



California Regulatory Notice Register

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DECEMBER 29, 2017

PROPOSED ACTION ON REGULATIONS

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

Conflict-of-Interest Code — Notice File No. Z2017-1219-04 1969
Amendment

State Agency: State Council on Developmental Disabilities
Office of Environmental Health Hazard Assessment
Department of Aging
Multi-County: Napa County Resource Conservation District
Partnership HealthPlan of California

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

Asian Citrus Psyllid Interior Quarantine — Alameda County — Notice File No. Z2017-1215-01 1970

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

Huanglongbing Interior Quarantine- Anaheim Area of Orange County — Notice File No. Z2017-1218-01 1972

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

*Huanglongbing Interior Quarantine — Anaheim, Garden Grove, and Pico Rivera Areas of Los Angeles —
Notice File No. Z2017-1218-02* 1975

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

Ignition Interlock Devices — Notice File No. Z2017-1214-01 1977

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

*Cumulative Impacts Assessment Checklist, Technical Rule Addendum No. 2 and Appendix Amendments —
Notice File No. Z2017-1219-02* 1980

TITLE 14. DEPARTMENT OF FISH AND WILDLIFE/OFFICE OF SPILL PREVENTION AND RESPONSE

Certificates of Financial Responsibility — Notice File No. Z2017-1219-13 1985

(Continued on next page)

***Time-
Dated
Material***

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| TITLE 14. DEPARTMENT OF FISH AND WILDLIFE/OFFICE OF SPILL PREVENTION AND RESPONSE | |
| <i>Contingency Plans and Definitions — Notice File No. Z2017–1219–10</i> | 1989 |
| TITLE 14. DEPARTMENT OF FISH AND WILDLIFE/OFFICE OF SPILL PREVENTION AND RESPONSE | |
| <i>Drills and Exercises — Notice File No. Z2017–1219–11</i> | 1993 |
| TITLE 14. DEPARTMENT OF FISH AND WILDLIFE/OFFICE OF SPILL PREVENTION AND RESPONSE | |
| <i>Oil Spill Response Organizations Ratings — Notice File No. Z2017–1219–12</i> | 1997 |
| TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION | |
| <i>Family Visiting (Overnight) and Inmate Discipline — Notice File No. Z2017–1219–03</i> | 2000 |
| TITLE 16. BUREAU OF AUTOMOTIVE REPAIR | |
| <i>Smog Check Inspection Equipment, Procedures, and Reference Documents — Notice File No. Z2017–1218–03</i> | 2002 |
| TITLE 27. OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT | |
| <i>Proposition 65 Proposed No Significant Risk Level (NSRL) Bromodichloroacetic Acid — Notice File No. Z2017–1219–07</i> | 2006 |
| TITLE 27. OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT | |
| <i>Proposition 65 Proposed No Significant Risk Level (NSRL) Bromochloroacetic Acid — Notice File No. Z2017–1219–08</i> | 2010 |
| GENERAL PUBLIC INTEREST | |
| DEPARTMENT OF TOXIC SUBSTANCES CONTROL | |
| <i>Benicia Arsenal Proposed Consent Decree</i> | 2013 |
| OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD | |
| <i>Public Meeting and Business Meeting</i> | 2014 |
| PROPOSITION 65 | |
| OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT | |
| <i>Proposition 65 Listing Notice — Vinylidene Chloride</i> | 2015 |
| OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT | |
| <i>Proposition 65 Updated Chemical List — December 29, 2017</i> | 2016 |

(Continued on next page)

DECISION NOT TO PROCEED

BOARD OF FORESTRY AND FIRE PROTECTION

Decision Not to Proceed Concerning Cumulative Impacts Assessment Checklist, Technical Rule

Addendum No. 2 and Appendix Amendments, 2017 (Previously Published in Notic

Register 2017, No. 26–Z) 2035

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State 2036

Sections Filed, July 19, 2017 to December 20, 2017 2039

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: State Council on Developmental Disabilities
Office of Environmental Health Hazard Assessment
Department of Aging
- MULTI-COUNTY: Napa County Resource Conservation District
Partnership HealthPlan of CA

A written comment period has been established commencing on December 29, 2017, and closing on February 12, 2018. Written comments should be directed to the Fair Political Practices Commission, Attention Cesar Cuevas, 1102 Q Street, Suite 3000, Sacramento, California 95811.

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 February 12, 2018. 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 Cesar Cuevas, Fair

Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811, telephone (916) 322-5660.

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

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Cesar Cuevas, Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811, telephone (916) 322-5660.

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

The Department of Food and Agriculture (Department) amended subsection 3435(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Asian Citrus Psyllid (ACP) Interior Quarantine as an emergency action which was effective on September 7, 2017. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than March 6, 2018.

This notice is being provided to be in compliance with Government Code Section 11346.4.

PUBLIC HEARING

A public hearing is not scheduled. 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.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.651.2900 or by email to Dean.Kelch@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on February 12, 2018. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Dean Kelch
Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street
Sacramento, CA 95814
Dean.Kelch@cdfa.ca.gov
916.403.6650
916.651.2900 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this state and determine the probability of its spread and the feasibility of its control or eradication (Food and Agricultural Code (FAC) 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as she deems necessary to protect the agricultural industry from the introduction and spread of pests (FAC Sections 401, 403, 407 and 5322).

Anticipated Benefits from This Regulatory Action

Existing law, FAC Section 403, provides that the department shall prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds.

Existing law, FAC Section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code that the Secretary is directed or authorized to administer or enforce.

Existing law, FAC Section 5321, provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication.

Existing law, FAC Section 5322, provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and such other regulations as are in her opinion necessary to circumscribe and exterminate or prevent the spread of any pest that is described in FAC Section 5321.

Existing law, CCR Section 3435, defines the state's interior quarantine area for ACP, articles and commodities covered by the quarantine, restrictions, and exemptions.

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or eradicating pests of limited distribution, but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. This amendment provides the necessary regulatory authority to prevent the artificial spread of a serious insect pest, which is a mandated statutory goal.

The amendment of this regulation benefits the citrus industries (nurseries, fruit growers, wholesalers, retailers, exporters) and the environment by expanding a quarantine program to prevent the artificial spread of ACP over long distances. Almost all of the commercial citrus fruit and nursery stock production in California is located outside this proposed quarantine area boundary.

National and international consumers of California citrus benefit by having high-quality fruit available at lower cost.

The amendment of this regulation benefits homeowners who grow citrus for consumption and host material that is planted as ornamentals in various rural and urban landscapes.

FAC Section 401.5 states, “the department shall seek to protect the general welfare and economy of the state and seek to maintain the economic well-being of agriculturally dependent rural communities in this state.” The amendment of this regulation is preventing the artificial spread of ACP to uninfested areas of the State. Huanglongbing (HLB) is generally distributed in Florida due to ACP being generally distributed there. The University of Florida Institute of Food and Agricultural Sciences Extension calculated the impact of HLB in Florida and concluded HLB had a total impact of \$3.64 billion and eliminated 0.08 percent of the total Florida workforce. The overall California economy benefits by the amendment of this regulation, which is intended to prevent ACP from becoming generally distributed in California, which would result in a similar effect on California’s economy as occurred in Florida. This amendment is now critical because HLB been introduced into California.

There is no existing, comparable federal regulation or statute regulating the intrastate movement of ACP hosts.

The Department considered any other possible related regulations in this area, and we find that these are the only regulations dealing in this subject area, and the only State agency that can implement plant quarantines. As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of this regulation and has determined that it is not inconsistent or incompatible with existing state regulations.

AMENDED TEXT

The emergency rulemaking action expanded the quarantine area for ACP in Alameda County by approximately 5 square miles. The effect of the amendment of this regulation is to provide authority for the State to perform quarantine activities against ACP within this additional area. The total area that would be under regulation is now approximately 63,207 square miles.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630: None and no nondiscretionary costs or savings to local agencies or school districts.

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

The Department has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Cost impacts on a representative private person or business: Most businesses will not be affected. There are zero citrus production nurseries in the affected area that will be impacted. There is one retail nursery in the affected area. There are zero citrus growers in the proposed area. There is no additional cost to growers who take their fruit to a packinghouse inside the current quarantine area. Growers choosing a packinghouse outside the quarantine area have three options: 1) conduct pre-harvest treatments with an approved pesticide while fruit is still on the trees, 2) field-clean the fruit to remove leaves and stems during harvest, 3) send the fruit to a packinghouse within the quarantine area to be cleaned. Pre-harvest treatments cost growers approximately \$60 per acre. Field-cleaning the fruit will cost the grower approximately \$150–\$320 per acre depending on the citrus variety. Field-cleaned fruit can be moved within or from the quarantined area. Cleaning at a packinghouse within the quarantine area will cost the grower approximately \$300–\$400 per acre, and the fruit must remain within the quarantine area. There are zero citrus packinghouses located within this quarantine area.

Based on the preceding information, it was determined that, due to the amendment of Section 3435(b),

the agency is not aware of any cost impact on a representative business or private person. For the vast majority of businesses within the regulated area, no additional costs will be incurred.

Small Business Determination

The Department has determined that the proposed regulations may affect small business.

Significant effect on housing costs: None.

Results of the Economic Impact Analysis

Amendment of these regulations will not:

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

The Department is not aware of any specific benefits the amendment of this regulation will have on worker safety or the health of California residents. The Department believes the amendment of this regulation benefits the welfare of California residents by protecting the economic health of the entire citrus industry. In 2010 the estimated value was \$2.1 billion for citrus fruit and \$28.5 million for citrus nursery stock without all the upstream buyers and downstream retailers included (*Reference: John Gilstrap of California Citrus Nursery Board for citrus nursery stock value and USDA–National Agricultural Statistics Service 2010 data for citrus fruit*). This is a needed source of revenue for the State’s economic health and this amendment will help protect this source of revenue.

ALTERNATIVES CONSIDERED

The Department must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed 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 than the proposal described in this Notice.

AUTHORITY

The Department proposes to amend Section 3435(b) pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the FAC.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the FAC.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed is: Dean Kelch, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 403-6650, FAX (916) 651-2900, E-mail: Dean.Kelch@cdfa.ca.gov. In his absence, you may contact Laura Petro at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Dean Kelch.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/plant/Regulations.html).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture amended subsection 3439(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Huang-

longbing (HLB) Disease Interior Quarantine as an emergency action that was effective on October 16, 2017. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than April 16, 2018.

This notice is being provided to be in compliance with Government Code Section 11346.4.

PUBLIC HEARING

A public hearing is not scheduled. 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.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.651.2900 or by email to Dean.Kelch@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on February 12, 2018. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Dean Kelch
 Department of Food and Agriculture
 Plant Health and Pest Prevention Services
 1220 N Street
 Sacramento, CA 95814
Dean.Kelch@cdfa.ca.gov
 916.403.6650
 916.651.2900 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary may establish, maintain, and enforce quarantine, eradication and other such regulations as she deems necessary to protect the agricultural industry from the introduction and spread of pests (Food and Agricultural Code [FAC] Sections 401, 403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any

portion of the State as an eradication area and set forth the boundaries, the pest, its hosts and the methods to be used to eradicate the pest (FAC Section 5761).

Anticipated Benefits from This Regulatory Action

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication (Food and Agricultural Code Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (Food and Agricultural Code, Sections 401, 403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts and the methods to be used to eradicate said pest (Food and Agricultural Code Section 5761).

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or eradicating pests of limited distribution, but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. This amendment provides the necessary regulatory authority to prevent the artificial spread of a serious insect pest which is a mandated statutory goal.

The specific anticipated benefits of the amendment of this regulation are:

The adoption of this regulation benefits the citrus industries (nursery and fruit) and the environment by establishing eradication authority enabling the removal of HLB infested host material from the environment. By removing the sources of HLB inocula it is biologically feasible to confine HLB's devastating impacts to the smallest area possible.

FAC Section 401.5 states, "The department shall seek to protect the general welfare and economy of the state and seek to maintain the economic well-being of agriculturally dependent rural communities in this state." The adoption of this regulation is one step to mitigate the spread of HLB through its vector, Asian Citrus Psyllid (ACP). This prevents the ACP from naturally spreading and increasing the chances of successfully containing the disease to the smallest area possible.

All eradication activities are conducted by the Department. Except for curry plants (*Murraya spp.*), any other host material infected with HLB will die, as there is no cure. Homeowners and others will benefit by having this host material removed at no cost to them.

California consumers benefit as the fruit from host trees infected with HLB is inedible. Confining HLB in-

festations to the smallest area possible ensures citrus fruit and other host fruits are available for consumption at reasonable prices.

The Department considered any other possible related regulations in this area; we find that these are the only regulations dealing in this subject area, and the only State agency that can implement plant quarantines. As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of this regulation and has determined that it is consistent and compatible with existing state regulations. There is no existing, comparable federal regulation or statute regulating the intrastate movement of ACP hosts.

AMENDED TEXT

This emergency rulemaking action expanded the quarantine area for HLB in the Anaheim area of Orange County by approximately 6 miles. The effect of the amendment of this regulation is to provide authority for the State to perform quarantine activities against HLB within this additional area. The total area that would be under regulation is now approximately 597 square miles.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None and no other nondiscretionary costs or savings to local agencies or school districts.

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

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

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

Significant effect on housing costs: None.

Small Business Determination

The Department has determined that the proposed regulations may affect small business.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Amendment of these regulations will not:

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

The Department is not aware of any specific benefits that the amendment of this regulation would have pertaining to California worker safety. The Department believes the amendment of this regulation benefits the general health and welfare of California residents by ensuring the availability of citrus for consumption at reasonable prices and protecting the economic benefits the estimated \$2.19 billion per year citrus industry brings to the State's economy. This regulation benefits over 99 percent of the citrus industries (nursery and fruit) that are located outside the quarantine area. The amendment of this regulation helps protect this economic engine and food source which benefits the general health and welfare of California residents. This amendment protects thousands of backyard gardeners throughout California who produce large quantities of fruit for their own use, and it supports the traditions, especially in the Asian culture, that many families have for growing and using citrus fruit. The amendment of this regulation also promotes the economic well-being of agriculturally dependent rural California communities and reduces the potential adverse environmental impacts caused by HLB [Gov. Code Sec. 11346.3(b)].

CONSIDERATION OF ALTERNATIVES

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

AUTHORITY

The Department proposes to amend Section 3439(b) pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 407, 5322, 5761, 5762 and 5763, Food and Agricultural Code.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed is: Dean Kelch, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 403-6650, FAX (916) 651-2900, E-mail: Dean.Kelch@cdfa.ca.gov. In his absence, you may contact Laura Petro at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Dean Kelch.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/cdfa/pendingregs).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture amended subsection 3439(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Huanglongbing (HLB) Disease Interior Quarantine as an emergency action that was effective on September 28, 2017. The Department proposes to continue the regula-

tion as amended and to complete the amendment process by submission of a Certificate of Compliance no later than March 27, 2018.

This notice is being provided to be in compliance with Government Code Section 11346.4.

PUBLIC HEARING

A public hearing is not scheduled. 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.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.651.2900 or by email to Dean.Kelch@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on February 12, 2018. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Dean Kelch
Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street
Sacramento, CA 95814
Dean.Kelch@cdfa.ca.gov
916.403.6650
916.651.2900 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as she deems necessary to protect the agricultural industry from the introduction and spread of pests (Food and Agricultural Code [FAC] Sections 401, 403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts and the methods to be used to eradicate the pest (FAC Section 5761).

Anticipated Benefits from This Regulatory Action

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication (Food and Agricultural Code Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (Food and Agricultural Code, Sections 401, 403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts and the methods to be used to eradicate said pest (Food and Agricultural Code Section 5761).

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or eradicating pests of limited distribution, but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. This amendment provides the necessary regulatory authority to prevent the artificial spread of a serious insect pest which is a mandated statutory goal.

The specific anticipated benefits of the amendment of this regulation are:

The adoption of this regulation benefits the citrus industries (nursery and fruit) and the environment by establishing eradication authority enabling the removal of HLB infested host material from the environment. By removing the sources of HLB inocula it is biologically feasible to confine HLB’s devastating impacts to the smallest area possible.

FAC Section 401.5 states, “The department shall seek to protect the general welfare and economy of the state and seek to maintain the economic well-being of agriculturally dependent rural communities in this state.” The adoption of this regulation is one step to mitigate the spread of HLB through its vector, Asian Citrus Psyllid (ACP). This prevents the ACP from naturally spreading and increasing the chances of successfully containing the disease to the smallest area possible.

All eradication activities are conducted by the Department. Except for curry plants (*Murraya spp.*), any other host material infected with HLB will die, as there is no cure. Homeowners and others will benefit by having this host material removed at no cost to them.

California consumers benefit as the fruit from host trees infected with HLB is inedible. Confining HLB infestations to the smallest area possible ensures citrus

fruit and other host fruits are available for consumption at reasonable prices.

The Department considered any other possible related regulations in this area; we find that these are the only regulations dealing in this subject area, and the only State agency that can implement plant quarantines. As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of this regulation and has determined that it is consistent and compatible with existing state regulations. There is no existing, comparable federal regulation or statute regulating the intrastate movement of ACP hosts.

AMENDED TEXT

This emergency rulemaking action expanded the quarantine area for HLB in the Anaheim, Garden Grove, and Pico Rivera areas of Los Angeles and Orange counties by approximately 59 miles. The effect of the amendment of this regulation is to provide authority for the State to perform quarantine activities against HLB within this additional area. The total area that would be under regulation is now approximately 591 square miles.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None and no other nondiscretionary costs or savings to local agencies or school districts.

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

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

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

Significant effect on housing costs: None.

Small Business Determination

The Department has determined that the proposed regulations may affect small business.

**RESULTS OF THE ECONOMIC
IMPACT ANALYSIS**

Amendment of these regulations will not:

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

The Department is not aware of any specific benefits that the amendment of this regulation would have pertaining to California worker safety. The Department believes the amendment of this regulation benefits the general health and welfare of California residents by ensuring the availability of citrus for consumption at reasonable prices and protecting the economic benefits the estimated \$2.19 billion per year citrus industry brings to the State's economy. This regulation benefits over 99 percent of the citrus industries (nursery and fruit) that are located outside the quarantine area. The amendment of this regulation helps protect this economic engine and food source which benefits the general health and welfare of California residents. This amendment protects thousands of backyard gardeners throughout California who produce large quantities of fruit for their own use, and it supports the traditions, especially in the Asian culture, that many families have for growing and using citrus fruit. The amendment of this regulation also promotes the economic well-being of agriculturally dependent rural California communities and reduces the potential adverse environmental impacts caused by HLB [Gov. Code Sec. 11346.3(b)].

CONSIDERATION OF ALTERNATIVES

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

AUTHORITY

The Department proposes to amend Section 3439(b) pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 407, 5322, 5761, 5762 and 5763, Food and Agricultural Code.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed is: Dean Kelch, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 403-6650, FAX (916) 651-2900, E-mail: Dean.Kelch@cdfa.ca.gov. In his absence, you may contact Laura Petro at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Dean Kelch.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet Web site (www.cdfa.ca.gov/cdfa/pendingregs).

**AVAILABILITY OF STATEMENTS OF REASONS
AND TEXT OF PROPOSED REGULATIONS**

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

**TITLE 13. DEPARTMENT OF MOTOR
VEHICLES**

The Department of Motor Vehicles (department) proposes to amend Sections 125.00 and 125.02; adopt Sec-

tion 125.19; and repeal Section 127.06 in Article 2.55, Chapter 1, Division 1, Title 13 of the California Code of Regulations, related to the California Ignition Interlock Device (IID) Program.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 p.m., fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 p.m., **February 12, 2018**, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt these regulations under the authority granted by Vehicle Code section 1651, 13386, and 23575, in order to implement, interpret, or make specific Vehicle Code sections 13353.3, 13386, and 23575.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The department is responsible for administering the IID Program. An IID is a device that is connected to a vehicle's ignition that requires the driver to provide a breath sample before the engine will start. If the IID detects alcohol in the driver's breath, the engine will not start.

Current law requires the department to suspend the driver's license of a person who is convicted of certain violations involving driving under the influence of drugs and/or alcohol. In accordance with Vehicle Code sections 13352(a)(3) through (a)(7) and 13353.3, upon conviction, the driver will serve a cursory term of suspension and, if the driver provides satisfactory proof that he or she is enrolled in a specified driving-under-the-influence program, provides proof of financial re-

sponsibility and IID installation, and pays specified restriction and reinstatement fees, the driver can apply to the department to have an IID restriction. Once an IID is installed, the driver is required to have the device inspected and calibrated by a certified IID installer at least once every 60 days.

Senate Bill 1046 (Chapter 783; Statutes of 2016) amended Vehicle Code section 23575 to require a driver whose vehicle is equipped with an IID to complete retests at randomly variable intervals.

Vehicle Code section 23575(p) requires the department to adopt regulations specifying the intervals between random retests. In order to determine acceptable interval ranges, the department reviewed the processes of other states with randomized interval testing and consulted with IID manufacturers to determine the interval testing capabilities of devices currently in operation. The department found that all IID manufacturers had similar intervals for their devices. Specifically, the manufacturers that the department consulted with reported that their devices could require a first test within five to fifteen minutes after the initial test that allows the engine to start and at random intervals between ten to forty-five minutes for subsequent tests. These intervals were also found to be consistent with those used by other states. In the end, the department determined that the first retest should occur between five and fifteen minutes after the initial vehicle start and subsequent tests should occur at randomized intervals between fifteen and forty-five minutes for subsequent retests. Upon approval of this regulatory action, manufacturers will program devices that are ready for use in California to require random interval testing. For drivers with devices already installed in their vehicles, their IIDs will be updated with the random interval requirements at the time of their next IID inspection and calibration service.

In 2010, with passage of Assembly Bill 91 (Chapter 217; Statutes of 2009), the department began a pilot program in the counties of Alameda, Los Angeles, Sacramento, and Tulare through December 31, 2018. Under the pilot program, all persons convicted of driving under the influence of drugs/alcohol, except for those who qualify for an exemption, are required to install a certified IID on each vehicle he or she owns or operates. AB 91 also adopted Vehicle Code section 13386(g) requiring IID manufacturers to provide an annual report to the department documenting the number of false positives and the time it takes to reset the device. The information contained in these reports were used by the department to evaluate the continued certification of a device.

SB 1046 repealed Vehicle Code section 13386(g), therefore, the department is repealing the associated rule that requires manufacturers to submit the annual report to the department.

PROBLEMS THIS DEPARTMENT INTENDS TO ADDRESS AND BENEFITS ANTICIPATED FROM THE REGULATORY ACTION

Until passage of SB 1046, California did not require randomized retests of drivers who have IIDs installed in their vehicles. The driver would take the first test, the engine would start and there would be no additional tests until he or she started the vehicle the next time.

Passage of SB 1046 required the department to determine acceptable intervals for random retests. This action will benefit California residents and drivers by ensuring that IID manufacturers certify that their devices that are being used in California will conduct random tests for the duration of the drive. Random tests will ensure a drivers continued sobriety, which will create safer roadways in the state.

CONSISTENCY AND COMPATIBILITY WITH STATE REGULATIONS

The department conducted an analysis of other state regulations and determined that the regulations adopted in Article 2.55 of Title 13 are the only regulations related to the IID Program, therefore, these regulations are neither inconsistent nor incompatible with other state regulations.

COMPARABLE FEDERAL STATUTES OR REGULATIONS

The department conducted a review of comparable federal regulations and statutes and has determined that no other regulations address randomized interval testing on IIDs.

DOCUMENTS INCORPORATED BY REFERENCE

The following documents are incorporated by reference:

- Random Retest Compliance Self Certification, form OL 624 (New 5/2017)

The form OL 624 will not be published in the California Code of Regulations because it would be impractical and cumbersome to do so; however, the document is readily available to interested parties by contacting the department representative identified below.

ECONOMIC AND FISCAL IMPACT DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- *Cost or Savings to Any State Agency:* None.
- *Other Non–Discretionary Cost or Savings to Local Agencies:* None.
- *Costs or Savings in Federal Funding to the State:* None.
- *Effects on Housing Costs:* None.
- *Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code section 17500 et seq.:* None.
- *Cost Impact on Representative Private Persons or Businesses:* The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Drivers who have devices installed in their vehicles do pay fees for the maintenance of the devices, however, those costs are set by the installers and are not a subject of this proposed action.
- *Small Business Impact:* This regulation may affect small business.
- *Local Agency/School District Mandate:* The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- *Significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states:* This action is unlikely to have any significant statewide adverse economic impact on businesses. IID manufacturers are currently able to program devices to require random interval testing, therefore, the department does not anticipate the requirements in this action to have a significant adverse impact.

RESULTS OF THE ECONOMIC IMPACT STATEMENT

The department has made the following determinations when assessing the economic impact associated with this proposed regulation:

The department has determined that this action will not impact 1) the creation or elimination of jobs within the State of California, 2) the creation or elimination of existing businesses within the State of California, or 3) the expansion of businesses currently doing business within the State of California.

This action will benefit the health and welfare of California residents and the motoring public, in general, by ensuring the continued sobriety of drivers with IIDs in their vehicles. Drivers will be retested every fifteen to forty-five minutes during their drive. This action is not likely to have a significant impact on worker safety or the state's environment.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be 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 provisions of law.

CONTACT PERSON

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

Randi Calkins, Regulations Analyst
Department of Motor Vehicles
Legal Affairs Division
PO Box 932382, MS C-244
Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 657-8898
Facsimile: (916) 657-6243
E-Mail: LADRegulations@dmv.ca.gov

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

Shelly Johnson Marker, Chief of Staff
Department of Motor Vehicles
Telephone: (916) 657-6469

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed regulatory action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strikeout to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, and Express Terms) may be accessed at <http://www.dmv.ca.gov/portal/dmv/detail/about/lad/regactions>.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

“Cumulative Impacts Assessment Checklist, Technical Rule Addendum No. 2 and Appendix Amendments”

Amend: §§ 895, 895.1 and 912.9 [932.9, 952.9]

NATURE OF PROCEEDING

Notice is hereby given that the California State Board of Forestry and Fire Protection (Board) is proposing to take the action described in the Informative Digest/Policy Statement Overview contained in this notice.

PUBLIC HEARING

The Board will hold a public hearing on March 7, 2018 at its regularly scheduled meeting commencing at 9:00 a.m. in the Natural Resources Building Auditorium, 1416 9th Street, Sacramento, CA. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. Additionally, pursuant to **Government Code (GOV) § 11125.1(b)**, writings that are public records pursuant to **GOV § 11125.1(a)** and that are distributed to members of the state body prior to or during a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting if prepared by the state body or a member of the state body, or after the meeting if prepared by some other person.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends at 5:00 p.m. on February 12, 2018.

The Board will consider only written comments received at the Board office by that time and those written comments received at the public hearing, including written comments submitted in connection with oral testimony at the public hearing. The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

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

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

Board of Forestry and Fire Protection
 Room 1506-14
 1416 9th Street
 Sacramento, CA 95814

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

(916) 653-0989

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

publiccomments@BOF.ca.gov

AUTHORITY AND REFERENCE
 (pursuant to GOV § 11346.5(a)(2) and 1 CCR § 14)

§ 895 Abbreviations Applicable Throughout Chapter

Note: Authority cited: Sections 4551, 4551.5 and 21082, Public Resources Code. Reference: Sections 4511, 4512, 4512.5, 4513, 4521.3, 4523-4525, 4525.3, 4525.5, 4525.7, 4526, 4526.5, 4527, 4527.5, 4528, 4551, 4551.5, 4552, 4582, 4750, 4750.3, 4750.4 and 21080.5, Public Resources Code.

§ 895.1 Definitions

Note: Authority cited: Sections 4551, 4551.5, 4553, 4561, 4561.5, 4561.6, 4562, 4562.5, 4562.7 and 4591.1, Public Resources Code. Reference: Sections 4511, 4512, 4512.5, 4513, 4521.3, 4523, 4524, 4525, 4525.3, 4525.5, 4525.7, 4526, 4526.5, 4527, 4527.5, 4528, 4551, 4551.5, 4561, 4562, 4562.5, 4562.7, 4583.2, 4584, 4591.1, 4597.1, 21001(f), 21080.5, 21083.2 and 21084.1, Public Resources Code; CEQA Guidelines Appendix K (printed following Section 15387 of Title 14 Cal. Code of Regulations), *Laupheimer v. State* (1988) 200 Cal.App.3d 440; 246 Cal.Rptr. 82 and *Joy Road Area Forest and Watershed Association, v. California Department of Forestry & Fire Protection*, Sonoma County Superior Court No. SCV 229850.

§ 912.9 [932.9, 952.9] Cumulative Impacts Assessment Checklist

Note: Authority cited: Sections 4551, 4551.9, and 21080.5, Public Resources Code. Reference: Sections 4512, 4512.5, 4513, 4551.5, 4551.9, 4582.6, 21000(g), 21002, 21080.5, Public Resources Code. *Natural Resources Defense Council, Inc. v. Arcata Nat. Corp.* (1976) 59 Cal.App.3d 959; 131 Cal.Rptr. 172; and *Laupheimer v. State* (1988) 200 Cal.App.3d 440; 246 Cal.Rptr. 82.

INFORMATIVE DIGEST/ POLICY STATEMENT
 OVERVIEW

(pursuant to 11346.5(a)(3)(A)-(D))

Pursuant to the Z'berg-Nejedly Forest Practice Act of 1973, PRC § 4511, et seq. (Act) the Board is authorized to construct a system of forest practice regulations applicable to timber management on state and private timberlands.

PRC § 4551 requires the Board to “. . .adopt district forest practice rules. . . to ensure the continuous grow-

ing and harvesting of commercial forest tree species and to protect the soil, air, fish, wildlife, and water resources . . .” and PRC § 4553 requires the Board to continuously review the rules in consultation with other interests and make appropriate revisions.

In correlation to California Environmental Quality Act (CEQA), the regulation of timber harvesting operations by the California Department of Forestry and Fire Protection (Department) and the Board and the regulatory program of the Board in adopting, amending, or repealing standards, rules, regulations, or plans under the Act, are programs that have been certified by the State of California Secretary for Resources as meeting the requirements of PRC § 21080.5.

Since 1983 there have been several law suits filed against the Board and the Department. The litigation has typically involved claims that the Department, through the regulation of timber harvesting operations, violated substantive provisions of the CEQA. Consequently, decisions in case law have largely determined the aspects of CEQA that apply to the regulation of timber harvesting. Accordingly, the review and processing of Plans has been found by the courts (*NRDC v. Arcata Redwood*) to be a Project under CEQA. Court decisions resulting from these law suits have generally upheld the THP process as functionally equivalent, but found that the evaluations of individual THP’s, in some cases, had failed to meet the broad policy standards of CEQA. Specifically, the decisions made in *EPIC v. Johnson* and *Laupheimer v. California* affirm that CEQA’s substantive provisions and broad policy goals of environmental preservation apply to timber harvests in California.

Plans as “functionally equivalent” to an environmental impact report (otherwise required under CEQA for Projects that could potentially have significant effects on the environment) require project proponents to disclose potential significant adverse impacts to reviewing agencies and the public, and to provide mitigation measures to prevent significant and/or avoidable environmental damage. The determination of whether or not a Plan has the potential to result in a significant adverse impact(s) must be determined and supported by substantial evidence. Substantial evidence, pursuant to 14 CCR § 15384, means enough relevant information (e.g., facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts) and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached.

The primary means for disclosing potential significant adverse impacts in Plans is through 14 CCR § 912.9 [932.9, 952.9], which the Board adopted in 1991. Guidance is given in Technical Rule Addendum No. 2 to assist the Registered Professional Forester (RPF) in addressing the potential cumulative impacts

that may occur as a result of timber harvesting. Additionally, the Department provided a memo from Deputy Director of Resource Management Bill Snyder (Retired) on August 2, 2004 that helps clarify the expectations of the RPF to address cumulative impacts.

In reviewing Plans for potential significant impacts, the Department requires enough detailed information from RPFs to make a determination on both the incremental effect of the proposed operations, and the cumulative effect of the proposed operations when taken in consideration with closely related past, current, and reasonably foreseeable probable future projects (CEQA Guidelines 14 CCR § 15355). The evaluation of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency.

Since the Board adopted 14 CCR § 912.9 [932.9, 952.9], Technical Rule Addendum No. 2 and Appendix, there have been a number of changes to CEQA, including PRC §§ 21083.01 and 21083.05 (pursuant to Senate Bill [SB] 1241 and SB 97, respectively) and Guidelines for CEQA in 14 CCR § 15064.4, involving environmental resources (fire hazard impacts and greenhouse gas (GHG) emissions), which have the potential to be significantly adversely impacted by timber harvest activities.

Additionally, in 2010, the legislature, pursuant to Assembly Bill 1504, amended the Act (in PRC §§ 4512.5, 4512.5, 4513 and 4551(b)(1)) to include findings and declarations associated with GHGs.

Subsequently, Plan submitters started submitting GHG analyses with their Plans. However, until now, the Board Rules (Rules) have not addressed GHGs.

Furthermore, in 2012 the California legislature passed SB 1241, which identified the need to assess fire hazard impacts within the CEQA review process via the initial study checklist (PRC § 21083.01(a)).

The problem is the existing Rules do not address these substantive provisions (fire hazard impacts and GHG emissions) or offer any guidance on determining the significance of impacts from GHG emissions and determining wildfire risk and hazard, although, the Department does provide a THP GHG emissions calculator and user guide for use by Plan submitters. Absent regulations, proposed in this action, the RPF and Director will continue to attempt to assess cumulative impacts, specific to fire hazard impacts and GHG emissions, in a manner not specifically guided by the Rules. Another problem is that some of the guidance is outdated and some of the existing language is unclear regarding what is enforceable and what is guidance.

For the reason that certified regulatory programs must follow CEQA’s substantive requirements, an update of the Rules is compulsory. The purpose of the proposed action is to align CEQA (and Guidelines) with the

Rules (and Guidelines) to address these substantive provisions (fire hazard impacts and GHG emissions through regulation and commensurate guidance and, to a certain extent, update the existing 30-year-old guidance, including providing additional clarity in 14 CCR §§ 895, 895.1, 912.9 [932.9, 952.9], Technical Rule Addendum No. 2 and Appendix. However, the Board decided to delay a comprehensive update of the biological resources guidance given ongoing scientific investigation, being undertaken by the Board's Effectiveness Monitoring Committee, the California Department of Fish and Wildlife and other entities. Moreover, the Board is continually searching for additional technical information to balance resource protection and improvement with timber operations. Commonly, the Board conducts outreach efforts to determine the extent of technical knowledge available in many areas. This outreach includes areas such as wildlife and related habitat requirements; water quality protection; evaluation of unstable geologic conditions to prevent mass movement; studies of surface soil erosion; post-fire impacts; tree mortality; pest and diseases; and development of monitoring criteria to determine rule effectiveness.

Additionally, this proposed action represents over four years of collaborative effort, involving input from CAL FIRE, Department of Fish and Wildlife, California Geologic Survey, Water Quality Control Boards and the regulated public, and is the third movement to supplant the Threatened and Impaired Rules (following the Boards adoption of the 2009 Anadromous Salmonid Protection and 2013 Road Rules).

The effect of this proposed action is regulation and commensurate guidance to determine the significance of impacts from GHG emissions and determine wildfire risk and hazard and, to a certain extent, update the existing 30-year-old guidance including providing additional clarity between requirements and guidance.

The primary benefit of the proposed action is a more clear and standardized Plan preparation and review process that maintains transparency for the Director of the Department, other agencies and the regulated public. Additionally, the proposed action through aligning the existing environmental statutes, and regulations, specifically PRC §§ 21083.01 and 21083.05 (pursuant to SB 1241 and SB 97, respectively) and Guidelines for CEQA in 14 CCR § 15064.4, which are intended to minimize environmental impacts, with the Rules, improvements to environmental quality may result. Further, the proposed action may improve the health and welfare of California residents and worker safety, by way of better planning, through guidance to determine wildfire risk and hazard in the current context that Cali-

fornia will continue to experience large and damaging wildfires that threaten people's lives and destroy homes.

There is no comparable federal regulation or statute.

Board staff conducted an evaluation on whether the proposed action is inconsistent or incompatible with existing state regulations pursuant to **GOV § 11346.5(a)(3)(D)**. State regulations related to the proposed action were, in fact, relied upon in the development of the proposed action, including portions of Title 14 of the California Code of Regulations (§§ 895.1, 912.9 [932.9, and 952.9], 15064, 15064.4, 15064.7, 15065, 15126, 15126.2, 15126.4, 15130, 15183.5 and 15364.5) to ensure consistency and compatibility of the proposed action with existing state regulations. Otherwise, Board staff evaluated the balance of existing state regulations related to the implementation of the Act and found no existing state regulations that meet the same purpose as the proposed action. Based on this evaluation and effort, the Board has determined that the proposed amendments and adoptions are neither inconsistent nor incompatible with existing state regulations.

Additionally, following are the statutes on which the Board relied in the development of the proposed action to ensure consistency and compatibility of the proposed action with existing statutes:

- Excerpts from the Public Resources Code (PRC), 2017: §§ 4512, 4512.5, 4513, 4526, 4551, 4551.5, 4553, 4562, 4562.5, 4562.7, 4582.5, 5093.50, 21000(g), 21001(f), 21080.4, 21080.5, 21083.01(a), 21083.05, and 21081.
- Excerpts from Water Code, 2017: § 100
- Excerpts from Fish and Game Code, 2017: § 5650(c)

No documents are incorporated by reference.

MANDATED BY FEDERAL LAW OR REGULATIONS

The proposed action is not mandated by federal law or regulations.

The proposed action neither conflicts with, nor duplicates federal regulations. There are no comparable federal regulations on state or private lands.

OTHER STATUTORY REQUIREMENTS (pursuant to GOV § 11346.5(a)(4))

There are no other matters as are prescribed by statute applicable to the specific state agency or to any specific regulation or class of regulations.

LOCAL MANDATE
(pursuant to GOV § 11346.5(a)(5))

The proposed action does not impose a mandate on local agencies or school districts.

FISCAL IMPACT
(pursuant to GOV § 11346.5(a)(6))

There is no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

The proposed action will not result in costs or savings to any state agency.

The proposed action will not result in costs or savings in federal funding to the state.

HOUSING COSTS
(pursuant to GOV § 11346.5(a)(12))

The proposed action will not significantly affect housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE
(pursuant to GOV §§ 11346.3(a), 11346.5(a)(7) and 11346.5(a)(8))

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states (by making it costlier to produce goods or services in California).

Pursuant to **GOV § 11346.5(a)(8)**, the agency shall provide in the record facts, evidence, documents, testimony, or other evidence upon which the agency relies to support this initial determination, which follows:

- Contemplation by the Board of the economic impact of the provisions of the proposed action through the lens of the decades of experience practicing forestry in California that the Board brings to bear on regulatory development.

STATEMENTS OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT (EIA)

The results of the economic impact assessment are provided below pursuant to **GOV § 11346.5(a)(10)** and prepared pursuant to **GOV § 11346.3(b)(1)(A)–(D)**. The proposed action:

- (A) will not create jobs within California;
- (A) will not eliminate jobs within California;
- (B) will not create new businesses;
- (B) will not eliminate existing businesses within California;
- (C) will not affect the expansion or contraction of businesses currently doing business within California.
- (D) may yield nonmonetary benefits. For additional information on the benefits of the proposed regulation, please see anticipated benefits contained in the Informative Digest/Policy Statement Overview.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

(pursuant to GOV § 11346.5(a)(9))

The types of entities that will have to be responsive to the proposed action are businesses, including small businesses, and individuals that prepare Plans. However, these entities already submit GHG analyses with their Plans and many address fire risk and hazard in their Plans. The consequence of the proposed action is that these assessments will be guided by the Rules, which, for these entities, will result in a redirection of effort already expended by the RPF preparing the Plan. For entities not already addressing fire risk and hazard in their Plans, the additional expense is estimated at \$126,000 (see Form 399 for calculation).

BUSINESS REPORT

(pursuant to GOV §§ 11346.5(a)(11) and 11346.3(d))

The proposed action does not impose a business reporting requirement on business.

SMALL BUSINESS

(pursuant to 1 CCR 4(a) and (b))

Small businesses, within the meaning of **GOV § 11342.610**, are expected to be affected (or not) by the proposed action, in the following ways:

- Small businesses are legally required to comply with the regulation to the extent that a representative private person hires a small business for implementation or a small business owns timberland that they manage under a Plan.

- Small businesses are not legally required to enforce the regulation.
- Small businesses may derive a benefit from the enforcement of the regulation by being hired for implementation.
- Small businesses may incur a detriment from the enforcement of the regulation if they do not comply with the regulation.

ALTERNATIVES INFORMATION

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

CONTACT PERSON

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

Board of Forestry and Fire Protection
 Attn: Eric Hedge
 Regulations Coordinator
 P.O. Box 944246
 Sacramento, CA 94244-2460
 Telephone: (916) 653-9633

The designated backup person in the event Mr. Eric Hedge is not available is Ms. Thembi Borrás, Forester III for the Board of Forestry and Fire Protection. Ms. Thembi Borrás may be contacted at the above address or by phone at (916) 531-5906.

AVAILABILITY STATEMENTS
 (pursuant to GOV § 11346.5(a)(16))

All of the following are available from the contact person:

1. Express terms of the proposed action using **UNDERLINE** to indicate an addition to the California Code of Regulations and **STRIKETHROUGH** to indicate a deletion.

2. Initial Statement of Reasons, which includes a statement of the specific purpose of each adoption, amendment, or repeal, the problem the Board is addressing, and the rationale for the determination by the Board that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed.
3. The information upon which the proposed action is based (pursuant to **GOV § 11346.5(b)** and **GOV § 11346.2(a)**).
4. Changed or modified text. After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text — with the changes clearly indicated — available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who testified at the hearings, submitted comments during the public comment period, including written and oral comments received at the public hearing, or requested notification of the availability of such changes from the Board. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

FINAL STATEMENT OF REASONS

When the Final Statement of Reasons (FSOR) has been prepared, the FSOR will be available from the contact person on request.

INTERNET ACCESS

All of the material referenced in the Availability Statements is also available on the Board website at:

http://bofdata.fire.ca.gov/regulations/proposed_rule_packages/

TITLE 14. DEPARTMENT OF FISH AND WILDLIFE/OFFICE OF SPILL PREVENTION AND RESPONSE

Sections 791-798

Notice is hereby given that the Department of Fish and Wildlife, Office of Spill Prevention and Response

(OSPR) proposes to amend sections 791 through 798 in subdivision 4 of title 14 of the California Code of Regulations. These sections pertain to the Certificates of Financial Responsibility. OSPR invites interested persons to present comments, statements, or arguments with respect to the regulations at the scheduled hearing or during the written comment period.

PUBLIC HEARINGS

OSPR will hold two public hearings **at the following designated dates, times and locations**. These facilities are wheelchair accessible. At the public hearings, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest below. OSPR requests, but does not require that persons who make oral comments at the hearings also submit a written copy of their testimony at the hearings.

Date: Tuesday, February 13, 2018
 Time: 9:00 a.m.–12:00 p.m.
 Location: Natural Resources Building
 Auditorium
 1416 9th Street
 Sacramento, CA 95814

Date: Thursday, February 22, 2018
 Time: 1:30 p.m.–4:30 p.m.
 Location: Associated Builders & Contractors
 19466 Flight Path Way
 Bakersfield, CA 93308

SUBMISSION OF WRITTEN COMMENTS

Any interested person or his or her authorized representative may submit to OSPR written comments relevant to the proposed regulatory action. **The written comment period closes at 5:00 p.m. on February 22, 2018.** All written comments must be received by OSPR by then in order to be considered. Written comments may be submitted at either of the hearings or by mail, fax, or e-mail, as follows:

Department of Fish and Wildlife
 Office of Spill Prevention and Response
 1700 K Street, Suite 250
 Sacramento, California 95811
 Fax: (916) 324-5662
 E-mail: OSPRRegulations@wildlife.ca.gov

AUTHORITY AND REFERENCE

Government Code sections 8670.7.5, 8670.37.53, 8670.37.54, and 8670.37.58 grant the Administrator of OSPR the authority to adopt regulations and guidelines for the proposed regulations. The proposed regulations implement, interpret and make specific Government Code sections 8670.3, 8670.37.51, 8670.37.53, 8670.37.54, 8670.37.55, 8670.37.56, 8670.37.58, and 8670.41.

INFORMATIVE DIGEST

Summary: The *Lempert–Keene–Seastrand Oil Spill Prevention & Response Act* (Act) of 1990 requires operators of certain facilities and large vessels to demonstrate the ability to pay cleanup costs and damages for potential oil spill threats they pose to marine waters. An owner or operator must apply for and obtain what is known as a certificate of financial responsibility (COFR) from the Administrator of the Office of Spill Prevention and Response. This certificate offers conclusive evidence that the person or entity holding the certificate is the party responsible for the specified vessel or facility for purposes of determining liability for an oil spill. (Government Code section 8670.37.51, et. seq.)

In 2014, Senate Bill 861 was signed by the Governor and took effect immediately. The bill expanded the OSPR marine oil spill preparedness and response program to cover all state surface waters, thus expanding the COFR requirements to also apply to operators of facilities that pose an oil spill threat to inland surface waters. These inland operators generally consist of production facilities and oil wells, pipelines, terminals, railroads, and inland refineries.

Pursuant to Senate Bill 861, OSPR initiated emergency rulemaking approved on September 3, 2015 (OAL #: 2015-0825-03EFP). These regulations were readopted on September 1, 2016, and again on August 7, 2017 (OAL #'s: 2016-0822-02EFP and 2017-0727-03EFP, respectively). OSPR is initiating this regular rulemaking action to formally adopt amendments to implement the financial responsibility provisions of Senate Bill 861.

OSPR is also initiating regular rulemaking on regulations significantly interrelated to this rulemaking. Those proposed regulations were also emergency rulemakings approved in the fall of 2015, and readopted in 2016 and 2017. They are for Oil Spill Contingency Plans and Definitions & Abbreviations (14 CCR §817.04 and §790); Inland Facility Drills and Exercises (14 CCR §820.02); and Inland Ratings of Oil Spill Response Organizations (14 CCR §819-819.07). These

other packages are also implementing legislative changes by Senate Bill 861.

Policy Statement Overview and Anticipated Benefits of the Proposed Action:

Adoption of these regulations will implement, interpret, and provide specificity not found in the Act, will distinguish inland financial responsibility standards from marine standards, and provide much needed cleanup and clarification.

In enacting this program, the Legislature found that each year billions of gallons of crude oil and petroleum products are transported by vessel, railroad, truck, or pipeline over, across, under, and through the waters of this state. A major oil spill in state waters is extremely expensive because of the need to clean up discharged oil, protect sensitive environmental areas, and restore ecosystem damage. (Government Code section 8670.2) However, inland waterways differ from the ocean and coastal shorelines. Inland waterways consist of lakes, rivers, streams, wetlands, and also dry washes. Thus, OSPR is proposing financial responsibility based on whether the inland facility is within a quarter mile of a wash that is dry most of the year or a waterway that has water in it most of the year.

The benefits of the proposed regulations ensures a base amount of funding to cover costs associated with cleaning up an oil spill not only into marine waters, but now also into inland surface waters. Ultimately, these regulations will protect the state from incurring potentially millions of dollars annually in oil spill clean-up costs.

Evaluation of Inconsistency or Incompatibility with Existing Regulations

The proposed regulations are not inconsistent or incompatible with existing state regulations. OSPR is the only California state agency implementing an oil spill financial responsibility requirement.

The proposed regulations do not duplicate or conflict with federal regulations. There are federal regulations about financial responsibility for oil spills; however, OSPR's coverage amounts are generally higher than the federal requirements. The California statutory liability for an oil spill is broader than the liability provisions of the federal laws. (Government Code section 8670.56.5) This means the owner or operator of the facility is demonstrating to California that it can cover a broader spectrum of costs and damages from an oil spill than what is required from the federal laws. And OSPR is not preempted from promulgating these regulations.

DOCUMENTS INCORPORATED
BY REFERENCE

The following new forms, hereby incorporated by reference, are available on OSPR's website and upon request.

- Guaranty of Financial Responsibility for Oil Spill Response and Damages, referred to as DFW Form 1928 (06/21/17).
- Application for Certificate of Financial Responsibility for Inland Facilities, referred to as DFW Form 1932 (06/21/17).
- Surety Bond for Oil Spill Response and Damages, referred to as DFW Form 1948 (06/21/17).
- Trust Agreement, referred to as DFW Form 1961 (06/21/17).
- California Endorsement for Oil Spill Liabilities, referred to as DFW Form 1962 (06/21/17).

DETERMINATIONS REGARDING THE
PROPOSED ACTION

OSPR has made the following determinations, as required by Government Code section 11346.5(a)(5), (6), (7), (9) and State Administrative Manual section 6601:

(a) Mandate upon local agencies and school districts: None.

(b) Costs or savings to any state agency: None.

(c) Costs or savings to any local agency: None.

(d) Costs or savings to any local agency or school districts which must be reimbursed in accordance with part 7, division 4 (commencing with section 17500) of the Government Code: None.

(e) Other non-discretionary costs or savings imposed upon local agencies: None.

(f) Costs or savings in federal funding to the state: None.

(g) Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: The impacted companies are involved in the production, transport, refining, and distribution of oil within the state. In general, businesses from outside of California do not compete with California refineries or transporters (although facilities within California may be owned by a larger corporation based outside of California).

Inland producers do compete on the global market with all oil producers worldwide, but because they are located locally, have a strong economic advantage over

out-of-state competitors due to minimal transport costs. All domestic California oil production is consumed within California. The increased costs associated with demonstrating financial responsibility incurred by these companies is unlikely to affect their ability to compete with businesses from outside the state.

(h) Cost a representative private person or business would necessarily incur in reasonable compliance: There is no fee for a certificate of financial responsibility (COFR). The costs related to obtaining a COFR are dependent on two factors: the facility's method of demonstrating financial responsibility (i.e. insurance, surety bond, self-insurance, etc.) and the amount of financial responsibility a facility owner or operator is required to demonstrate. Based on OSPR's survey results, the estimated cost that a representative business may incur in reasonable compliance with these regulations is between \$8,900 and \$50,000 for the first year — likely a high estimate. However, some facilities may already have adequate pollution insurance. Some costs will slightly increase in future years, while others will decrease substantially. Overall, the total cost is expected to decline in future years.

(i) Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Pursuant to Government Code sections 11346.2 and 11346.3, and State Administrative Manual section 6601, with regard to the proposed regulations, OSPR determines the following:

- Whether this is a "major regulation" having an economic impact on businesses and individuals exceeding \$50,000,000 in any 12-month period between the date the regulation is estimated to be filed with the Secretary of the State through 12 months after the regulation is fully implemented

No, this is not a major regulation.

- Effects of the regulation on the creation or elimination of jobs within the State of California

It is possible that insurance companies may hire additional staff to meet the demand of additional business activity these regulations may cause, however, is likely to be very small (not exceeding a few individuals), given the small number of companies affected and new policies needed.

- Effects of the regulation on the creation of new businesses or the elimination of existing businesses within the State of California

Compliance with these regulations is not anticipated to result in any significant creation or elimination of existing businesses within the state. See the discussion in the previous bullet regarding the insurance industry.

- Effects of the regulation on the expansion of businesses currently doing business within the State of California

Compliance with these regulations is not anticipated to significantly expand current businesses within the state.

- Benefits of the regulation to the health and welfare of California residents

These regulations are implementing the financial responsibility requirements of inland operators. The initial burden for spill cleanup funding comes from the responsible party. The benefit is that in the event of an oil spill, there will be a proper amount of funding to pay for spill cleanup, providing Californians with a faster initiation of cleanup activities. If there is a spill from a company that is not required to have financial responsibility, there may be initial delay over who will start funding the cleanup.

- Benefits of the regulation to worker safety

None directly.

- Benefits of the regulation to the State's environment

The benefit is when there is a spill, there is a pre-identified source of funds to pay for oil spill cleanup. This minimizes confusion during emergency response and results in faster initiation and more controlled cleanup activities.

- Effect on small business

None of the businesses affected are small businesses as described and defined by sections 11346.3(b)(4)(A) or 11342.610 of the Government Code.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), OSPR must determine

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

The requirement to demonstrate financial responsibility for a potential oil spill in surface waters within the State of California is required by statute. Thus, there are no reasonable alternatives to this regulatory action.

OSPR invites interested persons to present reasonable alternatives to the proposed regulations during the written comment period

AVAILABILITY OF DOCUMENTS/
CONTACT PERSONS

OSPR will have the entire rulemaking file available for inspection and copying at its office at the address below. As of the publication date of this notice, the rulemaking file consists of this notice, the proposed text of the regulations, any forms incorporated by reference, and/or documents relied upon, the Initial Statement of Reasons, and the Economic and Fiscal Impact Statement (STD Form 399). Please direct requests for copies of the rulemaking file to the following:

Department of Fish and Wildlife
Office of Spill Prevention and Response
Attention: Christine Kluge
1700 K Street, Suite 250
Sacramento, California 95811
Phone: (916) 327-0910
Email: Christine.Kluge@wildlife.ca.gov

The backup contact person is:

Department of Fish and Wildlife
Office of Spill Prevention and Response
Attention: Dan Warren
1700 K Street, Suite 250
Sacramento, California 95811
Phone: (916) 324-0173
Email: Daniel.Warren@wildlife.ca.gov

AVAILABILITY OF DOCUMENTS ON
THE INTERNET

The entire rulemaking file can be accessed at:
<http://www.wildlife.ca.gov/OSPR/Legal/Proposed-Regulations/COFR>

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, OSPR may adopt the proposed regulations substantially as described in this notice. If OSPR makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before OSPR adopts the regulations as revised. Any such modifications will also be posted on OSPR's website. Please send requests for copies of any modified regulations to the attention of the contact person(s) as indicated above. OSPR will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT
OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the contact person named in this notice, or may be accessed on OSPR's website indicated above.

**TITLE 14. DEPARTMENT OF FISH
AND WILDLIFE/OFFICE OF SPILL
PREVENTION AND RESPONSE**

**DEFINITIONS & ABBREVIATIONS
and
INLAND FACILITY OIL SPILL
CONTINGENCY PLANS
Section 790
Section 817.04**

Notice is hereby given that the Department of Fish and Wildlife, Office of Spill Prevention and Response (OSPR) proposes to adopt regulations to amend section 790 and adopt section 817.04 in subdivision 4 of title 14 of the California Code of Regulations. These sections pertain to the General Definitions and Abbreviations as well as the Oil Spill Contingency Plans for Inland Facilities. OSPR invites interested persons to present comments, statements, or arguments with respect to the regulations at the scheduled hearings or during the written comment period.

PUBLIC HEARINGS

OSPR will hold two public hearings **at the following designated dates, times and locations.** These facilities

are wheelchair accessible. At the public hearings, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest below. OSPR requests, but does not require that the persons who make oral comments at the hearings also submit a written copy of their testimony at the hearings.

Date: Tuesday, February 13, 2018
Time: 9:00 a.m.–12:00 p.m.
Location: Natural Resources Building
Auditorium
1416 9th Street
Sacramento, CA 95814

Date: Thursday, February 22, 2018
Time: 1:30 p.m.–4:30 p.m.
Location: Associated Builders & Contractors
19466 Flight Path Way
Bakersfield, CA 93308

SUBMISSION OF WRITTEN COMMENTS

Any interested person or his or her authorized representative may submit to OSPR written comments relevant to the proposed regulatory action. **The written comment period closes at 5:00 p.m. on February 22, 2018.** All written comments must be received by OSPR by then in order to be considered. Written comments may be submitted at either of the hearings or by mail, fax, or e-mail, as follows:

Department of Fish and Wildlife
Office of Spill Prevention and Response
1700 K Street, Suite 250
Sacramento, California 95811
Fax: (916) 324-5662
E-mail: OSPRRegulations@wildlife.ca.gov

AUTHORITY AND REFERENCE

Government Code sections 8670.7.5, 8670.28 and 8670.29 directs the Administrator of OSPR to adopt regulations and guidelines for the proposed regulations. The proposed regulations implement, interpret and make specific Government Code sections 8670.7, 8670.7.5, 8670.10, 8670.13.1, 8670.13.2, 8670.17.2, 8670.23.1, 8670.28, 8670.29, 8670.30, 8670.31, and 8670.35.

INFORMATIVE DIGEST

Summary: The *Lempert–Keene–Seastrand Oil Spill Prevention & Response Act* (Act) of 1990 requires oper-

ators of certain facilities and large vessels to have an oil spill contingency plan for potential oil spill threats they pose to the marine waters.

In 2014, Senate Bill 861 was signed by the Governor and took effect immediately. The bill expanded OSPR's marine oil spill preparedness and response program to cover all state surface waters, thus expanding the contingency plan requirements to also apply to operators of facilities that pose an oil spill threat to inland surface waters. These inland operators generally consist of production facilities and oil wells, pipelines, terminals, railroads, and inland refineries.

Pursuant to Senate Bill 861, OSPR initiated emergency rulemaking approved on September 3, 2015 (OAL #: 2015-0825-05EFP). These regulations were readopted on September 1, 2016, and again on August 7, 2017 (OAL #'s: 2016-0822-03EFP and 2017-0727-04EFP, respectively). OSPR is initiating this regular rulemaking action to formally adopt amendments to the definitions section and to promulgate a contingency plan regulation for inland facilities.

OSPR is also initiating regular rulemaking on regulations significantly interrelated to this rulemaking. Those proposed regulations were also emergency rulemakings approved in the fall of 2015, and readopted in 2016 and 2017. They are for Certificates of Financial Responsibility (14 CCR §791-798); for Inland Facility Drills and Exercises (14 CCR §820.02); and Inland Ratings of Oil Spill Response Organizations (14 CCR §819-819.07). These other packages are also implementing legislative changes by Senate Bill 861.

POLICY STATEMENT OVERVIEW

Adoption of these regulations will implement, interpret, and provide specificity not found in the Act, will distinguish inland planning standards from marine standards, and provide much needed cleanup and clarification.

General Definitions and Abbreviations (section 790)

The definitions section was first enacted in 1991. The amendments to the definitions in Section 790 are included in this rulemaking to avoid the definitions being their own separate rulemaking and are combined with the contingency plan changes simply for efficiency. Adoption of the proposed amendments to the definitions regulations will generally:

- Delete unnecessary terms.
- Move definitions from other sections to consolidate them into section 790.
- Cleanup terms for clarity, consistency, and uniformity (e.g. capitalization, punctuation, consistent use of terms or phrases, etc.).

Inland Facility Oil Spill Contingency Plans (section 817.04)

This new section for contingency plan requirements for inland facilities is modeled from the current contingency plan requirements for marine facilities and vessels. Adoption of the proposed inland contingency plan regulations will generally:

- Describe the scope and purpose of the inland oil spill contingency plan requirements for inland operators. This is necessary because this is a new mandate.
- Specify which operators are required to comply, and which are not.
- Provide exemptions for those operators for whom these requirements would otherwise apply.
- Allow an operator with multiple facilities to submit a single contingency plan that covers all operations, commonly referred to as a “blanket plan”.
- Describe in detail the content of the plan, and the required timeframes for spill response resources to arrive.
- Clarify spill reporting requirements.
- Describe the requirements for handling oiled wildlife.
- Clarify the requirement of the use of the incident command system, the use of federal area contingency plans, and geographic response plans.
- Provide that plan holders must participate in oil spill exercises and drills.
- Describe enforcement and compliance options available to the if the contingency plan requirements are not followed. This provides due process to the plan holder.

ANTICIPATED BENEFITS OF THE
PROPOSED ACTION

General Definitions and Abbreviations (section 790)

The benefit of amending this section is primarily to consolidate all definitions that are widely used in subdivision 4 into one section and to clean up terms for clarity, consistency, and uniformity (e.g., capitalization, punctuation, consistent use of terms or phrases, etc.). This also eliminates the duplication of terms in multiple sections potentially creating scenarios where a term in one section might be updated, but unintentionally overlooked in another section, which would cause considerable confusion.

Oil Spill Contingency Plans (section 817.04)

Government Code sections 8670.28 and 8670.29 direct the OSPR Administrator to adopt regulations regarding oil spill contingency plans, providing for the best achievable protection of waters and natural resources of the state. In enacting this program, the Legislature found that each year billions of gallons of crude oil and petroleum products are transported by vessel, railroad, truck, or pipeline over, across, under, and through the waters of this state. Oil spill accidents can be a significant threat to the environment of sensitive areas. California’s lakes, rivers, other inland waters are treasured environmental and economic resources that the state cannot afford to place at undue risk from an oil spill. A major oil spill in state waters is extremely expensive because of the need to clean up discharged oil, protect sensitive environmental areas, and restore ecosystem damage. These regulations ensure oil spill contingency plans are in place to facilitate quicker, more efficient response to oil spills into inland waters.

Evaluation of Inconsistency or Incompatibility with Existing Regulations

The proposed regulations are not inconsistent or incompatible with existing state regulations. OSPR has the most robust requirements for oil spill response planning, preparedness, and actual response.

There are federal regulations about contingency plans for oil spills. However, the California requirements are not preempted by federal law. And the California requirements are different from the federal law, such as reliance on an oil spill response organization that has been rated by OSPR and exercise of the plan through OSPR-specific exercise objectives. OSPR is not preempted from promulgating these regulations.

Some state and federal agencies have regulations for prevention of spills, but OSPR does not regulate prevention of spills from facilities.

DOCUMENTS INCORPORATED
BY REFERENCE

None.

DETERMINATIONS REGARDING
THE PROPOSED ACTION

OSPR has made the following determinations, as required by Government Code section 11346.5(a)(5), (6), (7), (9) and State Administrative Manual section 6601:

- (a) *Mandate upon local agencies and school districts:* None.
- (b) *Costs or savings to any state agency:* None.
- (c) *Costs or savings to any local agency:* None.

- (d) *Costs or savings to any local agency or school districts which must be reimbursed in accordance with part 7, division 4 (commencing with section 17500) of the Government Code:* None.
- (e) *Other non-discretionary costs or savings imposed upon local agencies:* None.
- (f) *Costs or savings in federal funding to the state:* None.
- (g) *Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states:* The proposed action will not have a significant statewide adverse economic impact directly affecting business, or affect the ability of California businesses to compete with businesses in other states.
- (h) *Cost a representative private person or business would necessarily incur in reasonable compliance:* OSPR is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (i) *Significant effect on housing costs:* None.

RESULTS OF THE ECONOMIC
IMPACT ASSESSMENT

Pursuant to Government Code sections 11346.2 and §11346.3, and State Administrative Manual section 6601, with regard to the proposed regulations, OSPR determines the following:

- Whether this is a “major regulation”, having an economic impact on businesses and individuals exceeding \$5,000,000 in any 12-month period between the date the regulation is estimated to be filed with the Secretary of the State through 12 months after the regulation is fully implemented

No, this is not a major regulation.

- Effects of the regulation on the creation or elimination of jobs within the State of California

These regulations may result in additional business activity (e.g. the use of contractors). Planning consultants, oil spill response organizations, and spill management teams may hire additional staff in order to assist the operators who must comply with these regulations. This effect, however, is likely to be very small given the small number of companies affected.

- Effects of the regulation on the creation of new businesses or the elimination of existing businesses within the State of California

See the response to the previous question regarding the creation or elimination of jobs.

- Effects of the regulation on the expansion of businesses currently doing business within the State of California

Planning consultants that prepare contingency plans, oil spill response organizations that respond to oil spills, and spill management teams that oversee oil spill response may expand in order to assist the operators who must comply with these regulations.

- Benefits of the regulation to the health and welfare of California residents

These regulations ensure a minimum level of resources will be used to cleanup oil spills in inland waterways, thus benefiting the communities affected by a spill.

- Benefits of the regulation to worker safety

Oil spill contingency plans must include an organizational structure to safely manage response to oil spills thereby enhancing worker safety.

- Benefits of the regulation to the State’s environment

Oil spill contingency plans ensure that the operators have pre-identified a competent cleanup contractor and a spill management team to promptly respond to an oil spill. The regulations establish planning standards for a minimum amount of equipment to arrive on-scene by a certain time. Plans must also identify response strategies for the waterways they pose a risk to. Thus, these regulations protect the environment by promoting a pre-planned response to an oil spill.

- Business Reporting Requirement

OSPR finds that it is necessary for the health, safety, or welfare of the people of this state that proposed section 817.04 which requires a report, apply to businesses.

• *Effect on small business:*

None of the businesses affected are small businesses as described and defined by sections 11346.3(b)(4)(A) or 11342.610 of the Government Code.

Department of Fish and Wildlife
Office of Spill Prevention and Response
Attention: Dan Warren
1700 K Street, Suite 250
Sacramento, California 95811
Phone: (916) 324-0173
Email: Daniel.Warren@wildlife.ca.gov

CONSIDERATION OF ALTERNATIVES

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

The oil spill contingency plan requirements are created by statute, and are required to be implemented by OSPR. There are no reasonable alternatives.

OSPR invites interested persons to present reasonable alternatives to the proposed regulations during the written comment period.

AVAILABILITY OF DOCUMENTS/OSPR
CONTACT PERSON

OSPR will have the entire rulemaking file available for inspection and copying at its office at the address below. As of the publication date of this notice, the rulemaking file consists of this notice, the proposed text of the regulations, the Initial Statement of Reasons, and the Economic and Fiscal Impact Statement (STD Form 399). Please direct requests for copies of the rulemaking file to the following:

Department of Fish and Wildlife
Office of Spill Prevention and Response
Attention: Christine Kluge
1700 K Street, Suite 250
Sacramento, California 95811
Phone: (916) 327-0910
Email: Christine.Kluge@wildlife.ca.gov

The backup contact person is:

AVAILABILITY OF DOCUMENTS ON
THE INTERNET

The entire rulemaking file can be accessed at: <http://www.wildlife.ca.gov/OSPR/Legal/Proposed-Regulations/Contingency-Plans>

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

After holding the hearings and considering all timely and relevant comments received, OSPR may adopt the proposed regulations substantially as described in this notice. If OSPR makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before OSPR adopts the regulations as revised. Any such modifications will also be posted on OSPR's website. Please send requests for copies of any modified regulations to the attention of the contact person(s) as indicated above. OSPR will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT
OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the contact person named in this notice, or may be accessed on OSPR's website indicated above.

**TITLE 14. DEPARTMENT OF FISH
AND WILDLIFE/OFFICE OF SPILL
PREVENTION AND RESPONSE**

**OIL SPILL CONTINGENCY PLANS
Drills and Exercises — Inland Facilities
Section 820.02**

Notice is hereby given that the Department of Fish and Wildlife, Office of Spill Prevention and Response

(OSPR) proposes to adopt section 820.02 of subdivision 4 of title 14 of the California Code of Regulations. This section pertains to the Drills and Exercise Requirements for Inland Facility Oil Spill Contingency Plans. OSPR invites interested persons to present comments, statements, or arguments with respect to the regulations at the scheduled hearings or during the written comment period.

PUBLIC HEARINGS

OSPR will hold two public hearings **at the following designated dates, times and locations.** These facilities are wheelchair accessible. At the public hearings, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest below. OSPR requests, but does not require that persons who make oral comments at the hearings also submit a written copy of their testimony at the hearings.

Date: Tuesday, February 13, 2018
 Time: 9:00 a.m.–12:00 p.m.
 Location: Natural Resources Building
 Auditorium
 1416 9th Street
 Sacramento, CA 95814

Date: Thursday, February 22, 2018
 Time: 1:30 p.m.–4:30 p.m.
 Location: Associated Builders & Contractors
 19466 Flight Path Way
 Bakersfield, CA 93308

SUBMISSION OF WRITTEN COMMENTS

Any interested person or his or her authorized representative may submit to OSPR written comments relevant to the proposed regulatory action. **The written comment period closes at 5:00 p.m. on February 22, 2018.** All written comments must be received by OSPR by then in order to be considered. Written comments may be submitted at either of the hearings or by mail, fax, or e-mail, as follows:

Department of Fish and Wildlife
 Office of Spill Prevention and Response
 1700 K Street, Suite 250
 Sacramento, California 95811
 Fax: (916) 324-5662
 E-mail: OSPRRegulations@wildlife.ca.gov

AUTHORITY AND REFERENCE

Government Code section 8670.10 and 8670.29 grants the Administrator of OSPR the authority to adopt regulations and guidelines for the proposed regulations and the authority to carry out announced and unannounced drills and exercises to test the elements of an oil spill contingency plan. The proposed regulations implement, interpret and make specific Government Code sections 8670.10, 8670.28, 8670.29, 8670.30, and 8670.31.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Summary: The *Lempert–Keene–Seastrand Oil Spill Prevention & Response Act* (Act) of 1990 requires every owner or operator of a facility or vessel with an oil spill contingency plan to participate in tabletop exercises and equipment deployment drills to test the elements of their oil spill contingency plan. (Government Code section 8670.29(b)(9)) These exercises and drills prepare them for response to oil spill threats they potentially pose to marine waters. OSPR currently has requirements for tabletop exercises and equipment deployment drills for marine facilities and vessels. (Title 14, CCR section 820.01)

In 2014, Senate Bill 861 was signed by the Governor and took effect immediately. The bill expanded the OSPR marine oil spill preparedness and response program to cover all state surface waters, thus expanding the drills and exercise requirements to also apply to operators of facilities that pose an oil spill threat to *inland* surface waters. These inland operators generally consist of production facilities and oil wells, pipelines, terminals, railroads, and inland refineries.

Pursuant to Senate Bill 861, OSPR initiated emergency rulemaking approved on September 3, 2015 (OAL #: 2015-0825-04EFP). These regulations were readopted on September 1, 2016, and again on August 7, 2017 (OAL #'s: 2016-0822-01EFP and 2017-0727-05EFP, respectively). OSPR is initiating this regular rulemaking action to formally adopt the requirements for inland facilities to initiate and participate in tabletop exercises and equipment deployment drills to prepare for and respond to oil spills into inland waterways.

OSPR is also initiating regular rulemaking on regulations significantly interrelated to this rulemaking. Those proposed regulations were also emergency rulemakings approved in the fall of 2015, and readopted in 2016 and 2017. They are for Oil Spill Contingency Plans and Definitions & Abbreviations; for Certificates of Financial Responsibility; and for Inland Ratings of Oil Spill Response Organizations. These other packages are also implementing legislative changes by Senate Bill 861.

Policy Statement Overview and Anticipated Benefits of the Proposed Action:

Adoption of these regulations will implement, interpret, and add specificity not found in the Act, as it relates to the drills and exercises requirements of inland facilities that pose a threat of an oil spill to inland waters of the state.

The proposed regulations ensure that inland facility owners and operators are adequately trained and prepared to respond to an oil spill in waters of the state, which could potentially eliminate or mitigate the impacts of the spill on the environment. This helps ensure that OSPR is meeting the statutory requirements of Best Achievable Protection found in Government Code section 8670.3(b)(1) and further strengthens the immediate and ongoing protective standards for California's inland natural resources in response to threats of oil spills to inland surface waters.

The proposed regulations will distinguish inland facility drills and exercise standards from marine standards. It would also identify the inland riparian environments (which differ from the ocean and coastal shorelines) that are now part of OSPR's statewide oil spill planning, preparedness and response program. Examples of such inland waterways consist of lakes, rivers, streams, wetlands, but also dry washes. As a result, these regulations differ in discrete ways from the preexisting regulations for the marine environment.

Evaluation of Inconsistency or Incompatibility with Existing Regulations

The proposed regulations are not inconsistent or incompatible with existing state regulations. No other state agency has equipment deployment drill or tabletop exercise requirements to prepare for oil spill response.

The proposed regulations are similar to but do not conflict with federal regulations. The National Preparedness for Response Exercise Program (NPREP) was developed in 1990 to establish an exercise program for spill response preparedness pursuant to Section 1321(j)(6) and (7) of Title 33 of the United States Code. However, states are not preempted from building upon NPREP, which OSPR has done since the mid-1990's. OSPR's requirements generally are more thorough than the federal requirements.

OSPR works closely with federal counterparts, such as the U.S. Coast Guard, the U.S. Environmental Protection Agency (EPA), and the U.S. Bureau of Safety and Environmental Enforcement. OSPR, the U.S. Coast Guard, and U.S. EPA conduct tabletop exercises and equipment deployment drills with plan holders on average several times a month.

DOCUMENTS INCORPORATED BY REFERENCE

The following forms, hereby incorporated by reference, are available on OSPR's website and upon request.

- Request for Drill/Exercise Credit — Inland Facilities Form (DFW 1973) 06/05/17

DETERMINATIONS REGARDING THE PROPOSED ACTION

OSPR has made the following determinations, as required by Government Code section 11346.5(a)(5), (6), (7), (9) and State Administrative Manual section 6601:

- (a) ***Mandate upon local agencies and school districts:*** None.
- (b) ***Costs or savings to any state agency:*** None.
- (c) ***Costs or savings to any local agency or school districts which must be reimbursed in accordance with part 7, division 4 (commencing with section 17500) of the Government Code:*** None.
- (d) ***Other non-discretionary costs or savings imposed upon local agencies:*** None
- (e) ***Costs or savings in federal funding to the state:*** None.
- (f) ***Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states:*** None.
- (g) ***Cost impacts on representative private persons or businesses:*** OSPR is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (h) ***Effect on small business:*** None.
- (i) ***Significant effect on housing costs:*** None
- (j) ***Business Reporting Requirement:*** None.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Pursuant to Government Code sections 11346.2 and 11346.3, and State Administrative Manual section 6601, with regard to the proposed regulations, OSPR determines the following:

- Whether this is a “major regulation” having an economic impact on businesses and individuals exceeding \$50,000,000 in any 12-month period between the date the regulation is estimated to be filed with the Secretary of the State through 12 months after the regulation is fully implemented

No, this is not a major regulation.

- Effects of the regulation on the creation or elimination of jobs within the State of California

While there may be a slight increase in jobs for providers of services for oil spill planning, spill management, exercise planning, and spill cleanup, OSPR does not anticipate this regulation will result in significant creation or elimination of jobs within the State of California.

- Effects of the regulation on the creation of new businesses or the elimination of existing businesses within the State of California

Will not result in the creation of new businesses or the elimination of existing businesses within the State of California.

- Effects of the regulation on the expansion of businesses currently doing business within the State of California

Response planning consultants, spill management teams, and oil spill response companies may expand in order to assist the operators who must comply with these regulations, however, there is no foreseeable significant expansion of businesses currently doing business within the State of California.

- Benefits of the regulation to the health and welfare of California resident, worker safety, and the State’s environment

Will provide benefits to the health and welfare of California residents, worker safety, and the state’s environment by ensuring that there is pre-identified equipment, adequately trained and prepared staff to respond to an oil spill in all waters of the state, which could potentially eliminate or mitigate the impacts of the spill on the environment. Additionally, being prepared with the knowledge of environmentally sensitive areas identified through the process of drills and exercises leads to implementing protection strategies more quickly during a spill.

- Effect on small business

None, as none of the businesses affected are small businesses as described and defined by sections 11346.3(b)(4)(A) or 11342.610 of the Government Code.

CONSIDERATION OF ALTERNATIVES

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

The requirement to initiate and participate in tabletop exercises and equipment deployment drills for a potential oil spill into surface waters within California is required by statute. Thus, there are no reasonable alternatives to this regulatory action.

OSPR invites interested persons to present reasonable alternatives to the proposed regulations at the scheduled hearings or during the written comment period.

AVAILABILITY OF DOCUMENTS/OSPR CONTACT PERSON

OSPR will have the entire rulemaking file available for inspection and copying at its office at the address below. As of the publication date of this notice, the rulemaking file consists of this notice, the proposed text of the regulations, any forms incorporated by reference, and/or documents relied upon, the Initial Statement of Reasons, and the Economic and Fiscal Impact Statement (STD Form 399). Please direct requests for copies of the rulemaking file to the following:

Department of Fish and Wildlife
Office of Spill Prevention and Response
Attention: Christine Kluge
1700 K Street, Suite 250
Sacramento, California 95811
Phone: (916) 327-0910
Email: Christine.Kluge@wildlife.ca.gov

The backup contact person is:

Department of Fish and Wildlife
 Office of Spill Prevention and Response
 Attention: Dan Warren
 1700 K Street, Suite 250
 Sacramento, California 95811
 Phone: (916) 324-0173
 Email: Daniel.Warren@wildlife.ca.gov

819.02, 819.03, 819.04, 819.05, 819.06, and 819.07 of subdivision 4 of title 14 of the California Code of Regulations. These sections pertain to the ratings of Oil Spill Response Organizations. OSPR invites interested persons to present comments, statements, or arguments with respect to the regulations at the scheduled hearings or during the written comment period.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The entire rulemaking file can be accessed at: <http://www.wildlife.ca.gov/OSPR/Legal/Proposed-Regulations/Drills-Exercises>

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearings and considering all timely and relevant comments received, OSPR may adopt the proposed regulations substantially as described in this notice. If OSPR makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before OSPR adopts the regulations as revised. Any such modifications will also be posted on OSPR's website. Please send requests for copies of any modified regulations to the attention of the contact person(s) as indicated above. OSPR will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the contact person named in this notice, or may be accessed on OSPR's website indicated above.

TITLE 14. DEPARTMENT OF FISH AND WILDLIFE/OFFICE OF SPILL PREVENTION AND RESPONSE

OIL SPILL RESPONSE ORGANIZATION RATINGS

Sections 819-819.07

Notice is hereby given that the Department of Fish and Wildlife, Office of Spill Prevention and Response (OSPR) proposes to amend sections 819, 819.01,

PUBLIC HEARINGS

OSPR will hold two public hearings at the following designated dates, times and locations. These facilities are wheelchair accessible. At the public hearings, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest below. OSPR requests, but does not require that the persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

Date: Tuesday, February 13, 2018
 Time: 9:00 a.m.–12:00 p.m.
 Location: Natural Resources Building Auditorium
 1416 9th Street
 Sacramento, CA 95814

Date: Thursday, February 22, 2018
 Time: 1:30 p.m.–4:30 p.m.
 Location: Associated Builders & Contractors
 19466 Flight Path Way
 Bakersfield, CA 93308

SUBMISSION OF WRITTEN COMMENTS

Any interested person or his or her authorized representative may submit to OSPR written comments relevant to the proposed regulatory action. **The written comment period closes at 5:00 p.m. on February 22, 2018.** All written comments must be received by OSPR by then in order to be considered. Written comments may be submitted at either of the hearings or by mail, fax, or e-mail, as follows:

Department of Fish and Wildlife
 Office of Spill Prevention and Response
 1700 K Street, Suite 250
 Sacramento, California 95811
 Fax: (916) 324-5662
 E-mail: OSPRRegulations@wildlife.ca.gov

AUTHORITY AND REFERENCE

Government Code sections 8670.7.5, 8670.28, 8670.30 grants the Administrator of OSPR the authori-

ty to adopt regulations and guidelines for these proposed regulations. The proposed regulations implement, interpret and make specific Government Code sections 8670.7.5, 8670.28, 8670.30, and 8670.56.6.

INFORMATIVE DIGEST

Summary: The *Lempert–Keene–Seastrand Oil Spill Prevention & Response Act* (Act) of 1990 requires operators of certain facilities and large vessels to have an oil spill contingency plan for potential oil spill threats they pose to the marine waters. These plan holders must identify a cleanup contractor; the contractors are known as oil spill response organizations (OSRO). In 2001, Assembly Bill 715 was enacted to give the OSPR Administrator authority to directly regulate the capabilities of cleanup contractors for oil spill response. (Government Code section 8670.30) The plan holders then became required to contract with an OSRO that had been rated by the Administrator of OSPR. (Government Code section 8670.29(b)(6))

In 2014, Senate Bill 861 was signed by the Governor and took effect immediately. The bill expanded the OSPR marine oil spill preparedness and response program to cover all state surface waters, thus expanding the OSRO rating program to protect inland surface waters from potential oil spills. The existing OSRO rating system establishes minimum equipment and response times for responding to an oil spill in marine waters. However, inland waterways, consisting of lakes, rivers, streams, wetlands, and dry washes, are very different from the ocean and coastal shorelines. These regulations would establish ratings within the newly developed Response Planning Areas, and establish a “terrestrial” rating for addressing spills to waterways that are dry most of the time, such as dry washes.

Pursuant to Senate Bill 861, OSPR initiated emergency rulemaking approved on October 12, 2015 (OAL #: 2015–1002–05EFP). These regulations were readopted on October 4, 2016, and again on August 7, 2017 (OAL #'s: 2016–0927–03EFP and 2017–0727–06EFP, respectively). OSPR is initiating this regular rulemaking action to formally adopt amendments to implement the OSRO rating provisions of Senate Bill 861.

OSPR is also initiating regular rulemaking on regulations significantly interrelated to this rulemaking. Those proposed regulations were also emergency rulemakings approved in September 2015, and readopted in 2016 and 2017. They are for Oil Spill Contingency Plans and Definitions & Abbreviations (14 CCR §817.04 and §790); Inland Facility Drills and Exercises (14 CCR §820.02); and Certificates of Financial Responsibility (14 CCR §§791–798). These other regula-

tory packages are also implementing legislative changes by Senate Bill 861.

Policy Statement Overview and Anticipated Benefits of the Proposed Action

Adoption of these regulations will implement, interpret, and provide specificity not found in the Act, and will distinguish inland response planning standards from marine standards, and provide much needed cleanup and clarification.

Building upon OSPR’s existing marine OSRO rating program, these regulations will establish minimum equipment and response capability guidelines for oil spill response organizations for responding to an oil spill in the inland dry and wet terrain and would establish a “terrestrial” rating system, which is necessary for plan holders who pose a risk to waterways which are dry most of the year.

The benefits of the proposed regulations ensures there are oil spill cleanup contractors with the knowledge and skills to be ready for fast, effective response inland surface waters. Ultimately, these regulations will protect the state from incurring greater environmental damage, than if this program did not exist.

Evaluation of Incompatibility With Existing Regulations

The proposed regulations are not inconsistent or incompatible with existing state regulations. OSPR is the only California state agency implementing an oil spill response organization rating program. The proposed regulations do not duplicate or conflict with federal regulations. The U.S. Coast Guard has recently started administering a similar program to “classify” oil spill response organizations. However, the U.S. Coast Guard’s program is different; OSPR’s regulations generally are more comprehensive or protective than the federal requirements. Further, OSPR is not preempted from promulgating these regulations.

DETERMINATIONS REGARDING THE PROPOSED ACTION

OSPR has made the following determinations, as required by Government Code §11346.5(a)(5), (6), (7), (9) and State Administrative Manual §6601:

- (a) *Mandate upon local agencies and school districts:* None.
- (b) *Costs or savings to any state agency:* None.
- (c) *Costs or savings to any local agency or school districts which must be reimbursed in accordance with part 7, division 4 (commencing with section 17500) of the Government Code:* None.
- (d) *Other non-discretionary costs or savings imposed upon local agencies:* None.

- (e) *Costs or savings in federal funding to the state:* None.
- (f) *Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states:* None.
- (g) *Cost impacts on representative private persons or businesses:* OSPR is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (h) *Significant effect on housing costs:* None.

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

Having requirements for ratings, which include resources and timelines, will ensure that OSRO's contracted for inland oil spill response are capable of providing appropriate and timely response to oil spills that could impact waters of the state. Therefore, by ensuring that OSRO's are adequately prepared, potentially eliminates or mitigates the impacts of the spill on the environment, in turn, benefits the health and welfare of California residents, worker safety, and the state's environment.

- *Small business determination*

OSPR anticipates no effect on small businesses, as defined by Government Code section 11342.610.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Pursuant to Government Code §11346.2 and §11346.3, and State Administrative Manual §6601, with regard to the proposed regulations, OSPR determines the following:

- *Effects of the regulation on the creation or elimination of jobs within the State of California*

By creating a certification regime through the rating of OSROs, OSPR is creating a stable market opportunity in which companies may participate and provide a service defined and approved by OSPR. This will likely lead to more OSROs, and more associated jobs, than without the regulations.

- *Effects of the regulation on the creation of new businesses or the elimination of existing businesses within the State of California*

See the answer above. By creating an OSRO rating system, OSPR is defining a service that business may provide, in turn likely leading to the creation of more business than would otherwise exist without the regulations.

- *Effects of the regulation on the expansion of businesses currently doing business within the State of California*

By expanding from a pre-existing OSRO rating system in the marine environment, OSPR is aware of some OSROs expanding inland, obtaining an inland rating, and thus expanding their business.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), OSPR must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to the attention of OSPR, 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.

Statute requires an oil spill contingency plan to list at least one rated OSRO. Cleanup companies voluntarily submit to the program to be rated. OSPR is required to develop and implement the rating program. There are no regulatory alternatives.

OSPR invites interested persons to present reasonable alternatives to the proposed regulations during the written comment period.

AVAILABILITY OF DOCUMENTS/OSPR CONTACT PERSON

OSPR will have the entire rulemaking file available for inspection and copying at its office at 1700 K Street, Sacramento, CA 95811. As of the publication date of this notice, the rulemaking file consists of this notice, the proposed text of the regulations, the Initial State-

ment of Reasons, and the Economic and Fiscal Impact Statement (STD Form 399). Please direct requests for copies of the rulemaking file to the following:

Department of Fish and Wildlife
Office of Spill Prevention and Response
Attention: Christine Kluge
1700 K Street, Suite 250
Sacramento, California 95811
Phone: (916) 327-0910
Email: Christine.Kluge@wildlife.ca.gov

The backup contact person is:

Department of Fish and Wildlife
Office of Spill Prevention and Response
Attention: Dan Warren
1700 K Street, Suite 250
Sacramento, California 95811
Phone: (916) 324-0173
Email: Daniel.Warren@wildlife.ca.gov

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearings and considering all timely and relevant comments received, OSPR may adopt the proposed regulations substantially as described in this notice. If OSPR makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before OSPR adopts the regulations as revised. Any such modifications will also be posted on OSPR's website. Please send requests for copies of any modified regulations to the attention of the contact person(s) as indicated above. OSPR will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the contact person named in this notice, or may be accessed on OSPR's website indicated below.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The entire rulemaking file can be accessed at: <http://www.wildlife.ca.gov/OSPR/Legal/Proposed-Regulations/OSRO>

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Section 5058, proposes to amend sections 3177 and 3315 of the California Code of Regulations (CCR), Title 15, Division 3, concerning Family Visiting (Overnight) and Inmate Discipline.

PUBLIC HEARING

Date and Time: **February 19, 2018** —
10:00 a.m. to 11:00 a.m.
Place: Department of Corrections and
Rehabilitation
Colorado Room
1515 S Street — North Building
Sacramento, CA 95811
Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD

The public comment period will close **February 19, 2018 at 5:00 p.m.** Any person may submit public comments in writing (by mail or by e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; or by e-mail at RPMB@cdcr.ca.gov before the close of the comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:

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

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

**Anthony Carter
Regulation and Policy Management Branch
Telephone (916) 445-2266**

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

Mark Tillotson
Division of Adult Institutions
Department of Corrections and Rehabilitation
(916) 323-2877

INFORMATIVE DIGEST/POLICY STATEMENT
 OVERVIEW

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

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

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

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

This action amends Section 3177 and 3315 of the CCR, Title 15, Division 3 concerning Family Visiting (Overnight) and Inmate Discipline. Current regulations govern Inmate's Family Visiting (Overnight) privileges and Inmate Discipline, including eligibility, restrictions, and other circumstances that qualify or disqualify inmates and their families for such visitations.

New state law PC 6404 grants family visits to inmates who are sentenced to life without the possibility of parole or sentenced to life without a parole date established by the Board of Parole Hearings. The proposed regulations will make current regulations compliant with this statute. The proposed regulations also categorize loss of family overnight visiting privileges and also provide new eligibility of family visits for inmates convicted of a violent offense.

SPECIFIC BENEFITS ANTICIPATED BY THE
 PROPOSED REGULATIONS

The proposed regulatory action will benefit CDCR staff, inmates, and the public by ensuring that CDCR is in compliance with the new state law, PC 6404; but also promotes positive behavior by providing the opportunity to gain eligibility for family visits that current regula-

tions do not provide. The revisions to the eligibility criteria for family visits is anticipated to reduce violence, decrease the level of contraband, and promote an atmosphere of positive behavior and self-improvement to better prepare an inmate for successful release and/or rehabilitation.

EVALUATION OF
 CONSISTENCY/COMPATIBILITY WITH
 EXISTING REGULATIONS

The Department has determined that these proposed regulations are consistent and compatible with existing state laws and regulations. The Department reached this conclusion because these proposed regulations supplement existing regulations by expanding search options/tools to search inmates, and inmate property, which is authorized by law.

LOCAL MANDATES

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

FISCAL IMPACT STATEMENT

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

EFFECT ON HOUSING COSTS

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

SIGNIFICANT STATEWIDE ADVERSE
 ECONOMIC IMPACT ON BUSINESS

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

**RESULTS OF ECONOMIC
IMPACT ASSESSMENT**

The Department has determined that the proposed regulations will have no impact on the creation of new or the elimination of existing jobs or businesses within California or affect the expansion of businesses currently doing business in California. The Department has determined that the proposed regulations will have no effect on the health of California residents or the state's environment, because the proposed regulations relate strictly to the management of CDCR institutions.

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

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

EFFECT ON SMALL BUSINESSES

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

CONSIDERATION OF ALTERNATIVES

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

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

The Department has prepared, and will make available, the proposed text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon re-

quest directed to the Department's contact person. The proposed text, ISOR, and Notice of Proposed Action will also be made available on the Department's website <http://www.cdcr.ca.gov>.

**AVAILABILITY OF THE FINAL STATEMENT
OF REASONS**

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

**AVAILABILITY OF CHANGES TO
PROPOSED TEXT**

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

**TITLE 16. BUREAU OF AUTOMOTIVE
REPAIR**

**SMOG CHECK INSPECTION EQUIPMENT
PROCEDURES, AND REFERENCE DOCUMENTS**

NOTICE IS HEREBY GIVEN that the Department of Consumer Affairs/Bureau of Automotive Repair (hereinafter "Bureau" or "BAR") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at hearings to be held at the following location on the following date:

NORTHERN CALIFORNIA

February 12, 2018
10:00 a.m.
Bureau of Automotive Repair
Hearing Room
10949 North Mather Blvd
Rancho Cordova, CA 95670

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact

Person in this Notice, must be received by the Bureau at its office no later than 5:00 p.m. on Monday, February 12, 2018, or must be received by the Bureau at the above referenced hearing. The Bureau, upon its own motion or at the request of any interested party, may thereafter formally adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit oral or written testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Section 9882 of the Business and Professions Code, and to implement, interpret or make specific Sections 44001.5, 44002, 44003, 44012.1, 44013, 44036, 44037. 1, and 44072.10 of the Health and Safety Code, the Bureau is proposing to adopt the following changes to Article 5.5 of Chapter 1, Division 33, Title 16, California Code of Regulations.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

BAR is the state agency charged with administration and implementation of the Smog Check Program (Program). The Program is designed to reduce air pollution from mobile sources, such as passenger vehicles and trucks, by requiring that these vehicles meet specific inspection standards. Currently, Smog Check stations are required to use equipment known as the BAR-97 Emissions Inspection System (EIS) to perform tailpipe based inspections on 1999 and older model year vehicles and other gasoline powered vehicles that do not have On Board Diagnostic OBDII systems. BAR is making changes to the specifications for this equipment and to the procedures followed by inspectors using this equipment.

California began using BAR-97 EIS in 1998. Since then, BAR has made several changes to implement new Smog Check requirements; however none of the updates resulted in new equipment systems. The greatest issue with current equipment is the lack of available replacement parts. This issue has been addressed by proposed requirements to use current technology computers and software. BAR-97 EIS are still using software written to run on obsolete Microsoft Disk Operating System (DOS) and IBM OS2 operating systems instead

of a supported software operating system version like Windows 7. Requiring the recertification of BAR-97 EIS will result in the installation and use of currently available emissions measurement components as well. BAR's specifications also require obsolete hardware like phone modems and floppy disk drives which have been replaced by USB drives and Internet connection. The EIS have used a traditional dial up modem and phone line to transmit data to BAR's central database for the last 20 years. This technology is becoming unreliable, difficult to maintain, and obsolete.

The proposed regulatory action will update the document incorporated by reference titled "BAR-97 Emission Inspection System Specifications" dated July 2017, with new requirements to utilize current technology, match current inspection procedures, and collect additional data. Stations performing tailpipe based inspections will be required to utilize BAR-97 EIS certified to the new specification, including using an Internet connection to BAR's central database in lieu of a traditional phone line.

The proposed regulatory action would update the document incorporated by reference titled "Smog Check Manual" dated November 2017, to require stations to use an Internet connection from their BAR-97 EIS to BAR's central database in lieu of a traditional phone line. The proposed regulation would also update the Smog Check Manual to clarify and document existing inspection procedures.

DOCUMENTS INCORPORATED BY REFERENCE

- ▶ Smog Check Manual, November 2017.
- ▶ BAR-97 Emission Inspection System Specifications, July 2017.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

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

FISCAL IMPACT ESTIMATES

FISCAL IMPACT ON PUBLIC AGENCIES INCLUDING COSTS OR SAVINGS TO STATE AGENCIES AND COSTS/SAVINGS IN FEDERAL FUNDING TO THE STATE

Costs associated with the development of the specifications and certification of the equipment will be fully absorbed within existing resources.

This proposal will result in no costs or savings in federal funding to the state.

NONDISCRETIONARY 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.

BUSINESS IMPACT

BAR has made an initial determination that the proposed regulation may have a statewide economic impact directly affecting businesses.

Smog Check stations that are STAR certified or are not STAR certified but choose to perform tailpipe based inspections on older model year vehicles, will be required to obtain and use a BAR–97 Emissions Inspection System meeting the proposed 2017 specification. This will require about one third of the stations statewide to acquire new systems. No obligation rent options costing \$450 per month are available and include both service and replacement consumable parts. This monthly rate is similar to the existing annual maintenance contract cost associated with equipment currently in use. Some stations that seldom use the equipment choose to not maintain a service contract, so such stations may incur greater expense since the lease cost could be higher than paying out of pocket for occasional maintenance. If there is an increased equipment cost in the station, it would be absorbed to remain competitive with other stations, or would be passed on to customers via increased Smog Check inspection fees. Supply and demand affects the inspection fee because it is not BAR regulated.

The BAR has made an initial determination that the adoption of this regulation may have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The BAR has considered proposed alternatives that would lessen any adverse economic impact on business and invites

the public to submit proposals as well. Submissions may include the following considerations:

- (i) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.
- (ii) Consolidation or simplification of compliance and reporting requirements for businesses.
- (iii) The use of performance standards rather than prescriptive standards.
- (iv) Exemption or partial exemption from the regulatory requirements for businesses.

Smog Check stations currently use equipment originally sold by four vendors. Two of these vendors have expressed interest in submitting modern equipment for BAR certification to the 2017 specification. These vendors will be permitted to sell and service the new equipment once it is BAR certified. The majority of BAR–97 equipment is already being replaced due to obsolescence, so these customers would simply need an update to fully comply with the proposed regulations.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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

EFFECT ON SMALL BUSINESS

The majority of businesses that are likely to be affected by this regulation are small businesses. The most affected would be small businesses that seldom use this equipment and choose to pay out of pocket for maintenance. To avoid this expense, a station could choose to only inspect newer vehicles using the OBD Inspection System equipment as long as the station is not STAR certified. STAR certified stations must possess, maintain, and use both old and new inspection equipment to inspect all vehicles.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

BAR has made the following initial determinations regarding the impact of the proposed regulatory action on the jobs/businesses:

It will not have any impact on the creation or elimination of jobs, the creation of new businesses, or the elimination of existing businesses. First, the proposed regulation imposes new equipment requirements that may drive low tailpipe test volume stations to specialize in only testing newer model year vehicles. Second, stations performing a high volume of tailpipe based in-

spections will continue business as usual with a rent/lease equipment cost similar to their current service contract cost. Lastly, the proposed action is not expected to expand or reduce existing businesses, because it has no impact on the vehicle population requiring a BAR-97 inspection.

BENEFITS OF THE REGULATION TO THE HEALTH AND WELFARE OF CALIFORNIA RESIDENTS

BAR has made an initial determination that the proposed regulatory action will have a positive impact on the health and welfare of California citizens to the extent it promotes compliance with consumer protection and air quality laws and regulations.

Recent studies such as the 2010 RAND Health Foundation report, *The Impact of Air Quality on Hospital Spending*, concluded that, “Meeting federal clean air standards would have prevented an estimated 29,808 hospital admissions and ER visits throughout California over 2005–2007 . . . Failing to meet federal clean air standards cost health care purchasers/payers \$193,100,184 for hospital care alone. In other words, improved air quality would have reduced total spending on hospital care by \$193,100,184 in total.”

Additionally, an ARB study, *Health Effects of Particulate Matter and Ozone Air Pollution*, November 2007,¹ identified significant health effects attributable to high levels of ozone. Polluting vehicles produce hydrocarbons and oxides of nitrogen which combine in the presence of sunlight to form bad ozone. The report stated that “Ozone is a powerful oxidant that can damage the respiratory tract, causing inflammation and irritation, and induces symptoms such as coughing, chest tightness, shortness of breath, worsening of asthma symptoms, and even death. Ozone in sufficient doses increases the permeability of lung cells, rendering them more susceptible to toxins and microorganisms. The greatest risk is to those who are more active outdoors during smoggy periods, such as children, athletes, and outdoor workers. Exposure to levels of ozone above the current ambient air quality standard leads to lung inflammation and lung tissue damage, and a reduction in the amount of air inhaled into the lungs. Recent evidence has, for the first time, linked the onset of asthma to exposure to elevated ozone levels in exercising children (McConnell, 2002). These levels of ozone also reduce crop and timber yields, damage native plants, and damage materials such as rubber, paints, fabric, and plastics.”

Further, a recent study by USEPA, *Estimating the National Public Health Burden Associated with Exposure*

¹ http://www.arb.ca.gov/research/health/fs/pm_ozone-fs.pdf.

to Ambient PM_{2.5} and Ozone, found that, “Ground-level ozone (O₃) and fine particulate matter (PM_{2.5}) are associated with increased risk of mortality . . . Using PM_{2.5} and O₃ mortality risk coefficients drawn from the long-term American Cancer Society (ACS) cohort study and National Mortality and Morbidity Air Pollution Study (NMMAPS), respectively, we estimate 130,000 PM_{2.5}-related deaths and 4,700 ozone-related deaths to result from 2005 air quality levels. Among populations aged 65–99, we estimate nearly 1.1 million life years lost from PM_{2.5} exposure and approximately 36,000 life years lost from ozone exposure. Among the 10 most populous counties, the percentage of deaths attributable to PM_{2.5} and ozone ranges from 3.5% in San Jose to 10% in Los Angeles. These results show that despite significant improvements in air quality in recent decades, recent levels of PM_{2.5} and ozone still pose a nontrivial risk to public health.”

These studies suggest that, although California air quality has improved, additional reductions of smog-forming pollutants are necessary. Requiring current technology equipment will aid in properly identifying faults requiring repair.

BENEFITS OF THE REGULATION TO THE STATE'S ENVIRONMENT

The BAR has made an initial determination that the proposed regulatory action may benefit the environment, specifically air quality. The regulation requires use of modern more reliable and accurate inspection equipment, capable of better identifying faulty vehicle emission controls. When repaired, vehicles pollute and contribute to greenhouse gas less.

BENEFITS OF THE REGULATION TO WORKER SAFETY

BAR has determined the proposed regulatory action will have no positive or negative affect on worker safety.

CONSIDERATION OF ALTERNATIVES

BAR must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed, 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.

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

**INITIAL STATEMENT OF REASONS
AND INFORMATION**

BAR 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 of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Bureau of Automotive Repair at 10949 North Mather Blvd., Rancho Cordova, California 95670.

WEBSITE ACCESS

Materials regarding this proposal can also be found on BAR's website at www.bar.ca.gov.

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

All the information upon which the proposed regulations are based is contained in the rulemaking file. Further, the express terms, Initial Statement of Reasons, and information upon which the proposed regulations are based is available for public inspection by contacting the persons named below.

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

CONTACT PERSON

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

Sergy (Esam) El-Morshedy
Bureau of Automotive Repair
10949 North Mather Blvd.
Rancho Cordova, CA 95670
Telephone: (916) 403-8534
E-mail: Esam.El-Morshedy@dca.ca.gov

The backup contact person is:

Paul Hedglin
Bureau of Automotive Repair
10949 North Mather Blvd.
Rancho Cordova, CA 95670
Telephone: (916) 403-0223
E-mail: Paul.Hedglin@dca.ca.gov

**TITLE 27. OFFICE OF
ENVIRONMENTAL HEALTH HAZARD
ASSESSMENT**

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

**NOTICE OF PROPOSED RULEMAKING
TITLE 27, CALIFORNIA CODE OF
REGULATIONS**

**AMENDMENT TO SECTION 25705
SPECIFIC REGULATORY LEVELS POSING
NO SIGNIFICANT RISK:
BROMODICHLOROACETIC ACID**

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment (OEHHA) proposes to adopt a Proposition 65¹ No Significant Risk Level (NSRL) of 0.95 micrograms per day for bromodichloroacetic acid, by amending Title 27, California Code of Regulations, section 25705(b)².

PUBLIC PROCEEDINGS

Any written comments concerning this proposed action must be received by OEHHA by 5:00 p.m. on **February 12, 2018**, the designated close of the written comment period.

Comments may be submitted electronically through our website at <http://oehha.ca.gov/comments>. Hard-copy comments may be mailed, faxed, or delivered in person to the appropriate address below.

¹ The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 et seq., referred to herein as "Proposition 65" or "The Act."

² All further regulatory references are to sections of Title 27 of the California Code of Regulations unless otherwise indicated.

Mailing

Address: Ms. Monet Vela
Office of Environmental Health
Hazard Assessment
P.O. Box 4010, MS-23B
Sacramento, California
95812-4010
Fax: (916) 323-2517

Street

Address: 1001 I Street
Sacramento, California 95814

A public hearing on this proposed regulatory amendment will be scheduled on request. To request a hearing send an e-mail to Monet Vela at monet.vela@oehha.ca.gov or to the address listed above by no later than **January 29, 2018**, which is 15 days before the close of the comment period. OEHHA will mail a notice of the hearing to the requester and interested parties on the Proposition 65 mailing list for regulatory public hearings. The notice will also be posted on the OEHHA website at least ten days before the public hearing date. The notice will provide the date, time, and location of the hearing.

If a hearing is scheduled and you have special accommodation needs, please contact Monet Vela at (916) 322-2517 or monet.vela@oehha.ca.gov at least one week in advance of the hearing. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

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. Comments on all regulatory and other actions are routinely posted on our website. By sending us your comments you are waiving any right to privacy you may have in the information you provide. Individual commenters should advise OEHHA when submitting documents to request redaction of home address or personal telephone numbers. Names of commenters will not be redacted.

CONTACT

Please direct inquiries concerning the proposed regulatory action described in this notice to Monet Vela, at monet.vela@oehha.ca.gov or by telephone at (916) 323-2517. Fran Kammerer is a back-up contact person for inquiries concerning processing of this action and is available at fran.kammerer@oehha.ca.gov or (916) 445-4693.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Proposition 65 prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to the state to cause cancer or reproductive toxicity, without first giving clear and reasonable warning to such individual³. The Act also prohibits a business from knowingly discharging a listed chemical into water or onto or into land where such chemical passes or probably will pass into any source of drinking water⁴.

For carcinogens, an exemption from the warning requirement is provided by Proposition 65 when the exposure for which the person is responsible can be demonstrated to produce no significant risk or when a discharge which otherwise complies with all applicable requirements would not cause any significant amount of the discharged or released chemical to enter any source of drinking water⁵. A determination that a level of exposure poses no significant risk may be made utilizing regulations that have previously been adopted by OEHHA (Sections 25701-25721). Section 25701 describes alternative methods for making such a determination. Section 25705 sets forth the process for determining “no significant risk” levels for purposes of Proposition 65 and establishes those levels for certain listed chemicals.

Details on the basis for the proposed NSRL for bromodichloroacetic acid are provided in the Initial Statement of Reasons for this regulatory amendment, which is available on request from Monet Vela and is posted on the OEHHA website at www.oehha.ca.gov.

This proposed amendment to section 25705 would add an NSRL for bromodichloroacetic acid by amending Section 25705(b) as follows (addition in underline):

| | |
|---------------------------------|-----------------------------|
| Chemical | NSRL, in micrograms per day |
| <u>Bromodichloroacetic acid</u> | <u>0.95</u> |

To develop the proposed NSRL for bromodichloroacetic acid, OEHHA relied on the National Toxicology Program (NTP) report entitled “Toxicology Studies of Bromodichloroacetic Acid (CAS No. 71133-14-7) in F344/N Rats and 86C3F1/N Mice and Toxicology and Carcinogenesis Studies of Bromodichloroacetic Acid in F344/NTac Rats and

³ Health and Safety Code section 25249.6.

⁴ Health and Safety Code section 25249.5.

⁵ Health and Safety Code sections 25249.9 and 25249.10.

86C3F1/N Mice (Drinking Water Studies)”⁶. This document summarizes the available data from rodent carcinogenicity studies of bromodichloroacetic acid, as well as other information relevant to the carcinogenic activity of the chemical. The NSRL is based upon the results of the most sensitive scientific study deemed to be of sufficient quality⁷. The derivation of the NSRL for bromodichloroacetic acid is discussed in more detail in the Initial Statement of Reasons for this proposed regulatory amendment.

Anticipated Benefits of the Proposed Regulation

Some businesses may not be able to afford the expense of establishing an NSRL and therefore may be exposed to litigation for a failure to warn or for a prohibited discharge of the listed chemical. By providing an NSRL, this regulatory proposal spares businesses the expense of calculating their own NSRL and may also enable them to reduce or avoid litigation costs. In addition, the NSRL does not require, but may encourage, businesses to lower the amount of the listed chemical in their product to a level that does not cause a significant exposure, thereby providing a public health benefit to Californians. This in turn may reduce exposure to bromodichloroacetic acid and reduce resident, worker and environmental exposures to chemicals that cause cancer.

No Inconsistency or Incompatibility with Existing Regulations

After conducting an evaluation on any related regulations in this area, the Office has found that this is the only regulation dealing with Proposition 65 No Significant Risk Levels for this specific chemical. Therefore, OEHHA has determined that the proposed regulation is neither inconsistent nor incompatible with existing state regulations. The proposed regulation does not impose any mandatory requirements on businesses, state, or local agencies and does not address compliance with any other law or regulation.

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

Impact on the Creation, Elimination, or Expansion of Jobs/Businesses in California

⁶ National Toxicology Program (NTP, 2015). Toxicology Studies of Bromodichloroacetic Acid (CAS No. 71133-14-7) in F344/N Rats and B6C3F1/N Mice and Toxicology and Carcinogenesis Studies of Bromodichloroacetic Acid in F344/NTac Rats and B6C3F1/N Mice (Drinking Water Studies). NTP Technical Report Series No. 583. US Department of Health and Human Services, NTP, Research Triangle Park, NC.

⁷ Section 25703(a)(4).

This regulatory proposal will not affect the creation or elimination of jobs within the State of California. Proposition 65 requires businesses with ten or more employees to provide warnings when they expose people to chemicals that are known to cause cancer. The law also prohibits the discharge of listed chemicals into sources of drinking water. Bromodichloroacetic acid is listed under Proposition 65; therefore, businesses that manufacture, distribute or sell products with bromodichloroacetic acid in the state must provide a warning if their product or activity exposes the public or employees to significant amounts of this chemical. The regulatory proposal does not create additional compliance requirements, but instead provides a “safe harbor” value that aids businesses in determining whether a warning is required for a given exposure.

Because the proposed NSRL provides compliance assistance to businesses subject to the Act, but does not impose any mandatory requirements on those businesses, OEHHA has determined that the proposed regulatory action will not have any impact on the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California.

Benefits of this regulation include sparing businesses the expense of calculating their own NSRL and possibly enabling them to reduce or avoid litigation costs. By providing an NSRL, it may encourage businesses to lower the amount of the listed chemical in their product to a level that does not cause a significant exposure, thereby providing a public health benefit to Californians. This in turn may reduce exposure to bromodichloroacetic acid and reduce resident, worker and environmental exposures to chemicals that cause cancer.

PEER REVIEW

This notice and the Initial Statement of Reasons are being provided to the OEHHA Science Advisory Board’s Carcinogen Identification Committee for review and comment.

AUTHORITY

Health and Safety Code Section 25249.12.

REFERENCE

Health and Safety Code Sections 25249.5, 25249.6, 25249.9, 25249.10 and 25249.11.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Because Proposition 65 expressly⁸ 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.

COSTS OR SAVINGS TO STATE AGENCIES

Because Proposition 65 expressly⁹ does not apply to any State agency, OEHHA has determined that no savings or increased costs to any State agency will result from the proposed regulatory action.

EFFECT ON FEDERAL FUNDING TO THE STATE

Because proposition 65 expressly¹⁰ does not apply to any federal agency, OEHHA has determined that no costs or savings in federal funding to the State will result from the proposed regulatory action.

EFFECT ON HOUSING COSTS

OEHHA has determined that the proposed regulatory action will have no effect on housing costs because it provides compliance assistance to businesses subject to Proposition 65, but does not impose any mandatory requirements on those businesses.

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

Because the proposed regulatory level provides compliance assistance to businesses subject to Proposition 65, but does not impose any mandatory requirements on those businesses, OEHHA has made an initial determination that the adoption of the 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.

⁸ See Health and Safety Code section 25249.11(b).

⁹ See Health and Safety Code section 25249.11(b).

¹⁰ See Health and Safety Code section 25249.11(b).

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The proposed NSRL was developed to provide compliance assistance for businesses in determining whether a warning is required or a discharge is prohibited. The NSRL provides a level of exposure at or below which a warning is not required and a discharge is not prohibited. Use of the NSRL is not mandatory. The implementing regulations allow a business to calculate its own level and provide guidance in order to assist businesses in doing so¹¹. However, conducting such a process can be expensive and time consuming, and the resulting levels may not be defensible in an enforcement action. OEHHA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESSES

OEHHA has determined that the proposed regulation will not impose any mandatory requirements on small business. Rather, the proposed NSRL will provide compliance assistance for small businesses subject to the Act because it will help them determine whether or not an exposure for which they are responsible is subject to the warning requirement or discharge prohibition of the Act.

CONSIDERATION OF ALTERNATIVES

Government Code section 11346(a)(13) requires that OEHHA must determine that no reasonable alternative considered by the OEHHA or that has otherwise been identified and brought to the attention of the OEHHA would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

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 regulation, all the information upon which the regulation is based and the text of the regulation. A copy of the Initial Statement of Reasons, the text of the regulation and the documents relied on to develop the proposed regulation are

¹¹ Title 27, Cal. Code of Regs., section 25801 et seq.

available upon request from OEHHA at the address and telephone number indicated above. These documents are also posted on OEHHA's website at www.oehha.ca.gov.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

The full text of any regulation which 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 changed regulations and the full text will be mailed to individuals who testified or submitted written comments at the public hearing, if held, or whose comments were received by OEHHA during the public comment period, and anyone who requests notification from OEHHA of the availability of such changes. Copies of the notice and the changed regulation will also be available on the OEHHA website at www.oehha.ca.gov.

FINAL STATEMENT OF REASONS

A copy of the Final Statement of Reasons for this regulatory action may be obtained, when it becomes available, from OEHHA at the address and telephone number indicated above, and on the OEHHA website at www.oehha.ca.gov.

**TITLE 27. OFFICE OF
ENVIRONMENTAL HEALTH HAZARD
ASSESSMENT**

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

**TITLE 27, CALIFORNIA CODE OF
REGULATIONS**

**AMENDMENT TO SECTION 25705
SPECIFIC REGULATORY LEVELS POSING
NO SIGNIFICANT RISK:
BROMOCHLOROACETIC ACID**

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment (OEHHA) proposes to adopt a Proposition 65¹ No Significant Risk Level (NSRL) of 0.70 micrograms per day for bro-

mochloroacetic acid, by amending Title 27, California Code of Regulations, section 25705(b)².

PUBLIC PROCEEDINGS

Any written comments concerning this proposed action must be received by OEHHA by 5:00 p.m. on **February 12, 2018**, the designated close of the written comment period. Comments may be submitted electronically through our website at <https://oehha.ca.gov/comments>. Hard-copy comments may be mailed, faxed, or delivered in person to the appropriate address below.

Mailing

Address:

Ms. Monet Vela
Office of Environmental Health
Hazard Assessment
P.O. Box 4010, MS-23B
Sacramento, California
95812-4010
Fax: (916) 323-2517

Street

Address:

1001 I Street
Sacramento, California 95814

A public hearing on this proposed regulatory amendment will be scheduled on request. To request a hearing send an e-mail to Monet Vela at monet.vela@oehha.ca.gov or to the address listed above by no later than **January 29, 2018**, which is 15 days before the close of the comment period. OEHHA will mail a notice of the hearing to the requester and interested parties on the Proposition 65 mailing list for regulatory public hearings. The notice will also be posted on the OEHHA website at least ten days before the public hearing date. The notice will provide the date, time, and location of the hearing.

If a hearing is scheduled and you have special accommodation needs, please contact Monet Vela at (916) 322-2517 or monet.vela@oehha.ca.gov at least one week in advance of the hearing. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

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. Comments on all regulatory and other actions are routinely posted on our website. By sending us your comments you are waiving any right to privacy you may have in the information you provide. Individual commenters

¹ The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 et seq., referred to herein as "Proposition 65" or "The Act."

² All further regulatory references are to sections of Title 27 of the California Code of Regulations unless otherwise indicated.

should advise OEHHA when submitting documents to request redaction of home address or personal telephone numbers. Names of commenters will not be redacted.

CONTACT

Please direct inquiries concerning the proposed regulatory action described in this notice to Monet Vela, at monet.vela@oehha.ca.gov or by telephone at (916) 323-2517. Fran Kammerer is a back-up contact person for inquiries concerning processing of this action and is available at fran.kammerer@oehha.ca.gov or (916) 445-4693.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Proposition 65 prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to the state to cause cancer or reproductive toxicity, without first giving clear and reasonable warning to such individual³. The Act also prohibits a business from knowingly discharging a listed chemical into water or onto or into land where such chemical passes or probably will pass into any source of drinking water⁴.

For carcinogens, an exemption from the warning requirement is provided by Proposition 65 when the exposure for which the person is responsible can be demonstrated to produce no significant risk or when a discharge which otherwise complies with all applicable requirements would not cause any significant amount of the discharged or released chemical to enter any source of drinking water⁵. A determination that a level of exposure poses no significant risk may be made utilizing regulations that have previously been adopted by OEHHA (Sections 25701-25721). Section 25701 describes alternative methods for making such a determination. Section 25705 sets forth the process for determining “no significant risk” levels for purposes of Proposition 65 and establishes those levels for certain listed chemicals.

Details on the basis for the proposed NSRL for bromochloroacetic acid are provided in the Initial Statement of Reasons for this regulatory amendment, which is available on request from Monet Vela and is posted on the OEHHA website at www.oehha.ca.gov.

This proposed amendment to section 25705 would add an NSRL for bromochloroacetic acid by amending Section 25705(b) as follows (addition in underline):

³ Health and Safety Code section 25249.6.

⁴ Health and Safety Code section 25249.5.

⁵ Health and Safety Code sections 25249.9 and 25249.10.

| | |
|-------------------------------|-----------------------------|
| Chemical | NSRL, in micrograms per day |
| <u>Bromochloroacetic acid</u> | <u>0.70</u> |

To develop the proposed NSRL for bromochloroacetic acid, OEHHA relied on the National Toxicology Program (NTP) report, entitled “Toxicology and Carcinogenesis Studies of Bromochloroacetic Acid (CAS No. 5589-96-8) in F344/N Rats and B6C3F1 Mice (Drinking Water Studies)”⁶, and Volume 101 in the series of International Agency for Research on Cancer (IARC) Monographs on the Evaluation of Carcinogenic Risks to Humans, entitled “Some Chemicals Present in Industrial and Consumer Products, Food and Drinking-water”⁷. These two documents summarize the available data from rodent carcinogenicity studies of bromochloroacetic acid, as well as other information relevant to the carcinogenic activity of the chemical. The NSRL is based upon the results of the most sensitive scientific study deemed to be of sufficient quality⁸. The derivation of the NSRL for bromochloroacetic acid is discussed in more detail in the Initial Statement of Reasons for this proposed regulatory amendment.

Anticipated Benefits of the Proposed Regulation

Some businesses may not be able to afford the expense of establishing an NSRL and therefore may be exposed to litigation for a failure to warn or for a prohibited discharge of the listed chemical. By providing an NSRL, this regulatory proposal spares businesses the expense of calculating their own NSRL and may also enable them to reduce or avoid litigation costs. In addition, the NSRL does not require, but may encourage, businesses to lower the amount of the listed chemical in their product to a level that does not cause a significant exposure, thereby providing a public health benefit to Californians. This in turn may reduce exposure to bromochloroacetic acid and reduce resident, worker and environmental exposures to chemicals that cause cancer.

No Inconsistency or Incompatibility with Existing Regulations

After conducting an evaluation on any related regulations in this area, the Office has found that this is the on-

⁶ National Toxicology Program (NTP, 2009). Toxicology and Carcinogenesis Studies of Bromochloroacetic Acid (CAS No. 5589-96-8) in F344/N Rats and B6C3F1 Mice (Drinking Water Studies). NTP Technical Report Series No. 549. NIH Publication No. 09-5890. U.S. Department of Health and Human Services, NTP, Research Triangle Park, NC.

⁷ International Agency for Research on Cancer (IARC, 2013). IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 101, Some Chemicals Present in Industrial and Consumer Products, Food and Drinking-water. IARC, World Health Organization, Lyon France. Available from: <http://monographs.iarc.fr/ENG/Monographs/vol101/index.php>.

⁸ Section 25703(a)(4).

ly regulation dealing with Proposition 65 No Significant Risk Levels for this specific chemical. Therefore, OEHHA has determined that the proposed regulation is neither inconsistent nor incompatible with existing state regulations. The proposed regulation does not impose any mandatory requirements on businesses, state, or local agencies and does not address compliance with any other law or regulation.

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

Impact on the Creation, Elimination, or Expansion of Jobs/Businesses in California

This regulatory proposal will not affect the creation or elimination of jobs within the State of California. Proposition 65 requires businesses with ten or more employees to provide warnings when they expose people to chemicals that are known to cause cancer. The law also prohibits the discharge of listed chemicals into sources of drinking water. Bromochloroacetic acid is listed under Proposition 65; therefore, businesses that manufacture, distribute or sell products with bromochloroacetic acid in the state must provide a warning if their product or activity exposes the public or employees to significant amounts of this chemical. The regulatory proposal does not create additional compliance requirements, but instead provides a “safe harbor” value that aids businesses in determining whether a warning is required for a given exposure.

Because the proposed NSRL provides compliance assistance to businesses subject to the Act, but does not impose any mandatory requirements on those businesses, OEHHA has determined that the proposed regulatory action will not have any impact on the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California.

Benefits of this regulation include sparing businesses the expense of calculating their own NSRL and possibly enabling them to reduce or avoid litigation costs. By providing an NSRL, it may encourage businesses to lower the amount of the listed chemical in their product to a level that does not cause a significant exposure, thereby providing a public health benefit to Californians. This in turn may reduce exposure to bromochloroacetic acid and reduce resident, worker and environmental exposures to chemicals that cause cancer.

PEER REVIEW

This notice and the Initial Statement of Reasons will be provided to the OEHHA Science Advisory Board’s

Carcinogen Identification Committee for review and comment.

AUTHORITY

Health and Safety Code Section 25249.12.

REFERENCE

Health and Safety Code Sections 25249.5, 25249.6, 25249.9, 25249.10 and 25249.11.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Because Proposition 65 expressly⁹ 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.

COSTS OR SAVINGS TO STATE AGENCIES

Because Proposition 65 expressly¹⁰ does not apply to any State agency, OEHHA has determined that no savings or increased costs to any State agency will result from the proposed regulatory action.

EFFECT ON FEDERAL FUNDING TO THE STATE

Because Proposition 65 expressly¹¹ does not apply to any federal agency, OEHHA has determined that no costs or savings in federal funding to the State will result from the proposed regulatory action.

EFFECT ON HOUSING COSTS

OEHHA has determined that the proposed regulatory action will have no effect on housing costs because it provides compliance assistance to businesses subject to Proposition 65, but does not impose any mandatory requirements on those businesses.

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

Because the proposed regulatory level provides compliance assistance to businesses subject to Proposition

⁹ See Health and Safety Code section 25249.11(b).

¹⁰ See Health and Safety Code section 25249.11(b).

¹¹ See Health and Safety Code section 25249.11(b).

65, but does not impose any mandatory requirements on those businesses, OEHHA has made an initial determination that the adoption of the 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.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The proposed NSRL was developed to provide compliance assistance for businesses in determining whether a warning is required or a discharge is prohibited. The NSRL provides a level of exposure at or below which a warning is not required and a discharge is not prohibited. Use of the NSRL is not mandatory. The implementing regulations allow a business to calculate its own level and provide guidance in order to assist businesses in doing so¹². However, conducting such a process can be expensive and time consuming, and the resulting levels may not be defensible in an enforcement action. OEHHA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESSES

OEHHA has determined that the proposed regulation will not impose any mandatory requirements on small business. Rather, the proposed NSRL will provide compliance assistance for small businesses subject to the Act because it will help them determine whether or not an exposure for which they are responsible is subject to the warning requirement or discharge prohibition of the Act.

CONSIDERATION OF ALTERNATIVES

Government Code section 11346(a)(13) requires that OEHHA must determine that no reasonable alternative considered by the OEHHA or that has otherwise been identified and brought to the attention of the OEHHA would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

¹² Title 27, Cal. Code of Regs, section 25801 et seq.

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 regulation, all the information upon which the regulation is based and the text of the regulation. A copy of the Initial Statement of Reasons, the text of the regulation and the documents relied on to develop the proposed regulation are available upon request from OEHHA at the address and telephone number indicated above. These documents are also posted on OEHHA's website at www.oehha.ca.gov.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The full text of any regulation which 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 changed regulations and the full text will be mailed to individuals who testified or submitted written comments at the public hearing, if held, or whose comments were received by OEHHA during the public comment period, and anyone who requests notification from OEHHA of the availability of such changes. Copies of the notice and the changed regulation will also be available on the OEHHA website at www.oehha.ca.gov.

FINAL STATEMENT OF REASONS

A copy of the Final Statement of Reasons for this regulatory action may be obtained, when it becomes available, from OEHHA at the address and telephone number indicated above, and on the OEHHA website at www.oehha.ca.gov.

GENERAL PUBLIC INTEREST

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

FORMER BENICIA ARSENAL PROPOSED CONSENT DECREE

711 and 750 Jackson Street, Benicia, Solano County, California (identified by Assessor's Parcel number 0080-14-0440) and 938, 940, 942, 945, 946, 952, and 954 Tyler Street; 963, 965, 967, 969, 971, 973, 977, 979, 981, 983, 985, 989, and 991 Lincoln Street; and 900 and

954 Jackson Street, Benicia, Solano County, California (identified by Assessor's Parcel numbers 0080-28-0010, 0080-28-0030, 0080-28-0040, 0080-28-0050)

60-Day Public Comment Period: December 29, 2017, through February 26, 2018

WHAT IS BEING PROPOSED: The California Department of Toxic Substances Control (DTSC) invites the public to review and comment on a [Proposed] Consent Decree (proposed Consent Decree) regarding two sites at the Former Benicia Arsenal (Arsenal) site located at 711 and 750 Jackson Street, Benicia, Solano County, California (identified by Assessor's Parcel number 0080-14-0440) and 938, 940, 942, 945, 946, 952, and 954 Tyler Street; 963, 965, 967, 969, 971, 973, 977, 979, 981, 983, 985, 989, and 991 Lincoln Street; and 900 and 954 Jackson Street, Benicia, Solano County, California (identified by Assessor's Parcel numbers 0080-28-0010, 0080-28-0030, 0080-28-0040, 0080-28-0050) (together referred to as Site). On December 15, 2017, DTSC lodged the proposed Consent Decree in *California Department of Toxic Substances Control v. The United States of America* (the United States), Case No. 2:16-CV-02897-JAM-AC, with the United States District Court for the Eastern District of California. The proposed Consent Decree resolves DTSC's claims against the United States under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §§ 9601(a) et seq., for its liability for the contamination at the Site because of its ownership and operations of the Site.

DTSC will consider comments received during the public comment period on the Consent Decree and file with the Court any written comments received and DTSC's responses thereto. The Court may then enter or approve the Consent Decree. DTSC also reserves the right to withdraw or withhold its consent to entry (approval) of the Consent Decree if comments regarding the Consent Decree disclose facts or considerations that indicate the Consent Decree is inappropriate, improper or inadequate.

WHERE DO I GET MORE INFORMATION: Copies of the proposed Consent Decree and other Site-related documents are available by contacting the DTSC Project Manager listed below; online at the DTSC EnviroStor websites https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60001959 and https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60001960 on the Community Involvement tab; or at the DTSC Regional

Records Office, File Room, 8800 Cal Center Drive, Sacramento, California 95826.

WHERE TO SEND COMMENTS: Comments concerning the proposed Consent Decree should include "Former Benicia Arsenal CD Comment" in the subject line of your e-mail or letter. All comments must be postmarked or e-mailed by February 26, 2018, and submitted to:

Shahid Mahmood
DTSC Project Manager
8800 Cal Center Drive
Sacramento, California 95826
(916) 255-3592
Shahid.Mahmood@dtsc.ca.gov

For more information, contact:

Tammy Pickens
Public Participation Specialist
(916) 255-3594
(866) 495-5651
Tammy.Pickens@dtsc.ca.gov

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

NOTICE OF PUBLIC MEETING AND BUSINESS MEETING OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting and Business Meeting:

PUBLIC MEETING

On February 15, 2018, at 10:00 a.m.
in Room 310 of the County Administration Center
1600 Pacific Highway, San Diego, California.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

BUSINESS MEETING

On February 15, 2018, at 10:00 a.m.
in Room 310 of the County Administration Center
1600 Pacific Highway, San Diego, California.

At the Business Meeting, the Board will conduct its monthly business.

DISABILITY ACCOMMODATION NOTICE: Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the public hearings/meetings of the Occupational Safety and Health Standards Board should contact the Disability Accommodation Coordinator at (916) 274-5721 or the state-wide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing.

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

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

NOTICE TO INTERESTED PARTIES

**CHEMICAL LISTED EFFECTIVE
DECEMBER 29, 2017
AS KNOWN TO THE STATE OF CALIFORNIA
TO CAUSE CANCER: VINYLIDENE
CHLORIDE (1,1-DICHLOROETHYLENE)**

Effective December 29, 2017, the Office of Environmental Health Hazard Assessment (OEHHA) is adding vinylidene chloride (1,1-dichloroethylene) to the list of chemicals known to the State of California to cause cancer for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65¹).

Health and Safety Code section 25249.8(a) incorporates California Labor Code section 6382(b)(1) into Proposition 65. Regulations describing the process for listing chemicals via the Labor Code are set out in Title 27, Cal. Code of Regs., section 25904. The law requires that certain substances identified by the International Agency for Research on Cancer (IARC) be listed as known to cause cancer under Proposition 65. Labor Code section 6382(b)(1) refers to substances identified as human or animal carcinogens by IARC. An explanation of the carcinogenicity classifications used by IARC, and the *Monographs* development and peer review by the international working groups of scientific experts convened by IARC, may be found at the following URL: <http://monographs.iarc.fr/ENG/Preamble/CurrentPreamble.pdf> (IARC Preamble).

The basis for the listing of vinylidene chloride (1,1-dichloroethylene) was described in a public notice published in the September 22, 2017, issue of the *California Regulatory Notice Register* (Register 2017, No. 38-Z). The title of the notice was "Notice of Intent to List A Chemical by the Labor Code Mechanism: Vinylidene Chloride." The publication of the notice initiated a 45-day public comment period. We received no comments on the notice of intent to list.

A complete, updated Proposition 65 list is published elsewhere in this issue of the *California Regulatory Notice Register* and is available on the OEHHA website at http://www.oehha.ca.gov/prop65/prop65_list/Newlist.html.

¹ Health and Safety Code, section 25249.5, et seq.

| Chemical | CAS No. | Endpoint | Listing Mechanism* |
|---|---------|----------|--------------------|
| Vinylidene chloride (1,1-Dichloroethylene) | 75-35-4 | Cancer | LC |

*Listing mechanism: LC - "Labor Code" mechanism (Health and Safety Code section 25249.8(a) and Title 27 Cal. Code of Regs. section 25904)

**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**

December 29, 2017

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

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

CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER

| <u>Chemical</u> | <u>CAS Number</u> | <u>Date</u> |
|--|---------------------|----------------------------|
| A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole) | 26148-68-5 | January 1, 1990 |
| Acetaldehyde | 75-07-0 | April 1, 1988 |
| Acetamide | 60-35-5 | January 1, 1990 |
| Acetochlor | 34256-82-1 | January 1, 1989 |
| 2-Acetylaminofluorene | 53-96-3 | July 1, 1987 |
| Acifluorfen sodium | 62476-59-9 | January 1, 1990 |
| Acrylamide | 79-06-1 | January 1, 1990 |
| Acrylonitrile | 107-13-1 | July 1, 1987 |
| Actinomycin D | 50-76-0 | October 1, 1989 |
| AF-2;[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide | 3688-53-7 | July 1, 1987 |
| Aflatoxins | — | January 1, 1988 |
| Alachlor | 15972-60-8 | January 1, 1989 |
| Alcoholic beverages, when associated with alcohol abuse | — | July 1, 1988 |
| Aldrin | 309-00-2 | July 1, 1988 |
| <u>Allyl chloride</u> Delisted October 29, 1999 | 107-05-1 | January 1, 1990 |
| Aloe vera, non-decolorized whole leaf extract | | December 4, 2015 |
| 2-Aminoanthraquinone | 117-79-3 | October 1, 1989 |
| <i>p</i> -Aminoazobenzene | 60-09-3 | January 1, 1990 |
| <i>ortho</i> -Aminoazotoluene | 97-56-3 | July 1, 1987 |
| 4-Aminobiphenyl (4-aminodiphenyl) | 92-67-1 | February 27, 1987 |
| 1-Amino-2,4-dibromoanthraquinone | 81-49-2 | August 26, 1997 |
| 3-Amino-9-ethylcarbazole hydrochloride | 6109-97-3 | July 1, 1989 |
| 2-Aminofluorene | 153-78-6 | January 29, 1999 |
| 1-Amino-2-methylantraquinone | 82-28-0 | October 1, 1989 |
| 2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole | 712-68-5 | July 1, 1987 |
| 4-Amino-2-nitrophenol | 119-34-6 | January 29, 1999 |
| Amitrole | 61-82-5 | July 1, 1987 |
| Amsacrine | 51264-14-3 | August 7, 2009 |
| Analgesic mixtures containing phenacetin | — | February 27, 1987 |
| Androstenedione | 63-05-8 | May 3, 2011 |
| Aniline | 62-53-3 | January 1, 1990 |
| Aniline hydrochloride | 142-04-1 | May 15, 1998 |
| <i>ortho</i> -Anisidine | 90-04-0 | July 1, 1987 |
| <i>ortho</i> -Anisidine hydrochloride | 134-29-2 | July 1, 1987 |
| Anthraquinone | 84-65-1 | September 28, 2007 |
| Antimony oxide (Antimony trioxide) | 1309-64-4 | October 1, 1990 |
| Aramite | 140-57-8 | July 1, 1987 |
| Areca nut | — | February 3, 2006 |
| Aristolochic acids | — | July 9, 2004 |

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

| <i>Chemical</i> | <i>CAS Number</i> | <i>Date</i> |
|---|-------------------|-------------------|
| Arsenic (inorganic arsenic compounds) | — | February 27, 1987 |
| Asbestos | 1332–21–4 | February 27, 1987 |
| Auramine | 492–80–8 | July 1, 1987 |
| Azacitidine | 320–67–2 | January 1, 1992 |
| Azaserine | 115–02–6 | July 1, 1987 |
| Azathioprine | 446–86–6 | February 27, 1987 |
| Azobenzene | 103–33–3 | January 1, 1990 |
| Benthiavalicarb–isopropyl | 177406–68–7 | July 1, 2008 |
| Benz[a]anthracene | 56–55–3 | July 1, 1987 |
| Benzene | 71–43–2 | February 27, 1987 |
| Benzidine [and its salts] | 92–87–5 | February 27, 1987 |
| Benzidine–based dyes | — | October 1, 1992 |
| Benzo[b]fluoranthene | 205–99–2 | July 1, 1987 |
| Benzo[j]fluoranthene | 205–82–3 | July 1, 1987 |
| Benzo[k]fluoranthene | 207–08–9 | July 1, 1987 |
| Benzofuran | 271–89–6 | October 1, 1990 |
| Benzophenone | 119–61–9 | June 22, 2012 |
| Benzo[a]pyrene | 50–32–8 | July 1, 1987 |
| Benzotrichloride | 98–07–7 | July 1, 1987 |
| Benzyl chloride | 100–44–7 | January 1, 1990 |
| Benzyl violet 4B | 1694–09–3 | July 1, 1987 |
| Beryllium and beryllium compounds | — | October 1, 1987 |
| Betel quid with tobacco | — | January 1, 1990 |
| Betel quid without tobacco | — | February 3, 2006 |
| 2,2–Bis(bromomethyl)–1,3–propanediol | 3296–90–0 | May 1, 1996 |
| Bis(2–chloroethyl)ether | 111–44–4 | April 1, 1988 |
| N,N–Bis(2–chloroethyl)–2–naphthylamine (Chlornapazine) | 494–03–1 | February 27, 1987 |
| Bischloroethyl nitrosourea (BCNU) (Carmustine) | 154–93–8 | July 1, 1987 |
| Bis(chloromethyl)ether | 542–88–1 | February 27, 1987 |
| Bis(2–chloro–1–methylethyl) ether, technical grade | — | October 29, 1999 |
| Bitumens, extracts of steam–refined and air refined | — | January 1, 1990 |
| Bracken fern | — | January 1, 1990 |
| Bromate | 15541–45–4 | May 31, 2002 |
| Bromochloroacetic acid | 5589–96–8 | April 6, 2010 |
| Bromodichloroacetic acid | 71133–14–7 | July 29, 2016 |
| Bromodichloromethane | 75–27–4 | January 1, 1990 |
| Bromoethane | 74–96–4 | December 22, 2000 |
| Bromoform | 75–25–2 | April 1, 1991 |
| 1–Bromopropane | 106–94–5 | August 5, 2016 |
| 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 |

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

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

| <i>Chemical</i> | <i>CAS Number</i> | <i>Date</i> |
|---|-------------------|-------------------|
| Cobalt sulfate | 10124-43-3 | May 20, 2005 |
| Cobalt sulfate heptahydrate | 10026-24-1 | June 2, 2000 |
| Coconut oil diethanolamine condensate (cocamide diethanolamine) | — | June 22, 2012 |
| 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 |
| D&C Orange No. 17 | 3468-63-1 | July 1, 1990 |
| D&C Red No. 8 | 2092-56-0 | October 1, 1990 |
| D&C Red No. 9 | 5160-02-1 | July 1, 1990 |
| D&C Red No. 19 | 81-88-9 | July 1, 1990 |
| Dacarbazine | 4342-03-4 | January 1, 1988 |
| Daminozide | 1596-84-5 | January 1, 1990 |
| Dantron (Chrysazin; 1,8-Dihydroxyanthraquinone) | 117-10-2 | January 1, 1992 |
| Daunomycin | 20830-81-3 | January 1, 1988 |
| DDD (Dichlorodiphenyldichloroethane) | 72-54-8 | January 1, 1989 |
| DDE (Dichlorodiphenyldichloroethylene) | 72-55-9 | January 1, 1989 |
| DDT (Dichlorodiphenyltrichloroethane) | 50-29-3 | October 1, 1987 |
| DDVP (Dichlorvos) | 62-73-7 | January 1, 1989 |
| N,N' -Diacetylbenzidine | 613-35-4 | October 1, 1989 |
| 2,4-Diaminoanisole | 615-05-4 | October 1, 1990 |
| 2,4-Diaminoanisole sulfate | 39156-41-7 | January 1, 1988 |
| 4,4' -Diaminodiphenyl ether (4,4' -Oxydianiline) | 101-80-4 | January 1, 1988 |
| 2,4-Diaminotoluene | 95-80-7 | January 1, 1988 |
| Diaminotoluene (mixed) <u>Delisted November 20, 2015</u> | — | January 1, 1990 |
| Diazoaminobenzene | 136-35-6 | May 20, 2005 |
| Dibenz[<i>a,h</i>]acridine | 226-36-8 | January 1, 1988 |
| Dibenz[<i>a,j</i>]acridine | 224-42-0 | January 1, 1988 |
| Dibenzanthracenes | — | December 26, 2014 |
| Dibenz[<i>a,c</i>]anthracene | 215-58-7 | December 26, 2014 |
| Dibenz[<i>a,h</i>]anthracene | 53-70-3 | January 1, 1988 |
| Dibenz[<i>a,j</i>]anthracene | 224-41-9 | December 26, 2014 |
| 7H-Dibenzo[<i>c,g</i>]carbazole | 194-59-2 | January 1, 1988 |
| Dibenzo[<i>a,e</i>]pyrene | 192-65-4 | January 1, 1988 |
| Dibenzo[<i>a,h</i>]pyrene | 189-64-0 | January 1, 1988 |
| Dibenzo[<i>a,i</i>]pyrene | 189-55-9 | January 1, 1988 |
| Dibenzo[<i>a,l</i>]pyrene | 191-30-0 | January 1, 1988 |
| Dibromoacetic acid | 631-64-1 | June 17, 2008 |
| Dibromoacetonitrile | 3252-43-5 | May 3, 2011 |
| 1,2-Dibromo-3-chloropropane (DBCP) | 96-12-8 | July 1, 1987 |
| 2,3-Dibromo-1-propanol | 96-13-9 | October 1, 1994 |
| Dichloroacetic acid | 79-43-6 | May 1, 1996 |
| <i>p</i> -Dichlorobenzene | 106-46-7 | January 1, 1989 |
| 3,3' -Dichlorobenzidine | 91-94-1 | October 1, 1987 |
| 3,3' -Dichlorobenzidine dihydrochloride | 612-83-9 | May 15, 1998 |
| 1,4-Dichloro-2-butene | 764-41-0 | January 1, 1990 |

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

| <i>Chemical</i> | <i>CAS Number</i> | <i>Date</i> |
|--|-------------------|-------------------|
| 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 |
| Dienestrol <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 |
| 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 |
| Dimethylcarbonyl chloride | 79-44-7 | January 1, 1988 |
| N,N-Dimethylformamide | 68-12-2 | October 27, 2017 |
| 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 |

| <i>Chemical</i> | <i>CAS Number</i> | <i>Date</i> |
|--|---------------------------|--------------------|
| 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 |
| 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 |
| Furfuryl alcohol | 98-00-0 | September 30, 2016 |
| 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 |
| Glyphosate | 1071-83-6 | July 7, 2017 |
| Goldenseal root powder | | December 4, 2015 |

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

| <i>Chemical</i> | <i>CAS Number</i> | <i>Date</i> |
|--|-------------------|-------------------|
| 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 |
| Imazalil | 35554-44-0 | May 20, 2011 |
| Indeno [1,2,3-cd]pyrene | 193-39-5 | January 1, 1988 |
| Indium phosphide | 22398-80-7 | February 27, 2001 |
| IQ (2-Amino-3-methylimidazo[4,5-f]quinoline) | 76180-96-6 | April 1, 1990 |
| Iprodione | 36734-19-7 | May 1, 1996 |
| Iprovalicarb | 140923-17-7 | June 1, 2007 |
| | 140923-25-7 | |
| Iron dextran complex | 9004-66-4 | January 1, 1988 |
| Isobutyl nitrite | 542-56-3 | May 1, 1996 |
| Isoprene | 78-79-5 | May 1, 1996 |
| Isopyrazam | 881686-58-1 | July 24, 2012 |
| 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 |
| Malathion | 121-75-5 | May 20, 2016 |
| Malonaldehyde, sodium salt | 24382-04-5 | May 3, 2011 |
| Mancozeb | 8018-01-7 | January 1, 1990 |
| Maneb | 12427-38-2 | January 1, 1990 |
| Marijuana smoke | — | June 19, 2009 |
| Me-A-alpha-C (2-Amino-3-methyl-9H-pyrido[2,3-b]indole) | 68006-83-7 | January 1, 1990 |
| Medroxyprogesterone acetate | 71-58-9 | January 1, 1990 |
| Megestrol acetate | 595-33-5 | March 28, 2014 |
| MeIQ(2-Amino-3,4-dimethylimidazo[4,5-f]quinoline) | 77094-11-2 | October 1, 1994 |
| MeIQx(2-Amino-3,8-dimethylimidazo[4,5-f]quinoxaline) | 77500-04-0 | October 1, 1994 |
| Melphalan | 148-82-3 | February 27, 1987 |
| Mepanipyryn | 110235-47-7 | July 1, 2008 |
| 2-Mercaptobenzothiazole | 149-30-4 | October 27, 2017 |

| <i>Chemical</i> | <i>CAS Number</i> | <i>Date</i> |
|--|-------------------|-------------------|
| 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 |
| 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 |
| α -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 |

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

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

| <u>Chemical</u> | <u>CAS Number</u> | <u>Date</u> |
|--|-------------------|--------------------|
| 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 |
| Oxazepam | 604-75-1 | October 1, 1994 |
| Oxymetholone | 434-07-1 | January 1, 1988 |
| Oxythioquinox (Chinomethionat) | 2439-01-2 | August 20, 1999 |
| Palygorskite fibers (> 5µm in length) | 12174-11-7 | December 28, 1999 |
| Panfuran S | 794-93-4 | January 1, 1988 |
| Parathion | 56-38-2 | May 20, 2016 |
| Pentachlorophenol | 87-86-5 | January 1, 1990 |
| Pentabromodiphenyl ether mixture [DE-71 (technical grade)] | — | July 7, 2017 |
| Pentachlorophenol and by-products of its synthesis (complex mixture) | — | October 21, 2016 |
| 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 |
| o-Phenylenediamine and its salts | 95-54-5 | May 15, 1998 |
| Phenyl glycidyl ether | 122-60-1 | October 1, 1990 |
| Phenylhydrazine and its salts | — | July 1, 1992 |
| o-Phenylphenate, sodium | 132-27-4 | January 1, 1990 |
| o-Phenylphenol | 90-43-7 | August 4, 2000 |
| PhiP(2-Amino-1-methyl-6-phenylimidazol[4,5-b]pyridine) | 105650-23-5 | October 1, 1994 |
| Pioglitazone | 111025-46-8 | April 18, 2014 |
| Pirimicarb | 23103-98-2 | July 2, 2008 |
| Polybrominated biphenyls | — | January 1, 1988 |
| Polychlorinated biphenyls | — | October 1, 1989 |
| Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight) | — | January 1, 1988 |
| Polychlorinated dibenzo-p-dioxins | — | October 1, 1992 |
| Polychlorinated dibenzofurans | — | October 1, 1992 |
| Polygeenan | 53973-98-1 | January 1, 1988 |
| Ponceau MX | 3761-53-3 | April 1, 1988 |
| Ponceau 3R | 3564-09-8 | April 1, 1988 |

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

| <i>Chemical</i> | <i>CAS Number</i> | <i>Date</i> |
|--|-------------------|--------------------|
| 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 |
| d1,3-Propane sultone | 1120-71-4 | January 1, 1988 |
| Propargite | 2312-35-8 | October 1, 1994 |
| beta-Propiolactone | 57-57-8 | January 1, 1988 |
| Propoxur | 114-26-1 | August 11, 2006 |
| Propylene glycol mono- <i>t</i> -butyl ether | 57018-52-7 | June 11, 2004 |
| Propylene oxide | 75-56-9 | October 1, 1988 |
| Propylthiouracil | 51-52-5 | January 1, 1988 |
| Pulegone | 89-82-7 | April 18, 2014 |
| Pymetrozine | 123312-89-0 | March 22, 2011 |
| Pyridine | 110-86-1 | May 17, 2002 |
| Quinoline and its strong acid salts | — | October 24, 1997 |
| Radionuclides | — | July 1, 1989 |
| Reserpine | 50-55-5 | October 1, 1989 |
| Residual (heavy) fuel oils | — | October 1, 1990 |
| Resmethrin | 10453-86-8 | July 1, 2008 |
| Riddelliine | 23246-96-0 | December 3, 2004 |
| <u>Saccharin Delisted April 6, 2001</u> | 81-07-2 | October 1, 1989 |
| <u>Saccharin, sodium Delisted January 17, 2003</u> | 128-44-9 | January 1, 1988 |
| Safrole | 94-59-7 | January 1, 1988 |
| Salted fish, Chinese-style | — | April 29, 2011 |
| Sedaxane | 874967-67-6 | July 1, 2016 |
| Selenium sulfide | 7446-34-6 | October 1, 1989 |
| Shale-oils | 68308-34-9 | April 1, 1990 |
| Silica, crystalline (airborne particles of respirable size) | — | October 1, 1988 |
| Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils) | — | February 27, 1987 |
| Spirodiclofen | 148477-71-8 | October 8, 2010 |
| Spironolactone | 52-01-7 | May 1, 1997 |
| Stanozolol | 10418-03-8 | May 1, 1997 |
| Sterigmatocystin | 10048-13-2 | April 1, 1988 |
| Streptozotocin (streptozocin) | 18883-66-4 | January 1, 1988 |
| Strong inorganic acid mists containing sulfuric acid | — | March 14, 2003 |
| Styrene | 100-42-5 | April 22, 2016 |
| Styrene oxide | 96-09-3 | October 1, 1988 |
| Sulfallate | 95-06-7 | January 1, 1988 |
| Sulfasalazine (Salicylazosulfapyridine) | 599-79-1 | May 15, 1998 |
| Talc containing asbestiform fibers | — | April 1, 1990 |
| Tamoxifen and its salts | 10540-29-1 | September 1, 1996 |
| Teriparatide | 52232-67-4 | August 14, 2015 |
| Terrazole | 2593-15-9 | October 1, 1994 |
| Testosterone and its esters | 58-22-0 | April 1, 1988 |
| Tetrabromobisphenol A | 79-94-7 | October 27, 2017 |
| 3,3',4,4'-Tetrachloroazobenzene | 14047-09-7 | July 24, 2012 |
| 2,3,7,8-Tetrachlorodibenzo- <i>para</i> -dioxin (TCDD) | 1746-01-6 | January 1, 1988 |
| 1,1,1,2-Tetrachloroethane | 630-20-6 | September 13, 2013 |

| <u>Chemical</u> | <u>CAS Number</u> | <u>Date</u> |
|---|-------------------|--------------------|
| 1,1,2,2-Tetrachloroethane | 79-34-5 | July 1, 1990 |
| Tetrachloroethylene (Perchloroethylene) | 127-18-4 | April 1, 1988 |
| <i>p</i> -a,a,a-Tetrachlorotoluene | 5216-25-1 | January 1, 1990 |
| Tetrachlorvinphos | 22248-79-9 | May 20, 2016 |
| Tetrafluoroethylene | 116-14-3 | May 1, 1997 |
| Tetranitromethane | 509-14-8 | July 1, 1990 |
| Thioacetamide | 62-55-5 | January 1, 1988 |
| 4,4' -Thiodianiline | 139-65-1 | April 1, 1988 |
| Thiodicarb | 59669-26-0 | August 20, 1999 |
| Thiouracil | 141-90-2 | June 11, 2004 |
| Thiourea | 62-56-6 | January 1, 1988 |
| Thorium dioxide | 1314-20-1 | February 27, 1987 |
| Titanium dioxide (airborne, unbound particles of respirable size) | — | September 2, 2011 |
| Tobacco, oral use of smokeless products | — | April 1, 1988 |
| Tobacco smoke | — | April 1, 1988 |
| Toluene diisocyanate | 26471-62-5 | October 1, 1989 |
| ortho-Toluidine | 95-53-4 | January 1, 1988 |
| ortho-Toluidine hydrochloride | 636-21-5 | January 1, 1988 |
| <u>para-Toluidine Delisted October 29, 1999</u> | 106-49-0 | January 1, 1990 |
| Toxaphene (Polychlorinated camphenes) | 8001-35-2 | January 1, 1988 |
| Toxins derived from <i>Fusarium moniliforme</i> (<i>Fusarium verticillioides</i>) | — | August 7, 2009 |
| Treosulfan | 299-75-2 | February 27, 1987 |
| Triamterene | 396-01-0 | April 18, 2014 |
| S,S,S-Tributyl phosphorotrithioate (Tribufos, DEF) | 78-48-8 | February 25, 2011 |
| Trichlormethine (Trimustine hydrochloride) | 817-09-4 | January 1, 1992 |
| Trichloroacetic acid | 76-03-9 | September 13, 2013 |
| Trichloroethylene | 79-01-6 | April 1, 1988 |
| 2,4,6-Trichlorophenol | 88-06-2 | January 1, 1988 |
| 1,2,3-Trichloropropane | 96-18-4 | October 1, 1992 |
| Trimethyl phosphate | 512-56-1 | May 1, 1996 |
| 2,4,5-Trimethylaniline and its strong acid salts | — | October 24, 1997 |
| 2,4,6-Trinitrotoluene (TNT) | 118-96-7 | December 19, 2008 |
| Triphenyltin hydroxide | 76-87-9 | July 1, 1992 |
| <u>Tris(aziridiny)l-para-benzoquinone (Triaziquone)</u> <u>Delisted December 8, 2006</u> | 68-76-8 | October 1, 1989 |
| Tris(1-aziridiny)lphosphine sulfide (Thiotepa) | 52-24-4 | January 1, 1988 |
| Tris(2-chloroethyl) phosphate | 115-96-8 | April 1, 1992 |
| Tris(2,3-dibromopropyl)phosphate | 126-72-7 | January 1, 1988 |
| Tris(1,3-dichloro-2-propyl) phosphate (TDCPP) | 13674-87-8 | October 28, 2011 |
| Trp-P-1 (Tryptophan-P-1) | 62450-06-0 | April 1, 1988 |
| Trp-P-2 (Tryptophan-P-2) | 62450-07-1 | April 1, 1988 |
| Trypan blue (commercial grade) | 72-57-1 | October 1, 1989 |
| Unleaded gasoline (wholly vaporized) | — | April 1, 1988 |
| Uracil mustard | 66-75-1 | April 1, 1988 |
| Urethane (Ethyl carbamate) | 51-79-6 | January 1, 1988 |
| Vanadium pentoxide (orthorhombic crystalline form) | 1314-62-1 | February 11, 2005 |
| Vinclozolin | 50471-44-8 | August 20, 1999 |
| Vinyl bromide | 593-60-2 | October 1, 1988 |
| Vinyl chloride | 75-01-4 | February 27, 1987 |
| 4-Vinylcyclohexene | 100-40-3 | May 1, 1996 |
| 4-Vinyl-1-cyclohexene diepoxide (Vinyl cyclohexene dioxide) | 106-87-6 | July 1, 1990 |
| Vinyl fluoride | 75-02-5 | May 1, 1997 |

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

| <u>Chemical</u> | <u>CAS Number</u> | <u>Date</u> |
|--|-------------------|-------------------|
| Vinylidene chloride (1,1-Dichloroethylene) | 75-35-4 | December 29, 2017 |
| 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> |
|--|--------------------------------------|----------------|--------------------|
| Abiraterone acetate | developmental, female, male | 154229-18-2 | April 8, 2016 |
| Acetazolamide | developmental | 59-66-5 | August 20, 1999 |
| Acetohydroxamic acid | developmental | 546-88-3 | April 1, 1990 |
| Acrylamide | developmental, male | 79-06-1 | February 25, 2011 |
| Actinomycin D | developmental | 50-76-0 | October 1, 1992 |
| All-trans retinoic acid | developmental | 302-79-4 | January 1, 1989 |
| Alprazolam | developmental | 28981-97-7 | July 1, 1990 |
| Altretamine | developmental, male | 645-05-6 | August 20, 1999 |
| Amantadine hydrochloride | developmental | 665-66-7 | February 27, 2001 |
| Amikacin sulfate | developmental | 39831-55-5 | July 1, 1990 |
| Aminoglutethimide | developmental | 125-84-8 | July 1, 1990 |
| tert-Amyl methyl ether <u>Delisted December 13, 2013</u> | developmental | 994-05-8 | December 18, 2009 |
| Aminoglycosides | developmental | — | October 1, 1992 |
| Aminopterin | developmental, female | 54-62-6 | July 1, 1987 |
| Amiodarone hydrochloride | developmental, female, male | 19774-82-4 | August 26, 1997 |
| Amitraz | developmental | 33089-61-1 | March 30, 1999 |
| Amoxapine | developmental | 14028-44-5 | May 15, 1998 |
| Anabolic steroids | female, male | — | April 1, 1990 |
| Angiotensin converting enzyme (ACE) inhibitors | developmental | — | October 1, 1992 |
| Anisindione | developmental | 117-37-3 | October 1, 1992 |
| Arsenic (inorganic oxides) | developmental | — | May 1, 1997 |
| Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.) | developmental, female | 50-78-2 | July 1, 1990 |
| Atenolol | developmental | 29122-68-7 | August 26, 1997 |
| Atrazine | developmental, female | 1912-24-9 | July 15, 2016 |
| Auranofin | developmental | 34031-32-8 | January 29, 1999 |
| Avermectin B1 (Abamectin) | developmental | 71751-41-2 | December 3, 2010 |
| Azathioprine | developmental | 446-86-6 | September 1, 1996 |
| Barbiturates | developmental | — | October 1, 1992 |
| Beclomethasone dipropionate | developmental | 5534-09-8 | May 15, 1998 |
| Benomyl | developmental, male | 17804-35-2 | July 1, 1991 |
| Benzene | developmental, male | 71-43-2 | December 26, 1997 |
| Benzodiazepines | developmental | — | October 1, 1992 |
| Benzphetamine hydrochloride | developmental | 5411-22-3 | April 1, 1990 |

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

| <u>Chemical</u> | <u>Type of Reproductive Toxicity</u> | <u>CAS No.</u> | <u>Date Listed</u> |
|---|--------------------------------------|----------------|--------------------|
| Bischloroethyl nitrosourea (BCNU) (Carmustine) | developmental | 154-93-8 | July 1, 1990 |
| Bisphenol A (BPA) | female | 80-05-7 | May 11, 2015 |
| Bisphenol A (BPA) | developmental | 80-05-7 | April 11, 2013 |
| <u>Delisted April 19, 2013</u> | | | |
| Bromacil lithium salt | developmental | 53404-19-6 | May 18, 1999 |
| | male | | January 17, 2003 |
| 1-Bromopropane | developmental, female, male | 106-94-5 | December 7, 2004 |
| 2-Bromopropane | female, male | 75-26-3 | May 31, 2005 |
| Bromoxynil | developmental | 1689-84-5 | October 1, 1990 |
| Bromoxynil octanoate | developmental | 1689-99-2 | May 18, 1999 |
| Butabarbital sodium | developmental | 143-81-7 | October 1, 1992 |
| 1,3-Butadiene | developmental, female, male | 106-99-0 | April 16, 2004 |
| 1,4-Butanediol dimethane-sulfonate (Busulfan) | developmental | 55-98-1 | January 1, 1989 |
| Butyl benzyl phthalate (BBP) | developmental | 85-68-7 | December 2, 2005 |
| n-Butyl glycidyl ether | male | 2426-08-6 | August 7, 2009 |
| <u>Delisted April 4, 2014</u> | | | |
| Cadmium | developmental, male | — | May 1, 1997 |
| Carbamazepine | developmental | 298-46-4 | January 29, 1999 |
| Carbaryl | developmental, female, male | 63-25-2 | August 7, 2009 |
| Carbon disulfide | developmental, female, male | 75-15-0 | July 1, 1989 |
| Carbon monoxide | developmental | 630-08-0 | July 1, 1989 |
| Carboplatin | developmental | 41575-94-4 | July 1, 1990 |
| Chenodiol | developmental | 474-25-9 | April 1, 1990 |
| Chlorambucil | developmental | 305-03-3 | January 1, 1989 |
| Chlorcyclizine hydrochloride | developmental | 1620-21-9 | July 1, 1987 |
| Chlordecone (Kepone) | developmental | 143-50-0 | January 1, 1989 |
| Chlordiazepoxide | developmental | 58-25-3 | January 1, 1992 |
| Chlordiazepoxide hydrochloride | developmental | 438-41-5 | January 1, 1992 |
| 1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine) | developmental | 13010-47-4 | July 1, 1990 |
| Chloroform | developmental | 67-66-3 | August 7, 2009 |
| 2-Chloropropionic acid | male | 598-78-7 | August 7, 2009 |
| Chlorpyrifos | developmental | 2921-88-2 | December 15, 2017 |
| 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 |
| Cocaine | developmental, female | 50-36-2 | July 1, 1989 |
| Codeine phosphate | developmental | 52-28-8 | May 15, 1998 |
| Colchicine | developmental, male | 64-86-8 | October 1, 1992 |
| Conjugated estrogens | developmental | — | April 1, 1990 |
| Cyanazine | developmental | 21725-46-2 | April 1, 1990 |
| Cycloate | developmental | 1134-23-2 | March 19, 1999 |
| Cyclohexanol | male | 108-93-0 | November 6, 1998 |
| <u>Delisted January 25, 2002</u> | | | |

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

| <u>Chemical</u> | <u>Type of Reproductive Toxicity</u> | <u>CAS No.</u> | <u>Date Listed</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, 1999 |
| Danazol | developmental | 17230-88-5 | April 1, 1990 |
| Daunorubicin hydrochloride | developmental | 23541-50-6 | July 1, 1990 |
| 2,4-D butyric acid | developmental, male | 94-82-6 | June 18, 1999 |
| o,p' -DDT | developmental, female, male | 789-02-6 | May 15, 1998 |
| p,p' -DDT | developmental, female, male | 50-29-3 | May 15, 1998 |
| Demeclocycline hydrochloride (internal use) | developmental | 64-73-3 | January 1, 1992 |
| Des-ethyl atrazine (DEA) | developmental, female | 6190-65-4 | July 15, 2016 |
| Des-isopropyl atrazine (DIA) | developmental, female | 1007-28-9 | July 15, 2016 |
| 2,4-Diamino-6-chloro-s- triazine (DACT) | developmental, female | 3397-62-4 | July 15, 2016 |
| Diazepam | developmental | 439-14-5 | January 1, 1992 |
| Diazoxide | developmental | 364-98-7 | February 27, 2001 |
| 1,2-Dibromo-3-chloropropane (DBCP) | male | 96-12-8 | February 27, 1987 |
| Di-n-butyl phthalate (DBP) | developmental, female, male | 84-74-2 | December 2, 2005 |
| Dichloroacetic acid | developmental, male | 79-43-6 | August 7, 2009 |
| 1,1-Dichloro-2,2-bis(p-chlorophenyl) ethylene (DDE) | developmental, male | 72-55-9 | March 30, 2010 |
| Dichlorophene | developmental | 97-23-4 | April 27, 1999 |
| Dichlorophenamide | developmental | 120-97-8 | February 27, 2001 |
| Diclofop methyl | developmental | 51338-27-3 | March 5, 1999 |
| Dicumarol | developmental | 66-76-2 | October 1, 1992 |
| Di(2-ethylhexyl)phthalate (DEHP) | developmental, male | 117-81-7 | October 24, 2003 |
| Diethylstilbestrol (DES) | developmental | 56-53-1 | July 1, 1987 |
| Diffunisal | developmental, female | 22494-42-4 | January 29, 1999 |
| Diglycidyl ether <u>Delisted April 4, 2014</u> | male | 2238-07-5 | August 7, 2009 |
| 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 |

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

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

| <i>Chemical</i> | <i>Type of Reproductive Toxicity</i> | <i>CAS No.</i> | <i>Date Listed</i> |
|--|--------------------------------------|----------------|--------------------|
| Hexafluoroacetone | developmental, male | 684-16-2 | August 1, 2008 |
| LHexamethylphosphoramide | male | 680-31-9 | October 1, 1994 |
| <i>n</i> -Hexane | male | 110-54-3 | December 15, 2017 |
| 2,5-Hexanedione | male | 110-13-4 | December 4, 2015 |
| Histrelin acetate | developmental | — | May 15, 1998 |
| Hydramethylnon | developmental, male | 67485-29-4 | March 5, 1999 |
| Hydrogen cyanide (HCN) and cyanide salts (CN salts) | male | — | July 5, 2013 |
| Hydroxyurea | developmental | 127-07-1 | May 1, 1997 |
| Idarubicin hydrochloride | developmental, male | 57852-57-0 | August 20, 1999 |
| Ifosfamide | developmental | 3778-73-2 | July 1, 1990 |
| Iodine-131 | developmental | 10043-66-0 | January 1, 1989 |
| Isotretinoin | developmental | 4759-48-2 | July 1, 1987 |
| Lead | developmental, female, male | — | February 27, 1987 |
| Leuprolide acetate | developmental, female, male | 74381-53-6 | August 26, 1997 |
| Levodopa | developmental | 59-92-7 | January 29, 1999 |
| Levonorgestrel implants | female | 797-63-7 | May 15, 1998 |
| Linuron | developmental | 330-55-2 | March 19, 1999 |
| Lithium carbonate | developmental | 554-13-2 | January 1, 1991 |
| Lithium citrate | developmental | 919-16-4 | January 1, 1991 |
| Lorazepam | developmental | 846-49-1 | July 1, 1990 |
| Lovastatin | developmental | 75330-75-5 | October 1, 1992 |
| Mebendazole | developmental | 31431-39-7 | August 20, 1999 |
| Medroxyprogesterone acetate | developmental | 71-58-9 | April 1, 1990 |
| Megestrol acetate | developmental | 595-33-5 | January 1, 1991 |
| Melphalan | developmental | 148-82-3 | July 1, 1990 |
| Menotropins | developmental | 9002-68-0 | April 1, 1990 |
| Meprobamate | developmental | 57-53-4 | January 1, 1992 |
| Mercaptopurine | developmental | 6112-76-1 | July 1, 1990 |
| Mercury and mercury compounds | developmental | — | July 1, 1990 |
| Methacycline hydrochloride | developmental | 3963-95-9 | January 1, 1991 |
| Metham sodium | developmental | 137-42-8 | May 15, 1998 |
| Methanol | developmental | 67-56-1 | March 16, 2012 |
| Methazole | developmental | 20354-26-1 | December 1, 1999 |
| Methimazole | developmental | 60-56-0 | July 1, 1990 |
| Methotrexate | developmental | 59-05-2 | January 1, 1989 |
| Methotrexate sodium | developmental | 15475-56-6 | April 1, 1990 |
| Methyl bromide as a structural fumigant | developmental | 74-83-9 | January 1, 1993 |
| Methyl <i>n</i> -butyl ketone | developmental | 591-78-6 | December 4, 2015 |
| Methyl chloride | male | 74-87-3 | August 7, 2009 |
| Methyl isobutyl ketone (MIBK) | developmental | 74-87-3 | March 10, 2000 |
| Methyl isocyanate (MIC) | developmental, female | 74-87-3 | August 7, 2009 |
| Methyl isopropyl ketone | developmental | 108-10-1 | March 28, 2014 |
| <u>Delisted April 4, 2014</u> | | 624-83-9 | November 12, 2010 |
| Methyl mercury | developmental | 563-80-4 | February 17, 2012 |
| <u>Delisted April 4, 2014</u> | | — | July 1, 1987 |
| N-Methylpyrrolidone | developmental | 872-50-4 | June 15, 2001 |
| <i>α</i> -Methyl styrene | female | 98-83-9 | July 29, 2011 |
| <u>Delisted April 4, 2014</u> | | — | July 1, 1987 |
| Methyltestosterone | developmental | 58-18-4 | April 1, 1990 |
| Metiram | developmental | 9006-42-2 | March 30, 1999 |

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

| <u>Chemical</u> | <u>Type of Reproductive Toxicity</u> | <u>CAS No.</u> | <u>Date Listed</u> |
|---|--------------------------------------|---------------------|--------------------|
| Midazolam hydrochloride | developmental | 59467-96-8 | July 1, 1990 |
| Minocycline hydrochloride (internal use) | developmental | 13614-98-7 | January 1, 1992 |
| Misoprostol | developmental | 59122-46-2 | April 1, 1990 |
| Mitoxantrone hydrochloride | developmental | 70476-82-3 | July 1, 1990 |
| Molinate | developmental, female, male | 2212-67-1 | December 11, 2009 |
| Myclobutanil | developmental, male | 88671-89-0 | April 16, 1999 |
| Nabam | developmental | 142-59-6 | March 30, 1999 |
| Nafarelin acetate | developmental | 86220-42-0 | April 1, 1990 |
| Neomycin sulfate (internal use) | developmental | 1405-10-3 | October 1, 1992 |
| Netilmicin sulfate | developmental | 56391-57-2 | July 1, 1990 |
| Nickel carbonyl | developmental | 13463-39-3 | September 1, 1996 |
| Nicotine | developmental | 54-11-5 | April 1, 1990 |
| Nifedipine | developmental, female, male | 21829-25-4 | January 29, 1999 |
| Nimodipine | developmental | 66085-59-4 | April 24, 2001 |
| Nitrapyrin | developmental | 1929-82-4 | March 30, 1999 |
| Nitrobenzene | male | 98-95-3 | March 30, 2010 |
| Nitrofurantoin | male | 67-20-9 | April 1, 1991 |
| Nitrogen mustard (Mechlorethamine) | developmental | 51-75-2 | January 1, 1989 |
| Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride) | developmental | 55-86-7 | July 1, 1990 |
| Nitrous oxide | developmental, female | 10024-97-2 | August 1, 2008 |
| Norethisterone (Norethindrone) | developmental | 68-22-4 | April 1, 1990 |
| Norethisterone acetate (Norethindrone acetate) | developmental | 51-98-9 | October 1, 1991 |
| Norethisterone (Norethindrone)/ Ethinyl estradiol | developmental | 68-22-4/ 57-63-6 | April 1, 1990 |
| Norethisterone (Norethindrone)/Mestranol | developmental | 68-22-4/ 72-33-3 | April 1, 1990 |
| Norgestrel | developmental | 6533-00-2 | April 1, 1990 |
| Oxadiazon | developmental | 19666-30-9 | May 15, 1998 |
| Oxazepam | developmental | 604-75-1 | October 1, 1992 |
| p,p'-Oxybis(benzenesulfonyl hydrazide) <u>Delisted December 13, 2013</u> | developmental | 80-51-3 | August 7, 2009 |
| Oxydemeton methyl | female, male | 301-12-2 | November 6, 1998 |
| Oxymetholone | developmental | 434-07-1 | May 1, 1997 |
| Oxytetracycline (internal use) | developmental | 79-57-2 | January 1, 1991 |
| Oxytetracycline hydrochloride (internal use) | developmental | 2058-46-0 | October 1, 1991 |
| Oxythioquinox (Chinomethionat) | developmental | 2439-01-2 | November 6, 1998 |
| Paclitaxel | developmental, female, male | 33069-62-4 | August 26, 1997 |
| Paramethadione | developmental | 115-67-3 | July 1, 1990 |
| Penicillamine | developmental | 52-67-5 | January 1, 1991 |
| Pentobarbital sodium | developmental | 57-33-0 | July 1, 1990 |
| Pentostatin | developmental | 53910-25-1 | September 1, 1996 |
| Pertuzumab | developmental | 380610-27-5 | January 27, 2017 |
| 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 |

| <u>Chemical</u> | <u>Type of Reproductive Toxicity</u> | <u>CAS No.</u> | <u>Date Listed</u> |
|--|--------------------------------------|--------------------------|------------------------------------|
| Pipobroman | developmental | 54-91-1 | July 1, 1990 |
| Plicamycin | developmental | 18378-89-7 | April 1, 1990 |
| Polybrominated biphenyls | developmental | — | October 1, 1994 |
| Polychlorinated biphenyls | developmental | — | January 1, 1991 |
| Potassium dimethyldithiocarbamate | developmental | 128-03-0 | March 30, 1999 |
| Pravastatin sodium | developmental | 81131-70-6 | March 3, 2000 |
| Prednisolone sodium phosphate | developmental | 125-02-0 | August 20, 1999 |
| Procarbazine hydrochloride | developmental | 366-70-1 | July 1, 1990 |
| Propargite | developmental | 2312-35-8 | June 15, 1999 |
| Propazine | developmental, female | 139-40-2 | July 15, 2016 |
| Propylthiouracil | developmental | 51-52-5 | July 1, 1990 |
| Pyrimethamine | developmental | 58-14-0 | January 29, 1999 |
| Quazepam | developmental | 36735-22-5 | August 26, 1997 |
| Quizalofop-ethyl | male | 76578-14-8 | December 24, 1999 |
| Resmethrin | developmental | 10453-86-8 | November 6, 1998 |
| Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.) | developmental | — | July 1, 1989 |
| Ribavirin | developmental male | 36791-04-5 36791-04-5 | April 1, 1990 February 27, 2001 |
| Rifampin | developmental, female | 13292-46-1 | February 27, 2001 |
| Secobarbital sodium | developmental | 309-43-3 | October 1, 1992 |
| Sermorelin acetate | developmental | — | August 20, 1999 |
| Simazine | developmental, female | 122-34-9 | July 15, 2016 |
| Sodium dimethyldithiocarbamate | developmental | 128-04-1 | March 30, 1999 |
| Sodium fluoroacetate | male | 62-74-8 | November 6, 1998 |
| Streptomycin sulfate | developmental | 3810-74-0 | January 1, 1991 |
| Streptozocin (streptozotocin) | developmental, female, male | 18883-66-4 | August 20, 1999 |
| Sulfasalazine (Salicylazosulfapyridine) | male | 599-79-1 | January 29, 1999 |
| Sulfur dioxide | developmental | 7446-09-5 | July 29, 2011 |
| Sulindac | developmental, female | 38194-50-2 | January 29, 1999 |
| Tamoxifen citrate | developmental | 54965-24-1 | July 1, 1990 |
| Temazepam | developmental | 846-50-4 | April 1, 1990 |
| Teniposide | developmental | 29767-20-2 | September 1, 1996 |
| Terbacil | developmental | 5902-51-2 | May 18, 1999 |
| Testosterone cypionate | developmental | 58-20-8 | October 1, 1991 |
| Testosterone enanthate | developmental | 315-37-7 | April 1, 1990 |
| 2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD) | developmental | 1746-01-6 | April 1, 1991 |
| Tetracycline (internal use) | developmental | 60-54-8 | October 1, 1991 |
| Tetracyclines (internal use) | developmental | — | October 1, 1992 |
| Tetracycline hydrochloride (internal use) | developmental | 64-75-5 | January 1, 1991 |
| Thalidomide | developmental | 50-35-1 | July 1, 1987 |
| Thioguanine | developmental | 154-42-7 | July 1, 1990 |
| Thiophanate methyl | female, male | 23564-05-8 | May 18, 1999 |
| Tobacco smoke (primary) | developmental, female, male | — | April 1, 1988 |
| Tobramycin sulfate | developmental | 49842-07-1 | July 1, 1990 |

| <i>Chemical</i> | <i>Type of Reproductive Toxicity</i> | <i>CAS No.</i> | <i>Date Listed</i> |
|--|--------------------------------------|----------------|-----------------------------------|
| Toluene | developmental female | 108-88-3 | January 1, 1991 August 7, 2009 |
| Topiramate | developmental | 97240-79-4 | November 27, 2015 |
| Triadimefon | developmental, female, male | 43121-43-3 | March 30, 1999 |
| Triazolam | developmental | 28911-01-5 | April 1, 1990 |
| Tributyltin methacrylate | developmental | 2155-70-6 | December 1, 1999 |
| Trichloroethylene | developmental, male | 79-01-6 | January 31, 2014 |
| Trientine hydrochloride | developmental | 38260-01-4 | February 27, 2001 |
| Triforine | developmental | 26644-46-2 | June 18, 1999 |
| 1,3,5-Triglycidyl-s-triazinetriene | male | 2451-62-9 | August 7, 2009 |
| <u>Delisted December 13, 2013</u> | | | |
| Trilostane | developmental | 13647-35-3 | April 1, 1990 |
| Trimethadione | developmental | 127-48-0 | January 1, 1991 |
| Trimetrexate glucuronate | developmental | 82952-64-5 | August 26, 1997 |
| Triphenyltin hydroxide | developmental | 76-87-9 | March 18, 2002 |
| Uracil mustard | developmental, female, male | 66-75-1 | January 1, 1999 |
| Urethane | developmental | 51-79-6 | October 1, 1994 |
| Urofollitropin | developmental | 97048-13-0 | April 1, 1990 |
| Valproate (Valproic acid) | developmental | 99-66-1 | July 1, 1987 |
| Vinblastine sulfate | developmental | 143-67-9 | July 1, 1990 |
| Vinclozolin | developmental | 50471-44-8 | May 15, 1998 |
| Vincristine sulfate | developmental | 2068-78-2 | July 1, 1990 |
| 4-Vinylcyclohexene | female, male | 100-40-03 | August 7, 2009 |
| Vinyl cyclohexene dioxide (4-Vinyl-1-cyclohexene diepoxide) | female, male | 106-87-6 | August 1, 2008 |
| Visomodegib | developmental, female, male | 879085-55-9 | January 27, 2017 |
| Warfarin | developmental | 81-81-2 | July 1, 1987 |
| Zileuton | developmental, female | 111406-87-2 | December 22, 2000 |

Date: December 29, 2017

DECISION NOT TO PROCEED

BOARD OF FORESTRY AND FIRE PROTECTION

“Cumulative Impacts Assessment Checklist, Technical Rule Addendum No. 2 and Appendix Amendments, 2017”

Title 14 of the California Code of Regulations (14 CCR), Division 1.5, Chapter 4: Subchapter 4, 5, & 6, Article 2 Amend: §§ 912.9, 932.9, 952.9

Pursuant to Government Code Section 11347, the Board of Forestry and Fire Protection hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Regulatory No-

tice Register on June 30, 2017 [Office of Administrative Law Notice Number Z2017-0620-02] (Rulemaking Package).

The Rulemaking Package consisted of regulations to provide a regulatory requirement for the assessment of cumulative impacts related to GHG emissions and wildfire risks and hazards within the Plan process. The proposed action will also add technical clarity and accuracy to existing regulation of impact analysis and make explicit the guidance function of the existing Appendix of 14 CCR §§ 912.9, 932.9, and 952.9.

Any interested person with questions concerning this rulemaking should contact:

Board of Forestry and Fire Protection
Attn: Eric Hedge
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-9633

The Board of Forestry and Fire Protection will also post this Notice of Decision Not to Proceed on its website.

**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# 2017-1103-03
BOARD OF FORESTRY AND FIRE PROTECTION
Rule Alignment #5, 2017

This action without regulatory effect by the Board of Forestry and Fire Protection revises multiple sections to correct typographical errors, capitalization, agency names, and acronyms.

Title 14
AMEND: 933, 933.1, 933.2, 933.3, 933.4, 933.5, 933.6, 933.7, 933.10, 933.11, 934, 934.1, 934.2, 934.3, 934.5, 934.6, 934.7, 934.8, 934.9, 935, 935.1, 935.2, 935.3, 935.4, 936, 936.1, 936.2, 936.3, 936.4, 936.5, 936.6, 936.7, 936.8, 936.9, 936.10, 936.11, 936.11.1, 936.12, 937, 937.2, 937.5, 937.6, 937.7, 937.9, 937.10, 938, 938.1, 938.4, 938.5, 938.6, 938.7, 938.8, 938.10, 939, 939.1, 939.2, 939.3, 939.4, 939.5, 939.9, 939.10, 939.12, 939.16, 940, 943, 943.1, 943.2, 943.3, 943.4, 943.5, 943.6, 943.7, 943.8, 943.9, 943.9.1, 949, 949.1, 949.2, 949.3, 949.4, 949.5, 949.6, 949.7, 953, 953.1, 953.2, 953.3, 953.4, 953.5, 953.6, 953.10, 953.11, 954, 954.1, 954.2, 954.3, 954.5, 954.6, 954.7, 954.8, 954.9, 955, 955.1, 955.2, 955.3, 955.4, 956, 956.1, 956.2, 956.3, 956.4, 956.5, 956.6, 956.7, 956.8, 956.9, 956.10, 956.11, 956.12, 957, 957.2, 957.5, 957.7, 957.9, 957.10, 958, 958.1, 958.4, 958.5, 958.6, 958.7, 958.8, 958.10, 959, 959.1, 959.2, 959.3, 959.4, 959.5, 959.12, 959.16, 960, 961, 961.4, 963, 963.1, 963.2, 963.3, 963.4, 963.5, 963.6, 963.7, 963.8, 963.9, 963.9.1, 969, 969.1, 969.2, 969.3, 969.4, 969.5, 969.6, 969.7, and 1032.10
Filed 12/20/2017
Agency Contact: Matt Dias (916) 653-8007

File# 2017-1211-01
BOARD OF PHARMACY
Compounded Drug Preparations

This emergency action (1) establishes procedures that allow pharmacists to extend the beyond-use date (BUD) of non-sterile compounded drug preparations and (2) clarifies BUD procedures for sterile compounded drug preparations.

Title 16
AMEND: 1735.2
Filed 12/19/2017
Effective 12/19/2017
Agency Contact: Lori Martinez (916) 574-7917

File# 2017-1205-01
CALIFORNIA ALTERNATIVE ENERGY AND
ADVANCED TRANSPORTATION FINANCING
AUTHORITY
Sales and Use Tax Exclusion Program

This emergency rulemaking by the California Alternative Energy and Advanced Transportation Financing Authority amends sections 10032 and 10036 in title 4 of the California Code of Regulations relating to the existing sales and use tax exclusion program for Alternative Source, Advanced Transportation, and Advanced Manufacturing projects. These amendments incorporate measures to assist companies relocating or rebuilding after critical damage caused by natural disasters to promote the goals of retaining manufacturing facilities and manufacturing jobs in California.

Title 4
AMEND: 10032, 10036
Filed 12/13/2017
Effective 12/13/2017
Agency Contact: Ashley Bonnett (916) 651-5100

File# 2017-1027-05
DEPARTMENT OF CONSERVATION
Guidance Document for Surface Mine Inspectors

This action by the Department of Conservation, Division of Mine Reclamation, adopts section 3504.6 of title 14 of the California Code of Regulations to establish the incorporated by reference training document entitled, "Guidance Document for Surface Mine Inspectors," in accordance with Public Resources Code section 2774, subdivision (e).

Title 14
ADOPT: 3504.6
Filed 12/13/2017
Effective 04/01/2018
Agency Contact: Paul Fry (916) 324-0681

File# 2017-1208-01
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Credit Earning and Parole Consideration

Proposition 57, The Public Safety and Rehabilitation Act of 2016 (the “Act”), was approved by California voters on November 8, 2016. The Act gives the Department of Corrections and Rehabilitation “authority to award credits earned for good behavior and approved rehabilitative or educational achievements.” (Cal. Const., art. I, sec. 32, subd. (a), par. (2).) This timely emergency readopt rulemaking action implements the Act by adopting new and revising existing rules for inmate credit earning and parole consideration.

Title 15
ADOPT: 2449.1, 2449.2, 2449.3, 2449.4, 2449.5, 3043.1, 3043.2, 3043.3, 3043.4, 3043.5, 3043.6, 3490, 3491, 3492, 3493 AMEND: 3043, 3043.5 (renumbered to 3043.7), 3043.6 (renumbered to 3043.8), 3044 REPEAL: 3042, 3043.1, 3043.2, 3043.3, 3043.4, 3043.7
Filed 12/18/2017
Effective 12/21/2017
Agency Contact: Laura Lomonaco (916) 445-2217

File# 2017-1027-01
DEPARTMENT OF FOOD AND AGRICULTURE
Asian Citrus Psyllid Interior Quarantine

This certificate of compliance by the Department of Food and Agriculture makes permanent the prior emergency action (OAL file no. 2017-0502-02E) that expanded the existing quarantine area for the Asian Citrus Psyllid ((ACP) *Diaphorina citri*) in Waco area of Kern County by approximately 98 square miles. The effect of this action provides permanent authority for the state to perform quarantine activities against ACP within this additional area, along with the many already existing regulated areas in the state.

Title 3
AMEND: 3435(b)
Filed 12/13/2017
Effective 12/13/2017
Agency Contact: Rachel Avila (916) 403-6813

File# 2017-1027-02
DEPARTMENT OF FOOD AND AGRICULTURE
Asian Citrus Psyllid Interior Quarantine

This timely certificate of compliance action by the Department of Food and Agriculture makes permanent the changes adopted in OAL File Nos. 2016-1212-02E, 2017-0523-04EE, and 2017-0725-01EE that prohibit the movement of bulk

citrus within quarantine areas, except for shipments moved under the terms of a special permit as authorized under section 3154 of title 3 of the CCR.

Title 3
AMEND: 3435(d)
Filed 12/13/2017
Effective 12/13/2017
Agency Contact: Rachel Avila (916) 403-6813

File# 2017-1213-04
DEPARTMENT OF FOOD AND AGRICULTURE
Huanglongbing Disease Interior Quarantine

This emergency rulemaking by the Department of Food and Agriculture expands the quarantine area for Huanglongbing (“HLB”) disease in the Garden Grove area of Orange County. The quarantine area is being expanded by approximately seventeen (17) square miles in response to the confirmation on November 20, 2017, of the presence of HLB from suspect citrus tissue samples collected in the Garden Grove area of Orange County. This emergency action provides authority for the state to perform quarantine activities against HLB within this additional area. The total area which is now under regulation is approximately 618 square miles.

Title 3
AMEND: 3439(b)
Filed 12/15/2017
Effective 12/15/2017
Agency Contact: Kyle Beucke (916) 403-6741

File# 2017-1107-03
DEPARTMENT OF PESTICIDE REGULATION
Worker Protection Standard

In this rulemaking action the Department of Pesticide Regulation is amending 7 sections in title 3 of the California Code of Regulations. These revisions amend existing worker safety regulations to align with the recently revised federal Worker Protection Standard. This rulemaking revises requirements for notice of completed applications, fieldworker training, fieldworker decontamination supplies, training program requirements for pesticide handlers, and field posting when a pesticide is used for the commercial or research production of an agricultural commodity.

Title 3
AMEND: 6000, 6619, 6724, 6764, 6768, 6769, 6776
Filed 12/20/2017
Effective 03/01/2018
Agency Contact:
Linda Irokawa-Otani (916) 445-3991

File# 2017-1205-06
OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT
Chemicals Known to the State to Cause Cancer or
Reproductive Toxicity

This file and print request by the Office of Environmental Health Hazard Assessment amends subdivision (c) of section 27001 to add Chlorpyrifos and n-Hexane to the list of chemicals known to the state to cause reproductive toxicity. This amendment is exempt from the rulemaking procedures of the APA and is exempt from OAL review pursuant to Health and Safety Code section 25249.8.

Title 27
AMEND: 27001
Filed 12/20/2017
Effective 12/15/2017
Agency Contact: Michelle Ramirez (916) 327-3015

File# 2017-1206-01
STATE ALLOCATION BOARD
Leroy F. Greene School Facilities Act of 1998; GSD
Extension # 10

This rulemaking action by the State Allocation Board extends, from January 1, 2018 to January 1, 2019, the sunset date for the additional General Site Development Grant that school districts may be eligible for under the School Facility Program (SFP). This grant program helps school districts cover the extra costs involved when they build new schools or make additions to existing schools requiring the development of new acreage. These extra costs include: landscaping, finish grading, driveways, walkways, outdoor instructional play facilities, permanent playground equipment, and athletic fields.

Title 2
AMEND: 1859.76
Filed 12/20/2017
Effective 12/20/2017
Agency Contact: Lisa Jones (916) 376-1753

File# 2017-1106-02
STATE ATHLETIC COMMISSION
Payment of Contestants

This regulatory action by the Athletic Commission amends section 232 in title 4 of the CCR, regarding payment of contestants. This rulemaking sets a minimum purse amount of one hundred dollars (\$100.00) per round.

Title 4
AMEND: 232
Filed 12/19/2017
Effective 04/01/2018
Agency Contact: Sophia Cornejo (916) 263-2196

File# 2017-1102-01
STATE WATER RESOURCES CONTROL BOARD
Cannabis Cultivation Policy — Principles and
Guidelines for Cannabis

On October 17, 2017, the State Water Resources Control Board adopted Resolution No. 2017-0063, adopting the Cannabis Cultivation Policy — Principles and Guidelines for Cannabis Cultivation, in accordance with California Water Code section 13149.

Title 23
ADOPT: 2925
Filed 12/18/2017
Agency Contact: Daniel Schultz (916) 323-9392

File# 2017-1115-01
STATE WATER RESOURCES CONTROL BOARD
1,2,3-Trichloropropane Maximum Contaminant Level

This rulemaking action adopts a Maximum Contaminant Level for 1,2,3-Trichloropropane for drinking water in the amount of .000005 mg/L (five parts per trillion) for the purpose of protecting public health.

Title 22
AMEND: 64444, 64445, 64445.1, 64447.4, 64465,
64481
Filed 12/14/2017
Effective 12/14/2017
Agency Contact: Melissa Hall (916) 323-0373

File# 2017-1205-07
STATE WATER RESOURCES CONTROL BOARD
Emergency Regulation Amending FY 2017-18 Drinking
Water Fees

This emergency file and print action amends regulations concerning the administration and collection of annual drinking water fees: clarifying terms and conditions, altering wholesaler requirements, and making procedural changes.

Title 22
AMEND: 64300, 64305, 64310, 64315
Filed 12/15/2017
Effective 12/15/2017
Agency Contact: Ryan Wilson (916) 341-5135

File# 2017-1109-03
VETERINARY MEDICAL BOARD
Animal Control and Humane Officer Training

This action by the Veterinary Medical Board (Board) establishes requirements for licensed veterinarians who provide training to animal control and humane officers on the administration of tranquilizers containing controlled substances as required by Penal Code section 597.1, subdivision (a)(2)(A).

Title 16
 ADOPT: 2039.5
 Filed 12/20/2017
 Effective 12/20/2017
 Agency Contact: Ethan Mathes (916) 515-5227

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN July 19, 2017 TO
 December 20, 2017**

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

12/20/17 AMEND: 1859.76
 11/30/17 AMEND: 10, 51.2, 52.1, 52.10, 52.11, 53.2, 53.3, 57.1, 58.6, 58.10, 58.13, 60.1, 64.1, 64.2, 64.3, 64.5, 67.2, 67.3, 67.6
 11/27/17 AMEND: 18531.5
 11/27/17 AMEND: 1859.190, 1859.194, 1859.195, 1859.198
 11/21/17 AMEND: 559.502
 11/21/17 AMEND: 59640
 11/15/17 AMEND: 18535
 10/26/17 ADOPT: 571.1
 10/23/17 AMEND: 11024
 10/23/17 AMEND: 59740
 10/10/17 AMEND: 10500
 10/09/17 AMEND: 59780
 10/04/17 ADOPT: 280, 547.50, 547.51, 547.52, 547.53, 547.54, 547.55, 547.55.1, 547.55.2, 547.56, 547.57, 547.57.1, 547.52.2, 547.57.3, 547.57.4, 547.58, 547.58.1, 547.58.2, 547.58.3, 547.58.4, 547.58.5, 547.58.6, 547.58.7, 547.58.8, 547.58.9 AMEND: 281, 282 REPEAL: 547.50, 547.51, 547.52, 547.53, 547.54, 547.55, 547.56, 547.57
 09/22/17 AMEND: 1859.2, 1859.81
 09/21/17 AMEND: 59620

09/20/17 ADOPT: 1859.90.5 AMEND: 1859.2, 1859.90, 1859.90.2, 1859.90.4
 08/31/17 AMEND: 10000, 10001, 10002, 10005, 10007, 10008, 10009, 10010, 10011, 10015, 10017, 10021, 10022, 10025, 10026, 10030, 10031, 10033, 10035, 10038, 10039, 10041, 10042, 10044, 10046, 10049, 10050, 10051, 10053, 10054, 10057, 10063, 10065
 08/30/17 AMEND: 59590
 08/16/17 AMEND: 604
 08/14/17 AMEND: 11034
 08/14/17 ADOPT: 2298.1, 2298.2, 2298.3, 2298.4, 2298.5, 2298.6, 2298.7, 2298.8, 2298.9, 2298.9.1 REPEAL: 2297.1, 2298
 08/10/17 AMEND: 1897
 07/25/17 AMEND: 57700

Title 3

12/20/17 AMEND: 6000, 6619, 6724, 6764, 6768, 6769, 6776
 12/15/17 AMEND: 3439(b)
 12/13/17 AMEND: 3435(b)
 12/13/17 AMEND: 3435(d)
 12/12/17 ADOPT: 1391.7 AMEND: 1391, 1391.1, 1391.3
 12/11/17 AMEND: 3439(b)
 12/07/17 ADOPT: 8000, 8100, 8101, 8102, 8103, 8104, 8105, 8106, 8107, 8108, 8109, 8110, 8111, 8112, 8113, 8114, 8115, 8200, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8209, 8210, 8211, 8212, 8213, 8214, 8215, 8216, 8300, 8301, 8302, 8303, 8304, 8305, 8306, 8307, 8308, 8400, 8401, 8402, 8403, 8404, 8405, 8406, 8407, 8408, 8409, 8500, 8501, 8600, 8601, 8602, 8603, 8604, 8605, 8606, 8607, 8608
 12/07/17 AMEND: 3439(b)
 12/05/17 AMEND: 3591.5
 11/28/17 AMEND: 3406(c), 3591.5(b)
 11/22/17 AMEND: 3435(b)
 11/21/17 AMEND: 3435(b)
 11/21/17 REPEAL: 1408.22
 11/20/17 AMEND: 3591.15
 11/20/17 AMEND: 3435(b)
 11/15/17 AMEND: 6728
 11/09/17 AMEND: 3435(b)
 11/07/17 ADOPT: 6690, 6691, 6692
 11/07/17 ADOPT: 2852.5 AMEND: 2850, 2851, 2852, 2853, 2854, 2855, 2856
 11/06/17 AMEND: 3435(b)
 11/02/17 AMEND: 3435(b)
 10/23/17 AMEND: 3435(b)
 10/16/17 AMEND: 3591.15

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

10/16/17 AMEND: 3439(b) 12562 REPEAL: 12200.13, 12200.16,
 09/28/17 AMEND: 3439(b) 12200.21, 12220.13, 12220.16, 12220.21
 09/28/17 AMEND: 3435(b) 10/13/17 ADOPT: 5145, 5146, 5233 AMEND:
 09/27/17 AMEND: 3435(b) 5000, 5020, 5031, 5033, 5050, 5051,
 09/21/17 AMEND: 1430.142 5054, 5061, 5062, 5063, 5106, 5144,
 09/19/17 AMEND: 3406(c), 3591.5(b) 5170, 5191, 5192, 5194, 5200, 5220,
 09/14/17 AMEND: 3439 5230, 5240, 5250, 5255, 5258, 5260,
 09/12/17 AMEND: 3435(b) 5300, 5342, 5350, 5370, 5400, 5450,
 09/07/17 AMEND: 3435(b) 5560, 5600 REPEAL: 5221
 09/05/17 AMEND: 3435(b) 10/09/17 ADOPT: 5700, 5710, 5711, 5720, 5721,
 09/05/17 AMEND: 3435(b) 5722, 5730, 5731 AMEND: 5000, 5020,
 08/31/17 AMEND: 3439(b) 5100
 08/30/17 AMEND: 2320.1 10/05/17 AMEND: 1632
 08/22/17 AMEND: 3439 09/07/17 AMEND: 12101, 12200, 12200.6,
 08/17/17 AMEND: 3435(b) 12200.9, 12200.13, 12202, 12220.6,
 08/16/17 AMEND: 3435(b) 12222, 12309, 12342, 12354, 12359,
 08/16/17 AMEND: 3439(b) 12464, 12465, Appendix A to Chapter 7
 08/11/17 AMEND: 3439(b) of Division 18, 12492
 08/10/17 AMEND: 3435(b) 09/05/17 AMEND: 10091.1, 10091.2, 10091.3,
 08/08/17 AMEND: 3854, 3855 10091.4, 10091.5, 10091.6, 10091.7,
 08/03/17 AMEND: 3435(b) 10091.8, 10091.9, 10091.10, 10091.12,
 07/31/17 AMEND: 3435(d) 10091.14, 10091.15
 07/26/17 AMEND: 3439(b) 08/24/17 AMEND: 10170.3, 10170.4, 10170.8,
 07/25/17 AMEND: 3591.12, 3424(c) 10170.9, 10170.10, 10170.14
 07/24/17 AMEND: 3435(b) 08/07/17 ADOPT: 8078.22, 8078.23, 8078.24,
 07/20/17 AMEND: 3435(b) 8078.25, 8078.26, 8078.27, 8078.28,
 8078.29, 8078.30, 8078.31, 8078.32,
 8078.33, 8078.34, 8078.35 AMEND:
 8070, 8071, 8072, 8073, 8074, 8076,
 8078.3 REPEAL: 8078.1, 8078.2

Title 4

12/19/17 AMEND: 232 07/26/17 ADOPT: 7033.1 AMEND: 7030, 7033,
 12/13/17 AMEND: 10032, 10036 7034, 7035, 7037, 7040, 7042, 7045
 12/07/17 AMEND: 12200.3, 12200.5, 12200.14, 12202, 12205.1, 12220.3, 12220.5,
 12220.14, 12222, 12225.1, 12301.1, 12342, 12350, 12352, 12357, 12358 07/26/17 AMEND: 1581, 1843
 12/01/17 ADOPT: 5259 AMEND: 5000, 5033, 07/26/17 ADOPT: 8078.15, 8078.16, 8078.17,
 5035, 5037, 5054, 5060, 5101, 5102, 8078.18, 8078.19, 8078.20, 8078.21
 5120, 5144, 5170, 5191, 5212, 5230,
 5240, 5250, 5540
 11/30/17 AMEND: 12218.11, 12236
 11/29/17 AMEND: 10176, 10177, 10178, 10179,
 10180, 10181, 10182, 10183, 10184,
 10185, 10186, 10187, 10188, 10189,
 10190
 11/16/17 AMEND: 1844
 11/02/17 AMEND: 10170.2, 10170.3, 10170.4,
 10170.9, 10170.10
 10/31/17 AMEND: 711
 10/31/17 AMEND: 10031, 10032, 10033, 10035,
 10036
 10/18/17 ADOPT: 12250, 12260, 12261, 12262,
 12263, 12264, 12285, 12287, 12290
 AMEND: 12003, 12200, 12200.7,
 12200.9, 12200.10A, 12200.11,
 12200.18, 12220, 12220.18, 12560

Title 5

11/28/17 AMEND: 9510, 9512, 9513, 9518, 9529,
 9810
 11/27/17 AMEND: 19810
 11/21/17 ADOPT: 71396
 11/16/17 ADOPT: 11526 AMEND: 11520, 11524,
 11525
 11/16/17 ADOPT: 11534.1 AMEND: 11530,
 11533, 11534
 11/13/17 REPEAL: 620, 621, 622, 623, 624, 625,
 626, 627
 11/07/17 ADOPT: 9517.1
 10/18/17 AMEND: 851, 853.5, 853.7, 855, 856
 09/12/17 AMEND: 18117, 18246
 09/01/17 AMEND: 40756.1, 40805.1
 09/01/17 AMEND: 40500
 08/31/17 REPEAL: 40530, 40531, 40532
 08/31/17 ADOPT: 40050.4, 40517, 40518, 41023

CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 52-Z

08/22/17 AMEND: 27300, 27301, 27400, 27401, 27600, 27601, 27602

08/17/17 AMEND: 19810

08/10/17 AMEND: 76000, 76020, 76210, 76130, 76200, 76210, 76212, 76215

Title 8

12/07/17 ADOPT: 9792.27.1, 9792.27.2, 9792.27.3, 9792.27.4, 9792.27.5, 9792.27.6, 9792.27.7, 9792.27.8, 9792.27.9, 9792.27.10, 9792.27.11, 9792.27.12, 9792.27.13, 9792.27.14, 9792.27.15, 9792.27.16, 9792.27.17, 9792.27.18, 9792.27.19, 9792.27.20, 9792.27.21, 9792.27.22, 9792.27.23

12/05/17 AMEND: 5155

11/28/17 AMEND: 9789.25

11/28/17 ADOPT: 6056.1 AMEND: 6052, 6056, 6057, 6060 REPEAL: 6062

10/26/17 ADOPT: 1711 AMEND: 1712, 1713, 1717 REPEAL: 1711, 1721

10/09/17 AMEND: 1646(a)

10/02/17 ADOPT: 1535.1, 5205, 8359.1 AMEND: 5155

09/28/17 ADOPT: 9788.1, 9788.2, 9788.3, 9788.4

09/27/17 AMEND: 5191(b)

09/26/17 AMEND: 5189.1(t)(2)

09/14/17 AMEND: 336

07/31/17 AMEND: 3650

07/31/17 AMEND: 344.30

07/27/17 ADOPT: 5189.1

Title 9

12/05/17 AMEND: 400

11/22/17 ADOPT: 4700, 4710, 4711, 4712, 4713, 4714, 4715, 4716, 4717

10/18/17 AMEND: 7211, 7212.2, 7212.4, 7213.2, 7213.3, 7213.6, 7214.1, 7215.1, 7218, 7220, 7220.3, 7221, 7225

08/17/17 ADOPT: 4020, 4020.1

Title 10

11/27/17 ADOPT: 2303.23, 2303.24, 2303.25, 2303.26, 2303.27, 2303.28 AMEND: 2303, 2303.1, 2303.2, 2303.4, 2303.5, 2303.8, 2303.9, 2303.11, 2303.12, 2303.13, 2303.14, 2303.15, 2303.17, 2303.19, 2303.21, existing 2303.22 renumbered as 2303.29, existing 2303.23 renumbered as 2303.30, and existing 2303.24 renumbered as 2303.22

10/26/17 ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606,

6608, 6610, 6612, 6614, 6616, 6618, 6620, 6622

10/05/17 ADOPT: 9000, 9001, 9002, 9003, 9004, 9005, 9006, 9007

09/21/17 AMEND: 2498.6

09/21/17 ADOPT: 6854, 6856, 6864

09/20/17 AMEND: 2498.5

09/20/17 AMEND: 6902, 6903, 6904

08/21/17 ADOPT: 9000, 9001, 9002, 9003, 9004, 9005, 9006, 9007

08/03/17 AMEND: 2498.5

Title 11

11/29/17 AMEND: 2030, 2038, 2060

11/29/17 AMEND: 2030, 2038, 2060

11/27/17 AMEND: 301, 303, 308, 411, 415, 420

11/07/17 ADOPT: 999.224, 999.225, 999.226, 999.227, 999.228, 999.229

10/05/17 AMEND: 78.4

10/05/17 AMEND: 78.6

10/05/17 ADOPT: 78.7

08/08/17 AMEND: 1006

07/31/17 AMEND: 1005

07/31/17 ADOPT: 5470, 5471, 5472, 5473, 5474, 5474.1, 5474.2, 5475, 5476, 5477, 5478 AMEND: 5469 REPEAL: 5473

07/25/17 AMEND: 1009

Title 13

12/07/17 AMEND: 1152.6.1

11/20/17 ADOPT: 160.02, 160.04, 106.06, 161.00, 161.02, 161.04, 161.06 AMEND: 160.00

11/16/17 AMEND: 1157.21

11/15/17 AMEND: 180.00

11/13/17 ADOPT: 2774 AMEND: 2750, 2751, 2752, 2753, 2754.1, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2767.1, 2768, 2769, 2770, 2771, 2772, 2773

11/13/17 AMEND: 225.00, 225.03, 225.09, 225.12, 225.15, 225.30, 225.35, 225.39, 225.42

10/30/17 AMEND: 423.00

10/25/17 AMEND: 26.01, 26.02

10/23/17 AMEND: 1153

10/16/17 ADOPT: 2208, 2208.1, 2208.2 AMEND: 1956.8

09/11/17 AMEND: 1

09/07/17 AMEND: 430.00, 431.00

07/31/17 ADOPT: 1231.3 AMEND: 1212.5, 1218, 1239, 1264

07/31/17 ADOPT: 1267.1 AMEND: 1201, 1217, 1232, 1242, 1268, 1269

07/27/17 AMEND: 1151.8.1

Title 14

- 12/20/17 AMEND: 933, 933.1, 933.2, 933.3, 933.4, 933.5, 933.6, 933.7, 933.10, 933.11, 934, 934.1, 934.2, 934.3, 934.5, 934.6, 934.7, 934.8, 934.9, 935, 935.1, 935.2, 935.3, 935.4, 936, 936.1, 936.2, 936.3, 936.4, 936.5, 936.6, 936.7, 936.8, 936.9, 936.10, 936.11, 936.11.1, 936.12, 937, 937.2, 937.5, 937.6, 937.7, 937.9, 937.10, 938, 938.1, 938.4, 938.5, 938.6, 938.7, 938.8, 938.10, 939, 939.1, 939.2, 939.3, 939.4, 939.5, 939.9, 939.10, 939.12, 939.16, 940, 943, 943.1, 943.2, 943.3, 943.4, 943.5, 943.6, 943.7, 943.8, 943.9, 943.9.1, 949, 949.1, 949.2, 949.3, 949.4, 949.5, 949.6, 949.7, 953, 953.1, 953.2, 953.3, 953.4, 953.5, 953.6, 953.10, 953.11, 954, 954.1, 954.2, 954.3, 954.5, 954.6, 954.7, 954.8, 954.9, 955, 955.1, 955.2, 955.3, 955.4, 956, 956.1, 956.2, 956.3, 956.4, 956.5, 956.6, 956.7, 956.8, 956.9, 956.10, 956.11, 956.12, 957, 957.2, 957.5, 957.7, 957.9, 957.10, 958, 958.1, 958.4, 958.5, 958.6, 958.7, 958.8, 958.10, 959, 959.1, 959.2, 959.3, 959.4, 959.5, 959.12, 959.16, 960, 961, 961.4, 963, 963.1, 963.2, 963.3, 963.4, 963.5, 963.6, 963.7, 963.8, 963.9, 963.9.1, 969, 969.1, 969.2, 969.3, 969.4, 969.5, 969.6, 969.7, 1032.10
- 12/13/17 ADOPT: 3504.6
- 12/12/17 AMEND: 3950 REPEAL: 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965
- 12/06/17 AMEND: 4970.00, 4970.03, 4970.05, 4970.10
- 12/05/17 AMEND: 265
- 12/05/17 AMEND: 18660.40
- 11/28/17 ADOPT: 17403.3.2, 17403.3.3 AMEND: 17402, 17403.0, 17403.8, 17405.0, 17409.3, 18103.1, 18221.5
- 11/20/17 ADOPT: 1.95
- 11/16/17 AMEND: 2975
- 11/15/17 AMEND: 1038
- 11/14/17 AMEND: 1035.1, 1035.2, 1035.3
- 10/31/17 AMEND: 917, 917.2, 917.3, 917.4, 917.5, 917.7, 917.9, 917.10, 917.11, 918, 918.1, 918.4, 918.5, 918.6, 918.7, 918.8, 918.10, 919, 919.1, 919.2, 919.3, 919.4, 919.5, 919.9, 919.10, 919.11, 919.12, 919.16, 920, 921, 921.1, 921.3, 921.4, 921.5, 921.6, 921.7, 921.8, 921.9, 923, 923.1, 923.2, 923.3, 923.4, 923.5, 923.6, 923.7, 923.8, 923.9, 923.9.1, 924, 924.1, 924.2, 924.3, 924.4, 924.5, 925, 925.1, 925.2, 925.3, 925.4, 925.5, 925.6, 925.7, 925.8, 925.9, 925.11, 926, 926.1, 926.2, 926.3, 926.4, 926.5, 926.6, 926.7, 926.8, 926.9, 926.10, 926.11, 926.12, 926.13, 926.14, 926.15, 926.16, 926.17, 926.18, 926.19, 926.23, 926.25, 927, 927.1, 927.2, 927.3, 927.4, 927.5, 927.6, 927.7, 927.8, 927.9, 927.10, 927.11, 927.12, 927.13, 927.14, 927.15, 927.16, 927.17, 928, 928.1, 928.2, 928.3, 928.4, 928.6, 928.7, 929, 929.1, 929.2, 929.3, 929.4, 929.5, 929.6, 929.7, 937.3, 945, 945.1, 945.3, 945.5, 957.4, 961.1, 961.2, 961.3, 961.7, 961.8, 965, 965.1, 965.2, 965.3, 965.4, 965.5, 965.6, 965.7, 965.8, 965.9, 965.10, 1020, 1022, 1022.1, 1022.2, 1022.3, 1022.4, 1022.5, 1023, 1023.1, 1024, 1024.1, 1024.2, 1024.3, 1024.5, 1024.6, 1025, 1026, 1027, 1027.1, 1027.2, 1027.3, 1029, 1030, 1032, 1032.7, 1032.8, 1032.9, 1033, 1034, 1034.2, 1035, 1035.4, 1036.1, 1037, 1037.1, 1037.3, 1037.4, 1037.5, 1037.6, 1037.7, 1037.8, 1037.9, 1037.10, 1037.11, 1038.1, 1038.2, 1038.3, 1039, 1039.1, 1040, 1041, 1042, 1043, 1045, 1050, 1051, 1051.1, 1051.2, 1051.3, 1051.4, 1051.5, 1051.6, 1052, 1052.1, 1052.2, 1052.3, 1052.4, 1052.5, 1053, 1054, 1054.1, 1054.2, 1054.3, 1054.4, 1054.5, 1054.6, 1054.7, 1054.8, 1055, 1055.1, 1055.2, 1055.3, 1055.4, 1055.5, 1055.6, 1056, 1056.1, 1056.2, 1056.3, 1056.5, 1056.6, 1057.1, 1057.2, 1057.5, 1058, 1058.3, 1058.4, 1058.5, 1059, 1060, 1070, 1071, 1072, 1072.1, 1072.3, 1072.4, 1072.5, 1072.6, 1072.7, 1073, 1074, 1074.1, 1075, 1080.1, 1080.2, 1080.3, 1080.4, 1080.5, 1090, 1090.1, 1090.2, 1090.3, 1090.4, 1090.5, 1090.6, 1090.7, 1090.8, 1090.9, 1090.10, 1090.11, 1090.12, 1090.13, 1090.14, 1090.16, 1090.17, 1090.18, 1090.19, 1090.20, 1090.21, 1090.22, 1090.23, 1090.24, 1090.25, 1090.26, 1090.27, 1090.28, 1091.1, 1091.3, 1091.4, 1091.45, 1091.5, 1091.6, 1091.7, 1091.8, 1091.10, 1091.11, 1091.12, 1091.13, 1091.14, 1091.15, 1092, 1092.01, 1092.02, 1092.04, 1092.05, 1092.06, 1092.07, 1092.09, 1092.10, 1092.11, 1092.12, 1092.13, 1092.14, 1092.15, 1092.16, 1092.17, 1092.18, 1092.19, 1092.20, 1092.21, 1092.22, 1092.23,

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| | 1092.24, 1092.25, 1092.26, 1092.27, 1092.28, 1092.29, 1092.31, 1092.32, 1093, 1093.1, 1093.2, 1093.3, 1093.4, 1093.6, 1100, 1101, 1102, 1103, 1103.1, 1103.2, 1104, 1104.1, 1104.2, 1104.3, 1105, 1105.1, 1105.3, 1105.4, 1106, 1106.1, 1106.2, 1106.4, 1106.5, 1107, 1108, 1109, 1109.1, 1109.2, 1109.3, 1109.4, 1109.5, 1109.6, 1110, 1115, 1115.1, 1115.2, 1115.3. | 142, 143, 144, 145, 146, 147, 148, 149, 150, Title 27, Sections: 22240, 22241, 22242, 22243, 22244, 22246, 22247, 22249, 22249.5, 22250, 22251, 22252, 22253, 22254, Appendix 3, Forms 100, 101, 102(a), 102(b), 102(c), 103(a), 103(b), 103(c), 104, 105, 107, 109, 110, 111, 112, 113 | |
| 10/24/17 | AMEND: 25231 | | |
| 10/04/17 | AMEND: 18419 | | |
| 09/29/17 | AMEND: 29.80, 122 | | |
| 09/26/17 | AMEND: 300 | | |
| 09/19/17 | AMEND: 1094.16 | | |
| 09/11/17 | ADOPT: 4325 | | |
| 09/07/17 | AMEND: 913, 913.1, 913.2, 913.3, 913.4, 913.5, 913.6, 913.7, 913.8, 913.10, 913.11, 914, 914.1, 914.2, 914.3, 914.5, 914.6, 914.7, 914.8, 914.9, 915, 915.1, 915.2, 915.3, 915.4, 916, 916.1, 916.2, 916.3, 916.4, 916.5, 916.6, 916.7, 916.8, 916.9, 916.10, 916.11, 916.11.1, 916.12, 953.7, 953.8, 953.9, 953.12, 954.4, 1038 | Title 15 | |
| 09/05/17 | AMEND: 29.15 | 12/18/17 | ADOPT: 2449.1, 2449.2, 2449.3, 2449.4, 2449.5, 3043.1, 3043.2, 3043.3, 3043.4, 3043.5, 3043.6, 3490, 3491, 3492, 3493 |
| 08/31/17 | AMEND: 1122 | | AMEND: 3043, 3043.5 (renumbered to 3043.7), 3043.6 (renumbered to 3043.8), 3044 REPEAL: 3042, 3043.1, 3043.2, 3043.3, 3043.4, 3043.7 |
| 08/29/17 | AMEND: 119, Form FG 2025 (11/2005), Appendix A | 12/12/17 | AMEND: 8199 |
| 08/29/17 | AMEND: 670 | 11/30/17 | AMEND: 1 |
| 08/28/17 | ADOPT: 18660.44, 18660.45, 18660.46 | 11/27/17 | AMEND: 3600(b), 3600(e) |
| | AMEND: 18660.7 | 11/03/17 | ADOPT: 1712.4, 1714.4, 1730.4, 1740.4 |
| 08/22/17 | ADOPT: 870.17 AMEND: 870.15 | | AMEND: 1700, 1706, 1731, 1747, 1747.1, 1748, 1748.5, 1749, 1749.1, 1750, 1750.1, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788, 1790, 1792 |
| | REPEAL: 870.17, 870.19, 870.21 | 10/09/17 | ADOPT: 3378.9, 3378.10 AMEND: 3000, 3023, 3043.8, 3044, 3084.9, 3269, 3335, 3337, 3341, 3341.2, 3341.3, 3341.5, 3341.6, 3341.8, 3341.9, 3375, 3375.1, 3375.2, 3376, 3376.1, 3378, 3378.1, 3378.2, 3378.3, 3378.4, 3378.5, 3378.6, 3378.7, 3378.8 REPEAL: 3334 |
| 08/10/17 | AMEND: 7.50 | 10/04/17 | AMEND: 3000, 3030, 3190, 3269 |
| 08/07/17 | ADOPT: 798 AMEND: 791, 791.6, 791.7, 792, 793, 794, 795, 796, 797 | 10/04/17 | AMEND: 18419 |
| 08/07/17 | ADOPT: 817.04 AMEND: 790 | 09/25/17 | ADOPT: 3570, 3572, 3573, 3580 |
| 08/07/17 | ADOPT: 820.02 | | AMEND: 3560, 3561, 3562, 3563, 3564, 3565, 3571, 3581, 3582, 3590, 3590.1, 3590.2, 3590.3 |
| 08/07/17 | AMEND: 819, 819.01, 819.02, 819.03, 819.04, 819.05, 819.06, 819.07 | 09/19/17 | ADOPT: 2449.1, 2449.2, 2449.3, 2449.4, 2449.5, 3043.1, 3043.2, 3043.3, 3043.4, 3043.5, 3043.6, 3490, 3491, 3492, 3493 |
| 08/01/17 | AMEND: 18660.5, 18660.6, 18660.21, 18660.22, 18660.23, 18660.24 | | AMEND: 3043, 3043.5 (renumbered to 3043.7), 3043.6 (renumbered to 3043.8), 3044 REPEAL: 3042, 3043.1, 3043.2, 3043.3, 3043.4, 3043.7 |
| 07/26/17 | AMEND: 895.1, 896, 897, 898, 898.1, 898.2, 900, 901, 902, 902.1, 902.2, 902.3, 903.1, 903.2, 906, 907, 911 | 08/31/17 | AMEND: 8001 |
| 07/19/17 | AMEND: 502 | 08/23/17 | AMEND: 3000, 3090, 3177, 3323, 3375, 3375.1, 3375.2, 3375.3, 3375.4, 3375.5, 3377.1, 3377.2, 3379 |
| 07/19/17 | AMEND: 708.5 | | |
| Title 14, 27 | | Title 16 | |
| 12/11/17 | AMEND: Title 14, Sections: 18474, 18475, 18476, 18478, 18489, 18491, 18492, 18493, 18494, 18499.3, 18499.4, 18499.5, 18499.6, 18499.7, 18499.8, 18499.9, Appendix A, Forms 140, 141, | 12/20/17 | ADOPT: 2039.5 |
| | | 12/19/17 | AMEND: 1735.2 |
| | | 12/07/17 | ADOPT: 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, |

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| 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 5040, 5041, 5042, 5043, 5044, 5045, 5046, 5047, 5048, 5049, 5050, 5051, 5052, 5053, 5054, 5055, 5300, 5301, 5302, 5303, 5304, 5305, 5306, 5307, 5308, 5309, 5310, 5311, 5312, 5313, 5314, 5315, 5400, 5401, 5402, 5403, 5404, 5405, 5406, 5407, 5408, 5409, 5410, 5411, 5412, 5413, 5414, 5415, 5416, 5417, 5418, 5419, 5420, 5421, 5422, 5423, 5424, 5425, 5426, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5600, 5601, 5602, 5603, 5700, 5701, 5702, 5703, 5704, 5705, 5706, 5707, 5708, 5709, 5710, 5711, 5712, 5713, 5714, 5715, 5716, 5717, 5718, 5719, 5720, 5721, 5722, 5723, 5724, 5725, 5726, 5727, 5728, 5729, 5730, 5731, 5732, 5733, 5734, 5735, 5736, 5737, 5738, 5739, 5800, 5801, 5802, 5803, 5804, 5805, 5806, 5807, 5808, 5809, 5810, 5811, 5812, 5813, 5814 | | 40165, 40167, 40169, 40175, 40177, 40178, 40180, 40182, 40200, 40205, 40220, 40222, 40223, 40225, 40232, 40234, 40236, 40238, 40240, 40242, 40250, 40252, 40254, 40256, 40258, 40260, 40262, 40264, 40266, 40268, 40270, 40272, 40275, 40277, 40280, 40282, 40290, 40292, 40299, 40300, 40305, 40306, 40310, 40400, 40401, 40403, 40405, 40406, 40408, 40410, 40411, 40412, 40415, 40500, 40510, 40512, 40513, 40515, 40517, 40525, 40550, 40600, 40601 | |
| 11/16/17 | ADOPT: 3351.7.1, 3351.7.2, 3371.7.3 AMEND: 3371.1 | 11/20/17 | AMEND: 95673 |
| 10/31/17 | AMEND: 904, 905 | 11/13/17 | AMEND: 60003 |
| 10/19/17 | AMEND: 1364.10, 1364.11, 1364.13, 1364.15 | 10/19/17 | ADOPT: 1235, 1236, 1237 |
| 10/10/17 | AMEND: 1358 | 09/18/17 | ADOPT: 95803, 95835, 95859, 95871, 95944, 95945, Appendix D, Appendix E AMEND: 95802, 95811, 95812, 95813, 95814, 95830, 95831, 95832, 95833, 95834, 95840, 95841, 95841.1, 95851, 95852, 95852.1, 95852.2, 95853, 95856, 95857, 95858, 95870, 95890, 95891, 95892, 95893, 95894, 95895, 95910, 95911, 95912, 95913, 95914, 95920, 95921, 95922, 95941, 95943, 95972, 95973, 95974, 95975, 95976, 95977, 95977.1, 95978, 95979, 95980, 95980.1, 95981, 95981.1, 95983, 95985, 95987, 95990, 96014, Appendix C |
| 10/06/17 | ADOPT: 1993.4 AMEND: 1993.2 REPEAL: 1993.3 | 09/06/17 | AMEND: 6540 |
| 10/02/17 | AMEND: 1914 | 09/06/17 | AMEND: 6508 |
| 09/21/17 | ADOPT: 1379.01, 1379.02, 1379.03, 1379.04, 1379.05, 1379.06, 1379.07, 1379.08, 1379.09 | 09/01/17 | ADOPT: 95160, 95161, 95162, 95163 AMEND: 95101, 95102, 95103, 95104, 95105, 95111, 95112, 95113, 95114, 95115, 95117, 95118, 95121, 95122, 91529, 91530, 91531, 91532, 91533, 91550, 91553, 91556, 91557, Appendix A, Appendix B |
| 09/19/17 | ADOPT: 1702.1, 1702.2, 1702.5 AMEND: 1702 | 08/21/17 | AMEND: 100010, 100020, 100030, 100040, 100050, 100070 |
| 08/30/17 | AMEND: 1107 | 07/24/17 | REPEAL: 1050 |
| 08/29/17 | AMEND: 425 | Title 18 | |
| 08/24/17 | AMEND: 1021, 1022 | 09/28/17 | ADOPT: 25137-15 |
| 08/22/17 | ADOPT: 1399.730, 1399.731, 1399.732 | Title 19 | |
| 08/14/17 | REPEAL: 901, 902, 903, 914 | 08/31/17 | REPEAL: 2575, 2575.1, 2576, 2576.1, 2577, 2577.1, 2577.2, 2577.3, 2577.4, 2577.5, 2577.6, 2577.7, 2577.8, 2578, 2578.1, 2578.2, 2578.3 |
| 08/10/17 | ADOPT: 4176 | 08/03/17 | ADOPT: 2745.7.5, 2762.0.1, 2762.0.2, 2762.1, 2762.2, 2762.2.1, 2762.3, 2762.4, 2762.5, 2762.6, 2762.7, 2762.8, 2762.9, 2762.10, 2762.11, 2762.12, 2762.13, 2762.14, 2762.15, 2762.16, |
| 08/10/17 | AMEND: 1105.1(b)(c)(d)(e) | | |
| 08/08/17 | ADOPT: 1805.2 | | |
| 08/02/17 | AMEND: 4161, 4162, 4163 | | |
| Title 17 | | | |
| 12/07/17 | ADOPT: 40100, 40101, 40102, 40115, 40116, 40118, 40126, 40128, 40129, 40130, 40131, 40133, 40135, 40137, 40150, 40155, 40156, 40159, 40162, | | |

2762.17, 2775.2.5 AMEND: 2735.1, 2735.3, 2735.4, 2735.5, 2735.6, 2735.7, 2740.1, 2745.1, 2745.2, 2745.3, 2745.4, 2745.6, 2745.7, 2745.7.5, 2745.8, 2745.10, 2745.10.5, 2745.11, 2750.1, 2750.3, 2750.4, 2755.2, 2755.6, 2760.8, 2765.1, 2770.1, 2770.2, 2770.5, 2775.2, 2775.3, 2775.5, 2775.6, 2780.1, 2780.2, 2780.3, 2780.5, 2780.6, 2785.1

Title 20

10/05/17 AMEND: 1602, 1606, 1607
 09/11/17 AMEND: 1604, 1606
 08/22/17 AMEND: 1601, 1602, 1604, 1605.1, 1605.2, 1605.3, 1606

Title 21

11/28/17 ADOPT: 1700.1, 1700.2, 1700.3, 1705.1, 1706.1, 1707.1 AMEND: 1700 [renumbered to 1701.1], 1701 [renumbered to 1701.2], 1702.1, 1703 [renumbered to 1702.2], 1704.1 [renumbered to 1703.1], 1704.2 [renumbered to 1703.2], 1704.3 [renumbered to 1703.3], 1704.4 [renumbered to 1703.4], 1704.5 [renumbered to 1703.5], 1704.6 [renumbered to 1703.6], 1705.1 [renumbered to 1704.1], 1705.2 [renumbered to 1704.2], 1705.3 [renumbered to 1704.3], 1705.4 [renumbered to 1704.4], 1705.5 [renumbered to 1704.5], 1705.6 [renumbered to 1704.6], 1705.7 [renumbered to 1704.7], 1705.8 [renumbered to 1704.8]

Title 22

12/18/17 ADOPT: 2925
 12/08/17 AMEND: 2608-1, 2627(b)-1
 12/05/17 AMEND: 2706-2, 3301(d)-1, 3201-1, 3303-1, 3303.1(c)-1 REPEAL: 3303(b)-1
 11/16/17 ADOPT: 63750.80 AMEND: 63850
 10/30/17 AMEND: 72517
 09/11/17 AMEND: 64431, 64432, 64447.2, 64465, 64481
 09/08/17 AMEND: 97210, 97240, 97241, 97246
 08/28/17 REPEAL: 97759
 08/16/17 AMEND: 100393(a)(1)
 08/16/17 AMEND: 10100

Title 22, MPP

09/28/17 AMEND: 35000
 09/18/17 ADOPT: 85100, 85101, 85118, 85120, 85122, 85140, 85142, 85164, 85165, 85168.1, 85168.2, 85168.4, 85170, 85187, 85190

09/15/17 ADOPT: 85300, 85301, 85302, 85322, 85361, 85365, 85368, 85368.2, 85368.3, 85369, 85375, 89900, 89901, 89918, 89920, 89922, 89940, 89942, 89964, 89965, 89968.1, 89968.2, 89970, 89987, 89990 AMEND: 80001, 80020, 80022, 80028, 80065, 80068, 80070, 80072, 80087, 85000, 85068.2

09/07/17 AMEND: 81001, 81010, 81020, 81022, 81026, 81064.1, 81068.1, 81068.2, 81068.4, 81068.5, 81069, 81071, 81075, 81077.2, 81077.4, 81077.5, 81087, 81088, 81090, 81092, 81092.3, 81092.4, 81092.5, 81092.6, 81092.7, 81092.8, 81092.9, 81092.10, 81092.11, 81094

08/28/17 AMEND: 80044, 84001, 84002, 84061, 84063, 84065, 84072.1, 84165, 84300.1, 84322, 84322.2, 84365, 86001, 86022, 86061, 86065

08/24/17 AMEND: 83001, 83064, 83072, 83087, 84001, 84065, 84072, 84079, 84087, 84272, 86001, 86065, 86072, 86072.1, 86087, 88001, 88022, 89201, 89372, 89379, 89387, 89405

Title 23

12/15/17 AMEND: 64300, 64305, 64310, 64315
 12/14/17 AMEND: 64444, 64445, 64445.1, 64447.4, 64465, 64481

11/20/17 AMEND: 2922
 11/16/17 AMEND: 3682.2, 3682.3, 3702.1, 3702.2, 3702.3, 3702.4, 3717

11/06/17 AMEND: 2200, 2200.5, 2200.6, 2200.7
 11/06/17 ADOPT: 1070.5 AMEND: 1062, 1064, 1066, 1068, 1070

10/19/17 ADOPT: 335, 335.2, 335.4, 335.6, 335.8, 335.10, 335.12, 335.14, 335.16, 335.18, 335.20

10/05/17 ADOPT: 2910 REPEAL: 2910

08/09/17 ADOPT: 3939.53

08/09/17 ADOPT: 3939.53

08/08/17 AMEND: 3930

Title 25

11/08/17 ADOPT: 8313, 8313.1, 8313.2, 8317, 8318 AMEND: 8300, 8301, 8302, 8303, 8305, 8307, 8308, 8309, 8310, 8311, 8312, 8314, 8315, 8316

10/12/17 ADOPT: 5535, 5535.5, 5536, 5536.5

Title 27

12/20/17 AMEND: 27001

11/20/17 AMEND: 25600.1, 25600.2, 25601, 25602, 25603, 25607, 25607.2, 25607.5, 25607.6, 25607.7, 25607.12, 25607.13

11/15/17 AMEND: 27001

11/15/17 AMEND: 27001

10/30/17 ADOPT: 25607.32, 25607.33

10/30/17 AMEND: 27000

08/23/17 ADOPT: Appendix B to 25903 AMEND:
25903, Appendix A to 25903

08/02/17 AMEND: 27001

Title MPP

11/16/17 AMEND: 44-211