



California Regulatory Notice Register

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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

STATE AGENCY: Department of Justice

ADOPTION

STATE AGENCY: Fish and Game Commission

A written comment period has been established commencing on November 27, 2015, and closing on January 11, 2015. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than January 11, 2015. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

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

AVAILABILITY OF PROPOSED CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the re-

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

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture (Department) is proposing to take the action described in the Informative Digest. A public hearing is not scheduled for this proposal. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Any person interested may present statements or arguments in writing relevant to the action proposed to the person designated in this Notice as the contact person beginning November 27, 2015 and ending at 5:00 p.m., on January 11, 2016. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, the Department, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 407, 36601 and 36637 of the Food and Agricultural Code, and to implement, interpret or make specific sections 32912, 32912.5, 36631, 36632, and 36633 of the Food and Agricultural Code, the Department is proposing to make various changes to Title 3 of the California Code of Regulations, to read as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW/BENEFITS

Existing law, section 407 of the Food and Agricultural Code, provides that the Department of Food and Agriculture (Department) may adopt such regulations as are reasonably necessary to carry out the provisions of this Code which it is directed or authorized to administer or enforce.

Existing law, section 32912 of the Food and Agricultural Code, provides that any milk or milk product that

is subject to a standard of identity or standard of composition defined in Division 15 of the Food and Agricultural Code may be specially formulated or processed to lower the content of its milkfat, alter its milkfat composition, or otherwise modify its nutrient profile to the extent that it will not comply with the compositional requirements of its standard of identity or composition.

Existing law, section 32912.5 of the Food and Agricultural Code, provides that any labeling requirements adopted by the Department shall be in conformity with the labeling requirements established under the Federal Food, Drug and Cosmetic Act and Title 21 of the Code of Federal Regulations.

Existing law, section 36631 of the Food and Agricultural Code, provides that the Department administer Article 2 of Chapter 1 of Part 3 of Division 15 of the Food and Agricultural Code, to accommodate, in a timely fashion, safe and wholesome milk products.

Existing law, section 36632 of the Food and Agricultural Code, provides that the Department may grant a temporary standard for a new milk product for an initial period of one year, following a properly noticed hearing.

Existing law, section 36633 of the Food and Agricultural Code, provides that in granting a temporary standard, the Department shall establish an appropriate definition and nomenclature as well as quality and labeling requirements applicable to the permitted product.

Existing law, section 36637 of the Food and Agricultural Code, states that upon granting a petition under article 2 of Chapter 1 of Part 3 of Division 15 of the Food and Agricultural Code, the Department shall adopt the standard as an emergency regulation pursuant to Chapter 3.5 (commencing with section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. For the purposes of Chapter 1 of Part 3 of Division 15 of the Food and Agricultural Code, any regulations adopted under Article 2 of Chapter 1 of Part 3 of Division 15 of the Food and Agricultural Code shall be deemed to be necessary for the immediate preservation of the public peace, health and safety, or general welfare.

The Department has in place an approved emergency regulatory action as a result of granting a petition for the approval of a temporary standard for ultra-filtered milk products. This proposal will adopt sections 450, 450.1, 450.2, 450.3, 450.4, 451 and 452 of Article 7, Chapter 1, Division 2 of Title 3 of the California Code of Regulations, to establish a standard of identity for ultra-filtered milk products permanently in regulation.

Anticipated Benefits of the Proposal: The California dairy industry generates approximately \$21 billion in direct activity and \$65 billion in dairy-related activity to California's economy. This proposal benefits the dairy industry by allowing a new product into the marketplace. Encouraging innovation by allowing novel

dairy products that are safe and wholesome, benefits the dairy industry and consumers as a whole.

Consistency and Compatibility with Existing State Regulations: The Department has evaluated this proposal and believes that it is not inconsistent or incompatible with existing state regulations as there were no regulations pertaining to ultra-filtered milk products. This proposal is intended to place ultra-filtered milk product standards permanently in regulation.

Document Incorporated by Reference: None.

Documents Relied Upon in Preparing Regulations:

- April 20, 2015 Petition from Tim Doelman, Senior Vice President, Operations and Product Development, fairlife, LLC, with attached copies of labels from their milk products.
- May 5, 2015, Notice of Public Hearing regarding the petition to consider the adoption of the temporary standard received from fairlife, LLC.
- Informational Brochure by the Department of Food and Agriculture, Milk and Dairy Food Safety Branch titled, "Protecting Our Dairy Products".

FISCAL IMPACT ESTIMATES

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

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

Business Impact: The Department has made an initial determination that the proposed regulatory action will have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. This regulatory proposal is necessary to adopt the ultra-filtered milk product standards which will serve to ensure the Department fulfills its mission to serve the citizens of California by promoting and protecting a safe, healthy food supply, and enhancing local and global agricultural trade, through efficient management in accordance with Food and Agricultural Code sections 36601, 36602 and 36631.

Cost Impacts on Representative Private Persons or Businesses: The Department is not aware of any cost impacts that a representative private person or businesses would necessarily incur in reasonable compliance with the proposed action. This regulatory proposal is necessary to adopt the ultra-filtered milk product standards which will serve to ensure the Department fulfills its mission to serve the citizens of California by

promoting and protecting a safe, healthy food supply, and enhancing local and global agricultural trade, through efficient management in accordance with Food and Agricultural Code sections 36601, 36602 and 36631.

Persons/Businesses affected by the proposal: Affects dairy processing plants that market milk products in interstate and intrastate commerce that want to market ultra-filtered milk products in California. It may affect distributors and retailers who market the new dairy product and may serve to promote commerce by offering a new dairy product to consumers in the marketplace. No new fees or costs are imposed by the Department as a result of this proposal upon the dairy industry. It is an option for businesses if they wish to market the new dairy product.

Effect on Housing Costs: None.

Effect on Small Businesses: The Department's proposal may affect small businesses.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

Impact on Jobs/New Businesses: The Department has determined that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in California. This determination is based on the fact that this proposal is only an option for businesses, if they choose to process or market ultra-filtered milk products in California. It would be a benefit to the dairy industry and might serve to expand business opportunities in the state.

The Department has made a determination that this regulatory proposal:

- Will have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states by making it more costly to produce goods or services.
- Will not create or eliminate jobs or occupations. This determination is based on the fact that this proposal is only an option for businesses that may choose to process or market ultra-filtered milk products in California. It may encourage job growth and might serve to expand business opportunities in the state.
- Does not adversely affect the creation of new businesses or the elimination of existing businesses within the State of California, and does not affect the expansion of businesses currently doing business within the State of California. This determination is based on the fact that this proposal is only an option for businesses, if they

choose to process or market ultra-filtered milk products in California. It would be a benefit to the industry and might serve to expand business opportunities in the state.

- Does not impact multiple industries.
- Does not adversely impact human health, worker safety, or the State's environment. The Department has no specific health and safety concerns with the standards of identity for ultra-filtered milk products as specified in this proposal. This is because the standards require that ultra-filtered milk products must be labeled in accordance with applicable provisions of Title 21 of the Code of Federal Regulations. Additionally, manufacturers of ultra-filtered milk products must comply with all existing licensing and inspection requirements enforced by the Milk and Dairy Food Safety Branch as well as food safety and sanitary processing requirements and standards applicable to other market milk products. The Department's Milk and Dairy Food Safety Branch is charged with the mission of ensuring that all milk and milk products that are marketed to California consumers are safe and wholesome.
- Affects dairy processing plants that market milk products in interstate and intrastate commerce that want to market ultra-filtered milk products in California. It may affect distributors and retailers who market the new dairy product and may serve to promote commerce by offering a new dairy product to consumers in the marketplace. No new fees or costs are imposed by the Department as a result of this proposal upon the dairy industry. It is an option for businesses if they wish to market the new dairy product.
- Serves to promote and encourage innovation by allowing into the marketplace a new dairy product category which is produced by a novel technology.

This initial determination is based on the fact that the proposed regulation imposes no new fees or costs to the dairy industry and allows a new milk product to be sold to California consumers that is safe and wholesome. This regulatory proposal is necessary to adopt the ultra-filtered milk product standards which will serve to ensure the Department fulfills its mission to serve the citizens of California by promoting and protecting a safe, healthy food supply, and enhancing local and global agricultural trade, through efficient management in accordance with Food and Agricultural Code sections 36601, 36602 and 36631.

Occupations/Businesses Impacted: The Department has made an initial determination that this regulatory proposal may impact occupations or businesses. How-

ever, this proposal is only an option for businesses, if they choose to process or market ultra-filtered milk products in California. It would be a benefit to the dairy industry and might serve to expand business opportunities in the state.

Business Reporting Requirement: The regulation does not require a report, which shall apply to businesses.

Comparable Federal Regulations: This proposal does not duplicate or conflict with federal regulations as there are no standards of identity for ultra-filtered milk products in federal regulations. However, all milk product labels must conform to the federal requirements as specified in Title 21 of the Code of Federal Regulations, in addition to the labeling requirements as specified in applicable California statutes and regulations.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered or that has otherwise been identified and brought 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, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. This regulatory proposal is necessary to adopt the ultra-filtered milk product standards which will serve to ensure the Department fulfills its mission to serve the citizens of California by promoting and protecting a safe, healthy food supply, and enhancing local and global agricultural trade, through efficient management in accordance with Food and Agricultural Code sections 36601, 36602 and 36631.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the hearing (if a hearing is requested) or during the written public comment period.

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all the information upon which the proposal is based, may be obtained by contacting the persons named below or by accessing the Department of Food and Agriculture's website as indicated below in this Notice.

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

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

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

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations, or any written comments concerning this proposal are to be addressed to the following:

Anne Quilter, Fluid Milk Testing Coordinator
 Department of Food and Agriculture
 Milk and Dairy Food Safety Branch
 1220 N Street
 Sacramento, CA 95814
 Telephone: (916) 900-5079
 E-mail: anne.quilter-goldstein@cdfa.ca.gov

The back-up contact person is:

Nancy Grillo, Regulations Coordinator
 Department of Food and Agriculture
 Animal Health & Food Safety Services
 1220 N Street
 Sacramento, CA 95814
 Telephone (916) 900-5033
 E-mail: nancy.grillo@cdfa.ca.gov

Website Access: Materials regarding this proposal can be found by accessing the following Internet address: <http://www.cdfa.ca.gov/ahfss/regulations.html>.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

POST Basic Courses Test Management and Security Protocols Regulations 1005, 1007, 1008, 1052 and Procedures D-1 and D-10

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code section 11346.8,

any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Public Comments Due by January 11, 2016, at 5:00 p.m.

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227-4547, or by letter to:

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

AUTHORITY AND REFERENCE

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

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

POST is responsible for managing both the development of, and security requirements for, 82 Learning Domain, Mid-Term, and Final Tests. These tests are required for successful completion of the Regular Basic and Modular Format Courses, Specialized Investigators' Basic Course, Requalification Course, and PC 832 Laws of Arrest Course. The development process involves the use of subject matter resource groups to ensure the accuracy and validity of the material being tested and POST staff to ensure statewide applicability. This work is costly, time-consuming, and labor intensive. The security of the test material is especially important. If one test is compromised it affects all tests for each course and requires new questions to be developed and validated.

The *POST Basic Courses Test Management and Security Protocols 2014* (protocols) require each presenter to create written policies and procedures regarding test administration and test security. The Test Task Force Committee regularly reviews the protocols in order to propose changes that are designed to strengthen testing policy content requirements. One notable change is the elimination of instructor access to specific test item content. The elimination of access will restrict

the use of test item content during classroom instruction and will redirect focus to the learning objective content rather than test item content.

The implementation of these changes will greatly reduce the likelihood of test materials being compromised or misused by assuring that all presenters have an understanding of the sanctions related to cheating and compromising test material. These changes will help to ensure the continued integrity of entry-level law enforcement training and testing.

The specific benefits anticipated by the proposed regulatory changes to the health and welfare of California residents will be to promote fairness for all individuals taking POST Basic Course tests through stronger test management and security protocols. There would be no effect to benefits in regard to public health and safety, worker safety, or the environment, the prevention of discrimination, and the increase in openness and transparency in business and government.

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

Documents Incorporated by Reference: *POST Basic Courses Test Management and Security Protocols, 2016.*

ADOPTION OF PROPOSED REGULATIONS

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

ESTIMATE OF ECONOMIC IMPACT

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

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

Local Mandate: None.

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

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

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

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

RESULTS OF ECONOMIC IMPACT ASSESSMENT PER GOV. CODE SECTION 11346.1(b)

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

The benefits of the proposed amendments of regulations to the health and welfare of California residents would be to hold accountable those individuals involved in cheating who compromise the security of POST test materials and ensure the integrity of entry-level law enforcement training and testing. There would be no impact that would affect worker safety or the State's environment.

CONSIDERATION OF ALTERNATIVES

To take this action, the Commission must determine that no reasonable alternative considered by the Commission, or otherwise identified and brought to the attention of the Commission, would be more effective

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

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to Jennifer Hardesty, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, at jennifer.hardesty@post.ca.gov, or (916) 227-3917. The back-up contact is Diane Hrepich at diane.hrepich@post.ca.gov. General questions regarding the regulatory process may be directed to Patti Kaida at (916) 227-4847, patti.kaida@post.ca.gov, or FAX (916) 227-5271 .

TEXT OF PROPOSAL

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

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

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

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

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Peace Officer Selection Requirements Regulations 1951, 1953, 1954, and 1955

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in

the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code section 11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Public Comments Due by January 11, 2016, at 5:00 p.m.

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227-4547, or by letter to:

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

AUTHORITY AND REFERENCE

This proposal is made pursuant to the authority vested by Government Code section 1031 (minimum standards for peace officers), Penal Code Section 13503 (authority of the Commission on POST), Penal Code Section 13506 (POST authority to adopt regulations), and Penal Code section 13510 (power for the Commission to adopt selection standards for certain peace officers). This proposal is intended to interpret, implement, and make specific Government Code section 1031(e) and Penal Code section 13510 which give POST the authority to adopt selection standards for departments that participate in the POST program.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The POST Peace Officer Selection Requirements are contained in Commission Regulations 1950-1955. The requirements underwent a complete revision in 2009 to create a more cohesive and comprehensive set of regulations consistent with state laws. In 2014, and concurrent with the issuance of the POST Psychological Screening Manual, Regulation 1955(b) was enacted, requiring peace officer screening psychologists to complete POST-approved continuing professional education (CPE).

Commission Regulations 1951, 1953, 1954, and 1955 are being revised to incorporate updates to state law [Government Code section 1031(e)], to clarify the requirements for the sharing of information between those involved in the hiring process, to update the process for the reporting of CPE by psychological evaluators, and to further clarify that candidates must be found medically and psychologically suitable prior to being appointed as peace officers.

The specific benefits anticipated by the proposed regulatory changes to the health and welfare of California residents will be to ensure that peace officers are selected in accordance with state law and that departments are given specific and clear requirements in meeting this obligation. There would be no effect to benefits in regard to public health and safety, worker safety, or the environment, the prevention of discrimination, and the increase in openness and transparency in business and government.

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

Documents incorporated by reference: The POST Entry–Level Law Enforcement Test Battery Security Agreement (Rev 8/2015) and the POST Peace Officer Psychological Evaluator Competencies and POST Peace Officer Psychological Screening Dimensions, which are located in the POST Peace Officer Psychological Screening Manual (2014), are incorporated by reference.

ADOPTION OF PROPOSED REGULATIONS

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

ESTIMATE OF ECONOMIC IMPACT

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

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

Local Mandate: None.

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

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

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

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

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

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

The benefits of the proposed amendments of regulations to the health and welfare of California residents would be to ensure that peace officers are being selected in accordance to state law, specific and clear POST regulations, and are found medically and psychologically suitable prior to appointment. There would be no impact that would affect worker safety or the State’s environment.

CONSIDERATION OF ALTERNATIVES

To take this action, the Commission must determine that no reasonable alternative considered by the Commission, or otherwise identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to affected private persons than the proposed action, or

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

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to Melani Singley, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, at melani.singley@post.ca.gov, or (916) 227-4258. The back-up contact is Shelley Spilberg at (916) 227-4824. General questions regarding the regulatory process may be directed to Patti Kaida at (916) 227-4847, patti.kaida@post.ca.gov, or FAX (916) 227-5271.

TEXT OF PROPOSAL

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

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

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

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

TITLE 22. DEPARTMENT OF AGING

NOTICE IS HEREBY GIVEN that the California Department of Aging, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its Conflict-of-Interest Code. All inquiries should be directed to the contact listed below.

The California Department of Aging 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. The amendment carries out the purposes of

the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the Conflict-of-Interest Code include a few technical and non-technical changes:

1. Two new classifications have been added. A description of the classifications is below:
 - Research Analyst — The position was added to support duties at a higher level and to be in alignment with the classification.
 - Senior Programmer Analyst — The position was added to support duties at a higher level and to be in alignment with the classification.
2. In addition to the above, a summary of the remaining changes is below:
 - All Exempt categories have been consolidated into one.
 - Staff Counsel classification has changed to Attorney.
 - Added “all levels” to the following classifications:
 - Accounting Administrator
 - Accounting Officer
 - Research Analyst
 - Alphabetized classifications within disclosure category.

The proposed amendment and explanation of the reasons can be obtained from the agency’s contact.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than January 11, 2016, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than 15 days before close of the written comment period.

The California Department of Aging 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.

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

Chisorom Okwuosa, Chief Counsel
Chisorom.Okwuosa@aging.ca.gov
(916) 419-7500

TITLE 27. OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

PROPOSED REPEAL OF ARTICLE 6 AND ADOPTION OF NEW ARTICLE 6 PROPOSITION 65 CLEAR AND REASONABLE WARNINGS

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment (OEHHA) proposes to repeal the current Article 6 regulation and adopt a new regulation in Article 6 in Title 27 of the California Code of Regulations. The January 16, 2015 regulatory proposal to repeal and adopt Article 6 was withdrawn on November 27, 2015 to allow sufficient time for public comment regarding modifications to the proposed regulatory language. This proposal replaces the January 16, 2015 proposed regulatory action. This proposal takes into account all comments received on the earlier proposal.

These new regulations would further the “right-to-know” purposes of the statute and provide more specific guidance on the content of safe harbor warnings for a variety of exposure situations, and corresponding methods for providing those warnings. The proposed regulations would also add a specific section to the regulations addressing the relative responsibilities for providing warnings for businesses in the chain of commerce versus retail sellers of a given product.

PUBLIC PROCEEDINGS

Public Hearing

A public hearing will be held on January 13, 2016, at which time any person may present statements or arguments orally or in writing relevant to the action described in this notice. The public hearing will commence at 10:00 a.m. in the Coastal Hearing Room, California Environmental Protection Agency Building, 1001 I Street, 2nd Floor, Sacramento, California and will last until 12:00 noon.

Written Comment Period

Any written comments concerning this proposed regulatory action, regardless of the form or method of transmission, must be received by OEHHA by **5:00 p.m. on January 22, 2016**, the designated close of the written comment period. All comments will be posted

on the OEHHA website at the close of the public comment period.

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

Monet Vela
Office of Environmental Health Hazard Assessment
P. O. Box 4010
Sacramento, California 95812-4010
Telephone: 916-323-2517
Fax: 916-323-2610
E-mail: P65Public.Comments@oehha.ca.gov

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

CONTACT

Inquiries concerning the proposed Proposition 65 regulation described in this notice may be directed to Monet Vela at (916) 323-2517, or by e-mail at monet.vela@oehha.ca.gov, or by mail to OEHHA, P.O. Box 4010, Sacramento, California 95812-4010. Mario Fernandez is a back-up contact person for inquiries concerning processing of this action and is available at (916) 323-2635 or mario.fernandez@oehha.ca.gov.

AUTHORITY

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

REFERENCE

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

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

BACKGROUND

OEHHA is the state entity responsible for the implementation of Proposition 65.¹ OEHHA has the authority to adopt and amend regulations to make specific and

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

further the purposes of Proposition 65. OEHHA maintains a list of chemicals known to cause reproductive toxicity or cancer. Proposition 65 requires businesses to provide a warning when they knowingly and intentionally cause an exposure to a listed chemical, and prohibits the discharge of listed chemicals into sources of drinking water.

Under the existing Article 6 regulation, a warning is “clear” if it clearly communicates that the chemical in question is known to the State of California to cause cancer, birth defects or other reproductive harm. It is “reasonable” if the method employed to transmit the message is reasonably calculated to make the warning message available to the individual prior to exposure. However, the existing safe harbor warnings lack the specificity necessary to ensure that the public receives useful information about potential exposures.

In proposing this regulatory action, OEHHA intends to address many of the issues that have surfaced since the original regulation was adopted in 1988 by clarifying the relative responsibilities of manufacturers and others in the chain of distribution for providing warnings for products that are eventually sold at retail. The proposed regulations would also make needed changes to the current requirements for a “safe harbor” warning by integrating new technology, providing more useful information to Californians about their exposures to listed chemicals and by providing more compliance assistance for affected businesses, thereby furthering the purposes of the Act.

SPECIFIC BENEFITS OF THE PROPOSED REGULATIONS

The proposed regulation will benefit the health and welfare of California residents and improve worker safety by providing more information to the public and facilitating businesses’ compliance with the Act. More informative warnings will further the purposes of Proposition 65 by helping the public to make informed decisions regarding the products they choose to purchase and the places they frequent based on information about their exposures to chemicals that cause cancer or reproductive effects. Because businesses are given the option to use warning methods adopted by the lead agency, businesses will have more certainty and confidence that they are in compliance with the regulations while retaining the right to provide other non–safe harbor warnings they believe are compliant with the Act.

The proposed regulation will benefit Californians by:

- Making warnings more visible (due to the use of the familiar exclamation point symbol for most warnings).

- Stating that the product or the location can expose them to a listed chemical (as opposed to the current general practice of simply warning of the presence of a chemical).
- Identifying at least one listed chemical to which they would be exposed.
- Providing the URL for an OEHHA web site which will provide general information about listed chemicals, products or locations commonly associated with those chemicals, and general advice for how to reduce or avoid exposures to those chemicals.
- Providing for warnings in non–English languages in instances where product labeling contains information in alternative languages or at locations where signs are posted in those languages.

NO INCONSISTENCY OR INCOMPATIBILITY WITH EXISTING REGULATIONS

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

LOCAL MANDATE/FISCAL IMPACT

Because Proposition 65 by its terms² does not apply to local agencies or school districts, OEHHA has determined the proposed regulatory action would not impose a mandate on local agencies or school districts; nor does it require reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. OEHHA has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action. Also, the proposed action will not create any cost or savings to any state agency, and will not create any cost or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

Because Proposition 65 by its terms³ does not apply to any state agency and this regulation is simply a clarification of existing procedures, OEHHA has initially determined that no significant savings or increased

² See Health and Safety Code section 25249.11(b).

³ See Health and Safety Code section 25249.11(b).

costs to any state agency will result from the proposed regulatory action.

EFFECT ON HOUSING COSTS

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

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

OEHHA has made an initial determination that the adoption of the proposed regulation will have an impact on some business sectors. OEHHA has, however, determined that the proposed regulation 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. Proposition 65 and this regulation apply equally to California and all out-of-state businesses that sell products in California. Impacts on facility operation costs are minor. **Additional detailed information regarding the estimated economic impact of these regulations can be found in the Economic Impact Statement, which is included in the Initial Statement of Reasons as Appendix B.**

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

Upon reviewing the results of the Economic Impact Assessment, OEHHA has determined that the adoption of the proposed amendments to the regulation will have an impact on some business sectors. OEHHA estimates that the economic impact of the proposed regulation to be between 15 to 30 million dollars per year in the two years before full implementation of the regulation. The regulation is thus below the threshold for a major regulation, and no Standardized Regulatory Impact Assessment (SRIA) is required.

The mandatory provisions in Subarticle 1 of the proposed regulation are related to the responsibility to provide warnings, and provide guidance on determining which party has the responsibility of providing warnings that must already be provided under the Act for exposure to a listed chemical. Subarticle 2 of the proposed regulation does not impose any new requirements upon private persons or business because it provides non-mandatory guidance and a voluntary safe harbor process for providing warnings already required under the Act that businesses can choose to follow. A business

may continue to provide the warnings required by Section 25249.6 of the Act in any manner and with any content they can show is “clear and reasonable” under the law. Businesses that decide to convert from the current safe harbor warning to the safe harbor warning described in the proposed regulation will incur costs, primarily for relabeling products or purchasing new warning signs. The regulation includes a two-year phase-in period that would allow businesses time to convert to the new warnings. Additionally, the proposed regulation provides that a warning for a consumer product manufactured prior to the effective date of the regulation is deemed to be clear and reasonable if it complies with the September 2008 revision of the regulation. Many business costs frequently attributed to Proposition 65 such as defending lawsuits, paying attorney’s fees and penalties, determining the chemical exposures from products, reformulating products to avoid the need to provide warnings, etc., fall outside the scope of this regulation.

OEHHA concludes that it is:

- (A) Unlikely that the proposal will have a major impact on the creation or elimination of jobs within California.
- (B) Unlikely that the proposal will have a major impact on the creation of new businesses or the elimination of existing businesses within California.
- (C) Unlikely that the proposal will have a major impact on the expansion of existing businesses within California.
- (D) Likely that the proposal will benefit the health, safety and welfare of California residents.

CREATION OR ELIMINATION OF JOBS WITHIN THE STATE OF CALIFORNIA

This regulatory action will not likely have a major impact on the creation or elimination of jobs within the State of California. **Additional detailed information regarding the estimated economic impact of these regulations can be found in the Economic Impact Statement, which is included in the Initial Statement of Reasons as Appendix B.**

CREATION OF NEW BUSINESSES OR ELIMINATION OF EXISTING BUSINESSES WITHIN THE STATE OF CALIFORNIA

This regulatory action will not likely have a major impact on the creation of new businesses or the elimination of existing businesses within the State of California. The economic impact of the proposed regulation is very small relative to any one establishment’s typical

cost of operation and the need for business to be created or eliminated as a result of the proposed regulation does not exist.

THE EXPANSION OF BUSINESSES CURRENTLY DOING BUSINESS WITHIN THE STATE

OEHHA does not anticipate any major impact on the expansion of businesses currently doing business within the state because the proposed regulation will not change whether warnings are required by a business. The proposed regulations focus on the manner in which the warnings are being provided, i.e., the content and methods for warnings. While businesses can download and print signs on their own, vendors of Proposition 65 warning signs may, however, experience increased activity during the implementation period due to purchase of new warning signs.

BENEFITS OF THE PROPOSED REGULATION

The health and welfare of California residents will likely benefit from the increased information regarding exposures to listed chemicals and the clarity provided to businesses complying with the clear and reasonable warning requirements of the Act. More informative warnings will further the purposes of Proposition 65 by increasing the public's ability to make informed decisions regarding the products they choose to purchase and the places they frequent based on information about their exposures to chemicals that cause cancer or reproductive effects. Because businesses are given the option to use warning methods adopted by the lead agency, a business will have more certainty and confidence that it is in compliance with the statute while retaining the right to provide other non-safe harbor warnings they believe are compliant with the Act.

CONSIDERATION OF ALTERNATIVES

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

EFFECT ON SMALL BUSINESSES

OEHHA has determined that the proposed regulatory action will not affect small business as it does not impose any mandatory requirements on small businesses. Proposition 65 expressly exempts businesses with less than 10 employees⁴ from the warning requirement of the law.

KNOWN COST IMPACTS

OEHHA has estimated the cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

BUSINESS REPORTING REQUIREMENT

The regulation requires a retail seller, upon request of certain individuals, to provide information regarding product information and the identity of the manufacturer, producer, packager, importer or distributor who have the duty to warn. As an example, the Attorney General may request information from the retail seller regarding product information concerning an item described in a notice of violation. OEHHA finds that it is necessary for the health, safety, or welfare of the people of this state that the proposed regulation which requires a report apply to businesses.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

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

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

⁴ Health and Safety Code section 25249.11(b).

the availability of such change. Copies of the notice and the changed regulation will also be available on the OEHHA Web site at www.oehha.ca.gov.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

TITLE 28. DEPARTMENT OF MANAGED HEALTH CARE

Consumer Participation Program; Amending Section 1010 in Title 28, California Code of Regulations; Control No. 2015-5145

PUBLIC PROCEEDINGS

Notice is hereby given that the Director of the Department of Managed Health Care (Department) proposes to adopt a regulation under the Knox-Keene Health Care Service Plan Act of 1975 (Knox-Keene Act) clarifying and simplifying the procedures and requirements for participating in the Consumer Participation Program and for applying for an award of advocacy or witness fees for making a substantial contribution on behalf of consumers to the adoption of any regulation, to an order or decision made by the Director, or to legislatively authorized guidance to health care service plans regarding compliance with legislation. Changes to the proposed regulation are noted with underline and strikeout.

This rulemaking action proposes to adopt amended section 1010, in Title 28, California Code of Regulations. Before undertaking this action, the Director of the Department (Director) will conduct written public proceedings, during which time any interested person, or such person's duly authorized representative, may present statements, arguments, or contentions relevant to the action described in this notice.

PUBLIC HEARING

No public hearing is scheduled. Any interested person, or his or her duly authorized representative, may submit a written request for a public hearing pursuant to Section 11346.8(a) of the Government Code. The written request for hearing must be received by the Department's contact person, designated below, 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 statements, arguments or contentions (hereafter referred to as comments) relating to the proposed regulatory action by the Department. Comments must be received by the Department, Office of Legal Services, **by 5 p.m. on January 11, 2016**, which is hereby designated as the close of the written comment period.

Please address all comments to the Department of Managed Health Care, Office of Legal Services, Attention: Regulations Coordinator. Comments may be transmitted by regular mail, fax, email or via the department's website:

Website: <http://www.dmhc.ca.gov/LawsRegulations>
Email: regulations@dmhc.ca.gov
Mail: Department of Managed Health Care
Office of Legal Services
Attn: Regulations Coordinator
980 9th Street, Suite 500
Sacramento, CA 95814
Fax: (916) 322-3968

Please note: if comments are sent via the website, email or fax, there is no need to send the same comments by mail delivery. All comments, including via the website, email, fax or mail, should include the author's name and a U.S. Postal Service mailing address so the Department may provide commenters with notice of any additional proposed changes to the regulation text.

Please identify the action by using the Department's rulemaking title and control number, **Consumer Participation Program, Control No. 2015-5145** in any of the above inquiries.

CONTACTS

Inquiries concerning the proposed adoption of these regulations may be directed to:

Jennifer Willis
Attorney IV
Department of Managed Health Care
Office of Legal Services
980 9th Street, Suite 500
Sacramento, CA 95814
(916) 324-9014 (phone)
(916) 322-3968 (fax)
Jennifer.willis@dmhc.ca.gov

OR

Emilie Alvarez

Regulations Coordinator
 Department of Managed Health Care
 Office of Legal Services
 980 9th Street, Suite 500
 Sacramento, CA 95814
 (916) 445-9960 (phone)
 (916) 322-3968 (fax)
ealvarez@dmhc.ca.gov

AVAILABILITY OF DOCUMENTS

The Department has prepared and has available for public review the Initial Statement of Reasons, text of the proposed regulation and all information upon which the proposed regulation is based (rulemaking file). This information is available by request to the Department of Managed Health Care, Office of Legal Services, 980 9th Street, Sacramento, CA 95814, Attention: Regulations Coordinator.

The Notice of Proposed Rulemaking Action, the proposed text of the regulation, and the Initial Statement of Reasons are also available on the Department’s website at “<http://www.dmhc.ca.gov/LawsRegulations>” under the heading “Open Pending Regulations.”

You may obtain a copy of the final statement of reasons once it has been prepared by making a written request to the Regulations Coordinator named above.

AVAILABILITY OF MODIFIED TEXT

The full text of any modified regulation, unless the modification is only non-substantial or solely grammatical in nature, will be made available to the public at least 15 days before the date the Department adopts the regulation. A request for a copy of any modified regulation(s) should be addressed to the Regulations Coordinator. The Director will accept comments via the Department’s website, mail, fax or email on the modified regulation(s) for 15 days after the date on which the modified text is made available. The Director may thereafter adopt, amend or repeal the foregoing proposal substantially as set forth without further notice.

AUTHORITY AND REFERENCE

California Health and Safety Code Section 1341, subdivision (a), authorizes the Department to regulate “health care service plans.” Health and Safety Code Section 1345, subdivision (f)(1), defines a “health care service plan” as “any person who undertakes to arrange for the provision of health care to subscribers or enroll-

ees, or to pay for or to reimburse any part of the cost of those services, in return for a prepaid or periodic charge paid by or on behalf of subscribers or enrollees.”

California Health and Safety Code Section 1344 authorizes the Director to adopt, amend and rescind regulations as necessary to carry out the provisions of the Knox-Keene Act, including rules governing applications and reports, and defining any terms, whether or not used in the Knox-Keene Act, insofar as the definitions are not inconsistent with the provisions of the Knox-Keene Act. Furthermore, the Director may waive any requirement of any rule or form in situations where in the Director’s discretion such requirement is not necessary in the public interest or for the protection of the public, subscribers, enrollees, or persons or plans subject to the Knox-Keene Act.

California Health and Safety Code Section 1346 vests in the Director additional powers to administer and enforce the Act, including but not limited to, the power to study, investigate, research and analyze matters affecting the interests of plans, subscribers, enrollees and the public, and to promote and establish standards of ethical conduct for the administration of health care service plans.

California Health and Safety Code Section 1348.9 requires the Director to adopt regulations to establish the Consumer Participation Program (CPP), which shall allow for the Director to award reasonable advocacy and witness fees to any person or organization that demonstrates that the person or organization represents the interests of consumers and has made a substantial contribution on behalf of consumers to the adoption of any regulation or to an order or decision made by the Director if the order or decision has the potential to impact a significant number of enrollees.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The amendments will make it easier for Participants to represent the interests of consumers in Departmental proceedings by condensing the current three-step CPP into a two-step process. The current first step, the request for finding of eligibility to participate and seek compensation, will be removed, with the requirements of that step being rolled into the second step, the petition to participate. The petition to participate will thereby become the first step of the CPP Process. Also, through the amendments, once a petition to participate has been approved, a Participant will not need to complete that step again so long as the information contained in the petition to participate remains true and accurate. Combining the first two steps will remove a significant hurdle to participation. Simplifying the process is also necessary in order to make it easier for the Department

to review and process awards. Despite an annual budget of \$350,000 for CPP awards, the Department has not granted any awards in the past two years because of low participation in the program. This signals that changes must be made in order to make the program easier for both Participants to use and the Department to administer.

The amendments are also necessary to clarify the types of proceedings which qualify for the CPP. The definition of proceeding will be amended to state that Participants may apply for reimbursement for their contributions to the administrative decision-making process relating to “legislatively authorized guidance.” Legislatively authorized guidance will also be defined. Adding this reference to legislatively authorized guidance will clarify that even if the Department has been exempted from complying with the Administrative Procedure Act on a particular issue, an applicant may still seek compensation for the Participant’s involvement in the decision-making process. The definition of proceeding will also be amended by removing the statement that the proceeding must have “the potential to impact a significant number of enrollees.” That statement is not necessary because the authorizing statute, California Health and Safety Code section 1348.9, includes the same language. It states that the CPP is intended to reimburse Participants for their involvement in proceedings which have “potential to impact a significant number of enrollees.” Accordingly, by definition, a proceeding must have the potential to impact a significant number of enrollees in order to qualify for the CPP, rendering the statement unnecessary in the regulation.

The regulation is also being amended to allow for a Participant to seek a one-time payment of interim compensation. Interim compensation will allow a Participant to request compensation for the Participant’s contributions to a proceeding even though a proceeding is ongoing and the Participant may incur additional costs. This amendment reflects the fact that administrative proceedings, such as the process of promulgating regulations, may be a multi-year process. Many Participants interested in advocating on behalf of consumers may choose not to participate in proceedings if they could not apply for and be reimbursed for their contributions until the proceeding has ended. Allowing a Participant to seek interim compensation will encourage participation even if a proceeding may last many years.

Changes are also being made to the way in which a Participant is required to account for the Participant’s time and/or billing records in the application for an advocacy award. The current regulation requires the Participant bill time in six-minute increments. While the six-minute billing increment is typical of attorneys, many Participants are not attorneys and have stated that billing in six-minute increments is overly burdensome

for non-attorney professionals. They have stated that allowing billing to be done in fifteen-minute increments will be more in keeping with their business practices, making it easier for them to complete. This will also assist the Department when reviewing the billing information and determining the correct Award to grant the Participant.

Additional terms are also being defined in order to clarify the regulation and its purpose. Other minor grammatical non-substantive changes are also being made.

EVALUATION OF CONSISTENCY/COMPATIBILITY WITH EXISTING STATE REGULATIONS

The Department evaluated the regulations for any other possible related regulations and has found one other state program that is comparable to the Consumer Participation Program. The California Public Utility Commission (CPUC) has a similar program to the Department’s CPP. After review of the CPUC program, the Department has determined that these regulations are neither inconsistent nor incompatible with existing state regulations. The Department has taken into consideration a court case, *The Utility Reform Network v. Public Utilities Commission* (2008), 166 Cal.App. 4th 522, while revising this regulation.

The CPUC initiated the Intervenor Compensation Program in 1981 and, subsequently, the California Legislature adopted laws to govern the program. Those laws became part of the Public Utilities Code in Sections 1801–1812, effective January 1, 1985, with modifications made by the Legislature in 1992, 1993, and 2004. The Program is administered by the CPUC.

The Code allows certain individuals or groups that participate in Commission proceedings involving electric, gas, water, and telephone utilities to request compensation for the costs associated with their participation.

The requirements for eligibility to request compensation through this program are set forth in California Public Utilities Code Sections 1801–1812. When an individual or group meets the eligibility requirements, that individual or group is considered an intervenor for the purposes of the Program. Notably, the Intervenor Compensation Program only provides compensation for reasonable costs incurred by intervenors as a result of their substantial contribution to CPUC proceedings in which they participated. Compensation is usually granted after the proceeding or a phase of the proceeding has concluded.

Intervenor compensation awards are paid by public utilities from monies collected from utility ratepayers. The CPUC exercises discretion in awarding compensa-

tion as amounts paid to intervenors can cause a utility to increase its rates to cover the award. Typically, only the specific utility subject to the proceeding is responsible for the payment of intervenor compensation.

BUSINESS REPORT

All cost impacts, known to the Department at the time the notice of proposed action was submitted to the Office of Administrative Law, that a representative or private person or business would necessarily incur in reasonable compliance with the proposed action: NONE.

PURPOSE OF THE REGULATIONS

The purpose of these regulations is to update, clarify, and simplify existing regulations.

The amendments to Title 28, section 1010 will streamline the application process, making it easier for organizations and individuals representing the interests of consumers to apply for reimbursement for their participation in proceedings. Currently, the CPP process is three steps: a request for finding of eligibility to participate and seek compensation, a petition to participate, and an application for an advocacy award. The amendments will combine the first two steps, rolling the request for finding of eligibility to participate and seek compensation into the petition to participate, making it easier for applicants to become eligible to participate in the CPP. Also, organizations and individuals will only need to receive approval for the petition to participate one time, so long as the information contained in the petition to participate remains true and accurate as verified by the applicant. These changes will make it much easier for participants to apply for reimbursement for participation in proceedings. It will also make it easier for the Department to review and approve Petitions to Participate and Application for Advocacy Awards.

BROAD OBJECTIVES AND BENEFITS OF THE REGULATIONS

(Government Code section 11346.5(a)(3)(C))

The broad objectives of these regulations are to update, clarify, and simplify existing regulations.

The objective and benefits of the amendments to Title 28, section 1010 is to streamline the application process, making it easier for organizations and individuals representing the interests of consumers to apply for reimbursement for their participation in proceedings. Currently, the CPP process is three steps: a request for finding of eligibility to participate and seek compensation, a petition to participate, and an application for an

advocacy award. The amendments will combine the first two steps, rolling the request for finding of eligibility to participate and seek compensation into the petition to participate, making it easier for applicants to become eligible to participate in the CPP. Also, organizations and individuals will only need to receive approval for the petition to participate one time, so long as the information contained in the petition to participate remains true and accurate as verified by the applicant. These changes will benefit the Department and participants by making it easier for participants to apply for reimbursement for participation in Departmental proceedings. It will also make it easier for the Department to review and approve Petitions to Participate and Application for Advocacy Awards submitted by Participants.

The amendments will also benefit participants by adding language that participants may seek reimbursement for participation in administrative decision-making process related to “legislatively authorized guidance.” The amendment will also define legislatively authorized guidance to clarify what types of proceedings qualify under this terminology. This will make it clear that participants may seek reimbursement for contributions to proceedings in which the Department has been exempted from complying with the Administrative Procedure Act.

The amendments will also modify the definition of a proceeding, removing the statement that the proceeding must have “the potential to impact a significant number of enrollees.” That language is not necessary because the authorizing statute includes the same language. Therefore, by the very definition of the CPP, a participant may be reimbursed for his or her contribution only if the proceeding has the potential to impact a significant number of enrollees.

The regulation is also being amended to allow for a participant to seek a one-time payment of interim compensation. The interim compensation allows a participant to request compensation although a proceeding is ongoing and the participant may incur additional costs. Allowing a participant to seek interim compensation will encourage participation even if a proceeding may last many years.

The amendments will also change the way in which a participant is required to account for the participant’s time and/or billing records in the application for an advocacy award. The current regulation requires the participant bill in six-minute increments. The six-minute billing increment is typical of attorneys and not for professionals billing for time and therefore the amendments will require billing to be done only in 15-minute increments.

Additional terms are also being defined in order to clarify the regulation and its purpose. Other minor

grammatical non-substantive changes are also being made.

LOCAL MANDATE

The Department has determined the regulations will not impose a mandate on local agencies or school districts, nor are there any costs requiring reimbursement by Part 7 (commencing with Section 17500) of Division 4 of the Government Code. As specified in Section 6 of AB 2179, no reimbursement is required.

FISCAL IMPACT

The Department has made the following initial determinations:

- Mandate on local agencies and school districts: None.
- Cost or Savings to any State Agency: None.
- Other non-discretionary cost or savings imposed upon local agencies: None.
- Direct or Indirect Costs or Savings in Federal Funding to the State: None.
- Effect on Housing Costs: None.
- Costs to private persons or businesses directly affected: None.
- The Department has determined the regulation does not affect small businesses. Health plans are not considered a small business under Government Code Section 11342.610(b) and (c).

RESULTS/SUMMARY OF THE ECONOMIC IMPACT ANALYSIS

(Government Code section 11346.3(b))

Creation or elimination of jobs within California

These proposed amendments largely make technical amendments to existing regulations by clarifying definitions, updating procedures to reflect current practices, eliminating obsolete provisions and streamlining the CPP process to make it more consumer friendly and accessible. In light of the predominantly technical nature of most of these amendments, and the reasonable and appropriate streamlining of the CPP process, the Department has determined that this amendment will not significantly affect the creation or elimination of jobs within the State of California.

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

These proposed amendments largely make technical amendments to existing regulations by clarifying definitions, updating procedures to reflect current practices, eliminating obsolete provisions and streamlining the CPP process to make it more consumer friendly and ac-

cessible. In light of the predominantly technical nature of most of these amendments, and the reasonable and appropriate streamlining of the CPP process, the Department has determined that this amendment will not significantly affect the creation of new businesses or the elimination of existing businesses within the State of California.

Expansion of Businesses or Elimination of Existing Businesses Within the State of California

These proposed amendments largely make technical amendments to existing regulations by clarifying definitions, updating procedures to reflect current practices, eliminating obsolete provisions and streamlining the CPP process to make it more consumer friendly and accessible. In light of the predominantly technical nature of most of these amendments, and the reasonable and appropriate streamlining of the CPP process, the Department has determined that this amendment will not significantly affect the expansion or elimination of businesses currently doing business within the State of California.

Benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment

The benefits of the regulation impact public health and business transparency. In light of the technical nature of these amendments, the Department has determined that this amendment should not have any negative impact on worker safety or the State's environment. And at the same time, these amendments benefit the health and welfare of California residents by improving the Department's ability to monitor health plans' financial stability and to ensure continuity of care in the event of a plan failure, thereby protecting enrollees and ensuring that they continue to receive the benefits to which they are entitled.

DETERMINATIONS

The Department has made the following initial determinations:

The Department has determined the regulation will not impose a mandate on local agencies or school districts, nor are there any costs requiring reimbursement by Part 7 (commencing with Section 17500) of Division 4 of the Government Code. As specified in Section 6 of AB 2179, no reimbursement is required.

The Department has determined the regulation will have no significant effect on housing costs.

The Department has determined the regulation does not affect small businesses. Health care service plans are not considered a small business under Government Code Section 11342.610(b) and (c).

This regulation will not have a statewide adverse economic impact directly affecting business, including the

ability of California businesses to compete with businesses in other states.

ALTERNATIVES CONSIDERED

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

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

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

CESA CONSISTENCY DETERMINATION REQUEST FOR

Bay Bank Retaining Wall Toe Scour Protection Project
(2080-2015-014-03)
Sonoma County

California Department of Fish and Wildlife (CDFW) received a notice on November 13, 2015, that Constance Bay (Applicant) proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The proposed project involves the placement of riprap under the retaining wall and installation of galvanized chain link fencing at the applicant's home in order to prevent further erosion and toe scour along the foundation. The proposed project will occur at 1004 Robertson Road, Glen Ellen, Sonoma County, California.

The U.S. Fish and Wildlife Service (Service) issued a federal biological opinion (Service File No. 08ESMF00-2016-F-0203)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers on November 9, 2015, which considered the effects of the proposed project on the state endangered and federally threatened California freshwater shrimp (*Syncaris pacifica*).

Pursuant to California Fish and Game Code section 2080.1, Constance Bay is requesting a determination that the BO and associated ITS are consistent with CESA for purposes of the proposed project. If CDFW determines the BO and associated ITS are consistent with CESA for the proposed project, Constance Bay will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) for the proposed project.

DEPARTMENT OF HEALTH CARE SERVICES

Nursing Facility/Acute Hospital (NF/AH)
Waiver Renewal
First Technical Experts Workgroup Meeting
Public Notice

The Department of Health Care Services (DHCS) has formed a technical experts workgroup comprised of NF/AH Waiver members, family members, advocates, providers and other interested stakeholders for guiding and recommending the proposal of changes for the NF/AH Waiver Renewal application, to become effective January 1, 2017. The workgroup will collaborate and guide DHCS on the development of the waiver renewal addressing opportunities to better serve and meet the needs of the waiver population.

DHCS will hold a technical experts workgroup meeting in December 2015, February 2016, and April, 2016 to seek public input into the development of the NF/AH Waiver renewal. The first technical expert workgroup meeting will be convened in Sacramento on December 18, 2015. Participants and workgroup members who cannot travel are encouraged to call in to the meeting using the toll-free number and passcode.

Date: Friday, December 18, 2015	Time: 10:00 a.m.-4:00 p.m.
Toll-Free Phone Number: (888) 989-4413	Passcode: 4470499

For individuals with disabilities, the Department will provide assistive devices such as sign-language interpretation, real-time captioning, note takers, reading or writing assistance, and conversion of training or meeting materials into Braille, large print, audiocassette, or computer disk. To request such services or copies in an alternate format, please call or write by December 10, 2015:

**Jonathan Alspektor, Department of Health Care Services
1501 Capitol Avenue, MS 4502,
P.O. Box 997437
Sacramento, CA, 95899-7437, 916-445-4611
Email: Jonathan.Alspektor@dhcs.ca.gov**

Please Note: The range of assistive services available may be limited if requests are received less than ten working days prior to the meeting or event.

Please visit the NF/AH Waiver Renewal web page for updates and/or meeting materials:

[http://www.dhcs.ca.gov/services/ltc/Pages/Nursing-Family-Acute-Hospital-\(NF-AH\)-Waiver-Renewal.aspx](http://www.dhcs.ca.gov/services/ltc/Pages/Nursing-Family-Acute-Hospital-(NF-AH)-Waiver-Renewal.aspx)

For Further Information, Contact
IHOWaiver@dhcs.ca.gov
(916) 445-4611
Department of Health Care Services
Long-Term Care Division
1501 Capitol Avenue, MS 4503
P.O. Box 997437 Sacramento, CA 95899-7437

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
 HEALTH HAZARD ASSESSMENT**

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

NOTICE TO INTERESTED PARTIES
 November 27, 2015

**CHEMICAL LISTED EFFECTIVE
 NOVEMBER 27, 2015**
**AS KNOWN TO THE STATE OF CALIFORNIA
 TO CAUSE REPRODUCTIVE TOXICITY:**
TOPIRAMATE

Effective **November 27, 2015**, the Office of Environmental Health Hazard Assessment (OEHHA) is adding *topiramate* (CAS No. 97240-79-4) to the list of chemicals known to the state to cause reproductive toxicity (developmental endpoint) for purposes of Proposition 65.¹

The listing of topiramate is based on a formal requirement by a state or federal agency that the chemical be identified or labeled as causing reproductive toxicity² as provided under Proposition 65. Topiramate has been identified or labeled to communicate a risk of reproductive harm (developmental toxicity endpoint) in accor-

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

² See Health and Safety Code section 25249.8(b) and Title 27, Cal. Code of Regs., section 25902.

dance with formal requirements by the US Food and Drug Administration. Regulations governing the listing of chemicals under the “formally required to be labeled or identified” mechanism are published in Title 27, California Code of Regulations, section 25902.

The documentation supporting OEHHA’s determination that topiramate meets the criteria for administrative listing is included in the Notice of Intent to List Topiramate, published in the October 2, 2015 issue of the *California Regulatory Notice Register* (Register 2015, No. 40-Z). No public comments were received.

A complete, updated chemical list is published in this issue of the *California Regulatory Notice Register* and is available on the OEHHA website at www.oehha.ca.gov.

In summary, the following chemical is listed under Proposition 65 as known to the State to cause reproductive toxicity:

Chemical	CAS No.	Toxicological Endpoints	Listing Mechanism*
Topiramate	97240-79-4	Developmental toxicity	FR

*Listing mechanism: FR — “formally required to be labeled or identified” mechanism (Health and Safety Code section 25249.8(b)) and Title 27 Cal. Code of Regs., section 25902.

**OFFICE OF ENVIRONMENTAL
 HEALTH HAZARD ASSESSMENT**

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

**CHEMICALS KNOWN TO THE STATE
 TO CAUSE CANCER OR
 REPRODUCTIVE TOXICITY**
NOVEMBER 27, 2015

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

CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole)	26148-68-5	January 1, 1990
Acetaldehyde	75-07-0	April 1, 1988
Acetamide	60-35-5	January 1, 1990
Acetochlor	34256-82-1	January 1, 1989
2-Acetylaminofluorene	53-96-3	July 1, 1987
Acifluorfen sodium	62476-59-9	January 1, 1990
Acrylamide	79-06-1	January 1, 1990
Acrylonitrile	107-13-1	July 1, 1987
Actinomycin D	50-76-0	October 1, 1989
AF-2;[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide	3688-53-7	July 1, 1987
Aflatoxins	—	January 1, 1988
Alachlor	15972-60-8	January 1, 1989
Alcoholic beverages, when associated with alcohol abuse	—	July 1, 1988
Aldrin	309-00-2	July 1, 1988
Allyl chloride <u>Delisted October 29, 1999</u>	107-05-1	January 1, 1990
2-Aminoanthraquinone	117-79-3	October 1, 1989
<i>p</i> -Aminoazobenzene	60-09-3	January 1, 1990
<i>ortho</i> -Aminoazotoluene	97-56-3	July 1, 1987
4-Aminobiphenyl (4-aminodiphenyl)	92-67-1	February 27, 1987
1-Amino-2,4-dibromoanthraquinone	81-49-2	August 26, 1997
3-Amino-9-ethylcarbazole hydrochloride	6109-97-3	July 1, 1989
2-Aminofluorene	153-78-6	January 29, 1999
1-Amino-2-methylantraquinone	82-28-0	October 1, 1989
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712-68-5	July 1, 1987
4-Amino-2-nitrophenol	119-34-6	January 29, 1999
Amitrole	61-82-5	July 1, 1987
Amsacrine	51264-14-3	August 7, 2009
Analgesic mixtures containing phenacetin	—	February 27, 1987
Androstenedione	63-05-8	May 3, 2011
Aniline	62-53-3	January 1, 1990
Aniline hydrochloride	142-04-1	May 15, 1998
<i>ortho</i> -Anisidine	90-04-0	July 1, 1987
<i>ortho</i> -Anisidine hydrochloride	134-29-2	July 1, 1987
Antimony oxide (Antimony trioxide)	1309-64-4	October 1, 1990
Anthraquinone	84-65-1	September 28, 2007
Aramite	140-57-8	July 1, 1987
Areca nut	—	February 3, 2006
Aristolochic acids	—	July 9, 2004
Arsenic (inorganic arsenic compounds)	—	February 27, 1987
Asbestos	1332-21-4	February 27, 1987
Auramine	492-80-8	July 1, 1987
Azacitidine	320-67-2	January 1, 1992
Azaserine	115-02-6	July 1, 1987
Azathioprine	446-86-6	February 27, 1987
Azobenzene	103-33-3	January 1, 1990
Benthiavalicarb-isopropyl	177406-68-7	July 1, 2008
Benz[a]anthracene	56-55-3	July 1, 1987
Benzene	71-43-2	February 27, 1987
Benzidine [and its salts]	92-87-5	February 27, 1987
Benzidine-based dyes	—	October 1, 1992
Benzo[b]fluoranthene	205-99-2	July 1, 1987
Benzo[j]fluoranthene	205-82-3	July 1, 1987

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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Benzo[k]fluoranthene	207-08-9	July 1, 1987
Benzofuran	271-89-6	October 1, 1990
Benzophenone	119-61-9	June 22, 2012
Benzo[a]pyrene	50-32-8	July 1, 1987
Benzotrichloride	98-07-7	July 1, 1987
Benzyl chloride	100-44-7	January 1, 1990
Benzyl violet 4B	1694-09-3	July 1, 1987
Beryllium and beryllium compounds	—	October 1, 1987
Betel quid with tobacco	—	January 1, 1990
Betel quid without tobacco	—	February 3, 2006
2,2-Bis(bromomethyl)-1,3-propanediol	3296-90-0	May 1, 1996
Bis(2-chloroethyl)ether	111-44-4	April 1, 1988
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlornapazine)	494-03-1	February 27, 1987
Bischloroethyl nitrosourea (BCNU) (Carmustine)	154-93-8	July 1, 1987
Bis(chloromethyl)ether	542-88-1	February 27, 1987
Bis(2-chloro-1-methylethyl) ether, technical grade	—	October 29, 1999
Bitumens, extracts of steam-refined and air refined	—	January 1, 1990
Bracken fern	—	January 1, 1990
Bromate	15541-45-4	May 31, 2002
Bromochloroacetic acid	5589-96-8	April 6, 2010
Bromodichloromethane	75-27-4	January 1, 1990
Bromoethane	74-96-4	December 22, 2000
Bromoform	75-25-2	April 1, 1991
1,3-Butadiene	106-99-0	April 1, 1988
1,4-Butanediol dimethanesulfonate (Busulfan)	55-98-1	February 27, 1987
Butylated hydroxyanisole	25013-16-5	January 1, 1990
beta-Butyrolactone	3068-88-0	July 1, 1987
Cacodylic acid	75-60-5	May 1, 1996
Cadmium and cadmium compounds	—	October 1, 1987
Caffeic acid	331-39-5	October 1, 1994
Captafol	2425-06-1	October 1, 1988
Captan	133-06-2	January 1, 1990
Carbaryl	63-25-2	February 5, 2010
Carbazole	86-74-8	May 1, 1996
Carbon black (airborne, unbound particles of respirable size)	1333-86-4	February 21, 2003
Carbon tetrachloride	56-23-5	October 1, 1987
Carbon-black extracts	—	January 1, 1990
N-Carboxymethyl-N-nitrosourea	60391-92-6	January 25, 2002
Catechol	120-80-9	July 15, 2003
Ceramic fibers (airborne particles of respirable size)	—	July 1, 1990
Certain combined chemotherapy for lymphomas	—	February 27, 1987
Chloral	75-87-6	September 13, 2013
Chloral hydrate	302-17-0	September 13, 2013
Chlorambucil	305-03-3	February 27, 1987
Chloramphenicol <u>Delisted January 4, 2013</u>	56-75-7	October 1, 1989
Chloramphenicol sodium succinate	982-57-0	September 27, 2013
Chlordane	57-74-9	July 1, 1988
Chlordecone (Kepone)	143-50-0	January 1, 1988
Chlordimeform	6164-98-3	January 1, 1989
Chlorendic acid	115-28-6	July 1, 1989
Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight)	108171-26-2	July 1, 1989
p-Chloroaniline	106-47-8	October 1, 1994

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
<i>p</i> -Chloroaniline hydrochloride	20265-96-7	May 15, 1998
Chlorodibromomethane <u>Delisted October 29, 1999</u>	124-48-1	January 1, 1990
Chloroethane (Ethyl chloride)	75-00-3	July 1, 1990
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	13010-47-4	January 1, 1988
1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea (Methyl-CCNU)	13909-09-6	October 1, 1988
Chloroform	67-66-3	October 1, 1987
Chloromethyl methyl ether (technical grade)	107-30-2	February 27, 1987
3-Chloro-2-methylpropene	563-47-3	July 1, 1989
1-Chloro-4-nitrobenzene	100-00-5	October 29, 1999
4-Chloro-ortho-phenylenediamine	95-83-0	January 1, 1988
<i>p</i> -Chloro- <i>o</i> -toluidine	95-69-2	January 1, 1990
<i>p</i> -Chloro- <i>o</i> -toluidine, strong acid salts of	—	May 15, 1998
5-Chloro- <i>o</i> -toluidine and its strong acid salts	—	October 24, 1997
Chloroprene	126-99-8	June 2, 2000
Chlorothalonil	1897-45-6	January 1, 1989
Chlorotrianisene	569-57-3	September 1, 1996
Chlorozotocin	54749-90-5	January 1, 1992
Chromium (hexavalent compounds)	—	February 27, 1987
Chrysene	218-01-9	January 1, 1990
C.I. Acid Red 114	6459-94-5	July 1, 1992
C.I. Basic Red 9 monohydrochloride	569-61-9	July 1, 1989
C.I. Direct Blue 15	2429-74-5	August 26, 1997
C.I. Direct Blue 218	28407-37-6	August 26, 1997
C.I. Disperse Yellow 3	2832-40-8	February 8, 2013
C.I. Solvent Yellow 14	842-07-9	May 15, 1998
Ciclosporin (Cyclosporin A; Cyclosporine)	59865-13-3	January 1, 1992
	79217-60-0	
Cidofovir	113852-37-2	January 29, 1999
Cinnamyl anthranilate	87-29-6	July 1, 1989
Cisplatin	15663-27-1	October 1, 1988
Citrus Red No. 2	6358-53-8	October 1, 1989
Clofibrate	637-07-0	September 1, 1996
Clomiphene citrate	50-41-9	May 24, 2013
<u>CMNP (pyrazachlor)</u>	<u>6814-58-0</u>	<u>August 21, 2015</u>
Cobalt metal powder	7440-48-4	July 1, 1992
Cobalt [II] oxide	1307-96-6	July 1, 1992
Cobalt sulfate	10124-43-3	May 20, 2005
Cobalt sulfate heptahydrate	10026-24-1	June 2, 2000
Coconut oil diethanolamine condensate (cocamide diethanolamine)	68603-42-9	June 22, 2012
Coke oven emissions	—	February 27, 1987
Conjugated estrogens	—	February 27, 1987
Creosotes	—	October 1, 1988
<i>para</i> -Cresidine	120-71-8	January 1, 1988
Cumene	98-82-8	April 6, 2010
Cupferron	135-20-6	January 1, 1988
Cycasin	14901-08-7	January 1, 1988
Cyclopenta[<i>cd</i>]pyrene	27208-37-3	April 29, 2011
Cyclophosphamide (anhydrous)	50-18-0	February 27, 1987
Cyclophosphamide (hydrated)	6055-19-2	February 27, 1987
Cytembena	21739-91-3	May 15, 1998

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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
D&C Orange No. 17	3468-63-1	July 1, 1990
D&C Red No. 8	2092-56-0	October 1, 1990
D&C Red No. 9	5160-02-1	July 1, 1990
D&C Red No. 19	81-88-9	July 1, 1990
Dacarbazine	4342-03-4	January 1, 1988
Daminozide	1596-84-5	January 1, 1990
Dantron (Chrysazin; 1,8-Dihydroxyanthraquinone)	117-10-2	January 1, 1992
Daunomycin	20830-81-3	January 1, 1988
DDD (Dichlorodiphenyldichloroethane)	72-54-8	January 1, 1989
DDE (Dichlorodiphenyldichloroethylene)	72-55-9	January 1, 1989
DDT (Dichlorodiphenyltrichloroethane)	50-29-3	October 1, 1987
DDVP (Dichlorvos)	62-73-7	January 1, 1989
N,N'-Diacetylbenzidine	613-35-4	October 1, 1989
2,4-Diaminoanisole	615-05-4	October 1, 1990
2,4-Diaminoanisole sulfate	39156-41-7	January 1, 1988
4,4'-Diaminodiphenyl ether (4,4'-Oxydianiline)	101-80-4	January 1, 1988
2,4-Diaminotoluene	95-80-7	January 1, 1988
<u>Diaminotoluene (mixed)</u> <u>Delisted November 20, 2015</u>	—	January 1, 1990
Diazoaminobenzene	136-35-6	May 20, 2005
Dibenz[a,h]acridine	226-36-8	January 1, 1988
Dibenz[a,j]acridine	224-42-0	January 1, 1988
Dibenzanthracenes		December 26, 2014
Dibenz[a,c]anthracene	215-58-7	December 26, 2014
Dibenz[a,h]anthracene	53-70-3	January 1, 1988
Dibenz[a,j]anthracene	224-41-9	December 26, 2014
7H-Dibenzo[c,g]carbazole	194-59-2	January 1, 1988
Dibenzo[a,e]pyrene	192-65-4	January 1, 1988
Dibenzo[a,h]pyrene	189-64-0	January 1, 1988
Dibenzo[a,i]pyrene	189-55-9	January 1, 1988
Dibenzo[a,l]pyrene	191-30-0	January 1, 1988
Dibromoacetic acid	631-64-1	June 17, 2008
Dibromoacetonitrile	3252-43-5	May 3, 2011
1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	July 1, 1987
2,3-Dibromo-1-propanol	96-13-9	October 1, 1994
Dichloroacetic acid	79-43-6	May 1, 1996
<i>p</i> -Dichlorobenzene	106-46-7	January 1, 1989
3,3'-Dichlorobenzidine	91-94-1	October 1, 1987
3,3'-Dichlorobenzidine dihydrochloride	612-83-9	May 15, 1998
1,4-Dichloro-2-butene	764-41-0	January 1, 1990
3,3'-Dichloro-4,4'-diaminodiphenyl ether	28434-86-8	January 1, 1988
1,1-Dichloroethane	75-34-3	January 1, 1990
Dichloromethane (Methylene chloride)	75-09-2	April 1, 1988
1,2-Dichloropropane	78-87-5	January 1, 1990
1,3-Dichloro-2-propanol (1,3-DCP)	96-23-1	October 8, 2010
1,3-Dichloropropene	542-75-6	January 1, 1989
Diclofop-methyl	51338-27-3	April 6, 2010
Dieldrin	60-57-1	July 1, 1988
<u>Dienestrol</u> <u>Delisted January 4, 2013</u>	84-17-3	January 1, 1990
Diepoxybutane	1464-53-5	January 1, 1988
Diesel engine exhaust	—	October 1, 1990
Diethanolamine	111-42-2	June 22, 2012
Di(2-ethylhexyl)phthalate	117-81-7	January 1, 1988
1,2-Diethylhydrazine	1615-80-1	January 1, 1988
Diethyl sulfate	64-67-5	January 1, 1988

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Diethylstilbestrol (DES)	56-53-1	February 27, 1987
Diglycidyl resorcinol ether (DGRE)	101-90-6	July 1, 1989
Dihydrosafrole	94-58-6	January 1, 1988
Diisononyl phthalate (DINP)	—	December 20, 2013
Diisopropyl sulfate	2973-10-6	April 1, 1993
3,3'-Dimethoxybenzidine (ortho-Dianisidine)	119-90-4	January 1, 1988
3,3'-Dimethoxybenzidine dihydrochloride (ortho-Dianisidine dihydrochloride)	20325-40-0	October 1, 1990
3,3'-Dimethoxybenzidine-based dyes metabolized to 3,3'-dimethoxybenzidine	—	June 11, 2004
3,3'-Dimethylbenzidine-based dyes metabolized to 3,3'-dimethylbenzidine	—	June 11, 2004
Dimethyl sulfate	77-78-1	January 1, 1988
4-Dimethylaminoazobenzene	60-11-7	January 1, 1988
trans-2-[(Dimethylamino)methylimino]-5-[2-(5-nitro-2-furyl)vinyl]-1,3,4-oxadiazole	55738-54-0	January 1, 1988
7,12-Dimethylbenz(a)anthracene	57-97-6	January 1, 1990
3,3'-Dimethylbenzidine (ortho-Tolidine)	119-93-7	January 1, 1988
3,3'-Dimethylbenzidine dihydrochloride	612-82-8	April 1, 1992
Dimethylcarbamoyl chloride	79-44-7	January 1, 1988
1,1-Dimethylhydrazine (UDMH)	57-14-7	October 1, 1989
1,2-Dimethylhydrazine	540-73-8	January 1, 1988
2,6-Dimethyl-N-nitrosomorpholine (DMNM)	1456-28-6	February 8, 2013
N,N-Dimethyl-p-toluidine	99-97-8	May 2, 2014
Dimethylvinylchloride	513-37-1	July 1, 1989
3,7-Dinitrofluoranthene	105735-71-5	August 26, 1997
3,9-Dinitrofluoranthene	22506-53-2	August 26, 1997
1,3-Dinitropyrene	75321-20-9	November 2, 2012
1,6-Dinitropyrene	42397-64-8	October 1, 1990
1,8-Dinitropyrene	42397-65-9	October 1, 1990
Dinitrotoluene mixture, 2,4-/2,6-	—	May 1, 1996
2,4-Dinitrotoluene	121-14-2	July 1, 1988
2,6-Dinitrotoluene	606-20-2	July 1, 1995
Di-n-propyl isocinchomeronate (MGK Repellent 326)	136-45-8	May 1, 1996
1,4-Dioxane	123-91-1	January 1, 1988
Diphenylhydantoin (Phenytoin)	57-41-0	January 1, 1988
Diphenylhydantoin (Phenytoin), sodium salt	630-93-3	January 1, 1988
Direct Black 38 (technical grade)	1937-37-7	January 1, 1988
Direct Blue 6 (technical grade)	2602-46-2	January 1, 1988
Direct Brown 95 (technical grade)	16071-86-6	October 1, 1988
Disperse Blue 1	2475-45-8	October 1, 1990
Diuron	330-54-1	May 31, 2002
Doxorubicin hydrochloride (Adriamycin)	25316-40-9	July 1, 1987
Emissions from combustion of coal	—	August 7, 2013
Emissions from high-temperature unrefined rapeseed oil	—	January 3, 2014
Epichlorohydrin	106-89-8	October 1, 1987
Epoxiconazole	135319-73-2	April 15, 2011
Erionite	12510-42-8/ 66733-21-9	October 1, 1988
Estradiol 17B	50-28-2	January 1, 1988
Estragole	140-67-0	October 29, 1999
Estrogens, steroidal	—	August 19, 2005
Estrogen-progestogen (combined) used as menopausal therapy	—	November 4, 2011

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Estrone	53-16-7	January 1, 1988
Estropipate	7280-37-7	August 26, 1997
Ethanol in alcoholic beverages	—	April 29, 2011
Ethinylestradiol	57-63-6	January 1, 1988
Ethoprop	13194-48-4	February 27, 2001
Ethyl acrylate	140-88-5	July 1, 1989
Ethylbenzene	100-41-4	June 11, 2004
Ethyl methanesulfonate	62-50-0	January 1, 1988
Ethyl-4,4'-dichlorobenzilate	510-15-6	January 1, 1990
Ethylene dibromide	106-93-4	July 1, 1987
Ethylene dichloride (1,2-Dichloroethane)	107-06-2	October 1, 1987
Ethylene oxide	75-21-8	July 1, 1987
Ethylene thiourea	96-45-7	January 1, 1988
Ethyleneimine (Aziridine)	151-56-4	January 1, 1988
Etoposide	33419-42-0	November 4, 2011
Etoposide in combination with cisplatin and bleomycin	—	November 4, 2011
Fenoxycarb	72490-01-8	June 2, 2000
Folpet	133-07-3	January 1, 1989
Formaldehyde (gas)	50-00-0	January 1, 1988
2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole	3570-75-0	January 1, 1988
FumonisinB ₁	116355-83-0	November 14, 2003
Furan	110-00-9	October 1, 1993
Furazolidone	67-45-8	January 1, 1990
Furmecyclox	60568-05-0	January 1, 1990
Fusarin C	79748-81-5	July 1, 1995
Gallium arsenide	1303-00-0	August 1, 2008
Ganciclovir	82410-32-0	August 26, 1997
Gasoline engine exhaust (condensates/extracts)	—	October 1, 1990
Gemfibrozil	25812-30-0	December 22, 2000
Glass wool fibers (inhalable and biopersistent)	—	July 1, 1990
Glu-P-1 (2-Amino-6-methyldipyrido[1,2-a:3',2'-d]imidazole)	67730-11-4	January 1, 1990
Glu-P-2 (2-Aminodipyrido[1,2-a:3',2'-d]imidazole)	67730-10-3	January 1, 1990
Glycidaldehyde	765-34-4	January 1, 1988
Glycidol	556-52-5	July 1, 1990
Griseofulvin	126-07-8	January 1, 1990
Gyromitrin (Acetaldehyde methylformylhydrazone)	16568-02-8	January 1, 1988
HC Blue 1	2784-94-3	July 1, 1989
Heptachlor	76-44-8	July 1, 1988
Heptachlor epoxide	1024-57-3	July 1, 1988
Herbal remedies containing plant species of the genus Aristolochia	—	July 9, 2004
Hexachlorobenzene	118-74-1	October 1, 1987
Hexachlorobutadiene	87-68-3	May 3, 2011
Hexachlorocyclohexane (technical grade)	—	October 1, 1987
Hexachlorodibenzodioxin	34465-46-8	April 1, 1988
Hexachloroethane	67-72-1	July 1, 1990
2,4-Hexadienal (89% trans, trans isomer; 11% cis, trans isomer)	—	March 4, 2005
Hexamethylphosphoramide	680-31-9	January 1, 1988
Hydrazine	302-01-2	January 1, 1988
Hydrazine sulfate	10034-93-2	January 1, 1988
Hydrazobenzene (1,2-Diphenylhydrazine)	122-66-7	January 1, 1988
1-Hydroxyanthraquinone	129-43-1	May 27, 2005

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Imazalil	35554-44-0	May 20, 2011
Indeno [1,2,3-cd]pyrene	193-39-5	January 1, 1988
Indium phosphide	22398-80-7	February 27, 2001
IQ (2-Amino-3-methylimidazo[4,5-f]quinoline)	76180-96-6	April 1, 1990
Iprodione	36734-19-7	May 1, 1996
Iprovalicarb	140923-17-7 140923-25-7	June 1, 2007
Iron dextran complex	9004-66-4	January 1, 1988
Isobutyl nitrite	542-56-3	May 1, 1996
Isoprene	78-79-5	May 1, 1996
Isopyrazam	881686-58-1	July 24, 2012
Isosafrole <u>Delisted December 8, 2006</u>	120-58-1	October 1, 1989
Isoxaflutole	141112-29-0	December 22, 2000
Kresoxim-methyl	143390-89-0	February 3, 2012
Lactofen	77501-63-4	January 1, 1989
Lasiocarpine	303-34-4	April 1, 1988
Lead acetate	301-04-2	January 1, 1988
Lead and lead compounds	—	October 1, 1992
Lead phosphate	7446-27-7	April 1, 1988
Lead subacetate	1335-32-6	October 1, 1989
Leather dust	—	April 29, 2011
Lindane and other hexachlorocyclohexane isomers	—	October 1, 1989
Lynestrenol	52-76-6	February 27, 2001
Malonaldehyde, sodium salt	24382-04-5	May 3, 2011
Mancozeb	8018-01-7	January 1, 1990
Maneb	12427-38-2	January 1, 1990
Marijuana smoke	—	June 19, 2009
Me-A-alpha-C (2-Amino-3-methyl-9H-pyrido[2,3-b]indole)	68006-83-7	January 1, 1990
Medroxyprogesterone acetate	71-58-9	January 1, 1990
Megestrol acetate	595-33-5	March 28, 2014
MeIQ(2-Amino-3,4-dimethylimidazo[4,5-f]quinoline)	77094-11-2	October 1, 1994
MeIQx(2-Amino-3,8-dimethylimidazo[4,5-f]quinoxaline)	77500-04-0	October 1, 1994
Melphalan	148-82-3	February 27, 1987
Mepanipyridin	110235-47-7	July 1, 2008
Merphalan	531-76-0	April 1, 1988
Mestranol	72-33-3	April 1, 1988
Metam potassium	137-41-7	December 31, 2010
Metham sodium	137-42-8	November 6, 1998
8-Methoxypsoralen with ultraviolet A therapy	298-81-7	February 27, 1987
5-Methoxypsoralen with ultraviolet A therapy	484-20-8	October 1, 1988
2-Methylaziridine (Propyleneimine)	75-55-8	January 1, 1988
Methylazoxymethanol	590-96-5	April 1, 1988
Methylazoxymethanol acetate	592-62-1	April 1, 1988
Methyl carbamate	598-55-0	May 15, 1998
3-Methylcholanthrene	56-49-5	January 1, 1990
5-Methylchrysene	3697-24-3	April 1, 1988
4,4'-Methylene bis(2-chloroaniline)	101-14-4	July 1, 1987
4,4'-Methylene bis(N,N-dimethyl)benzenamine	101-61-1	October 1, 1989
4,4'-Methylene bis(2-methylaniline)	838-88-0	April 1, 1988
4,4'-Methylenedianiline	101-77-9	January 1, 1988
4,4'-Methylenedianiline dihydrochloride	13552-44-8	January 1, 1988
Methyleugenol	93-15-2	November 16, 2001
Methylhydrazine and its salts	—	July 1, 1992

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2-Methylimidazole	693-98-1	June 22, 2012
4-Methylimidazole	822-36-6	January 7, 2011
Methyl iodide	74-88-4	April 1, 1988
Methyl isobutyl ketone	108-10-1	November 4, 2011
Methylmercury compounds	—	May 1, 1996
Methyl methanesulfonate	66-27-3	April 1, 1988
2-Methyl-1-nitroanthraquinone (of uncertain purity)	129-15-7	April 1, 1988
N-Methyl-N'-nitro-N-nitrosoguanidine	70-25-7	April 1, 1988
N-Methylolacrylamide	924-42-5	July 1, 1990
<i>α</i> -Methyl styrene (alpha-Methylstyrene)	98-83-9	November 2, 2012
Methylthiouracil	56-04-2	October 1, 1989
Metiram	9006-42-2	January 1, 1990
Metronidazole	443-48-1	January 1, 1988
Michler's ketone	90-94-8	January 1, 1988
Mirex	2385-85-5	January 1, 1988
Mitomycin C	50-07-7	April 1, 1988
Mitoxantrone hydrochloride	70476-82-3	January 23, 2015
MON 4660 (dichloroacetyl-1-oxa-4-azaspiro(4,5)-decane)	71526-07-3	March 22, 2011
MON 13900 (furilazole)	121776-33-8	March 22, 2011
3-Monochloropropane-1,2-diol (3-MCPD)	96-24-2	October 8, 2010
Monocrotaline	315-22-0	April 1, 1988
MOPP (vincristine-prednisone-nitrogen mustard-procarbazine mixture)	113803-47-7	November 4, 2011
5-(Morpholinomethyl)-3-[(5-nitro-furfurylidene)-amino]-2-oxazolidinone	139-91-3	April 1, 1988
Mustard Gas	505-60-2	February 27, 1987
MX (3-chloro-4-(dichloromethyl)-5-hydroxy-2(5H)-furanone)	77439-76-0	December 22, 2000
beta-Myrcene	123-35-3	March 27, 2015
Nafenopin	3771-19-5	April 1, 1988
Nalidixic acid	389-08-2	May 15, 1998
Naphthalene	91-20-3	April 19, 2002
1-Naphthylamine	134-32-7	October 1, 1989
2-Naphthylamine	91-59-8	February 27, 1987
Nickel (Metallic)	7440-02-0	October 1, 1989
Nickel acetate	373-02-4	October 1, 1989
Nickel carbonate	3333-67-3	October 1, 1989
Nickel carbonyl	13463-39-3	October 1, 1987
Nickel compounds	—	May 7, 2004
Nickel hydroxide	12054-48-7; 12125-56-3	October 1, 1989
Nickelocene	1271-28-9	October 1, 1989
Nickel oxide	1313-99-1	October 1, 1989
Nickel refinery dust from the pyrometallurgical process	—	October 1, 1987
Nickel subsulfide	12035-72-2	October 1, 1987
Niridazole	61-57-4	April 1, 1988
Nitrapyrin	1929-82-4	October 5, 2005
Nitrilotriacetic acid	139-13-9	January 1, 1988
Nitrilotriacetic acid, trisodium salt monohydrate	18662-53-8	April 1, 1989
5-Nitroacenaphthene	602-87-9	April 1, 1988
5-Nitro- <i>o</i> -anisidine <u>Delisted December 8, 2006</u>	99-59-2	October 1, 1989
<i>o</i> -Nitroanisole	91-23-6	October 1, 1992
Nitrobenzene	98-95-3	August 26, 1997
4-Nitrobiphenyl	92-93-3	April 1, 1988

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6-Nitrochrysene	7496-02-8	October 1, 1990
Nitrofen (technical grade)	1836-75-5	January 1, 1988
2-Nitrofluorene	607-57-8	October 1, 1990
Nitrofurazone	59-87-0	January 1, 1990
1-[(5-Nitrofurfurylidene)-amino]-2-imidazolidinone	555-84-0	April 1, 1988
N-[4-(5-Nitro-2-furyl)-2-thiazolyl]acetamide	531-82-8	April 1, 1988
Nitrogen mustard (Mechlorethamine)	51-75-2	January 1, 1988
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	55-86-7	April 1, 1988
Nitrogen mustard N-oxide	126-85-2	April 1, 1988
Nitrogen mustard N-oxide hydrochloride	302-70-5	April 1, 1988
Nitromethane	75-52-5	May 1, 1997
2-Nitropropane	79-46-9	January 1, 1988
1-Nitropyrene	5522-43-0	October 1, 1990
4-Nitropyrene	57835-92-4	October 1, 1990
N-Nitrosodi-n-butylamine	924-16-3	October 1, 1987
N-Nitrosodiethanolamine	1116-54-7	January 1, 1988
N-Nitrosodiethylamine	55-18-5	October 1, 1987
N-Nitrosodimethylamine	62-75-9	October 1, 1987
p-Nitrosodiphenylamine	156-10-5	January 1, 1988
N-Nitrosodiphenylamine	86-30-6	April 1, 1988
N-Nitrosodi-n-propylamine	621-64-7	January 1, 1988
N-Nitroso-N-ethylurea	759-73-9	October 1, 1987
3-(N-Nitrosomethylamino)propionitrile	60153-49-3	April 1, 1990
4-(N-Nitrosomethylamino)-1-(3-pyridyl)1-butanone	64091-91-4	April 1, 1990
N-Nitrosomethyl-n-butylamine	7068-83-9	December 26, 2014
N-Nitrosomethyl-n-decylamine	75881-22-0	December 26, 2014
N-Nitrosomethyl-n-dodecylamine	55090-44-3	December 26, 2014
N-Nitrosomethylethylamine	10595-95-6	October 1, 1989
N-Nitrosomethyl-n-heptylamine	16338-99-1	December 26, 2014
N-Nitrosomethyl-n-hexylamine	28538-70-7	December 26, 2014
N-Nitrosomethyl-n-nonylamine	75881-19-5	December 26, 2014
N-Nitrosomethyl-n-octylamine	34423-54-6	December 26, 2014
N-Nitrosomethyl-n-pentylamine	13256-07-0	December 26, 2014
N-Nitrosomethyl-n-propylamine	924-46-9	December 26, 2014
N-Nitrosomethyl-n-tetradecylamine	75881-20-8	December 26, 2014
N-Nitrosomethyl-n-undecylamine	68107-26-6	December 26, 2014
N-Nitroso-N-methylurea	684-93-5	October 1, 1987
N-Nitroso-N-methylurethane	615-53-2	April 1, 1988
N-Nitrosomethylvinylamine	4549-40-0	January 1, 1988
N-Nitrosomorpholine	59-89-2	January 1, 1988
N-Nitrosornicotine	16543-55-8	January 1, 1988
N-Nitrosopiperidine	100-75-4	January 1, 1988
N-Nitrosopyrrolidine	930-55-2	October 1, 1987
N-Nitrososarcosine	13256-22-9	January 1, 1988
o-Nitrotoluene	88-72-2	May 15, 1998
Norethisterone (Norethindrone)	68-22-4	October 1, 1989
Norethynodrel	68-23-5	February 27, 2001
Ochratoxin A	303-47-9	July 1, 1990
Oil Orange SS	2646-17-5	April 1, 1988
Oral contraceptives, combined	—	October 1, 1989
Oral contraceptives, sequential	—	October 1, 1989
Oryzalin	19044-88-3	September 12, 2008
Oxadiazon	19666-30-9	July 1, 1991

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Oxazepam	604-75-1	October 1, 1994
Oxymetholone	434-07-1	January 1, 1988
Oxythioquinox (Chinomethionat)	2439-01-2	August 20, 1999
Palygorskite fibers (> 5µm in length)	12174-11-7	December 28, 1999
Panfuran S	794-93-4	January 1, 1988
Pentachlorophenol	87-86-5	January 1, 1990
Pentosan polysulfate sodium	—	April 18, 2014
Phenacetin	62-44-2	October 1, 1989
Phenazopyridine	94-78-0	January 1, 1988
Phenazopyridine hydrochloride	136-40-3	January 1, 1988
Phenesterin	3546-10-9	July 1, 1989
Phenobarbital	50-06-6	January 1, 1990
Phenolphthalein	77-09-8	May 15, 1998
Phenoxybenzamine	59-96-1	April 1, 1988
Phenoxybenzamine hydrochloride	63-92-3	April 1, 1988
<i>o</i> -Phenylenediamine and its salts	95-54-5	May 15, 1998
Phenyl glycidyl ether	122-60-1	October 1, 1990
Phenylhydrazine and its salts	—	July 1, 1992
<i>o</i> -Phenylphenate, sodium	132-27-4	January 1, 1990
<i>o</i> -Phenylphenol	90-43-7	August 4, 2000
PhiP(2-Amino-1-methyl-6-phenylimidazol[4,5-b]pyridine)	105650-23-5	October 1, 1994
Pioglitazone	111025-46-8	April 18, 2014
Polybrominated biphenyls	—	January 1, 1988
Polychlorinated biphenyls	—	October 1, 1989
Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
Polychlorinated dibenzo- <i>p</i> -dioxins	—	October 1, 1992
Polychlorinated dibenzofurans	—	October 1, 1992
Polygeenan	53973-98-1	January 1, 1988
Ponceau MX	3761-53-3	April 1, 1988
Ponceau 3R	3564-09-8	April 1, 1988
Potassium bromate	7758-01-2	January 1, 1990
Primidone	125-33-7	August 20, 1999
Procarbazine	671-16-9	January 1, 1988
Procarbazine hydrochloride	366-70-1	January 1, 1988
Procymidone	32809-16-8	October 1, 1994
Progesterone	57-83-0	January 1, 1988
Pronamide	23950-58-5	May 1, 1996
Propachlor	1918-16-7	February 27, 2001
1,3-Propane sultone	1120-71-4	January 1, 1988
Propargite	2312-35-8	October 1, 1994
beta-Propiolactone	57-57-8	January 1, 1988
Propoxur	114-26-1	August 11, 2006
Propylene glycol mono- <i>t</i> -butyl ether	57018-52-7	June 11, 2004
Propylene oxide	75-56-9	October 1, 1988
Propylthiouracil	51-52-5	January 1, 1988
Pulegone	89-82-7	April 18, 2014
Pymetrozine	123312-89-0	March 22, 2011
Pyridine	110-86-1	May 17, 2002
Quinoline and its strong acid salts	—	October 24, 1997
Radionuclides	—	July 1, 1989
Reserpine	50-55-5	October 1, 1989
Residual (heavy) fuel oils	—	October 1, 1990

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Resmethrin	10453-86-8	July 1, 2008
Riddelliine	23246-96-0	December 3, 2004
Saccharin <u>Delisted April 6, 2001</u>	81-07-2	October 1, 1989
Saccharin, sodium <u>Delisted January 17, 2003</u>	128-44-9	January 1, 1988
Safrole	94-59-7	January 1, 1988
Salted fish, Chinese-style	—	April 29, 2011
Selenium sulfide	7446-34-6	October 1, 1989
Shale-oils	68308-34-9	April 1, 1990
Silica, crystalline (airborne particles of respirable size)	—	October 1, 1988
Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils)	—	February 27, 1987
Spirodiclofen	148477-71-8	October 8, 2010
Spironolactone	52-01-7	May 1, 1997
Stanozolol	10418-03-8	May 1, 1997
Sterigmatocystin	10048-13-2	April 1, 1988
Streptozotocin (streptozocin)	18883-66-4	January 1, 1988
Strong inorganic acid mists containing sulfuric acid	—	March 14, 2003
Styrene oxide	96-09-3	October 1, 1988
Sulfallate	95-06-7	January 1, 1988
Sulfasalazine (Salicylazosulfapyridine)	599-79-1	May 15, 1998
Talc containing asbestiform fibers	—	April 1, 1990
Tamoxifen and its salts	10540-29-1	September 1, 1996
Teriparatide	52232-67-4	August 14, 2015
Terrazole	2593-15-9	October 1, 1994
Testosterone and its esters	58-22-0	April 1, 1988
3,3',4,4'-Tetrachloroazobenzene	14047-09-7	July 24, 2012
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	1746-01-6	January 1, 1988
1,1,1,2-Tetrachloroethane	630-20-6	September 13, 2013
1,1,2,2-Tetrachloroethane	79-34-5	July 1, 1990
Tetrachloroethylene (Perchloroethylene)	127-18-4	April 1, 1988
p-a,a,a-Tetrachlorotoluene	5216-25-1	January 1, 1990
Tetrafluoroethylene	116-14-3	May 1, 1997
Tetranitromethane	509-14-8	July 1, 1990
Thioacetamide	62-55-5	January 1, 1988
4,4'-Thiodianiline	139-65-1	April 1, 1988
Thiodicarb	59669-26-0	August 20, 1999
Thiouracil	141-90-2	June 11, 2004
Thiourea	62-56-6	January 1, 1988
Thorium dioxide	1314-20-1	February 27, 1987
Titanium dioxide (airborne, unbound particles of respirable size)	—	September 2, 2011
Tobacco, oral use of smokeless products	—	April 1, 1988
Tobacco smoke	—	April 1, 1988
Toluene diisocyanate	26471-62-5	October 1, 1989
ortho-Toluidine	95-53-4	January 1, 1988
ortho-Toluidine hydrochloride	636-21-5	January 1, 1988
para-Toluidine <u>Delisted October 29, 1999</u>	106-49-0	January 1, 1990
Toxaphene (Polychlorinated camphenes)	8001-35-2	January 1, 1988
Toxins derived from <i>Fusarium moniliforme</i> (<i>Fusarium verticillioides</i>)	—	August 7, 2009
Treosulfan	299-75-2	February 27, 1987
Triamterene	396-01-0	April 18, 2014
S,S,S-Tributyl phosphorotrithioate (Tribufos, DEF)	78-48-8	February 25, 2011
Trichlormethine (Trimustine hydrochloride)	817-09-4	January 1, 1992

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<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
Trichloroacetic acid	76-03-9	September 13, 2013
Trichloroethylene	79-01-6	April 1, 1988
2,4,6-Trichlorophenol	88-06-2	January 1, 1988
1,2,3-Trichloropropane	96-18-4	October 1, 1992
Trimethyl phosphate	512-56-1	May 1, 1996
2,4,5-Trimethylaniline and its strong acid salts	—	October 24, 1997
2,4,6-Trinitrotoluene (TNT)	118-96-7	December 19, 2008
Triphenyltin hydroxide	76-87-9	July 1, 1992
Tris(aziridinyl)-para-benzoquinone (Triaziquone)	68-76-8	October 1, 1989
<u>Delisted December 8, 2006</u>		
Tris(1-aziridinyl)phosphine sulfide (Thiotepa)	52-24-4	January 1, 1988
Tris(2-chloroethyl) phosphate	115-96-8	April 1, 1992
Tris(2,3-dibromopropyl)phosphate	126-72-7	January 1, 1988
Tris(1,3-dichloro-2-propyl) phosphate (TDCPP)	13674-87-8	October 28, 2011
Trp-P-1 (Tryptophan-P-1)	62450-06-0	April 1, 1988
Trp-P-2 (Tryptophan-P-2)	62450-07-1	April 1, 1988
Trypan blue (commercial grade)	72-57-1	October 1, 1989
Unleaded gasoline (wholly vaporized)	—	April 1, 1988
Uracil mustard	66-75-1	April 1, 1988
Urethane (Ethyl carbamate)	51-79-6	January 1, 1988
Vanadium pentoxide (orthorhombic crystalline form)	1314-62-1	February 11, 2005
Vinclozolin	50471-44-8	August 20, 1999
Vinyl bromide	593-60-2	October 1, 1988
Vinyl chloride	75-01-4	February 27, 1987
4-Vinylcyclohexene	100-40-3	May 1, 1996
4-Vinyl-1-cyclohexene diepoxide (Vinyl cyclohexene dioxide)	106-87-6	July 1, 1990
Vinyl fluoride	75-02-5	May 1, 1997
Vinyl trichloride (1,1,2-Trichloroethane)	79-00-5	October 1, 1990
Wood dust	—	December 18, 2009
2,6-Xylidine (2,6-Dimethylaniline)	87-62-7	January 1, 1991
Zalcitabine	7481-89-2	August 7, 2009
Zidovudine (AZT)	30516-87-1	December 18, 2009
Zileuton	111406-87-2	December 22, 2000
Zineb <u>Delisted October 29, 1999</u>	12122-67-7	January 1, 1990

CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Acetazolamide	developmental	59-66-5	August 20, 1999
Acetohydroxamic acid	developmental	546-88-3	April 1, 1990
Acrylamide	developmental, male	79-06-1	February 25, 2011
Actinomycin D	developmental	50-76-0	October 1, 1992
All-trans retinoic acid	developmental	302-79-4	January 1, 1989
Alprazolam	developmental	28981-97-7	July 1, 1990
Altretamine	developmental, male	645-05-6	August 20, 1999
Amantadine hydrochloride	developmental	665-66-7	February 27, 2001
Amikacin sulfate	developmental	39831-55-5	July 1, 1990
Aminoglutethimide	developmental	125-84-8	July 1, 1990
tert-Amyl methyl ether	developmental	994-05-8	December 18, 2009
<u>Delisted December 13, 2013</u>			
Aminoglycosides	developmental	—	October 1, 1992

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Aminopterin	developmental, female	54-62-6	July 1, 1987
Amiodarone hydrochloride	developmental, female, male	19774-82-4	August 26, 1997
Amitraz	developmental	33089-61-1	March 30, 1999
Amoxapine	developmental	14028-44-5	May 15, 1998
Anabolic steroids	female, male	—	April 1, 1990
Angiotensin converting enzyme (ACE) inhibitors	developmental	—	October 1, 1992
Anisindione	developmental	117-37-3	October 1, 1992
Arsenic (inorganic oxides)	developmental	—	May 1, 1997
Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.)	developmental, female	50-78-2	July 1, 1990
Atenolol	developmental	29122-68-7	August 26, 1997
Auranofin	developmental	34031-32-8	January 29, 1999
Avermectin B1 (Abamectin)	developmental	71751-41-2	December 3, 2010
Azathioprine	developmental	446-86-6	September 1, 1996
Barbiturates	developmental	—	October 1, 1992
Beclomethasone dipropionate	developmental	5534-09-8	May 15, 1998
Benomyl	developmental, male	17804-35-2	July 1, 1991
Benzene	developmental, male	71-43-2	December 26, 1997
Benzodiazepines	developmental	—	October 1, 1992
Benzphetamine hydrochloride	developmental	5411-22-3	April 1, 1990
Bischloroethyl nitrosourea (BCNU) (Carmustine)	developmental	154-93-8	July 1, 1990
Bisphenol A (BPA)	female	80-05-7	May 11, 2015
Bisphenol A (BPA) <u>Delisted April 19, 2013</u>	developmental	80-05-7	April 11, 2013
Bromacil lithium salt	developmental male	53404-19-6	May 18, 1999 January 17, 2003
1-Bromopropane	developmental, female, male	106-94-5	December 7, 2004
2-Bromopropane	female, male	75-26-3	May 31, 2005
Bromoxynil	developmental	1689-84-5	October 1, 1990
Bromoxynil octanoate	developmental	1689-99-2	May 18, 1999
Butabarbital sodium	developmental	143-81-7	October 1, 1992
1,3-Butadiene	developmental, female, male	106-99-0	April 16, 2004
1,4-Butanediol dimethane-sulfonate (Busulfan)	developmental	55-98-1	January 1, 1989
Butyl benzyl phthalate (BBP)	developmental	85-68-7	December 2, 2005
n-Butyl glycidyl ether <u>Delisted April 4, 2014</u>	male	2426-08-6	August 7, 2009
Cadmium	developmental, male	—	May 1, 1997
Carbamazepine	developmental	298-46-4	January 29, 1999
Carbaryl	developmental, female, male	63-25-2	August 7, 2009
Carbon disulfide	developmental, female, male	75-15-0	July 1, 1989
Carbon monoxide	developmental	630-08-0	July 1, 1989
Carboplatin	developmental	41575-94-4	July 1, 1990
Chenodiol	developmental	474-25-9	April 1, 1990

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Chlorambucil	developmental	305-03-3	January 1, 1989
Chlorcyclizine hydrochloride	developmental	1620-21-9	July 1, 1987
Chlordecone (Kepone)	developmental	143-50-0	January 1, 1989
Chlordiazepoxide	developmental	58-25-3	January 1, 1992
Chlordiazepoxide hydrochloride	developmental	438-41-5	January 1, 1992
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	developmental	13010-47-4	July 1, 1990
Chloroform	developmental	67-66-3	August 7, 2009
2-Chloropropionic acid	male	598-78-7	August 7, 2009
Chlorsulfuron	developmental, female, male	64902-72-3	May 14, 1999
<u>Delisted June 6, 2014</u>			
Chromium (hexavalent compounds)	developmental, female, male	—	December 19, 2008
Cidofovir	developmental, female, male	113852-37-2	January 29, 1999
Cladribine	developmental	4291-63-8	September 1, 1996
Clarithromycin	developmental	81103-11-9	May 1, 1997
Clobetasol propionate	developmental, female	25122-46-7	May 15, 1998
Clomiphene citrate	developmental	50-41-9	April 1, 1990
Clorazepate dipotassium	developmental	57109-90-7	October 1, 1992
CoCalne	developmental, female	50-36-2	July 1, 1989
Codeine phosphate	developmental	52-28-8	May 15, 1998
Colchicine	developmental, male	64-86-8	October 1, 1992
Conjugated estrogens	developmental	—	April 1, 1990
Cyanazine	developmental	21725-46-2	April 1, 1990
Cycloate	developmental	1134-23-2	March 19, 1999
Cyclohexanol	male	108-93-0	November 6, 1998
<u>Delisted January 25, 2002</u>			
Cycloheximide	developmental	66-81-9	January 1, 1989
Cyclophosphamide (anhydrous)	developmental, female, male	50-18-0	January 1, 1989
Cyclophosphamide (hydrated)	developmental, female, male	6055-19-2	January 1, 1989
Cyhexatin	developmental	13121-70-5	January 1, 1989
Cytarabine	developmental	147-94-4	January 1, 1989
Dacarbazine	developmental	4342-03-4	January 29, 1989
Danazol	developmental	17230-88-5	April 1, 1990
Daunorubicin hydrochloride	developmental	23541-50-6	July 1, 1990
2,4-D butyric acid	developmental, male	94-82-6	June 18, 1999
o,p' -DDT	developmental, female, male	789-02-6	May 15, 1998
p,p' -DDT	developmental, female, male	50-29-3	May 15, 1998
2,4-DP (dichloroprop)	developmental	120-36-5	April 27, 1999
<u>Delisted January 25, 2002</u>			
Demeclocycline hydrochloride (internal use)	developmental	64-73-3	January 1, 1992
Diazepam	developmental	439-14-5	January 1, 1992
Diazoxide	developmental	364-98-7	February 27, 2001
1,2-Dibromo-3-chloropropane (DBCP)	male	96-12-8	February 27, 1987
Di-n-butyl phthalate (DBP)	developmental, female, male	84-74-2	December 2, 2005
Dichloroacetic acid	developmental, male	79-43-6	August 7, 2009
1,1-Dichloro-2,2-bis(p-chlorophenyl) ethylene (DDE)	developmental, male	72-55-9	March 30, 2010
Dichlorophene	developmental	97-23-4	April 27, 1999
Dichlorphenamide	developmental	120-97-8	February 27, 2001
Diclofop methyl	developmental	51338-27-3	March 5, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Dicumarol	developmental	66-76-2	October 1, 1992
Di(2-ethylhexyl)phthalate (DEHP)	developmental, male	117-81-7	October 24, 2003
Diethylstilbestrol (DES)	developmental	56-53-1	July 1, 1987
Diflunisal	developmental, female	22494-42-4	January 29, 1999
Diglycidylether	male	2238-07-5	August 7, 2009
<u>Delisted April 4, 2014</u>			
Di-n-hexyl phthalate (DnHP)	female, male	84-75-3	December 2, 2005
Dihydroergotamine mesylate	developmental	6190-39-2	May 1, 1997
Di-isodecyl phthalate (DIDP)	developmental	68515-49-1/ 26761-40-0	April 20, 2007
Diltiazem hydrochloride	developmental	33286-22-5	February 27, 2001
N,N-Dimethylacetamide	developmental, male	127-19-5	May 21, 2010
m-Dinitrobenzene	male	99-65-0	July 1, 1990
o-Dinitrobenzene	male	528-29-0	July 1, 1990
p-Dinitrobenzene	male	100-25-4	July 1, 1990
2,4-Dinitrotoluene	male	121-14-2	August 20, 1999
2,6-Dinitrotoluene	male	606-20-2	August 20, 1999
Dinitrotoluene (technical grade)	female, male	—	August 20, 1999
Dinocap	developmental	39300-45-3	April 1, 1990
Dinoseb	developmental, male	88-85-7	January 1, 1989
Diphenylhydantoin (Phenytoin)	developmental	57-41-0	July 1, 1987
Disodium cyanodithioimidocarbonate	developmental	138-93-2	March 30, 1999
Doxorubicin hydrochloride (Adriamycin)	developmental, male	25316-40-9	January 29, 1999
Doxycycline (internal use)	developmental	564-25-0	July 1, 1990
Doxycycline calcium (internal use)	developmental	94088-85-4	January 1, 1992
Doxycycline hyclate (internal use)	developmental	24390-14-5	October 1, 1991
Doxycycline monohydrate (internal use)	developmental	17086-28-1	October 1, 1991
Endrin	developmental	72-20-8	May 15, 1998
Environmental tobacco smoke (ETS)	developmental	—	June 9, 2006
Epichlorohydrin	male	106-89-8	September 1, 1996
Ergotamine tartrate	developmental	379-79-3	April 1, 1990
Estropipate	developmental	7280-37-7	August 26, 1997
Ethionamide	developmental	536-33-4	August 26, 1997
Ethyl alcohol in alcoholic beverages	developmental	—	October 1, 1987
Ethyl-tert-butylether	male	637-92-3	December 18, 2009
<u>Delisted December 13, 2013</u>			
Ethyl dipropylthiocarbamate	developmental	759-94-4	April 27, 1999
Ethylene dibromide	developmental, male	106-93-4	May 15, 1998
Ethylene glycol (ingested)	developmental	107-21-1	June 19, 2015
Ethylene glycol monoethyl ether	developmental, male	110-80-5	January 1, 1989
Ethylene glycol monomethyl ether	developmental, male	109-86-4	January 1, 1989
Ethylene glycol monoethyl ether acetate	developmental, male	111-15-9	January 1, 1993
Ethylene glycol monomethyl ether acetate	developmental, male	110-49-6	January 1, 1993
Ethylene oxide	female	75-21-8	February 27, 1987
	developmental, male		August 7, 2009
Ethylene thiourea	developmental	96-45-7	January 1, 1993
2-Ethylhexanoic acid	developmental	149-57-5	August 7, 2009
<u>Delisted December 13, 2013</u>			
Etodolac	developmental, female	41340-25-4	August 20, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Etoposide	developmental	33419-42-0	July 1, 1990
Etretinate	developmental	54350-48-0	July 1, 1987
Fenoxaprop ethyl	developmental	66441-23-4	March 26, 1999
Filgrastim	developmental	121181-53-1	February 27, 2001
Fluazifop butyl	developmental	69806-50-4	November 6, 1998
Flunisolide	developmental, female	3385-03-3	May 15, 1998
Fluorouracil	developmental	51-21-8	January 1, 1989
Fluoxymesterone	developmental	76-43-7	April 1, 1998
Flurazepam hydrochloride	developmental	1172-18-5	October 1, 1992
Flurbiprofen	developmental, female	5104-49-4	August 20, 1999
Flutamide	developmental	13311-84-7	July 1, 1990
Fluticasone propionate	developmental	80474-14-2	May 15, 1998
Fluvalinate	developmental	69409-94-5	November 6, 1998
Ganciclovir	developmental, male	82410-32-0	August 26, 1997
Ganciclovir sodium	developmental, male	107910-75-8	August 26, 1997
Gemfibrozil	female, male	25812-30-0	August 20, 1999
Goserelin acetate	developmental, female, male	65807-02-5	August 26, 1997
Halazepam	developmental	23092-17-3	July 1, 1990
Halobetasol propionate	developmental	66852-54-8	August 20, 1999
Haloperidol	developmental, female	52-86-8	January 29, 1999
Halothane	developmental	151-67-7	September 1, 1996
Heptachlor	developmental	76-44-8	August 20, 1999
Hexachlorobenzene	developmental	118-74-1	January 1, 1989
Hexafluoroacetone	<u>developmental</u> , male	684-16-2	August 1, 2008
Hexamethylphosphoramide	male	680-31-9	October 1, 1994
Histrelin acetate	developmental	—	May 15, 1998
Hydramethylnon	developmental, male	67485-29-4	March 5, 1999
Hydrogen cyanide (HCN) and cyanide salts (CN salts)	male		July 5, 2013
Hydroxyurea	developmental	127-07-1	May 1, 1997
Idarubicin hydrochloride	developmental, male	57852-57-0	August 20, 1999
Ifosfamide	developmental	3778-73-2	July 1, 1990
Iodine-131	developmental	10043-66-0	January 1, 1989
Isotretinoin	developmental	4759-48-2	July 1, 1987
Lead	developmental, female, male	—	February 27, 1987
Leuprolide acetate	developmental, female, male	74381-53-6	August 26, 1997
Levodopa	developmental	59-92-7	January 29, 1999
Levonorgestrel implants	female	797-63-7	May 15, 1998
Linuron	developmental	330-55-2	March 19, 1999
Lithium carbonate	developmental	554-13-2	January 1, 1991
Lithium citrate	developmental	919-16-4	January 1, 1991
Lorazepam	developmental	846-49-1	July 1, 1990
Lovastatin	developmental	75330-75-5	October 1, 1992
Mebendazole	developmental	31431-39-7	August 20, 1999
Medroxyprogesterone acetate	developmental	71-58-9	April 1, 1990
Megestrol acetate	developmental	595-33-5	January 1, 1991
Melphalan	developmental	148-82-3	July 1, 1990
Menotropins	developmental	9002-68-0	April 1, 1990
Meprobamate	developmental	57-53-4	January 1, 1992

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Mercaptopurine	developmental	6112-76-1	July 1, 1990
Mercury and mercury compounds	developmental	—	July 1, 1990
Methacycline hydrochloride	developmental	3963-95-9	January 1, 1991
Metham sodium	developmental	137-42-8	May 15, 1998
Methanol	developmental	67-56-1	March 16, 2012
Methazole	developmental	20354-26-1	December 1, 1999
Methimazole	developmental	60-56-0	July 1, 1990
Methotrexate	developmental	59-05-2	January 1, 1989
Methotrexate sodium	developmental	15475-56-6	April 1, 1990
Methyl bromide as a structural fumigant	developmental	74-83-9	January 1, 1993
Methyl n-butyl ketone	male	591-78-6	August 7, 2009
Methyl chloride	developmental	74-87-3	March 10, 2000
	male		August 7, 2009
Methyl isobutyl ketone (MIBK)	developmental	108-10-1	March 28, 2014
Methyl isocyanate (MIC)	developmental, female	624-83-9	November 12, 2010
Methyl isopropyl ketone	developmental	563-80-4	February 17, 2012
<u>Delisted April 4, 2014</u>			
Methyl mercury	developmental	—	July 1, 1987
N-Methylpyrrolidone	developmental	872-50-4	June 15, 2001
α -Methylstyrene	female	98-83-9	July 29, 2011
<u>Delisted April 4, 2014</u>			
Methyltestosterone	developmental	58-18-4	April 1, 1990
Metiram	developmental	9006-42-2	March 30, 1999
Midazolam hydrochloride	developmental	59467-96-8	July 1, 1990
Minocycline hydrochloride (internal use)	developmental	13614-98-7	January 1, 1992
Misoprostol	developmental	59122-46-2	April 1, 1990
Mitoxantrone hydrochloride	developmental	70476-82-3	July 1, 1990
Molinate	developmental, female, male	2212-67-1	December 11, 2009
Myclobutanil	developmental, male	88671-89-0	April 16, 1999
Nabam	developmental	142-59-6	March 30, 1999
Nafarelin acetate	developmental	86220-42-0	April 1, 1990
Neomycin sulfate (internal use)	developmental	1405-10-3	October 1, 1992
Netilmicin sulfate	developmental	56391-57-2	July 1, 1990
Nickel carbonyl	developmental	13463-39-3	September 1, 1996
Nicotine	developmental	54-11-5	April 1, 1990
Nifedipine	developmental, female, male	21829-25-4	January 29, 1999
Nimodipine	developmental	66085-59-4	April 24, 2001
Nitrapyrin	developmental	1929-82-4	March 30, 1999
Nitrobenzene	male	98-95-3	March 30, 2010
Nitrofurantoin	male	67-20-9	April 1, 1991
Nitrogen mustard (Mechlorethamine)	developmental	51-75-2	January 1, 1989
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	developmental	55-86-7	July 1, 1990
Nitrous oxide	developmental, female	10024-97-2	August 1, 2008
Norethisterone (Norethindrone)	developmental	68-22-4	April 1, 1990
Norethisterone acetate (Norethindrone acetate)	developmental	51-98-9	October 1, 1991
Norethisterone (Norethindrone)/ Ethinyl estradiol	developmental	68-22-4/ 57-63-6	April 1, 1990

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<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Norethisterone (Norethindrone)/Mestranol	developmental	68-22-4/ 72-33-3	April 1, 1990
Norgestrel	developmental	6533-00-2	April 1, 1990
Oxadiazon	developmental	19666-30-9	May 15, 1998
Oxazepam	developmental	604-75-1	October 1, 1992
p,p'-Oxybis(benzenesulfonylhydrazide) <u>Delisted December 13, 2013</u>	developmental	80-51-3	August 7, 2009
Oxydemeton methyl	female, male	301-12-2	November 6, 1998
Oxymetholone	developmental	434-07-1	May 1, 1997
Oxytetracycline (internal use)	developmental	79-57-2	January 1, 1991
Oxytetracycline hydrochloride (internal use)	developmental	2058-46-0	October 1, 1991
Oxythioquinox (Chinomethionat)	developmental	2439-01-2	November 6, 1998
Paclitaxel	developmental, female, male	33069-62-4	August 26, 1997
Paramethadione	developmental	115-67-3	July 1, 1990
Penicillamine	developmental	52-67-5	January 1, 1991
Pentobarbital sodium	developmental	57-33-0	July 1, 1990
Pentostatin	developmental	53910-25-1	September 1, 1996
Phenacemide	developmental	63-98-9	July 1, 1990
Phenprocoumon	developmental	435-97-2	October 1, 1992
Phenyl glycidyl ether <u>Delisted April 4, 2014</u>	male	122-60-1	August 7, 2009
Phenylphosphine	developmental male	638-21-1	August 7, 2009
Pimozide	developmental, female	2062-78-4	August 20, 1999
Pipobroman	developmental	54-91-1	July 1, 1990
Plicamycin	developmental	18378-89-7	April 1, 1990
Polybrominated biphenyls	developmental	—	October 1, 1994
Polychlorinated biphenyls	developmental	—	January 1, 1991
Potassium dimethyldithiocarbamate	developmental	128-03-0	March 30, 1999
Pravastatin sodium	developmental	81131-70-6	March 3, 2000
Prednisolone sodium phosphate	developmental	125-02-0	August 20, 1999
Procarbazine hydrochloride	developmental	366-70-1	July 1, 1990
Propargite	developmental	2312-35-8	June 15, 1999
Propylthiouracil	developmental	51-52-5	July 1, 1990
Pyrimethamine	developmental	58-14-0	January 29, 1999
Quazepam	developmental	36735-22-5	August 26, 1997
Quizalofop-ethyl	male	76578-14-8	December 24, 1999
Resmethrin	developmental	10453-86-8	November 6, 1998
Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.)	developmental	—	July 1, 1989
Ribavirin	developmental male	36791-04-5 36791-04-5	April 1, 1990 February 27, 2001
Rifampin	developmental, female	13292-46-1	February 27, 2001
Secobarbital sodium	developmental	309-43-3	October 1, 1992
Sermorelin acetate	developmental	—	August 20, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Sodium dimethyldithiocarbamate	developmental	128-04-1	March 30 1999
Sodium fluoroacetate	male	62-74-8	November 6, 1998
Streptomycin sulfate	developmental	3810-74-0	January 1, 1991
Streptozocin (streptozotocin)	developmental, female, male	18883-66-4	August 20, 1999
Sulfasalazine (Salicylazosulfapyridine)	male	599-79-1	January 29, 1999
Sulfur dioxide	developmental	7446-09-5	July 29, 2011
Sulindac	developmental, female	38194-50-2	January 29, 1999
Tamoxifen citrate	developmental	54965-24-1	July 1, 1990
Temazepam	developmental	846-50-4	April 1, 1990
Teniposide	developmental	29767-20-2	September 1, 1996
Terbacil	developmental	5902-51-2	May 18, 1999
Testosterone cypionate	developmental	58-20-8	October 1, 1991
Testosterone enanthate	developmental	315-37-7	April 1, 1990
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	developmental	1746-01-6	April 1, 1991
Tetracycline (internal use)	developmental	60-54-8	October 1, 1991
Tetracyclines (internal use)	developmental	—	October 1, 1992
Tetracycline hydrochloride (internal use)	developmental	64-75-5	January 1, 1991
Thalidomide	developmental	50-35-1	July 1, 1987
Thioguanine	developmental	154-42-7	July 1, 1990
Thiophanate methyl	female, male	23564-05-8	May 18, 1999
Tobacco smoke (primary)	developmental, female, male	—	April 1, 1988
Tobramycin sulfate	developmental	49842-07-1	July 1, 1990
Toluene	developmental female	108-88-3	January 1, 1991 August 7, 2009
<u>Topiramate</u>	<u>developmental</u>	<u>97240-79-4</u>	<u>November 27, 2015</u>
Triadimefon	developmental, female, male	43121-43-3	March 30, 1999
Triazolam	developmental	28911-01-5	April 1, 1990
Tributyltin methacrylate	developmental	2155-70-6	December 1, 1999
Trichloroethylene	developmental, male	79-01-6	January 31, 2014
Trientine hydrochloride	developmental	38260-01-4	February 27, 2001
Triforine	developmental	26644-46-2	June 18, 1999
1,3,5-Triglycidyl-s-triazinetriene <u>Delisted December 13, 2013</u>	male	2451-62-9	August 7, 2009
Trilostane	developmental	13647-35-3	April 1, 1990
Trimethadione	developmental	127-48-0	January 1, 1991
Trimetrexate glucuronate	developmental	82952-64-5	August 26, 1997
Triphenyltin hydroxide	developmental	76-87-9	March 18, 2002
Uracil mustard	developmental, female, male	66-75-1	January 1, 199
Urethane	developmental	51-79-6	October 1, 1994
Urofollitropin	developmental	97048-13-0	April 1, 1990
Valproate (Valproic acid)	developmental	99-66-1	July 1, 1987
Vinblastine sulfate	developmental	143-67-9	July 1, 1990
Vinclozolin	developmental	50471-44-8	May 15, 1998
Vincristine sulfate	developmental	2068-78-2	July 1, 1990
4-Vinylcyclohexene	female, male	100-40-03	August 7, 2009
Vinyl cyclohexene dioxide (4-Vinyl-1-cyclohexene diepoxide)	female, male	106-87-6	August 1, 2008
Warfarin	developmental	81-81-2	July 1, 1987
Zileuton	developmental, female	111406-87-2	December 22, 2000

Date: November 27, 2015

DECISION NOT TO PROCEED

SPECIAL NOTE:

Concerning the following Notice of Decision Not to Proceed, the agency is publishing a new Notice of Proposed Rulemaking on this subject. Please see Title 27 under "PROPOSED ACTION ON REGULATIONS" above.

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**REPEAL OF ARTICLE 6 AND ADOPTION OF
NEW ARTICLE 6
CLEAR AND REASONABLE WARNINGS
PROPOSITION 65**

On January 16, 2015, a notice to repeal the current Article 6 regulations and adopt new regulations in Article 6 in Title 27 of the California Code of Regulations was posted on the OEHHA website and published in the California Regulatory Notice Register (CRNR). Pursuant to Government Code Section 11347, OEHHA hereby gives notice that it has decided not to proceed with the rulemaking action published in the CRNR on January 16, 2015. OEHHA has decided not to proceed with the regulation because a number of substantive and clarifying changes to the proposed regulatory language and Initial Statement of Reasons were made after reviewing oral and written comments from the public.

OEHHA is concurrently opening a new rulemaking record by publishing a new notice to repeal and adopt a new Article 6 in the CRNR on November 27, 2015. OEHHA is also publishing on its website the notice to repeal and adopt the proposed regulation, the proposed regulatory text, and the Initial Statement of Reasons for this new regulatory proposal. The public will have an opportunity to comment on the proposed rulemaking during the comment period specified in the new notice to repeal and adopt.

Inquiries concerning this rulemaking activity may be directed to Monet Vela at (916) 323-2517, or by e-mail at monet.vela@oehha.ca.gov, or by mail to OEHHA, P.O. Box 4010, Sacramento, California 95812-4010. Mario Fernandez is a back-up contact person for inquiries concerning processing of this action and is available at (916) 323-2635 or mario.fernandez@oehha.ca.gov.

**OAL REGULATORY
DETERMINATION**

OFFICE OF ADMINISTRATIVE LAW

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

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

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

BOARD OF PAROLE HEARINGS

Date: November 10, 2015
To: David E. Walker
From: Chapter Two Compliance Unit
Subject: **2015 OAL DETERMINATION NO. 9(S)
(CTU2015-0911-01)** (Summary Disposition issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f))

Petition challenging as an underground regulation California Code of Regulations, title 15, section 2402(c), Circumstances Tending to Show Unsuitability for Parole.

On September 11, 2015, the Office of Administrative Law (OAL) received your petition asking for a determination as to whether California Code of Regulations, title 15, section 2402(c), Circumstances Tending to Show Unsuitability for Parole, is an underground regulation. The challenged rule is attached hereto at Exhibit A.

In issuing a determination, OAL renders an opinion only as to whether a challenged rule is a "regulation" as defined in Government Code section 11342.600,¹ which should have been, but was not adopted pursuant to the Administrative Procedure Act (APA). Nothing in this analysis evaluates the advisability or the wisdom of the underlying action or enactment.

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

If a rule meets the definition of a regulation in Government Code section 11342.600, but was not adopted pursuant to the APA, it may be an “underground regulation” as defined in California Code of Regulations, title 1, section 250(a):

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

The Community Release Board adopted title 15, section 2402, including subdivision (c). It was filed with the Secretary of State on September 8, 1981, effective the thirtieth day thereafter, and was published in the California Code of Regulations (Register 1981, No. 37). Subdivision (c) has not been amended since its initial adoption in 1981.

In that California Code of Regulations, title 15, section 2402, subdivision (c) was duly adopted, filed with the Secretary of State and published in the California Code of Regulations pursuant to the APA, it does not meet the definition of an underground regulation.

Your challenge to subdivision (c) of section 2402 of title 15 as an underground regulation is based upon your assertion that it is inconsistent with Penal Code section 3041(b), which states:

The panel or the board, sitting en banc, shall set a release date unless it determines that the gravity of the current convicted offense or offenses, or the timing and gravity of current or past convicted offense or offenses, is such that consideration of the public safety requires a more lengthy period of incarceration for this individual, and that a parole date, therefore, cannot be fixed at this meeting. After the effective date of this subdivision, any decision of the parole panel finding an inmate suitable for parole shall become final within 120 days of the date of the hearing. During that period, the board may review the panel’s decision. The panel’s decision shall become final pursuant to this subdivision unless the board finds that the panel made an error of law, or that the panel’s decision was based on an error of fact, or that new information should be presented to the board, any of which when corrected or considered by the board has a substantial likelihood of resulting in a substantially different decision upon a rehearing. In making this determination, the board shall consult with the commissioners who conducted

the parole consideration hearing. No decision of the parole panel shall be disapproved and referred for rehearing except by a majority vote of the board, sitting en banc, following a public meeting.

Penal Code section 3041 is one of the statutory provisions the Community Release Board relied upon for authority and reference in adopting section 2402 of title 15, as is reflected in the history note of section 2402 (see Exhibit A attached).

Government Code section 11343.6 states:

The filing of a certified copy of a regulation or an order of repeal with the Secretary of State raises the rebuttable presumptions that:

- (a) It was duly adopted.
- (b) It was duly filed and made available for public inspection at the day and hour endorsed on it.
- (c) All requirements of this chapter [the APA] and the regulations of the office relative to such regulation have been complied with.
- (d) The text of the certified copy of a regulation or order of repeal is the text of the regulation or order of repeal as adopted.

The courts shall take judicial notice of the contents of the certified copy of each regulation and of each order of repeal duly filed.

Therefore, section 2402(c) of title 15 is presumed to have been duly adopted and consistent with Penal Code section 3041(b).

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

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

- (f)(1) If facts presented in the petition or obtained by OAL during its review pursuant to subsection (b) demonstrate to OAL that the rule challenged by the petition is not an underground regulation, OAL may issue a summary disposition letter stating that conclusion. A summary disposition letter may not be issued to conclude that a challenged rule is an underground regulation.
- (2) Circumstances in which facts demonstrate that the rule challenged by the petition is not an underground regulation include, but are not limited to, the following:
 - (A) The challenged rule has been superseded.
 - (B) The challenged rule is contained in a California statute.
 - (C) **The challenged rule is contained in a regulation that has been adopted pursuant to the rulemaking provisions of the APA. [Emphasis added.]**
 - (D) The challenged rule has expired by its own terms.
 - (E) An express statutory exemption from the rulemaking provisions of the APA is applicable to the challenged rule.

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

/s/
Debra M. Cornez
Director

/s/
Elizabeth Heidig
Senior Attorney

Copy: Jennifer Shaffer, Executive Officer, BPH
Howard Moseley, Chief Counsel, BPH

DISAPPROVAL DECISION

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

DEPARTMENT OF PARKS AND RECREATION

STATE OF CALIFORNIA OFFICE OF ADMINISTRATIVE LAW

In re:

Department of Parks and Recreation

Regulatory Action:

Title 14, California Code of Regulations

Adopt section: 4970.25.3

Amend sections: 4970.01, 4970.04, 4970.05, 4970.06.01, 4970.07, 4970.08, 4970.10.4, 4970.17, 4970.23, 4970.24.1, 4970.25.1

DECISION OF DISAPPROVAL OF REGULATORY ACTION

Government Code Section 11349.3

OAL Matter Number: 2015-0930-01

OAL Matter Type: Regular (S)

SUMMARY OF REGULATORY ACTION

The Department of Parks and Recreation proposed to adopt section 4970.25.3 and amend sections 4970.1, 4970.05, 4970.06.1, 4970.07, 4970.08, 4970.09, 4970.10.4, 4970.17, 4970.23, 4970.24.1, and 4970.25.1 of title 14 of the California Code of Regulations concerning Off-Highway Motor Vehicle Recreation Grants and Cooperative Agreements Program.

DECISION

OAL disapproved the above-referenced regulatory action for incorrect procedure (failure to make changes available for comment), failure to comply with the clarity and necessity standards of Government Code section 11349.1, failure to respond to comments, and because required documents were missing or defective.

CONCLUSION

For the reasons set forth above, OAL has disapproved this regulatory action. Please also note that the Fiscal Impact Statement, Form STD 399, prepared by the Department for this regulatory action which is contained in the rulemaking file binder at Tab 12 has been punched out where Box A.5 was presumably checked. Please include a new copy of the STD 399 upon resubmission.

If you have any questions, please contact me at (916) 323-6808.

Date: November 18, 2015

/s/
Craig Tarpenning
Assistant Chief Counsel
FOR: DEBRA M. CORNEZ
Director

Original: Lisa Mangat
Copy: Matthew Whamond

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# 2015-1002-03
 AIR RESOURCES BOARD
 Commercialization of Alternative Fuels 2015

This rulemaking action by the Air Resources Board (ARB) amends four sections and adopts ten sections to govern the commercialization of motor vehicle alternative diesel fuels (ADF) in California. These regulations create a framework for ADFs to enter the commercial market in California, while mitigating any potential negative environmental or public health impacts. This rulemaking action also contains in-use requirements for biodiesel.

Title 13
 ADOPT: 2293, 2293.1, 2293.2, 2293.3, 2293.4, 2293.5, 2293.6, 2293.7, 2293.8, 2293.9, Appendix 1
 AMEND: 2290, 2291, 2293 (renumbered to 2294), 2293.5 (renumbered to 2295)
 Filed 11/16/2015
 Effective 01/01/2016
 Agency Contact: Trini Balcazar (916) 445-9564

File# 2015-1002-04
 AIR RESOURCES BOARD
 Low Carbon Fuel Standard 2015

In this rulemaking, the Air Resources Board (ARB) is adopting a new Low Carbon Fuel Standard (LCFS), including updates and changes compared to the previous regulation. On July 15, 2013, the California Court of Appeal issued its opinion in *POET, LLC v. California Air Resources Board* (2013), 218 Cal.App.4th 681. The Court held that the LCFS adopted in 2009 and implemented in 2010 (referred to as 2010 LCFS) would remain in effect and that ARB could continue to implement and enforce the regulatory standards while taking steps to remedy California Environmental Quality Act (CEQA) and Administrative Procedure Act (APA) issues identified in the decision. This rulemaking addresses procedural issues that the court identified regarding adoption of the 2010 LCFS.

Title 17
 ADOPT: 95480, 95481, 95482, 95483, 95483.1, 95483.2, 95484, 95485, 95486, 95487, 95488, 95489, 95490, 95491, 95492, 95493, 95494, 95495, 95496, 95497 REPEAL: 95480, 95480.1, 95480.2, 95480.3, 95480.4, 95480.5, 95481, 95482, 95483, 95484, 95485, 95486, 95487, 95488, 95489, 95490
 Filed 11/16/2015
 Effective 01/01/2016
 Agency Contact: Trini Balcazar (916) 445-9564

File# 2015-1029-09
 CALIFORNIA HORSE RACING BOARD
 Conflict-of-Interest Code

This is a Conflict-of-Interest Code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 4
 AMEND: 2000
 Filed 11/17/2015
 Effective 12/17/2015
 Agency Contact: Philip Laird (916) 263-6025

File# 2015-1006-02
 COMMISSION ON TEACHER CREDENTIALING
 Complete Paper Application Packet

This resubmittal of OAL File No. 2015-0427-03S by the Commission on Teacher Credentialing (the "Commission") both adopts section 80002 and amends section 80001 in title 5 of the California Code of Regulations. Specifically, the Commission is making changes to documents incorporated by reference that are used during the application process for a credential authorizing public school service.

Title 5
 ADOPT: 80002 AMEND: 80001
 Filed 11/18/2015
 Effective 01/01/2016
 Agency Contact: David Crable (916) 323-5119

File# 2015-1028-01
 DEPARTMENT OF CORRECTIONS AND REHABILITATION
 Inmate Discipline

This rulemaking action by the Department of Corrections and Rehabilitation (Department) is an emergency of operational necessity pursuant to Penal Code section 5058.3. This action amends the Department's inmate discipline regulations by implementing requirements for consideration of an inmate's mental illness, developmental disability, or cognitive or adaptive functioning deficits during each stage of the disciplinary process for rule violations.

Title 15
 ADOPT: 3317.1, 3317.2 AMEND: 3310, 3315, 3317
 Filed 11/17/2015
 Effective 11/17/2015
 Agency Contact: Rosie Ruiz (916) 445-2244

File# 2015-1110-03
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action by the Department of Food and Agriculture will expand the quarantine area for the Asian Citrus Psyllid (ACP) (*Diaphorina citri*) by approximately 232 square miles in the Bakersfield

area of Kern County. The effect of the emergency action provides authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura, and a portion of Fresno, Kern and Tulare counties that are already under quarantine for the ACP. The total area which would be under quarantine would be approximately 52,459 square miles.

Title 3
AMEND: 3435(b)
Filed 11/12/2015
Effective 11/12/2015
Agency Contact: Sara Khalid (916) 403-6625

File# 2015-1112-01
DEPARTMENT OF FOOD AND AGRICULTURE
Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action will expand the quarantine area for the Asian Citrus Psyllid (ACP) (*Diaphorina citri*) by approximately 101 square miles in the Turlock area of Stanislaus County and into Merced County. The effect of the emergency action provides authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Tulare and Ventura, and portions of Alameda, Fresno, Kern, Madera, San Benito, San Joaquin, San Luis Obispo, and Santa Clara counties that are already under quarantine for the ACP, totaling approximately 52,560 square miles.

Title 3
AMEND: 3435(b)
Filed 11/13/2015
Effective 11/13/2015
Agency Contact: Sara Khalid (916) 403-6625

File# 2015-1029-07
DEPARTMENT OF MANAGED HEALTH CARE
Conflict-of-Interest Code

This is a Conflict-of-Interest Code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 28
AMEND: 1000
Filed 11/18/2015
Effective 12/18/2015
Agency Contact: Jennifer Willis (916) 324-9014

File# 2015-1006-03
DEPARTMENT OF PESTICIDE REGULATION
Research Authorizations

The Department of Pesticide Regulation (Department) amended sections 6260, 6262, 6264, and 6266 of title 3 of the California Code of Regulations, which affects activities pertaining to research authorizations for testing pesticides. The action clarifies the information required in research authorization applications and related reports by eliminating from the regulations the required elements for these documents and putting the elements and additional required information in five new incorporated-by-reference forms. The action also revises an existing notification requirement that researchers must give to county agricultural commissioners (CACs) from 24 hours to 72 hours. CACs are the local enforcers of pesticide laws and regulations. The extended notification requirement allows more time for CACs to ensure compliance with the conditions and limitations of the research authorization and evaluate potential impacts that may occur from a pesticide application. CACs will have the discretion to reduce the time of the required notice from the researcher. The action will ensure that the Department has all the specific details pertaining to a pesticide application at the same time the CAC is notified of an intended pesticide application.

Title 3
AMEND: 6260, 6262, 6264, 6266
Filed 11/18/2015
Effective 01/01/2016
Agency Contact:
Linda Irokawa-Otani (916) 445-3991

File# 2015-1001-02
FISH AND GAME COMMISSION
Bobcat Protection Act

This rulemaking action by the Fish and Game Commission amends sections 478 and 479 of title 14 of the California Code of Regulations. These sections, which govern take and possession of bobcats, are being amended to reflect the Commission's decision to implement a statewide ban on bobcat trapping.

Title 14
AMEND: 478, 479
Filed 11/13/2015
Effective 11/20/2015

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN June 17, 2015 TO
November 18, 2015**

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

- 11/09/15 AMEND: 18225.7 REPEAL: 18550.1
- 11/04/15 AMEND: 37000
- 11/03/15 AMEND: 1859.2, 1859.71.4, 1859.78.1, 1859.79.2, 1859.82, 1859.83, 1859.125, 1859.125.1, 1859.145, 1859.163.1, 1859.163.5, 1859.167.2, 1859.193
- 10/28/15 AMEND: 52400
- 10/19/15 AMEND: 18422
- 10/19/15 AMEND: 18422.5
- 10/12/15 AMEND: 599.500
- 09/24/15 AMEND: 1181.1, 1181.2, 1181.3, 1181.4, 1181.6, 1181.7, 1181.8, 1181.9, 1181.10, 1181.11, 1181.12, 1181.13, 1182.1, 1182.2, 1182.3, 1182.4, 1182.5, 1182.6, 1182.7, 1182.8, 1182.10, 1182.12, 1182.13, 1183.1, 1183.2, 1183.4, 1183.5, 1183.7, 1183.8, 1183.9, 1183.11, 1183.12, 1183.13, 1183.14, 1183.15, 1183.16, 1183.17, 1183.18, 1184.1, 1185.1, 1185.2, 1185.3, 1185.4, 1185.5, 1185.6, 1185.7, 1185.8, 1185.9, 1186.1, 1186.2, 1186.3, 1186.4, 1186.5, 1186.6, 1186.7, 1187.1, 1187.2, 1187.3, 1187.4, 1187.5, 1187.6, 1187.7, 1187.8, 1187.9, 1187.10, 1187.11, 1187.12, 1187.13, 1187.14, 1187.15, 1188.1, 1188.2, 1190.1, 1190.2, 1190.3, 1190.4, 1190.5
- 09/21/15 AMEND: 35101
- 09/16/15 AMEND: 54100
- 09/14/15 AMEND: 55200
- 09/10/15 AMEND: 60000, 60010, 60510, 60550, 60560
- 09/09/15 ADOPT: 59750
- 09/08/15 AMEND: 560
- 08/13/15 AMEND: 1859.163.1
- 07/30/15 ADOPT: 599.980, 599.981, 599.982, 599.983, 599.984, 599.985, 599.986 AMEND: 599.980 (renumbered to 599.987), 599.981 (renumbered to 599.988), 599.982 (renumbered to 599.989), 599.985 (renumbered to 599.990), 599.986 (renumbered to 599.991), 599.987 (renumbered to 599.992), 599.988 (renumbered to 599.993), 599.990 (renumbered to

- 599.994), 599.992 (renumbered to 599.995), 599.993 (renumbered to 599.996), 599.994 (renumbered to 599.997), 599.995 (renumbered to 599.998)
- 07/16/15 AMEND: 548.42, 548.124
- 07/15/15 AMEND: 59640
- 07/15/15 AMEND: 18404.2
- 07/10/15 AMEND: 18700, 18700.1, 18700.3, 18701, 18702, 18702.2, 18702.4, 18747
- 06/22/15 ADOPT: 18700.3, 18707 AMEND: 18704 REPEAL: 18704.1, 18704.2, 18704.3, 18704.4, 18704.5, 18704.6
- 06/22/15 AMEND: 18361.7

Title 3

- 11/18/15 AMEND: 6260, 6262, 6264, 6266
- 11/13/15 AMEND: 3435(b)
- 11/12/15 AMEND: 3435(b)
- 11/09/15 AMEND: 1358.4
- 11/04/15 AMEND: 6000, 6188, 6742, 6746, 6793
- 10/29/15 AMEND: 3435(b)
- 10/22/15 ADOPT: 1280.11 AMEND: 1280, 1280.1, 1280.7, 1280.8
- 09/30/15 AMEND: 3435(b)
- 09/30/15 AMEND: 1380.19, 1430.10, 1430.12, 1430.14, 1430.26, 1430.27, 1430.45
- 09/16/15 AMEND: 3435(b)
- 08/27/15 AMEND: 3435
- 08/26/15 AMEND: 6502
- 08/20/15 AMEND: 3435(b)
- 08/17/15 AMEND: 2100
- 08/14/15 ADOPT: 450, 450.1, 450.2, 450.3, 450.4, 451, 452
- 08/10/15 AMEND: 6148, 6148.5, 6170, 6216
- 08/10/15 AMEND: 3435(b)
- 08/10/15 AMEND: 3435(b)
- 08/06/15 AMEND: 3435(b)
- 08/04/15 AMEND: 3435(b)
- 07/21/15 AMEND: 3439(b)
- 07/08/15 AMEND: 3435(b)
- 07/01/15 AMEND: 4603(i)
- 06/24/15 AMEND: 3435(b)
- 06/24/15 AMEND: 2751(b)
- 06/22/15 AMEND: 3435(b)

Title 4

- 11/17/15 AMEND: 2000
- 11/09/15 ADOPT: 5258, 5271, 5273 AMEND: 5033, 5052, 5100, 5102 (renumbered to 5101), 5103 (renumbered to 5102), 5104 (renumbered to 5103), 5105 (renumbered to 5104), 5106 (renumbered to 5105), 5107 (renumbered to 5106), 5132, 5170, 5190, 5191, 5192, 5200, 5205, 5210,

CALIFORNIA REGULATORY NOTICE REGISTER 2015, VOLUME NO. 48-Z

5230, 5232, 5250, 5255, 5260, 5267
 REPEAL: 5101
 11/02/15 ADOPT: 8078.3, 8078.4, 8078.5, 8078.6,
 8078.7
 10/27/15 AMEND: 8035
 10/26/15 AMEND: 10170.2, 10170.3, 10170.4,
 10170.5, 10170.6, 10170.7, 10170.8,
 10170.9, 10170.10, 10170.11
 10/05/15 AMEND: 1843.2
 09/08/15 ADOPT: 8130, 8131, 8132, 8133, 8134,
 8135, 8136, 8137, 8138
 09/08/15 ADOPT: 10091.1, 10091.2, 10091.3,
 10091.4, 10091.5, 10091.6, 10091.7,
 10091.8, 10091.9, 10091.10, 10091.11,
 10091.12, 10091.13, 10091.14, 10091.15
 08/31/15 AMEND: 1844
 08/19/15 AMEND: 1433
 07/31/15 ADOPT: 1866.1 AMEND: 1844
 07/28/15 AMEND: 10325
 07/23/15 AMEND: 1632
 07/22/15 AMEND: 400, 401, 402, 403, 404, 405,
 406
 07/15/15 AMEND: 1588
 07/02/15 AMEND: 5205, 5230, 5170

Title 5

11/18/15 ADOPT: 80002 AMEND: 80001
 11/03/15 AMEND: 1505
 10/06/15 AMEND: 80225
 10/05/15 AMEND: 19810
 09/10/15 AMEND: 19810
 07/30/15 ADOPT: 71105, 71105.5, 71410, 71471,
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