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***Time-
Dated
Material***

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 code of the following:

CONFLICT-OF-INTEREST CODE

AMENDMENT

STATE AGENCY: California State Lands Commission

A written comment period has been established commencing on March 7, 2025, and closing on April 21, 2025. Written comments should be directed to the Fair Political Practices Commission, Attention Belen Cisneros, 1102 Q Street, Suite 3050, Sacramento, California 95811.

At the end of the 45-day comment period, the proposed conflict-of-interest code will be submitted to the Commission’s Executive Director for their review, unless any interested person or their 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 will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code, 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 their own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code 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. Any written comments must be received no later than April 21, 2025. 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 should be made to Belen Cisneros, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email bcisneros@fppc.ca.gov.

AVAILABILITY OF PROPOSED CONFLICT-OF-INTEREST CODE

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

the respective agency. Requests for copies from the Commission should be made to Belen Cisneros, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, of email bcisneros@fppc.ca.gov.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the Commission or FPPC), under the authority vested in it under the Political Reform Act (the Act)¹ by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation at a public hearing on or after **April 10, 2025**, at the offices of the Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California, commencing at approximately **10:00 a.m.** Written comments should be received at the Commission offices no later than **5:00 p.m.** on **April 8, 2025**.

BACKGROUND/OVERVIEW

The Act requires elected officers and public officials, include state and local government employees who make or participate in making governmental decisions, (collectively “officials”) to file Statements of Economic Interests (SEIs) disclosing relevant financial interests. (Section 87200 and 87300.) SEIs are filed annually, as well as when assuming and leaving office, and promote transparency in government by providing necessary information to the public about an official’s financial interests to ensure that officials are making decisions in the best interest of the public and not personally benefiting from the decisions.²

For many SEI filers, the positions required to file SEIs are determined by the agency’s Conflict of Interest Code, which identifies which positions must file and what level of information an official must provide based on the official’s job duties. (Section 87300.) These positions typically file the SEI with their agency, but some file with the FPPC.

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

² See Section 81002(c) identifying purposes of the Act and stating, “Assets and income of public officials which may be materially affected by their official actions should be disclosed and in appropriate circumstances the officials should be disqualified from acting in order that conflicts of interest may be avoided.”

Certain higher-level state and local officials are required by statute to file SEIs disclosing all of their financial interests, as that term is defined in the Act. These positions are listed in Section 87200. These officials file their SEIs with the FPPC.

Once an SEI is filed with the FPPC, the FPPC must make it available to the public. Currently, under Regulation 18313.5 the FPPC posts SEIs filed by elected officials only. SEIs for other officials who file with the FPPC can be obtained by submitting an email request to the FPPC. The FPPC’s SEI filing system is capable of making all statements filed on the system available online. In making SEIs available online, the FPPC currently redacts the address, telephone number, and signature block of the elected official. (Regulation 18313.5.) Regulation 18313.6 currently provides criteria for discretionary redaction where the elected officer has a reasonable privacy concern related to an individual’s address, or a family member’s name or other personally identifiable information.

AB 1170 was signed into law by the Governor in September 2024 and went into effect on January 1, 2025. Under AB 1170, Section 87500(a) now requires “A statement of economic interest filed by a public official, for whom the Commission is the filing officer, shall be filed with the Commission using the Commission’s electronic filing system.” As such, rather than require that Section 87200 filers file with their agency and the agency provide the original to the FPPC, filers now must file directly with the FPPC using the FPPC’s electronic filing system. Additionally, the Legislature amended Section 87500.3 which requires redaction of the signature, telephone number, email address, and mailing address of the filer when posting SEIs on the internet. Section 87500.3 also lists when the FPPC may use its discretion to redact identifying information surrounding the filer’s personal residence and the filer’s family’s personal information where there is a reasonable privacy concern. Previously, the section stated that the FPPC could adopt its own rules for redaction.

REGULATORY ACTION

Amend 2 Cal. Code Regs. Sections 18115.2, 18313.5, 18313.6, 18724, 18730, 18754, and 18756 Repeal 2 Cal. Code Regs. Section 18753

SCOPE: Given the amendments to the Act pursuant to AB 1170 Commission staff is proposing the amendment and repeal of various regulations in order to interpret, implement, and make specific the new changes to the Act. The scope of the regulatory proposal may include any and all regulations necessary or relevant to the application of AB 1170. Specific proposals the Commission may review and discuss, include but are not limited to the following:

Amend 2. Cal. Code Regs. 18115.2

Commission staff proposes amending this Regulation to fix citations to Section 87500 and to remove requirements of forwarding SEIs to the FPPC where it will no longer be necessary.

Amend 2. Cal. Code Regs. 18313.5

Commission staff proposes amending this Regulation to encompass all material necessary to be redacted in online postings of SEIs as required now in Section 87500.3. Proposed language may also provide options for the Commission to determine which SEIs will be posted to the Commission’s website.

Amend 2. Cal. Code Regs. 18313.6

Commission staff proposes amending this Regulation to remove a section made redundant by Section 87500.3 and update citations under changes to Section 87500.

Amend 2. Cal. Code Regs. 18724

Commission staff proposes amending this Regulation to clarify that filings by retired judges must be filed through the FPPC’s electronic filing system.

Amend 2. Cal. Code Regs. 18730

Commission staff proposes amending this Regulation to reflect updates to where officials must file their SEIs under the newly amended Section 87500.

Amend 2. Cal. Code Regs. 18754

Commission staff proposes amending this Regulation to update citations to Section 87500 and to clarify those officials required to file through the FPPC’s electronic filing system.

Amend 2. Cal. Code Regs. 18756

Commission staff proposes amending this Regulation to remove data exchange requirements that are no longer necessary as officials will be filing directly through the FPPC’s electronic filing system.

Repeal 2. Cal. Code Regs. 18753

Commission staff proposes repealing this Regulation as it has been made redundant by new amendments to Section 87500(a)(1) which now clarifies that the positions previously addressed by this Regulation must file directly with the FPPC using the FPPC’s on-line filing system.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. None.
Fiscal Impact on State Government. None.
Fiscal Impact on Federal Funding of State Programs. None.

AUTHORITY

Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind

rules and regulations to carry out the purposes and provisions of the Act.

REFERENCE

Government Code sections 87500 and 87500.3.

CONTACT

Any inquiries should be made to Valerie Nuding, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, CA 95811; email: vnuding@fppc.ca.gov; telephone (279) 237-5964. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/the-law/fppc-regulations/proposed-regulations-and-notices.html>.

TITLE 2. STATE ALLOCATION BOARD

AMEND SECTION 1859.90 RELATING TO LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend the above-referenced regulation section, contained in Title 2, California Code of Regulations (CCR). 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 Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to amend the above-referenced regulation section under the authority provided by Section 17070.35 of the Education Code. The proposal interprets and make specific reference Sections 17072.12, 17072.30, 17074.15, 17076.10, 17077.40, 17077.42 and 17077.45 of the Education Code.

INFORMATIVE DIGEST/POLICY
OVERVIEW STATEMENT

The Leroy F. Greene School Facilities Act of 1998 established, through Senate Bill 50, Chapter 407, Statutes of 1998, the School Facility Program (SFP). The SFP provides a per-pupil grant amount to qualifying school districts for purposes of constructing school facilities and modernizing existing school facilities. The SAB adopted regulations to implement the Leroy F. Greene School Facilities Act of 1998, which were approved by the Office of Administrative Law and filed with the Secretary of State on October 8, 1999.

At its meeting on September 25, 2024, the SAB adopted proposed regulatory amendments, on an emergency basis, that would allow the SAB to extend the fund release requirements up to 18 months for projects specifically pertaining to a school facility located on a military installation that is the recipient of a federal grant that requires a local matching share. The authority for the SAB to extend the fund release timeline, not to exceed 18 months, is already allowed in statute. OPSC submitted the emergency regulations to the Office of Administrative Law (OAL) and the OAL approved the emergency regulations and filed them with the Secretary of State with an effective date of November 1, 2024. Subsequently, OPSC identified the need to make clarifying language changes. The SAB, at its January 22, 2025 meeting, adopted clarifying amendments that the applicant school district must have received an invitation for federal funding to be considered for the extended fund release deadline of up to 18 months and the SAB must consider whether additional time is needed for the school district to align with federal timelines

Attached to this Notice is the specific regulatory language of both proposed regulatory actions; the amendments delineated in single underline were adopted by the SAB at its September 25, 2024 meeting; the amendments delineated in italics, strikethrough, and single/double underline were adopted by the SAB at its January 22, 2025 meeting. The proposed regulations can also be reviewed on OPSC's website at: <https://www.dgs.ca.gov/OPSC/Resources/Page-Content/Office-of-Public-School-Construction-Resources-List-Folder/Laws-and-Regulations>. Copies of the proposed regulatory amendments will be mailed to any person requesting this information by using OPSC's contact information set forth below in this Notice. The proposed regulation amends the SFP Regulations under the California Code of Regulations, Title 2, Chapter 3, Subchapter 4, Group 1, State Allocation Board, Subgroup 5.5, Regulations relating to the Leroy F. Greene School Facilities Act of 1998.

BACKGROUND AND PROBLEM
BEING RESOLVED

The Department of Defense (DOD) established the Public Schools on Military Installations (PSMI) program in 2010 to administer an appropriation designated for the construction, renovation, repair, or expansion of elementary and secondary public schools on military installations in order to address capacity needs or facility condition deficiencies. The DOD assessed the condition and capacity of public schools on military installations as part of the PSMI program. It developed a priority list of these schools with the most serious condition and/or capacity deficiencies. The PSMI program provides federal funding of 80 percent of project costs to school districts and the school district provides the local matching share of 20 percent of the project cost.

The SAB established the DOD Subcommittee at its April 2012 meeting. The purpose of this Subcommittee was to consider funding options to assist all California school districts with DOD schools in meeting their 20 percent matching share requirement. At the June 2012 DOD Subcommittee meeting OPSC presented an analysis of the potential SFP funding options that school districts could pursue to meet the 20 percent match requirement. The Subcommittee's recommendations were presented to the SAB at the August 2012 SAB meeting. These recommendations included consideration of SFP Regulation changes for DOD projects, such as providing preliminary apportionments and recommending to the Legislature that future bond funds be made available specifically for DOD schools. The SAB chose to recommend that the Legislature provide funding for schools on military installations in California in a future bond proposal to cover the total need for these types of projects.

In 2018, the DOD continued an ongoing assessment of the condition and capacity of schools on military installations. Based on the assessment, the DOD developed an updated priority list. As new federal funds have been appropriated, the Office of Local Defense Community Cooperation (OLDCC) which administers these federal funds, has continued to invite California school districts to participate in the PSMI program.

The problem being resolved is not a problem but a unique opportunity in which school districts are invited to participate in the PSMI program and receive federal funding as long as they submit verification to the OLDCC that local matching funds are available to leverage and receive final approval for federal funding. Funding from the SFP is a significant supporting component in each school district's proposal to access this federal funding opportunity. Since 2012, the SAB and OPSC have provided support to school districts

invited to participate in the PSMI program. SAB approvals have provided approximately \$78.9 million in state funding for 19 projects on ten school sites which has leveraged over \$365 million in federal funding for these types of projects across the State of California. Including the September 2024 actions, SAB approvals have provided \$103.8 million in state funding which is expected to leverage more than \$702 million in federal funding.

OPSC performed a search on whether the proposed regulatory amendments were consistent and compatible with existing State laws and regulations. After performing the search, OPSC, on behalf of the SAB, has determined that there are no other programs or regulations in existence that allow the SAB to extend the fund release requirements to 18 months for the SFP. Therefore, the proposed regulatory amendments are determined to be consistent and compatible with existing State laws and regulations. Proceeding with the implementation of the proposed regulatory amendments provides the ability for a school district that has a school facility on a military installation that has been invited to participate in the PSMI program to meet the SFP fund release requirements while aligning with federal timelines. This ensures equity that public schools on military installations receive new and/or modernized school facilities. It also ensures the prudent use of State funds while maintaining the integrity of the SFP.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATIONS

There are benefits associated with the proposed regulatory amendments. The SAB will have the flexibility to provide an extended fund release deadline, if necessary, to school districts that have a school facility located on a military installation that is the recipient of a federal grant requiring a local matching share. It can be challenging for school districts to align fund release deadlines under the SFP with the elongated timelines of federal projects on military installations, even with active guidance from OPSC. The extended fund release timeline of 18 months is already allowed in statute. There is a positive impact on the state's economy, as well as the creation of an unknown number of jobs, by facilitating the ability for school districts to succeed with these projects and obtain 80 percent federal funding. Once school districts request the release of state funds, manufacturing and construction-related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries.

The proposed amendments are therefore determined to be consistent and compatible with existing State laws and regulations. Proceeding with the implemen-

tation of the proposed regulatory amendments maintains the integrity of the SFP funding process, as well as maintains equity amongst school district projects.

SUMMARY OF THE PROPOSED REGULATORY AMENDMENTS

A summary of the proposed regulatory amendments is as follows:

Existing Regulation Section 1859.90 aligns the direct Apportionment process with the timelines of the existing Priority Funding process in order for school districts to submit a valid Form SAB 50–05 and Grant Agreement within 180 days to request the release of funds for non-financial hardship school districts and 365 days for those school districts approved with financial hardship status. The proposed regulatory amendments provide the ability to extend the fund release deadlines, not to exceed 18 months, for a school district that has a school facility located on a military installation that is the recipient of a federal grant that requires a local matching share. It also allows the SAB the flexibility in determining whether to authorize an 18-month fund release deadline by considering whether additional time is needed for the district to align with federal timelines.

STATUTORY AUTHORITY AND IMPLEMENTATION

Education Code Section 17070.35(a). In addition to all other powers and duties as are granted to the board by this chapter, other statutes, or the California Constitution, the board shall do all of the following: (1) Adopt rules and regulations, pursuant to the rulemaking provisions of the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the administration of this chapter.

Government Code Section 15503. Whenever the board is required to make allocations or apportionments under this part, it shall prescribe rules and regulations for the administration of, and not inconsistent with, the act making the appropriation of funds to be allocated or apportioned. The board shall require the procedure, forms, and the submission of any information it may deem necessary or appropriate. Unless otherwise provided in the appropriation act, the board may require that applications for allocations or apportionments be submitted to it for approval.

DETERMINATION OF INCONSISTENCY
OR INCOMPATIBILITY WITH EXISTING
STATE REGULATIONS

Participation in the PSMI program is by invitation. School districts with a school facility located on a military installation that is the recipient of a federal grant that requires a local matching share can receive federal funding as long as they submit verification to the OLDCC that local matching funds are available to leverage and receive final approval for federal funding. Funding from the SFP is a significant supporting component in each school district’s proposal to access this federal funding opportunity. Since 2012, the SAB and OPSC have provided support to school districts invited to participate in the PSMI program. SAB approvals have provided approximately \$78.9 million in state funding for 19 projects on ten school sites which has leveraged over \$365 million in federal funding for these types of projects across the State of California. Including the September 2024 actions, SAB approvals have provided \$103.8 million in state funding which is expected to leverage more than \$702 million in federal funding.

After conducting a review, the SAB has concluded that these are the only regulations on this subject area, and therefore, the proposed amendments are neither inconsistent nor incompatible with existing State laws and regulations. The proposed regulatory amendments are within the SAB’s authority to enact regulations for the SFP under Education Code Section 17070.35 and Government Code Section 15503.

IMPACT ON LOCAL AGENCIES OR
SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulatory amendments do not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulatory amendments.

DISCLOSURES REGARDING THE
PROPOSED REGULATORY ACTION

The Executive Officer of the SAB has made the following initial determinations relative to the required statutory categories:

- The SAB 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.

- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non–discretionary costs or savings to local agencies.
- The proposed regulatory amendments create no costs to any local agency or school district requiring reimbursement pursuant to Section 17500 et seq., or beyond those required by law, except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the State.
- The proposed regulatory amendments create no costs or savings to any State agency beyond those required by law.
- The SAB has made an initial determination that there will be no impact on housing costs.

RESULTS OF THE ECONOMIC
IMPACT ANALYSIS

Impact to Businesses and Jobs in California

The SAB will have the flexibility to provide an extended fund release deadline, if necessary, to school districts that have a school facility located on a military installation that is the recipient of a federal grant requiring a local matching share. It can be challenging for school districts to align fund release deadlines under the SFP with the elongated timelines of federal projects on military installations, even with active guidance from OPSC. The extended fund release timeline of 18 months is already allowed in statute. There is a positive impact on the state’s economy, as well as the creation of an unknown number of jobs, by facilitating the ability for school districts to succeed with these projects and obtain 80 percent federal funding. Once school districts request the release of state funds, manufacturing and construction–related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries.

The proposed amendments are therefore determined to be consistent and compatible with existing State laws and regulations. Proceeding with the implementation of the proposed regulatory amendments will not have a negative impact to various business, manufacturing, and construction–related industries such as architecture, engineering, trades and municipalities. In addition, the proposed regulations will not negatively impact the creation of jobs, the creation of new businesses, and the expansion of businesses in California. It is not anticipated that the proposed regulations will result in the elimination of existing businesses or jobs

within California. Additionally, the proposed regulatory amendments maintain the integrity of the SFP funding process, as well as maintains equity amongst school district projects.

Benefits to Public Health and Welfare, Worker's Safety, and the State's Environment

- The SAB will have the flexibility to provide an extended fund release deadline, if necessary, to school districts that have a school facility located on a military installation that is the recipient of a federal grant requiring a local matching share. The extended fund release timeline of 18 months is already allowed in statute. Manufacturing and construction-related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries. This is a positive impact on the state's economy and may also create an unknown number of jobs. Further, it is unlikely that the proposed amendments will eliminate new and/or existing businesses, including the elimination of jobs within California.
- There are continued benefits to the health and welfare of California residents and worker safety. School districts, charter schools, and local educational agencies utilize construction and trades employees to work on school construction projects and although this proposed regulation does not directly impact worker's safety, existing law provides for the availability of a skilled labor force and encourages improved health and safety of construction and trades employees through proper apprenticeship and training. Further, public health and safety is enhanced because a properly paid and trained workforce will build school construction projects that are higher quality, structurally code-compliant and safer for use by pupils, staff, and other occupants on the site.
- There is no impact to the State's environment from the proposed regulatory amendments.

The SAB finds the proposed regulations fully consistent with the stated purposes and benefits.

EFFECT ON SMALL BUSINESSES

It has been determined that the proposed regulatory amendments will not have a negative impact on small businesses in the ways identified in subsections (a)(1)-(4) of Section 4, Title 1, CCR. The proposed regulatory amendments only apply to school districts and local education agencies for purposes of funding school facility projects. Manufacturing and construction-related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries. This may include new

[small] businesses, or the expansion of [small] businesses, which is a positive impact on the state's economy and may also create an unknown number of jobs.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, email or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, email or fax must be received at OPSC no later than April 21, 2025 end of day. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, email or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Lisa Jones, Regulations Coordinator
 Mailing Address: Office of Public School
 Construction
 707 Third Street, 4th Floor
 West Sacramento, CA 95605
 Email Address: lisa.jones@dgs.ca.gov
 Fax Number: (916) 375-6721

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Ms. Lisa Jones at (279) 946-8459. If Ms. Jones is unavailable, these questions may be directed to the backup contact person, Mr. Michael Watanabe, Deputy Executive Officer, at (279) 946-8463.

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulation substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested

notification from the agency of the availability of such changes. Requests for copies of any modified regulations should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15-day period.

**SUBSTANTIAL CHANGES WILL
REQUIRE A NEW NOTICE**

If, after receiving comments, the SAB intends to adopt the regulation with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in ~~strikeout~~/underline.
2. A copy of this Notice.
3. A copy of the Initial Statement of Reasons for the proposed adoption.
4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received they will be added to the rulemaking file. The file is available for public inspection at OPSC during normal working hours. Items 1 through 3 are also available on OPSC's Internet Web site at: <https://www.dgs.ca.gov/OPSC/Resources/Page-Content/Office-of-Public-School-Construction-Resources-List-Folder/Laws-and-Regulations> then scroll down to School Facility Program, Pending Regulatory Changes, and click on the links named 45-day Public Notice, Initial Statement of Reasons and Proposed Regulatory Text.

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB 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. The alternative to these proposed regulatory amendments would be the SAB take no action, thus leaving school districts with public schools on military instal-

lations without a way to leverage federal funding, as well as state funding (matching share), to address the facility condition deficiencies and/or capacity needs.

**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 agency's regulation coordinator named in this notice or may be accessed on the website listed above.

TITLE 11. DEPARTMENT OF JUSTICE

**VOLUNTEER AND EMPLOYEE CRIMINAL
HISTORY SERVICE PROGRAM**

The Department of Justice (DOJ) proposes to adopt sections 401 through 406 of title 11, division 1, chapter 4.5 of the California Code of Regulations concerning the California Volunteer and Employee Criminal History Service (CalVECHS) Program.

PUBLIC HEARING

DOJ has not scheduled a public hearing on this proposed regulatory action. However, DOJ 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.

WRITTEN COMMENT PERIOD

Any interested person or their authorized representative may submit written comments relevant to the proposed regulatory action. The written comment period closes on **April 22, 2025 at 5:00 p.m.** DOJ will consider only timely received comments. Please submit written comments to:

Department of Justice
Authorization & Certification Program
Attention: Shelley Rider
P.O. Box 160608
Sacramento, CA 95816-0608
(916) 210-2517
shelley.rider@doj.ca.gov

NOTE: Written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and can be released to the public upon request.

AUTHORITY AND REFERENCE

Authority: Section 11105.3, Penal Code.

Reference: Section 11105.3, Penal Code.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

Summary of Existing Laws and Regulations:

Federal law generally prevents DOJ from disseminating federal–level criminal offender record information (CORI) to private, non–governmental agencies.

The National Child Protection Act, as amended by the Volunteers for Children Act (NCPA/VCA), codified in United States Code, title 34, section 40102, allows states to authorize fingerprint–based federal background checks of employees and volunteers of organizations that serve children, the elderly, or individuals with disabilities, some of which organizations would otherwise be unqualified to receive federal–level CORI due to the restrictions of Public Law 92–544.

The state programs established under the NCPA/VCA are commonly known as Volunteer and Employee Criminal History System (VECHS) programs. In September 2023, the California Legislature enacted Senate Bill 135 amending Penal Code section 11105.3 to establish the CalVECHS Program. Penal Code section 11105.3, subdivision (b), allows DOJ to disseminate federal–level CORI to qualified entities under the authority of United States Code, title 34, section 40102 and sets forth controls on access and use of the federal–level CORI.

Effect of the Proposed Rulemaking:

The proposed regulations apply to the dissemination of CORI by DOJ to a qualified entity pursuant to Penal Code section 11105.3. These regulations further establish procedures and guidelines for participation in the CalVECHS Program.

Anticipated Benefits of the Proposed Regulations:

This rulemaking action will particularly benefit private, non–governmental entities that serve children, the elderly, and individuals with disabilities that would otherwise be unable to receive federal–level CORI due to the restrictions of Public Law 92–544.

Substantial Differences from Existing, Comparable Federal Regulations or Statutes:

As stated above, the federal NCPA/VCA generally allows for states to authorize fingerprint–based federal background check of employees and volunteers of organizations that would serve children, the elderly, or individuals with disabilities, some of which organizations would be otherwise unqualified to receive federal–level CORI. However, there are no existing, comparable federal regulations or statutes dealing specifically with California’s ability to disseminate federal–level CORI.

Determination of Inconsistency/Incompatibility with Existing State Regulations:

DOJ has determined that these proposed regulations are not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, DOJ has concluded that these are the only regulations that establish procedures for qualified entities to participate in the CalVECHS Program and request the CORI of covered individuals.

Forms Incorporated by Reference:

1. CalVECHS User Agreement Conditions for Release of Criminal Offender Record Information, BCIA 9017, Orig. 07/2024 (see section 402)
2. CalVECHS Waiver Agreement for Release of Criminal Offender Record Information, BCIA 9018, Orig. 07/2024 (see subdivision (a) of section 405)
3. Request for Live Scan Service, BCIA 8016VECHS, Orig. 07/2024 (see subdivision (a) of section 406)
4. Applicant Fingerprint Form, FD–258 (Rev. 11–1–20) 1110–0046 (see subdivision (b) of section 406)

Other Statutory Requirements:

None.

DISCLOSURES REGARDING THE
PROPOSED ACTION

DOJ’s 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 non–discretionary costs or savings imposed on local agencies: None.

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

Cost impacts on representative person or business: DOJ 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.

Significant, statewide adverse economic impact directly affecting businesses, including ability to compete: DOJ has made an initial determination that the proposed action 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 the Economic Impact Assessment:

DOJ concludes that the proposal will not (1) create or eliminate jobs within the state, (2) create new businesses or eliminate existing businesses within the

state, (3) result in the expansion of businesses currently doing business within the state.

DOJ also concludes that:

- (1) The proposal will benefit the health and welfare of California residents because these regulations will establish procedures for qualified entities to participate in the CalVECHS Program and request the CORI of their employees and volunteers, which will help protect the children, elders, or individuals with disabilities that they serve.
- (2) The proposal will not benefit worker safety.
- (3) The proposal will not benefit the state’s environment.

Business report requirement: None.

Small business determination: DOJ has determined that this proposed action does not affect small businesses because these regulations only establish procedures for qualified entities to participate in the CalVECHS Program and request the CORI of covered individuals.

CONSIDERATION OF ALTERNATIVES

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

DOJ has determined that the proposed regulations are the most effective way to implement the CalVECHS Program and specify procedures for participation by qualified entities.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Department of Justice
Authorization & Certification Program
Attention: Shelley Rider
P.O. Box 160608
Sacramento, CA 95816–0608
(916) 210–2517
shelley.rider@doj.ca.gov

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the pro-

posed action may be directed to the following backup contact person:

Department of Justice
Authorization & Certification Program
Attention: Zac Stone
P.O. Box 160608
Sacramento, CA 95816–0608
(916) 210–4182
zac.stone@doj.ca.gov

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

DOJ 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 of Proposed Rulemaking (Notice) is published in the Notice Register, the rulemaking file consists of this Notice, the Text of Proposed Regulations (the “express terms” of the regulations), the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based. The text of this Notice, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on DOJ’s website at <https://www.oag.ca.gov/bcia/regulations>. Please refer to the contact information listed above to obtain copies of these documents.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After DOJ analyzes all timely and relevant comments received during the 45-day public comment period, DOJ will either adopt these regulations substantially as described in this notice or make modifications based on the comments. If DOJ 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 DOJ adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the name and address indicated above. DOJ 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, a copy of the Final Statement of Reasons will be available on DOJ’s website at <https://www.oag.ca.gov/bcia/regulations>. Please refer

to the contact information included above to obtain a written copy of the Final Statement of Reasons.

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

Copies of the Notice of Proposed Rulemaking, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on DOJ’s website at <https://www.oag.ca.gov/bcia/regulations>.

**TITLE 15. DEPARTMENT
OF CORRECTIONS AND
REHABILITATION**

CRIME PREVENTION AND CORRECTIONS

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR or the Department), proposes to amend sections 6000, 6001, 6002, 6020 renumbered to 6007, 6010 renumbered to 6008, 6021 renumbered to 6009, 6011, 6022 renumbered to 6012, 6023 renumbered to 6013, 6024 renumbered to 6014, 6025 renumbered to 6015, 6026 renumbered to 6016, 6027 renumbered to 6017, 6028 renumbered to 6018, 6029 renumbered to 6019, 6030 renumbered to 6020, 6040 renumbered to 6021, 6041 renumbered to 6022, 6050 renumbered to 6023, 6060 renumbered to 6024, 6061 renumbered to 6025, 6062 renumbered to 6026, 6063 renumbered to 6027, and 6070 renumbered to 6028, adopt sections 6005, 6006, 6010, and repeal section 6003 of the California Code of Regulations (CCR), Title 15, Crime Prevention and Corrections, Division 6, regarding the Commission on Correctional Peace Officer Standards and Training.

PUBLIC COMMENT PERIOD

The public comment period begins **March 7, 2025** and closes on **April 23, 2025**. Any person may submit written comments by mail addressed to the primary contact person listed below, or by email to rpmb@cdcr.ca.gov, before the close of the comment period. For questions regarding the subject matter of the regulations, call the program contact person listed below.

CONTACT PERSONS

Primary Contact

Dmitriy Kostyuk
Telephone: (279) 223–2313
Regulation and Policy Management Branch

P.O. Box 942883
Sacramento, CA 94283–0001

Back-Up

Y. Sun
Telephone: (279) 223–2316
Regulation and Policy Management Branch
P.O. Box 942883
Sacramento, CA 94283–0001

Program Contact

Joshua Kolstad
Telephone: (279) 223–1521
Commission on Correctional Peace Officer
Standards and Training

PUBLIC HEARING

Date and Time: **April 24, 2025 — 10:00 a.m. to 11:00 a.m.**

Place: Department of Corrections and
Rehabilitation
Room 113
9272 Laguna Springs Drive, Building G–1
Elk Grove, CA 95758

Purpose: To receive comments about this action.

AUTHORITY AND REFERENCE

Government Code Section 12838.5 provides that commencing July 1, 2005, CDCR succeeds to, and is vested with, all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of abolished predecessor entities, such as Department of Corrections, Department of the Youth Authority, and Board of Corrections.

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to 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 5055** provides that commencing July 1, 2005, all powers and duties previously granted to and imposed upon the Department of Corrections shall be exercised by the Secretary of the CDCR. **PC Section 5058** authorizes the Director to prescribe and amend rules and regulations for the

administration of prisons and for the administration of the parole of persons.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Changes to these regulations are necessary to implement new provisions to address Commission on Correctional Peace Officer Standards and Training (CPOST's) responsibility for training standards development, approval, and implementation. California Penal Code Sections 13600, 13601, 13602, 13602.1, and 13603 describe the requirements of CPOST's authority and responsibilities. The CPOST shall develop, approve, and monitor standards for the selection and training of state correctional peace officer apprentices.

This action will:

- Align CPOST regulations with current training mandates and standards.
- Introduce an enhanced apprenticeship program, for the implementation of the Field Training Sergeant.
- Define the duties of the CPOST Executive Director.
- Define the duties of the Local Apprenticeship Subcommittee.

**DOCUMENTS INCORPORATED
BY REFERENCE**

- DAS Form 103–A Apprentice Daily Tracker (Rev. 8/22)
- Apprenticeship Standards Package (Rev. 8/22)

**SPECIFIC BENEFITS ANTICIPATED BY
THE PROPOSED REGULATIONS**

The benefits of the proposed regulation revision are to ensure correct, efficient, and streamlined administration of CPOST mandates through added clarity and consistency in the requirements for its implementation

**EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH EXISTING
LAWS AND REGULATIONS**

Pursuant to Government Code 11346.5(a)(3)(D), the department has determined the proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the department has concluded that these are the only regulations that concern Commission on Correctional Peace Officer Standards and Training.

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

EFFECT ON HOUSING COSTS

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

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

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

**SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESS**

The department has made an initial determination that the proposed regulations 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, because the proposed regulations place no obligations or requirements on any business.

EFFECT ON SMALL BUSINESSES

The department has determined that the proposed regulations will not affect small businesses. This action has no significant adverse economic impact on small business because they place no obligations or requirements on any business.

**RESULTS OF THE ECONOMIC
IMPACT ASSESSMENT**

The department has determined that the proposed regulation will not have any impact on the following:

- Creation or elimination of jobs within California.
- Creation of new businesses or elimination of existing businesses within California.

- Expansion of businesses currently doing business with the state.

Proposed changes to the regulation will benefit California's general welfare. The proposed regulations introduce an enhanced apprenticeship program featuring the Field Training Sergeant (FTS), who helps Correctional Officers transition from the Basic Correctional Officer Academy to independent work in institutions. Also enhancing, streamlining CPOST mandates in implementing training standards.

These changes outline the FTS's responsibilities and include necessary amendments due to the dissolution of the California Youth Authority (CYA). The revision also specifies the roles of the CPOST Executive Director (ED), Local Apprenticeship Subcommittee (LAS), and CPOST.

The proposed regulation will not affect the health of California residents, worker safety and the State's environment.

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 regulatory action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. Interested persons are 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 text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the department's contact person. The proposed text, ISOR, and Notice of Proposed Regulations will also be made available on the department's website: 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, amends or repeals 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 at least 15 days after the date on which they are made available.

TITLE 19. ENVIRONMENTAL PROTECTION AGENCY

AMENDMENTS TO THE CALIFORNIA ACCIDENTAL RELEASE PREVENTION REGULATIONS, SECTIONS 5050.3, 5110.1 5110.13, 5110.16 AND 5130.6

The California Environmental Protection Agency (CalEPA or Agency) proposes to amend the regulations as described below after considering all comments, objectives, and recommendations regarding the proposed action.

WRITTEN COMMENT PERIOD

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

Elizabeth Brega
1001 I Street, MS: 2D
Sacramento CA, 95814

Jeannie Lee
1001 I Street, MS: 25C
Sacramento CA, 95814

Comments may also be submitted by email to Elizabeth.Brega@calepa.ca.gov or Jeannie.Lee@calepa.ca.gov.

The written comment period closes on April 22, 2025. Agency will consider only timely received comments. When commenting, please indicate the proposed rulemaking action to which your comment refers.

PUBLIC HEARING

Agency did not schedule a public hearing on this proposed action. However, Agency 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. Requests for a public hearing must be received by CalEPA by April 7, 2025.

Requests for a hearing may be submitted by email or in writing to the contact information listed above.

AUTHORITY AND REFERENCE

Authority: Health and Safety Code sections 25531, 25531.2, 25533, and 25534.05. Health and Safety Code, Chapter 6.95, Article 1 and 2.

References: Title 19, Division 5, Chapter 2, Sections 5050.3, 5110.1 5110.13, 5110.16, 5130.6.

INFORMATIVE DIGEST

Background and Effect of Proposed Action

Public awareness of the potential danger from accidental releases of hazardous chemicals continues to increase as accidents have occurred around the world. In response to public concern, and recognizing that chemical hazards exist, the United States Environmental Protection Agency (U.S. EPA) initiated a Chemical Emergency Preparedness Program (CEPP) in 1985, as part of U.S. EPA's Air Toxics Strategy. In 1986, Congress adopted many of the elements of CEPP in the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA). EPCRA dealt with incident reporting and chemical inventories and did not directly address accident prevention. Consequently, in 1986, U.S. EPA established a chemical accident prevention program to collect information on chemical accidents, work with other groups to increase knowledge of prevention practices, and encourage industry to improve the safety of chemical facilities. This program resulted in the enactment of a federal law for the prevention of chemical accidents.

Section 112(r) of the amended Clean Air Act (CAA), signed into law on November 15, 1990, mandated the new federal program focusing on the prevention of chemical accidents. The objective of section 112(r) is

to prevent serious chemical accidents that have the potential to affect public health and the environment. Under section 112(r), U.S. EPA promulgated a final rule for the prevention of accidental releases of hazardous substances in Title 40 of the Code of Federal Regulations, Part 68, on June 20, 1996. The rule includes a list of regulated substances that, in the event of an accidental release, could cause death, injury, or serious adverse effects to human health and the environment. The rule requires owners or operators of facilities with more than a threshold quantity of a regulated substance in a process to develop and implement an accident prevention program. The program must include a hazard assessment, prevention program, and an emergency response program. Each regulated business is required to develop and submit a risk management plan (RMP) to the agencies implementing the program. The federal program is also known as the Risk Management Program.

The California State Legislature, recognizing the need for a chemical accident prevention program for California, enacted a new Article 2 for Chapter 6.95 of the Health and Safety Code (HSC) in 1986. HSC section 25531 (e) states, “the Legislature finds and declares that the goals of reducing regulated substance accident risks and eliminating duplication of regulatory programs can best be accomplished by implementing the federal risk management program in the state, with certain amendments specific to the state.” HSC section 25533 specifies, “[t]he program for prevention of accidental releases of regulated substances adopted by the Environmental Protection Agency pursuant to subsection (r) of section 112 of the Clean Air Act (42 U.S.C. Section 7412(r)), with the additional provisions specified in this article, is the accidental release prevention program for the state.” This program is referred to as the California Accidental Release Prevention, or CalARP, program. The CalARP program reflects the requirements of the federal section 112(r) program and includes additional more stringent, state specific requirements.

The CalARP program is one of several elements of the State of California's broader Unified Program for Hazardous Materials Management, known as the Unified Program, which is overseen by CalEPA. The purpose of the CalARP program is to prevent the accidental releases of regulated substances that can cause serious harm to the public and the environment, and to minimize the damage if releases do occur.

CalEPA broadly oversees the implementation of the Unified Program and certifies local agencies to implement the program as Unified Program Agencies (UPAs). Pursuant to Health and Safety Code section 25533, CalEPA also has direct authority to implement the CalARP element of the Unified Program, including through inspection and enforcement authority. Ad-

ditionally, pursuant to Health and Safety Code section 25534.05, CalEPA has authority to adopt regulations for the CalARP program that govern certain processes of stationary sources, including petroleum refineries. The California Office of Emergency Services (Cal OES) previously oversaw and implemented the CalARP program, however, program implementation and responsibility was transferred to CalEPA in July of 2021 through Assembly Bill 148 (Chapter 115, Statutes of 2021).

CalARP requires certain facilities (referred to as “stationary sources”) that handle, manufacture, use, or store any regulated substances above threshold quantities to take actions to proactively prevent and prepare for accidental releases. Petroleum refineries in California are subject to CalARP Program 4 regulations, which set forth specific requirements tailored to preventing accidental releases at refineries. “Petroleum refinery” means a stationary source engaged in activities set forth in North American Industry Classification System (NAICS) code 324110.

Following the August 2012 pipe rupture, chemical release and fire at the Chevron, Richmond oil refinery (2012 Chevron Richmond Refinery fire), Governor Brown formed an Interagency Working Group on Refinery Safety (Interagency Working Group) to examine ways to improve public and worker safety through enhanced oversight of refineries, and to strengthen emergency preparedness in anticipation of any future incident. The Interagency Working Group released a final report titled “Improving Public and Worker Safety at Oil Refineries” in February of 2014.¹ That effort eventually led to Cal OES promulgating and adopting the Program 4 regulations to prevent major incidents at petroleum refineries and to protect the health and safety of communities and the environment. These regulations became effective on October 1, 2017. Petroleum refineries are also subject to the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) Process Safety Management (PSM) program under Title 8 of the California Code of Regulations (CCR) section 5189.1. The PSM program for petroleum refineries under 8 CCR section 5189.1 aims to reduce the risk of major incidents and eliminate or minimize process safety hazards to which employees may be exposed.

The CalARP Program 4 regulations, as originally adopted, were designed to function in parallel with the PSM program. The proposed amendments to the CalARP Program 4 regulations will similarly function in parallel with changes to the PSM program that

will be proposed by Cal/OSHA in a separate proposed rulemaking.

Petroleum refineries may also be subject to the Industrial Safety Ordinance (ISO) in Contra Costa County, where refineries are located, and an ISO in the City of Richmond.

EFFECT OF THE PROPOSED ACTION

The proposed action would:

- Amend and clarify the definitions of highly hazardous material, process, major change, and employee representative;
- Amend and clarify the requirements pertaining to the Hierarchy of Hazard Control Analysis;
- Amend and clarify, with respect to employee participation in Accidental Release Prevention element activities, how owners and operators will allow for effective participation by employees engaged in such activities; and
- Amend a footnote to address an error in a reference citation.

CalEPA also proposes certain amendments to the regulations that do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any California Code of Regulations provision (e.g., changes without regulatory effect). These amendments without regulatory effect include changes made for purposes of revising structure, syntax, renumbering, or relocating regulatory provisions.

OBJECTIVES AND ANTICIPATED BENEFITS OF THE PROPOSED REGULATION

Objectives:

CalEPA proposes certain regulatory amendments to the provisions set forth in Chapter 2 of Division 5 of Title 19 of the California Code of Regulations. CalEPA is conducting this rulemaking pursuant to the court-approved resolution of the following two pending actions:

- *Western States Petroleum Association v. California Occupational Safety and Health Standards Board, California Division of Occupational Safety and Health, and California Environmental Protection Agency*² (Sacramento Super. Ct., Case Number 34–2019–00260210)
- *Western States Petroleum Association v. California Occupational Safety and Health Stan-*

¹ Edmund G. Brown Jr., Governor. (2014). *Improving Public and Worker Safety at Oil Refineries*, Interagency Working Group on Refinery Safety. Available at <https://www.dir.ca.gov/oshsb/documents/Process-Safety-Management-for-Petroleum-Refineries-governorreport2014.pdf>.

² The lawsuit originally named Cal OES as a party to the suit. With the transition of the CalARP program to CalEPA, CalEPA was substituted in as a defendant on October 7, 2021, in place of Cal OES.

*dards Board, and The California Environmental Protection Agency*³ (E.D. Cal., Case Number 2:19-cv-1270-JAM-DB)

CalEPA proposes to amend the Program 4 regulations to provide clarity to the public, the UPAs, and the regulated petroleum refineries for activities addressed under the CalARP program. CalEPA also proposes the changes to address stakeholder concerns about inconsistent application of the regulations.

Petroleum refineries have stated that certain terms and provisions of the CalARP regulations are vague and confusing, making it difficult for them to comply. CalEPA is proposing to amend these regulations to 1) ensure that regulatory requirements are clearly articulated and understood by the regulated petroleum refineries, UPAs, and the public, and 2) to provide clarity and consistency in program implementation. Also, CalEPA is proposing to amend these regulations to retain consistency between CalARP Program 4 and anticipated proposed amendments to the PSM program regulations for petroleum refineries under 8 CCR section 5189. Pursuant to the court-approved resolutions in *Western States Petroleum Association v. California Occupational Safety and Health Standards Board, et al.* (federal court suit) and *Western States Petroleum Association v. California Occupational Safety and Health Standards Board, and The California Environmental Protection Agency, et al.* (state court suit), Cal/OSHA will submit a rulemaking package for the PSM Amendments to California Occupational Safety and Health Standards Board (OSHSB) according to the typical rulemaking process required.

ANTICIPATED BENEFITS

The proposed amendments would clarify and add greater specificity to existing regulatory provisions. The proposed amendments would benefit the petroleum refineries who implement Program 4 and the UPAs who enforce the program’s regulations by allowing for greater efficiency and consistency in implementation and compliance by those entities. These amendments would provide more clarity to the UPAs so that they may better enforce the regulations and would allow petroleum refineries to better understand their compliance obligations. As a result of the proposed clarifications, the proposal would also help ensure protection to public health and safety in California, as well as worker safety at the regulated petroleum refineries themselves.

³ The federal court lawsuit originally named the Governor’s Office of Emergency Services (Cal OES) as a party to the suit. With the transition of the CalARP program to CalEPA, CalEPA was substituted in as a defendant on September 23, 2021, in place of Cal OES.

**EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH EXISTING
STATE REGULATIONS**

After conducting a search for any other related regulations, Agency has found that these are the only regulations concerning the California Accidental Release Prevention Regulations. Therefore, Agency has determined that the proposed amendments are not inconsistent or incompatible with existing regulations

**DISCLOSURES REGARDING THE
PROPOSED ACTION**

Agency has made the following determinations:

Mandate on local agencies or school districts: These regulations clarify and provide greater specificity to existing regulatory provisions but do not substantively alter or impose new mandates on UPAs charged with enforcing these provisions.

Cost of 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 costs or savings imposed on local agencies: None.

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

Significant effect on housing costs: None.

Significant statewide adverse economic impact directly affecting business, including ability to compete: None. The proposed changes would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

**RESULTS OF ECONOMIC
IMPACT ASSESSMENT**

CalEPA concludes that the proposed regulatory changes would not have a significant effect on jobs and businesses in the state. However, there would be an estimated cost of \$21,260.69 to refineries in the first year after the proposed changes would go into effect.

Effect on Jobs/Businesses in the State

CalEPA has determined that the proposed regulatory changes would not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California.

Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment

As stated earlier under Anticipated Benefits, the proposed regulations would benefit the health and welfare of California residents, the state's environment, and worker safety by providing greater clarity to petroleum refineries, UPAs, and the public, as well as efficiency and consistency in implementation and compliance by those entities, which ultimately furthers the goals of California's Accidental Release Program.

Cost Impacts on a Representative Private Person or Business

CalEPA anticipates that the only costs to refineries would be for those associated with updating written operating procedures and training materials reflecting the proposed regulatory amendments. The total costs to all businesses (i.e., 11 petroleum refineries) would be \$21,260.69 during the first year after the regulation goes into effect. For the purposes of the economic analysis, CalEPA has selected a typical timeframe of 10 years as the lifetime of the proposal. Because the proposed amendments would not require refineries to continually update their operating procedures and training materials every year over the 10-year lifetime, CalEPA estimated that costs to refineries would be incurred only in the first year after the regulation goes into effect.

Small Business Determination

The proposed amendments do not affect small businesses. The proposed amendments will impact petroleum refineries in California. Petroleum refineries are explicitly excluded from the definition of "small business" as defined in Government Code section 11342.610(b)(9).

CONSIDERATION OF ALTERNATIVES

CalEPA 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.

A discussion of alternatives that CalEPA itself considered are described in the Initial Statement of Reasons.

CONTACT PERSONS

Inquiries considering the proposed action may be directed to:

Elizabeth Brega
1001 I Street, MS: 2D
Sacramento CA, 95814
Telephone: (916) 318-8156
Email: Elizabeth.Brega@calepa.ca.gov

Jeannie Lee
1001 I Street, MS: 25C
Sacramento CA, 95814
Telephone: (916) 323-2514
Email: Jeannie.Lee@calepa.ca.gov

Please direct requests for copies of the proposed text (the "express terms") of the regulation, the Initial Statement of Reasons, or other information upon which the rulemaking is based to Elizabeth Brega or Jeannie Lee using the contact information above.

AVAILABILITY OF DOCUMENTS

Availability of Statement of Reasons, Text of Proposed Regulation, and Rulemaking File

Agency 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, the proposed text of the regulation, the Initial Statement of Reasons, STD 399, STD 400, and the documents relied upon. Copies may be obtained by contacting Elizabeth Brega or Jeannie Lee using the contact information above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, Agency may adopt the proposed regulation substantially as described in this Notice. If Agency 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 Agency adopts the regulation as revised. Please send requests for copies of any modified text to the attention of Elizabeth Brega or Jeannie Lee using the contact information above. Agency will accept written comments on the modified text for 15 days after the date on which it is made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Elizabeth Brega or Jeannie Lee using the contact information above.

AVAILABILITY OF DOCUMENTS
ON THE INTERNET

Copies of this Notice, the proposed text of the regulation, and the Initial Statement of Reasons can be accessed on the CalEPA website at <https://calepa.ca.gov>.

**TITLE 22. EMPLOYMENT
DEVELOPMENT DEPARTMENT**

DISABILITY COMPENSATION
VOLUNTARY PLANS ADJUSTMENTS IN
PROVISIONS OF VOLUNTARY
PLAN DUE DATE

The Employment Development Department (EDD or Department) proposes to amend California Code of Regulations (CCR), Title 22, Section 3271–1.

The proposed regulatory amendment to Section 3271–1 of the CCR would specify that Voluntary Plan (VP) employers or their designated third-party administrators (TPAs) must submit an updated VP’s text provisions (Plan Text Provisions), to EDD on a form prescribed by the Department for review and approval not less than 30 days prior to the effective date of any change in contribution rates or operative date of any new provisions required by statute or regulation; provided, however, that if a statute or regulation requiring such a change becomes effective less than 30 days after its enactment or filing with the Secretary of State, as applicable, the submission due date will be 30 days from the effective date of the statute or regulation. It would also specify that the submission due date may be extended for up to 30 days for good cause, and failure to comply could result in termination of the VP.

This amendment is necessary to ensure that the VP employers comply with current laws and regulations in the administration of their VPs for covered employees. In 2020, out of the 346 total updated Plan Text Provisions received, 120 were received after the due date of February 15th. This proposed regulation will provide EDD adequate time to review and approve updated VPs prior to the effective date of changes in contribution rates, benefit amounts, and new provisions as mandated by law and/or regulations.

The Department will adopt these regulations after considering all comments, objections, or recommendations regarding the proposed regulatory action.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

EDD administers the State Disability Insurance (SDI) program, which includes coverage for both Disability Insurance (DI) and Paid Family Leave (PFL).

The SDI program is funded through employee payroll deductions which provide affordable, short-term benefits to eligible workers who have a loss of wages. DI provides benefits to eligible workers who are unable to work due to a non-work-related illness or injury, or a medically disabling condition from pregnancy or childbirth. PFL provides benefits to eligible workers who need to take time off work to care for a seriously ill child, spouse, parent, parent-in-law, grandchild, grandparent, sibling or registered domestic partner, to bond with a new child, or due to a qualifying military exigency.

A Voluntary Plan (VP) is private short-term disability insurance that an employer may offer to its California employees as a legal alternative to the mandatory SDI coverage. The employer’s VP also provides DI and PFL coverage to its covered employees. Employers who choose to pursue the VP instead of mandatory SDI must submit an application, a Plan Text Provisions document, and a security deposit to EDD. An employer can administer a self-insured VP or obtain coverage from an admitted insurer.

The third-party administrator (TPA) is a private company that consults and assists an employer in administering their EDD-approved VP. VP employers must provide the same level of benefits as the SDI program and at least one benefit that is better.

EDD notifies VP employers when legislation affecting their VPs is enacted. Legislative changes usually take effect on January 1st unless otherwise stipulated.

VPs contain the rights and benefits specific to each VP in accordance with the California Unemployment Insurance Code and Title 22 of the CCR. VP employers must update their Plan Text Provisions annually to include mandates required by new legislation affecting VPs, contribution rates, benefit amounts, or wage ceilings. The updated VPs must be submitted to EDD for review and approval.

Prior to 2022, EDD asked VP employers to submit their updated VPs annually by February 15th, a due date that mirrored that of another VP form (Annual Report of Self-Insured Voluntary Plan Transactions). For 2023 and 2024, EDD requested VP employers and/or their designated third-party administrators to submit their updated VPs by December 2, 2022 and December 4, 2023, respectively. The EDD Voluntary Plan Administration Unit reviews each VP and recommends approval or denial. Any denied VP would be returned to the VP employer and/or their third-party administrator for correction and resubmission. Additionally, the statutes and regulations do not currently identify a deadline for the VP employer or third-party administrators to submit updated Plan Text Provisions, resulting in VPs operating out of compliance past the effective date of new legislation. There are instances where the VP employer received

approval of their updated VP in excess of sixty (60) days from when most statutes take effect on January 1st. The February 15th due date inadvertently allowed VPs to operate out of compliance until EDD approved their updated VP. As a result of VPs operating out of compliance, employees may be charged the incorrect contribution rate, be underpaid benefits, or not receive other legislatively mandated benefits. EDD requires these VPs to provide retroactive coverage to the effective date of any state mandate.

The proposed regulatory amendment to Title 22, Section 3271-1 of the CCR would specify that VP employers or their designated TPAs must submit a updated Plan Text Provisions to EDD for review and approval not less than 30 days prior to the effective date of any change in contribution rates or benefit amounts or operative date of any new provisions required by statute or regulation; provided, however, that if a statute or regulation requiring such a change becomes effective less than 30 days after its enactment or filing with the Secretary of State, as applicable, the submission due date will be 30 days from the effective date of the statute or regulation. It would also specify that the submission due date may be extended for up to 30 days for good cause, and failure to comply could result in termination of the VP. This amendment is necessary to ensure that the VP employers comply with current laws and regulations in the administration of their VPs for covered employees. In 2020, out of the 346 total updated VPs received, 120 were received after the due date of February 15th. This proposed regulation will provide EDD adequate time to review and approve updated Plan Text Provisions prior to the effective date of changes in contribution rates, benefit amounts, and new provisions as mandated by law and/or regulations.

ANTICIPATED BENEFITS FROM THE PROPOSED REGULATION

The anticipated benefit from this proposed regulation amendment is that the VP employers timely comply with new mandates. AS a result, the proposed amendment will benefit VP-covered employees by providing transparency on changes to the VP in a timely manner and enabling them to timely receive all of their entitled benefits. Additionally, the proposed due date will give EDD adequate time to review and approve updated VPs prior to the effective date of the proposed amendments, which ensures that legislative changes are timely implemented.

The proposed regulation will also benefit the State of California by reducing the need for EDD to terminate non-compliant VPs and take assessment and collection action against non-compliant VP employers. Reducing this additional administrative work arising

out of non-compliant VPs will save staff time and resources and thus state costs.

DETERMINATION OF INCONSISTENCY/ INCOMPATIBILITY WITH EXISTING STATE REGULATIONS

The Department has determined that this proposed regulatory action is not inconsistent nor incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, the Department has concluded that these are the only regulations that concern the VP adjustments to plan due date.

AUTHORITY AND REFERENCE

Sections 305, 306 and 2602, Unemployment Insurance Code.

Sections 984, 2653, 2655, 3254, 3254.1, 3254.5, 3254, 3255 and 3271, Unemployment Insurance Code; and. Section 3251-1, California Code of Regulations.

FISCAL IMPACT

Anticipated costs or savings to any local agency or school district: The proposed regulations will not have significant anticipated costs or savings to any local agency or school district.

Anticipated costs or savings to any State Agency: EDD anticipates costs of \$22,840.00 to implement this regulatory action. This one-time implementation cost is to develop the regulatory proposal and updates to EDD website, VP forms, and announcements to the VP community (see addendum for specific details).

Anticipated non-discretionary costs or savings imposed upon local agencies: The proposed regulations will not have significant anticipated non-discretionary costs or savings imposed upon local agencies.

Anticipated costs or savings in federal funding to the State: None.

HOUSING COSTS

The proposed regulations will have no effect on housing costs.

**SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY
AFFECTING BUSINESSES, INCLUDING
THE ABILITY OF CALIFORNIA
BUSINESSES TO COMPETE WITH
BUSINESSES IN OTHER STATES**

The Department has made the determination that the proposed regulatory action 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 THE ECONOMIC IMPACT
ANALYSIS/ASSESSMENT**

The Department has determined that the proposed regulation will not affect the creation or elimination of jobs within the State of California; the creation of new businesses or the elimination of existing businesses within the State of California; or the expansion of businesses currently doing business within the State of California.

The anticipated benefit of the regulation to the health and welfare of California residents is that the VP employers timely comply with new mandates. As a result, the proposed amendment will benefit VP-covered employees by enabling them to timely receive all of their entitled benefits. Additionally, the proposed due date will allow EDD adequate time to review and approve the updated VPs prior to the effective date of the proposed amendments.

The proposed regulation will not affect worker safety and the State's environment.

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

Typical and small businesses that have active VPs will not incur additional costs to comply with the proposed regulations. VP employers and/or designated TPAs are currently already required to review and update their plan text as a result of new laws/regulations.

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.

SMALL BUSINESS IMPACT

The Department has determined that small businesses with VPs will not incur additional costs to comply with the proposed regulatory action.

VP employers and/or designated TPAs are currently already required to review and update their plan text as a result of new laws/regulations.

LOCAL MANDATE DETERMINATION

The Department has determined that the proposed regulation will not impose any new mandates on school districts or other local governmental agencies or any mandates which must be reimbursed by the State pursuant to Part 7 (commencing with Section 17500), Division 4 of the Government Code.

CONSIDERATION OF ALTERNATIVES

In accordance with section 11346.5(a)(13) of the Government Code, the Department must determine that no reasonable alternative 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 affected private persons than the proposed regulatory action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments on the proposed action to Susana Naranjo via U.S. mail, email, or fax (see U.S. mail and email address and fax number indicated below). ***To assist the Department with tracking and responding to your written comments and providing you a copy of any modification to the proposed regulation text, please include your name, company name (if applicable), your mailing address and email address. Written comments submitted via U.S. mail, email, or fax, must be received by the Department no later than April 21, 2025.*** Please submit any written comments before that time. The Department cannot accept written comments after the close of the public comment period.

CONTACT PERSONS

Inquiries or comments should be directed to:
(Mailing address)

Susana Naranjo, Attorney
Employment Development Department
P.O. Box 826880
Legal Office, MIC 53
Sacramento, CA 94280-0001

(Hand delivery)

Susana Naranjo, Attorney
Employment Development Department
800 Capitol Mall, Room 5040

Legal Office, MIC 53
Sacramento, CA 95814

Telephone Number: (916) 654-8410
Fax Number: (916) 654-9069
Email Address: ProposedRegulations@edd.ca.gov

Note: In the event Ms. Naranjo is unavailable, inquiries should be directed to the following backup contact persons at the same address as noted above:

Name: Linda Saetern-Rodriguez, Senior Legal Analyst
Telephone Number: (916) 654-8410

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

Name: Susana Naranjo, Attorney
Telephone Number: (916) 654-8410

INTERNET WEBSITE ACCESS

The Department has posted on its internet website <https://www.edd.ca.gov> materials regarding the proposed regulatory action. Select "Proposed Regulations."

PUBLIC HEARING

No public hearing has been scheduled on the proposed action. However, if any person desires to submit oral comments, the Department will schedule a public hearing upon that person's written request. **Such request must be received no later than 15 days prior to the close of the written comment period on April 21, 2025.** A request for hearing can be made by contacting the persons noted above.

MODIFICATION OF PROPOSED ACTION

If the Department makes any additional changes based on public testimony, those changes (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted. Copies of any additional changes regarding the proposed regulatory action will be mailed to all persons who testified or submitted written comments at the public hearing (if one is scheduled); whose comments were received by the agency during the public comment period; and who requested notification from the agency of the availability of such changes.

FINAL STATEMENT OF REASONS

After the close of the 45-day public comment period, the Department will summarize and respond

to all public comments in a written final statement of reasons. To obtain a copy of the final statement of reasons, contact the persons noted above, or access the Department's Internet website at <https://www.edd.ca.gov>.

FURTHER INFORMATION

The Department has prepared and has available for review, upon request, the text of the proposed regulations discussed in this notice, written in plain English; the initial statement of reasons setting forth the purpose of the proposed regulations; and the information upon which the Department relied in proposing the regulations. (If you received this notice by mail, a copy of the text of the proposed regulations, and initial statement of reasons were enclosed.) To obtain a copy, contact the persons noted above, or access the Department's Internet website at <https://www.edd.ca.gov>.

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review. For inquiries regarding the rulemaking file or the regulations' process, contact the persons noted above.

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 Pollution Control Financing Authority
File # 2025-0115-04

California Capital Access Program for Small Businesses

In this certificate of compliance rulemaking action, the California Pollution Control Financing Authority (CPCFA) makes permanent its emergency regulations regarding the process for California Capital Access Program (CalCAP) lenders to sell CalCAP loans to lenders within and outside the Capital Access Program for small businesses.

Title 04
Amend: 8073, 8074
Filed 02/26/2025
Effective 02/26/2025
Agency Contact: Kamika McGill (916) 653–0289

Department of Food and Agriculture
File # 2025–0108–01
Spongy Moth Eradication Area

In this certificate of compliance, the Department makes permanent an amendment to its regulation, which adds Alameda to the list of counties included in the proclamation of eradication areas with respect to spongy moth, *Lymantria dispar*.

Title 03
Amend: 3591.6
Filed 02/20/2025
Effective 02/20/2025
Agency Contact: Sara Khalid (916) 403–6625

California Energy Commission
File # 2025–0213–03
Three–Month Projection Reporting Requirements

In this deemed emergency rulemaking pursuant to Public Resources Code section 25367, subdivision (a), the California Energy Commission is amending reporting requirements for refiners and major marketers as it relates to petroleum supply and pricing.

Title 20
Amend: 1363.2, 1366, and Appendix B of
Division 2, Chapter 3, Article 3
Filed 02/24/2025
Effective 02/24/2025
Agency Contact: Ross Daley (916) 980–7949

Department of Public Health
File # 2025–0107–02
Eviscerated Crab

In this request for filing and printing pursuant to Government Code section 11343.8, the Department of Public Health (“DPH”) is adopting regulations applicable to processors who receive, hold, or eviscerate Dungeness or rock crab caught in areas subject to a Department Evisceration Order. This action is exempt from the Administrative Procedure Act pursuant to Health and Safety Code section 111224.6(c).

Title 17
Adopt: 8056,8057,8058, 8059, 8060, 8061, 8062,
8063, 8064, 8065, 8066, 8067
Filed 02/20/2025
Effective 01/09/2025
Agency Contact: Veronica Rollin (916) 445–2529

Division of Workers’ Compensation
File # 2025–0108–03
Inpatient Hospital Fee Schedule

This action by the Division of Workers’ Compensation amends the Official Medical Fee Schedule — Inpatient Hospital located within section 9789.25 in title 8 of the California Code of Regulations. This action is exempt from the Administrative Procedure Act pursuant to Labor Code section 5307.1(g)(2).

Title 08
Amend: 9789.25
Filed 02/21/2025
Effective 12/01/2024
Agency Contact: John Cortes (510) 286–0519

Board of Forestry and Fire Protection
File # 2025–0109–03
Licensing Fee Increase 2024

This regular rulemaking action by the Board of Forestry and Fire Protection amends the renewal fees for the licensing and certifying specialty of Professional Foresters.

Title 14
Amend: 1605
Filed 02/20/2025
Effective 04/01/2025
Agency Contact: Daniel Craig (916) 653–6631

Commission on Peace Officer Standards and Training
File # 2025–0109–02
Amend Commission Regulations 1001 and 1059

This action by the Commission on Peace Officer Standards and Training (POST) amends basic course certification requirements to prohibit individuals whose certification is suspended, revoked, or surrendered from instructing or serving in specified positions, establish a coordinator position for the oversight of training courses required under Penal Code section 832, and set additional requirements for the selection of scenario managers and scenario evaluators.

Title 11
Amend: 1001, 1059
Filed 02/24/2025
Effective 04/01/2025
Agency Contact: Jennifer Hardesty (916) 227–3917

Fish and Game Commission
File # 2025–0114–03
Importation of Live Aquatic Plants and Animals for
Research Purposes

Through this rulemaking action, the Fish and Game Commission amended section 236 of Title 14, of the California Code of Regulations to allow the importa-

tion of live aquatic plants into California by a registered aquaculturist for the purposes of research, including when a disease, parasite or pathogen, has been detected in the shipment prior to importation.

Title 14
Amend: 236
Filed 02/25/2025
Effective 02/25/2025
Agency Contact: David Haug (916) 902-9286

California Prison Industry Authority

File # 2025-0110-02

Job Required Training

This rulemaking action by the Prison Industry Authority amends regulations relating to job-required training and acknowledgments relating to program assignments.

Title 15
Amend: 8000, 8004.2
Filed 02/25/2025
Effective 04/01/2025
Agency Contact: Kelly Mortenson (916) 413-1140

**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 oal.ca.gov.