 72855, 72860, 72865, 72870, 72875, 72880, 72885, 72890, 72900, 72905, 72910, 72915, 72920, 72930, 73000, 73010, 73100, 73110, 73120, 73130, 73140, 73150, 73160, 73165, 73170, 73180, 73190, 73200, 73210, 73220, 73230, 73240, 73260, 73270, 73280, 73290, 73300, 73310, 73320, 73330, 73340, 73350, 73360, 73380, 73390, 73400, 73410, 73420, 73430, 73440, 73470, 73480, 73500, 73520, 73530, 73540, 73550, 73600, 73610, 73620, 73630, 73640, 73650, 73660, 73670, 73680, 73690, 73700, 73710, 73720, 73730, 73740, 73750, 73760, 73765, 73770, 73780, 73790, 73800, 73820, 73830, 73831, 73832, 73850, 73860, 73870, 73880, 73890, 73900, 73910, 74008, 74010, 74014, 74016, 74018, 74020, 74030, 74040, 74050, 74100, 74180, 74300, 74310, 74320, 75000, 75020, 75030, 75040, 75100, 75110, 75120, 75130	10/18/10 AMEND: 80015, 80015.1, 80015.2, 80015.3, 80015.4, 80021, 80021.1, 80024.7, 80024.8 10/18/10 ADOPT: 1216.1 10/01/10 AMEND: 57020 REPEAL: 50721, 50722, 50723, 50724, 50725, 50727, 50728, 50729, 50730, 57031, 50732 09/13/10 ADOPT: 4800, 4801, 4802, 4803, 4804, 4805, 4806, 4807 08/30/10 ADOPT: 30960, 30961, 30962, 30963, 30964 08/24/10 REPEAL: 18015 08/20/10 AMEND: 80001 08/19/10 ADOPT: 59204.1 08/19/10 ADOPT: 11967.6.1 AMEND: 11967.6
Title 7	
	11/23/10 AMEND: 206, 207 11/09/10 AMEND: 219, 202 10/13/10 AMEND: 212.5 10/13/10 AMEND: 212.5
Title 8	
	12/29/10 AMEND: 1709 12/09/10 AMEND: 2813 12/09/10 AMEND: 1742 12/08/10 AMEND: 344.30 12/08/10 AMEND: 1648, 1675, 3276, 3277, 3278, 3287, 3413, 3458.1 REPEAL: 1678, 3279, 3280 11/15/10 AMEND: 9701, 9702 11/04/10 AMEND: 16423 REPEAL: 16450, 16451, 16452, 16453, 16454, 16455, 16460, 16461, 16462, 16463, 16464 11/02/10 ADOPT: 5197 11/02/10 AMEND: 1504, 1637, 3622 10/27/10 ADOPT: 1600.1 AMEND: 1600, 1601 10/05/10 AMEND: 3395 09/27/10 AMEND: 10232.2 09/23/10 AMEND: 9767.3 09/14/10 AMEND: 10253.1 09/13/10 AMEND: 5206(d)(4)(a), 1532.2(d)(4)(a), 8359(d)(4)(a) 09/01/10 AMEND: 1502 08/30/10 AMEND: 4848 08/30/10 AMEND: 5158 08/25/10 AMEND: Appendix B following section 5207 08/17/10 AMEND: 4885
Title 9	
	12/06/10 ADOPT: 3200.028, 3200.252, 3630.05, 3630.10, 3630.15 AMEND: 3630, 3650 10/18/10 ADOPT: 1810.326, 1810.376, 1810.439 AMEND: 1810.317, 1810.321, 1810.323, 1810.345, 1810.350,

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	1810.360, 1810.365, 1810.375, 1810.380, 1810.425, 1810.430, 1810.435, 1810.436, 1810.438, 1820.220, 1820.225, 1830.215, 1840.112, 1850.213			
09/20/10	ADOPT: 7212.1, 7212.2, 7212.3, 7212.4 AMEND: 7210, 7211, 7212			
09/20/10	ADOPT: 7213, 7213.1, 7213.2, 7213.4, 7213.5, 7213.6, 7214, 7214.1, 7214.2, 7214.3, 7214.4, 7214.5, 7214.6, 7214.7, 7214.8, 7215, 7215.1, 7216, 7216.1, 7216.2, 7218, 7220, 7220.3, 7220.5, 7220.7, 7221, 7225 AMEND: 7213.3, 7224, 7226, 7226.1, 7226.2, 7227, 7227.1, 7227.2 REPEAL: 7213, 7213.1, 7213.2, 7214, 7215, 7216, 7218, 7219, 7220, 7221, 7225			
Title 10				
12/31/10	ADOPT: 2582, 2582.1, 2582.2, 2582.3			
12/30/10	AMEND: 2614, 2614.7, 2614.13			
12/29/10	ADOPT: 2188.65, 2695.180, 2695.181, 2695.182, 2695.183 AMEND: 2190.2, 2190.3			
12/29/10	AMEND: 2542.4			
12/23/10	ADOPT: 1409.1, 1414, 1422.4, 1422.4.1, 1422.5, 1422.6, 1422.6.1, 1422.6.2, 1422.6.3, 1422.7, 1422.7.1, 1422.9, 1422.10, 1422.11, 1422.12, 1424, 1437, 1950.122.1, 1950.122.4, 1950.122.4.1, 1950.122, 1950.122.5, 1950.122.5.1, 1950.122.5.2, 1950.122.5.3, 1950.122.5.4, 1950.122.6, 1950.122.7, 1950.122.8, 1950.122.9, 1950.122.10, 1950.122.11, 1950.122.12, 1950.205.1, 1950.209, 1950.307 AMEND: 1404, 1409, 1411, 1430.5, 1431, 1433, 1436, 1454, 1550, 1552, 1557, 1950.003, 1950.122.2, 1950.123, 1950.204.3, 1950.204.4, 1950.301, 1950.314.8, 1950.316, 1950.317 REPEAL: 1950.122			
11/04/10	AMEND: 2689.8(c)			
10/21/10	AMEND: 2498.6			
10/18/10	ADOPT: 3575, 3576, 3577 AMEND: 3500, 3522, 3523, 3524, 3526, 3527, 3528, 3529, 3530, 3582, 3681, 3702, 3703, 3721, 3724, 3726, 3728, 3731, 3741			
10/11/10	ADOPT: 2278.50, 2278.51, 2278.52, 2278.53, 2278.54, 2278.55, 2278.56, 2278.57, 2278.58, 2278.59			
09/28/10	ADOPT: 1409.1, 1414, 1422.4, 1422.4.1, 1422.5, 1422.6, 1422.6.1, 1422.6.2, 1422.6.3, 1422.7, 1422.7.1, 1422.9, 1422.10, 1422.11, 1422.12, 1424, 1437,			
		1950.122, 1950.122.2.1, 1950.122.4, 1950.122.4.1, 1950.122.5, 1950.122.5.1, 1950.122.5.2, 1950.122.5.3, 1950.122.5.4, 1950.122.6, 1950.122.7, 1950.122.8, 1950.122.9, 1950.122.10, 1950.122.11, 1950.122.12, 1950.205.1, 1950.209, 1950.307 AMEND: 1404, 1409, 1411, 1430.5, 1431, 1433, 1436, 1454, 1550, 1552, 1557, 1950.003, 1950.122.2, 1950.123, 1950.204.3, 1950.204.4, 1950.301, 1950.314.8, 1950.316, 1950.317 REPEAL: 1950.122		
		09/23/10	AMEND: 2274.70, 2274.71, 2274.72, 2274.73, 2274.74, 2274.75, 2274.76, 2274.77, 2274.78	
		09/20/10	AMEND: 2494.4.9	
		09/16/10	AMEND: 3006, 3007, 3007.05, 3007.2, 3007.3, 3007.6, 3008, 3010, 3011.1, 3011.2, 3011.4, 3012.2 REPEAL: 3005	
		08/24/10	AMEND: 3525, 3527, 3541, 3542, 3543, 3544, 3561, 3563, 3566, 3568, 3569, 3570, 3583, 3602, 3603, 3661, 3722	
		Title 11		
		12/30/10	AMEND: 1005, 1060	
		12/29/10	AMEND: 1001, 1004, 1005, 1006, 1007, 1008, 1009, 1052, 1053, 1055, 1056, 1071, 1080, 1081, 1083	
		11/02/10	ADOPT: 51.26	
		10/07/10	ADOPT: 994.9, 994.10, 994.11, 994.12, 994.13, 994.14, 994.15 AMEND: 994.1, 994.2, 994.4, 994.5, 994.6 REPEAL: 994.9, 994.10, 994.11, 994.12, 994.13, 994.14, 994.15, 994.16	
		10/06/10	AMEND: 9040, 9041	
		Title 13		
		01/03/11	AMEND: 1239	
		12/23/10	AMEND: 423.00	
		11/09/10	AMEND: 551.15, 551.17, 556, 558, 561, 586	
		11/08/10	AMEND: 1956.8, 1958, 1961, 1976, 1978, 2111, 2122, 2136, 2141 REPEAL: 2166, 2166.1, 2167, 2168, 2169, 2170, 2171, 2172, 2172.1, 2172.2, 2172.3, 2172.4, 2172.5, 2172.6, 2172.7, 2172.8, 2172.9, 2173, 2174	
		10/12/10	ADOPT: 1235.7 AMEND: 1200, 1235.1, 1235.2, 1235.4, 1256	
		08/12/10	ADOPT: 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630	
		Title 13, 17		
		10/19/10	AMEND: Title 13: 2025, 2449, 2449.3, 2452, 2453, 2456, 2458, 2460, 2461,	

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	2462 and Title 17: 93116.1, 93116.2, 93116.3		4170.5,4171, 4173, 4174, 4174.5, 4174.6 REPEAL: 4172
Title 14		10/11/10	ADOPT: 3999.10
01/12/11	AMEND: 632	09/22/10	ADOPT: 3999.9
01/05/11	AMEND: 4970.00, 4970.01, 4970.05, 4970.08, 4970.09, 4970.13	09/09/10	AMEND: 3605
01/05/11	AMEND: 4970.00, 4970.01, 4970.05, 4970.08, 4970.09, 4970.13	08/19/10	ADOPT: 3268.3 AMEND: 3000, 3268, 3268.1, 3268.2
12/30/10	ADOPT: 1722.8, 1722.8.1, 1722.9, 1773.1, 1773.2, 1773.3, 1773.4, 1773.5, 1774.1, 1774.2, 1777, 1777.1, 1777.2, 1777.3 AMEND: 1722, 1760, 1770, 1773, 1774 REPEAL: 1724.2	08/13/10	ADOPT: 3540, 3541, 3542, 3543, 3544, 3545, 3546, 3547, 3548, 3560, 3561, 3562, 3563, 3564, 3565
12/03/10	AMEND: 29.80	08/11/10	AMEND: 3350.2, 3352.2, 3356, 3358, 3390
11/22/10	AMEND: 1220	Title 16	
11/19/10	AMEND: 895.1, 914.7, 915.1, 916.9, 923.1, 923.2, 923.5, 934.7, 935.1, 936.9, 943.1, 943.2, 943.5, 954.7, 955.1, 956.9, 963.1, 963.2, 963.5, 1093.2, 1104.1	01/11/11	ADOPT: 3394.7 AMEND: 3394.1, 3394.4, 3394.5, 3394.6
11/09/10	AMEND: 163, 164	12/21/10	ADOPT: 38, 47, 48.4 AMEND: 48.6
10/27/10	AMEND: 18660.40	12/20/10	AMEND: 1520
10/18/10	AMEND: 13800	12/20/10	ADOPT: 1399.557
10/11/10	ADOPT: 749.6	12/20/10	ADOPT: 39, 40, 41, 42, 43, 44, 45, 46, 48, 48.1, 48.2, 48.3, 48.5, 48.6
10/07/10	AMEND: 20030, 20040, 20050, 20060, 20070, 20080, 20090, 20100, 20110	12/15/10	ADOPT: 321.1
10/05/10	AMEND: 125, 125.1	12/14/10	AMEND: 1018
10/05/10	ADOPT: 700.3 AMEND: 105, 105.1, 106, 107, 110, 112, 116, 119, 120.2, 120.3, 102.6, 120.7, 122, 123, 124.1, 126, 147, 149.1, 150, 150.02, 150.03, 150.05, 180.3, 180.15, 700.4, 705	12/09/10	ADOPT: 1571
10/05/10	AMEND: 25231	11/24/10	AMEND: 1417
09/21/10	AMEND: 502, 507	11/23/10	AMEND: 144
09/21/10	AMEND: 787.1, 787.4, 787.5, 787.6 REPEAL: 787.2, 787.9	11/18/10	AMEND: 811
09/08/10	AMEND: 300	11/17/10	ADOPT: 1707.5
08/16/10	AMEND: 918, 938, 958	11/08/10	AMEND: 1974, 1996.1
08/12/10	AMEND: 6550.5	10/18/10	AMEND: 3394.3, 3394.4, 3394.6
08/11/10	AMEND: 895.1, 916.9, 936.9, 956.9, 923.9, 943.9, 963.9 REPEAL: 916.9.1, 936.9.1, 916.9.2, 936.9.2, 923.9.2, 943.9.2	10/12/10	AMEND: 1399.501, 1399. 511, 1399.520, 1399.525, 1399.526, 1399.527, 1399.545, 1399.550, 1399.556, 1399.573, 1399.612 REPEAL: 1399.508
Title 15		09/30/10	AMEND: 4200, 4202, 4204, 4206, 4208, 4210, 4212, 4214, 4216, 4218, 4220, 4226, 4228, 4230, 4234, 4236, 4240, 4242, 4244, 4246, 4248, 4250, 4252, 4254, 4258, 4264
12/13/10	ADOPT: 3084.8, 3084.9, 3086 AMEND: 3000, 3084, 3084.1, 3084.2, 3084.3, 3084.4, 3084.5, 3084.6, 3084.7, 3137, 3173.1, 3179, 3193, 3220.4, 3482, 3630, 3723 REPEAL: 3085	09/29/10	AMEND: 109(b)(2), 109(b)(7), 117(e)(2), 121(a)(2)
11/22/10	ADOPT: 1747.1, 1749.1, 1750.1 AMEND: 1706, 1747, 1748, 1749, 1750, 1752, 1756, 1757, 1767	09/23/10	AMEND: 1391.1
11/16/10	AMEND: 1730, 1778, 1790	09/23/10	ADOPT: 1399.419.1, 1399.419.2
10/14/10	ADOPT: 4168.7, 4171.5 AMEND: 4166, 4168, 4168.5, 4169, 4169.5, 4169.9,	09/22/10	ADOPT: 39, 40, 41, 42, 43, 44, 45, 46, 48, 48.1, 48.2, 48.3, 48.5, 48.6
		09/21/10	ADOPT: 1426.1, 1430, 1431 AMEND: 1420, 1421, 1422, 1423, 1424, 1425, 1425.1, 1426, 1427, 1428, 1428.6, 1429, 1430 (renumbered to 1432)
		08/25/10	AMEND: 427.10, 427.30
		08/18/10	AMEND: 1721, 1723.1
		08/12/10	AMEND: 2537, 2590
		Title 17	
		01/10/11	ADOPT: 100800

