



# California Regulatory Notice Register

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

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**PROPOSED ACTION ON REGULATIONS**

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**TITLE 2. FAIR POLITICAL PRACTICES COMMISSION**

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

**CONFLICT-OF-INTEREST CODES**

**AMENDMENT**

STATE AGENCY: Department of Aging  
Air Resources Board  
Office of the State Treasurer

MULTI-COUNTY: Kern Community College  
District

A written comment period has been established commencing on December 4, 2015, and closing on January 18, 2016. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

The Executive Director of the Commission, upon her or its own motion or at the request of any interested per-

son, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than January 18, 2016. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

**COST TO LOCAL AGENCIES**

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

**EFFECT ON HOUSING COSTS AND BUSINESSES**

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

**AUTHORITY**

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

**REFERENCE**

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

**CONTACT**

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620,

Sacramento, California 95814, telephone (916) 322-5660.

By e-mail sent to oshsb@dir.ca.gov.

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

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 8. OCCUPATIONAL SAFETY  
AND HEALTH STANDARDS BOARD**

General Industry Safety Orders  
Section 3273

**Working Area Catwalk Exception**

NOTICE IS HEREBY GIVEN that the Occupational Safety and Health Standards Board (Board) proposes to adopt, amend or repeal the foregoing provisions of Title 8 of the California Code of Regulations in the manner described in the Informative Digest, below.

**PUBLIC HEARING**

The Board will hold a public hearing starting at 10:00 a.m. on **January 21, 2016**, in the **Council Chambers of the Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California 92626**. At this public hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest.

**WRITTEN COMMENT PERIOD**

Any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. The written comment period commences on **December 4, 2015** and closes at 5:00 p.m. on **January 21, 2016**. Comments received after that deadline will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments are to be submitted as follows:

By mail to Sarah Money, Occupational Safety and Health Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833; or

By fax at (916) 274-5743; or

**AUTHORITY AND REFERENCE**

Labor Code Section 142.3 establishes the Board as the only agency in the State authorized to adopt occupational safety and health standards. In addition, Labor Code Section 142.3 requires the adoption of occupational and health standards that are at least as effective as federal occupational safety and health standards.

**INFORMATIVE DIGEST OF PROPOSED  
ACTION/POLICY STATEMENT OVERVIEW**

Board staff initiated the present rulemaking after becoming aware of the impractical nature of the requirements for working from a catwalk in the General Industry Safety Orders (GISO). Construction Safety Orders (CSO) Section 1637(a) allows an employee to work from attic joists in lieu of a more substantial surface (scaffold or ladder) when a plank or similar member at least 12 inches wide is placed across two or more joists; however, when a catwalk is required in the GISO, no such exception exists for workers in finished attics or other ceiling spaces.

The proposed rulemaking action is not inconsistent or incompatible with existing state regulations. The proposal is part of a system of occupational safety and health regulations. The consistency and compatibility of that system's component regulations is provided by such things as: (1) the requirement of the federal government and Labor Code to the effect that the state regulations be at least as effective as their federal counterparts, and (2) the requirement that all state occupational safety and health rulemaking be channeled through a single entity (the Standards Board).

The proposed rulemaking differs from federal regulations in that there is no comparable federal regulation.

**Anticipated Benefits**

The anticipated benefits of the proposal are the harmonization of the safety protections for work in attics and other ceiling spaces in the Construction and General Industry Safety Orders. Employers will be provided a less burdensome alternative for protecting employees from falls from elevation. Additionally, where erecting a catwalk or work platform in an attic or ceiling space is infeasible or unreasonable, employers will be informed of a safe alternative for protecting their employees.

The specific changes are as follows:

**3273. Working Area.**

Section 3273 contains provisions for keeping floors, platforms, roadways, walkways, and storage areas clean, orderly and free of obstructions. The section also provides minimum widths and heights for elevated plat-

forms, runways, ramps and catwalks. Additionally, requirements for protection from falling objects and guidelines for lowering objects from elevated work areas are present. Working space requirements around machines, including access space for performing repairs and maintenance, are also found in the section. Finally, the section requires that ditches, pits, excavations, and surfaces in poor repair be barricaded or otherwise marked to alert employees in the area.

Subsection 3273(d), covering catwalks, requires that catwalks be no less than 18 inches wide and have at least 6 1/2 feet of clear headroom. Two existing exceptions to the catwalk requirements state that 1) catwalks with less than 6 1/2 feet of headroom are permissible if they are posted with warnings and have protective padding installed, and 2) bowling alleys can use catwalks as narrow as 8 inches wide near pin-setting machines, as long as a handrail or other structure is present on the sides. The proposed amendment will add a third exception allowing work in an attic or other ceiling space to be performed without the use of a catwalk provided that all of the following are observed:

- Ceiling joists or similar structural members are present at 2 feet or closer centers.
- Planks or solid platforms at least 12 inches wide are provided and supported by at least two ceiling joists or similar structural member.
- A qualified person has determined that the ceiling structure and any planks or platforms can bear all intended loads.
- Employees are supported by the planks or platforms at all times when in the attic or ceiling space.

The additional exception will assist employers in preventing falls from elevation for employees working in a finished attic or ceiling space where the installation of a catwalk is infeasible or impracticable. The exception is similar to an exception found in the CSO, allowing it to be used in the GISO under similar circumstances.

Additionally, non-substantive changes are proposed to remove outdated references to Title 24 from the section.

DISCLOSURES REGARDING THE PROPOSED ACTION

**Mandate on Local Agencies and School Districts:** None.

**Cost or Savings to State Agencies:** None.

**Cost to any Local Government or School District which must be Reimbursed in Accordance with Government Code Sections 17500 through 17630:** None.

**Other Nondiscretionary Cost or Savings Imposed on Local Agencies:** None.

**Cost or Savings in Federal Funding to the State:** None.

**Cost Impacts on a Representative Private Person or Business:**

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

**Statewide Adverse Economic Impact Directly Affecting Businesses and Individuals, Including the Ability of California Businesses to Compete:**

The Board has made an initial determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses/individuals, including the ability of California businesses to compete with businesses in other states. Currently, employees working on an elevated workspace must be provided with a workspace that is at least 24 inches wide, or if the work takes place on a catwalk, the catwalk must be at least 18 inches wide. The proposed amendment will allow for an exception to the catwalk requirements, under specific conditions, where an employer can provide a work platform in attics or other ceiling spaces made from planks, which are at least 12 inches in width.

**Significant Effect on Housing Costs:** None.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed standard does not impose a local mandate. There are no costs to any local government or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630.

SMALL BUSINESS DETERMINATION

The Board has determined that the proposed amendment may affect small businesses; however, no economic impact is anticipated. Currently, employees working on an elevated workspace must be provided with a workspace that is at least 24 inches wide, or if the work takes place on a catwalk, the catwalk must be at least 18 inches wide. The proposed amendment will allow for an exception to the catwalk requirements, under specific conditions, where an employer can provide a work platform in attics or other ceiling spaces made from planks, which are at least 12 inches in width.

**RESULTS OF THE ECONOMIC IMPACT  
ASSESSMENT/ANALYSIS**

The proposed regulation will not have any effect on the (1) creation or elimination of California jobs or the (2) creation of new businesses or elimination of existing California businesses or (3) expansion of existing California businesses, because the option of maintaining the status quo exists, no discernable economic impact is anticipated, and nothing in the proposal, therefore, is expected to adversely affect California businesses or individuals, including their ability to compete with businesses in other states. An employer utilizing the proposed catwalk exception would need to ensure that the worker has access to the planks to stand on and that a qualified person has determined that the joists or similar structural members can support the intended load, but these voluntarily incurred expenses are less expensive than installing a work platform or catwalk in accordance with current regulations and building codes.

**BENEFITS OF THE PROPOSED ACTION**

The proposal promotes worker safety by giving employers increased flexibility for guarding against falls from elevated work locations. Because of the limited work spaces in finished attics or other ceiling areas, the installation of a compliant work platform or catwalk is not always feasible or even practical, especially when the work is non-routine and of short duration. The proposed action will provide a safe alternative to the current requirements and harmonize the GISO requirements with those of the CSO, which allow a similar exception. The additional option and the harmonization of the safety orders will increase employer compliance, benefiting California by helping to ensure that family members return home safely from work each day. Home owners will be better protected from the trauma associated with a worker being injured by a fall from the attic or ceiling space where a sufficient workspace was not provided. No environmental impact is anticipated from the proposed action.

**CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code Section 11346.5(a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would

be as effective and less burdensome to affected private persons or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

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

**CONTACT PERSONS**

Inquiries regarding this proposed regulatory action may be directed to Marley Hart (Executive Officer) and the back-up contact person is Michael Manieri (Principal Safety Engineer) at the Occupational Safety and Health Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833; (916) 274-5721.

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

The Board will have the entire rulemaking file, and all information that provides the basis for the proposed regulation 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 regulations, the Initial Statement of Reasons, supporting documents, and other information upon which this rulemaking is based. Copies may be obtained by contacting Ms. Hart or Mr. Manieri at the address or telephone number listed above.

**AVAILABILITY OF CHANGED OR  
MODIFIED TEXT**

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public at least 15 days before the Board adopts the regulations as revised. Please request copies of any modified regulations by contacting Ms. Hart or Mr. Manieri at the address or telephone number listed above. The Board will accept written comments on the modified regulations for at least 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT  
OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Ms. Hart or Mr. Manieri at the address or telephone number listed above or via the internet.

AVAILABILITY OF DOCUMENTS ON  
THE INTERNET

The Board will have rulemaking documents available for inspection throughout the rulemaking process on its web site. Copies of the text of the regulations in an underline/strikeout format, the Notice of Proposed action and the Initial Statement of Reasons can be accessed through the Standards Board's website at <http://www.dir.ca.gov/oshsb>.

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

**Amend Commission Regulation 1070 Minimum  
Training Standards for Instructors of  
POST-Certified Specialized Training and  
Commission Regulation 1082 Minimum Content  
Requirements for Instructor Courses**

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code §11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

**Public Comments Due by January 19, 2016, at 5:00 p.m.**

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227-6932 or by letter to the:

Commission on POST  
Attn: Cheryl Smith  
860 Stillwater Road, Suite 100  
West Sacramento, CA 95605-1630

AUTHORITY AND REFERENCE

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

INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW

Penal Code § 13510 requires that POST develop guidelines and a course of instruction and training for law enforcement officers who are employed as peace officers, or who are not yet employed as a peace officer but are enrolled in a training academy for law enforcement officers.

The California Emergency Medical Services Authority (EMSA), which established First Aid/CPR training standards for public safety personnel, has approved revisions to the California Code of Regulations, Division 9, Title 22, Chapter 1.5 First Aid Standards for Public Safety Personnel, that significantly increase the level of skills to be taught to peace officers.

POST has collaborated with EMSA to revise the curriculum to meet the new standards and is developing new curriculum for courses to address the changes. The proposed regulations provide for a 24-month implementation period for POST to revise its curricula, and change related Commission regulations for agencies to implement the training requirements. Further, the new standards require POST development of revised instructor qualifications, certification requirements, and content of instructor courses.

The benefits anticipated by the proposed amendments to the regulations will be to update the POST-Certified Instructor course and content, which will increase the effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California.

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

All changes to curriculum begin with recommendations from law enforcement practitioners or in some cases via legislative mandates. POST then facilitates meetings attended by curriculum advisors and subject matter experts who provide recommended changes to existing curriculum. The completed work of all com-

mittees is presented to the POST Commission for final review and adoption. Upon adoption of the proposed amendments, academies and course presenters will be required to teach and test the updated curriculum.

#### ADOPTION OF PROPOSED REGULATIONS

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

#### RESULTS OF ECONOMIC IMPACT ASSESSMENT PER GOVERNMENT CODE § 11346.3(b)

The Commission on Peace Officer Standards and Training concludes that it is (1) unlikely that the proposal will eliminate any jobs for public safety personnel or first aid and CPR training providers, (2) possible that the proposal will create an unknown number of jobs for providers of first aid and CPR courses for public safety personnel, (3) likely that the proposal will create an unknown number of new businesses providing first aid and CPR courses for public safety personnel, (4) unlikely that the proposal will eliminate any existing businesses, and (5) unlikely that the proposed regulations will result in the expansion of businesses currently doing business within the state.

Benefits of the Proposed Action: The proposed regulations will benefit California residents by providing them with first aid and CPR trained law enforcement who are able to respond to medical emergencies and ensuring that public safety personnel remain current and competent in first aid and CPR practices.

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: There may be a cost to state agencies that offer first aid and CPR training to public safety personnel. The state agency will be required to revise course materials to be in compliance with the training standards proposed in these regula-

tions. State agencies that may be required to revise their course materials include: California Department of Forestry and Fire Protection (CAL FIRE), Department of Parks and Recreation (DPR), and California Department of Fish and Wildlife.

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

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

Cost or Savings in Federal Funding to the State: None.

The Commission on Peace Officer Standards and Training has made an initial determination and declares that the proposed amendments to the 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. The Commission on Peace Officer Standards and Training has relied on comments submitted to the Emergency Medical Services Authority (EMSA) during the informal pre-public comment period from representatives of groups that are based in all levels of government (state, county, local) as well as groups representing businesses and institutions that may be affected.

#### COST IMPACT ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

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

#### EFFECT ON SMALL BUSINESS

The Commission on Peace Officer Standards and Training has determined that the proposed regulations may affect small business.

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

#### CONSIDERATION OF ALTERNATIVES

To take this action, the Commission must determine that no reasonable alternative considered by the Commission, or otherwise identified and brought to the Commission, 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 than the proposed action.

**CONTACT PERSON**

Questions regarding this proposed regulatory action may be directed to Cheryl Smith, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, at [cheryl.smith@post.ca.gov](mailto:cheryl.smith@post.ca.gov), or (916) 227-0544. The backup contact is Mike Barnes at (916) 227-3454. General questions regarding the regulatory process may be directed to Patti Kaida at (916) 227-4847, [patti.kaida@post.ca.gov](mailto:patti.kaida@post.ca.gov), or FAX (916) 227-5271.

**TEXT OF PROPOSAL**

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

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

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

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

**TITLE 16. BUREAU OF AUTOMOTIVE  
REPAIR**

**WINDSHIELD REPLACEMENT STANDARDS**

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

**NORTHERN CALIFORNIA**

Tuesday, January 19, 2016 at 10:00 a.m.  
Bureau of Automotive Repair  
Hearing Room  
10949 North Mather Blvd.  
Rancho Cordova, CA 95670

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Bureau at its office no later than 5:00 p.m. on Tuesday, January 19, 2016, or must be received by the Bureau at the above-referenced hearing. The Bureau, upon its own motion or at the request of any interested party, may thereafter formally adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as Contact Person and will be mailed to those persons who submit oral or written testimony related to this proposal or who have requested notification of any changes to the proposal.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by section 9882, Business and Professions Code, and to implement, interpret, or make specific sections 9880.3 and 9884.8, Business and Professions Code; and section 26703, Vehicle Code, the Bureau is proposing to adopt the following changes to Article 8, Chapter 1, Division 33, Title 16, California Code of Regulations.

**INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW**

**INTRODUCTION:**

Ejection from the vehicle is one of the most injurious events that can happen to a person in a crash. The National Highway Traffic Safety Administration (NHTSA) studied fatal crash data for the five-year period from 2003 through 2007. Of the 155,359 passenger vehicle occupants studied who were fatally injured, over one quarter (27.1%) were ejected. Passenger vehicle occupants who were ejected from their vehicles were 2.3 times as likely to be fatally injured compared to occupants who remained inside their vehicles.

The Bureau proposes to address the problem of vehicle occupant ejection by requiring the products and procedures involved in windshield replacement to meet accepted trade standards. Windshields support the vehicle frame, such as during a rollover, and are manufactured and installed according to certain standards to

have sufficient strength and bonding to the vehicle to prevent ejection during a crash. Pursuant to Business and Professions Code section 9880.3, protecting the public is the highest priority of the Bureau of Automotive Repair (Bureau) in exercising its licensing, regulatory, and disciplinary functions. To that end, Article 8, Chapter 1, Division 33 of the California Code of Regulations sets forth “accepted trade standards for good and workmanlike automotive repair as performed by automotive repair dealers,” including standards for auto body and frame repairs.

The proposed regulation targets two areas of windshield installation: the selection of windshields and the selection and use of windshield adhesives which bond the windshield to the vehicle. These areas are critical to maintaining the safety function of the windshield. To function as a safety device, windshields must be built to withstand the impact of a crash and prevent occupant penetration through the windshield. They must also be properly bonded to the vehicle to remain intact during impact. Accepted industry standards which govern these areas of installation include the Federal Motor Vehicle Safety Standards (FMVSS) administered by the NHTSA and vehicle and equipment manufacturer specifications. By requiring installation products and procedures to meet or exceed these standards, the proposed regulation ensures replaced windshields perform their intended safety function.

The regulation also requires disclosures to the customer of the minimum cure time or “drive-away” time, the date and time upon which installation was completed, and whether the windshield supplied is an original equipment manufacturer part or nonoriginal equipment manufacturer part. The minimum cure time is the minimum period of time required for the adhesive to achieve enough strength for the windshield to pass relevant FMVSS. Requiring these disclosures ensures the customer is aware of the time at which he or she can safely drive his or her vehicle and has a basic understanding of the quality of the windshield.

**CURRENT REGULATION:**

There is no existing regulation specifically related to windshield replacement standards.

**EFFECT OF REGULATORY ACTION:**

The Bureau is proposing to add a new section to existing regulations that applies to automotive repair dealers installing windshields and does the following:

1. Adds the requirement that automotive repair dealers use windshields that meet or exceed FMVSS and vehicle manufacturer specifications.

2. Adds the requirements that automotive repair dealers use windshield adhesives that meet or exceed vehicle manufacturer specifications, use adhesive systems in accordance with adhesive manufacturer specifications, and apply adhesives in accordance with vehicle manufacturer specifications.
3. Adds the requirement that automotive repair dealers state on the estimate and invoice the minimum drive-away time following installation and whether the windshield installed is an original equipment manufacturer part or a nonoriginal equipment manufacturer part. The invoice must additionally state date and time upon which installation was completed.

**BENEFIT OF REGULATORY ACTION:**

The proposed regulation will have a positive impact on the health and welfare of California citizens to the extent it promotes safe windshield repair as well as safe driving practices associated with windshield repair. The regulation promotes safe windshield repair by adopting industry best practices in areas most critical to windshield safety. The regulation promotes safe driving practices by ensuring consumers can make an informed decision about when it is safe to drive their vehicles following a windshield installation.

The proposed regulation will not adversely affect businesses, as it codifies existing industry best practices. The regulation requires automotive repair dealers to meet accepted trade standards when performing windshield installations and to provide additional disclosures on the customer estimate and invoice such as the minimum drive-away time. Indeed, businesses that adopt customer disclosure practices which they did not have previously may see positive benefits resulting from increased customer safety and satisfaction.

**CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS:**

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

**FISCAL IMPACT ESTIMATES**

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

This proposed regulatory action is cost neutral.

**NONDISCRETIONARY COSTS/SAVINGS TO LOCAL AGENCIES:**

None.

**LOCAL MANDATE:**

None.

**COSTS TO ANY LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH GOVERNMENT CODE SECTIONS 17500–17630 REQUIRE REIMBURSEMENT:**

None.

**BUSINESS IMPACT:**

BAR has made an initial determination that the proposed regulatory action would have no significant state-wide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

First, the proposed amendments codify existing industry best practices, which follow nationally set standards. Second, the regulation requires minimal additional notifications on the estimate and invoice. Businesses that replace windshields must be registered with BAR as automotive repair dealers and are subject to all the regulations applicable to automotive repair dealers. These regulations include requirements to meet specified standards in various types of repair and to include or disclose specified information on estimates, work orders, and invoices. The requirements imposed by this regulation to meet accepted trade standards in windshield installation and to disclose information pertinent to customer safety in the estimate and invoice would have a negligible, though indeterminable impact on businesses. The additional time it may cost to make additional disclosures are likely to be absorbed by any businesses subject to the regulation.

Businesses that adopt customer disclosure practices which they did not have previously may see positive benefits resulting from increased customer safety and satisfaction.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS:**

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

**EFFECT ON HOUSING COSTS:**

None.

**EFFECT ON SMALL BUSINESS**

The requirements imposed by this regulation to meet accepted trade standards in windshield installation and to disclose information pertinent to customer safety in the estimate and invoice would have a negligible, though indeterminable impact on small businesses. The additional time it may take to make additional disclo-

tures is likely to be absorbed by all businesses subject to the regulation, including small businesses.

**RESULTS OF THE ECONOMIC IMPACT ANALYSIS**

**IMPACT ON JOBS/BUSINESSES:**

BAR has made an initial determination that the proposed regulatory action will not have any impact on the creation of jobs or new business, the elimination of jobs or existing businesses, or the expansion of business in the State of California.

This determination was made because the proposed regulation merely requires automotive repair dealers to meet accepted trade standards when performing windshield installations and to provide additional disclosures on the customer estimate and invoice regarding minimum drive-away time. These requirements codify existing industry best practices.

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

BAR has made an initial determination that the proposed regulatory action will have a positive impact on the health and welfare of California citizens to the extent it promotes safe windshield repair as well as safe driving practices associated with windshield repair.

**BENEFITS OF THE REGULATION TO WORKER SAFETY:**

BAR has made an initial determination that the proposed regulatory action may have a positive, though indeterminable, impact on worker safety in the State of California. Although the proposal does not change the occupational scope of individuals employed by affected businesses, it codifies best practice procedures established by the Department of Transportation and vehicle and equipment manufacturers.

**BENEFITS OF THE REGULATION TO THE STATE'S ENVIRONMENT:**

BAR has made an initial determination that the proposed regulatory action will not have any impact on the environment.

**CONSIDERATION OF ALTERNATIVES**

BAR 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 proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

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

**INITIAL STATEMENT OF REASONS  
AND INFORMATION**

BAR has prepared an Initial Statement of Reasons for the proposed action and has available all the information upon which the proposal is based.

**TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations and of the Initial Statement of Reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing from the Bureau of Automotive Repair at 10949 North Mather Blvd., Rancho Cordova, California, 95670.

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

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

You may obtain a copy of the Final Statement of Reasons once it has been prepared, by making a written request to the contact person named below or by accessing the Web site listed below.

**CONTACT PERSON**

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

Nina Tantraphol  
Bureau of Automotive Repair  
10949 North Mather Blvd.  
Rancho Cordova, California, 95670  
Telephone: (916) 403-8534  
E-mail: [nina.tantraphol@dca.ca.gov](mailto:nina.tantraphol@dca.ca.gov)

**The backup contact person is:**

Shelley Whitaker  
Bureau of Automotive Repair  
10949 North Mather Blvd.  
Rancho Cordova, California, 95670  
Telephone: (916) 403-8523  
E-mail: [Shelley.Whitaker@dca.ca.gov](mailto:Shelley.Whitaker@dca.ca.gov)

**WEB SITE ACCESS**

Materials regarding this proposal can also be found on BAR's Web site at [www.bar.ca.gov](http://www.bar.ca.gov).

**TITLE 18. BOARD OF EQUALIZATION**

**The State Board of Equalization Proposes to  
Adopt  
California Code of Regulations, Title 18,  
Section 2460, Administration,  
Section 2461, Exemptions, Deductions, Credits, and  
Specific Applications of Tax,  
and  
Section 2462, Refunds of Excess Charges Collected**

NOTICE IS HEREBY GIVEN that the State Board of Equalization (Board), pursuant to the authority vested in it by Revenue and Taxation Code (RTC) sections 42020 and 42103, proposes to adopt California Code of Regulations, title 18, sections (Regulations) 2460, *Administration*, 2461, *Exemptions, Deductions, Credits, and Specific Applications of Tax*, and 2462, *Refunds of Excess Charges Collected*. Proposed Regulations 2460, 2461, and 2462 implement, interpret, and make specific the Prepaid Mobile Telephony Services Surcharge Collection Act's and the Local Prepaid Mobile Telephony Services Collection Act's statutes regarding the application of the prepaid mobile telephony services surcharge and local charges to the purchase of prepaid mobile telephony services. The proposed regulations provide guidance to sellers that are required to collect the prepaid mobile telephony services surcharge and local charges from prepaid consumers and provide guidance to local agencies and jurisdictions with respect to local charges, as explained in more detail below.

**PUBLIC HEARING**

The Board will conduct a meeting in Room 121, at 450 N Street, Sacramento, California, on January 26-28, 2016. The Board will provide notice of the meeting to any person who requests that notice in writing and make the notice, including the specific agenda

for the meeting, available on the Board's Website at [www.boe.ca.gov](http://www.boe.ca.gov) at least 10 days in advance of the meeting.

A public hearing regarding the proposed regulatory action will be held at 10:00 a.m. or as soon thereafter as the matter may be heard on January 26, 27, or 28, 2016. At the hearing, any interested person may present or submit oral or written statements, arguments, or contentions regarding the adoption of proposed Regulations 2460, 2461, and 2462.

#### AUTHORITY

Proposed Regulations 2460, 2461, and 2462: RTC sections 42020 and 42103.

#### REFERENCE

Proposed Regulation 2460: RTC sections 42004, 42010, 42014, 42020, 42021, 42022, 42101, 42101.5, 42102, 42102.5, and 42103.

Proposed Regulation 2461: RTC sections 42010, 42012, 42018, and 42020.

Proposed Regulation 2462: RTC sections 42010 and 42105.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW PURSUANT TO GOVERNMENT CODE SECTION 11346.5, SUBDIVISION (a)(3)

##### Summary of Existing Laws and Regulations

Assembly Bill No. 1717 (AB 1717) (Stats. 2014, ch. 885) established the Prepaid Mobile Telephony Services Surcharge Collection Act (Prepaid MTS Act) and the Local Prepaid Mobile Telephony Services Collection Act (Local Act) (commencing with RTC sections 42001 and 42100, respectively). The bill also amended and added certain RTC sections with respect to the Emergency Telephone Users Surcharge Act (commencing with RTC section 41001), which imposes what has come to be commonly known as the "911 surcharge" because it funds the "911" emergency system utilizing the digits 9-1-1.

##### Prepaid MTS Act

##### I. Surcharge Imposed by Prepaid MTS Act

##### *Mobile Telephony Service (MTS), Prepaid MTS, and Prepaid MTS Surcharge*

The term "'mobile telephony service' or 'MTS'" means "commercially available interconnected mobile phone services that provide access to the public switched telephone network (PSTN) via mobile communication devices employing radiowave technology

to transmit calls, including cellular radiotelephone, broadband Personal Communications Services (PCS), and digital Specialized Mobile Radio (SMR)." The term "mobile telephony services" does not include "mobile satellite telephone services or mobile data services used exclusively for the delivery of nonvoice information to a mobile device." "Prepaid MTS" means "the right to utilize a mobile device for mobile telecommunications services or information services [(as defined in 47 U.S.C. § 1530)], including the download of digital products delivered electronically, content, and ancillary services, or both telecommunications services and information services, that must be purchased in advance of usage in predetermined units or dollars." (Pub. Util. Code section 224.4; RTC section 42004.)

On and after January 1, 2016, a prepaid MTS surcharge is imposed on each "prepaid consumer" purchasing prepaid MTS. A "seller" is required to collect the surcharge. The surcharge is imposed as a percentage of the sales price from each retail transaction involving the purchase of prepaid MTS that occurs in this state. The prepaid MTS surcharge is in lieu of the surcharges and user fees imposed on amounts paid for prepaid MTS under the law in effect through December 31, 2015, and collected and paid to the California Public Utilities Commission (PUC), the Board, and local agencies or jurisdictions by providers and suppliers of telephone communication services. (RTC section 42010.)

##### *Definitions of Prepaid Consumer, Seller, and Direct Seller*

Pursuant to RTC section 42004, "prepaid consumer" means "a person who purchases prepaid [MTS] in a retail transaction," and "seller" means "a person that sells prepaid [MTS] to a person in a retail transaction." RTC section 42004 further provides that a "direct seller" means "a prepaid [MTS] provider or service supplier, as defined in [RTC section] 41007, that makes a sale of prepaid [MTS] directly to a prepaid consumer for any purpose other than for resale in the regular course of business." A direct seller includes, but is not limited to, a telephone corporation, as defined in section 234 of the Public Utilities Code, a person that provides interconnected Voice over Internet Protocol (VoIP) service, as defined in section 285 of the Public Utilities Code, and a retailer that is a member of the same commonly controlled group or combined reporting group as a telephone corporation or provider of VoIP service under the Corporation Tax Law (commencing with RTC section 23001).

According to the above definitions, the term seller is inclusive of direct sellers. However, as further discussed in this paper, a seller who is further defined as a direct seller has different registration and reporting re-

quirements than those sellers who do not meet the definition of a direct seller.

*Retail Sale Location/Transaction Location in this State*

Pursuant to RTC section 42004, “in this state” means “within the exterior limits of the State of California and includes all territory within those limits owned by or ceded to the United States of America.” Also, “retail transaction” means “the purchase of prepaid MTS, either alone or in combination with mobile data or other services, from a seller for any purpose other than resale in the regular course of business.”

Pursuant to RTC section 42014, a retail transaction *occurs* in this state for purposes of the prepaid MTS surcharge if the consumer makes the retail transaction in person at a business location in this state (point-of-sale transaction). If this is not applicable, a retail transaction *occurs* in this state if the consumer’s address is in this state (known-address transaction). For this purpose, a known-address transaction occurs in this state under any one of the following circumstances:

- The retail sale involves the shipping of an item to be delivered to, or picked up by, the prepaid consumer at a location in this state.
- The prepaid consumer’s address is known by the seller to be in this state. For this purpose, the consumer’s address is considered to be known by the seller if the seller’s records maintained in the ordinary course of business indicate that the prepaid consumer’s address is in this state and the records are not made or kept in bad faith.
- The prepaid consumer provides an address during consummation of the retail transaction that is in this state, including an address provided with respect to the payment instrument if no other address is available and the address is not given in bad faith.
- The mobile telephone number is associated with a location in this state.

For purposes of determining local charges (discussed further below), a retail transaction occurs at only one location. When the retail transaction occurs in person at a business location in this state (point-of-sale transaction), it is presumed the consumption of, use of, or access to prepaid MTS occurs at the business location. If the retail transaction is not a point-of-sale transaction, it is presumed the consumption of, use of, or access to prepaid MTS occurs at the known address, and the known address location is determined by the circumstances bulleted above, in descending order.

*Determining the Prepaid MTS Surcharge Rate*

Pursuant to RTC section 42010, the Board is required to calculate the prepaid MTS surcharge rate annually by November 1 by adding the 911 surcharge rate (as deter-

mined and reported to the Board by the Office of Emergency Services under RTC section 41030) and the PUC reimbursement fee and telecommunications universal services surcharges (as determined by the PUC under Pub. Util. Code section 319, subds. (a) and (b)).

Pursuant to RTC section 42010, the Board is also required to post on its website, for each local jurisdiction, the combined total of the rates of the prepaid MTS surcharge (as calculated above) and the rate(s) of local charges. (See below for information regarding local charges.) The Board is also required to separately post on its website individual rates for each of the PUC surcharges included in the calculation of the prepaid MTS surcharge, the 911 surcharge rate, and each of the individual local charges applicable to prepaid MTS.

II. Administration of Surcharge

*Registration*

Pursuant to RTC sections 42020 and 42022, every person that sells prepaid MTS to a person in a retail transaction in this state is required to register with the Board. RTC section 42022 provides that the Board is required to establish a method for registration that uses “the existing registration process for registering for a seller’s permit” under the Sales and Use Tax Law (commencing with RTC section 6001). RTC section 42022 provides that “[e]very application for registration shall be upon a form prescribed by the [B]oard and shall set forth the name under which the applicant transacts or intends to transact business, the location of its place or places of business, and such other information as the Board may require.” RTC section 42022 also provides that “applications for registration shall be authenticated in a form or pursuant to methods as may be prescribed by the [B]oard.”

However, pursuant to RTC Section 42010, “direct sellers,” as defined in RTC section 42004, must remit that portion of the prepaid MTS surcharge that consists of the emergency telephone users surcharge to the Board pursuant to the Emergency Telephone Users Surcharge Act. As such, direct sellers must register with the Board pursuant to RTC section 41040.

RTC section 41040 requires service suppliers, including direct sellers, to register “with the [B]oard upon a form prescribed by the [B]oard” and requires each registrant to “set forth the name under which it transacts or intends to transact business and such other information as the [B]oard may require.” The Board previously adopted Regulation 2421, *Registration*, to incorporate and implement RTC section 41040. Regulation 2421 reiterates the statutory requirement and provides notice to service suppliers regarding their statutory registration requirements by reiterating that registration is required “with the Board upon a form prescribed by the Board.”

*Payment and Collection*

Pursuant to RTC section 42010, every prepaid consumer of MTS in this state is liable for the prepaid MTS surcharge and any local charges until those amounts are paid to this state. However, a prepaid consumer's payment to a registered seller relieves the consumer from further liability. A seller is required to separately state the combined prepaid MTS surcharge and local charges on an invoice, receipt, or other similar document provided to the prepaid consumer, or otherwise disclose the combined prepaid MTS surcharge and local charges electronically to the prepaid consumer, at the time of the retail transaction. (RTC section 42010.) A prepaid MTS provider must also offer prepaid consumers the option to make payment for additional prepaid usage directly to the prepaid MTS provider at the provider's retail location or website. (RTC section 42010.)

The prepaid MTS surcharge that is required to be collected by a seller and any amount unreturned to the prepaid consumer that is not owed as part of the surcharge but was collected under the seller's representation that it was owed as part of the surcharge, constitute a seller's debt to the state. The local charge (discussed further below) shall also be collected by a seller and any amount unreturned to the prepaid consumer that is not owed as part of the local charge, but was collected under the seller's representation that it was owed as part of the local charge, constitutes a seller's debt jointly to the local jurisdiction imposing the local charge and the state, for purposes of collection on behalf of, and payment to, the local jurisdiction. (RTC section 42010.)

Furthermore, a prepaid MTS surcharge that has been collected and not yet remitted to the Board constitutes a seller's debt to the state. With respect to local charges collected and not yet remitted to the Board, such amounts shall constitute a seller's debt jointly to the local jurisdiction imposing the charge and the state, for purposes of collection on behalf of, and payment to, the local jurisdiction.

*Seller Reimbursement of 2%*

Pursuant to RTC section 42010, a seller that is not a direct seller is allowed to deduct and retain an amount equal to two percent of the amounts it collects from prepaid consumers for the prepaid MTS surcharge and local charges, on a pro rata basis, according to that portion of the revenues collected for the 911 surcharge, the PUC surcharges, and local charges.

*Reporting*

For sellers, other than direct sellers, the prepaid MTS surcharge, less the two percent retailer reimbursement amount, is due and payable to the Board quarterly on or before the last day of the next month following each calendar quarter, pursuant to RTC section 42021. However, the Board administers and collects the prepaid MTS

surcharge under the Fee Collections Procedure Law (FCPL) (commencing with RTC section 55001), and the FCPL also specifies that the Board may require the payment of the amount due and the filing of returns for periods other than a quarterly reporting period. (RTC sections 42020, 55041.1.) In addition, a return must be filed with the Board using electronic media at the time of payment. (RTC section 42021.)

For direct sellers, the portion of the prepaid MTS surcharge that consists of the 911 surcharge is due and payable to the Board under the same reporting and payment periods as their 911 surcharge is due and payable under the Emergency Telephone Users Surcharge Act, on a return filed using electronic media, pursuant to RTC section 42010. A direct seller is also required to remit the portion of the prepaid MTS surcharge that consists of the PUC surcharges to the PUC and, if applicable, the portion that consists of the local charges to the local jurisdiction or agency imposing the local charge, and not to the Board. (RTC section 42010.)

*Electronic Funds Transfer*

The FCPL contains general requirements for making payments by electronic funds transfer (EFT). However, under RTC section 42020, a seller, other than a direct seller, that is required to, or elects to, remit payments by EFT for sales and use tax purposes must remit the prepaid MTS surcharge to the Board by EFT. The Board has previously adopted Regulation 1707, *Electronic Funds Transfers*, to further define the term EFT, prescribe the circumstances under which persons are required to remit payments by EFT, and provide procedures for persons to elect to remit payments by EFT, for sales and use tax purposes.

*Reliance on the Board's Website*

Pursuant to RTC section 42010, a seller may rely on the accuracy of the information posted on the Board's website when collecting and remitting all amounts of the prepaid MTS surcharge and local charges. A direct seller must utilize the rates posted on the Board's website when determining what amounts to collect and remit to the PUC, Board, and each local jurisdiction or local agency.

Pursuant to RTC section 42014, a seller is discharged from any liability for additional prepaid MTS surcharge or local charges and is also relieved from refunding to the customer amounts collected and remitted to the Board if:

- A seller relies in good faith on Board-provided information to match either a point-of-sale transaction location, or the five digit postal ZIP Code of the prepaid consumer's known-address, to the applicable prepaid MTS surcharge and local charges amount;

- A seller collects that amount from the prepaid consumer; and
- A seller remits the amount to the Board in compliance with the Prepaid MTS Act.

The provisions above are applicable even if the ZIP code of the prepaid consumer's address in a known-address transaction corresponds to more than one local charge.

**III. Exemptions, Deductions, Credits, and Bundled Transactions**

*Lifeline Exemption*

Pursuant to RTC section 42012, a prepaid consumer's purchase of prepaid MTS, either alone or in combination with mobile data or other services, is exempt from the prepaid MTS surcharge, if all of the following apply:

- The prepaid consumer is certified as eligible for the state or federal lifeline program.
- The seller is an authorized lifeline service provider, under the state or federal lifeline program.
- The exemption is only applied to the portion of the charge for prepaid MTS that the lifeline program specifies is exempt from the surcharges and fees comprising the prepaid MTS surcharge.

*Bad Debts*

Pursuant to RTC section 42010, a seller is relieved from the liability to collect the prepaid MTS surcharge that became due and payable, insofar as the base upon which the surcharge is imposed is represented by accounts found to be worthless and charged off for income tax purposes or, if the seller is not required to file income tax returns, charged off in accordance with generally accepted accounting principles. A seller that has previously paid the prepaid MTS surcharge on accounts found to be worthless and charged off for income tax purposes may, under rules and regulations prescribed by the Board, take a "bad debt" deduction on its return for the amount found worthless and charged off by the seller. If a seller subsequently collects any amounts for which a bad debt deduction was taken, the amount so collected is required to be reported and the prepaid MTS surcharge on such amount must be paid to the Board on the first return subsequently filed.

*Credit for Charges Paid to Other States*

Pursuant to RTC section 42010, a credit against, but not to exceed, the prepaid MTS surcharge and local charges is allowed where the prepaid consumer paid a 911 surcharge, state utility regulatory commission fees, state universal service charges, or local charges on the purchase to any other state, political subdivision thereof, or the District of Columbia. The credit shall be ap-

portioned to the charges against which it is allowed in proportion to the amounts of those charges.

*Bundled Transactions*

Pursuant to RTC section 42018, the prepaid MTS surcharge and local charges apply to the entire price where prepaid MTS is sold in combination with mobile data services or any other services or products for a single non-itemized price in a "bundled transaction."

If prepaid MTS is sold with a cellular telephone for a single non-itemized price, the prepaid MTS surcharge applies to the entire charge; however, if the purchase price for the cellular telephone is disclosed to the consumer on a receipt, invoice, or other written or electronic documentation provided to the prepaid consumer, the charge for the cellular telephone is not subject to the prepaid MTS surcharge and local charges. Furthermore, the prepaid MTS surcharge and local charges do not apply to a transaction where a minimal amount of prepaid MTS amount is sold with a cellular telephone for a single, non-itemized bundled price. For this purpose, a minimal amount includes a service allotment denominated as 10 minutes or less, or \$5 or less.

**IV. Refunds**

Pursuant to RTC section 42010, a seller that collects an amount in excess of the prepaid MTS surcharge and local charges owed may refund those amounts to the prepaid consumer. The seller may refund those amounts even though the surcharge amount was paid to the Board and no corresponding credit or refund has yet been secured. Under the FCPL, every person required to collect or pay the prepaid MTS surcharge or local charges that overpaid an amount to the Board, may file a claim for refund with the Board for such amount, unless otherwise specified. (RTC sections 55221, 55222; Cal. Code Regs., tit. 18, § 5230.)

Local Act

**I. Local Charges Imposed under Local Ordinances**

*Legislative Intent*

The Local Act applies to local ordinances of local jurisdictions and local agencies that impose "local charges" on prepaid MTS. The terms "local jurisdiction" and "local agency" both mean "a city, county, or city and county, which includes a charter city, county, or city and county." (RTC sections 42004, 42101.)

The Local Act recognizes that "[l]ocal charges on telecommunication services represent an important source of tax revenue for many cities and counties and are used to pay for" essential governmental services. The Local Act provides that "[i]t is a matter of statewide concern that the local charges for local prepaid [MTS] be collected in a uniform manner in order for the collection to be fair and uniform on a statewide basis." The Local Act also provides that it "is the intention of the Legislature that this part shall preempt the provisions



pertaining to the tax or charge rate, base, and method of collection contained in all local ordinances, rules, or regulations concerning the imposition of a local charge upon the consumption of prepaid mobile telephony services, to the extent those provisions are inconsistent with the provisions of this part and Part 21 (commencing with Section 42000.) It is not the intent of the Legislature to otherwise preempt, limit, or affect the general authority of local jurisdictions to impose a utility user tax [(UUT)], local 911 charge, or any other local charges.” (RTC section 42100.)

*In General*

On and after January 1, 2016, a local charge imposed by a local agency on prepaid MTS is required to be collected by a seller from the prepaid consumer at the same time and in the same manner as the prepaid MTS surcharge is collected under the Prepaid MTS Act; provided that on or before September 1, 2015, the local agency enters into a contract with the Board to collect and administer the local charge, so that the Board can administer such local charge in a uniform manner with other local charges under the Local Act. (RTC sections 42101.5, 42103.)

In the event a local agency adopts a new local charge after September 1, 2015, the Local Act requires the local agency to enter into a contract with the Board, as provided above, on or before December 1, with collection of the local charge to commence April 1 of the next calendar year. Also, with respect to a local agency that contracts with the Board and thereafter increases its existing local charge, the Local Act requires the local agency to notify the Board in writing of the increase on or before December 1, with collection of the increased local charge to commence April 1 of the next calendar year. (RTC section 42101.5.)

In addition, in the event that a local agency reduces or eliminates its local charge, the Local Act requires the local agency to notify the Board in writing of the change (RTC section 42101.5). Also, when a local agency notifies the Board in writing that the rate of its local charge posted on the Board’s website is inaccurate, or that it no longer imposes a local charge, or that the rate of its local charge has decreased, then the Prepaid MTS Act requires that the Board promptly post the recalculated rate, and provides that the change becomes operative on the first day of the calendar quarter commencing more than 60 days from the date the local agency provided the written notification to the Board. (RTC section 42010.)

Notwithstanding any other law, on and after January 1, 2016, the Local Act also:

- Suspends the utility user tax on the consumption of prepaid MTS in the city or county at the rate specified in its ordinance and replaces it with specific tiered rates set forth in statute, based on the existing city or county rate (RTC section 42102); and
- Suspends a local charge applicable to prepaid MTS for communication services or local “911” emergency telephone access at a rate as specified in a local ordinance and replaces it with a rate as specified by statute. (RTC section 42102.5.)

Furthermore, on and after January 1, 2016, the Local Act shall be:

- The exclusive collection method for the local UUT, local 911 charges, and any other local charge imposed on consumers using prepaid MTS, and for defining the scope of the local tax or charge on prepaid MTS; and
- With respect to taxation of prepaid MTS, the complete substitute for the UUT rate set forth in the local ordinance at the specified tiered rate. (RTC section 42102.)

The Local Act also states that it “shall not preempt, limit, or affect the general authority of local jurisdictions to impose a utility user tax, local 911 charge, or any other local charges.” (RTC section 42102.)

*Contract*

The Local Act requires that, in its contract with the Board, the local agency must certify to the Board that its ordinance applies its local charge to prepaid MTS and that the local agency agrees to indemnify, and hold harmless, the Board, its officers, agents, and employees for any and all liability for damages that may result from collection pursuant to the contract. The Local Act also requires that the local agency must certify the amount of the “access to communications” or local 911 charge, or the applicable tiered rate for a UUT in its contract with the Board. (RTC section 42101.5.)

II. Administration of Local Charges

*In General*

Under the Local Act, the Board is required to perform all functions incident to the collection of a local charge after the local agency imposing the charge has entered into the required contract with the Board, except with respect to direct sellers. The Board must collect such local charges from sellers, other than direct sellers, in the same manner as it collects the prepaid MTS surcharge under the Prepaid MTS Act and the FCPL, subject to specified limitations. (RTC section 42103.)

*Local Jurisdiction or Local Agency Responsibilities*

Under the Local Act, the local jurisdiction or local agency that has adopted an ordinance imposing a local charge is solely responsible for the following functions:

- Defending any claim regarding the validity of the ordinance in its application to prepaid MTS;
- Interpreting any provision of the ordinance, except to the extent specifically superseded by the Local Act;
- Responding to specified claims for refund by prepaid MTS consumers involving: (1) the presumed location of the retail transaction; (2) an exemption from the local charge under the local enactment; or (3) a challenge to the validity of a local tax ordinance, in whole or part;
- Reallocating local charges as a result of correcting errors relating to the location of the point of sale transaction of a seller, or the known address of a consumer, for up to two prior quarters from the date of knowledge of the error;
- Enforcing, including auditing, the collection and remittance of local charges by direct sellers pursuant to the ordinance; and
- Certifying that the ordinance applies the local charge to prepaid MTS and agreeing to indemnify and hold harmless the Board, its officers, agents, and employees for any and all liability for damages that may result from collection of the local charge. (RTC section 42105.)

The local jurisdiction or local agency is also required to certify to the Board the amount of the local 911 charge, as set out in RTC Section 42102.5, or the applicable tiered rate for a utility user tax, as set out in RTC Section 42102. (RTC section 42101.5.)

*Deposit of Local Revenues*

The Local Act provides that all local charges collected by the Board are to be deposited in the Local Charges for Prepaid Mobile Telephony Services Fund in the State Treasury and held in trust for the local taxing jurisdictions. Local charges consist of all taxes, charges, interest, penalties, and other amounts collected and paid to the Board, less payments for refunds and reimbursement to the Board for expenses to administer and collect the local charges. (RTC section 42103.)

The Local Act requires the Board to periodically transmit the funds to the local jurisdictions as promptly as feasible and at least once in each calendar quarter. The Board must also furnish a quarterly statement to the local jurisdictions indicating the amounts paid and costs withheld. Each local jurisdiction shall pay to the Board its pro rata share of the Board’s cost of collection and administration, based on revenues collected. (RTC sections 42020, 42103.)

*Board’s Duties*

The Local Act allows the Board to perform, or to contract with third parties to perform, the following duties of the Board:

- Allocate and transmit collected local charges in the Prepaid Mobile Telephony Services Fund to the appropriate local jurisdictions.
- Audit proper collection and remittance of the local charge.
- Respond to requests from sellers, consumers, boards, and others regarding issues pertaining to local charges that are within the scope of the Board’s duties. (RTC section 42103.)

Also, the FCPL’s current provisions prohibiting the Board from disclosing feepayers’ confidential information, in RTC section 55381, apply to any third party performing the Board’s functions under a third-party contract. And, contingent fee arrangements, as payment for services rendered, are prohibited in any third-party contract. (RTC section 42103.)

*Disclosing Information to Local Jurisdictions and Agencies*

The Local Act requires the Board to make available to a requesting local jurisdiction or local agency any information that is reasonably available to the Board regarding the proper collection and remittance of a local charge of that local jurisdiction or local agency by a seller, including a direct seller. Such information is subject to the confidentiality requirements of RTC sections 7284.6, 7284.7, and 19542. (RTC section 42103.)

Other Current Board Regulations

The Sales and Use Tax Law provides a retailer relief from liability to collect or pay taxes and a bad debt deduction for taxes previously paid on accounts found worthless and charged off by the retailer (RTC section 6203.5), which are similar to the Prepaid MTS Act’s provisions providing a seller relief from liability to collect surcharges and local charges and a “bad debt” deduction for surcharges and local charges paid on accounts found worthless and charged off by the seller. Also, the Board has previously adopted Regulation 1642, *Bad Debts*, to prescribe the circumstances under which a retailer may be relieved from liability to collect or pay tax and be eligible to claim a bad debt deduction on its return for taxes previously paid on accounts found worthless and charged off by the retailer, for sales and use tax purposes.

In addition, the Sales and Use Tax Law provides that the terms “retail sale” and “sale at retail” mean “a sale for any purpose other than resale in the regular course of business in the form of tangible personal property” (RTC section 6007), and this definition is similar to the Prepaid MTS Act’s definition of “retail transaction.” Also, the Board has previously adopted Regulation

1668, *Sales for Resale*, to prescribe the circumstances under which tangible personal property is purchased for resale in the regular course of business, and prescribe the form of a resale certificate that may be used to document that a sale of tangible personal property is for resale in the regular course of business, for sales and use tax purposes.

Furthermore, the Board has previously adopted Regulation 4901, *Records*, to prescribe the records that taxpayers and fee payers must maintain and make available to the Board to substantiate that they have properly reported and paid a number of Board-administered taxes and fees, including records required to be maintained and made available regarding taxes and fees administered under the FCPL (RTC section 55302.). The Board has previously adopted Regulation 4902, *Relief from Liability*, to prescribe the circumstances under which a person is relieved from liability for a number of Board-administered taxes and fees, including taxes and fees administered under the FCPL (RTC section 55045), due to reasonable reliance on written advice from the Board. The Board has also previously adopted Regulation 4903, *Innocent Spouse or Registered Domestic Partner Relief from Liability*, to prescribe the circumstances under which a spouse or registered domestic partner may be relieved of liability for a number of Board-administered taxes and fees if it is inequitable to hold the person liable for such taxes or fees, including taxes and fees administered under the FCPL (RTC section 55045.1).

#### Effect, Objectives, and Benefits of the Proposed Adoption of Regulations 2460, 2461, and 2462

There are issues because there are currently no regulations that specifically implement, interpret, or make specific the Prepaid MTS Act's and Local Act's statutes regarding the application of the prepaid MTS surcharge and local charges to the purchase of prepaid MTS and sellers need additional guidance to collect the prepaid MTS surcharge and local charges from prepaid consumers of prepaid MTS beginning on January 1, 2016, including guidance regarding reporting prepaid MTS surcharges and local charges, making payment by EFT, record keeping, relief from liability due to reasonable reliance on written advice from the Board, relief from liability and deductions for bad debts, and innocent spouse and registered domestic partner relief from liability. In addition, there are issues because there is currently no regulation that prescribes the circumstances under which prepaid MTS is purchased for resale in the regular course of business or prescribes the form of the resale certificate that may be used to document that the prepaid MTS surcharge and local charges are inapplicable because the purchase of prepaid MTS was for purposes of resale in the regular course of business.

#### *Business Taxes Committee Process*

Board staff determined that it was necessary to draft three proposed regulations, entitled "Administration," "Exemptions, Deductions, Credits, and Specific Applications of Tax," and "Refunds of Excess Charges Collected," to fully implement, interpret, and make specific the statutes regarding the application of the prepaid MTS surcharge and local charges to the purchase of prepaid MTS, and specifically address the issues identified above. Therefore, Board staff prepared drafts of the regulations and an Initial Discussion Paper, which Board staff distributed to the interested parties on December 22, 2014, prior to holding its first meeting to discuss the draft regulations with interested parties on January 6, 2015.

Board staff did not receive comments from any interested parties prior to the January 6, 2015, interested parties meeting. During the meeting, interested parties appeared to be in agreement with staff's draft regulations. There was general discussion regarding a direct seller's reporting period for local charges and the process for claiming a lifeline exemption, among other items. Subsequent to the meeting, staff received written comments from interested parties: expressing support for the draft regulations; suggesting that the draft regulations clarify that direct sellers remit local charges to local jurisdictions on a monthly basis; suggesting that staff clarify the definition of prepaid MTS in the draft regulations by using the phrase "right to utilize and/or access," rather than "right to access," MTS or information services; and suggesting that staff clarify in the draft regulations that prepaid MTS may be sold to a consumer on a "tax-included basis," meaning a price that includes all applicable taxes and fees.

In response, staff agreed to revise the definition of prepaid MTS in the draft regulations so that it uses the phrase "right to utilize and/or access" and staff agreed to revise the definition of "receipt" in the draft regulations to clarify that prepaid MTS can be sold on a tax-included basis, so long as the receipt or other document provided to the consumer includes a separate statement of the amount which is for the combined prepaid MTS surcharge and local charges, as required by RTC section 42010, subdivision (i). However, staff did not agree to prescribe the reporting basis for direct sellers to report local charges. Staff determined that per RTC section 42010, subdivision (f)(3), direct sellers are required to remit local charges directly to the local jurisdictions imposing the charges, and not to the Board. Staff also determined that the Board's functions with regard to the collection and administration of local charges are limited, and RTC section 42105, subdivision (a)(6), expressly provides that local jurisdictions are solely responsible for "the collection and remittance of local charges by direct sellers" pursuant to their own ordi-

nances. Thus, staff concluded that the Board does not have authority to promulgate regulations specifying how direct sellers remit a charge imposed by a local ordinance to the local jurisdiction imposing that charge.

Staff subsequently incorporated the agreed-to suggestions into a revised draft of the regulations, numbered the regulations as Regulations 2460, 2461, and 2462 for inclusion in a new chapter 5.7 to be added to division 2 of title 18 of the California Code of Regulations, prepared a second discussion paper regarding the draft regulations, which was distributed to the interested parties on February 20, 2015, and conducted a second meeting to discuss the draft regulations with the interested parties on March 4, 2015. During the second interested parties meeting, there was general approval of the revised draft regulations. Interested parties also expressed their appreciation of the Board's efforts to clarify the issues referred to above. After the second interested parties meeting, staff also received written comments expressing support and offering no further recommendations regarding revisions to the draft regulations.

Therefore, Board staff subsequently prepared Formal Issue Paper 15-009, which recommended that the Board propose to adopt staff's revised drafts of Regulations 2460, 2461, and 2462 to implement, interpret, and make specific the Prepaid MTS Act's and Local Act's statutes regarding the application of the prepaid MTS surcharge and local charges to the purchase of prepaid MTS.

Specifically, the revised draft of Regulation 2460, *Administration*:

- Incorporates statutory terms from the Prepaid MTS Act and Local Act, and further defines the key statutory terms used in the prepaid MTS regulations.
- Clarifies that the term "direct seller" includes "a person that provides" the "Voice over Internet Protocol (VoIP) service" referred to in the statutory definition of direct seller, and clarifies that the reference to a "retailer, as defined by [RTC] Section 6203," in the statutory definition of direct seller, refers to a retailer "engaged in business in this state" as defined by RTC section 6203.
- Clarifies that the terms "prepaid mobile telephony services" and "prepaid MTS" mean the right to "utilize and/or access" mobile telecommunications services which are prepaid and "utilized by means of a mobile device," and not some other right, such as the right to utilize a mobile device to access the services.

- Clarifies the registration requirements for sellers and direct sellers.
- Reiterates and incorporates the statutory requirement in RTC section 42022 that every application for registration shall be made in a form prescribed by the Board, in a similar manner to the way that Regulation 2421 incorporates and implements RTC section 41040's similar registration requirement.
- Emphasizes that the prepaid MTS surcharge and local charges are imposed on the prepaid consumer, and that sellers are obligated to collect the prepaid MTS surcharge and local charges from prepaid consumers and separately state the combined prepaid MTS surcharge and local charges on their receipts.
- Clarifies that prepaid MTS may be sold to a prepaid consumer on a tax-included basis.
- Facilitates compliance by specifying that a seller is statutorily obligated to provide a "receipt" to a prepaid consumer and prescribing the elements that a document, including an electronic document, must contain to satisfy the receipt requirement, including a separate statement of the combined prepaid MTS surcharge and local charges even if the prepaid MTS is sold for a price that includes all applicable taxes and fees.
- Incorporates and clarifies the statutory provisions requiring sellers, including direct sellers, to report and pay the prepaid MTS surcharge and local charges they collect;
- Reiterates that direct sellers shall continue to remit the portion of the prepaid MTS surcharge that consists of the 911 surcharge to the Board pursuant to the Emergency Telephone Users Surcharge Act, and the portion of the prepaid MTS surcharge that consists of the PUC surcharges to the PUC, and reiterates that a direct seller shall remit local charges to the local jurisdiction or local agency imposing the charge.
- Specifies that returns are required to be filed online with the Board through the Board's website and the amounts required to be reported to the Board are generally required to be reported and paid on a quarterly basis, unless the Board specifically requires a seller to report and pay on another basis, which may be for quarterly periods other than calendar quarters and for periods other than quarterly periods

- Clarifies that a deduction for statutory “seller reimbursement retention” must be taken in the corresponding period in which the sale of the prepaid MTS surcharge occurred, otherwise a claim for refund must be filed.
- Clarifies that sellers, other than direct sellers, are required to remit payment for the prepaid MTS surcharges and local charges they collect by EFT if they are required, or have elected, to remit their sales and use tax liabilities by EFT, and incorporates Regulation 1707’s definition of the term EFT by reference.
- Clarifies that a seller shall maintain records and make such records available for examination in the manner set forth in Regulation 4901.
- Provides that the provisions for granting relief from liabilities due to reasonable reliance on written advice from the Board and the provisions for granting relief from liabilities to spouses and registered domestic partners in Regulations 4902 and 4903 apply to liabilities for the prepaid MTS surcharge and local charges.
- Incorporates and clarifies the statutory provisions providing relief from additional liabilities to sellers that rely in good faith on information provided by the Board to determine the prepaid MTS surcharge and local charges applicable to point-of-sale and known-address transactions.
- Specifies that a local agency or local jurisdiction must enter into a contract with the Board by September 1, 2015, in order to require sellers to collect existing local charges beginning on January 1, 2016.
- Specifies that December 1 is the annual contract due date and the following April 1 is the effective date for the collection of new local charges adopted after September 1, 2015.
- Consistently provides that December 1 is the annual contract due date and the following April 1 is the effective date for the collection of existing local charges when a local agency or jurisdiction does not meet the September 1, 2015, deadline, and thereafter first contracts with the Board to collect existing local charges after September 1, 2015.
- Explains the advance notice requirements for increases and decreases in the rates of local charges, corrections to inaccurately posted rates of local charges, and the expiration of local charges, and the effective dates for such changes.
- States how the Board shall annually calculate the prepaid MTS surcharge rate by November 1 of each year, beginning in 2015.
- Clarifies that the total combined prepaid MTS surcharge rate and rate(s) of local charges required to be collected beginning January 1, 2016, will be calculated by the Board by November 1, 2015, and posted on the Board’s website by December 1, 2015.
- Clarifies that the current combined prepaid MTS rate and rate(s) of local charges will be recalculated and posted on the Board’s website by March 1 of each year, beginning in 2016, for changes made after September 1, 2015, and that the recalculated rates will be effective the following April 1.  
Specifically, the revised draft of Regulation 2461, *Exemptions, Deductions, Credits, and Specific Applications of Tax*:
  - Prescribes the circumstances under which prepaid MTS is purchased for resale in the regular course of business and the form of a resale certificate that may be used to document that a sale of prepaid MTS is a sale for resale, sets forth a sample “California Resale Certificate — Prepaid Mobile Telephony Services” form that meets the regulation’s requirements, and establishes an alternate process to document that a sale was not a retail transaction in the event a resale certificate is not timely obtained by the seller, using provisions that are consistent with Regulation 1668 (discussed above).
  - Clarifies that a seller is relieved from the liability to collect the prepaid MTS surcharge insofar as the base upon which the surcharge is imposed is represented by accounts found to be worthless and charged off for income tax purposes or, if the seller is not required to file income tax returns or report its income on another person’s return, charged off in accordance with generally accepted accounting principles.
  - Clarifies when a seller may take a “bad debt” deduction for the prepaid MTS surcharge and local charges paid on accounts found worthless and charged off for income tax purposes, using provisions that are consistent with Regulation 1642 (discussed above), and clarifies how to calculate the amount of an allowable deduction.
  - Clarifies the application of the prepaid MTS surcharge and local charges when an account that was previously found worthless and charged off for income tax purposes is subsequently collected,

using provisions that are consistent with Regulation 1642.

- Specifies the types of records a seller needs to maintain to support a bad debt deduction or claim for refund based upon worthless accounts that were charged off for income tax purposes.
- Clarifies the amount subject to the prepaid MTS surcharge and local charges when prepaid MTS is sold in combination with mobile data services, other services, or products for a single non-itemized price in a bundled transaction.
- Clarifies how the lifeline exemption from the prepaid MTS surcharge and local charges applies to “lifeline transactions” in which prepaid MTS is purchased from a seller authorized to provide lifeline services under a state or federal lifeline program.
- Specifies the credit against the prepaid MTS surcharge and local charges for prepaid consumers that previously paid 911 surcharges, state utility regulatory commission fees, state universal service charges, or local charges on the purchase of prepaid MTS to any other state, political subdivision thereof, or the District of Columbia.

Specifically, the revised draft of Regulation 2462, *Refunds of Excess Charges Collected*:

- Clarifies the meaning of “excess charges.”
- Clarifies that sellers may refund excess charges to prepaid consumers, but that excess charges collected, but not refunded to prepaid consumers, represent a debt owed to the state or jointly to a local jurisdiction imposing a local charge and the state.
- Clarifies that either a seller of prepaid MTS or a prepaid consumer may generally file a claim for refund, within the statute of limitations established by RTC sections 55222, 55222.1, and 55222.2 (in the FCPL).
- Specifies that certain claims for refund of local charges must be filed with a local agency or local jurisdiction, and not the Board.
- Cross-references draft Regulation 2460’s provisions providing relief from additional liabilities to sellers that rely in good faith on information provided by the Board to determine the prepaid MTS surcharge and local charges applicable to point-of-sale and known-address transactions.

Furthermore, Formal Issue Paper 15–009 informed the Board that Board staff and the interested parties had agreed to the provisions of the revised drafts of Proposed Regulations 2460, 2461, and 2462.

*Business Taxes Committee Meeting*

The Board considered Formal Issue Paper 15–009 during its Business Taxes Committee meeting on September 16, 2015. During the meeting, the Board heard public comments from Mr. Fran Mancina, Director of Government Relations for MUNI Services, which represents 60 local jurisdictions and agencies, and Mr. Mancina strongly supported, and urged the Board to vote to adopt, the recommended regulations. The Board also discussed the recommended regulations.

During the Business Taxes Committee meeting, the Board agreed with staff’s recommendation to propose to adopt staff’s revised drafts of Regulations 2460, 2461, and 2462. Therefore, the Board Members unanimously voted to propose the adoption of the regulations.

The Board determined that the adoption of the proposed regulations is reasonably necessary to have the effect and accomplish the objective of addressing the issues referred to above, by implementing, interpreting, and making specific the Prepaid MTS Act’s and Local Act’s statutes regarding the application of the prepaid MTS surcharge and local charges to the purchase of prepaid MTS, and providing guidance to sellers that are required to collect the prepaid MTS surcharge and local charges from prepaid consumers, including guidance with respect to their registration and reporting requirements, the payment and collection of the prepaid MTS surcharge and local charges, record-keeping, sales of prepaid MTS for resale, bad debts, bundled transactions, lifeline transactions, credits, relief from liability, excess charges, and claims for refund.

The Board further determined that the adoption of the proposed regulations is reasonably necessary to have the effect and accomplish the objective of providing guidance to local agencies and jurisdictions with respect to local charges, their notice requirements, contracting with the Board, the Board’s posting and calculation of combined rates, and the Board’s and local jurisdictions’ and agencies’ functions with regard to the administration of local charges.

The Board anticipates that the adoption of the proposed regulations will benefit the Board, Board staff, sellers and consumers of prepaid MTS, and local jurisdictions and agencies by:

- Clarifying the application of the prepaid MTS surcharge and local charges for sellers and consumers of prepaid MTS.
- Providing regulatory guidance to sellers, including direct sellers, of prepaid MTS regarding their registration, collection, reporting, and payment requirements under the Prepaid MTS Act and Local Act.

- Clarifying the Board’s and local agencies’ and local jurisdictions’ duties with respect to the collection and administration of local charges, including clarifying that it is the responsibility of a local agency or local jurisdiction to contract with the Board to collect and administer its local charges, and provide adequate written notice to the Board when adding, increasing, or decreasing local charges, when local charges are expiring, or there is an error in the rate of local charges posted on the Board’s website.
- Adding an alternative contract due date and effective date for the collection and administration of existing local charges when a local agency or jurisdiction first contracts with the Board to collect existing local charges after September 1, 2015.
- Prescribing the form of a resale certificate that may be used to document that a sale of prepaid MTS was for purposes of resale in the regular course of business.

The Board has performed an evaluation of whether proposed Regulations 2460, 2461, and 2462 are inconsistent or incompatible with existing state regulations and determined that the proposed regulations are not inconsistent or incompatible with existing state regulations. This is because proposed Regulations 2460, 2461, and 2462 are the only state regulations that specifically implement, interpret, and makes specific the statutes regarding the application of the prepaid MTS surcharge and local charges to the purchase of prepaid MTS, and prescribe the form of the California resale certificate that the purchaser must furnish to document that the sale is for purposes of resale in the regular course of business. In addition, the Board has determined that there are no comparable federal regulations or statutes to proposed Regulations 2460, 2461, and 2462.

**NO MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The Board has determined that the adoption of proposed Regulations 2460, 2461, and 2462 will not impose a mandate on local agencies or school districts, including a mandate that requires state reimbursement pursuant to title 2, division 4, part 7 (commencing with section 17500) of the Government Code.

**NO COST OR SAVINGS TO ANY STATE AGENCY, LOCAL AGENCY, OR SCHOOL DISTRICT**

The Board has determined that the adoption of proposed Regulations 2460, 2461, and 2462 will result in

no direct or indirect cost or savings to any state agency and will result in no cost or savings in federal funding to the State of California. The Board has also determined that the adoption of proposed Regulations 2460, 2461, and 2462 will result in no direct or indirect cost to any local agency or school district that is required to be reimbursed under title 2, division 4, part 7 (commencing with section 17500) of the Government Code, and will result in no other non-discretionary cost or savings imposed on local agencies.

**NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS**

The Board has made an initial determination that adoption of proposed Regulations 2460, 2461, and 2462 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.

The adoption of the proposed Regulations 2460, 2461, and 2462 may affect small business.

**NO KNOWN COST IMPACTS TO PRIVATE PERSONS OR BUSINESSES**

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

**RESULTS OF THE ECONOMIC IMPACT ASSESSMENT REQUIRED BY GOVERNMENT CODE SECTION 11346.3, SUBDIVISION (b)**

The Board has determined that the proposed adoption of Regulations 2460, 2461, and 2462 is not a major regulation, as defined in Government Code section 11342.548 and California Code of Regulations, title 1, section 2000. Therefore, the Board has prepared the economic impact assessment required by Government Code section 11346.3, subdivision (b)(1), and included it in the initial statement of reasons. The Board has determined that the adoption of proposed Regulations 2460, 2461, and 2462 will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses nor create or expand business in the State of California. Furthermore, the Board has determined that the adoption of proposed Regulations 2460, 2461, and 2462 will not affect the benefits of Regulations 2460, 2461, and 2462 to the health and welfare of California residents, worker safety, or the state’s environment.

NO SIGNIFICANT EFFECT ON  
HOUSING COSTS

The adoption of proposed Regulations 2460, 2461, and 2462 will not have a significant effect on housing costs.

STATEMENT REGARDING ALTERNATIVES

The Board must determine that no reasonable alternative considered by it or that has been otherwise 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 than the proposed action.

CONTACT PERSONS

Questions regarding the substance of the proposed regulation should be directed to Andrew Kwee, by telephone at (916) 323-3096, by e-mail at [Andrew.Kwee@boe.ca.gov](mailto:Andrew.Kwee@boe.ca.gov), or by mail at State Board of Equalization, Attn: Andrew Kwee, MIC:82, 450 N Street, P.O. Box 942879, Sacramento, CA 94279-0082.

Written comments for the Board's consideration, notice of intent to present testimony or witnesses at the public hearing, and inquiries concerning the proposed administrative action should be directed to Mr. Rick Bennion, Regulations Coordinator, by telephone at (916) 445-2130, by fax at (916) 324-3984, by e-mail at [Richard.Bennion@boe.ca.gov](mailto:Richard.Bennion@boe.ca.gov), or by mail at State Board of Equalization, Attn: Rick Bennion, MIC:80, 450 N Street, P.O. Box 942879, Sacramento, CA 94279-0080. Mr. Bennion is the designated backup contact person to Mr. Kwee.

WRITTEN COMMENT PERIOD

The written comment period ends at 9:30 a.m. on January 26, 2016, or as soon thereafter as the Board begins the public hearing regarding the adoption of proposed Regulations 2460, 2461, and 2462 during the January 26-28, 2016, Board meeting. Written comments received by Mr. Rick Bennion at the postal address, email address, or fax number provided above, prior to the close of the written comment period, will be presented to the Board and the Board will consider the statements, arguments, or contentions contained in those written comments before the Board decides whether to adopt proposed Regulations 2460, 2461, and 2462. The Board

will only consider written comments received by that time.

AVAILABILITY OF INITIAL STATEMENT OF  
REASONS AND TEXT OF  
PROPOSED REGULATION

The Board has prepared a copy of the text of proposed Regulations 2460, 2461, and 2462 illustrating its express terms; however, the proposed regulations are not illustrated in underline or italics format because California Code of Regulations, title 1, section 8, subdivision (b) provides that "[u]nderline or italic is not required for the adoption of a new regulation or set of regulations if the final text otherwise clearly indicates that all of the final text submitted to OAL for filing is added to the California Code of Regulations." The Board has also prepared an initial statement of reasons for the adoption of the proposed regulations, which includes the economic impact assessment required by Government Code section 11346.3, subdivision (b)(1). These documents and all the information on which the proposed regulation is based are available to the public upon request.

The rulemaking file is available for public inspection at 450 N Street, Sacramento, California. The express terms of the proposed regulation and the initial statement of reasons are also available on the Board's Website at [www.boe.ca.gov](http://www.boe.ca.gov).

SUBSTANTIALLY RELATED CHANGES  
PURSUANT TO GOVERNMENT  
CODE SECTION 11346.8

The Board may adopt proposed Regulations 2460, 2461, and 2462 with changes that are nonsubstantial or solely grammatical in nature, or sufficiently related to the original proposed text that the public was adequately placed on notice that the changes could result from the originally proposed regulatory action. If a sufficiently related change is made, the Board will make the full text of the proposed regulation, with the change clearly indicated, available to the public for at least 15 days before adoption. The text of the resulting regulation will be mailed to those interested parties who commented on the original proposed regulation orally or in writing or who asked to be informed of such changes. The text of the resulting regulation will also be available to the public from Mr. Bennion. The Board will consider written comments on the resulting regulation that are received prior to adoption.

EFFECTIVE DATE

The Board is proposing to adopt Regulations 2460, 2461, and 2462 to implement, interpret, and make spe-



cific the statutes regarding the application of the prepaid MTS surcharge and local charges to the purchase of prepaid MTS, and provide guidance to sellers and purchasers of prepaid MTS with respect to statutory registration, reporting, payment, and collection requirements, which become effective January 1, 2016. Therefore, the Board has determined that there is good cause to request an early effective date for Regulations 2460, 2461, and 2462, in order to ensure that the regulations are effective as soon possible after the statutory requirements are effective, and the Board intends to request an early effective date for Regulations 2460, 2461, and 2462, pursuant to Government Code section 11343.4, subdivision (b)(3).

AVAILABILITY OF FINAL STATEMENT OF REASONS

If the Board adopts proposed Regulations 2460, 2461, and 2462, the Board will prepare a final statement of reasons, which will be made available for inspection at 450 N Street, Sacramento, California, and available on the Board’s Website at [www.boe.ca.gov](http://www.boe.ca.gov).

**TITLE 20. CALIFORNIA ENERGY COMMISSION**

MODIFICATION OF REGULATIONS GOVERNING THE POWER SOURCE DISCLOSURE PROGRAM

The California Energy Commission proposes to modify existing regulations for the Power Source Disclosure (PSD) program established under the Public Utilities Code section 398.1 et seq. The regulations are found at Title 20, California Code of Regulations, sections 1390–1394. The modifications would affect Sections 1391–1394. The proposed action is taken under the authority of sections 25213 and 25218(e) of the Public Resources Code. The proposed modifications to the regulations will implement, interpret, and make specific requirements found in Public Utilities Code sections 398.2, 398.3, 398.4, and 398.5.

STAFF WORKSHOP

Energy Commission staff will hold a workshop on the following date and time to receive public comments on the proposed modifications to the regulations.

January 6, 2016  
Beginning 9:30 a.m.  
California Energy Commission

1516 Ninth Street  
First Floor, Art Rosenfeld Hearing Room  
Sacramento, California  
(Wheelchair accessible)

At this workshop/hearing, any person may present oral and written comments on the proposed modifications to the regulations. Persons may submit written comments as specified below. If possible, please submit written comments to be considered at the staff workshop/hearing by December 30, 2015. The Energy Commission appreciates receiving written comments at the earliest possible date. Energy Commission commissioners may attend this workshop.

Audio for the January 6, 2016, staff workshop will be broadcast over the internet via WebEx. To join the meeting online, go to <https://energy.webex.com/>, enter the meeting number **929 542 236**, then enter your name and email address. If a password is required, enter the meeting password: meeting@930. Click “Join”. Follow the instructions that appear on your screen to join the teleconference for the workshop/hearing.

To join the audio conference only, call the number below and enter the access code **929 542 236**:

Call-in toll-free number (US/Canada): 1-866-469-3239

Call-in toll number (US/Canada): 1-650-429-3300

PUBLIC HEARING

The Energy Commission will hold a public hearing as part of its regularly scheduled Business Meeting for consideration and possible adoption of the proposed Express Terms on the following date and time:

March 9, 2016  
Beginning 10 a.m.  
California Energy Commission  
1516 Ninth Street  
First Floor, Art Rosenfeld Hearing Room  
Sacramento, California  
(Wheelchair accessible)

At this adoption hearing, any person may present oral or written comments on the proposed Express Terms. Persons may submit written comments as specified below.

Participation in the hearing via telephone and WebEx will also be available; instructions for accessing Energy Commission hearings using either method can be found at: <http://www.energy.ca.gov/webcast/index.html>. If you have a disability and require assistance to participate in either the staff workshop/hearing or the Energy Commission adoption hearing, please contact Lou Quiroz at (916) 654-5146 at least five days in advance of the workshop/hearing or the adoption hearing.

ORAL AND WRITTEN COMMENTS AND COMMENT PERIOD

The public comment period for the proposed Express Terms is December 4, 2015, through January 19, 2016. In addition, both oral and written comments will be accepted at the staff workshop on January 6, 2016, and the adoption hearing on March 9, 2016. The Energy Commission appreciates receiving written comments at the earliest possible date. E-mail is preferred.

E-mail comments in either Microsoft Word format (.doc) or Adobe Acrobat portable document format (.pdf) to: [DOCKET@energy.ca.gov](mailto:DOCKET@energy.ca.gov).

All written comments sent by e-mail must indicate **Docket No. 14-OIR-01** in the subject line. Written comments may also be mailed to:

California Energy Commission  
**Docket No. 14-OIR-01**  
 Docket Unit  
 1516 Ninth Street, MS-4  
 Sacramento, CA 95814-5504

Please note that your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the viewable public record.

PUBLIC ADVISER

The Energy Commission’s Public Adviser’s Office is available to assist any person who wishes to participate in this proceeding. For assistance from the Public Adviser’s Office, please call (916) 654-4489, or toll-free in California at (800) 822-6228, or e-mail [publicadviser@energy.ca.gov](mailto:publicadviser@energy.ca.gov).

AUTHORITY AND REFERENCE  
 (Gov. Code, § 11346.5, subd. (a)(2))

Public Resources Code sections 25213 and 25218(e) and Public Utilities Code section 398.1 et seq. authorize the Energy Commission to adopt the proposed Express Terms.

The proposed Express Terms would implement, interpret, and make specific provisions of Public Utilities Code sections 398.1, 398.2, 398.3, 398.4, and 398.5.

INFORMATIVE DIGEST  
 (Gov. Code, § 11346.5, subd. (a)(3))

*Policy Statement Overview*  
 (Gov. Code § 11346.5(a)(3)(C))

The broad objectives of the proposed Express Terms are to implement statutory changes to the PSD program,

to make improvements in the regulations in response to feedback from regulated entities, and to include information in disclosures that will improve retail consumers’ understanding of what sources of electricity they — and the state — consume.

Two legislative enactments have changed the statutory requirements applicable to the program since the last PSD rulemaking, rendering a number of provisions in the regulations inconsistent with applicable statutes. Therefore, one broad objective is to amend the regulations to be consistent with the current statutory language. In addition, regulated entities have identified provisions in the regulations that are either unclear or could be modified to make compliance with the requirements of the PSD program easier. Thus, another broad objective is to improve the disclosure process through the provision of guidance on the reporting of pumped storage hydroelectric facilities and self-generation, the provision of guidance as requested by multi-jurisdictional retailers regarding reporting requirements, and the inclusion of minor changes to reporting requirements to streamline and speed reporting. Finally, the Energy Commission will consider non-substantive grammatical and numbering changes that will make the regulations easier to read.

The proposed modifications will produce a number of benefits. First, the proposed modifications codify statutory changes in the regulations, which will reduce the potential for the misunderstanding of program requirements among reporting entities. Second, clarifying reporting requirements for pumped storage hydro, self-generation, and non-California-eligible renewables will reduce confusion among reporting entities and produce more accurate power mixes for consumer disclosures. Third, the implementation of an on-line PCL template will eliminate confusion and reduce the workload for retail suppliers. Fourth, the proposed date for the annual report is more feasible than the current date for retail suppliers. Finally, several other grammatical and numbering changes will improve the readability of the regulations.

*Summary of Existing Laws and Regulations*  
 (Gov. Code § 11346.5, subd. (a)(3)(A))

The PSD program was established by SB 1305 (Stats. 1997, ch. 796, § 1). The program’s intent, as described in statute, is to require the disclosure of “accurate, reliable, and simple to understand information on the sources of energy that are used to provide electric services [in California].”<sup>1</sup> As originally enacted, the PSD program required all retail suppliers to disclose their projected annual fuel mix information to retail consumers in the form of a Power Content Label (PCL) on a quarterly basis and in promotional materials. This label

<sup>1</sup> Public Utilities Code, section 398.1, subd. (b).

identifies the mix of electricity fuel and resource types of retail suppliers' sources of power on an annual basis. Retail suppliers had the option of disclosing "specific purchases," transactions that are traceable to a specific generation source, or net system power (NSP), which is the fuel mix of all electricity consumed in the state with the specific purchases excluded. Retail suppliers who made special claims about their product – that it is "green" or environmentally superior to utility power, for example – were required to disclose specific purchases. All PCLs disclosed NSP, even when specific purchases were claimed, for comparison purposes. Retail suppliers who claimed specific purchases were required to provide an annual label showing actual historic purchases for the previous calendar year. Finally, for electricity products for which claims of specific purchases were made, NSP was used as a proxy for the fuel mix of any electricity in that product which could not be traced to specific generation sources.

In 2009, the PSD program was significantly changed by legislation responding to many changes in the electricity market since 1997, including the development of the Renewables Portfolio Standard (RPS) and the establishment of the Western Renewable Energy Generation Information System (WREGIS), which created a system for tracking renewable generation within the western grid.

Specifically, Assembly Bill (AB) 162 (Stats. 2009, ch. 313, §§ 1–3) made four substantial changes to the PSD program. First, AB 162 eliminated the concept of NSP, which represents the fuel mix of all electricity consumed in the state with the specific purchases excluded. This change eliminated the ability of retail suppliers who don't make special claims about their electricity product to disclose NSP, and NSP was no longer required to be included in a PCL.

Second, AB 162 required retail suppliers to annually disclose all electrical purchases for the previous calendar year for each electricity product, rather than specific purchases (which may have included NSP for those purchases which could not be tracked), or simply NSP (for electricity products for which no claims were made), along with the fuel mix of the entire state's electrical energy. It also added a new subsection (d) to 398.2 that defines "unspecified sources of power" as electricity that is not traceable to a specific generation source. Thus, all purchases for an electricity product must be disclosed as either specific purchases or unspecified sources of power. This in turn triggers a requirement that all retail suppliers file an annual report, as that reporting requirement applies to any retail supplier that claims specific purchases; previously, retail suppliers who only claimed NSP did not have to file a report.

Third, it eliminated the requirement for projected quarterly disclosures; only the actual mix from the pre-

vious calendar year is disclosed in annual and promotional PCLs.

Finally, AB 162 amended Public Utilities Code 398.4 (h) and relevant subsections to align Power Source Disclosure's definitions for renewable energy resources with those identified by California's RPS.

An additional legislative change was made in 2012 with the passage of Assembly Bill (AB) 2227 (Stats. 2012, ch. 616, §§ 6–7), which removed the statutory requirement for retail suppliers to submit their annual reports annually on June 1, providing the Energy Commission with discretion to establish the due date.

#### *Effect of the Proposed Action*

(Gov. Code, § 11346.5, subd. (a)(3)(A))

If adopted, the proposed regulatory changes will have the following effects: 1) annual consumer PCLs that identify the actual power mix of a retail supplier and of California as a whole for the previous calendar year, denominated as specific purchases or unspecified purchases, as required by statute; 2) the alignment of renewable energy definitions with RPS definitions, as required by statute; 3) the elimination of requirements to make quarterly disclosures and fuel mix projections, as these requirements have been eliminated by statute; 4) all retail suppliers will be required to file an annual report to the Energy Commission, as required by statute; 5) the due date for the annual report will be moved from March 1st to June 1st; 6) inclusion of new guidance regarding reporting requirements applicable to pumped storage, self-generation, and multijurisdictional retail suppliers; 7) substituting extensive written requirements for formatting the PCL with provision on the Energy Commission's website of an electronic template for the PCL; and 8) minor grammatical and numbering improvements.

#### *Comparable Federal Regulation or Statute*

(Gov. Code § 11346.5, subd. (a)(3)(B))

There are no comparable federal regulations or statutes.

#### *Consistency and Compatibility with Existing State Regulations*

(Gov. Code § 11346.5, subd. (a)(3)(D))

In developing the proposed Express Terms, the Energy Commission conducted a search of similar regulations on the topic and concluded that the proposed modifications are neither inconsistent nor incompatible with existing state regulations. In fact, the current PSD regulations define renewable resources in a way that is sometimes inconsistent with RPS. The proposed modifications reflect the statutory requirement to align PSD's definition of renewable resources with the definition of eligible renewable used in the RPS program. This change, therefore, will correct the inconsistent definitions of renewable resources between RPS and PSD.

To the extent that other inconsistencies exist between RPS and PSD in their treatment of certain renewable energy certificates (RECs), these inconsistencies exist due to the fact that the programs serve different purposes and the RPS reporting requirements are inconsistent with statutory mandates governing the PSD program. Specifically, the RPS program differentiates among types of RECs and allows a three-year period for demonstrating compliance with the procurement requirements. The PSD program, on the other hand, is directed at generation and sales that occur within each calendar year and does not distinguish between the types of RECs that are used to support a claim of a renewable energy specific purchase.

**FORMS INCORPORATED BY REFERENCE**  
(1 California Code of Regulations, § 20, subd. (c)(3))

The proposed modifications to the regulations do not incorporate any documents by reference.

**MANDATED BY FEDERAL LAW  
OR REGULATIONS**

(Gov. Code, §§ 11346.2, subd. (c), and 11346.9)

The Energy Commission is not aware of comparable federal regulations or statutes establishing procedures for the disclosure of electricity sources for retail suppliers that offer electricity products to California consumers.

**OTHER STATUTORY REQUIREMENTS**  
(Gov. Code, § 11346.5, subd. (a)(4))

The Energy Commission is not aware of other statutory requirements establishing procedures for the disclosure of electricity sources for retail suppliers that offer electricity products to California consumers.

**LOCAL MANDATE DETERMINATION**  
(Gov. Code, § 11346.5, subd. (a)(5))

Pursuant to Government Code section 11346.5(a)(5), the Energy Commission is required to determine whether the proposed Express Terms, if adopted, will impose a mandate on local agencies or school districts, and if so, whether the mandate requires state reimbursement. The Legislature, in adopting the original PSD program as SB 1305, found that it does impose a state-mandated local program, but that no reimbursement is required because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, elimi-

nates a crime or infraction, or changes the penalty for a crime or infraction or changes the definition of a crime. (See Stats. 1997, ch. 796, § 4) The Energy Commission relied on these conclusions in the original rulemaking, noting in addition that the Energy Commission's regulations implementing SB 1305 merely specified the format of the reporting requirements mandated by SB 1305 and did not create new requirements. In this rulemaking, the Energy Commission is considering modifications that implement statutory modifications to those reporting requirements enacted by AB 162 and AB 2227, as well as modifications to improve clarity and simplify reporting costs. To the extent the statutorily mandated disclosure of actual sources and expansion of annual report requirements required by AB 162 creates additional costs for retail suppliers, including locally owned public utilities, the Energy Commission relies both on the original statutory determination, and on the fact that any increase in reporting requirements or other costs are due to statutory changes enacted in AB 162 which the Commission has no ability or discretion to modify. The proposed Express Terms merely specify the format of the reports and do not create new requirements.

**FISCAL AND ECONOMIC IMPACT ESTIMATES**

*Costs or Savings to State Agencies, Costs to Local Agencies or School Districts Requiring Reimbursement Pursuant to Government Code Section 17500, et seq., Other Non-Discretionary Costs or Savings Imposed on Local Agencies, Cost or Savings in Federal Funding to the State.* (Gov. Code, § 11346.5, subd. (a)(6))

*Costs or Saving for State Agencies*

Implementation of the proposed Express Terms would result in no costs or savings for state agencies because none of the proposed changes to the PSD program would affect state agencies.

*Costs to Local Agencies or School Districts Requiring Reimbursement*

As discussed in the **Local Mandate Determination**, the proposed express terms will not impose a mandate on local agencies or school districts. The changes to the PSD statute enacted in AB 162 expanded reporting requirements by requiring all retail suppliers to disclose actual sources of their electricity products and eliminating the option of disclosing NSP instead. Because disclosure of actual sources requires retail suppliers to submit an annual report that was not required of those retail suppliers that disclosed NSP, the statute increased the reporting requirements applicable to retail sellers, including locally owned public utilities. No other modifications — whether required by statute or proposed to clarify and simplify reporting or disclosure require-

ments — impose any costs; they either clarify existing requirements or provide less burdensome alternatives for complying with the statutory mandates.

However, the increase in reporting requirements is due to the statutory changes enacted in AB 162 which the Commission has no ability or discretion to modify. The proposed Express Terms merely specify the format of the reports and do not create new requirements.

*Other Non-Discretionary Costs or Savings on Local Agencies*

Implementation of the proposed Express Terms would not result in other non-discretionary costs or savings on local agencies that aren't already mandated by existing law or regulations. The changes to the PSD statute enacted in AB 162 expanded reporting requirements by requiring all retail suppliers to disclose actual sources of their electricity products and eliminating the option of disclosing NSP instead. Because disclosure of actual sources requires retail suppliers to submit an annual report that was not required of those retail suppliers that disclosed NSP, the statute increased the reporting requirements applicable to retail sellers, including locally owned public utilities. No other modifications — whether required by statute or proposed to clarify and simplify reporting or disclosure requirements — impose any costs; they either clarify existing requirements or provide less burdensome alternatives for complying with the statutory mandates.

However, the increase in reporting requirements is due to the statutory changes enacted in AB 162 which the Commission has no ability or discretion to modify. The proposed Express Terms merely specify the format of the reports and do not create new requirements.

*Costs or Savings in Federal Funding to the State*

Implementation of the proposed regulations would not result in any costs or savings in federal funding to the State because the PSD program does not affect the State.

**HOUSING COSTS**  
(Gov. Code § 11346.5(a)(12))

The proposed regulations will not have an effect on housing costs.

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

(Gov. Code, §§ 11346.3, subd. (a), 11346.5, subd. (a)(7), and 11346.5, subd. (a)(8))

The Energy Commission finds that the proposed modifications to the regulations will not have a signifi-

cant statewide adverse economic, fiscal, or environmental impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This initial determination also applies to small businesses, which, as defined in Government Code section 11342.610, are limited to business activities that are “independently owned and operated” and “not dominant in [their] field of operation.” (Gov. Code, § 11342.610, subd. (a)(1) and (2).)

Any costs associated with the statutorily mandated disclosure of actual electricity sources (including the expansion of the requirement for an annual report to all retail suppliers) are imposed by the terms of AB 162, not by the Energy Commission’s proposed Express Terms, which merely specify the format of the reports and do not create new requirements. No other modifications — whether required by statute or proposed to clarify and simplify reporting or disclosure requirements — impose any costs; they either clarify existing requirements or provide less burdensome alternatives for complying with the statutory mandates and do not impose any costs or savings. The regulations apply equally to all retail suppliers selling electricity in California, whether or not the retail seller is located in California or out of state, and merely specify or clarify and simplify reporting requirements imposed by statute.

**STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT**  
(Gov. Code, § 11346.5, subd. (a)(10))

The Energy Commission has prepared an Economic Impact Assessment (EIA) as required by Gov. Code section 11346.3, subd. (b)(1). The EIA is included in the Initial Statement of Reasons prepared for this proposed regulatory Action. The EIA demonstrates that the proposed Express Terms will have no effect on jobs or businesses within California and only an indirect effect of the health and welfare of California residents, worker safety, and the state’s environment.

Specifically, the proposed Express Terms will not create or eliminate a significant number of jobs. Nor will they create new businesses or eliminate existing businesses within the state. They will not cause the expansion of businesses currently doing business within the state. The only benefit of the proposed express Terms to the health and safety of California residents, worker safety, or the environment is that they may indirectly improve the environment by creating awareness of and interest in the importance of renewable energy sources.

The conclusion is based on the fact that all proposed changes with a potential economic effect reflect statutory changes made as a result of AB 162 that may — in some instances — require additional reporting and dis-

closure requirements by mandating disclosure of actual sources and annual reporting to the Commission. The Commission cannot alter those statutory requirements and has merely specified the format of those reports and disclosures. All other changes — whether required by statute or proposed to clarify and simplify reporting or disclosure requirements — do not impose any costs; they either clarify existing requirements or provide less burdensome alternatives for complying with statutory mandates.

**COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS**

(Gov. Code, § 11346.5, subd. (a)(9))

The Energy Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed modifications to the Express Terms. The proposed modifications to the regulations would not apply to individuals, but would apply to retail suppliers, which consist of private companies and publicly owned local utilities. Nonetheless, any costs associated with the statutorily mandated disclosure of actual electricity sources are imposed by the terms of AB 162, not by the Energy Commission's proposed Express Terms, which merely specify the format of the reporting requirements and do not create new requirements. No other modifications — whether required by statute or proposed to clarify and simplify reporting or disclosure requirements — impose any costs; they either clarify existing requirements or provide less burdensome alternatives for complying with the statutory mandates and do not impose any costs or savings.

**BUSINESS REPORTS**

(Gov. Code, §§ 11346.5, subd. (a)(11), and 11346.3, subd. (d))

The changes to the PSD statute enacted in AB 162 expanded reporting requirements by requiring all retail suppliers to disclose actual sources of their electricity products and eliminating the option of disclosing NSP instead. Because disclosure of actual sources requires retail suppliers to submit an annual report that is not required of those retail suppliers that disclose NSP, the statute increased the reporting requirements applicable to retail sellers, including both private companies and publicly owned local utilities.

However, the proposed modifications to the Express Terms merely specify the format of the mandatory reporting and do not create new reporting requirements. No other modifications contained in the proposed Express Terms require a report.

**SMALL BUSINESS IMPACTS**  
(1 California Code of Regulations, § 4)

The Energy Commission has determined that no small businesses will be impacted by proposed modifications to the Express Terms. Government Code 11342.610 defines small businesses in the utility or power transmission industries as entities that transmit fewer than 4.5 million kilowatt hours of electricity. The Energy Commission has determined that no California retail suppliers — the only business entities that are affected by the proposed Express Terms — fit this definition.

**ALTERNATIVES STATEMENT**  
(Gov. Code, § 11346.5, subd. (a)(13))

In accordance with Government Code section 11346.5, subdivision (a)(13), the Energy Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Energy Commission 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 Energy Commission is not aware of any alternatives that would be as effective as and less burdensome than the proposed modifications to the regulations. The proposed modifications to the regulations are not expected to have any negative effect on private persons.

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

**DESIGNATED CONTACT PERSONS**  
(Gov. Code, § 11346.5, subd. (a)(14))

For general information about the proceeding, contact:

Kevin Chou  
Renewable Energy Office  
California Energy Commission  
1516 Ninth Street, MS-45  
Sacramento, California 95814-5512  
(916) 653-1628  
[kevin.chou@energy.ca.gov](mailto:kevin.chou@energy.ca.gov)

The designated back up for general information about the proceeding is:

Jordan Scavo  
Renewable Energy Office  
California Energy Commission  
1516 Ninth Street, MS-45  
Sacramento, California 95814-5512  
(916) 654-5189  
[jordan.scavo@energy.ca.gov](mailto:jordan.scavo@energy.ca.gov)

For legal questions about this proceeding, contact:

Caryn Holmes  
Staff Counsel  
California Energy Commission  
1516 Ninth Street, MS-14  
Sacramento, California 95814-5512  
(916) 654-5141  
[caryn.holmes@energy.ca.gov](mailto:caryn.holmes@energy.ca.gov)

For documents related to the proceeding, go to:  
<http://www.energy.ca.gov/portfolio/documents/index.html>, or contact:

Docket Office  
Docket No. 14-OIR-01  
California Energy Commission  
1516 Ninth Street, MS-4  
Sacramento, California 95814-5504  
(916) 654-5076  
[docket@energy.ca.gov](mailto:docket@energy.ca.gov)

#### MEDIA INQUIRIES

Media inquiries should be sent to the Media and Public Communications Office, at (916) 654-4989 or [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov).

#### AVAILABILITY OF THE INITIAL STATEMENT OF REASONS, EXPRESS TERMS, ECONOMIC AND FISCAL IMPACT STATEMENTS, AND INFORMATION UPON WHICH THE PROPOSED RULEMAKING IS BASED (Gov. Code, § 11346.5, subd. (a)(16))

The Energy Commission has prepared an Initial Statement of Reasons for the proposed modifications to the regulations, proposed Express Terms, and all information on which the proposal is based (Supporting Materials). To obtain a copy of the Initial Statement of Reasons, Express Terms, Supporting Materials, or other information, please visit the Energy Commission's website at: [http://www.energy.ca.gov/power\\_source\\_disclosure/14-OIR-01/](http://www.energy.ca.gov/power_source_disclosure/14-OIR-01/) or contact the Energy Commission's Docket Office or designated contact persons at the addresses noted above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT (15-DAY LANGUAGE) (Gov. Code, § 11346.5, subd. (a)(18))

The Energy Commission may adopt the proposed Express Terms as described in this notice and shown in the Express Terms. However, the proposed Express Terms could be substantively changed as a result of public comment, staff recommendation, or recommendations from Energy Commission commissioners. In addition, changes to the proposed modifications not indicated in the Express Terms could be considered by the Energy Commission if the changes improve the clarity or effectiveness of the proposed modifications to the regulations. If the Energy Commission makes changes that are substantial and sufficiently related to the originally proposed Express Terms, it will make the changed text of the regulations available for public review at least 15 days before it adopts the changed text of the regulations.

Notice of the changed text of the regulations will be provided to all persons who submit comments at the public hearing and provided contact information, who submit written comments to the Energy Commission's docket for this proceeding, and who specifically request notification of any such changes to the text of the regulations. In addition, notice of the changed text of the regulations will be placed on the Energy Commission's website. The Energy Commission will accept comments on the changed text of the regulations for the period specified in the notice and will consider adoption of the changed text at a public hearing as specified in the notice.

#### FINAL STATEMENT OF REASONS (Gov. Code, § 11346.5, subd. (a)(19))

The Energy Commission will prepare a Final Statement of Reasons report if it adopts changes to the regulations. The Final Statement of Reasons will also contain responses to public comments received by the Energy Commission during the comment period.

The Final Statement of Reasons will be posted on the Energy Commission's website at: [http://www.energy.ca.gov/power\\_source\\_disclosure/14-OIR-01/](http://www.energy.ca.gov/power_source_disclosure/14-OIR-01/). In addition, a hard copy of this document will be mailed upon request.

#### INTERNET ACCESS (Gov. Code, §§ 11346.4, subd. (a)(6), and 11346.5, subd. (a)(20))

The Energy Commission maintains a website to facilitate public access to documents prepared and considered as part of this rulemaking proceeding. Documents prepared by the Energy Commission for this rulemak-

ing, including this Notice of Proposed Action, the proposed Express Terms, the Initial Statement of Reasons, and the Supporting Materials, are available on the Energy Commission's website at:

[http://www.energy.ca.gov/power\\_source\\_disclosure/14-OIR-01/](http://www.energy.ca.gov/power_source_disclosure/14-OIR-01/).

*Served on the following list servers: Power Source Disclosure, Renewable*

**TITLE 23. STATE WATER RESOURCES CONTROL BOARD**

**NOTICE OF INTENTION TO AMEND A CONFLICT-OF-INTEREST CODE**

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board intends to amend its conflict-of-interest code pursuant to Government Code Sections 87300-87302 and 87306. These amendments are limited to the designated employees list in the Appendix to the code. The amendments will designate additional positions and rename positions held by employees who must disclose certain investments, income, interests in real property and business positions, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests. The amendments will also delete positions that no longer exist.

A written comment period has been established commencing on December 4, 2015 and terminating on January 18, 2016. Any interested person may present written comments concerning the proposed code amendment no later than January 18, 2016 to the State Water Resources Control Board, 1001 I Street, Sacramento, CA 95814, Attention: Nathan Jacobsen, Office of the Chief Counsel. No public hearing on this matter will be held unless any interested person or his or her representative requests, no later than 15 days prior to the close of the written comment period, a public hearing.

The State Water Resources Control Board has prepared a written explanation of the reasons for the designations and the disclosure responsibilities and has available all of the information upon which its proposed amendments are based.

Copies of the proposed code amendments and all of the information upon which they are based may be obtained from Nathan Jacobsen, Office of the Chief Counsel, State Water Resources Control Board, 1001 I Street, Sacramento, CA 95814. Any inquiries concerning the proposed code amendments should be directed to Nathan Jacobsen at [Nathan.Jacobsen@waterboards.ca.gov](mailto:Nathan.Jacobsen@waterboards.ca.gov) or by phone at (916) 341-5181.

The State Water Resources Control Board must determine that no alternative considered by the agency

would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The adoption of the proposed amendment will not impose a cost or savings on any state agency, local agency, or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) or Division 4 of the Government Code; will not result in any nondiscretionary cost or savings to local agencies; will not result in any cost or savings in federal funding to the state; will not impose a mandate on local agencies or school districts; and will not have any potential cost impact on private persons or businesses including small businesses.

**PROPOSITION 65**

**OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT**

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

**(Proposition 65)**

**NOTICE TO INTERESTED PARTIES**

**December 4, 2015**

**CHEMICALS LISTED EFFECTIVE**

**DECEMBER 4, 2015**

**AS KNOWN TO THE STATE OF CALIFORNIA TO CAUSE CANCER:**

**ALOE VERA, NON-DECOLORIZED WHOLE LEAF EXTRACT AND GOLDENSEAL ROOT POWDER**

Effective December 4, 2015 the Office of Environmental Health Hazard Assessment (OEHHA) is adding *Aloe vera*, non-decolorized whole leaf extract and Goldenseal root powder to the list of chemicals known to the State of California to cause cancer for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65<sup>1</sup>).

Health and Safety Code section 25249.8(a) incorporates California Labor Code section 6382(b)(1) into Proposition 65. Regulations describing the process for listing chemicals via the Labor Code are set out in Title 27, Cal. Code of Regs., section 25904. The law requires that certain substances identified by the International Agency for Research on Cancer (IARC) be listed as known to cause cancer under Proposition 65. Labor Code section 6382(b)(1) refers to substances identified as human or animal carcinogens by IARC. An explanation of the carcinogenicity classifications used by

<sup>1</sup> Health and Safety Code, section 25249.5, et seq.



IARC, and the *Monographs* development and peer review by the international Working Groups of scientific experts convened by IARC, may be found at the following URL: <http://monographs.iarc.fr/ENG/Preamble/CurrentPreamble.pdf> (IARC Preamble).

The basis for the listing of *Aloe vera*, non-decolorized whole leaf extract and Goldenseal root powder was described in a [public notice](#) published in the April 24, 2015, issue of the *California Regulatory Notice Register* (Register 2015, No. 17–Z). The title of the notice was “Notice of Intent to List Chemicals by the Labor Code Mechanism: Aloe Vera, Whole Leaf Extract and Goldenseal Root Powder.” The publication of the notice initiated a public comment period. We received thirty–five public comments. The comments and OEHHA’s responses are posted with the Notice of Intent to List.

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

| Chemical   | CASNo. | Endpoint | Listing Mechanism* |
|--|--------|----------|--------------------|
| <i>Aloe vera</i> , non–decolorized whole leaf extract <sup>a</sup> | —      | Cancer   | LC                 |
| Goldenseal root powder <sup>b</sup>                                | —      | Cancer   | LC                 |

\*Listing mechanism: LC — “Labor Code” mechanism (Health and Safety Code section 25249.8(a) and Title 27 Cal. Code of Regs. section 25904).

<sup>a</sup> *Aloe vera*, non–decolorized whole leaf extract consists of the liquid portion of the *Aloe vera* leaf and is a natural constituent<sup>2</sup> of the *Aloe barbadensis* Miller plant.

<sup>b</sup> Goldenseal root powder is a natural constituent<sup>3</sup> of the goldenseal plant (*Hydrastis Canadensis*).

<sup>2</sup> Regulations concerning naturally occurring chemicals in foods can be found in Title 27, Cal. Code of Regs., section 25501(a)(1).

<sup>3</sup> Regulations concerning naturally occurring chemicals in foods can be found in Title 27, Cal. Code of Regs., section 25501(a)(1).

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES  
DECEMBER 4, 2015**

**CHEMICAL LISTED EFFECTIVE DECEMBER  
4, 2015 AS KNOWN TO THE STATE OF  
CALIFORNIA TO CAUSE REPRODUCTIVE  
TOXICITY: 2,5–HEXANEDIONE  
AND  
ADDITION OF A REPRODUCTIVE TOXICITY  
ENDPOINT (DEVELOPMENTAL)  
FOR METHYL–N–BUTYL KETONE**

Effective **December 4, 2015**, the Office of Environmental Health Hazard Assessment (OEHHA) is adding 2,5–hexanedione (CAS No. 110–13–4) to the list of chemicals known to the state to cause reproductive toxicity for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65<sup>1</sup>). 2,5–Hexanedione was considered by the Developmental and Reproductive Toxicant Identification Committee (DARTIC) in its official capacity as the “state’s qualified experts” (SQE) at a public meeting held on November 9, 2015. The DARTIC determined that 2,5–hexanedione was clearly shown through scientifically valid testing according to generally accepted principles to cause reproductive toxicity, based on the male reproductive endpoint. Regulations for the listing of chemicals by the DARTIC are set out in Title 27, California Code of Regulations, section 25305(b)(1).

At their November 9, 2015 meeting, the DARTIC reaffirmed the listing of *methyl–n–butyl ketone* (CAS No. 591–78–6) as a chemical known to the state to cause reproductive toxicity on the basis of male reproductive toxicity<sup>2</sup> and determined that an additional endpoint, developmental toxicity, be added for methyl–n–butyl ketone.

A complete, updated chemical list is available on the OEHHA website at [http://www.oehha.ca.gov/prop65/prop65\\_list/Newlist.html](http://www.oehha.ca.gov/prop65/prop65_list/Newlist.html) and will be published elsewhere in this issue of the *California Regulatory Notice Register*.

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

<sup>2</sup> Methyl–n–butyl ketone was originally listed as a chemical known to the State to cause reproductive toxicity (male endpoint) on August 7, 2009, under the Labor Code mechanism (Health and Safety Code section 25249.8(a)).

In summary, as indicated in the table below, 2,5-hexanedione is listed under Proposition 65 as known to the state to cause reproductive toxicity (male reproductive

endpoint), and an additional endpoint (developmental toxicity) is added for methyl-n-butyl ketone, effective December 4, 2015.

| Chemical              | CAS No.  | Toxicological Endpoints    | Listing Mechanism* | Effective Date   |
|-----------------------|----------|----------------------------|--------------------|------------------|
| 2,5-Hexanedione       | 110-13-4 | Male Reproductive Toxicity | SQE                | December 4, 2015 |
| Methyl-n-Butyl Ketone | 591-78-6 | Male Reproductive Toxicity | SQE                | August 7, 2009   |
|                       |          | Developmental Toxicity     |                    | December 4, 2015 |

\*Listing mechanism: SQE — “State’s Qualified Expert” mechanism (Health and Safety Code section 25249.8(b) and Title 27, Cal. Code of Regs., section 25305(b)(1)).

**OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES  
DECEMBER 4, 2015**

**ISSUANCE OF A SAFE USE DETERMINATION FOR DIISONONYL PHTHALATE IN CERTAIN SINGLE-PLY POLYVINYL CHLORIDE ROOFING MEMBRANE PRODUCTS**

The California Environmental Protection Agency’s Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986<sup>1</sup>. OEHHA received a request from the Chemical Fabrics & Film Association, Inc. (CFFA) that OEHHA issue a Safe Use Determination (SUD) for the use of diisononyl phthalate (DINP) in certain single-ply (SP) polyvinyl chloride (PVC) roofing membrane products, pursuant to OEHHA’s authority under Section 25204(a) of Title 27 of the California Code of Regulations.<sup>2</sup> The products that are the subject of the request are SP PVC roofing membrane products with a nominal thickness of between 1.016 to 2.438 millimeters (40 to 96 mils), containing no more than 15 percent DINP and heated to sur-

face temperatures up to and including 210°C during installation. The roofing membrane products that are the subject of this request are installed by roofing professionals. DINP was listed under Proposition 65 as a chemical known to the state to cause cancer effective December 20, 2013.

In accordance with the process set forth in Section 25204(f), OEHHA held a written public-comment period on this request from April 17 to May 19, 2015, particularly with respect to the potential for exposure to DINP that may result from the installation of these SP PVC roofing membrane products by roofing professionals. OEHHA also held a public hearing on May 19, 2015, in Sacramento, California. No public comments were received.

As provided in Sections 25204(a) and (k), OEHHA is issuing this SUD only to CFFA for DINP in SP PVC roofing membrane products with a nominal finished thickness of between 1.016 to 2.438 mm, containing no more than 15 percent DINP and heated to surface temperatures up to and including 210°C during installation. The essential elements and results of OEHHA’s assessment are described in the supporting document available at: [http://www.oehha.ca.gov/prop65/CRNR\\_notices/](http://www.oehha.ca.gov/prop65/CRNR_notices/).

Based on the screening level exposure analysis described in the supporting documentation, an upper-end estimate of DINP exposures to professional roof installers during the installation of the specified SP PVC roofing membrane products is 83 micrograms (µg) per day. This estimate of exposure is approximately 57 percent of the proposed No Significant Risk Level (NSRL) for DINP of 146 µg/day<sup>3</sup>, and corresponds to an excess cancer risk of less than one in 100,000.

Supporting documentation for the Safe Use Determination is available on OEHHA’s website.

Questions regarding this notice should be directed to:

<sup>1</sup> The Safe Drinking Water and Toxic Enforcement Act of 1986, commonly known as Proposition 65, is codified at Health and Safety Code section 25249.5 et seq.

<sup>2</sup> All further references are to sections of Title 27 of the California Code of Regulations unless otherwise stated.

<sup>3</sup> Proposed Amendment to: Section 25705(b) Specific Regulatory Levels Posing No Significant Risk. Diisononyl Phthalate (DINP) January 2, 2015 Available at: <http://www.oehha.ca.gov/prop65/law/121914NSRI.html>.

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**CHEMICALS KNOWN TO THE STATE  
TO CAUSE CANCER OR  
REPRODUCTIVE TOXICITY  
DECEMBER 4, 2015**

[P65Public.Comments@oehha.ca.gov](mailto:P65Public.Comments@oehha.ca.gov)  
Telephone: (916) 445-6900

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

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

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

CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER

| <u>Chemical</u>   | <u>CASNumber</u> | <u>Date</u>             |
|---|------------------|-------------------------|
| A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole)              | 26148-68-5       | January 1, 1990         |
| Acetaldehyde  | 75-07-0          | April 1, 1988           |
| Acetamide   | 60-35-5          | January 1, 1990         |
| Acetochlor  | 34256-82-1       | January 1, 1989         |
| 2-Acetylaminofluorene                                   | 53-96-3          | July 1, 1987            |
| Acifluorfen sodium                                      | 62476-59-9       | January 1, 1990         |
| Acrylamide  | 79-06-1          | January 1, 1990         |
| Acrylonitrile   | 107-13-1         | July 1, 1987            |
| Actinomycin D   | 50-76-0          | October 1, 1989         |
| AF-2;[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide        | 3688-53-7        | July 1, 1987            |
| Aflatoxins  | —                | January 1, 1988         |
| Alachlor  | 15972-60-8       | January 1, 1989         |
| Alcoholic beverages, when associated with alcohol abuse | —                | July 1, 1988            |
| Aldrin  | 309-00-2         | July 1, 1988            |
| <u>Allylchloride Delisted October 29, 1999</u>          | 107-05-1         | January 1, 1990         |
| <u>Aloe vera, non-decolorized whole leaf extract</u>    |                  | <u>December 4, 2015</u> |
| 2-Aminoanthraquinone                                    | 117-79-3         | October 1, 1989         |
| p-Aminoazobenzene                                       | 60-09-3          | January 1, 1990         |
| ortho-Aminoazotoluene                                   | 97-56-3          | July 1, 1987            |
| 4-Aminobiphenyl (4-aminodiphenyl)                       | 92-67-1          | February 27, 1987       |
| 1-Amino-2,4-dibromoanthraquinone                        | 81-49-2          | August 26, 1997         |
| 3-Amino-9-ethylcarbazole hydrochloride                  | 6109-97-3        | July 1, 1989            |
| 2-Aminofluorene   | 153-78-6         | January 29, 1999        |
| 1-Amino-2-methylanthraquinone                           | 82-28-0          | October 1, 1989         |
| 2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole           | 712-68-5         | July 1, 1987            |

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| <u>Chemical</u>  | <u>CAS Number</u> | <u>Date</u>        |
|--|-------------------|--------------------|
| 4-Amino-2-nitrophenol                                  | 119-34-6          | January 29, 1999   |
| Amitrole   | 61-82-5           | July 1, 1987       |
| Amsacrine  | 51264-14-3        | August 7, 2009     |
| Analgesic mixtures containing phenacetin               | —                 | February 27, 1987  |
| Androstenedione  | 63-05-8           | May 3, 2011        |
| Aniline  | 62-53-3           | January 1, 1990    |
| Aniline hydrochloride                                  | 142-04-1          | May 15, 1998       |
| <i>ortho</i> -Anisidine                                | 90-04-0           | July 1, 1987       |
| <i>ortho</i> -Anisidine hydrochloride                  | 134-29-2          | July 1, 1987       |
| Anthraquinone  | 84-65-1           | September 28, 2007 |
| Antimony oxide (Antimony trioxide)                     | 1309-64-4         | October 1, 1990    |
| Aramite  | 140-57-8          | July 1, 1987       |
| Areca nut  | —                 | February 3, 2006   |
| Aristolochic acids                                     | —                 | July 9, 2004       |
| Arsenic (inorganic arsenic compounds)                  | —                 | February 27, 1987  |
| Asbestos   | 1332-21-4         | February 27, 1987  |
| Auramine   | 492-80-8          | July 1, 1987       |
| Azacitidine  | 320-67-2          | January 1, 1992    |
| Azaserine  | 115-02-6          | July 1, 1987       |
| Azathioprine   | 446-86-6          | February 27, 1987  |
| Azobenzene   | 103-33-3          | January 1, 1990    |
| Benthiavalicarb-isopropyl                              | 177406-68-7       | July 1, 2008       |
| Benz[a]anthracene                                      | 56-55-3           | July 1, 1987       |
| Benzene  | 71-43-2           | February 27, 1987  |
| Benzidine [and its salts]                              | 92-87-5           | February 27, 1987  |
| Benzidine-based dyes                                   | —                 | October 1, 1992    |
| Benzo[b]fluoranthene                                   | 205-99-2          | July 1, 1987       |
| Benzo[j]fluoranthene                                   | 205-82-3          | July 1, 1987       |
| Benzo[k]fluoranthene                                   | 207-08-9          | July 1, 1987       |
| Benzofuran   | 271-89-6          | October 1, 1990    |
| Benzophenone   | 119-61-9          | June 22, 2012      |
| Benzo[a]pyrene   | 50-32-8           | July 1, 1987       |
| Benzotrichloride                                       | 98-07-7           | July 1, 1987       |
| Benzyl chloride  | 100-44-7          | January 1, 1990    |
| Benzyl violet 4B                                       | 1694-09-3         | July 1, 1987       |
| Beryllium and beryllium compounds                      | —                 | October 1, 1987    |
| Betel quid with tobacco                                | —                 | January 1, 1990    |
| Betel quid without tobacco                             | —                 | February 3, 2006   |
| 2,2-Bis(bromomethyl)-1,3-propanediol                   | 3296-90-0         | May 1, 1996        |
| Bis(2-chloroethyl)ether                                | 111-44-4          | April 1, 1988      |
| N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlornapazine) | 494-03-1          | February 27, 1987  |
| Bischloroethyl nitrosourea (BCNU) (Carmustine)         | 154-93-8          | July 1, 1987       |
| Bis(chloromethyl)ether                                 | 542-88-1          | February 27, 1987  |
| Bis(2-chloro-1-methylethyl) ether, technical grade     | —                 | October 29, 1999   |
| Bitumens, extracts of steam-refined and air refined    | —                 | January 1, 1990    |
| Bracken fern   | —                 | January 1, 1990    |
| Bromate  | 15541-45-4        | May 31, 2002       |
| Bromochloroacetic acid                                 | 5589-96-8         | April 6, 2010      |
| Bromodichloromethane                                   | 75-27-4           | January 1, 1990    |
| Bromoethane  | 74-96-4           | December 22, 2000  |
| Bromoform  | 75-25-2           | April 1, 1991      |
| 1,3-Butadiene  | 106-99-0          | April 1, 1988      |
| 1,4-Butanediol dimethanesulfonate (Busulfan)           | 55-98-1           | February 27, 1987  |

| <i>Chemical</i>  | <i>CAS Number</i> | <i>Date</i>        |
|--|-------------------|--------------------|
| Butylated hydroxyanisole   | 25013-16-5        | January 1, 1990    |
| beta-Butyrolactone   | 3068-88-0         | July 1, 1987       |
| Cacodylic acid   | 75-60-5           | May 1, 1996        |
| Cadmium and cadmium compounds  | —                 | October 1, 1987    |
| Caffeic acid   | 331-39-5          | October 1, 1994    |
| Captafol   | 2425-06-1         | October 1, 1988    |
| Captan   | 133-06-2          | January 1, 1990    |
| Carbaryl   | 63-25-2           | February 5, 2010   |
| Carbazole  | 86-74-8           | May 1, 1996        |
| Carbon black (airborne, unbound particles of respirable size)                                  | 1333-86-4         | February 21, 2003  |
| Carbon tetrachloride   | 56-23-5           | October 1, 1987    |
| Carbon-black extracts  | —                 | January 1, 1990    |
| N-Carboxymethyl-N-nitrosourea  | 60391-92-6        | January 25, 2002   |
| Catechol   | 120-80-9          | July 15, 2003      |
| Ceramic fibers (airborne particles of respirable size)   | —                 | July 1, 1990       |
| Certain combined chemotherapy for lymphomas  | —                 | February 27, 1987  |
| Chloral  | 75-87-6           | September 13, 2013 |
| Chloral hydrate  | 302-17-0          | September 13, 2013 |
| Chlorambucil   | 305-03-3          | February 27, 1987  |
| Chloramphenicol <u>Delisted January 4, 2013</u>  | 56-75-7           | October 1, 1989    |
| Chloramphenicol sodium succinate   | 982-57-0          | September 27, 2013 |
| Chlordane  | 57-74-9           | July 1, 1988       |
| Chlordecone (Kepone)   | 143-50-0          | January 1, 1988    |
| Chlordimeform  | 6164-98-3         | January 1, 1989    |
| Chlorendic acid  | 115-28-6          | July 1, 1989       |
| Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight) | 108171-26-2       | July 1, 1989       |
| <i>p</i> -Chloroaniline  | 106-47-8          | October 1, 1994    |
| <i>p</i> -Chloroaniline hydrochloride  | 20265-96-7        | May 15, 1998       |
| Chlorodibromomethane <u>Delisted October 29, 1999</u>  | 124-48-1          | January 1, 1990    |
| Chloroethane (Ethyl chloride)  | 75-00-3           | July 1, 1990       |
| 1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU)  | 13010-47-4        | January 1, 1988    |
| (Lomustine)  |                   |                    |
| 1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea (Methyl-CCNU)                           | 13909-09-6        | October 1, 1988    |
| Chloroform   | 67-66-3           | October 1, 1987    |
| Chloromethyl methyl ether (technical grade)  | 107-30-2          | February 27, 1987  |
| 3-Chloro-2-methylpropene   | 563-47-3          | July 1, 1989       |
| 1-Chloro-4-nitrobenzene  | 100-00-5          | October 29, 1999   |
| 4-Chloro-ortho-phenylenediamine  | 95-83-0           | January 1, 1988    |
| <i>p</i> -Chloro- <i>o</i> -toluidine  | 95-69-2           | January 1, 1990    |
| <i>p</i> -Chloro- <i>o</i> -toluidine, strong acid salts of                                    | —                 | May 15, 1998       |
| 5-Chloro- <i>o</i> -toluidine and its strong acid salts  | —                 | October 24, 1997   |
| Chloroprene  | 126-99-8          | June 2, 2000       |
| Chlorothalonil   | 1897-45-6         | January 1, 1989    |
| Chlorotrianisene   | 569-57-3          | September 1, 1996  |
| Chlorozotocin  | 54749-90-5        | January 1, 1992    |
| Chromium (hexavalent compounds)  | —                 | February 27, 1987  |
| Chrysene   | 218-01-9          | January 1, 1990    |
| C.I. Acid Red 114  | 6459-94-5         | July 1, 1992       |
| C.I. Basic Red 9 monohydrochloride   | 569-61-9          | July 1, 1989       |
| C.I. Direct Blue 15  | 2429-74-5         | August 26, 1997    |
| C.I. Direct Blue 218   | 28407-37-6        | August 26, 1997    |

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| <i>Chemical</i>   | <i>CAS Number</i>        | <i>Date</i>       |
|---|--------------------------|-------------------|
| C.I. Disperse Yellow 3  | 2832-40-8                | February 8, 2013  |
| C.I. Solvent Yellow 14  | 842-07-9                 | May 15, 1998      |
| Ciclosporin (Cyclosporin A; Cyclosporine)                       | 59865-13-3<br>79217-60-0 | January 1, 1992   |
| Cidofovir   | 113852-37-2              | January 29, 1999  |
| Cinnamyl anthranilate   | 87-29-6                  | July 1, 1989      |
| Cisplatin   | 15663-27-1               | October 1, 1988   |
| Citrus Red No. 2  | 6358-53-8                | October 1, 1989   |
| Clofibrate  | 637-07-0                 | September 1, 1996 |
| Clomiphene citrate  | 50-41-9                  | May 24, 2013      |
| CMNP (pyrazachlor)  | 6814-58-0                | August 21, 2015   |
| Cobalt metal powder   | 7440-48-4                | July 1, 1992      |
| Cobalt [II] oxide   | 1307-96-6                | July 1, 1992      |
| Cobalt sulfate  | 10124-43-3               | May 20, 2005      |
| Cobalt sulfate heptahydrate                                     | 10026-24-1               | June 2, 2000      |
| Coconut oil diethanolamine condensate (cocamide diethanolamine) | —                        | June 22, 2012     |
| Coke oven emissions   | —                        | February 27, 1987 |
| Conjugated estrogens  | —                        | February 27, 1987 |
| Creosotes   | —                        | October 1, 1988   |
| <i>para</i> -Cresidine  | 120-71-8                 | January 1, 1988   |
| Cumene  | 98-82-8                  | April 6, 2010     |
| Cupferron   | 135-20-6                 | January 1, 1988   |
| Cycasin   | 14901-08-7               | January 1, 1988   |
| Cyclopenta[ <i>cd</i> ]pyrene                                   | 27208-37-3               | April 29, 2011    |
| Cyclophosphamide (anhydrous)                                    | 50-18-0                  | February 27, 1987 |
| Cyclophosphamide (hydrated)                                     | 6055-19-2                | February 27, 1987 |
| Cytembena   | 21739-91-3               | May 15, 1998      |
| D&C Orange No. 17   | 3468-63-1                | July 1, 1990      |
| D&C Red No. 8   | 2092-56-0                | October 1, 1990   |
| D&C Red No. 9   | 5160-02-1                | July 1, 1990      |
| D&C Red No. 19  | 81-88-9                  | July 1, 1990      |
| Dacarbazine   | 4342-03-4                | January 1, 1988   |
| Daminozide  | 1596-84-5                | January 1, 1990   |
| Dantron (Chrysazin; 1,8-Dihydroxyanthraquinone)                 | 117-10-2                 | January 1, 1992   |
| Daunomycin  | 20830-81-3               | January 1, 1988   |
| DDD (Dichlorodiphenyldichloroethane)                            | 72-54-8                  | January 1, 1989   |
| DDE (Dichlorodiphenyldichloroethylene)                          | 72-55-9                  | January 1, 1989   |
| DDT (Dichlorodiphenyltrichloroethane)                           | 50-29-3                  | October 1, 1987   |
| DDVP (Dichlorvos)   | 62-73-7                  | January 1, 1989   |
| N,N'-Diacetylbenzidine  | 613-35-4                 | October 1, 1989   |
| 2,4-Diaminoanisole  | 615-05-4                 | October 1, 1990   |
| 2,4-Diaminoanisole sulfate                                      | 39156-41-7               | January 1, 1988   |
| 4,4'-Diaminodiphenyl ether (4,4'-Oxydianiline)                  | 101-80-4                 | January 1, 1988   |
| 2,4-Diaminotoluene  | 95-80-7                  | January 1, 1988   |
| Diaminotoluene (mixed) <u>Delisted November 20, 2015</u>        | —                        | January 1, 1990   |
| Diazoaminobenzene   | 136-35-6                 | May 20, 2005      |
| Dibenz[ <i>a,h</i> ]acridine                                    | 226-36-8                 | January 1, 1988   |
| Dibenz[ <i>a,j</i> ]acridine                                    | 224-42-0                 | January 1, 1988   |
| Dibenzanthracenes   | —                        | December 26, 2014 |
| Dibenz[ <i>a,c</i> ]anthracene                                  | 215-58-7                 | December 26, 2014 |
| Dibenz[ <i>a,h</i> ]anthracene                                  | 53-70-3                  | January 1, 1988   |
| Dibenz[ <i>a,j</i> ]anthracene                                  | 224-41-9                 | December 26, 2014 |
| 7H-Dibenzo[ <i>c,g</i> ]carbazole                               | 194-59-2                 | January 1, 1988   |

| <i>Chemical</i>  | <i>CASNumber</i> | <i>Date</i>       |
|--|------------------|-------------------|
| Dibenzo[a,e]pyrene   | 192-65-4         | January 1, 1988   |
| Dibenzo[a,h]pyrene   | 189-64-0         | January 1, 1988   |
| Dibenzo[a,i]pyrene   | 189-55-9         | January 1, 1988   |
| Dibenzo[a,l]pyrene   | 191-30-0         | January 1, 1988   |
| Dibromoacetic acid   | 631-64-1         | June 17, 2008     |
| Dibromoacetonitrile  | 3252-43-5        | May 3, 2011       |
| 1,2-Dibromo-3-chloropropane (DBCP)   | 96-12-8          | July 1, 1987      |
| 2,3-Dibromo-1-propanol   | 96-13-9          | October 1, 1994   |
| Dichloroacetic acid  | 79-43-6          | May 1, 1996       |
| <i>p</i> -Dichlorobenzene  | 106-46-7         | January 1, 1989   |
| 3,3'-Dichlorobenzidine   | 91-94-1          | October 1, 1987   |
| 3,3'-Dichlorobenzidine dihydrochloride   | 612-83-9         | May 15, 1998      |
| 1,4-Dichloro-2-butene  | 764-41-0         | January 1, 1990   |
| 3,3'-Dichloro-4,4'-diaminodiphenyl ether   | 28434-86-8       | January 1, 1988   |
| 1,1-Dichloroethane   | 75-34-3          | January 1, 1990   |
| Dichloromethane (Methylene chloride)   | 75-09-2          | April 1, 1988     |
| 1,2-Dichloropropane  | 78-87-5          | January 1, 1990   |
| 1,3-Dichloro-2-propanol (1,3-DCP)  | 96-23-1          | October 8, 2010   |
| 1,3-Dichloropropene  | 542-75-6         | January 1, 1989   |
| Diclofop-methyl  | 51338-27-3       | April 6, 2010     |
| Dieldrin   | 60-57-1          | July 1, 1988      |
| <u>Dienestrol Delisted January 4, 2013</u>   | 84-17-3          | January 1, 1990   |
| Diepoxybutane  | 1464-53-5        | January 1, 1988   |
| Diesel engine exhaust  | —                | October 1, 1990   |
| Diethanolamine   | 111-42-2         | June 22, 2012     |
| Di(2-ethylhexyl)phthalate  | 117-81-7         | January 1, 1988   |
| 1,2-Diethylhydrazine   | 1615-80-1        | January 1, 1988   |
| Diethyl sulfate  | 64-67-5          | January 1, 1988   |
| Diethylstilbestrol (DES)   | 56-53-1          | February 27, 1987 |
| Diglycidyl resorcinol ether (DGRE)   | 101-90-6         | July 1, 1989      |
| Dihydrosafrole   | 94-58-6          | January 1, 1988   |
| Diisononyl phthalate (DINP)  | —                | December 20, 2013 |
| Diisopropyl sulfate  | 2973-10-6        | April 1, 1993     |
| 3,3'-Dimethoxybenzidine (ortho-Dianisidine)  | 119-90-4         | January 1, 1988   |
| 3,3'-Dimethoxybenzidine dihydrochloride (ortho-Dianisidine dihydrochloride)        | 20325-40-0       | October 1, 1990   |
| 3,3'-Dimethoxybenzidine-based dyes metabolized to 3,3'-dimethoxybenzidine          | —                | June 11, 2004     |
| 3,3'-Dimethylbenzidine-based dyes metabolized to 3,3'-dimethylbenzidine            | —                | June 11, 2004     |
| Dimethyl sulfate   | 77-78-1          | January 1, 1988   |
| 4-Dimethylaminoazobenzene  | 60-11-7          | January 1, 1988   |
| trans-2-[(Dimethylamino)methylimino]-5-[2-(5-nitro-2-furyl)vinyl]-1,3,4-oxadiazole | 55738-54-0       | January 1, 1988   |
| 7,12-Dimethylbenz(a)anthracene   | 57-97-6          | January 1, 1990   |
| 3,3'-Dimethylbenzidine (ortho-Tolidine)  | 119-93-7         | January 1, 1988   |
| 3,3'-Dimethylbenzidine dihydrochloride   | 612-82-8         | April 1, 1992     |
| Dimethylcarbamoyl chloride   | 79-44-7          | January 1, 1988   |
| 1,1-Dimethylhydrazine (UDMH)   | 57-14-7          | October 1, 1989   |
| 1,2-Dimethylhydrazine  | 540-73-8         | January 1, 1988   |
| 2,6-Dimethyl-N-nitrosomorpholine (DMNM)  | 1456-28-6        | February 8, 2013  |
| <i>N,N</i> -Dimethyl- <i>p</i> -toluidine  | 99-97-8          | May 2, 2014       |
| Dimethylvinylchloride  | 513-37-1         | July 1, 1989      |
| 3,7-Dinitrofluoranthene  | 105735-71-5      | August 26, 1997   |

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|--|---------------------------|-------------------|
| 3,9-Dinitrofluoranthene                                    | 22506-53-2                | August 26, 1997   |
| 1,3-Dinitropyrene  | 75321-20-9                | November 2, 2012  |
| 1,6-Dinitropyrene  | 42397-64-8                | October 1, 1990   |
| 1,8-Dinitropyrene  | 42397-65-9                | October 1, 1990   |
| Dinitrotoluene mixture, 2,4-/2,6-                          | —                         | May 1, 1996       |
| 2,4-Dinitrotoluene   | 121-14-2                  | July 1, 1988      |
| 2,6-Dinitrotoluene   | 606-20-2                  | July 1, 1995      |
| Di-n-propyl isocinchomeronate (MGK Repellent 326)          | 136-45-8                  | May 1, 1996       |
| 1,4-Dioxane  | 123-91-1                  | January 1, 1988   |
| Diphenylhydantoin (Phenytoin)                              | 57-41-0                   | January 1, 1988   |
| Diphenylhydantoin (Phenytoin), sodium salt                 | 630-93-3                  | January 1, 1988   |
| Direct Black 38 (technical grade)                          | 1937-37-7                 | January 1, 1988   |
| Direct Blue 6 (technical grade)                            | 2602-46-2                 | January 1, 1988   |
| Direct Brown 95 (technical grade)                          | 16071-86-6                | October 1, 1988   |
| Disperse Blue 1  | 2475-45-8                 | October 1, 1990   |
| Diuron   | 330-54-1                  | May 31, 2002      |
| Doxorubicin hydrochloride (Adriamycin)                     | 25316-40-9                | July 1, 1987      |
| Emissions from combustion of coal                          | —                         | August 7, 2013    |
| Emissions from high-temperature unrefined rapeseed oil     | —                         | January 3, 2014   |
| Epichlorohydrin  | 106-89-8                  | October 1, 1987   |
| Epoxiconazole  | 135319-73-2               | April 15, 2011    |
| Erionite   | 12510-42-8/<br>66733-21-9 | October 1, 1988   |
| Estradiol 17B  | 50-28-2                   | January 1, 1988   |
| Estragole  | 140-67-0                  | October 29, 1999  |
| Estrogens, steroidal                                       | —                         | August 19, 2005   |
| Estrogen-progestogen (combined) used as menopausal therapy | —                         | November 4, 2011  |
| Estrone  | 53-16-7                   | January 1, 1988   |
| Estropipate  | 7280-37-7                 | August 26, 1997   |
| Ethanol in alcoholic beverages                             | —                         | April 29, 2011    |
| Ethinylestradiol   | 57-63-6                   | January 1, 1988   |
| Ethoprop   | 13194-48-4                | February 27, 2001 |
| Ethyl acrylate   | 140-88-5                  | July 1, 1989      |
| Ethylbenzene   | 100-41-4                  | June 11, 2004     |
| Ethyl methanesulfonate                                     | 62-50-0                   | January 1, 1988   |
| Ethyl-4,4'-dichlorobenzilate                               | 510-15-6                  | January 1, 1990   |
| Ethylene dibromide   | 106-93-4                  | July 1, 1987      |
| Ethylene dichloride (1,2-Dichloroethane)                   | 107-06-2                  | October 1, 1987   |
| Ethylene oxide   | 75-21-8                   | July 1, 1987      |
| Ethylene thiourea  | 96-45-7                   | January 1, 1988   |
| Ethyleneimine (Aziridine)                                  | 151-56-4                  | January 1, 1988   |
| Etoposide  | 33419-42-0                | November 4, 2011  |
| Etoposide in combination with cisplatin and bleomycin      | —                         | November 4, 2011  |
| Fenoxycarb   | 72490-01-8                | June 2, 2000      |
| Folpet   | 133-07-3                  | January 1, 1989   |
| Formaldehyde (gas)   | 50-00-0                   | January 1, 1988   |
| 2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole          | 3570-75-0                 | January 1, 1988   |
| FumonisinB <sub>1</sub>                                    | 116355-83-0               | November 14, 2003 |
| Furan  | 110-00-9                  | October 1, 1993   |
| Furazolidone   | 67-45-8                   | January 1, 1990   |
| Furmecyclox  | 60568-05-0                | January 1, 1990   |
| Fusarin C  | 79748-81-5                | July 1, 1995      |



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|--|------------------|----------------------------|
| Gallium arsenide   | 1303-00-0        | August 1, 2008             |
| Ganciclovir  | 82410-32-0       | August 26, 1997            |
| Gasoline engine exhaust (condensates/extracts)                     | —                | October 1, 1990            |
| Gemfibrozil  | 25812-30-0       | December 22, 2000          |
| Glass wool fibers (inhalable and biopersistent)                    | —                | July 1, 1990               |
| Glu-P-1 (2-Amino-6-methyldipyrido[1,2-a:3',2'-d]imidazole)         | 67730-11-4       | January 1, 1990            |
| Glu-P-2 (2-Aminodipyrido[1,2-a:3',2'-d]imidazole)                  | 67730-10-3       | January 1, 1990            |
| Glycidaldehyde   | 765-34-4         | January 1, 1988            |
| Glycidol   | 556-52-5         | July 1, 1990               |
| <u>Goldenseal root powder</u>                                      |                  | <u>December 4, 2015</u>    |
| Griseofulvin   | 126-07-8         | January 1, 1990            |
| Gyromitrin (Acetaldehyde methylformylhydrazone)                    | 16568-02-8       | January 1, 1988            |
| HC Blue 1  | 2784-94-3        | July 1, 1989               |
| Heptachlor   | 76-44-8          | July 1, 1988               |
| Heptachlor epoxide   | 1024-57-3        | July 1, 1988               |
| Herbal remedies containing plant species of the genus Aristolochia | —                | July 9, 2004               |
| Hexachlorobenzene  | 118-74-1         | October 1, 1987            |
| Hexachlorobutadiene  | 87-68-3          | May 3, 2011                |
| Hexachlorocyclohexane (technical grade)                            | —                | October 1, 1987            |
| Hexachlorodibenzodioxin  | 34465-46-8       | April 1, 1988              |
| Hexachloroethane   | 67-72-1          | July 1, 1990               |
| 2,4-Hexadienal (89% trans, trans isomer; 11% cis, trans isomer)    | —                | March 4, 2005              |
| Hexamethylphosphoramide  | 680-31-9         | January 1, 1988            |
| Hydrazine  | 302-01-2         | January 1, 1988            |
| Hydrazine sulfate  | 10034-93-2       | January 1, 1988            |
| Hydrazobenzene (1,2-Diphenylhydrazine)                             | 122-66-7         | January 1, 1988            |
| 1-Hydroxyanthraquinone   | 129-43-1         | May 27, 2005               |
| Imazalil   | 35554-44-0       | May 20, 2011               |
| Indeno [1,2,3-cd]pyrene  | 193-39-5         | January 1, 1988            |
| Indium phosphide   | 22398-80-7       | February 27, 2001          |
| IQ (2-Amino-3-methylimidazo[4,5-f]quinoline)                       | 76180-96-6       | April 1, 1990              |
| Iprodione  | 36734-19-7       | May 1, 1996                |
| Iprovalicarb   | 140923-17-7      | June 1, 2007               |
|  | 140923-25-7      |                            |
| Iron dextran complex   | 9004-66-4        | January 1, 1988            |
| Isobutyl nitrite   | 542-56-3         | May 1, 1996                |
| Isoprene   | 78-79-5          | May 1, 1996                |
| Isopyrazam   | 881686-58-1      | July 24, 2012              |
| <u>Isosafrole Delisted December 8, 2006</u>                        | 120-58-1         | <del>October 1, 1989</del> |
| Isoxaflutole   | 141112-29-0      | December 22, 2000          |
| Kresoxim-methyl  | 143390-89-0      | February 3, 2012           |
| Lactofen   | 77501-63-4       | January 1, 1989            |
| Lasiocarpine   | 303-34-4         | April 1, 1988              |
| Lead acetate   | 301-04-2         | January 1, 1988            |
| Lead and lead compounds  | —                | October 1, 1992            |
| Lead phosphate   | 7446-27-7        | April 1, 1988              |
| Lead subacetate  | 1335-32-6        | October 1, 1989            |
| Leather dust   | —                | April 29, 2011             |
| Lindane and other hexachlorocyclohexane isomers                    | —                | October 1, 1989            |
| Lynestrenol  | 52-76-6          | February 27, 2001          |
| Malonaldehyde, sodium salt   | 24382-04-5       | May 3, 2011                |
| Mancozeb   | 8018-01-7        | January 1, 1990            |

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| Maneb  | 12427-38-2        | January 1, 1990   |
| Marijuana smoke  | —                 | June 19, 2009     |
| Me-A-alpha-C (2-Amino-3-methyl-9H-pyrido[2,3-b]indole)                 | 68006-83-7        | January 1, 1990   |
| Medroxyprogesterone acetate  | 71-58-9           | January 1, 1990   |
| Megestrol acetate  | 595-33-5          | March 28, 2014    |
| MeIQ(2-Amino-3,4-dimethylimidazo[4,5-f]quinoline)                      | 77094-11-2        | October 1, 1994   |
| MeIQx(2-Amino-3,8-dimethylimidazo[4,5-f]quinoxaline)                   | 77500-04-0        | October 1, 1994   |
| Melphalan  | 148-82-3          | February 27, 1987 |
| Mepanipyridin  | 110235-47-7       | July 1, 2008      |
| Merphalan  | 531-76-0          | April 1, 1988     |
| Mestranol  | 72-33-3           | April 1, 1988     |
| Metam potassium  | 137-41-7          | December 31, 2010 |
| Metham sodium  | 137-42-8          | November 6, 1998  |
| 8-Methoxypsoralen with ultraviolet A therapy                           | 298-81-7          | February 27, 1987 |
| 5-Methoxypsoralen with ultraviolet A therapy                           | 484-20-8          | October 1, 1988   |
| 2-Methylaziridine (Propyleneimine)                                     | 75-55-8           | January 1, 1988   |
| Methylazoxymethanol  | 590-96-5          | April 1, 1988     |
| Methylazoxymethanol acetate  | 592-62-1          | April 1, 1988     |
| Methyl carbamate   | 598-55-0          | May 15, 1998      |
| 3-Methylcholanthrene   | 56-49-5           | January 1, 1990   |
| 5-Methylchrysene   | 3697-24-3         | April 1, 1988     |
| 4,4' -Methylene bis(2-chloroaniline)                                   | 101-14-4          | July 1, 1987      |
| 4,4' -Methylene bis(N,N-dimethyl)benzenamine                           | 101-61-1          | October 1, 1989   |
| 4,4' -Methylene bis(2-methylaniline)                                   | 838-88-0          | April 1, 1988     |
| 4,4' -Methylenedianiline   | 101-77-9          | January 1, 1988   |
| 4,4' -Methylenedianiline dihydrochloride                               | 13552-44-8        | January 1, 1988   |
| Methyleugenol  | 93-15-2           | November 16, 2001 |
| Methylhydrazine and its salts  | —                 | July 1, 1992      |
| 2-Methylimidazole  | 693-98-1          | June 22, 2012     |
| 4-Methylimidazole  | 822-36-6          | January 7, 2011   |
| Methyl iodide  | 74-88-4           | April 1, 1988     |
| Methyl isobutyl ketone   | 108-10-1          | November 4, 2011  |
| Methylmercury compounds  | —                 | May 1, 1996       |
| Methyl methanesulfonate  | 66-27-3           | April 1, 1988     |
| 2-Methyl-1-nitroanthraquinone (of uncertain purity)                    | 129-15-7          | April 1, 1988     |
| N-Methyl-N' -nitro-N-nitrosoguanidine                                  | 70-25-7           | April 1, 1988     |
| N-Methylolacrylamide   | 924-42-5          | July 1, 1990      |
| alpha-Methyl styrene (alpha-Methylstyrene)                             | 98-83-9           | November 2, 2012  |
| Methylthiouracil   | 56-04-2           | October 1, 1989   |
| Metiram  | 9006-42-2         | January 1, 1990   |
| Metronidazole  | 443-48-1          | January 1, 1988   |
| Michler's ketone   | 90-94-8           | January 1, 1988   |
| Mirex  | 2385-85-5         | January 1, 1988   |
| Mitomycin C  | 50-07-7           | April 1, 1988     |
| Mitoxantrone hydrochloride   | 70476-82-3        | January 23, 2015  |
| MON 4660 (dichloroacetyl-1-oxa-4-azaspiro(4,5)-decane)                 | 71526-07-3        | March 22, 2011    |
| MON 13900 (furilazole)   | 121776-33-8       | March 22, 2011    |
| 3-Monochloropropane-1,2-diol (3-MCPD)                                  | 96-24-2           | October 8, 2010   |
| Monocrotaline  | 315-22-0          | April 1, 1988     |
| MOPP (vincristine-prednisone-nitrogen mustard-procarbazine mixture)    | 113803-47-7       | November 4, 2011  |
| 5-(Morpholinomethyl)-3-[(5-nitro-furfurylidene)-amino]-2-oxazolidinone | 139-91-3          | April 1, 1988     |
| Mustard Gas  | 505-60-2          | February 27, 1987 |

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| MX (3-chloro-4-(dichloromethyl)-5-hydroxy-2(5H)-furanone)      | 77439-76-0       | December 22, 2000          |
| beta-Myrcene   | 123-35-3         | March 27, 2015             |
| Nafenopin  | 3771-19-5        | April 1, 1988              |
| Nalidixic acid   | 389-08-2         | May 15, 1998               |
| Naphthalene  | 91-20-3          | April 19, 2002             |
| 1-Naphthylamine  | 134-32-7         | October 1, 1989            |
| 2-Naphthylamine  | 91-59-8          | February 27, 1987          |
| Nickel (Metallic)  | 7440-02-0        | October 1, 1989            |
| Nickel acetate   | 373-02-4         | October 1, 1989            |
| Nickel carbonate   | 3333-67-3        | October 1, 1989            |
| Nickel carbonyl  | 13463-39-3       | October 1, 1987            |
| Nickel compounds   | —                | May 7, 2004                |
| Nickel hydroxide   | 12054-48-7;      | October 1, 1989            |
|  | 12125-56-3       |                            |
| Nickelocene  | 1271-28-9        | October 1, 1989            |
| Nickel oxide   | 1313-99-1        | October 1, 1989            |
| Nickel refinery dust from the pyrometallurgical process        | —                | October 1, 1987            |
| Nickel subsulfide  | 12035-72-2       | October 1, 1987            |
| Niridazole   | 61-57-4          | April 1, 1988              |
| Nitrapyrin   | 1929-82-4        | October 5, 2005            |
| Nitrioltriacetic acid  | 139-13-9         | January 1, 1988            |
| Nitrioltriacetic acid, trisodium salt monohydrate              | 18662-53-8       | April 1, 1989              |
| 5-Nitroacenaphthene  | 602-87-9         | April 1, 1988              |
| 5-Nitro- <i>o</i> -anisidine <u>Delisted December 8, 2006</u>  | 99-59-2          | <del>October 1, 1989</del> |
| <i>o</i> -Nitroanisole   | 91-23-6          | October 1, 1992            |
| Nitrobenzene   | 98-95-3          | August 26, 1997            |
| 4-Nitrobiphenyl  | 92-93-3          | April 1, 1988              |
| 6-Nitrochrysene  | 7496-02-8        | October 1, 1990            |
| Nitrofen (technical grade)                                     | 1836-75-5        | January 1, 1988            |
| 2-Nitrofluorene  | 607-57-8         | October 1, 1990            |
| Nitrofurazone  | 59-87-0          | January 1, 1990            |
| 1-[(5-Nitrofurfurylidene)-amino]-2-imidazolidinone             | 555-84-0         | April 1, 1988              |
| N-[4-(5-Nitro-2-furyl)-2-thiazolyl]acetamide                   | 531-82-8         | April 1, 1988              |
| Nitrogen mustard (Mechlorethamine)                             | 51-75-2          | January 1, 1988            |
| Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride) | 55-86-7          | April 1, 1988              |
| Nitrogen mustard N-oxide                                       | 126-85-2         | April 1, 1988              |
| Nitrogen mustard N-oxide hydrochloride                         | 302-70-5         | April 1, 1988              |
| Nitromethane   | 75-52-5          | May 1, 1997                |
| 2-Nitropropane   | 79-46-9          | January 1, 1988            |
| 1-Nitropyrene  | 5522-43-0        | October 1, 1990            |
| 4-Nitropyrene  | 57835-92-4       | October 1, 1990            |
| N-Nitrosodi- <i>n</i> -butylamine                              | 924-16-3         | October 1, 1987            |
| N-Nitrosodiethanolamine  | 1116-54-7        | January 1, 1988            |
| N-Nitrosodiethylamine  | 55-18-5          | October 1, 1987            |
| N-Nitrosodimethylamine   | 62-75-9          | October 1, 1987            |
| <i>p</i> -Nitrosodiphenylamine                                 | 156-10-5         | January 1, 1988            |
| N-Nitrosodiphenylamine   | 86-30-6          | April 1, 1988              |
| N-Nitrosodi- <i>n</i> -propylamine                             | 621-64-7         | January 1, 1988            |
| N-Nitroso-N-ethylurea  | 759-73-9         | October 1, 1987            |
| 3-(N-Nitrosomethylamino)propionitrile                          | 60153-49-3       | April 1, 1990              |
| 4-(N-Nitrosomethylamino)-1-(3-pyridyl)1-butanone               | 64091-91-4       | April 1, 1990              |
| N-Nitrosomethyl- <i>n</i> -butylamine                          | 7068-83-9        | December 26, 2014          |
| N-Nitrosomethyl- <i>n</i> -decylamine                          | 75881-22-0       | December 26, 2014          |

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| N-Nitrosomethyl- <i>n</i> -dodecylamine                | 55090-44-3        | December 26, 2014  |
| N-Nitrosomethylethylamine                              | 10595-95-6        | October 1, 1989    |
| N-Nitrosomethyl- <i>n</i> -heptylamine                 | 16338-99-1        | December 26, 2014  |
| N-Nitrosomethyl- <i>n</i> -hexylamine                  | 28538-70-7        | December 26, 2014  |
| N-Nitrosomethyl- <i>n</i> -nonylamine                  | 75881-19-5        | December 26, 2014  |
| N-Nitrosomethyl- <i>n</i> -octylamine                  | 34423-54-6        | December 26, 2014  |
| N-Nitrosomethyl- <i>n</i> -pentylamine                 | 13256-07-0        | December 26, 2014  |
| N-Nitrosomethyl- <i>n</i> -propylamine                 | 924-46-9          | December 26, 2014  |
| N-Nitrosomethyl- <i>n</i> -tetradecylamine             | 75881-20-8        | December 26, 2014  |
| N-Nitrosomethyl- <i>n</i> -undecylamine                | 68107-26-6        | December 26, 2014  |
| N-Nitroso-N-methylurea                                 | 684-93-5          | October 1, 1987    |
| N-Nitroso-N-methylurethane                             | 615-53-2          | April 1, 1988      |
| N-Nitrosomethylvinylamine                              | 4549-40-0         | January 1, 1988    |
| N-Nitrosomorpholine                                    | 59-89-2           | January 1, 1988    |
| N-Nitrosornicotine                                     | 16543-55-8        | January 1, 1988    |
| N-Nitrosopiperidine                                    | 100-75-4          | January 1, 1988    |
| N-Nitrosopyrrolidine                                   | 930-55-2          | October 1, 1987    |
| N-Nitrososarcosine                                     | 13256-22-9        | January 1, 1988    |
| <i>o</i> -Nitrotoluene                                 | 88-72-2           | May 15, 1998       |
| Norethisterone (Norethindrone)                         | 68-22-4           | October 1, 1989    |
| Norethynodrel  | 68-23-5           | February 27, 2001  |
| Ochratoxin A   | 303-47-9          | July 1, 1990       |
| Oil Orange SS  | 2646-17-5         | April 1, 1988      |
| Oral contraceptives, combined                          | —                 | October 1, 1989    |
| Oral contraceptives, sequential                        | —                 | October 1, 1989    |
| Oryzalin   | 19044-88-3        | September 12, 2008 |
| Oxadiazon  | 19666-30-9        | July 1, 1991       |
| Oxazepam   | 604-75-1          | October 1, 1994    |
| Oxymetholone   | 434-07-1          | January 1, 1988    |
| Oxythioquinox (Chinomethionat)                         | 2439-01-2         | August 20, 1999    |
| Palygorskite fibers (> 5µm in length)                  | 12174-11-7        | December 28, 1999  |
| Panfuran S   | 794-93-4          | January 1, 1988    |
| Pentachlorophenol                                      | 87-86-5           | January 1, 1990    |
| Pentosan polysulfate sodium                            | —                 | April 18, 2014     |
| Phenacetin   | 62-44-2           | October 1, 1989    |
| Phenazopyridine  | 94-78-0           | January 1, 1988    |
| Phenazopyridine hydrochloride                          | 136-40-3          | January 1, 1988    |
| Phenesterin  | 3546-10-9         | July 1, 1989       |
| Phenobarbital  | 50-06-6           | January 1, 1990    |
| Phenolphthalein  | 77-09-8           | May 15, 1998       |
| Phenoxybenzamine                                       | 59-96-1           | April 1, 1988      |
| Phenoxybenzamine hydrochloride                         | 63-92-3           | April 1, 1988      |
| <i>o</i> -Phenylenediamine and its salts               | 95-54-5           | May 15, 1998       |
| Phenyl glycidyl ether                                  | 122-60-1          | October 1, 1990    |
| Phenyldiazine and its salts                            | —                 | July 1, 1992       |
| <i>o</i> -Phenylphenate, sodium                        | 132-27-4          | January 1, 1990    |
| <i>o</i> -Phenylphenol                                 | 90-43-7           | August 4, 2000     |
| PhiP(2-Amino-1-methyl-6-phenylimidazol[4,5-b]pyridine) | 105650-23-5       | October 1, 1994    |
| Pioglitazone   | 111025-46-8       | April 18, 2014     |
| Pirimicarb   | 23103-98-2        | July 2, 2008       |
| Polybrominated biphenyls                               | —                 | January 1, 1988    |
| Polychlorinated biphenyls                              | —                 | October 1, 1989    |

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| Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight) | —                | January 1, 1988   |
| Polychlorinated dibenzo-p-dioxins  | —                | October 1, 1992   |
| Polychlorinated dibenzofurans  | —                | October 1, 1992   |
| Polygeenan   | 53973-98-1       | January 1, 1988   |
| Ponceau MX   | 3761-53-3        | April 1, 1988     |
| Ponceau 3R   | 3564-09-8        | April 1, 1988     |
| Potassium bromate  | 7758-01-2        | January 1, 1990   |
| Primidone  | 125-33-7         | August 20, 1999   |
| Procarbazine   | 671-16-9         | January 1, 1988   |
| Procarbazine hydrochloride   | 366-70-1         | January 1, 1988   |
| Procymidone  | 32809-16-8       | October 1, 1994   |
| Progesterone   | 57-83-0          | January 1, 1988   |
| Pronamide  | 23950-58-5       | May 1, 1996       |
| Propachlor   | 1918-16-7        | February 27, 2001 |
| 1,3-Propane sultone  | 1120-71-4        | January 1, 1988   |
| Propargite   | 2312-35-8        | October 1, 1994   |
| beta-Propiolactone   | 57-57-8          | January 1, 1988   |
| Propoxur   | 114-26-1         | August 11, 2006   |
| Propylene glycol mono- <i>t</i> -butyl ether   | 57018-52-7       | June 11, 2004     |
| Propylene oxide  | 75-56-9          | October 1, 1988   |
| Propylthiouracil   | 51-52-5          | January 1, 1988   |
| Pulegone   | 89-82-7          | April 18, 2014    |
| Pymetrozine  | 123312-89-0      | March 22, 2011    |
| Pyridine   | 110-86-1         | May 17, 2002      |
| Quinoline and its strong acid salts  | —                | October 24, 1997  |
| Radionuclides  | —                | July 1, 1989      |
| Reserpine  | 50-55-5          | October 1, 1989   |
| Residual (heavy) fuel oils   | —                | October 1, 1990   |
| Resmethrin   | 10453-86-8       | July 1, 2008      |
| Riddelliine  | 23246-96-0       | December 3, 2004  |
| <u>Saccharin Delisted April 6, 2001</u>  | 81-07-2          | October 1, 1989   |
| <u>Saccharin, sodium Delisted January 17, 2003</u>                                     | 128-44-9         | January 1, 1988   |
| Safrole  | 94-59-7          | January 1, 1988   |
| Salted fish, Chinese-style   | —                | April 29, 2011    |
| Selenium sulfide   | 7446-34-6        | October 1, 1989   |
| Shale-oils   | 68308-34-9       | April 1, 1990     |
| Silica, crystalline (airborne particles of respirable size)                            | —                | October 1, 1988   |
| Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils) | —                | February 27, 1987 |
| Spirodiclofen  | 148477-71-8      | October 8, 2010   |
| Spironolactone   | 52-01-7          | May 1, 1997       |
| Stanozolol   | 10418-03-8       | May 1, 1997       |
| Sterigmatocystin   | 10048-13-2       | April 1, 1988     |
| Streptozotocin (streptozocin)  | 18883-66-4       | January 1, 1988   |
| Strong inorganic acid mists containing sulfuric acid                                   | —                | March 14, 2003    |
| Styrene oxide  | 96-09-3          | October 1, 1988   |
| Sulfallate   | 95-06-7          | January 1, 1988   |
| Sulfasalazine (Salicylazosulfapyridine)  | 599-79-1         | May 15, 1998      |
| Talc containing asbestiform fibers   | —                | April 1, 1990     |
| Tamoxifen and its salts  | 10540-29-1       | September 1, 1996 |
| Teriparatide   | 52232-67-4       | August 14, 2015   |
| Terrazole  | 2593-15-9        | October 1, 1994   |

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| <u>Chemical</u>  | <u>CAS Number</u> | <u>Date</u>        |
|--|-------------------|--------------------|
| Testosterone and its esters  | 58-22-0           | April 1, 1988      |
| 3,3',4,4'-Tetrachloroazobenzene  | 14047-09-7        | July 24, 2012      |
| 2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)  | 1746-01-6         | January 1, 1988    |
| 1,1,1,2-Tetrachloroethane  | 630-20-6          | September 13, 2013 |
| 1,1,2,2-Tetrachloroethane  | 79-34-5           | July 1, 1990       |
| Tetrachloroethylene (Perchloroethylene)  | 127-18-4          | April 1, 1988      |
| p-a,a,a-Tetrachlorotoluene   | 5216-25-1         | January 1, 1990    |
| Tetrafluoroethylene  | 116-14-3          | May 1, 1997        |
| Tetranitromethane  | 509-14-8          | July 1, 1990       |
| Thioacetamide  | 62-55-5           | January 1, 1988    |
| 4,4'-Thiodianiline   | 139-65-1          | April 1, 1988      |
| Thiodicarb   | 59669-26-0        | August 20, 1999    |
| Thiouracil   | 141-90-2          | June 11, 2004      |
| Thiourea   | 62-56-6           | January 1, 1988    |
| Thorium dioxide  | 1314-20-1         | February 27, 1987  |
| Titanium dioxide (airborne, unbound particles of respirable size)                      | —                 | September 2, 2011  |
| Tobacco, oral use of smokeless products  | —                 | April 1, 1988      |
| Tobacco smoke  | —                 | April 1, 1988      |
| Toluene diisocyanate   | 26471-62-5        | October 1, 1989    |
| ortho-Toluidine  | 95-53-4           | January 1, 1988    |
| ortho-Toluidine hydrochloride  | 636-21-5          | January 1, 1988    |
| <u>para-Toluidine Delisted October 29, 1999</u>  | 106-49-0          | January 1, 1990    |
| Toxaphene (Polychlorinated camphenes)  | 8001-35-2         | January 1, 1988    |
| Toxins derived from <i>Fusarium moniliforme</i><br>( <i>Fusarium verticillioides</i> ) | —                 | August 7, 2009     |
| Treosulfan   | 299-75-2          | February 27, 1987  |
| Triamterene  | 396-01-0          | April 18, 2014     |
| S,S,S-Tributyl phosphorotrithioate (Tribufos, DEF)                                     | 78-48-8           | February 25, 2011  |
| Trichlormethine (Trimustine hydrochloride)   | 817-09-4          | January 1, 1992    |
| Trichloroacetic acid   | 76-03-9           | September 13, 2013 |
| Trichloroethylene  | 79-01-6           | April 1, 1988      |
| 2,4,6-Trichlorophenol  | 88-06-2           | January 1, 1988    |
| 1,2,3-Trichloropropane   | 96-18-4           | October 1, 1992    |
| Trimethyl phosphate  | 512-56-1          | May 1, 1996        |
| 2,4,5-Trimethylaniline and its strong acid salts                                       | —                 | October 24, 1997   |
| 2,4,6-Trinitrotoluene (TNT)  | 118-96-7          | December 19, 2008  |
| Triphenyltin hydroxide   | 76-87-9           | July 1, 1992       |
| Tris(aziridinyl)-para-benzoquinone (Triaziquone)<br><u>Delisted December 8, 2006</u>   | 68-76-8           | October 1, 1989    |
| Tris(1-aziridinyl)phosphine sulfide (Thiotepa)   | 52-24-4           | January 1, 1988    |
| Tris(2-chloroethyl) phosphate  | 115-96-8          | April 1, 1992      |
| Tris(2,3-dibromopropyl)phosphate   | 126-72-7          | January 1, 1988    |
| Tris(1,3-dichloro-2-propyl) phosphate (TDCPP)  | 13674-87-8        | October 28, 2011   |
| Trp-P-1 (Tryptophan-P-1)   | 62450-06-0        | April 1, 1988      |
| Trp-P-2 (Tryptophan-P-2)   | 62450-07-1        | April 1, 1988      |
| Trypan blue (commercial grade)   | 72-57-1           | October 1, 1989    |
| Unleaded gasoline (wholly vaporized)   | —                 | April 1, 1988      |
| Uracil mustard   | 66-75-1           | April 1, 1988      |
| Urethane (Ethyl carbamate)   | 51-79-6           | January 1, 1988    |
| Vanadium pentoxide (orthorhombic crystalline form)                                     | 1314-62-1         | February 11, 2005  |
| Vinclozolin  | 50471-44-8        | August 20, 1999    |
| Vinyl bromide  | 593-60-2          | October 1, 1988    |
| Vinyl chloride   | 75-01-4           | February 27, 1987  |

|   |             |                   |
|---|-------------|-------------------|
| 4-Vinylcyclohexene  | 100-40-3    | May 1, 1996       |
| 4-Vinyl-1-cyclohexene diepoxide (Vinyl cyclohexene dioxide) | 106-87-6    | July 1, 1990      |
| Vinyl fluoride  | 75-02-5     | May 1, 1997       |
| Vinyl trichloride (1,1,2-Trichloroethane)                   | 79-00-5     | October 1, 1990   |
| Wood dust   | —           | December 18, 2009 |
| 2,6-Xylidine (2,6-Dimethylaniline)                          | 87-62-7     | January 1, 1991   |
| Zalcitabine   | 7481-89-2   | August 7, 2009    |
| Zidovudine (AZT)  | 30516-87-1  | December 18, 2009 |
| Zileuton  | 111406-87-2 | December 22, 2000 |
| Zineb <u>Delisted October 29, 1999</u>                      | 12122-67-7  | January 1, 1990   |

CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY

| <u>Chemical</u>   | <u>Type of Reproductive Toxicity</u> | <u>CAS No.</u> | <u>Date Listed</u> |
|---|--------------------------------------|----------------|--------------------|
| Acetazolamide   | developmental                        | 59-66-5        | August 20, 1999    |
| Acetohydroxamic acid  | developmental                        | 546-88-3       | April 1, 1990      |
| Acrylamide  | developmental, male                  | 79-06-1        | February 25, 2011  |
| Actinomycin D   | developmental                        | 50-76-0        | October 1, 1992    |
| All-trans retinoic acid   | developmental                        | 302-79-4       | January 1, 1989    |
| Alprazolam  | developmental                        | 28981-97-7     | July 1, 1990       |
| Altretamine   | developmental, male                  | 645-05-6       | August 20, 1999    |
| Amantadine hydrochloride  | developmental                        | 665-66-7       | February 27, 2001  |
| Amikacin sulfate  | developmental                        | 39831-55-5     | July 1, 1990       |
| Aminoglutethimide   | developmental                        | 125-84-8       | July 1, 1990       |
| tert-Amyl methyl ether<br><u>Delisted December 13, 2013</u>   | developmental                        | 994-05-8       | December 18, 2009  |
| Aminoglycosides   | developmental                        | —              | October 1, 1992    |
| Aminopterin   | developmental, female                | 54-62-6        | July 1, 1987       |
| Amiodarone hydrochloride  | developmental, female, male          | 19774-82-4     | August 26, 1997    |
| Amitraz   | developmental                        | 33089-61-1     | March 30, 1999     |
| Amoxapine   | developmental                        | 14028-44-5     | May 15, 1998       |
| Anabolic steroids   | female, male                         | —              | April 1, 1990      |
| Angiotensin converting enzyme (ACE) inhibitors  | developmental                        | —              | October 1, 1992    |
| Anisindione   | developmental                        | 117-37-3       | October 1, 1992    |
| Arsenic (inorganic oxides)  | developmental                        | —              | May 1, 1997        |
| Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.) | developmental, female                | 50-78-2        | July 1, 1990       |
| Atenolol  | developmental                        | 29122-68-7     | August 26, 1997    |
| Auranofin   | developmental                        | 34031-32-8     | January 29, 1999   |
| Avermectin B1 (Abamectin)   | developmental                        | 71751-41-2     | December 3, 2010   |
| Azathioprine  | developmental                        | 446-86-6       | September 1, 1996  |
| Barbiturates  | developmental                        | —              | October 1, 1992    |
| Beclomethasone dipropionate   | developmental                        | 5534-09-8      | May 15, 1998       |
| Benomyl   | developmental, male                  | 17804-35-2     | July 1, 1991       |
| Benzene   | developmental, male                  | 71-43-2        | December 26, 1997  |
| Benzodiazepines   | developmental                        | —              | October 1, 1992    |
| Benzphetamine hydrochloride   | developmental                        | 5411-22-3      | April 1, 1990      |

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| <u>Chemical</u>   | <u>Type of<br/>Reproductive<br/>Toxicity</u> | <u>CAS No.</u> | <u>Date Listed</u>               |
|---|--|----------------|----------------------------------|
| Bischloroethyl nitrosourea<br>(BCNU) (Carmustine)               | developmental                                | 154-93-8       | July 1, 1990                     |
| Bisphenol A (BPA)   | female                                       | 80-05-7        | May 11, 2015                     |
| Bisphenol A (BPA)<br><u>Delisted April 19, 2013</u>             | developmental                                | 80-05-7        | April 11, 2013                   |
| Bromacil lithium salt   | developmental<br>male                        | 53404-19-6     | May 18, 1999<br>January 17, 2003 |
| 1-Bromopropane  | developmental, female, male                  | 106-94-5       | December 7, 2004                 |
| 2-Bromopropane  | female, male                                 | 75-26-3        | May 31, 2005                     |
| Bromoxynil  | developmental                                | 1689-84-5      | October 1, 1990                  |
| Bromoxynil octanoate  | developmental                                | 1689-99-2      | May 18, 1999                     |
| Butabarbital sodium   | developmental                                | 143-81-7       | October 1, 1992                  |
| 1,3-Butadiene   | developmental, female, male                  | 106-99-0       | April 16, 2004                   |
| 1,4-Butanediol dimethane-sulfonate<br>(Busulfan)                | developmental                                | 55-98-1        | January 1, 1989                  |
| Butyl benzyl phthalate (BBP)                                    | developmental                                | 85-68-7        | December 2, 2005                 |
| n-Butyl glycidyl ether<br><u>Delisted April 4, 2014</u>         | male   | 2426-08-6      | August 7, 2009                   |
| Cadmium   | developmental, male                          | —              | May 1, 1997                      |
| Carbamazepine   | developmental                                | 298-46-4       | January 29, 1999                 |
| Carbaryl  | developmental, female, male                  | 63-25-2        | August 7, 2009                   |
| Carbon disulfide  | developmental, female, male                  | 75-15-0        | July 1, 1989                     |
| Carbon monoxide   | developmental                                | 630-08-0       | July 1, 1989                     |
| Carboplatin   | developmental                                | 41575-94-4     | July 1, 1990                     |
| Chenodiol   | developmental                                | 474-25-9       | April 1, 1990                    |
| Chlorambucil  | developmental                                | 305-03-3       | January 1, 1989                  |
| Chlorcyclizine hydrochloride                                    | developmental                                | 1620-21-9      | July 1, 1987                     |
| Chlordecone (Kepone)  | developmental                                | 143-50-0       | January 1, 1989                  |
| Chlordiazepoxide  | developmental                                | 58-25-3        | January 1, 1992                  |
| Chlordiazepoxide hydrochloride                                  | developmental                                | 438-41-5       | January 1, 1992                  |
| 1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine) | developmental                                | 13010-47-4     | July 1, 1990                     |
| Chloroform  | developmental                                | 67-66-3        | August 7, 2009                   |
| 2-Chloropropionic acid  | male   | 598-78-7       | August 7, 2009                   |
| Chlorsulfuron<br><u>Delisted June 6, 2014</u>                   | developmental, female, male                  | 64902-72-3     | May 14, 1999                     |
| Chromium (hexavalent compounds)                                 | developmental, female, male                  | —              | December 19, 2008                |
| Cidofovir   | developmental, female, male                  | 113852-37-2    | January 29, 1999                 |
| Cladribine  | developmental                                | 4291-63-8      | September 1, 1996                |
| Clarithromycin  | developmental                                | 81103-11-9     | May 1, 1997                      |
| Clobetasol propionate   | developmental, female                        | 25122-46-7     | May 15, 1998                     |
| Clomiphene citrate  | developmental                                | 50-41-9        | April 1, 1990                    |
| Clorazepate dipotassium   | developmental                                | 57109-90-7     | October 1, 1992                  |
| Cocaine   | developmental, female                        | 50-36-2        | July 1, 1989                     |
| Codeine phosphate   | developmental                                | 52-28-8        | May 15, 1998                     |
| Colchicine  | developmental, male                          | 64-86-8        | October 1, 1992                  |
| Conjugated estrogens  | developmental                                | —              | April 1, 1990                    |
| Cyanazine   | developmental                                | 21725-46-2     | April 1, 1990                    |
| Cycloate  | developmental                                | 1134-23-2      | March 19, 1999                   |
| Cyclohexanol<br><u>Delisted January 25, 2002</u>                | male   | 108-93-0       | November 6, 1998                 |



| <u>Chemical</u>  | <u>Type of<br/>Reproductive<br/>Toxicity</u> | <u>CAS No.</u>            | <u>Date Listed</u> |
|--|--|---------------------------|--------------------|
| Cycloheximide  | developmental                                | 66-81-9                   | January 1, 1989    |
| Cyclophosphamide (anhydrous)                           | developmental, female, male                  | 50-18-0                   | January 1, 1989    |
| Cyclophosphamide (hydrated)                            | developmental, female, male                  | 6055-19-2                 | January 1, 1989    |
| Cyhexatin  | developmental                                | 13121-70-5                | January 1, 1989    |
| Cytarabine   | developmental                                | 147-94-4                  | January 1, 1989    |
| Dacarbazine  | developmental                                | 4342-03-4                 | January 29, 1999   |
| Danazol  | developmental                                | 17230-88-5                | April 1, 1990      |
| Daunorubicin hydrochloride                             | developmental                                | 23541-50-6                | July 1, 1990       |
| 2,4-D butyric acid                                     | developmental, male                          | 94-82-6                   | June 18, 1999      |
| o,p' -DDT  | developmental, female, male                  | 789-02-6                  | May 15, 1998       |
| p,p' -DDT  | developmental, female, male                  | 50-29-3                   | May 15, 1998       |
| 2,4 DP (dichloroprop)                                  | developmental                                | 120-36-5                  | April 27, 1999     |
| <u>Delisted January 25, 2002</u>                       |  |                           |                    |
| Demeclocycline hydrochloride<br>(internal use)         | developmental                                | 64-73-3                   | January 1, 1992    |
| Diazepam   | developmental                                | 439-14-5                  | January 1, 1992    |
| Diazoxide  | developmental                                | 364-98-7                  | February 27, 2001  |
| 1,2-Dibromo-3-chloropropane (DBCP)                     | male   | 96-12-8                   | February 27, 1987  |
| Di-n-butyl phthalate (DBP)                             | developmental, female, male                  | 84-74-2                   | December 2, 2005   |
| Dichloroacetic acid                                    | developmental, male                          | 79-43-6                   | August 7, 2009     |
| 1,1-Dichloro-2,2-bis(p-chlorophenyl)<br>ethylene (DDE) | developmental, male                          | 72-55-9                   | March 30, 2010     |
| Dichlorophene  | developmental                                | 97-23-4                   | April 27, 1999     |
| Dichlorophenamide                                      | developmental                                | 120-97-8                  | February 27, 2001  |
| Diclofop methyl  | developmental                                | 51338-27-3                | March 5, 1999      |
| Dicumarol  | developmental                                | 66-76-2                   | October 1, 1992    |
| Di(2-ethylhexyl)phthalate (DEHP)                       | developmental, male                          | 117-81-7                  | October 24, 2003   |
| Diethylstilbestrol (DES)                               | developmental                                | 56-53-1                   | July 1, 1987       |
| Diffunisal   | developmental, female                        | 22494-42-4                | January 29, 1999   |
| Diglycidylether  | male   | 2238-07-5                 | August 7, 2009     |
| <u>Delisted April 4, 2014</u>                          |  |                           |                    |
| Di-n-hexyl phthalate (DnHP)                            | female, male                                 | 84-75-3                   | December 2, 2005   |
| Dihydroergotamine mesylate                             | developmental                                | 6190-39-2                 | May 1, 1997        |
| Di-isodecyl phthalate (DIDP)                           | developmental                                | 68515-49-1/<br>26761-40-0 | April 20, 2007     |
| Diltiazem hydrochloride                                | developmental                                | 33286-22-5                | February 27, 2001  |
| N,N-Dimethylacetamide                                  | developmental, male                          | 127-19-5                  | May 21, 2010       |
| m-Dinitrobenzene                                       | male   | 99-65-0                   | July 1, 1990       |
| o-Dinitrobenzene                                       | male   | 528-29-0                  | July 1, 1990       |
| p-Dinitrobenzene                                       | male   | 100-25-4                  | July 1, 1990       |
| 2,4-Dinitrotoluene                                     | male   | 121-14-2                  | August 20, 1999    |
| 2,6-Dinitrotoluene                                     | male   | 606-20-2                  | August 20, 1999    |
| Dinitrotoluene (technical grade)                       | female, male                                 | —                         | August 20, 1999    |
| Dinocap  | developmental                                | 39300-45-3                | April 1, 1990      |
| Dinoseb  | developmental, male                          | 88-85-7                   | January 1, 1989    |
| Diphenylhydantoin (Phenytoin)                          | developmental                                | 57-41-0                   | July 1, 1987       |
| Disodium cyanodithioimidocarbonate                     | developmental                                | 138-93-2                  | March 30, 1999     |
| Doxorubicin hydrochloride<br>(Adriamycin)              | developmental, male                          | 25316-40-9                | January 29, 1999   |
| Doxycycline (internal use)                             | developmental                                | 564-25-0                  | July 1, 1990       |
| Doxycycline calcium (internal use)                     | developmental                                | 94088-85-4                | January 1, 1992    |

| <u>Chemical</u>                           | <u>Type of<br/>Reproductive<br/>Toxicity</u> | <u>CAS No.</u>      | <u>Date Listed</u>           |
|---|--|---------------------|------------------------------|
| Doxycycline hyclate (internal use)        | developmental                                | 24390-14-5          | October 1, 1991              |
| Doxycycline monohydrate<br>(internal use) | developmental                                | 17086-28-1          | October 1, 1991              |
| Endrin                                    | developmental                                | 72-20-8             | May 15, 1998                 |
| Environmental tobacco smoke (ETS)         | developmental                                | —                   | June 9, 2006                 |
| Epichlorohydrin                           | male   | 106-89-8            | September 1, 1996            |
| Ergotamine tartrate                       | developmental                                | 379-79-3            | April 1, 1990                |
| Estropipate                               | developmental                                | 7280-37-7           | August 26, 1997              |
| Ethionamide                               | developmental                                | 536-33-4            | August 26, 1997              |
| Ethyl alcohol in alcoholic beverages      | developmental                                | —                   | October 1, 1987              |
| <del>Ethyl tert-butyl ether</del>         | <del>male</del>                              | <del>637-92-3</del> | <del>December 18, 2009</del> |
| <u>Delisted December 13, 2013</u>         |  |                     |                              |
| Ethyl dipropylthiocarbamate               | developmental                                | 759-94-4            | April 27, 1999               |
| Ethylene dibromide                        | developmental, male                          | 106-93-4            | May 15, 1998                 |
| Ethylene glycol (ingested)                | developmental                                | 107-21-1            | June 19, 2015                |
| Ethylene glycol monoethyl ether           | developmental, male                          | 110-80-5            | January 1, 1989              |
| Ethylene glycol monomethyl ether          | developmental, male                          | 109-86-4            | January 1, 1989              |
| Ethylene glycol monoethyl ether acetate   | developmental, male                          | 111-15-9            | January 1, 1993              |
| Ethylene glycol monomethyl ether acetate  | developmental, male                          | 110-49-6            | January 1, 1993              |
| Ethylene oxide                            | female                                       | 75-21-8             | February 27, 1987            |
|   | developmental, male                          |                     | August 7, 2009               |
| Ethylene thiourea                         | developmental                                | 96-45-7             | January 1, 1993              |
| <del>2-Ethylhexanoic acid</del>           | <del>developmental</del>                     | <del>149-57-5</del> | <del>August 7, 2009</del>    |
| <u>Delisted December 13, 2013</u>         |  |                     |                              |
| Etodolac                                  | developmental, female                        | 41340-25-4          | August 20, 1999              |
| Etoposide                                 | developmental                                | 33419-42-0          | July 1, 1990                 |
| Etretinate                                | developmental                                | 54350-48-0          | July 1, 1987                 |
| Fenoxaprop ethyl                          | developmental                                | 66441-23-4          | March 26, 1999               |
| Filgrastim                                | developmental                                | 121181-53-1         | February 27, 2001            |
| Fluazifop butyl                           | developmental                                | 69806-50-4          | November 6, 1998             |
| Flunisolide                               | developmental, female                        | 3385-03-3           | May 15, 1998                 |
| Fluorouracil                              | developmental                                | 51-21-8             | January 1, 1989              |
| Fluoxymesterone                           | developmental                                | 76-43-7             | April 1, 1990                |
| Flurazepam hydrochloride                  | developmental                                | 1172-18-5           | October 1, 1992              |
| Flurbiprofen                              | developmental, female                        | 5104-49-4           | August 20, 1999              |
| Flutamide                                 | developmental                                | 13311-84-7          | July 1, 1990                 |
| Fluticasone propionate                    | developmental                                | 80474-14-2          | May 15, 1998                 |
| Fluvalinate                               | developmental                                | 69409-94-5          | November 6, 1998             |
| Ganciclovir                               | developmental, male                          | 82410-32-0          | August 26, 1997              |
| Ganciclovir sodium                        | developmental, male                          | 107910-75-8         | August 26, 1997              |
| Gemfibrozil                               | female, male                                 | 25812-30-0          | August 20, 1999              |
| Goserelin acetate                         | developmental, female, male                  | 65807-02-5          | August 26, 1997              |
| Halazepam                                 | developmental                                | 23092-17-3          | July 1, 1990                 |
| Halobetasol propionate                    | developmental                                | 66852-54-8          | August 20, 1999              |
| Haloperidol                               | developmental, female                        | 52-86-8             | January 29, 1999             |
| Halothane                                 | developmental                                | 151-67-7            | September 1, 1996            |
| Heptachlor                                | developmental                                | 76-44-8             | August 20, 1999              |
| Hexachlorobenzene                         | developmental                                | 118-74-1            | January 1, 1989              |
| Hexafluoroacetone                         | developmental, male                          | 684-16-2            | August 1, 2008               |

| <u>Chemical</u>  | <u>Type of<br/>Reproductive<br/>Toxicity</u> | <u>CAS No.</u>  | <u>Date Listed</u>      |
|--|--|-----------------|-------------------------|
| Hexamethylphosphoramide                                | male   | 680-31-9        | October 1, 1994         |
| <u>2,5-Hexanedione</u>                                 | <u>male</u>                                  | <u>110-13-4</u> | <u>December 4, 2015</u> |
| Histrelin acetate                                      | developmental                                | —               | May 15, 1998            |
| Hydramethylnon   | developmental, male                          | 67485-29-4      | March 5, 1999           |
| Hydrogen cyanide (HCN)<br>and cyanide salts (CN salts) | male   | —               | July 5, 2013            |
| Hydroxyurea  | developmental                                | 127-07-1        | May 1, 1997             |
| Idarubicin hydrochloride                               | developmental, male                          | 57852-57-0      | August 20, 1999         |
| Ifosfamide   | developmental                                | 3778-73-2       | July 1, 1990            |
| Iodine-131   | developmental                                | 10043-66-0      | January 1, 1989         |
| Isotretinoin   | developmental                                | 4759-48-2       | July 1, 1987            |
| Lead   | developmental, female, male                  | —               | February 27, 1987       |
| Leuprolide acetate                                     | developmental, female, male                  | 74381-53-6      | August 26, 1997         |
| Levodopa   | developmental                                | 59-92-7         | January 29, 1999        |
| Levonorgestrel implants                                | female                                       | 797-63-7        | May 15, 1998            |
| Linuron  | developmental                                | 330-55-2        | March 19, 1999          |
| Lithium carbonate                                      | developmental                                | 554-13-2        | January 1, 1991         |
| Lithium citrate  | developmental                                | 919-16-4        | January 1, 1991         |
| Lorazepam  | developmental                                | 846-49-1        | July 1, 1990            |
| Lovastatin   | developmental                                | 75330-75-5      | October 1, 1992         |
| Mebendazole  | developmental                                | 31431-39-7      | August 20, 1999         |
| Medroxyprogesterone acetate                            | developmental                                | 71-58-9         | April 1, 1990           |
| Megestrol acetate                                      | developmental                                | 595-33-5        | January 1, 1991         |
| Melphalan  | developmental                                | 148-82-3        | July 1, 1990            |
| Menotropins  | developmental                                | 9002-68-0       | April 1, 1990           |
| Meprobamate  | developmental                                | 57-53-4         | January 1, 1992         |
| Mercaptopurine   | developmental                                | 6112-76-1       | July 1, 1990            |
| Mercury and mercury compounds                          | developmental                                | —               | July 1, 1990            |
| Methacycline hydrochloride                             | developmental                                | 3963-95-9       | January 1, 1991         |
| Metham sodium  | developmental                                | 137-42-8        | May 15, 1998            |
| Methanol   | developmental                                | 67-56-1         | March 16, 2012          |
| Methazole  | developmental                                | 20354-26-1      | December 1, 1999        |
| Methimazole  | developmental                                | 60-56-0         | July 1, 1990            |
| Methotrexate   | developmental                                | 59-05-2         | January 1, 1989         |
| Methotrexate sodium                                    | developmental                                | 15475-56-6      | April 1, 1990           |
| Methyl bromide as a structural fumigant                | developmental                                | 74-83-9         | January 1, 1993         |
| <u>Methyl n-butyl ketone</u>                           | <u>developmental</u>                         | <u>591-78-6</u> | <u>December 4, 2015</u> |
|  | male   |                 | August 7, 2009          |
| Methyl chloride  | developmental                                | 74-87-3         | March 10, 2000          |
|  | male   |                 | August 7, 2009          |
| Methyl isobutyl ketone (MIBK)                          | developmental                                | 108-10-1        | March 28, 2014          |
| Methyl isocyanate (MIC)                                | developmental, female                        | 624-83-9        | November 12, 2010       |
| Methyl isopropyl ketone                                | developmental                                | 563-80-4        | February 17, 2012       |
| <u>Delisted April 4, 2014</u>                          |  |                 |                         |
| Methyl mercury   | developmental                                | —               | July 1, 1987            |
| N-Methylpyrrolidone                                    | developmental                                | 872-50-4        | June 15, 2001           |
| $\alpha$ -Methylstyrene                                | female                                       | 98-83-9         | July 29, 2011           |
| <u>Delisted April 4, 2014</u>                          |  |                 |                         |
| Methyltestosterone                                     | developmental                                | 58-18-4         | April 1, 1990           |
| Metiram  | developmental                                | 9006-42-2       | March 30, 1999          |
| Midazolam hydrochloride                                | developmental                                | 59467-96-8      | July 1, 1990            |

**CALIFORNIA REGULATORY NOTICE REGISTER 2015, VOLUME NO. 49-Z**

| <u>Chemical</u>  | <u>Type of<br/>Reproductive<br/>Toxicity</u> | <u>CAS No.</u>      | <u>Date Listed</u> |
|--|--|---------------------|--------------------|
| Minocycline hydrochloride<br>(internal use)                                | developmental                                | 13614-98-7          | January 1, 1992    |
| Misoprostol  | developmental                                | 59122-46-2          | April 1, 1990      |
| Mitoxantrone hydrochloride   | developmental                                | 70476-82-3          | July 1, 1990       |
| Molinate   | developmental, female, male                  | 2212-67-1           | December 11, 2009  |
| Myclobutanil   | developmental, male                          | 88671-89-0          | April 16, 1999     |
| Nabam  | developmental                                | 142-59-6            | March 30, 1999     |
| Nafarelin acetate  | developmental                                | 86220-42-0          | April 1, 1990      |
| Neomycin sulfate (internal use)  | developmental                                | 1405-10-3           | October 1, 1992    |
| Netilmicin sulfate   | developmental                                | 56391-57-2          | July 1, 1990       |
| Nickel carbonyl  | developmental                                | 13463-39-3          | September 1, 1996  |
| Nicotine   | developmental                                | 54-11-5             | April 1, 1990      |
| Nifedipine   | developmental, female, male                  | 21829-25-4          | January 29, 1999   |
| Nimodipine   | developmental                                | 66085-59-4          | April 24, 2001     |
| Nitrapyrin   | developmental                                | 1929-82-4           | March 30, 1999     |
| Nitrobenzene   | male   | 98-95-3             | March 30, 2010     |
| Nitrofurantoin   | male   | 67-20-9             | April 1, 1991      |
| Nitrogen mustard (Mechlorethamine)   | developmental                                | 51-75-2             | January 1, 1989    |
| Nitrogen mustard hydrochloride<br>(Mechlorethamine hydrochloride)          | developmental                                | 55-86-7             | July 1, 1990       |
| Nitrous oxide  | developmental, female                        | 10024-97-2          | August 1, 2008     |
| Norethisterone (Norethindrone)   | developmental                                | 68-22-4             | April 1, 1990      |
| Norethisterone acetate<br>(Norethindrone acetate)                          | developmental                                | 51-98-9             | October 1, 1991    |
| Norethisterone (Norethindrone)/<br>Ethinyl estradiol                       | developmental                                | 68-22-4/<br>57-63-6 | April 1, 1990      |
| Norethisterone (Norethindrone)/Mestranol                                   | developmental                                | 68-22-4/<br>72-33-3 | April 1, 1990      |
| Norgestrel   | developmental                                | 6533-00-2           | April 1, 1990      |
| Oxadiazon  | developmental                                | 19666-30-9          | May 15, 1998       |
| Oxazepam   | developmental                                | 604-75-1            | October 1, 1992    |
| p,p'-Oxybis(benzenesulfonylhydrazide)<br><u>Delisted December 13, 2013</u> | developmental                                | 80-51-3             | August 7, 2009     |
| Oxydemeton methyl  | female, male                                 | 301-12-2            | November 6, 1998   |
| Oxymetholone   | developmental                                | 434-07-1            | May 1, 1997        |
| Oxytetracycline (internal use)   | developmental                                | 79-57-2             | January 1, 1991    |
| Oxytetracycline hydrochloride<br>(internal use)                            | developmental                                | 2058-46-0           | October 1, 1991    |
| Oxythioquinox (Chinomethionat)   | developmental                                | 2439-01-2           | November 6, 1998   |
| Paclitaxel   | developmental, female, male                  | 33069-62-4          | August 26, 1997    |
| Paramethadione   | developmental                                | 115-67-3            | July 1, 1990       |
| Penicillamine  | developmental                                | 52-67-5             | January 1, 1991    |
| Pentobarbital sodium   | developmental                                | 57-33-0             | July 1, 1990       |
| Pentostatin  | developmental                                | 53910-25-1          | September 1, 1996  |
| Phenacemide  | developmental                                | 63-98-9             | July 1, 1990       |
| Phenprocoumon  | developmental                                | 435-97-2            | October 1, 1992    |
| Phenylglycidyl ether<br><u>Delisted April 4, 2014</u>                      | male   | 122-60-1            | August 7, 2009     |
| Phenylphosphine  | developmental, male                          | 638-21-1            | August 7, 2009     |
| Pimozide   | developmental, female                        | 2062-78-4           | August 20, 1999    |

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

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

Date: December 4, 2015

**RULEMAKING PETITION  
DECISION**

**MEDICAL BOARD OF CALIFORNIA**

**DATE:** November 20, 2015

**ACTION:** Notice of Decision on Petition for Rulemaking Action

**SUBJECT:** Petition by the Consumers Union Safe Patient Project Requesting Amendments to the Manual of Model Disciplinary Orders and Disciplinary Guidelines, Incorporated by Reference

into Title 16 of the California Code of Regulations section 1361.

**AGENCY RESPONDING TO PETITION**

Medical Board of California (Board), 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815.

**PETITIONERS/PETITION**

The Consumers Union Safe Patient Project (CUSPP) filed a Petition with the Board on October 8, 2015, requesting the Board to amend the Manual of Model Disciplinary Orders and Disciplinary Guidelines (Disciplinary Guidelines), incorporated by reference into Title 16 of the California Code of Regulations (CCR) section 1361. The Petition was presented to the Board for consideration on October 30, 2015. The Board voted to deny the Petition. On November 5, 2015, CUSPP was notified that the Board would provide a formal written response to the Petition on or before December 1, 2015. Pursuant to the requirements of Government Code sec-

tion 11340.7, the Board issues this Decision on the CUSPP Petition.

**CALIFORNIA CODE OF REGULATIONS REQUESTED TO BE AFFECTED**

Title 16 CCR section 1361, which incorporates the Board’s Disciplinary Guidelines by reference.

**AUTHORITY**

Pursuant to the authority provided by Section 2018 of the Business and Professions Code the Board may adopt, amend and repeal regulations as necessary to carry into effect the provisions of law relating to the practice of medicine.

**SUMMARY OF THE ACTION REQUESTED**

CUSPP petitioned the Board to amend its Disciplinary Guidelines to require that physicians on probation disclose their probationary status to their patients, and to specifically require as standard conditions of probation the following:

1. That physicians who continue to see patients be required to inform their patients of their probationary status;
2. That patients be notified of the physician’s probationary status when the patient contacts the physician’s office to make an appointment;
3. That this disclosure be required to be in writing and signed at the time of the patient’s appointment by each patient the physician sees while on probation to acknowledge the notice;
4. That this disclosure be posted in the physician’s office in a place readily apparent to patients;
5. That the written disclosures described in 3 and 4 above include at least a one–paragraph description of the offenses that led the Board to place the physician on probation;
6. That the written disclosures include a description of any practice restrictions placed on the physician;
7. That the patient be referred for more details to Board online documents related to the physician’s probation;
8. That the physician maintains a log of all patients to whom the required oral notification was made. The log should contain the following: 1) patient’s name, address and phone number; 2) patient’s medical record number, if available; 3) the full name of the person making the notification; 4) the date notification was made; 5) a copy of the notification given; and 6) a signed attestation by the patient that notification was received. The physician shall keep this log in a separate file or ledger, in chronological order, shall make the log available for immediate inspection and copying on

the premises at all times during business hours by the Board or its designee, and shall retain the log for the entire term of probation.

**BOARD DETERMINATION**

After review and discussion, the Board voted to deny the Petition for the reasons described below.

First, details relating to physician discipline are already accessible to the public by several different means, including via the Board’s website; by receiving the Board’s email notifications regarding physician discipline; and by calling or writing the Board for such information. Patients should obtain the public information from the Board relating to physician discipline to ensure they are getting complete and accurate details at a time when they can consider the implications and put the matter into context as it relates to their own personal care. Physicians and their staff may not have time to go over all the details that are accessible from the Board, and patients should not be put in the position of having to make a decision based on limited information at the moment they are seeking care.

Second, receiving limited disciplinary information from the physician or his or her staff at the time care is sought may irreparably harm the physician–patient relationship in a way that does not further patient protection. Patients who need care may delay or forego treatment altogether due to limited or no other provider options in the area. Patients would be better served by obtaining the disciplinary details from the Board and determining whether and how their physicians’ disciplinary history may impact their own health care situation. Patients are free to ask their physicians about their disciplinary history, but having the details ahead of time will help give patients important context.

Third, where the Board determines patient notification of probationary status is warranted, it is already required by the Disciplinary Guidelines. When such notification is not indicated pursuant to the Disciplinary Guidelines, the direct notification to patients may send a mixed message about the physician’s ability to practice. When a physician is placed on probation, the Board has made the determination that the physician is safe to practice under specified terms and conditions. When the Board determines that a physician is not safe to practice, his or her license is suspended or revoked. Accordingly, requiring physicians to provide what amounts to a “warning” to their patients about their disciplinary history when they are placed on probation for any reason may lead to confusion about whether the physicians are safe to practice. Again, relying on the Board documents relating to physician discipline will provide details and context to patients who want to know about their physicians’ history. Significantly, no health care board or bureau within the Department of Consumer Affairs re-

quires licensees to notify patients of their disciplinary status as a standard term of probation in all cases.

Finally, the Board is concerned that requiring physicians to notify patients whenever they are put on probation for any reason will have a negative impact to the Board's public protection efforts. Currently, the Board is able to resolve most complaints warranting discipline by stipulated settlement. Settling disciplinary cases leads to earlier resolutions and gets physicians on probation faster than if the cases had to go through administrative hearings. Likewise, placing physicians on probation via stipulation imposes monitoring requirements and other terms and conditions sooner than if the case had to be scheduled for hearing. Requiring physicians to notify their patients of their probationary status at medical appointments would likely lead to fewer stipulated settlements, and delay resolution of all disciplinary cases waiting for hearing dates. This result would be counter to the Board's priority of public protection.

#### CONCLUSION

For the reasons set forth above, the Board denied CUSPP's Petition and will not initiate a rulemaking action to amend the Disciplinary Guidelines incorporated by reference into Title 16 CCR section 1361 as requested. The Board, however, appreciates and shares CUSPP's interest in patient safety, and looks forward to working with CUSPP and other stakeholders to improve patient protection and awareness of the Board and its role as a consumer protection agency.

#### CONTACT PERSON

Inquiries concerning this decision may be directed to Kerrie Webb, Senior Staff Counsel, Medical Board of California, by mail at: 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815, by telephone at: 916-263-2389, or by email at Kerrie.Webb@mbc.ca.gov.

#### AVAILABILITY OF PETITION

The Petition is available upon request directed to the contact person listed above.

### DISAPPROVAL DECISION

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

## DEPARTMENT OF SOCIAL SERVICES

### State of California Office of Administrative Law

#### In re:

Department of Social Services

#### Regulatory Action:

Title: Manual of Policies and Procedures

Adopt sections: 45-600, 45-601, 45-602, 45-604, 45-605, 45-606, 45-607

Amend sections: 31-002, 31-003, 31-075, 31-201, 31-205, 31-206, 31-225, 31-425, 31-503, 90-101

#### DECISION OF DISAPPROVAL OF REGULATORY ACTION

Government Code Section 11349.3

OAL Matter Number: 2015-1002-02

OAL Matter Type: Regular (S)

#### SUMMARY OF REGULATORY ACTION

On October 2, 2015, the Department of Social Services (Department) submitted to the Office of Administrative Law (OAL) its proposed regulatory action to amend existing sections and adopt new sections in its Manual of Policies and Procedures (MPP) to define terms related to the kinship guardianship assistance payment (Kin-GAP) program. It also proposes to describe the program eligibility requirements, the circumstances under which Kin-GAP may be extended, conditions for payment, and child support referral requirements.

On October 16, 2015, OAL notified the Department that OAL disapproved the proposed regulations because the regulations failed to comply with the clarity and necessity standards of Government Code section 11349.1 and the Department failed to follow procedures required by the Administrative Procedure Act (APA). This Decision of Disapproval of Regulatory Action explains the reasons for OAL's action.

#### DECISION

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



1. The proposed regulations failed to comply with the clarity standard of Government Code section 11349.1, subdivision (a)(3), and title 1, section 16 of the California Code of Regulations;
2. The proposed regulations failed to comply with the necessity standard of Government Code section 11349.1, subdivision (a)(1), and title 1 of the California Code of Regulations, section 10, subdivision (b); and
3. The Department failed to meet APA procedural requirements by omitting to:
  - 3.1. mail the notice of proposed action to every person who has filed a request for notice of regulatory actions with the state agency at least 45 days prior to the hearing and close of the public comment period, pursuant to Government Code section 11346.4, subdivision (a)(1);
  - 3.2. include in the rulemaking file a Standard Form 399 that has concurrence from the State Department of Finance, pursuant to Government Code section 11347.3, subdivision (b)(5);
  - 3.3. clearly identify documents to be incorporated by title and date of publication or issuance in the notices, pursuant to title 1 of the California Code of Regulations, section 20;
  - 3.4. include all required documents in the rulemaking file, pursuant to Government Code section 11347.3, subdivision (b); and
  - 3.5. summarize and respond to all of the public comments made regarding the proposed action pursuant to Government Code section 11346.9, subdivision (a)(3);

All APA issues must be resolved prior to OAL's approval of any resubmission.

**CONCLUSION**

For these reasons OAL disapproved the above-referenced rulemaking action. If you have any questions, please do not hesitate to contact me at (916) 323-6824.

Date: November 23, 2015

/s/

Thanh Huynh  
 Senior Attorney  
 FOR: Debra M. Cornez  
 Director

Original: Will Lightbourne  
 Copy: Ying Sun

**SUMMARY OF REGULATORY ACTIONS**

**REGULATIONS FILED WITH SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2015-1113-04  
**BOARD OF EDUCATION**  
 California Assessment of Student Performance and Progress (CAASPP)

This action amends regulations governing the California Assessment of Student Performance and Progress (CAASPP) examination to align state standards with standardized testing guidelines of the Smarter Balanced Assessment Consortium.

Title 5  
 ADOPT: 851.5, 853.6, 853.8 AMEND: 850, 851, 853, 853.5, 853.7, 855, 857, 858, 859, 860, 861, 862, 862.5, 863, 864  
 Filed 11/23/2015  
 Effective 11/23/2015  
 Agency Contact: Hillary Wirick (916) 319-0644

File# 2015-1013-02  
**BOARD OF FORESTRY AND FIRE PROTECTION**  
 Rule Alignment, 2015

The Board of Forestry and Fire Protection submitted this timely certificate of compliance to make permanent the changes made to one of the emergency regulations amended in OAL file no. 2015-0701-02E, specifically, the changes made to section 1052.1. The emergency rulemaking action amended sections 1038 and 1052.1 in title 14 of the California Code of Regulations. The amendments to section 1052.1 added drought as a condition that constitutes an emergency and is made permanent by this certification. The changes made to section 1038, applicable to the harvesting of dead and dying trees in response to drought related stress, are not certified in the action.

Title 14  
 AMEND: 1052.1  
 Filed 11/23/2015  
 Effective 01/01/2016  
 Agency Contact: Thembi Borrás (916) 653-9633

File# 2015-1013-03  
BOARD OF FORESTRY AND FIRE PROTECTION  
Rule Alignment, 2015

This rulemaking by the Board of Forestry and Fire Protection amends sections in Title 14 of the California Code of Regulations regarding the implementation of the Forest Practice Rules. This action amends the Forest Practice Rules to bring them into compliance with Public Resources Code sections 4590 and 4584, regarding the effective period of a plan and other updates. Additionally, inconsistencies and other errors are corrected, and items are updated.

Title 14  
AMEND: 895.1, 916.9, 917.2, 937.2, 957.2, 937.3, 957.3, 929.1, 949.1, 969.1, 1038, 1039.1, 1041, 1092.01, 1092.26, 1092.28, 1109.4  
Filed 11/23/2015  
Effective 01/01/2016  
Agency Contact: Thembi Borrás (916) 653-9633

File# 2015-1008-02  
BOARD OF OCCUPATIONAL THERAPY  
Accept CHT Certification for Advance Practice

This rulemaking action by the Board of Occupational Therapists amends sections 4151 and 4152 of title 16 of the California Code of Regulations. These amendments provide an alternate method for a therapist to receive approval to provide the advanced practice services of hand therapy.

Title 16  
AMEND: 4151, 4152  
Filed 11/20/2015  
Effective 01/01/2016  
Agency Contact: Heather Martin (916) 263-2294

File# 2015-1008-03  
BOARD OF PHARMACY  
Pharmacy Technician Application

This rulemaking by the Board of Pharmacy (Board) amends the application requirements for licensure as a pharmacy technician under title 16, California Code of Regulations, section 1793.5.

Title 16  
AMEND: 1793.5  
Filed 11/19/2015  
Effective 01/01/2016  
Agency Contact: Katrina Trinchera (916) 574-7946

File# 2015-1009-05  
BUREAU FOR PRIVATE POSTSECONDARY  
EDUCATION  
Accreditation of Degree Granting Institutions

This certificate of compliance by the Bureau of Private Postsecondary Education makes permanent emergency matter no. 2015-0120-01E (readopted in matter no. 2015-0720-01EE), which implements recent statutory changes regarding accreditation of degree-offering postsecondary institutions. Regulatory modifications include new definitions, procedures for creating plans for accreditation and associated timelines, and revised processes for application, closure, various student notifications, suspension of programs, and enforcement.

Title 5  
ADOPT: 71105, 71105.5, 71410, 71471, 71775, 71775.5, 74240, 74250, 75140 AMEND: 70000, 71400, 71650, 75150  
Filed 11/23/2015  
Effective 11/23/2015  
Agency Contact: Kent Gray (916) 246-3007

File# 2015-1009-02  
CALIFORNIA ARCHITECTS BOARD  
Internship in Architecture Program (IAP)

This action amends and updates the version of the Canadian Internship in Architecture (IAP) Manual from the 2001 version to the 2012 version, which is incorporated by reference. Current regulation permits a new or inactive candidate applying to the California Architects Board for eligibility evaluation for the Architect Registration Examination (ARE) to complete an internship program on one of two tracks: (1) the United States Intern Development Program (IDP), as set forth in the incorporated version of the IDP Guidelines document; or (2) the Canadian IAP, as set forth in the incorporated version of the IAP of Canada document.

Title 16  
AMEND: 109  
Filed 11/23/2015  
Effective 01/01/2016  
Agency Contact: Timothy Rodda (916) 575-7217

File# 2015-1013-06  
CEMETERY AND FUNERAL BUREAU  
Funeral General Regulations

This rulemaking by the Cemetery and Funeral Bureau (Bureau) amends regulations in title 16, of the California Code of Regulations relating to licensed funeral establishments generally.

Title 16  
AMEND: 1209, 1214, 1216, 1221, 1255, 1258, 1258.1, 1258.2, 1258.4 REPEAL: 1258.3  
Filed 11/25/2015  
Effective 01/01/2016  
Agency Contact: Cheryl Jenkins (916) 574-8203

File# 2015-1013-08  
CEMETERY AND FUNERAL BUREAU  
Cemetery Cite and Fine Regulations

The Cemetery and Funeral Bureau proposed to adopt section 2386.5 and amend sections 2382, 2383, 2384, 2385, 2386, 2387, and 2388 of title 16 of the California Code of Regulations regarding citations and fines.

Title 16  
ADOPT: 2386.5 AMEND: 2382, 2383, 2384, 2385,  
2386, 2387, 2388  
Filed 11/24/2015  
Effective 01/01/2016  
Agency Contact: Cheryl Jenkins (916) 574-8203

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

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

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

File# 2015-1103-01  
DEPARTMENT OF CORRECTIONS AND  
REHABILITATION  
Searches and Inspections—Canines

This rulemaking action by the Department of Corrections and Rehabilitation (Department) is an emergency of operational necessity pursuant to Penal Code section 5058.3. This action amends title 15, section 3173.2 of the California Code of Regulations to modify search options for individuals who alert positive as a result of passive canine air scans. The Department will no longer conduct unclothed searches of visitors based solely upon a positive passive canine air scan.

Title 15  
AMEND: 3173.2  
Filed 11/23/2015  
Effective 11/23/2015  
Agency Contact: Sherri Garcia (916) 445-2266

File# 2015-1123-04  
DEPARTMENT OF FOOD AND AGRICULTURE  
Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action will expand the quarantine area for the Asian Citrus Psyllid (ACP) (*Diaphorina citri*) by approximately 32 square miles in the Bakersfield area and 111 square miles in the Taft area of Kern County. The effect of the emergency action provides authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the state already under quarantine for the ACP.

Title 3  
AMEND: 3435(b)  
Filed 11/24/2015  
Effective 11/24/2015  
Agency Contact: Sara Khalid (916) 403-6625

File# 2015-1123-05  
DEPARTMENT OF FOOD AND AGRICULTURE  
Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action will expand the quarantine area for the Asian Citrus Psyllid (ACP) (*Diaphorina citri*) by approximately 64 square miles in the Daly City area of San Mateo County, expanding into San Francisco County. The effect of the emergency action provides authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the state already under quarantine for the ACP.

Title 3  
AMEND: 3435(b)  
Filed 11/24/2015  
Effective 11/24/2015  
Agency Contact: Sara Khalid (916) 403-6625

File# 2015-1109-02  
DEPARTMENT OF FORESTRY AND FIRE  
PROTECTION

Amendment to CAL FIRE Conflict-of-Interest Code

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

Title 14  
AMEND: 890  
Filed 11/19/2015  
Effective 12/19/2015  
Agency Contact: Toby A. McCartt (916) 657-0561

File# 2015-1113-02  
DEPARTMENT OF JUSTICE  
Firearm Safety Certificates and Safe Handling  
Demonstrations

This emergency readoption action readopts for a period of 90 days emergency regulations which implement Senate Bill 683 (Chapter 761, Statutes of 2013; effec-

tive January 1, 2015). More specifically, the emergency regulations establish Department of Justice Certified Instructor (Instructor) qualifications to administer Firearm Safety Certificate (FSC) testing and to observe safe firearm handling demonstrations by firearms purchasers. The regulations also require Instructors to use the Firearms Certification System for the issuance of FSCs and specify FSC test application qualifications and fees and FSC test topics and provisions concerning FSC test administration, FSC issuance, and FSC duplicates and replacements. In addition, the regulations establish rules for safe handling demonstrations generally and regarding categories of firearms. Finally, the regulations specify the training qualifications, course content, and specifications of certificates of completion of entities deemed by the Department of Justice to be similar or equivalent to statutorily listed firearm-safety organizations.

Title 11  
 ADOPT: 4250, 4251, 4252, 4253, 4254, 4255, 4256, 4257, 4258, 4259  
 Filed 11/23/2015  
 Effective 11/23/2015  
 Agency Contact: Jeff Amador (916) 227-4217

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

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

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

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

The Department of Pesticide Regulation (Department) proposed this action to amend sections 6260, 6262, 6264, and 6266 of title 3 of the California Code of Regulations, which affects activities pertaining to research authorizations for testing pesticides. The proposed action clarifies the information required in research authorization applications and related reports by eliminating from the regulations the required elements for these documents and putting the elements and additional required information in five new incorporated by reference forms. The proposed action also revises an existing notification requirement that researchers must

give to county agricultural commissioners (CACs) from 24 hours to 72 hours. CACs are the local enforcers of pesticide laws and regulations. The extended notification requirement allows more time for CACs to ensure compliance with the conditions and limitations of the research authorization and evaluate potential impacts that may occur from a pesticide application. CACs will have the discretion to reduce the time of the required notice from the researcher. The proposed action will ensure that the Department has all the specific details pertaining to a pesticide application at the same time the CAC is notified of an intended pesticide application.

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

File# 2015-1009-01  
 DIVISION OF WORKERS' COMPENSATION  
 Workers' Compensation — Supplemental Job Displacement Benefit

This action by the Division of Workers' Compensation makes changes without regulatory effect to title 8, section 10133.32, in the California Code of Regulations.

Title 8  
 AMEND: 10133.32  
 Filed 11/23/2015  
 Agency Contact: Carol Finuliar (510) 286-0660

File# 2015-1110-06  
 FISH AND GAME COMMISSION  
 Close Crab Fisheries due to Elevated Levels of Domoic Acid

The Fish and Game Commission is modifying section 29.85 as a change without regulatory effect by correcting the word "though" to "through" in subdivisions (a)(2) and (b)(2).

Title 14  
 AMEND: 29.85  
 Filed 11/24/2015  
 Agency Contact: Caren Woodson (916) 653-4899

File# 2015-1113-06  
 MENTAL HEALTH SERVICES OVERSIGHT AND ACCOUNTABILITY COMMISSION  
 Conflict-of-Interest Code

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

Title 2  
 ADOPT: 59550  
 Filed 11/19/2015  
 Effective 12/19/2015  
 Agency Contact:  
 Filomena Yeroshek (916) 445-8701

09/10/15 AMEND: 60000, 60010, 60510, 60550, 60560  
 09/09/15 ADOPT: 59750  
 09/08/15 AMEND: 560  
 08/13/15 AMEND: 1859.163.1  
 07/30/15 ADOPT: 599.980, 599.981, 599.982, 599.983, 599.984, 599.985, 599.986  
 AMEND: 599.980 (renumbered to 599.987), 599.981 (renumbered to 599.988), 599.982 (renumbered to 599.989), 599.985 (renumbered to 599.990), 599.986 (renumbered to 599.991), 599.987 (renumbered to 599.992), 599.988 (renumbered to 599.993), 599.990 (renumbered to 599.994), 599.992 (renumbered to 599.995), 599.993 (renumbered to 599.996), 599.994 (renumbered to 599.997), 599.995 (renumbered to 599.998)  
 07/16/15 AMEND: 548.42, 548.124  
 07/15/15 AMEND: 59640  
 07/15/15 AMEND: 18404.2  
 07/10/15 AMEND: 18700, 18700.1, 18700.3, 18701, 18702, 18702.2, 18702.4, 18747

**CCR CHANGES FILED  
 WITH THE SECRETARY OF STATE  
 WITHIN June 24, 2015 TO  
 November 25, 2015**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 2**

11/19/15 ADOPT: 59550  
 11/09/15 AMEND: 18225.7 REPEAL: 18550.1  
 11/04/15 AMEND: 37000  
 11/03/15 AMEND: 1859.2, 1859.71.4, 1859.78.1, 1859.79.2, 1859.82, 1859.83, 1859.125, 1859.125.1, 1859.145, 1859.163.1, 1859.163.5, 1859.167.2, 1859.193  
 10/28/15 AMEND: 52400  
 10/19/15 AMEND: 18422  
 10/19/15 AMEND: 18422.5  
 10/12/15 AMEND: 599.500  
 09/24/15 AMEND: 1181.1, 1181.2, 1181.3, 1181.4, 1181.6, 1181.7, 1181.8, 1181.9, 1181.10, 1181.11, 1181.12, 1181.13, 1182.1, 1182.2, 1182.3, 1182.4, 1182.5, 1182.6, 1182.7, 1182.8, 1182.10, 1182.12, 1182.13, 1183.1, 1183.2, 1183.4, 1183.5, 1183.7, 1183.8, 1183.9, 1183.11, 1183.12, 1183.13, 1183.14, 1183.15, 1183.16, 1183.17, 1183.18, 1184.1, 1185.1, 1185.2, 1185.3, 1185.4, 1185.5, 1185.6, 1185.7, 1185.8, 1185.9, 1186.1, 1186.2, 1186.3, 1186.4, 1186.5, 1186.6, 1186.7, 1187.1, 1187.2, 1187.3, 1187.4, 1187.5, 1187.6, 1187.7, 1187.8, 1187.9, 1187.10, 1187.11, 1187.12, 1187.13, 1187.14, 1187.15, 1188.1, 1188.2, 1190.1, 1190.2, 1190.3, 1190.4, 1190.5  
 09/21/15 AMEND: 35101  
 09/16/15 AMEND: 54100  
 09/14/15 AMEND: 55200

**Title 3**

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

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06/24/15 AMEND: 3435(b)  
 06/24/15 AMEND: 2751(b)

**Title 4**

11/17/15 AMEND: 2000  
 11/09/15 ADOPT: 5258, 5271, 5273 AMEND:  
 5033, 5052, 5100, 5102 (renumbered to  
 5101), 5103 (renumbered to 5102), 5104  
 (renumbered to 5103), 5105 (renumbered  
 to 5104), 5106 (renumbered to 5105),  
 5107 (renumbered to 5106), 5132, 5170,  
 5190, 5191, 5192, 5200, 5205, 5210,  
 5230, 5232, 5250, 5255, 5260, 5267  
 REPEAL: 5101  
 11/02/15 ADOPT: 8078.3, 8078.4, 8078.5, 8078.6,  
 8078.7  
 10/27/15 AMEND: 8035  
 10/26/15 AMEND: 10170.2, 10170.3, 10170.4,  
 10170.5, 10170.6, 10170.7, 10170.8,  
 10170.9, 10170.10, 10170.11  
 10/05/15 AMEND: 1843.2  
 09/08/15 ADOPT: 8130, 8131, 8132, 8133, 8134,  
 8135, 8136, 8137, 8138  
 09/08/15 ADOPT: 10091.1, 10091.2, 10091.3,  
 10091.4, 10091.5, 10091.6, 10091.7,  
 10091.8, 10091.9, 10091.10, 10091.11,  
 10091.12, 10091.13, 10091.14, 10091.15  
 08/31/15 AMEND: 1844  
 08/19/15 AMEND: 1433  
 07/31/15 ADOPT: 1866.1 AMEND: 1844  
 07/28/15 AMEND: 10325  
 07/23/15 AMEND: 1632  
 07/22/15 AMEND: 400, 401, 402, 403, 404, 405,  
 406  
 07/15/15 AMEND: 1588  
 07/02/15 AMEND: 5205, 5230, 5170

**Title 5**

11/23/15 ADOPT: 71105, 71105.5, 71410, 71471,  
 71775, 71775.5, 74240, 74250, 75140  
 AMEND: 70000, 71400, 71650, 75150  
 11/23/15 ADOPT: 851.5, 853.6, 853.8 AMEND:  
 850, 851, 853, 853.5, 853.7, 855, 857,  
 858, 859, 860, 861, 862, 862.5, 863, 864  
 11/18/15 ADOPT: 80002 AMEND: 80001  
 11/03/15 AMEND: 1505  
 10/06/15 AMEND: 80225  
 10/05/15 AMEND: 19810  
 09/10/15 AMEND: 19810  
 07/30/15 ADOPT: 71105, 71105.5, 71410, 71471,  
 71775, 71775.5, 74240, 74250, 75140  
 AMEND: 70000, 71400, 71650, 75150  
 07/20/15 ADOPT: 80054.1 AMEND: 80054

**Title 8**

11/23/15 AMEND: 10133.32  
 11/05/15 AMEND: 333, 336

10/21/15 AMEND: 15600, 15609  
 09/21/15 ADOPT: 14006.1 AMEND: 14003,  
 14007  
 09/21/15 ADOPT: 9785.2.1, 9785.3.1, 9785.4.1,  
 AMEND: 9770, 9785, 9785.4, 9792.5.1  
 09/15/15 AMEND: 3437, 3441, 3664(b)  
 08/28/15 AMEND: 3411  
 08/27/15 AMEND: 8397.4  
 08/27/15 AMEND: 1710  
 08/24/15 AMEND: 9810, 9811, 9812, 9814, 9815,  
 9881.1, 10139 REPEAL: 9813  
 08/20/15 AMEND: 14300.2  
 08/12/15 AMEND: 30, 30.5, 31.1, 100, 104, 105,  
 106, 109  
 08/10/15 AMEND: 333, 336  
 07/30/15 ADOPT: 5184 AMEND: 5185  
 07/06/15 AMEND: 5530, 5568, 5572, 5574, 5575,  
 5621, 2540.7, 2540.8

**Title 9**

11/05/15 AMEND: 4210  
 10/07/15 ADOPT: 3200.245, 3200.246, 3510.010,  
 3560, 3560.010, 3560.020, 3700, 3701,  
 3705, 3706, 3710, 3715, 3720, 3725,  
 3726, 3730, 3735, 3740, 3745, 3750,  
 3755, 3755.010  
 10/02/15 AMEND: 10701  
 08/31/15 AMEND: 881  
 08/26/15 AMEND: 513, 524, 530, 541, 553, 620,  
 620.1, 1900, 1901, 1904, 1913, 1921  
 08/24/15 AMEND: 1810.110, 1810.214,  
 1810.215, 1810.218, 1810.219,  
 1810.223.5, 1810.224, 1810.230,  
 1810.236, 1810.237, 1810.239,  
 1810.246, 1810.252, 1810.355,  
 1810.380, 1810.425, 1820.110,  
 1820.115, 1820.200, 1830.115,  
 1840.100, 1840.210, 1840.302,  
 1840.312, 1850.210, 1850.213,  
 1850.505, 1850.515, 1850.520,  
 1850.530, 1850.535 REPEAL:  
 1810.214.1  
 07/16/15 ADOPT: 3200.182, 3200.183, 3200.184,  
 3510.020, 3580, 3580.010, 3580.020,  
 3900, 3905, 3910, 3910.010, 3910.015,  
 3910.020, 3915, 3925, 3930, 3935

**Title 10**

11/02/15 AMEND: 2498.5  
 11/02/15 AMEND: 2498.4.9  
 11/02/15 AMEND: 2498.6  
 10/26/15 ADOPT: 2240.15, 2240.16, 2240.6,  
 2240.7 AMEND: 2240, 2240.1, 2240.4,  
 2240.5  
 10/15/15 ADOPT: 5508, 5509, 5510, 5511, 5512,  
 5513, 5514, 5515, 5516

09/17/15 ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620, 6622

08/19/15 AMEND: 1422.6.1, 1422.6.3, 1950.122.5.1, 1950.122.5.3

08/11/15 ADOPT: 80.125.10, 80.129, 80.158.10, 80.166.10, 80.4100.10, 80.4105.10, 80.4105.11, 80.4118.10, 80.4118.11, 80.4305, 80.5100, 80.5200.1, 80.5210, 80.5304.1, 80.5305, 95.600 AMEND: 80.1, 80.2, 80.3, 80.4, 80.5, 80.6, 80.7, 80.8, 80.9, 80.100, 80.125, 80.126, 80.150, 80.151, 80.152, 80.153, 80.154, 80.155, 80.156, 80.157, 80.158, 80.159, 80.160, 80.161, 80.162, 80.163, 80.164, 80.165, 80.166, 80.167, 80.168, 80.169, 80.170, 80.172, 80.173, 80.174, 80.175, 80.176, 80.177, 80.3000, 80.3001, 80.3002, 80.4000, 80.4100, 80.4101, 80.4102, 80.4103, 80.4104, 80.4105, 80.4106, 80.4107, 80.4108, 80.4109, 80.4111, 80.4113, 80.4115, 80.4117, 80.4118, 80.4119, 80.4120, 80.4121, 80.4123, 80.4124, 80.4125, 80.4126, 80.4127, 80.4200, 80.4201, 80.4300, 80.4301, 80.4302, 80.4303, 80.4304, 80.4308, 80.4309, 80.4310, 80.4311, 80.4312, 80.4313, 80.5000, 80.5200, 80.5201, 80.5300, 80.5301, 80.5302, 80.5303, 80.5304, 95.5025, 95.5030  
 REPEAL: 80.127, 80.171, 80.4110, 80.4112, 80.4114, 80.4037, 80.5202, 95.2, 95.3, 95.5010

07/29/15 AMEND: 5350, 5353, 5354, 5354.1, 5356, 5357.1, 5357.2, 5358.6, 5358.7, 5358.10 REPEAL: 5358.1

07/29/15 AMEND: 5350, 5357.1

07/27/15 ADOPT: 2240.15, 2240.16, 2240.6, 2240.7 AMEND: 2240, 2240.1, 2240.4, 2240.5

07/06/15 ADOPT: 6850, 6852, 6854, 6856, 6858, 6860, 6862, 6864, 6866, 6868

06/29/15 ADOPT: 2194.18, 2194.19, 2194.20, 2194.21, 2194.22, 2194.23, 2194.24, 2194.25, 2194.26

**Title 11**

11/23/15 ADOPT: 4250, 4251, 4252, 4253, 4254, 4255, 4256, 4257, 4258, 4259

10/27/15 ADOPT: 313, 314, 315, 316, 999.9, 999.9.1, 999.9.2, 999.9.3, 999.9.4, 999.9.5 AMEND: 999.6, 999.7, 999.8

10/20/15 AMEND: 1005, 1007, 1008

08/31/15 ADOPT: 4250, 4251, 4252, 4253, 4254, 4255, 4256, 4257, 4258, 4259

08/26/15 AMEND: 1011

08/17/15 AMEND: 1009

06/24/15 AMEND: 1005, 1007, 1008

**Title 13**

11/16/15 ADOPT: 2293, 2293.1, 2293.2, 2293.3, 2293.4, 2293.5, 2293.6, 2293.7, 2293.8, 2293.9, Appendix 1 AMEND: 2290, 2291, 2293 (renumbered to 2294), 2293.5 (renumbered to 2295)

11/09/15 AMEND: 551.21

10/21/15 ADOPT: 551.22 AMEND: 550, 551.2

10/12/15 AMEND: 1962.1, 1962.2

10/08/15 AMEND: 1900, 1956.8, 1961.2, 1962.2, 1965, 1976, 1978

09/21/15 AMEND: 1.00

08/12/15 AMEND: 268.12, 285.06, 330.08

07/29/15 AMEND: 125.00, 125.02, 125.12, 125.16, 125.18, 125.20, 126.00, 127.00, 127.08 REPEAL: 126.02

**Title 14**

11/24/15 AMEND: 29.85

11/23/15 AMEND: 1052.1

11/23/15 AMEND: 895.1, 916.9, 917.2, 937.2, 957.2, 937.3, 957.3, 929.1, 949.1, 969.1, 1038, 1039.1, 1041, 1092.01, 1092.26, 1092.28, 1109.4

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|                 | 1399.153.9, 1399.154, 1399.154.1,  | 10/20/15        | AMEND: 3103   |
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|                 | 1398.47, 1398.52, 1399, 1399.12,   | 08/26/15        | AMEND: 51516.1  |
|                 | 1399.24, 1399.94 REPEAL: 1399.15,  | 08/17/15        | AMEND: 97174  |
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