



California Regulatory Notice Register

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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

STATE AGENCY: Department of Child Support Services

A written comment period has been established commencing on April 22, 2022, and closing on June 6, 2022. Written comments should be directed to the Fair Political Practices Commission, Attention Amanda Apostol, 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 his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

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

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

Any interested person may present statements, arguments, or comments, in writing to the Executive

Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than June 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 Amanda Apostol, 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 Amanda Apostol, Fair Political Practices Commission, 1102 Q Street, Suite

3000, Sacramento, California 95811, telephone (916) 322-5660.

TITLE 9. DEPARTMENT OF REHABILITATION

The Department of Rehabilitation (hereinafter “Department”) proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Department did not schedule a public hearing on this proposed action. However, the Department will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days before the close of the written comment period, which would be by June 9, 2022.

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action to:

Department of Rehabilitation
Office of Legal Affairs and Regulations
Attention: Michele Welz
721 Capitol Mall
Sacramento, California 95814

Comments may also be submitted electronically by email to Legal@dor.ca.gov or by facsimile to (916) 558-5806.

The written comment period closes on June 24, 2022. The Department will consider only comments received at the Department’s office by that time. When commenting, please indicate the proposed rulemaking action to which your comment refers, as well as to the regulation section number commented on. For example, “section 7149”.

AUTHORITY

Sections 19006 and 19016 of the Welfare and Institutions Code (Welf. & Inst. Code) authorizes the Department to adopt these proposed regulations.

REFERENCE

The proposed regulations implement, interpret, and make specific the following federal and state laws and regulations: 29 United States Code (U.S.C.) sections 701, 705, 720, 721, 722, 723, 733, 794, and 3002; 2 Code of Federal Regulations (C.F.R.) section 200.317;

28 Code of Federal Regulations section 35.107; 34 Code of Federal Regulations sections 100.6, 100.7, 104.7, 104.51, 104.61, 361.1, 361.5, 361.12, 361.13, 361.19, 361.21, 361.22, 361.29, 361.36, 361.37, 361.38, 361.41, 361.42, 361.43, 361.44, 361.45, 361.46, 361.47, 361.48, 361.50, 361.51, 361.52, 361.53, 361.54, 363.4, 363.55, and 370.6; Welfare and Institutions Code sections 14113, 19000, 19005, 19006, 19011, 19012, 19013, 19013.5, 19016, 19100, 19102, 19103, 19150, 19151, 19400, 19401, 19700.1, 19703, 19704, and 19705; Health and Safety Code sections 121022 and 121025; and Civil Code sections 1798.3, 1798.24, 1798.25, 1798.30, 1798.34, 1798.37, and 1798.40.

INFORMATIVE DIGEST

Summary of Existing Laws and Effect of the Proposed Action

This rulemaking action amends title 9 of the California Code of Regulations (CCR) to include all changes made to the federal law and regulations mandated by the 2014 amendment to the Rehabilitation Act of 1973.

The Rehabilitation Act of 1973, as amended (20 U.S.C. section 701 et seq.), and implementing federal regulations (34 C.F.R. section 361 et seq.), governs the state’s vocational rehabilitation program for individuals with disabilities, which is administered by the Department, as the designated state unit in California. (29 U.S.C. section 721(a)(20), 34 C.F.R. section 361(c) (12) and (13), Welf. & Inst. Code, section 19005.1.) As such, the Department is obligated to adopt policies and procedures consistent with the federal laws and regulations governing the vocational rehabilitation program. (29 U.S.C. section 721, 34 C.F.R. section 361.4, Welf. & Inst. Code, sections 19011 and 19012.)

In 2014, the Workforce Innovation and Opportunity Act, also referred to as the WIOA (Pub.L. No. 113-128 (July 22, 2014)), made significant changes to the Rehabilitation Act of 1973, including greater emphasis on competitive integrated employment and early interventions for students to better prepare them for a future of work. (29 U.S.C. section 701(b).) In 2016, the federal implementing regulations were amended by the United States Department of Education. Consequently, the state adopted the amendments made to the Rehabilitation Act of 1973 by the Workforce Innovation and Opportunity Act in Welfare and Institutions Code section 19011. All changes made to federal law and regulation as a result of the amendment to the Rehabilitation Act are being adopted by the Department in this rulemaking action consistent with the legal obligations of a designated state unit.

When a state agency’s proposed regulation is identical to a previously adopted or amended federal regulation, Government Code section 11346.2(c) allows the

agency to make a statement to that effect and to cite where an explanation of the federal regulation can be found to satisfy the Administrative Procedure Act requirements for rulemaking. Explanations of the changes made can be found in United States Department of Education, Rehabilitation Services Administration’s description of the final federal regulations implementing the Workforce Innovation and Opportunity Act released in the Federal Register (Volume 81, Number 161, 55682–55683, August 19, 2016) available at: <https://www.federalregister.gov/documents/2016/08/19/2016-15980/state-vocational-rehabilitation-services-program-state-supported-employment-services-program>.

Objective and Anticipated Benefits of the Proposed Regulation

The broad objective of this regulation is to make the state regulations consistent with current federal law and regulations. As mentioned above, the Workforce Opportunity and Innovation Act made significant changes to the scope, delivery, and coordination of vocational rehabilitation services and programs. This proposed regulatory action will provide staff, applicants, consumers, and other members of the public with a single, comprehensive source of the policies and procedures that are specific to California’s vocational rehabilitation program and consistent with federal law and regulation.

Evaluation of Inconsistency or Incompatibility with Existing State Regulations

The Department has determined that these proposed regulations are not inconsistent or incompatible with existing state regulations. After conducting a review for other regulations that would relate to or affect the state vocational rehabilitation system, the Department has concluded that these regulations are consistent with any and all other state regulations that concern California’s vocational rehabilitation program.

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.

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

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

Cost impacts on a representative private person or business: The Department is not aware of any cost impacts that a representative private person or business

would necessarily incur in reasonable compliance with the proposed action.

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

Significant effect on housing costs: None.

Small Business Determination: Because the changes made in this rulemaking will increase the number of services delivered to students than what is currently given, there may be a positive impact on small businesses that provide vocational rehabilitation products or services to students.

Results of the Economic Impact Analysis and Assessment

The Department concludes that it is unlikely that the proposal will (1) eliminate any jobs, (2) create any jobs, (3) create any new businesses, (4) eliminate any existing businesses, and (5) result in the expansion of businesses currently doing business within the state. The Department bases the assessment on the fact that the rulemaking is duplicating and adopting federal regulations that have been in effect since 2016 and have had no detrimental or markedly beneficial economic impact since that time.

Benefits of the Proposed Action: The proposed amendments and additions will benefit the health and welfare of California residents by making the state regulations consistent with federal laws and regulations on the topic. It will have little or no effect on worker’s safety or the state’s environment.

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.

Small Business Determination

The Department has determined that the proposed regulations may affect small business by increasing some business with companies who deliver vocational rehabilitation goods and services to students.

CONSIDERATION OF ALTERNATIVES

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

The Department invites interested persons to present statements or arguments with respect to alternatives to

the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed rulemaking action may be directed to:

Michele Welz
Department of Rehabilitation
Office of Legal Affairs and Regulations
721 Capitol Mall
Sacramento, California 95814
Phone: (916) 558-5825
Email: Legal@dor.ca.gov

The back-up contact person for these inquiries is:

Elizabeth Colegrove, Attorney III
Department of Rehabilitation
Office of Legal Affairs and Regulations
721 Capitol Mall
Sacramento, California 95814
Phone: (916) 558-5825
Email: Legal@dor.ca.gov

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

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice of Proposed Rulemaking, Proposed Text of the Regulations, Proposed Text of the Regulations with Word Cues (in compliance with Government Code section 11346.6 for persons with a visual or communication disability), and Initial Statement of Reasons. Please direct requests for copies to the contact person(s) listed above. In an abundance of caution relating to COVID-19, please contact Legal@dor.ca.gov or (916) 558-5825 if you wish to make an appointment to review the rulemaking file in person. The documents identified above in the rulemaking file are also on the Department's website at www.dor.ca.gov.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated)

available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Michele Welz at the address indicated above or email at Legal@dor.ca.gov. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF THE FINAL
STATEMENT OF REASONS**

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Michele Welz at the address indicated above.

**REASONABLE ACCOMMODATION
STATEMENT**

The Department shall provide, upon request, a narrative description of the proposed changes included in the proposed action, in the manner provided by Government Code Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. Providing the description of proposed changes may require extending the period of public comment on the proposed action for the requesting party.

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

Copies of the Notice of Proposed Rulemaking, Initial Statement of Reasons, Proposed Text of the Regulations, and Proposed Text of Regulations with Word Cues indicating strikeout and underline can be accessed via the Department's website at www.dor.ca.gov.

**TITLE 11. PEACE OFFICER
STANDARDS AND TRAINING**

**AMENDMENT TO REPEAL TRAINING
SPECIFICATION FOR THE INVESTIGATION
AND TRIAL PREPARATION COURSE, AND
INCORPORATE BY REFERENCE TRAINING
SPECIFICATION FOR THE DISTRICT
ATTORNEY INVESTIGATOR
TRANSITION COURSE
COMMISSION REGULATION 1005**

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

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

Public Comments Due by June 6, 2022.

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227-4547, by email to David Cheng at david.cheng@post.ca.gov, or by letter to:

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

AUTHORITY AND REFERENCE

Penal Code (PC) Section 13503(e) authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

In 2018, the Commission approved a change to Commission Regulations 1005 and 1015 and Commission Procedure D-14, which changed the title of the *Investigation and Trial Preparation Course* to *District Attorney Investigator Transition Course*. In addition to the title change, the hours were reduced from 80 to 40 and the number of required learning domains was reduced to nine. These changes were recommended to better reflect the needs of the stakeholders and were identified by a group of subject matter experts.

This rulemaking action clarifies, and makes specific, changes to repeal the incorporated by reference document *Training Specifications for the Investigation and Trial Preparation Course* and incorporate by reference the document *Training Specifications for District Attorney Investigator Transition Course*.

Currently, Commission Regulation 1005 states, “The document, *Training Specifications for the Investigation and Trial Preparation Course* adopted effective January 1, 2002, and amended January 1, 2009, is herein incorporated by reference.”

The regulation proposed in this rulemaking action will repeal the document that is no longer in use, and incorporate by reference the document *Training Specifications for District Attorney Investigator Transition Course*.

Anticipated Benefits of the Proposed Amendments:

The benefits anticipated by the proposed amendments to the regulation will clarify the specific Training Specification required for district attorney investigators or inspectors, which will increase the efficiency of the state of California in delivering services to stakeholders. Thus, the law enforcement standards are maintained and effective in preserving peace, and protection of public health, safety, and welfare of California. The proposed amendments will have no impact on worker safety or the state’s environment.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations:

POST has determined that these proposed amendments are not inconsistent nor incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, POST has concluded that these are the only regulations that concern processes and procedures for peace officer eligibility in the state.

FORMS INCORPORATED BY REFERENCE

Training Specifications for the District Attorney Investigator Transition Course effective October 1, 2022

DISCLOSURES REGARDING THE PROPOSED ACTION

POST has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

Other non-discretionary costs or savings imposed on local agencies: None.

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

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

Significant, statewide adverse economic impact directly affecting California businesses: POST has 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.

Significant effect on housing costs: None.

Small Business Determination: POST has determined that the proposed regulations will not affect

small business because the regulations only affect state agencies that are adopting, amending, or repealing regulations. Additionally, the Commission's main function to select and maintain training standards for law enforcement has no effect financially on small businesses.

RESULTS OF ECONOMIC IMPACT ANALYSIS/ASSESSMENT

POST concludes that it is (1) unlikely the proposal will create or eliminate jobs in the state of California, (2) unlikely that the proposal will create or eliminate any businesses, and (3) unlikely that the proposed regulations will result in the expansion of businesses currently doing business within the state.

Benefits of the Proposed Action: As stated above under the Informative Digest/Policy Statement Overview, the benefits of the regulation will increase the efficiency of the state of California in delivering services to stakeholders by providing clarity to the requirements for background inquiries when evaluating a candidate for peace officer selection. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in California. There would be no impact that would affect worker safety or the State's environment.

CONSIDERATION OF ALTERNATIVES

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

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to *David Cheng*, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, at (916) 227-4855. General questions regarding the regulatory process may be directed to *Katie Strickland* at (916) 227-2802.

TEXT OF PROPOSAL

Individuals may request copies of the proposed text (the "express terms") of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to, the Commission on POST at 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630. These documents are also located on the *POST Website* at <https://post.ca.gov/Regulatory-Actions>.

ADOPTION OF PROPOSED REGULATIONS/ AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

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

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person(s) named above. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons.

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

GENERAL PUBLIC INTEREST

**BOARD OF FORESTRY AND
FIRE PROTECTION**

NOTICE OF CORRECTION

“MEADOWS AND WET AREAS, AND
CUTOVER LAND AMENDMENTS”

TITLE 14 OF THE CALIFORNIA CODE
OF REGULATIONS
DIVISION 1.5, CHAPTER 4,
SUBCHAPTERS 1, 3, 4, 5, 6, AND 7
AMEND §§ 895.1, 906, 912.7 (932.7, 952.7), 912.9
(932.9, 952.9), 913.4 (933.4, 953.4), 916.3 (936.3,
956.3), 921.4 (961.4), 923.1 (943.1, 963.1), 923.4
(943.4, 963.4), 927.10, 953.7 953.12, 1027.1, 1034,
1038.4, 1051, 1051.4, 1072.4, 1090.5, 1092.09,
1094.6, AND 1094.8

[NOTICE PUBLISHED IN THE CALIFORNIA
REGULATORY NOTICE REGISTER
MARCH 4, 2022]

CORRECTION TO THE DATE AND
LOCATION OF PUBLIC HEARING

On March 4, 2022, the Board of Forestry and Fire Protection (Board) published the Notice of Proposed Action regarding “Meadows and Wet Areas, and Cutover Land Amendments 2022.” The Board is hereby correcting the public comment period, and location and date that the public hearing will be held as published within that Notice of Proposed Action.

Within the previously published Notice of Proposed Action, the location of the public hearing was identified as via the virtual meeting platform of GoToWebinar on May 4, 2022. The hearing has been re-scheduled and re-located. **The revised hearing will be conducted on May 5, 2022, at the Board’s regularly scheduled meeting commencing at 9:00 a.m., at the Natural Resources Building Auditorium, 715 P Street, Sacramento, CA as well as via the virtual meeting platform of GoToWebinar.** Due to this change, the written comment period will end at the conclusion of the public hearing on May 5, 2022. All other information contained within the originally published notice remains unchanged.

CONTACT PERSON

Any questions regarding the re-scheduling of the public hearing, 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
Attention: Jane Van Susteren
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 619-9795

The designated backup person in the event Ms. Van Susteren is not available is Eric Hedge, Regulations Program Manager for the Board of Forestry and Fire Protection. Mr. Hedge may be contacted at the above address or by phone at (916) 902-5048.

**DEPARTMENT OF TOXIC
SUBSTANCES CONTROL**

NOTICE OF PROPOSED HSA AND
CERCLA ADMINISTRATIVE *DE MINIMIS*
SETTLEMENT FOR THE
BKK CLASS I LANDFILL

30-DAY PUBLIC COMMENT PERIOD:
APRIL 22, 2022 THROUGH MAY 23, 2022

WHAT IS BEING PROPOSED: The California Department of Toxic Substances Control (“DTSC”) invites public comment on a Proposed Administrative Consent Order and Settlement Agreement *De Minimis* Contributors (“Proposed Order and Agreement”), Docket Number HSA-FY21/22-114. In accordance with applicable law, DTSC hereby provides notice of a proposed *de minimis* settlement concerning the BKK Class I Landfill in West Covina, California (the “Site”).

DTSC proposes to enter into this order and *de minimis* settlement pursuant to the Carpenter-Presley-Tanner Hazardous Substance Account Act, Health and Safety Code sections 25358.3, 25360, and 25360.6, and Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”) sections 107 and 113 (42 U.S.C. §§ 9607, 9613). This settlement is intended to resolve liabilities of the 17 settling parties identified below (individually, “*De Minimis* Settling Party,” and collectively, “*De Minimis* Settling Parties”) for past and future response costs incurred at the Site. The Proposed Order and Agreement serves as an administrative order and settlement with DTSC,

and a private party settlement with the BKK Working Group (“BWG”), a group comprised of potentially responsible parties that have incurred response costs related to the Site. The *De Minimis* Settling Parties will receive a Site-wide covenant not to sue from DTSC and the BWG, as well as contribution protection for the specific matters addressed in the settlement, pursuant to section 25360.6(b) of the California Health and Safety Code, and section 113(f)(2) of CERCLA (42 U.S.C. § 9613(f)(2)).

The *De Minimis* Settling Parties collectively sent a combined total of 25,609.40 tons of waste to the Site, which represents 0.49 percent of the approximately 5.18 million tons of manifested waste disposed of at the Site. This settlement requires the *De Minimis* Settling Parties to collectively pay a combined total of \$11,970,089.64. Ten percent of the settlement amount will be paid to DTSC as reimbursement for past response costs relating to the Site. After certain costs related to the Proposed Order and Agreement are reimbursed to DTSC and the BWG, as specified in the Second Disbursement Amendment to the Third Partial Consent Decree (*see Cal. Dep’t of Toxic Substances Control v. Am. Honda Motor Co. Inc.*, No. 2:15–CV–00729–DDP–AJW (C.D. Cal., Feb. 2, 2015)), the remaining settlement amount will be distributed to the Third-Party PRP Settlement Escrow Account, which will fund future response actions at the Site.

The identities of the *De Minimis* Settling Parties that have elected to settle their liability with DTSC and the BWG under Proposed Order and Agreement, Docket Number HSA–FY21/22–114 are as follows:

1. **Dulien Enterprises, Fredrick M. Dulien and the Estate of Merle Dulien;**
2. **Reuland Electric Co.;**
3. **Matrix Science Corporation;**
4. **Intel Corporation;**
5. **Nalco Chemical Company c/o Ecolab Inc.;**
6. **Georgia–Pacific LLC;**
7. **Faberge, Inc.;**
8. **Bestfoods, Inc.;**
9. **Fragrance Development Corporation;**
10. **Helene Curtis Industries, Inc.;**
11. **Cheesebrough–Pond’s USA Co.;**
12. **Textron, Inc.;**
13. **Robertshaw Controls;**
14. **Norac Co.;**
15. **Armco Steel Corp.;**
16. **Avery Dennison Corporation; and**
17. **Alcan Aluminum Corp.**

HOW YOU CAN PARTICIPATE: You can review the Proposed Order and Agreement and submit your comments, if any, to DTSC.

WHERE TO FIND THE PROPOSED ORDER AND AGREEMENT: The Proposed Order and Agreement can be found for review at the following locations:

- (1) On the following DTSC website: <https://dtsc.ca.gov/third-party-initiative-cost-recovery>.
- (2) At the West Covina Library: 1601 W. West Covina Parkway, West Covina, CA 91790. The telephone number for the West Covina Library is (626) 962–3541.
- (3) In EnviroStor, which can be accessed at https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=19490005 (additional Site documents also can be found in EnviroStor).

WHERE TO SUBMIT COMMENTS: Comments should be in writing and should be submitted to BKK Third Party Initiative, 8800 Cal Center Drive, Sacramento, CA 95826 or BKKPRPsupport@dtsc.ca.gov. All comments should include “BKK Proposed Order and Agreement Docket Number HSA–FY21/22–114” in the subject line of the email or letter.

DTSC will accept written comments relating to the Proposed Order and Agreement between **April 22, 2022** and **May 23, 2022**. DTSC will consider all comments postmarked or received during this period and may modify or withdraw the Proposed Order and Agreement with respect to any *De Minimis* Settling Party if any comment discloses facts or considerations indicating that the Proposed Order and Agreement is inappropriate, improper, or inadequate as to that *De Minimis* Settling Party.

FOR ADDITIONAL QUESTIONS ABOUT THE SITE: Please contact the following DTSC staff:

BKK Third Party Initiative
8800 Cal Center Drive
Sacramento, CA 95826
(833) 343–0053
BKKPRPsupport@dtsc.ca.gov

Elsa Lopez
Public Participation Specialist
9211 Oakdale Ave.
Chatsworth, CA 91311
(818) 717–6566
Elsa.Lopez@dtsc.ca.gov

Russ Edmondson
Public Information Officer
P.O. Box 806
Sacramento, CA 95812
(916) 323–3372
Russ.Edmondson@dtsc.ca.gov

In order to receive public notices for future proposed *de minimis* settlements via email, please visit <https://>

dtsc.ca.gov/dtsc-e-lists and subscribe to the E-List titled, "BKK Class I Landfill PRP Public Notices."

DECISION

DISAPPROVAL DECISION

STATE PERSONNEL BOARD

DECISIONS OF DISAPPROVAL OF REGULATORY ACTIONS

Printed below is the summary of an Office of Administrative Law disapproval decision. The full text of disapproval decisions are available by contacting our Reference Attorney at staff@oal.ca.gov or (916) 323-6815 or by mail to Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814. Please request by OAL file number.

**STATE OF CALIFORNIA
OFFICE OF ADMINISTRATIVE LAW**

In re:

State Personnel Board

Regulatory Action:

Title 2, California Code of Regulations

Amend sections: 52.4, 243.2, 243.3, and 243.6

Government Code Section 11349.3

OAL File No. 2021-1014-03

OAL Matter Type: Regular (S)

SUMMARY OF REGULATORY ACTION

This regulatory action by the State Personnel Board (Board) proposed to amend sections 52.4, 243.2, 243.3, and 243.6 in title 2 of the California Code of Regulations (CCR) to clarify the procedures for appeal applicable to voided appointments and orders for reimbursement of compensation.

On October 14, 2021, the Board submitted the above-referenced regulatory action to the Office of Administrative Law (OAL) for review. On April 1, 2022, OAL notified the Board that OAL disapproved the proposed regulatory action pursuant to the Administrative Procedure Act (APA).¹ This Decision of Disapproval of Regulatory Action explains the reasons for OAL's action.

¹ OAL's 30-working-day review period specified in Government Code section 11349.3, subdivision (a), ended on November 30, 2021. However, OAL's 30-working-day review period was extended pursuant to Executive Orders N-40-20 and N-71-20. As such, the extended review due date for this regulatory action was April 1, 2022.

OAL disapproved the above-referenced regulatory action for the following reasons:

1. The proposed regulatory changes failed to comply with the clarity standard of Government Code section 11349.1, subdivision (a)(3);
2. The proposed regulatory changes failed to comply with the necessity standard of Government Code section 11349.1, subdivision (a)(1); and
3. The Board did not follow the required APA procedures by failing to:
 - 3.1 include a transcript, recording, or minutes from the public APA hearing on December 29, 2020 in the rulemaking record, pursuant to Government Code section 11347.3(b)(8);
 - 3.2 include a sufficiently detailed transcript, recording, or minutes from the Board meeting to adopt the regulations on September 9, 2021 in the rulemaking record, pursuant to CCR, title 1, section 90;
 - 3.3 include a Statement of Mailing in the rulemaking record, pursuant to CCR, title 1, section 86;
 - 3.4 include Statements of Mailing for 15-day modifications to text in the rulemaking record, pursuant to CCR, title 1, section 44(b);
 - 3.5 include all required information in the Updated Informative Digest, pursuant to Government Code section 11346.9(b);
 - 3.6 summarize and respond to all public comments containing objections or recommendations, pursuant to Government Code section 11346.9(a)(3); and
 - 3.7 provide a properly completed Form 399 pursuant to Chapter 6000 of the State Administrative Manual.

CONCLUSION

For the foregoing reasons, OAL disapproved the above-referenced regulatory action. Pursuant to Government Code section 11349.4, subdivision (a), the Board may resubmit revised regulations within 120 days of its receipt of this Decision of Disapproval of Regulatory Action. A copy of this Decision will be emailed to the Board on the date indicated below.

The Board must make any substantive regulatory text changes, which are sufficiently related to the originally noticed text, available for public comment for at least 15 days pursuant to subdivision (c) of Government Code section 11346.8 and section 44 of title 1 of the CCR. Additionally, any supplement to the ISOR or other document the Board may create or propose to add to the rulemaking record to address

the issues discussed above must be made available for public comment for at least 15 days pursuant to Government Code section 11347.1. Any comments made in response to the proposed modifications must be presented to the Board for consideration prior to the adoption of the final regulation text and any objections or recommendations must be summarized and responded to in the FSOR. The Board must resolve all other issues raised in this Decision of Disapproval of Regulatory Action prior to the resubmittal of this regulatory action.

**SUMMARY OF
REGULATORY ACTIONS**

**REGULATIONS FILED WITH THE
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.

California Alternative Energy and Advanced
Transportation Financing Authority
File # 2022-0224-04
Sales and Use Tax Exclusion Program

This Certificate of Compliance action makes permanent emergency regulations that streamline administration of the Sales and Use Tax Exclusion Program which is available to qualifying manufacturers and recyclers for projects and products that create California-based manufacturing jobs or advanced manufacturing processes or reduce greenhouse gases, air and water pollution, or energy consumption. More specifically, the action revises definitions, application and eligibility requirements, and compliance deadlines, and updates cross references and subdivision numbering.

Title 04
Amend: 10031, 10032, 10033, 10034, 10035, 10036
Filed 04/07/2022
Effective 04/07/2022
Agency Contact: Matt Jumps (916) 651-5103

Department of Corrections and Rehabilitation
File # 2022-0225-02
Body-Worn Cameras

This certificate of compliance makes permanent an emergency by operational necessity and adopts provisions governing the implementation of body worn

cameras at the California Institution for Women; California State Prison, Corcoran, Kern Valley State Prison; California State Prison, Los Angeles County; Richard J. Donovan Correctional Facility; and the Substance Abuse and Treatment Facility and State Prison, Corcoran.

Title 15
Adopt: 3270.3
Filed 04/11/2022
Effective 04/11/2022
Agency Contact:
Renee Rodriguez (916) 446-2244

Department of Resources Recycling and Recovery
File # 2022-0222-03
Structure for Multiple Covered Electronic Waste
Payment Rates

This timely certificate of compliance (2018-0502-04E, 2020-0318-04EE) by the Department of Resource Recycling and Recovery makes permanent the action that split the existing Covered Electronic Waste (CEW) recycling payment rate into separate payment rates for Cathode Ray Tubes (CRTs) and non-CRT CEW and also added a requirement that recyclers report separately the net costs associated with recycling CRT CEW and with recycling non-CRT CEW.

Title 14
Amend: 18660.5, 18660.10, 18660.21, 18660.34
Filed 04/06/2022
Effective 04/06/2022
Agency Contact: Irina Kaminer (916) 341-6396

Department of Social Services
File # 2022-0222-02
CalWORKs Homeless Assistance, Domestic Abuse,
etc.

This certificate of compliance makes permanent emergency amendments to the Manual of Policies and Procedures (MPP) to implement statutory changes regarding CalWORKs and applicants fleeing domestic abuse, family reunion cases, victims of natural disasters, and related matters.

Title MPP
Amend: 40-105, 40-190, 42-407, 42-715, 44-211,
82-812
Filed 04/06/2022
Effective 04/06/2022
Agency Contact: Everardo Vaca (916) 657-2363

Division of Workers' Compensation
 File # 2022-0401-01
 Administration of Qualified Medical Examiner
 Program

The Division of Workers' Compensation (DWC) in this resubmittal of their certificate of compliance (2020-0504-01E, 2021-0219-02EE, 2021-0920-02EE, 2022-0106-02C) is making permanent the ability of participants in the workers' compensation system to continue to receive medical-legal reports via electronic service.

Title 08
 Adopt: 36.7
 Filed 04/12/2022
 Effective 04/12/2022
 Agency Contact:
 Nicole Richardson (510) 286-0656

California Film Commission
 File # 2022-0330-03
 California Soundstage Filming Tax Credit Program

This emergency rulemaking action by the California Film Commission adopts regulations to implement a tax credit for qualified expenditures paid or incurred during a taxable year by a qualified motion picture produced in California at a certified studio construction project as provided for in Revenue and Taxation Code sections 17053.98(k) and 23698(k).

Title 10
 Adopt: 5530, 5531, 5532, 5533, 5534, 5535, 5536, 5537, 5538, 5539, 5540, 5541
 Filed 04/11/2022
 Effective 04/11/2022
 Agency Contact:
 Nancy Rae Stone (323) 860-2960

Department of Transportation
 File # 2022-0328-02
 State Route 710 Sales Program

This emergency rulemaking action by the Department of Transportation amends the regulations governing the sales process for properties covered by the State Route 710 Sales Program in the City of South Pasadena and updates general sales requirements applicable to the SR 710 Sales Program.

Title 21
 Adopt: 1477.3, 1484.3
 Amend: 1475, 1477, 1477.1, 1477.2, 1477.4, 1483, 1483.1, 1485, 1485.1, 1486, 1487, 1488, 1489
 Filed 04/07/2022
 Effective 04/07/2022
 Agency Contact: Carolyn Dabney (916) 716-7808

California Alternative Energy and Advanced
 Transportation Financing Authority
 File # 2022-0405-01
 Commercial Energy Efficiency Financing Program

This action by the California Alternative Energy and Advanced Transportation Financing Authority readopts emergency regulations concerning the "Commercial Energy Efficiency Financing Program" and is deemed an emergency under Public Resources Code section 26009.

Title 04
 Adopt: 10092.15
 Amend: 10092.1, 10092.2, 10092.3, 10092.4, 10092.5, 10092.6, 10092.7, 10092.8, 10092.9, 10092.10, 10092.11, 10092.12, 10092.13, 10092.14
 Filed 04/12/2022
 Effective 04/18/2022
 Agency Contact:
 Jonathan Verhoef (916) 653-1375

Alcoholic Beverage Control Appeals Board
 File # 2022-0225-04
 Conflict-of-Interest Code

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

Title 04
 Amend: 200.1
 Filed 04/07/2022
 Effective 05/07/2022
 Agency Contact: Taryn Kinney (916) 445-4005

Department of Insurance
 File # 2022-0302-02
 CAARP Plan of Operations

This action makes changes to the California Automobile Assigned Risk Plan (CAARP) Plan of Operations, which is incorporated by reference in title 10, California Code of Regulations, section 2498.4.9. This action is exempt from the Administrative Procedure Act pursuant to Insurance Code section 11620(c).

Title 10
 Amend: 2498.4.9
 Filed 04/13/2022
 Effective 04/13/2022
 Agency Contact: Michael Riordan (415) 538-4226

Office of Environmental Health Hazard Assessment
File # 2022-0228-01
Chemicals Known to the State to Cause Cancer or
Reproductive Toxicity

This file and print request by the Office of Environmental Health Hazard Assessment updates the list of Chemicals Known to the State to Cause Cancer or Reproductive Toxicity to identify Perfluorooctanoic Acid (PFOA) as a chemical known to the state to cause cancer. This action is exempt from the Administrative Procedure Act pursuant to Health and Safety Code section 25249.8.

Title 27
Amend: 27001
Filed 04/12/2022
Effective 02/25/2022
Agency Contact: Tyler Saechao (916) 327-3015

Physical Therapy Board of California
File # 2022-0302-01
Physical Therapy Assistant Applicant Supervision
& Sponsored Free Health Care Events

This change without regulatory effect repeals or amends existing regulations pertaining to sponsored health care events as required to be consistent with the repeal of Business and Professions Code section 901.

Title 16
Amend: 1399.12
Repeal: 1399.99.1, 1399.99.2, 1399.99.3, 1399.99.4
Filed 04/13/2022
Agency Contact: Elsa Ybarra (916) 561-8262

California Horse Racing Board
File # 2021-1026-02
Public Participation at Meetings

This rulemaking action by the California Horse Racing Board adopts regulations governing public comment procedures for meetings subject to the Bagley-Keene Open Meeting Act (Government Code sec. 11120 et seq.).

Title 04
Adopt: 1415
Filed 04/07/2022
Effective 07/01/2022
Agency Contact:
Nicole Lopes-Gravely (916) 263-6397

Commission on Peace Officer Standards and Training
File # 2022-0224-01
Minimum Training Standards for Instructors

This rulemaking action by the Commission on Peace Officer Standards and Training amends minimum content requirements for instructor courses to

remove requirements relating to the Driver Training Simulation Instructor Course.

Title 11
Amend: 1070, 1082
Filed 04/06/2022
Effective 07/01/2022
Agency Contact: Steve Harding (916) 227-2816

Commission on Peace Officer Standards and Training
File # 2022-0224-02
Minimum Training Standards for Instructors —
Force Option Simulator

This regular rulemaking action by the Commission on Peace Officers Standards and Training amends Instructor Training requirements to remove training courses for the Force Option Simulator.

Title 11
Amend: 1070, 1082
Filed 04/07/2022
Effective 07/01/2022
Agency Contact: Steve Harding (916) 227-2816

Department of Justice
File # 2021-1229-06
California Restraining and Protective Order System
(CARPOS)

This regular rulemaking action by the Department of Justice adopts the processes and procedures to request, receive, secure, store, disseminate, and destroy California Restraining and Protective Order System data.

Title 11
Adopt: 962, 963, 964, 965, 966, 967, 968
Filed 04/07/2022
Effective 07/01/2022
Agency Contact: Kevin Sabo (916) 210-7639

Department of Justice
File # 2022-0301-01
California Pawn & Secondhand Dealer System

This proposed rulemaking action by the Department of Justice (Department) updates California Pawn and Secondhand Dealer System requirements to align with Assembly Bill 1969 (Stats. 2020, chapter 185). The Department is also seeking to update authority and reference citations, and revise existing language to include gender-neutral pronouns.

Title 11
Amend: 999.500, 999.502, 999.503, 999.504,
999.505, 999.506
Filed 04/13/2022
Effective 01/01/2023
Agency Contact: Kevin Sabo (916) 210-7639

Respiratory Care Board
File # 2021-1029-01
Driving Record, Military Applications and
Disciplinary Guidelines

This proposed action would streamline the application review process, expedite review of applications submitted by military personnel and their spouses, and update the board's disciplinary guidelines.

Title 16
Amend: 1399.326, 1399.329, 1399.374
Filed 04/11/2022
Effective 07/01/2022
Agency Contact:
Christine Molina (916) 999-2230

State Personnel Board
File # 2022-0301-03
Merit Issue Complaints

This rulemaking by the State Personnel Board amends procedures and requirements relating to merit issue complaints.

Title 02
Amend: 66.1
Filed 04/13/2022
Effective 07/01/2022
Agency Contact: Lori Gillihan (916) 651-1043

Department of Food and Agriculture
File # 2022-0223-01
Administrative Penalty Schedules

In this resubmitted rulemaking action, the Department adopts a regulation to establish administrative penalty schedules for violations of statutory and regulatory provisions related to livestock disease control in the animal industry.

Title 03
Adopt: 839
Filed 04/06/2022
Effective 07/01/2022
Agency Contact: Angelina Velez (916) 718-8242

**PRIOR REGULATORY
DECISIONS AND CCR
CHANGES FILED WITH THE
SECRETARY OF STATE**

A quarterly index of regulatory decisions by the Office of Administrative Law (OAL) is provided in the California Regulatory Notice Register in the volume published by the second Friday in January, April, July, and October following the end of the preceding quarter. For additional information on actions taken by OAL, please visit www.oal.ca.gov.