



# California Regulatory Notice Register

REGISTER 2010, NO. 53-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

DECEMBER 31, 2010

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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.

CALIFORNIA REGULATORY NOTICE REGISTER (USPS 002-931), (ISSN 1041-2654) is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 888-3600. "Periodicals Postage Paid in Saint Paul, MN." **POSTMASTER:** Send address changes to the: CALIFORNIA REGULATORY NOTICE REGISTER, Barclays, a subsidiary of West, a Thomson Reuters Business, P.O. Box 2006, San Francisco, CA 94126. The Register can also be accessed at <http://www.oal.ca.gov>.

**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 CODE**

**AMENDMENT**

MULTICOUNTY: Shasta–Tehama–Trinity Community College District  
 Beaumont–Cherry Valley Water District  
 Fullerton Joint Union High School District  
 School for Integrated Academics & Technologies

A written comment period has been established commencing on **December 31, 2010** and closing on **February 14, 2011**. Written comments should be directed to the Fair Political Practices Commission, Attention Alexandra Castillo, 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 his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **February 14, 2011**. 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 Alexandra Castillo, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322–5660.

**AVAILABILITY OF PROPOSED CONFLICT  
OF INTEREST CODES**

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

**TITLE 8. DIVISION OF  
OCCUPATIONAL SAFETY AND  
HEALTH**

**Notice of Proposed Rulemaking**

The Division of Occupational Safety and Health (Division) proposes the adoption of amendments to Title 8 of the California Code of Regulations, Chapter 3.2, Articles 2.5, 2.6, 2.7, Sections 341.13 Denial of Registration; 341.14 Revocation and Suspension of Registration; 341.15 Certification of Asbestos Consultants and Site Surveillance Technicians; 341.16 Approval of Courses and Course Providers; and 341.17 Asbestos Cement Pipe Training to adopt the current Division procedures for Administrative Hearings. The Division further proposes the adoption of amendments to Section 341.16 Approval of Courses and Course Providers that will enable California to issue accreditation that satisfies the requirements established in the federal Toxic Substance Control Act (TSCA) under the United States Environmental Protection Agency (USEPA) Asbestos Model Accreditation Plan (MAP).

**NATURE OF PROCEEDING**

NOTICE IS HEREBY GIVEN that the Division of Occupational Safety and Health (“the Division”) of the Department of Industrial Relations is proposing to take the action described in the Informative Digest/Policy Statement Overview (“the Proposed Rulemaking”). Any person interested may present statements or arguments orally or in writing relevant to the Proposed Rulemaking at a hearing to be held in the Exam Room at 2211 Park Town Circle, Suite 1, Sacramento CA, 95825-0414, on Monday, February 28, 2011, between 1:30 and 3:30.

The facilities for the public hearing are accessible to persons with mobility impairments, and other disability accommodations are available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the programs of the Division of Occupational Safety

and Health, should contact the Disability Accommodation Coordinator or the state-wide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

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

Written Comment Deadline: Any interested person may submit written comments relevant to the Proposed Rulemaking to the contact person mentioned below by 3:30 p.m. on February 28, 2011. Interested persons may submit written or verbal comments at the public hearing. Persons who are unable or who do not wish to attend the public hearing may mail or FAX comments to:

Jeff Ferrell, Cal/OSHA Asbestos Unit  
2211 Park Towne Circle, Suite 1,  
Sacramento CA 95825-0414  
FAX: (916) 483-0572

The official record of the rulemaking proceeding will be closed at the conclusion of the public hearing. The Division will not consider written comments received after the close of the public hearing unless an extension of time in which to receive written comments is announced at the public hearing.

The Division may thereafter adopt the Proposed Rulemaking substantially as described below or may modify it if such modifications are sufficiently related to the original text. With the exception of technical, grammatical or other non-substantive changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the persons designated in this Notice as contact persons and will be mailed to those persons who submit written or oral testimony related to the Proposed Rulemaking or who request notification of any changes to the Proposed Rulemaking.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by Sections 60.5, 6308, 6501.5, 6501.8, 6505.5, 9021.5, 9021.9 of the Labor Code, and to implement, interpret or make more specific Sections 6505.5 and 6506 of the Labor Code, the Division is considering changes to Division 1 of



Title 8 of the California Code of Regulations as follows: Amendment of Chapter 3.2, Section 344.13 and 341.14 to modify the procedures for denial and revocation of registration of persons doing asbestos-related work.

Pursuant to the authority vested by Sections 60.5, 6308, 6501.8, 6501.9, 6505.5, 6509.5, 9021.5, 9021.9 of the Labor Code, and Sections 7180 through 7189.7 of the Business and Professions Code and to implement, interpret or make specific Section 9021.5 of the Labor Code and Sections 7183 and 7183.5 of the Business and Professions Code, the Division is considering changes to Division 1 of Title 8 of the California Code of Regulations as follows: Amendment of Chapter 3.2, Section 341.15 to modify the procedures for denial and revocation of certifications of asbestos consultants and site surveillance technicians.

Pursuant to the authority vested by Sections 60.5, 6308, 6501.5, 6501.8 and 9021.9 of the Labor Code, and 40 CFR Part 763 and to implement, interpret or make specific Section 9021.9 of the Labor Code the Division is considering changes to Division 1 of Title 8 of the California Code of Regulations as follows: Amendment of Chapter 3.2, Section 341.16 to modify the procedures for denial and revocation of approvals of providers of asbestos classes.

Pursuant to the authority vested by Sections 60.5, 6308, 6501.5, 6501.8 and 9021.9 of the Labor Code, and to implement, interpret or make specific Section 9021.9 of the Labor Code, the Division is considering changes to Division 1 of Title 8 of the California Code of Regulations as follows: Amendment of Chapter 3.2, Section 341.17 to modify the procedures for denial and revocation of approvals of providers of asbestos cement pipe classes for all employees and their supervisors.

Further, pursuant to the authority vested by Sections 60.5, 6308, 6501.5, 6501.8 and 9021.9 of the Labor Code, and 40 CFR Part 763 and to implement, interpret or make specific Section 9021.9 of the Labor Code, the Division is considering changes to Division 1 of Title 8 of the California Code of Regulations as follows: Amendment of Chapter 3.2, Section 341.16 to adopt changes to approval of asbestos courses and course providers that will enable California to issue accreditation that fully satisfies the requirements established in the federal Toxic Substance Control Act (TSCA) under the United States Environmental Protection Agency (USEPA) Asbestos Model Accreditation Plan (MAP).

INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW

Pursuant to Labor Code sections 60.5 and 6308, the Division is charged with the administration and enforcement of the provisions of the California Occupa-

tional Safety and Health Act, commencing with Labor Code section 6300, as well as other provisions of law impacting upon the health and safety of employees and the public in the State of California.

As part of its mandate, the Division regulates the registrations of contractors that engage in asbestos-related work of quantities in excess of 100 square feet, the certification of asbestos consultant and asbestos site surveillance technicians, the approval of asbestos training courses and course providers as specified in 40 CFR Part 763, and the approval of training courses for the safe handling of asbestos containing cement pipe.

The registration of contractors that engage in asbestos related work, the certification asbestos consultants and asbestos site surveillance technicians and the approval of asbestos training courses and training providers are all subject to varying procedures for the denial or revocation of Division approvals. The Division is proposing to change these procedures so that they are all consistent with the Division's standard procedures for administrative hearings as found in Title 8 of the California Code of Regulations 340.40 through 340.52.

The Division's authority to regulate asbestos training courses and course providers is pursuant to 40 CFR Part 763. The Division's activities in this regard are overseen by the United States Environmental Protection Agency (USEPA). The Division's asbestos training course and training provider approval program is currently operating with an interim approval from USEPA. The proposed changes to Title 8 of the California Code of Regulations 341.16, exclusive of those listed above regarding denial and revocation of approvals, are to meet the USEPA requirements for final approval of the Division's program.

Thus, the purpose of the Proposed Rulemaking is to simplify procedures for administrative hearings and to gain final approval from USEPA for the asbestos training course and training provider program.

**Section 341.13 — Registration—Asbestos-Related Work—Denial of Registration.**

Section 341.13 establishes procedures for denial of registration for employers that conduct asbestos-related work. These administrative procedures would be replaced with those found in Title 8 of the California Code of Regulations 340.40 through 340.52.

**Section 341.14 — Registration—Asbestos-Related Work—Revocation or Suspension of Registration.**

Section 341.14 establishes procedures for revocation or suspension of registration for employers that conduct asbestos-related work. These administrative procedures would be replaced with those found in Title 8 of the California Code of Regulations 340.40 through 340.52.

**Section 341.15 — Certification of Asbestos Consultants and Site Surveillance Technicians.**

Section 341.15 establishes procedures for denial or revocation of certification of consultants and site surveillance technicians that conduct asbestos-related work. These administrative procedures would be replaced with those found in Title 8 of the California Code of Regulations 340.40 through 340.52.

**Section 341.16(h) — Approval of Asbestos Training and Course Providers for Training Requirements Relating to Asbestos-Related Work and AHERA.**

Section 341.16(h) establishes procedures for denial or revocation of approval of asbestos training and course providers for training requirements relating to asbestos-related work. These administrative procedures would be replaced with those found in Title 8 of the California Code of Regulations 340.40 through 340.52.

**Section 341.17 — Approval of Asbestos Cement Pipe Training and Asbestos Cement Pipe Course Providers for the Purpose of Employer Exemption from Registration Requirements.**

Section 341.17(g) establishes procedures for denial or revocation of approval of asbestos training and course providers for training requirements relating to asbestos containing cement pipe. These administrative procedures would be replaced with those found in Title 8 of the California Code of Regulations 340.40 through 340.52.

**Section 341.16 — Approval of Asbestos Training and Course Providers for Training Requirements Relating to Asbestos-Related Work and AHERA.**

The changes proposed in this section will satisfy the requirements established by the USEPA for final approval of the Division’s program.

(b)(1)(D) gathers examples of “substantive changes” from various locations in T8CCR 341.16a (MAP) section (I)(F). These changes clarify when a training provider is required to notify the Division that substantive changes have been made to their training program.

(b)(1)(E) eliminates ambiguity regarding who is eligible to take an AHERA refresher class. This change clarifies the requirement that someone seeking to take an AHERA refresher class has previously taken an AHERA initial class and currently holds a valid training certificate for that AHERA discipline. This is from T8CCR 341.16a (MAP) section (I)(D).

(b)(1)(G) is being added to allow trainers of non-AHERA craft classes to combine students from different classes for those portions of the classes where the classes have the same course content. This coincides with the elimination of the note at (b)(2)(A)(2). This

change makes it clear that it is acceptable to combine students from non-AHERA classes. This clarifies language in T8CCR 341.16a (MAP) section (I)(B), which states that AHERA classes cannot be combined.

(b)(1)(H) is being added to clarify that the record-keeping requirements in section (I)(F) of T8CCR 341.16a (MAP) are mandatory. USEPA intended that the contents of T8CCR 341.16a (MAP) be mandatory. This change makes the recordkeeping requirements of T8CCR 341.16a (MAP) section (I)(F) explicitly mandatory.

(b)(2)(A)(2) This note is being eliminated as redundant due to the changes being made to (b)(1)(G).

(b)(2)(D)(2) clarifies that valid certificates for both Building Inspector and Management Planner are required prerequisites for entry into Management Planner Refresher courses. This change makes it clear that the requirements found in T8CCR 341.16a (MAP) (I)(D)(4) are mandatory.

Subsection (b)(2)(F)(2) clarifies that training providers are to provide a one year grace period when accepting training certificates from previous AHERA classes. This change clarifies that the granting of a grace period is mandatory.

(c)(1)(F) is being added to require that the name of the instructor be added to AHERA training certificates. The Division is required to approve all instructors for AHERA classes. This change is being made to verify that the instructor for any given class meets the requirements of section (I)(B), (I)(E)(4), and (I)(F)(2) of T8CCR 341.16a (MAP) and section 341.16(b)(1)(C).

The note from subsection (c)(2) is eliminated. This is an editorial change to eliminate language that is no longer current.

(d)(2)(H) requires a training provider to furnish the Division with a description of their training certificates. This change reduces the risk of fraudulent certificates being issued.

(d)(3) adds language forbidding training providers from trying to sell their Division approvals of training courses. This change clarifies that course approvals are nontransferable.

(d)(4) adds language that allows worker and craft worker courses to be approved in languages other than English. T8CCR 341.16a (MAP) (I)(B)(1) authorizes the Division to approve classes in foreign languages. Subsection (b)(1)(B) specifies that courses offered will be given in a language that is understood by both the course instructor and trainees. The Division currently approves Spanish worker classes and this make the Division’s authority to approve worker and craft worker classes in other languages explicit.

Note following subsection (h): editorial change to correct code reference.

LOCAL MANDATE

The Proposed Rulemaking does not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

The Proposed Rulemaking does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. The Proposed Rulemaking does not impose other nondiscretionary costs or savings on local agencies. The Proposed Rulemaking does not result in any costs or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

No additional costs or savings to state agencies are anticipated.

BUSINESS IMPACT/SMALL BUSINESSES

The Proposed Rulemaking will make minor technical changes to the existing regulations and will not require significant changes or mandates to regulated businesses. The Division has determined therefore, that the Proposed Rulemaking will not result in a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The Proposed Rulemaking would not affect small businesses, as that term is defined in Government Code section 11342.610.

ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES

The Division has determined that the Proposed Rulemaking will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

COST IMPACT ON REPRESENTATIVE PERSON OR BUSINESS

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

EFFECT ON HOUSING COSTS

The Proposed Rulemaking will have no effect on housing costs in California.

ALTERNATIVES

The Division must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the agency's attention, would be more effective in carrying out the purpose for which the amendment of these regulations is proposed, or would be as effective as, and less burdensome to, affected private persons than the Proposed Rulemaking.

AVAILABILITY

Following the close of the public comment period, the Division may adopt the proposal substantially as described herein or may modify the original proposal with sufficiently related changes. With the exception of technical or grammatical changes, the full text of the modified proposal will be available for 15 days prior to its adoption from the person designated in this notice as the contact person. The Division will also mail full text to persons who submit written comments related to the proposal or who have requested notification of any changes.

CONTACT PERSONS

Inquiries concerning the Proposed Rulemaking and written comments may be directed to:

Jeff Ferrell, Senior Industrial Hygienist  
(Primary Contact — ((916) 574-2995))  
Steve Smith, Principal Safety Engineer  
(Secondary Contact — ((916) 574-2996))  
Division of Occupational Safety and Health,  
2211 Park Towne Circle, Suite 1  
Sacramento, CA 95825-0414

INITIAL STATEMENT OF REASONS AND INFORMATION

The Division has prepared an initial statement of reasons for the Proposed Rulemaking and has available all the information upon which the proposal is based.

TEXT OF PROPOSED RULEMAKING

Copies of the exact language of the Proposed Rulemaking and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Division of Occupational Safety and Health, 2211 Park Towne Circle, Suite 1, Sacramento 95825-0414. These documents may also be viewed and downloaded by going to "DIR Rulemaking — Proposed Regulations" under the category "Di-



vision of Occupational Safety and Health” at [www.dir.ca.gov/DIRRulemaking.html](http://www.dir.ca.gov/DIRRulemaking.html).

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

All the information upon which the Proposed Rule-making is based is contained in the rulemaking file which is available for public inspection by contacting the persons named above.

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 above.

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

NOTICE OF PUBLIC MEETING/PUBLIC  
HEARING/BUSINESS MEETING OF THE  
OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD AND NOTICE OF  
PROPOSED CHANGES TO TITLE 8 OF THE  
CALIFORNIA CODE OF REGULATIONS

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

**PUBLIC MEETING: On February 17, 2011,**  
at 10:00 a.m.  
in the Auditorium of the Harris  
State Building,  
1515 Clay Street, Oakland,  
California.

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

**PUBLIC HEARING: On February 17, 2011,**  
following the Public Meeting,  
in the Auditorium of the Harris  
State Building,  
1515 Clay Street, Oakland,  
California.

At the Public Hearing, the Board will consider the public testimony on the proposed changes to occupational safety and health standards in Title 8 of the California Code of Regulations.

**BUSINESS  
MEETING: On February 17, 2011,**  
following the Public Hearing,  
in the Auditorium of the Harris  
State Building,  
1515 Clay Street, Oakland,  
California.

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

**DISABILITY ACCOMMODATION NOTICE**

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

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

**NOTICE OF PROPOSED CHANGES TO TITLE 8  
OF THE CALIFORNIA CODE OF REGULATIONS  
BY THE OCCUPATIONAL SAFETY AND  
HEALTH STANDARDS BOARD**

Notice is hereby given pursuant to Government Code Section 11346.4 and Labor Code Sections 142.1, 142.4 and 144.5, that the Occupational Safety and Health Standards Board pursuant to the authority granted by Labor Code Section 142.3, and to implement Labor Code Section 142.3, will consider the following proposed revisions to Title 8, General Industry Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on **February 17, 2011**.



1. **TITLE 8: CONSTRUCTION SAFETY ORDERS**  
 Division 1, Chapter 4, Subchapter 4  
 Article 2, Section 1504  
 Article 10, Section 1591,  
 New Appendix A  
 Article 11, Section 1597  
**GENERAL INDUSTRY SAFETY ORDERS**  
 Division 1, Chapter 4, Subchapter 7  
 Article 25, Section 3363  
 Article 93, New Section 4925.1  
**MINE SAFETY ORDERS**  
 Division 1, Chapter 4, Subchapter 17,  
 Article 17  
 Section 7016  
**Vehicle Exhaust Retrofits**
2. **TITLE 8: GENERAL INDUSTRY SAFETY ORDERS**  
 Division 1, Chapter 4, Subchapter 7,  
 Article 2  
 Section 3209  
**Standard Guardrails**

Descriptions of the proposed changes are as follows:

1. **TITLE 8: CONSTRUCTION SAFETY ORDERS**  
 Division 1, Chapter 4, Subchapter 4  
 Article 2, Section 1504  
 Article 10, Section 1591,  
 New Appendix A  
 Article 11, Section 1597  
**GENERAL INDUSTRY SAFETY ORDERS**  
 Division 1, Chapter 4, Subchapter 7  
 Article 25, Section 3363  
 Article 93, New Section 4925.1  
**MINE SAFETY ORDERS**  
 Division 1, Chapter 4, Subchapter 17,  
 Article 17  
 Section 7016  
**Vehicle Exhaust Retrofits**

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

This rulemaking was initiated in response to Occupational Safety and Health Standards Board (Standards Board), Petition 507, submitted on August 7, 2008 by Associated General Contractors of California and Operating Engineers, Local 3, concerning modifications of the exhaust systems (exhaust retrofits) of off-road vehicles to comply with the California Air Resources Board (ARB) in-use off road diesel regulation which was approved by the ARB in 2007. According to the ARB, the off-road diesel regulation is necessary to

meet U.S. Environmental Protection Agency (EPA) air quality standards for fine particulate pollution (PM2.5) and reduce the number of annual PM2.5-related premature deaths in California, which the ARB estimates is 9,200.<sup>1</sup> The regulation calls for the installation of exhaust retrofits on diesel-powered construction equipment, mining equipment, and industrial equipment used throughout the state. The regulation has provisions that would exempt vehicles from retrofit if that retrofit could not be done safely, and the regulation defers to the regulations of the Standards Board in making that determination. The ARB estimated that approximately 150,000 vehicles are subject to the retrofit requirements adopted in 2007; however, in October, 2010, the ARB noticed proposed amendments to the regulation which will be heard at the December, 2010, ARB meeting. The amendments would allow employers to turnover vehicles in lieu of installing retrofits. To comply with the proposed amendments, it is anticipated that employers will elect to retrofit a vehicle only where that is the most cost-effective method of compliance. If the amendments are adopted, the total number of retrofits would be much smaller than the number required by the regulation adopted in 2007.

The Standards Board granted Petition 507 on November 20, 2008, and directed staff to work with the Petitioners, ARB, and other affected parties, as appropriate, to develop a rulemaking proposal to be presented to the Board at a future public hearing.

Standards Board staff, ARB staff, and the Petitioners met with staff from the Governor's Office to discuss how to move forward with the Board's Petition Decision and maintain the health benefits of the diesel particulate regulation. In response to the directions given by the Governor's Office, ARB, Standards Board staff, and Division staff worked cooperatively to complete two products. The first product was an interim policy, which currently is in place and recognized by the Air Resources Board, that no retrofit should be installed on a piece of off-road equipment if it impairs visibility to the front, rear, or sides. The second product was a joint field study to examine the impact that exhaust retrofits would have if installed on fifty of the most common types of vehicles in the ARB inventory of vehicles subject to the ARB off-road diesel regulation and potential candidates for exhaust retrofits.<sup>2</sup>

This proposed rulemaking action contains non-substantive, editorial, reformatting of subsections, and

<sup>1</sup> Estimate of Premature Deaths Associated with Fine Particle Pollution (PM2.5) in California Using a U.S. Environmental Protection Agency Methodology, California Air Resources Board, August 31, 2010.

<sup>2</sup> Preliminary Results of Joint ARB/DOSH/OSHSB Field Study of Retrofit Feasibility for Most Common Vehicles, California Air Resources Board Staff Report, May 10, 2010.

grammatical revisions. These non-substantive revisions are not all discussed in this Informative Digest. However, these proposed revisions are clearly indicated in the regulatory text in underline and strikeout format. In addition to these non-substantive revisions, the following actions are proposed:

**Section 1504. Definitions.**

Section 1504 provides definitions that apply in the application of the Construction Safety Orders (CSO). The proposal would add a new definition of “exhaust retrofit.” This definition is needed because the term, “exhaust retrofit” is not defined elsewhere, and the term is used extensively in this proposal. The effect of this new definition is to provide clarity as to the application of the proposed amendments.

**Section 1591. Haulage Vehicles, Equipment—Construction and Maintenance.**

Section 1591 pertains to the construction and maintenance of haulage vehicles and haulage vehicle equipment.

**New Subsection (m).**

The proposal would add a new subsection (m) pertaining to the installation and maintenance of exhaust retrofits on haulage vehicles. Subsections (m)(1) through (m)(4) would address potential hazards of exhaust retrofits, including fires and burns, operator’s safe assess and egress, and impact on the vehicle’s structural and operational safety. Subsection (m)(5) would require that employers test vehicles equipped with exhaust retrofits for operator’s visibility and that retrofit vehicles pass the visibility test in Appendix A of Section 1591. Subsection (m)(6) would require employers to maintain a record of the required visibility testing. The effect of proposed subsection (m) is to protect workers from exposure to hazards created by unsafe exhaust retrofits.

**New Subsection (m)(1).**

New subsection (m)(1) would prohibit exhaust retrofits that reduce the capacity, structural integrity, or safe performance of a vehicle. The effect of the proposed provision is to prevent exhaust retrofit installations that reduce the stability of the vehicle, the strength of vehicle structures, or the ability of the vehicle to perform safely.

**New Subsection (m)(2).**

New subsection (m)(2) would prohibit exhaust retrofits that reduce the operator’s ability to access or egress a vehicle safely. The effect of the proposed provision is to preclude possible obstructions that would be adverse to employee safety.

**New Subsection (m)(3).**

New subsection (m)(3) would provide that an exhaust retrofit shall be located or shielded such that it does not

increase the risk of a fire due to contact with hydraulic fluid, or fuel, spilled during transfer or sprayed from a broken hose, pipe, or container. The effect of the proposed provision is to prevent possible, foreseeable employee injuries.

**New Subsection (m)(4).**

New subsection (m)(4) would provide that an exhaust retrofit shall be located or effectively shielded such that it does not increase the risk of the operator, during performance of normal duties, contacting exhaust system surfaces having a temperature of 140 degrees F (60 degrees C) or higher. The effect of the proposal is to prevent vehicle operators from second degree burns caused by contact with hot surfaces of exhaust retrofits while performing normal duties, such as getting on and off the vehicle.

**New Subsection (m)(5).**

New subsection (m)(5) would provide that before a vehicle equipped with an exhaust retrofit is placed in use, the effect of the retrofit on the operator’s visibility shall be evaluated in accordance with the Visibility Testing Procedures (visibility test) in Appendix A of Section 1591, and the retrofit shall pass the visibility test in accordance with Section B of Appendix A. The effect of the proposed test procedures and criteria is to protect employees working near a retrofit vehicle from being struck by the vehicle due to the retrofit blocking the operator’s view. Also, the effect of the proposed provision is to provide an objective means of determining compliance with visibility requirements.

According to the Division’s review of accident report data in OSHA’s Integrated Management Information System (IMIS), during an approximately 8-year period ending in 2007, there were 44 fatalities and 45 severe injuries to employees caused by contact with haulage vehicles, earthmoving equipment and similar vehicles on job sites.<sup>3</sup> A common contributing factor to these accidents is that the operator could not see the accident victim because part of the vehicle obstructed the operator’s view. Existing Section 1591(b) provides that equipment and accessories installed on haulage vehicles shall be arranged so as to avoid impairing the driver’s operational vision to the front or sides; however, it does not address the operator’s vision to the rear. The proposed provision is necessary to address the operator’s vision to the rear, in addition to the front and sides, because most accident victims are struck by vehicles that are backing up. The proposed provision is also necessary to provide an objective means of determining compliance with visibility requirements.

<sup>3</sup> DOSH Inspections with Crane Standards Cited: 1590, 1591, 1592, 1593, 3663, and 3706, Report generated by Bob Hayes, DOSH Budget and Program Offices, transmitted to OSHSB on November 19, 2008.

**New Subsection (m)(6).**

New subsection (m)(6) would require employers to maintain and have readily available a written record of the visibility testing conducted on each retrofit vehicle required to be tested in accordance with subsection (m)(5). The effect of the written record is to document that visibility testing has been performed and that the retrofit vehicle passes the visibility test criteria in Appendix A as required by subsection (m)(5).

An exception to subsection (m)(6) is proposed which would exempt an employer from the requirement to maintain a record of the visibility testing conducted on a vehicle, provided that all sections of the exhaust retrofit are completely inside the Original Equipment Manufacturer (OEM) engine compartment. The effect of this exception is to eliminate the burden of maintaining records where it is possible to simply observe that the retrofit complies with visibility requirements.

**New Appendix A to Section 1591: Visibility Testing Procedures (Mandatory).**

New Appendix A would provide the visibility testing procedures and criteria necessary to implement proposed Section 1591(m)(5). The visibility testing procedures in Appendix A would provide a method for evaluating if an exhaust retrofit blocks the operator's view of a person standing near a vehicle. The effect of the proposed visibility test procedures is to provide a relatively simple, objective and reproducible field test to evaluate whether an exhaust retrofit blocks the operator's view of a person standing near a retrofit vehicle. The criteria for passing the visibility test in Appendix A would establish a measureable limit on the masking that retrofits are allowed to create. The effect of the proposed criteria is to protect employees working near retrofit vehicles, and allow employers to retrofit vehicles to comply with the ARB off-road diesel regulation.

**New Appendix A. Section A. General Requirements.****New Subsection A.1. Scope and Application.**

New subsection A.1 would provide that where Sections 1591, 1597, 3663, 4925.1, or 7016 require retrofit vehicles be evaluated for visibility, the evaluation shall be in accordance with the procedures in Appendix A. The effect of this provision is to clarify the purpose and application of Appendix A.

**New Subsection A.2. Definitions.**

New subsection A.2 would provide a definition of "exhaust retrofit" and "masking". The definition of "exhaust retrofit" would be identical to the definition proposed to be added to amended Section 1504(G). The effect of defining the term "masking" is to improve clarity because the term is used throughout Appendix A.

**New Subsection A.3.**

New subsection A.3 would provide that all line of sight measurements required by the visibility test shall

consider the operator's direct view without the use of mirrors or cameras. The effect of this provision is to ensure that the measurements are not made via reliance on devices (mirrors and cameras) that are not a safe, reliable substitute for an unobstructed view.

**New Appendix A. Section B. Test Procedures and Performance Criteria.****New Subsection B.1.**

New subsection B.1 would provide that all sections of an exhaust retrofit shall comply with at least one of the following conditions listed in subsections B.3.a through B.3.d: 1) are inside the OEM engine compartment, or 2) do not block the operator's view of the ground, or 3) do not create masking 5 feet above a line on the test surface that is a distance of 40 inches outside of the smallest rectangle that encompasses the perimeter of the vehicle, or 4) are retrofit exhaust stacks that create no more masking than the OEM exhaust stacks. The effect of this provision is to limit the amount of masking that exhaust retrofits are allowed to create because workers in operator blind spots are at an increased risk of being struck by the retrofit vehicle. Each of the conditions listed in subsections B.3.a through B.3.d would reference the subsection that contains the visibility test procedures and criteria for determining compliance with the condition. The effect of this provision is to provide objective test methods and criteria so that the results are accurate and repeatable. The subsection would also provide that any, or all, of the test procedures referenced in subsections B.3.a through B.3.d may be used to evaluate different sections of a single retrofit, except the procedures referenced in subsection B.3.d apply only to retrofit exhaust stacks. The effect of this provision is to clarify the application of subsections B.3.a through B.3.d. Additional provisions would clarify which objects are considered part of an exhaust retrofit. The effects of these provisions are to ensure all modifications made to the exhaust system or vehicle as part of the retrofit installation are evaluated for masking.

**New Subsection B.2.**

New subsection B.2 would provide that a retrofit passes the visibility test if all sections of the retrofit, except the exhaust stack, meet the performance criteria of at least one of the test procedures referenced in subsections B.3.a through B.3.c, and the retrofit exhaust stack meets the performance criteria of at least one of the test procedures referenced in subsections B.3.a through B.3.d. The effect of this provision is to define the conditions that must be met for an exhaust retrofit to pass the visibility test as required by Section 1591(m)(5).

**New Subsection B.3.**

New subsection B.3 would inform the reader that subsections B.3.a through B.3.d summarize conditions for passing the visibility test and reference test proce-



dures and criteria for determining compliance with each of the conditions; and that subsections B.1 and B.2 specify how the conditions, procedures and criteria shall apply. The effect of this provision is to provide procedures and criteria for passing the visibility test.

**New Subsections B.3.a through B.3.d.**

New subsections B.3.a through B.3.d would summarize conditions for passing the visibility test, and reference test procedures and criteria for determining compliance with each of the conditions. The effect of this provision is to list alternative means and conditions for passing the visibility test and to refer the reader to the test procedures and criteria for determining compliance with each of the conditions. Also, the effect of this provision is to assist the reader in selecting an appropriate test procedure for evaluating a particular retrofit component.

**New Appendix A. Section C. Zero Masking Visibility Test Procedures.**

New subsections C.1 and C.2 would provide test procedures that may be used to evaluate retrofit sections located, with respect to the operator's view, under, behind, or in front of parts of the vehicle. The effect of these test procedures is to determine that the vehicle, and not the retrofit, blocks the operator's view towards the ground.

**New Subsection C.1.**

The procedures and criteria in new subsection C.1 would apply when the conditions in subsection B.3.a must be met to comply with the provisions in Section B. New subsection C.1 would provide that the retrofit component shall be evaluated to determine if it is located inside the OEM engine compartment where it would not create masking. It would also provide that retrofit components located inside the OEM engine compartment shall meet the test criteria for subsection C.1. The effect of these provisions is to determine that the retrofit section does not block the operator's line of sight.

**New Subsection C.2.**

The procedures and criteria in new subsection C.2 would apply when the conditions in subsection B.3.b must be met to comply with the provisions in Section B. New subsection C.2 would provide procedures and criteria for determining that a retrofit component is behind or in front of parts of the vehicle with respect to the operator's view to the ground. Subsections C.2.a and C.2.b would provide that the vehicle and light source be positioned as instructed in Sections F and I, respectively. The effect of these provisions is to produce accurate, repeatable results based on the line of sight of the average height and weight operator. Subsections C.2.c and C.2.d would provide that the person conducting the vis-

ibility test establish a line of sight view towards the light source that represents, in reverse, the operator's line of sight view towards the ground behind the retrofit component. The effect of these provisions is to determine that the retrofit section does not block the operator's line of sight.

**New Appendix A. Section D. Rectangular Boundary Visibility Test Procedures.**

The procedures and criteria in new Section D would apply when the conditions in subsection B.3.c must be met to comply with the provisions in Section B. New Section D would provide test procedures and criteria for determining that a retrofit section does not create masking 5 feet above a line on the test surface that is a distance of 40 inches outside of the smallest rectangle that encompasses the perimeter of the vehicle. Subsections D.1 and D.2 would provide that the vehicle and light source be positioned as instructed in Sections F and I, respectively. The effect of these provisions is to produce accurate, repeatable results based on the line of sight of the average height and weight operator. Subsections C.3 through C.5 would provide that a 5 foot high railing be positioned directly above a line that is 40 inches outside of the smallest rectangle that encompasses the perimeter of the vehicle. The effect of these provisions is to establish a reference point for measuring masking. Subsections D.6 and D.7 would provide that the person conducting the visibility test establish a line of sight view towards the light source that represents, in reverse, the operator's line of sight view towards the 5 foot high railing positioned 40 inches from the vehicle. The effect of these provisions is to determine that the retrofit component does not create masking 5 feet above a line on the test surface that is a distance of 40 inches outside of the smallest rectangle that encompasses the perimeter of the vehicle. Subsection D.8 would provide three conditions that must be met to satisfy the rectangular boundary visibility test. Subsection D.8.a would provide that the retrofit component does not block the view of both lights; subsection D.8.b would provide that the retrofit component is not visible above the 5 foot railing; and subsection D.8.c would provide that the retrofit component is not above a part of the vehicle blocking the view of both lights. The effect of these provisions is to establish that the retrofit component does not create masking at an elevation of 5 feet at a distance greater than 40 inches from the vehicle.

**New Appendix A. Section E. Exhaust Stack Visibility Test Procedures.**

The procedures and criteria in new Section E would apply when the conditions in subsection B.3.d must be met to comply with the provisions in Section B. New Section E would provide test procedures and criteria for determining that a vertical retrofit exhaust stack, due to



its size and location, creates no more masking than the OEM exhaust stack. Subsection E.1 provides that the diameter of the OEM and retrofit exhaust stacks be determined. Subsection E.2 provides that the location of the OEM and retrofit exhaust stacks be determined in relation to the operator's position. The effect of these provisions is to determine the relative size and position of the areas masked by the OEM and retrofit exhaust stacks. Subsection E.3 would provide three conditions that must be met to satisfy the exhaust stack visibility test. The effect of these provisions is to determine that the area masked by the retrofit stack is in the same general location as the area masked by the OEM stack, and it is smaller than the area masked by the OEM stack.

#### **New Appendix A. Section F. Vehicle Position.**

The procedures in new Section F would apply when the conditions in subsections B.3.b or B.3.c must be met to comply with the provisions in Section B. New Section F would provide procedures for positioning of the vehicle for testing. Subsection F.1 would require that the vehicle is parked on an area of compacted earth or paved surface with a gradient of no more than 3% in any direction. The effect of this provision is to ensure that the results of the procedures in subsection C.2 and Section D are accurate and reproducible because an uneven or sloped test surface can affect the test results. Subsection F.2 would provide that the vehicle attachments be safely positioned in the traveling position. The effect of this provision is to provide for the safety of persons performing the tests and to ensure that the results of the procedures in subsection C.2 and Section D are accurate and reproducible, because the position of vehicle attachments can affect the test results.

#### **New Appendix A. Section G. Seat Reference Point.**

The procedures in new Section G would apply when the conditions in subsections B.3.b or B.3.c must be met to comply with the provisions in Section B. New Section G would provide procedures for positioning the operator seat in the middle of its adjustable range and for locating a seat reference point. Subsections G.1 through G.4 would provide that the operator seat be positioned in the middle of its adjustable range. The effect of this provision is to establish a seat position that is reasonable for the average size operator and is reproducible. Subsections G.5 through G.6 would provide procedures for locating the seat reference point. The effect of this provision is to locate a point that is used to establish the operator's eye position, which is used to perform line of sight measurements to identify masking.

#### **New Appendix A. Section H. Light Filament Height.**

The procedures in new subsections H.1 through H.5 would apply when the conditions in subsections B.3.b or B.3.c must be met to comply with the provisions in Section B. New Section H would provide procedures

for determining the light filament height. The light filament height establishes the vertical distance above the seat reference point that represents the eye level of the average height and weight operator when sitting. New Section H would establish a light filament height of 30 1/4 inches for seats that do not sink in elevation (compress) when sat on. Subsections H.1 through H.5 would provide procedures for calculating the light filament height for seats that compress when sat on. The effect of these procedures is to facilitate accurate, reliable, and reproducible test results by determining the distance above the seat reference point that represents the operator's eye level.

#### **New Appendix A. Section I. Light Source Position.**

The procedures in new subsections I.1 through I.5 apply when the conditions in subsections B.3.b or B.3.c must be met to comply with the provisions in Section B. New Section I would provide procedures for constructing and positioning a light source. The light source position represents the position of the average operator's eyes when operating the vehicle. Subsection I.1 provides for constructing a light with two lights spaced 8 inches apart and 4 inches from the center. The light spacing simulates the average operator's ability to move his or her head and torso which increases the horizontal range of eye positions. Subsection I.2 provides that the center of the lights shall be easily identified in day light at a distance of 40 feet. Subsections I.3.a and I.3.b provide that the light bar support allows the light bar to be rotated 360 degrees on a horizontal plane with the axis of rotation center between the two lights, and the lights be 1/2 to 2 inches in front of the axis of rotation of the light bar. The position of the lights simulates the average operator's eye position. Subsections I.4 through I.6 provide for positioning the light bar on the operator seat such that the horizontal axis of rotation is directly above the seat reference point, the center of the lights are at a height equal to the light filament height calculated in Section H.5, and the lights point directly towards the retrofit. The position of the lights is representative of the average operator's eye position and is reproducible. The effect of these provisions is to facilitate accurate, reliable, and reproducible test results.

#### **Section 1597. Jobsite Vehicles.**

Existing Section 1597 pertains to the construction and operation of jobsite vehicles.

#### **New Subsection (l). Exhaust retrofits.**

New Section 1597(l) would provide that exhaust retrofits on jobsite vehicles comply with Section 1591(m). A jobsite vehicle is defined in Section 1504 as a vehicle which is operated on a jobsite exclusively and is excluded from the provisions of applicable traffic and vehicular codes, and haulage and earthmoving vehicles regulated by the provisions of Article 10 of these Or-

ders. The effect of the proposed amendment is to prohibit job-site vehicles with exhaust retrofits that do not comply with proposed Section 1591(m).

**Section 3663. Maintenance of Industrial Trucks.**

**Subsection (g).**

Existing Section 3663(g) provides that industrial trucks shall not be altered so that the relative positions of the various parts are different from what they were when originally received from the manufacturer, nor shall they be altered either by the addition of extra parts not provided by the manufacturer or by the elimination of any parts, except as provided in subsection (h) of this Section. This provision prevents industrial truck accidents that result from an industrial truck becoming imbalanced due to the alteration of its parts. The proposal would amend subsection (g) so that industrial trucks that are altered in accordance with the provisions of proposed new subsection (i) would also be exempt from the general prohibition on altering truck parts. New subsection (i) would provide that exhaust retrofits shall comply with Section 1591(m). The effect of the proposed amendment to Section 3663(g) is to allow exhaust retrofits on industrial trucks, provided that the retrofits do not alter the truck in a manner that reduces the designed balance or operational stability of the industrial truck (thus, retrofits are allowed only if safety is not impaired, which conforms with the intent of existing Section 3663(g)).

**New Subsection (i).**

New Section 3663(i) would provide that exhaust retrofits on industrial trucks shall comply with Section 1591(m). The effect of the proposed amendment is to prohibit industrial trucks with exhaust retrofits that do not comply with Section 1591(m).

**New Section 4925.1. Exhaust Retrofits.**

New Section 4925.1 would be located in Article 93, which pertains to boom-type mobile cranes. New Section 4925.1 would provide that exhaust retrofits on boom-type mobile cranes shall comply with Section 1591(m). The effect of the proposed amendment is to prohibit boom-type mobile cranes with exhaust retrofits that do not comply with proposed Section 1591(m).

**Section 7016. Haulage Vehicle, Construction and Maintenance.**

Existing Section 7016 pertains to the construction and maintenance of haulage vehicles used in mining operations.

**New Subsection (m). Exhaust retrofits.**

New subsection (m) would provide that exhaust retrofits on these types of vehicles shall comply with Section 1591(m). The proposed amendment is necessary because some haulage vehicles covered by Section 7016(m) are regulated under the ARB off-road diesel

rule and it is expected that employers will retrofit some of these vehicles to comply with the ARB rule. The effect of this amendment is that the provisions in Section 1591(m) would apply to exhaust retrofits on haulage vehicles used in mining operations.

**COST ESTIMATES OF PROPOSED ACTION**

**Costs or Savings to State Agencies**

The proposal would affect a limited number of State Agencies, including: Department of Transportation, Department of Fish and Game, Department of Water Resources, and Department of General Services. State government fleets represent 1.6% of the total horsepower in all fleets. Assuming the cost impact on State government is 1.6% of the total maximum cost impact of \$ 46 million, the cost impact on State government is less than \$ 700,000.

A Division of Occupational Safety and Health review of workplace accidents shows that employees working near off-road vehicles are at risk of being struck by a vehicle and killed or seriously injured where the vehicle operator’s view of the employee is blocked by part of the vehicle.<sup>4</sup> This proposal would reduce employee fatalities and injuries by prohibiting retrofits that block the operator’s view of areas surrounding a vehicle. The total cost of one fatality would outweigh the cost for a State agency to comply with the proposal.

The total maximum cost impact of \$46 million is based on the following:

Estimated number of vehicles impacted by the OSHSB proposal:

- Number of vehicles subject to ARB rule: 150,000 — based on required reports to ARB
- Number of vehicles impacted by ARB rule: 20,400.
  - Assumes that 46% of fleets will not meet fleet average emission requirements and will be impacted (required to retrofit or replace vehicles) — based on ARB data that 46% of fleets have an average vehicle age > 10 to 12 years old.
  - Assumes that after 2019 no vehicles will be retrofitted because it will be more cost effective to replace a vehicle with a used lower-emission vehicle.
  - The large fleets required to take action will need to retrofit or replace 49% of their vehicles by 2020 or 16,000 vehicles, based on

<sup>4</sup> DOSH Inspections with Crane Standards Cited: 1590, 1591, 1592, 1593, 3663, and 3706, Report generated by Bob Hayes, DOSH Budget and Program Offices, transmitted to OSHSB on November 19, 2008.

- an initial compliance date of 2014 and annual requirements in years 2015 to 2020.
  - The medium fleets required to take action will need to retrofit or replace 28% of their vehicles by 2020 or 2,000 vehicles, based on an initial compliance date of 2017 and annual requirements in years 2018 and 2019.
  - The small fleets required to take action will need to retrofit or replace 10% of their vehicles or 2,400 vehicles, based on an initial compliance date of 2019.
  - Number of impacted vehicles that fall in the Hp and age range normally retrofit : 13,300
    - Based on retrofits already reported to ARB, 95% of retrofit vehicles fall within 55 to 500 Hp and 95% are newer than 1992 model engines.
    - Based on data reported to ARB, 78% of all vehicles fall within 50 to 500 Hp and 78% have newer than 1992 engine models.
  - Number of impacted vehicles in the Hp and age range normally retrofit that would be cost effective to retrofit: 9,300
    - Assumes average cost of a retrofit is \$125/Hp based on Initial Statement of Reasons (ISOR) for proposed amendments to the ARB off-road diesel regulation noticed October 2010.
    - Assumes 18 year old vehicle would be replaced with a 10 year old vehicle.
    - Cost of replacing a vehicle type in \$/Hp is based on replacement costs and cost curves found in the ISOR for the ARB proposed amendments noticed October, 2010 and available at [http://www.arb.ca.gov/msprog/ordiesel/offroad\\_1085.htm](http://www.arb.ca.gov/msprog/ordiesel/offroad_1085.htm)
    - Assumes that vehicle types costing more than \$125/Hp to replace are cost effective to retrofit.
    - Based on the distribution of vehicles by vehicle type as reported to ARB, 30% of impacted vehicles in the Hp and age range normally retrofit would be cost effective to retrofit.
  - Number of impacted vehicles in the Hp and age range normally retrofitted that would be cost effective to retrofit and can be retrofitted in accordance with the OSHSB proposal: 6,200.
    - Based on the joint field study that showed approximately 67% of the most common types of vehicles can be retrofitted in compliance with the proposed visibility standard.<sup>5</sup>
  - Number of impacted vehicles in the Hp and age range normally retrofit that would be cost effective to retrofit but will instead be replaced because no retrofit is available that complies with the OSHSB proposal: 3,100
    - Based on joint field study.<sup>5</sup>
- Estimated cost impact of the OSHSB proposal:
- Cost of performing a visibility test, documenting, and creating records: \$4.65 million
    - Assumes 9,300 vehicles will be tested at an average cost of \$500 per vehicle.
    - Assumes maintaining test records will not result in additional costs because vehicle retrofit records are already required by ARB.
  - Cost of modifying retrofit installations to comply with OSHSB proposal: \$16.7 million
    - Assumes an average cost increase of 14% per retrofit based on two retrofit manufacturers' estimates for retrofitting 23 of the 50 vehicles in the joint visibility study.
    - Based on an average retrofit cost of \$125 per Hp, an average of 158 Hp per vehicle as reported to ARB, and 6,200 vehicles expected to be retrofitted.
  - Cost of replacing vehicles in the Hp and age range normally retrofit that would be cost effective to retrofit but will instead be replaced because no retrofit is available that complies with the OSHSB proposal: \$25.0 million. This cost was calculated as follows:
    - Determined all vehicles types with "cost per Hp of replacement" > 125 \$/Hp
    - For each vehicle type, calculated "cost per Hp of replacement over retrofit" by subtracting \$125/Hp from "cost per Hp of replacement".
    - For each vehicle type, calculated "cost per vehicle of replacement over retrofit" by multiplying "cost per Hp of replacement over retrofit" by 158 Hp per vehicle.
    - For each vehicle type determined "per cent of all vehicles in State" from reports to ARB.

<sup>5</sup> Preliminary Results of Joint ARB/DOSH/OSHSB Field Study of Retrofit Feasibility for Most Common Vehicles, California Air Resources Board Staff Report, May 10, 2010.



- For each vehicle type, determined “relative weight” of each vehicle type by calculating the per cent of all vehicles types with “cost per Hp of replacement” > 125 \$/Hp.
- For each vehicle type, calculated the portion of the “average cost per vehicle of replacement over retrofit” by multiplying the “cost per vehicle of replacement over retrofit” by the “relative weight”.
- Calculated the “average cost per vehicle of replacement over retrofit” by summing the portion of the “average cost per vehicle of replacement over retrofit” for each vehicle type.
- Calculated the “total cost of replacing over retrofit” by multiplying the “average cost per vehicle of replacement over retrofit” (\$8,052) by 3,100 vehicles.

**Impact on Housing Costs**

The Board has made an initial determination that this proposal will not significantly affect housing costs.

**Impact on Businesses**

The Board has made a determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. In making this determination, the Board relied on the following studies and relevant data:

1. Preliminary Results of Joint ARB/DOSH/OSHSB Field Study of Retrofit Feasibility for Most Common Vehicles, California Air Resources Board Staff Report, May 10, 2010.
2. Cost Analysis for Vehicle Exhaust Retrofits, Attachment No. 2 of Economic and Fiscal Impact Statement for OSHSB rulemaking proposal noticed December, 2010.

**Cost Impact on 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.

**Costs or Savings in Federal Funding to the State**

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

**Costs or Savings to Local Agencies or School Districts Required to be Reimbursed**

No costs to local agencies or school districts are required to be reimbursed. See explanation under “Determination of Mandate.”

**Other Nondiscretionary Costs or Savings Imposed on Local Agencies**

This proposal does impose nondiscretionary costs or savings on local agencies. Local governments including cities, counties, municipalities and special districts would be affected to the extent that they own off-road diesel vehicles impacted by the ARB regulation. Local government fleets represent 6.1% of the total horsepower in all fleets. Assuming the cost impact on local government is 6.1% of the total cost impact of \$ 46 million, the cost impact on local government is approximately \$2.8 million.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed standards do not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, these standards do not constitute a “new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.”

The California Supreme Court has established that a “program” within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

These proposed standards do not require local agencies to carry out the governmental function of providing services to the public. Rather, the standards require local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, these proposed standards do not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

These proposed standards do not impose unique requirements on local governments. All employers — state, local and private — will be required to comply with the prescribed standards.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments may affect small businesses. However, no economic impact is anticipated.



ASSESSMENT

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

REASONABLE ALTERNATIVES CONSIDERED

Our Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

2. **TITLE 8: GENERAL INDUSTRY SAFETY ORDERS**

Division 1, Chapter 4, Subchapter 7,  
Article 2  
Section 3209  
**Standard Guardrails**

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

This rulemaking proposal is the result of an evaluation by the United States Department of Labor, Occupational Safety and Health Administration (Fed OSHA) of General Industry Safety Order (GISO) Section 3209(c)(3), Standard Guardrails. In a letter sent to the Occupational Safety and Health Standards Board (Board), dated August 12, 2010, Fed OSHA contends that Section 3209(c)(3) does not contain sufficient requirements for strength and protection to make it at least as effective as (ALAEA) federal standard 29 CFR 1910.23(e)(3)(iii), in that Section 3209(c)(3) allows metal guardrails to be constructed of 1/4-inch thick structural metal whereas Fed OSHA requires 3/8-inch metal.

Board staff confirmed that the federal standard is more stringent than the California requirements. Comparative metallurgical yield strength properties in the 13<sup>th</sup> Edition of the American Institute of Steel Construction (AISC), Manual of Steel Construction, Table 5-2, indicates that flexural and torsion strength of 1/4-inch steel material are approximately 45% less than that of 3/8-inch material. However, despite this, there is no California accident data to suggest that the use of 1/4-inch thick structural metal guardrails has contributed to guardrail failures. California Labor Code Section 142.3(a)(2) requires the Board to adopt standards

that are at least as effective as those promulgated by Fed OSHA.

The Board staff proposes to make the proposal applicable to metal guardrails installed after the effective date of the proposal, essentially grandfathering existing 1/4-inch railing systems. Board staff believes this is reasonable given the potential for substantial adverse cost impact due to the vast number of 1/4-inch thick metal guardrails in California workplaces, which would have to be redesigned, rebuilt and reinstalled if the proposal were made effective without the grandfathering provision.

**Section 3209. Standard Guardrails.**

Section 3209(c) requires metal guardrails to be at least 2-inch by 2-inch by 1/4-inch angles or other metal shapes of equivalent bending strength; and the midrail, where permitted, to be of iron or steel of at least 2-inch by 2-inch by 1/4-inch angles or other metal shapes of equivalent strength. This standard also requires the posts to be angle iron of at least 2-inch by 2-inch by 1/4-inch stock, the spacing not to exceed 8 feet.

Amendments are proposed to allow existing metal guardrail systems installed on or before the effective date of the proposal to be constructed of at least 2-inch by 2-inch by 1/4-inch stock and require that 3/8-inch stock be used for metal guardrails installed after the effective date of the proposal.

These proposed amendments will render GISO Section 3209 consistent with federal standard 29 CFR 1910.23(e)(3)(iii) and will provide added safety in light of the fact that 3/8 inch stock is stronger than 1/4-inch stock and eliminate the discrepancy between existing Section 3209 and the federal standard. Adverse cost impact to employers who have already installed railing systems would not be incurred because the proposal would only affect railing systems installed after the effective date of the proposal.

The reference to Title 24 is to be deleted. Assembly Bill 3000 (Stats. 2002. c. 1124), repealed Labor Code Section 142.6 and Health and Safety Code Section 18943(b), thus exempting the Board from the building standard requirements contained in these Codes.

COST ESTIMATE OF PROPOSED ACTION

**Costs or Savings to State Agencies**

No costs or savings to state agencies will result as a consequence of the proposed action.

**Impact on Housing Costs**

The Board has made an initial determination that this proposal will not significantly affect housing costs.

**Impact on Businesses**

The Board has made an initial determination that this proposal will not result in a significant, statewide ad-

verse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposal is worded to minimize/eliminate adverse cost impact to employers who have already installed metal guardrail systems constructed of 1/4-inch stock because the proposal requires railing systems to be constructed of 3/8 inch metal stock after the effective date of the proposal.

**Cost Impact on 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.

**Costs or Savings in Federal Funding to the State**

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

**Costs or Savings to Local Agencies or School Districts Required to be Reimbursed**

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

**Other Nondiscretionary Costs or Savings Imposed on Local Agencies**

This proposal does not impose nondiscretionary costs or savings on local agencies.

**DETERMINATION OF MANDATE**

The Occupational Safety and Health Standards Board has determined that the proposed regulation does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, this regulation does not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

The proposed regulation does not require local agencies to carry out the governmental function of providing services to the public. Rather, the regulation requires local agencies to take certain steps to ensure the safety and

health of their own employees only. Moreover, the proposed regulation does not in any way require local agencies to administer the California Occupational Safety and Health program. [See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.]

The proposed regulation does not impose unique requirements on local governments. All state, local and private employers will be required to comply with the prescribed standard.

**EFFECT ON SMALL BUSINESSES**

The Board has determined that the proposed amendments may affect small businesses. However, no economic impact is anticipated.

**ASSESSMENT**

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

**REASONABLE ALTERNATIVES CONSIDERED**

Our Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

A copy of the proposed changes in STRIKEOUT/UNDERLINE format is available upon request made to the Occupational Safety and Health Standard Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721. Copies will also be available at the Public Hearing.

An INITIAL STATEMENT OF REASONS containing a statement of the purpose and factual basis for the proposed actions, identification of the technical documents relied upon, and a description of any identified alternatives has been prepared and is available upon request from the Standards Board's Office.

Notice is also given that any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. It is requested, but not required, that written comments be submitted so that they are received no later than February 11, 2011. The official record of the rule-making proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on February 17, 2011, will not be considered by the Board unless the Board announces an extension

of time in which to submit written comments. Written comments should be mailed to the address provided below or submitted by fax at (916) 274-5743 or e-mailed at [oshsb@dir.ca.gov](mailto:oshsb@dir.ca.gov). The Occupational Safety and Health Standards Board may thereafter adopt the above proposals substantially as set forth without further notice.

The Occupational Safety and Health Standards Board's rulemaking file on the proposed actions including all the information upon which the proposals are based are open to public inspection Monday through Friday, from 8:30 a.m. to 4:30 p.m. at the Standards Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833.

The full text of proposed changes, including any changes or modifications that may be made as a result of the public hearing, shall be available from the Executive Officer 15 days prior to the date on which the Standards Board adopts the proposed changes.

Inquiries concerning either the proposed administrative action or the substance of the proposed changes may be directed to Marley Hart, Executive Officer, or Mike Manieri, Principal Safety Engineer, at (916) 274-5721.

You can access the Board's notice and other materials associated with this proposal on the Standards Board's homepage/website address which is <http://www.dir.ca.gov/oshsb>. Once the Final Statement of Reasons is prepared, it may be obtained by accessing the Board's website or by calling the telephone number listed above.

**TITLE 14. STATE MINING AND GEOLOGY BOARD**

**NOTICE OF PROPOSED RULEMAKING**

**PROPOSED NEW REGULATIONS FOR DESIGNATION OF MINERAL LANDS IN THE BAKERSFIELD PRODUCTION-CONSUMPTION REGION, KERN COUNTY**

**NOTICE IS HEREBY GIVEN** that the State Mining and Geology Board (SMGB) proposes to add new regulations described below after considering all comments and recommendations regarding the proposed action.

**REGULATORY ACTION**

The SMGB has adopted, by regulation set forth in CCR Section 3550 the designation of certain mineral

resource sectors within geographical areas to be of regional significance. Designation is the formal recognition by the SMGB of lands containing mineral resources of regional or statewide economic significance that are needed to meet the demands of the future. The SMGB proposes to add new proposed regulations which would add Section 3550.16 to Title 14, Article 2, of the California Code of Regulations (CCR), and provide a description of the locations of mineral resources areas designated to be of statewide significance within the Bakersfield Production-Consumption (P-C) Region, Kern County.

**PREVIOUS PUBLIC HEARINGS**

The State Geologist recommended several candidates, or areas, which meet or exceed the SMGB's threshold economic value, thus, each area may be considered for designation as an area of regional or statewide significance by the SMGB. These areas include candidate Sectors A through K (and their subsectors) as lands containing construction aggregate resources of regional or statewide significance. The recommendations were accepted by the SMGB on November 12, 2009.

The 60-day public comment period, pursuant to PRC Section 2762(d)(2), commenced on July 1, 2010, and ended on August 30, 2010. No comments were received during this period. In addition, pursuant to PRC Section 2793, a public hearing was held on July 29, 2010, in Bakersfield. The hearing facility was barrier free in accordance with the Americans with Disabilities Act. At the hearing, an opportunity for any person to present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest, was provided. The SMGB requested, but did not require, that persons who made oral comments at the hearing also submit a written copy of their testimony. During such hearing, no comments were received.

**WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the SMGB. Comments may also be submitted by facsimile (FAX) at (916) 445-0738 or by e-mail to [stephen.testa@conservation.ca.gov](mailto:stephen.testa@conservation.ca.gov). The 45-day comment period will commence on December 31, 2010, and closes at 5:00 p.m. on February 14, 2011. The SMGB will consider only comments received at the SMGB office by that time. No public hearing is scheduled, but any person can request a public hearing no later than 15 days before the close of the written comment period.



AUTHORITY AND REFERENCE

The SMGB proposes to adopt a regulation that adds Section 3350.16 to Article 2 of the California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1, pursuant to its authority granted in PRC Sections 2790 and 2207 (Reference PRC Sections 2726, 2761–2763, and 2790–2791).

INFORMATIVE DIGEST

The SMGB has adopted, by regulation set forth in CCR Section 3550, the designation of certain mineral resource sectors within geographical areas to be of regional significance. Designation is the formal recognition by the SMGB of lands containing mineral resources of regional or statewide economic significance that are needed to meet the demands of the future. At its October 8, 2009, regular business meeting, the SMGB accepted CGS Special Report 210 titled “*Update of Mineral Land Classification, Aggregate Materials in the Bakersfield P–C Region, Kern County, California*” (Busch, 2009). This report updated information on portland cement concrete (PCC) aggregate in the original classification study of the Bakersfield Production–Consumption Region published in 1988 by CGS as Special Report 147 titled “*Mineral Land Classification: Aggregate Materials in the Bakersfield Production–Consumption Region, Riverside County, California*” (Cole, 1988).

Special Report 147 identified 19,491 acres of land containing approximately 5.3 billion tons of PCC–grade aggregate resources. The reevaluation and update in Special Report 210 identifies 20,193 acres of land containing an estimated 4.4 billion tons of PCC–grade aggregate resources; this includes an additional 2,456 acres of newly identified land containing an estimated 442 million tons of PCC–grade resources in areas adjacent to the Bakersfield P–C Region (Sectors I, J and K). The areas are identified as Candidate Sectors A through K (in 62 individual sectors and sub–sectors).

The publication of Special Report 147, and its update Special Report 210, accomplishes part one of the two–part *Classification–Designation* process. Part two of the two–step process, designation, is the formal recognition by the SMGB of lands containing mineral resources of regional or statewide economic significance needed to meet the demands of the future. In the years since the original publication of Special Report 147, the designation process has not yet been completed.

The State Geologist has recommended several candidates, or areas, which meet or exceed the SMGB’s threshold economic value; thus, each area may be considered for designation as an area of regional or statewide significance by the SMGB. These areas include

candidate Sectors A through K (and their subsectors) as lands containing construction aggregate resources of regional or statewide significance.

POLICY STATEMENT OVERVIEW

The proposed regulatory language would allow consideration of new information obtained since the publication of the 1988 Mineral Land Classification study. Special Report 147 identified 19,491 acres of land containing approximately 5.3 billion tons of PCC–grade aggregate resources. The reevaluation and update in Special Report 210 identified 20,193 acres of land containing an estimated 4.4 billion tons of PCC–grade aggregate resources; this includes an additional 2,456 acres of newly identified land containing an estimated 442 million tons of PCC–grade resources in areas adjacent to the Bakersfield P–C Region (Sectors I, J and K). The areas are identified as Candidate Sectors A through K (in 62 individual sectors and sub–sectors).

Each Sector may be considered for designation as an area of regional or statewide significance by the SMGB pursuant to Article 6, Section 2790 *et seq.* (SMARA), meets or exceeds the threshold value as established by the SMGB. At the time of the updated classification study, that threshold value amounted to approximately 1.3 million tons of aggregate. This proposed regulation is necessary in order for the State to meet its aggregate availability needs.

CEQA COMPLIANCE

The SMGB has determined that this rule making action is not a project as defined in the California Environmental Quality Act (CEQA) and is exempt from the requirements of CEQA, Title 14, CCR, Section 15061(b)(3).

DISCLOSURES REGARDING THE PROPOSED ACTION

The SMGB’s Executive Officer has made the following preliminary determinations:

**Mandate on local agencies and school districts:** The adoption of this amended regulation does not impose any new mandates on local agencies or on local school districts.

**Costs or savings to any State agency:** The proposed amended regulation imposes no savings or additional expenses to state agencies.

**Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630:** The proposed amended regulation does not impose any additional cost obligations on local agencies or on local school districts.



**Other non–discretionary costs or savings imposed upon local agencies:** No other non–discretionary costs or savings to local agencies are imposed by the proposed amended regulation.

**Cost or savings in Federal funding to the State:** There are no costs or savings in Federal funding to the State.

**Significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states:** No statewide adverse impacts to California businesses result from the adoption of this proposed amended regulatory language.

**Potential cost impact on private persons or directly affected businesses:** The imposition of the proposed amended language on a directly affected local mining operation will have a positive cost impact to that operation by the recognition of designated mineral land of regional significance which in some circumstances may reduce the amount of time, thus cost, in acquiring a permit to mine from its lead agency.

**Creation or elimination of jobs in California:** The adoption of this amended regulation will not:

- Create nor eliminate jobs within California;
- Create new nor eliminate existing businesses within California;
- Expand businesses currently doing business in California.

**Significant effect on housing costs:** The adoption of this amended regulation will have no significant effect on housing costs, but may reduce such costs by providing a source of PCC–grade aggregate closer to users and market areas.

**Effects on small businesses:** The imposition of the proposed amendment will have no cost impact on small businesses. The SMGB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. There are no costs related or associated with the proposed designation of mineral lands. Such considerations require a lead agency to consider the regional significance of mineral lands designated by the SMGB when making land use decisions, but do not impose any fees or costs to small businesses as part of that consideration.

#### CONSIDERATION OF ALTERNATIVES

The SMGB must determine that no reasonable alternative that it considers or that has otherwise been identified and brought to the attention of the SMGB 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 pro-

posed action. The SMGB’s Executive Officer has not identified any adverse impacts resulting from the proposed regulation.

No alternatives have been considered by the SMGB at this time that would be more effective in carrying out the purpose for which the regulatory action is proposed, nor have any other alternatives been proposed that would be as effective and less burdensome to affected private persons, lead agencies, or small businesses.

#### CONFLICT WITH FEDERAL REGULATIONS

This regulation change does not duplicate or conflict with existing Federal statutes or regulations. Also, by Memorandum of Understanding with the Federal Bureau of Land Management, the U. S. Forest Service, the Department of Conservation, and the SMGB, SMARA and federal law are coordinated to eliminate duplication.

#### GENERAL PURPOSE AND CONDITION ADDRESSED

Article 6 of the Surface Mining and Reclamation Act of 1975 (SMARA), commencing with PRC Section 2790, provides for the SMGB, based upon mineral information from the State Geologist pursuant to subdivision (c) of PRC Section 2761, to adopt in regulation specific geographic areas of the state as areas of statewide or regional mineral resource significance and specify the boundaries of those areas.

At its October 8, 2009, regular business meeting, the SMGB accepted CGS Special Report 210 for Update of Mineral Land Classification, Aggregate Materials in the Bakersfield Production–Consumption (P–C) Region, Kern County, California. Consideration of designation of mineral lands typically follows classification. The SMGB, based on recommendations from the State Geologist, considers areas to be designated. The State Geologist has recommended designation of select mineral resource lands in the Bakersfield’s P–C Region, Kern County. The State Geologist’s recommendations were accepted by the SMGB at its regular business meeting held on November 12, 2009. The period for public comment was from July 1, 2010 to August 30, 2010, which included a public hearing that was held in Bakersfield. To date, no public comments have been received. At its September 9, 2010, regular business meeting, the SMGB accepted the proposed new designations for the Bakersfield P–C Region pursuant to PRC Section 2761.

#### SPECIFIC PURPOSE

The proposed new regulations adding Section 3550.16 to Article 2 CCR, is intended to clarify and

make specific those mineral lands that are to be designated by the SMGB as having regional significance within the Bakersfield P–C Region. These regulations are contained under Article 2, titled Areas Designated to be of Regional Significance.

The proposed new regulations reflect information provided in CGS Special Report 147 which identified 19,491 acres of land containing approximately 5.3 billion tons of PCC–grade aggregate resources, and a reevaluation and update as presented in CGS Special Report 210 which identified 20,193 acres of land containing an estimated 4.4 billion tons of PCC–grade aggregate resources. CGS Special Report 210 included an additional 2,456 acres of newly identified land containing an estimated 442 million tons of PCC–grade resources in areas adjacent to the Bakersfield P–C Region (Sectors I, J and K). The areas are identified as Candidate Sectors A through K (in 62 individual sectors and sub–sectors).

Proposed new regulation, CCR Section 3550.16 indicates reference to two maps or plates. These two maps form an integral part of the regulation.

#### STATEMENT OF NECESSITY

PRC Section 2790 provides the SMGB the authority to adopt regulations that establish state policy for the designation of mineral lands of statewide or regional significance, in accordance with Article 6 (commencing with Section 2790) of this chapter, and pursuant to PRC Section 2761. PRC Section 2790 states that after receipt of mineral information from the State Geologist, the SMGB may by regulation adopted after a public hearing designate specific geographic areas of the state as areas of statewide or regional significance and specify the boundaries thereof. Such designation shall be included as a part of the state policy and shall indicate the reason for which the particular area designated is of significance to the state or region, the adverse effects that might result from premature development of incompatible land uses, the advantages that might be achieved from extraction of the minerals of the area, and the specific goals and policies to protect against the premature incompatible development of the area. PRC Section 2791 also requires the SMGB to seek the recommendations of concerned federal, state, and local agencies, educational institutions, civic and public interest organizations, and private organizations and individuals in the identification of areas of statewide and regional significance.

In 2006, CGS in their statewide report titled “*Map Sheet 52 (Updated 2006), Aggregate Availability in California*” noted that the Bakersfield P–C Region 50–year demand for aggregate was on the order of 252

million tons. Permitted aggregate resources were on the order of 115 million tons. The percentage of permitted aggregate resources, as compared to the 50–year demand, was 46 percent, significantly lower than the projected demand.

Special Report 147, “*Mineral Land Classification: Aggregate Materials in the Bakersfield Production–Consumption Region, Riverside County, California*,” published in 1988 by CGS, identified 19,491 acres of land containing approximately 5.3 billion tons of PCC–grade aggregate resources. The reevaluation and update in Special Report 210 identified 20,193 acres of land containing an estimated 4.4 billion tons of PCC–grade aggregate resources; this included an additional 2,456 acres of newly identified land containing an estimated 442 million tons of PCC–grade resources in areas adjacent to the Bakersfield P–C Region (Sectors I, J and K).

#### IDENTIFICATION OF TECHNICAL/THEORETICAL/EMPIRICAL STUDIES, REPORTS, OR DOCUMENTS UPON WHICH THE SMGB HAS RELIED

Designation is the formal recognition by the SMGB of lands containing mineral resources of regional or statewide economic significance that are needed to meet the demands of the future. At its October 8, 2009, regular business meeting, the SMGB accepted CGS Special Report 210 titled “*Update of Mineral Land Classification, Aggregate Materials in the Bakersfield P–C Region, Kern County, California*” (Busch, 2009). This report updated information on portland cement concrete (PCC) aggregate in the original classification study of the Bakersfield Production–Consumption Region published in 1988 by CGS as Special Report 147 titled “*Mineral Land Classification: Aggregate Materials in the Bakersfield Production–Consumption Region, Riverside County, California*” (Cole, 1988).

Special Report 147 identified 19,491 acres of land containing approximately 5.3 billion tons of PCC–grade aggregate resources. The reevaluation and update in Special Report 210 identifies 20,193 acres of land containing an estimated 4.4 billion tons of PCC–grade aggregate resources; this includes an additional 2,456 acres of newly identified land containing an estimated 442 million tons of PCC–grade resources in areas adjacent to the Bakersfield P–C Region (Sectors I, J and K). The areas are identified as Candidate Sectors A through K (in 62 individual sectors and sub–sectors).

The publication of CGS Special Report 147, and its update CGS Special Report 210, accomplish part–one of the two–part *Classification–Designation* process. Part two of the two–step process, designation, is the formal recognition by the SMGB of lands containing mineral resources of regional or statewide economic signif-

icance needed to meet the demands of the future. In the years since the original publication of Special Report 147, the designation process has not yet been completed.

The State Geologist has recommended several candidates, or areas, which meet or exceed the SMGB's threshold economic value; thus, each area may be considered for designation as an area of regional or statewide significance by the SMGB. These areas include candidate Sectors A through K (and their subsectors) as lands containing construction aggregate resources of regional or statewide significance.

AVAILABILITY OF CHANGED OR  
MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the SMGB may adopt the proposed regulations substantially as described in this notice. If the SMGB makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with changes clearly indicated) available to the public for at least 15 days before the SMGB adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Mr. Stephen Testa at the address provided below. The SMGB will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL  
STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Mr. Stephen Testa at the address provided below.

CONTACT PERSON

An interested person may request a copy of the proposed amended regulation and the Initial Statement of Reasons. Questions about the proposed regulation and Initial Statement of Reasons can be directed to the SMGB's office. All supplemental information, upon which the regulation is based, is contained in the rule-making file.

The rulemaking file is available for inspection at the SMGB Office at 801 K Street, Suite 2015, Sacramento, California, between 9:00 a.m. and 4:00 p.m., Monday through Friday except during state holidays. Copies of the proposed regulation and the Initial Statement of Reasons may be requested by writing to the above address, or viewed on the SMGB's Internet Web Site at: <http://www.conservation.ca.gov/smgb>

Inquiries concerning the substance of the proposed amended regulation should be directed to:

Mr. Stephen M. Testa, Executive Officer  
State Mining and Geology Board  
801 K Street, Suite 2015  
Sacramento, California 95814  
Phone: (916) 322-1082  
Fax: (916) 445-0738  
[www.conservation.ca.gov/smgb](http://www.conservation.ca.gov/smgb)

OR

Nicole Bristow, Executive Assistant  
State Mining and Geology Board  
801 K Street, Suite 2015  
Sacramento, CA 95814  
Phone: (916) 322-1082  
Fax: (916) 445-0738  
[www.conservation.ca.gov/smgb](http://www.conservation.ca.gov/smgb)

**TITLE 14. STATE MINING AND  
GEOLOGY BOARD**

**TITLE 14, NATURAL RESOURCES**

**NOTICE OF PROPOSED RULEMAKING**

**State Mining and Geology Board's  
Amendment to Form MRRC-4L to Include Idle  
Mines in Consideration of a Granting of a Low  
Gross Exemption Pursuant to California Code of  
Regulations Section 3360(a)**

**NOTICE IS HEREBY GIVEN** that the State Mining and Geology Board (SMGB) proposes to amend the regulation described below after considering all comments and recommendations regarding the proposed action.

REGULATORY ACTION

The SMGB proposes to amend Form MRRC-4L to include idle mines in consideration by the Department of Conservation (DOC) Office of Mine Reclamation (OMR) the granting of a Low Gross Exemption pursuant to California Code of Regulations Title 14, Division 2, Chapter 8, Subchapter 1, Section 3360(a). At its October 14 and November 10, 2010, meetings of the SMGB's Policy and Legislation Committee (Committee), the Committee after hearing from stakeholders discussed the need to amend Form MRRC-4L to include idle mines when the OMR is considering granting of a Low Gross Exemption. The Committee subsequently recommended to the SMGB approval of the amended form which is referenced in California Code of Regulations (CCR) Section 3699(a). The SMGB



considered the recommendation and approved the proposed amended regulatory change at its November 10, 2010, regular business meeting. The SMGB specifically moved to approve the inclusion of idle mines to be considered by the OMR when considering granting of a Low Gross Exemption; albeit, the idle mines must be in compliance with all other criteria and requirements as set forth pursuant to SMARA and the SMGB's regulations.

As background, idle mines are defined in statute. Public Resources Code (PRC) Section 2727.1 defines an idle mine as *"to curtail for a period of one year or more surface mining operations by more than 90 percent of the operation's previous maximum annual mineral production, with the intent to resume those surface mining operations at a future date."*

California Code of Regulations (CCR) Section 3698 pertains to annual fees calculations for all surface mining operations in California; whereas, CCR Section 3699 addresses criteria when considering granting of a Low Gross Exemption. For the calendar reporting year, a single operator or mining company may file with the DOC OMR, a written request for an exemption from the method of fee assessment set forth in Section 3698. A request for an exemption must be filed on a form (Low Gross Exemption Fee Request, Form MRRC-4L) supplied by DOC and received by DOC by July 1 following the calendar reporting year. The DOC shall grant the exemption if information submitted and confirmed by the annual report form and approved reclamation plan, clearly demonstrates that the operation meets certain criteria.

Form MRRC-4L states *"Non-Governmental operators with only one surface mining operation in the State (operation must be active) which had a gross income of less than \$100,000 for the 2009 reporting period may qualify for a reduced reporting fee of \$467, if answers to ALL of the following questions are "YES", and this form is submitted by July 1, 2010."* The consideration of a low gross exemption currently is restricted to active mines as noted on Form MRRC-4L. An amendment to this form is proposed to allow for idle mines to be included by DOC when considering granting of a Low Gross Exemption.

SMARA and PRC Section 2710 et seq. were enacted to ensure that significant adverse impacts of mining to the environment are prevented or mitigated, and public health and safety are protected. Pursuant to PRC Section 2207 et seq., the SMGB imposes by regulation a reporting fee on, and method for collecting annual fees from each active or idle mining operation. Operators of surface mine sites report annually to the OMR. The SMGB has adopted by regulation a schedule of fees to cover the cost of the DOC in carrying out this section. Most importantly, fees are to be calculated on an equita-

ble basis reflecting the size and type of operation, and the SMGB can also consider total assessed value of the mining operation, the acreage disturbed by mining activities, and the acreage subject to the reclamation plan.

Fee calculations are provided in regulation and are adjusted for the cost of living as measured by the California Consumer Price index for all urban consumers, calendar year averages (CCR Section 3698). CCR Section 3699 allows the DOC to grant for a Low Gross Exemption from the DOC if information submitted and confirmed by the annual report form and approved reclamation plan, clearly demonstrates that the operation meets the following criteria:

- (1) Material is extracted from one surface mining operation, and lead agency approval of a reclamation plan and financial assurance has been obtained;
- (2) All of the single operator or mining company's surface mining operation located in the State of California is tied to, or located on, one site;
- (3) The amount of the operator's gross income from the surface mining operation for the reporting calendar year was less than \$100,000, and proof of gross income is supplied in the form of a signed federal tax return or returns accompanied by a completed and signed Federal Internal Revenue Service Form 4506, or a report prepared and signed by a certified public accountant; and
- (4) The owner or operator has submitted an annual reporting fee of four hundred dollars (\$400) as adjusted for the cost of living as measured by the California Consumer Price Index for all urban consumers, calendar year averages, using the percentage change in the previous year, beginning with the 2005-2006 fiscal year and annually thereafter.

A request for a Low Gross Exemption from the method set forth in CCR Section 3698 must be filed on a form (Low Gross Exemption Fee Request, Form MRRC-4L). Form MRRC-4L states *"Non-Governmental operators with only one surface mining operation in the State (operation must be active) which had a gross income of less than \$100,000 for the 2009 reporting period may qualify for a reduced reporting fee of \$467, if answers to ALL of the following questions are "YES", and this form is submitted by July 1, 2010."*

Idle mines are those mines that have curtailed for a period of one year or more surface mining operations by more than 90 percent of the operation's previous maximum annual mineral production, with the intent to resume those surface mining operations at a future date. By definition, idle mines can be deemed analogous to a surface mine operation producing a low gross income of less than \$100,000. Thus, allowing the DOC to in-



clude idle mines when considering granting of a Low Gross Exemption is reasonable, equitable, and considers the total assessed value of the mining operation, assuming full compliance with all other criteria and requirements set forth for such considerations.

It is the Executive Officer's opinion that notwithstanding CCR Section 3699, a single operator or mining company that is declared idle pursuant to PRC Section 2727.1, and all regulations of the SMGB, should qualify, on a calendar basis, for the annual gross exemption, pursuant to all of the provisions of CCR Section 3699 regulations, provided that the DOC determines that the operator of the surface mining operation is in compliance with all applicable provisions of this chapter, and its implementing regulations, including the provisions of an interim management plan (IMP).

#### PUBLIC HEARINGS AND WRITTEN COMMENTS

The SMGB did schedule a public hearing on this proposed action at its Committee meeting and regular business meeting held on November 10, 2010. The SMGB plans to hold a hearing to receive comments if it receives a written request for a public hearing from any interested person, or his/her authorized representative, no later than 15 days before the close of the written comment period. The hearing facility will be barrier free in accordance with the Americans with Disabilities Act. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The SMGB requests, but does not require, that persons who make oral comments at the hearing also submit a written copy of their testimony.

Any interested person may submit written comments relevant to the proposed regulatory action to the SMGB. The Written Comment Period closes at 5:00 p.m., February 14, 2011. The SMGB will consider only relevant comments received at the SMGB office by that time. Late submittals will not be considered.

#### AUTHORITY AND REFERENCE

The SMGB proposes to adopt a regulation that amends 3360(a) to Article 15 of the California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1, pursuant to its authority granted in PRC Sections 2755 and 2207 (Reference PRC Sections 2755 and 2207).

#### INFORMATIVE DIGEST

SMARA PRC Section 2755 provides the SMGB the authority to adopt regulations that establish state policy

for the reclamation of mined lands in accordance with Article 1 (commencing with Section 2710) of this chapter and pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The SMGB has adopted by regulation a schedule of fees to cover the cost of the DOC in carrying out this section. The SMGB has adopted, by regulation set forth in CCR Section 3698, a schedule of fees to be paid by each active and idle mining operation. Most importantly, in the adoption of such fees, they are to be calculated on an equitable basis reflecting the size and type of operation, and the SMGB can also consider total assessed value of the mining operation, the acreage disturbed by mining activities, and the acreage subject to the reclamation plan.

A written request from a single operator or mining operation can be filed with OMR within the DOC for exemption from the method of fee assessment set forth in CCR Section 3698 providing certain criteria be met. To qualify for a Low Gross Exemption, the surface mining operation must clearly demonstrate that (1) material is extracted from one surface mining operation, and lead agency approval of a reclamation plan and financial assurance has been obtained, (2) all of the single operator or mining company's surface mining operation located in the State of California is tied to, or located on, one site, (3) the amount of the operator's gross income from the surface mining operation for the reporting calendar year was less than \$100,000, and proof of gross income is supplied in the form of a signed federal tax return or returns accompanied by a completed and signed Federal Internal Revenue Service Form 4506, or a report prepared and signed by a certified public accountant, and (4) the owner or operator has submitted an annual reporting fee of four hundred dollars (\$400) as adjusted for the cost of living as measured by the California Consumer Price Index for all urban consumers, calendar year averages, using the percentage change in the previous year, beginning with the 2005-2006 fiscal year and annually.

The request must be filed on a Low Gross Exemption Fee Request Form (Form MRRC-4L) which is supplied by the DOC, and must be received by the DOC by July 1 following the calendar reporting year. Form MRRC-4L currently restricts a request for a Low Gross Exemption to active mines. Idle mines are excluded from such consideration.

#### POLICY STATEMENT OVERVIEW

The proposed language in the amended regulation would allow the DOC to consider granting of a low gross exemption for both active and idle mines. This regulation is necessary in order to provide a fee schedule that is reasonable, equitable, and considers the

size and type of operation, and total assessed value of the mining operation, assuming full compliance with all other criteria and requirements set forth for such considerations, pursuant to PRC Section 2207(d)(2)(A). Specifically, this regulation addresses CCR Section 3399(a).

#### CEQA COMPLIANCE

The SMGB has determined that this rule making action is not a project as defined in the California Environmental Quality Act (CEQA) and is exempt from the requirements of CEQA, Title 14, CCR, Section 15061(b)(3), no possibility of a significant effect on the environment.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

The SMGB's Executive Officer has made the following preliminary determinations:

**Mandate on local agencies and school districts:**

The adoption of this amended regulation does not impose any new mandates on local agencies or on local school districts.

**Costs or savings to any State agency:** The proposed amended regulation imposes no savings or additional expenses to state agencies.

**Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630:** The proposed amended regulation does not impose any additional cost obligations on local agencies or on local school districts.

**Other non-discretionary costs or savings imposed upon local agencies:** No other non-discretionary costs or savings to local agencies are imposed by the proposed amended regulation.

**Cost or savings in Federal funding to the State:** There are no costs or savings in Federal funding to the State.

**Significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states:** No statewide adverse impacts to California businesses result from the adoption of this proposed amended regulatory language.

**Potential cost impact on private persons or directly affected businesses:** The imposition of the proposed amended language on a directly affected local mining operation will have a positive cost impact to that operation by reducing the annual fee cost for those surface mining operations deemed idle as defined pursuant to SMARA PRC Section 2727.1.

**Creation or elimination of jobs in California:** The adoption of this amended regulation will not:

- Create nor eliminate jobs within California;
- Create new nor eliminate existing businesses within California;
- Expand businesses currently doing business in California.

**Significant effect on housing costs:** The adoption of this amended regulation will have no significant effect on housing costs.

**Effects on small businesses:** The imposition of the proposed amendment will have no significant cost impact on small businesses. The SMGB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### CONSIDERATION OF ALTERNATIVES

The SMGB must determine that no reasonable alternative that it considered or that has otherwise been identified and brought to the attention of the SMGB 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 SMGB's Executive Officer has not identified any adverse impacts resulting from the proposed regulation.

No alternatives have been considered by the SMGB at this time that would be more effective in carrying out the purpose for which the regulatory action is proposed, nor have any other alternatives been proposed that would be as effective and less burdensome to affected private persons, lead agencies, or small businesses.

#### CONFLICT WITH FEDERAL REGULATIONS

This regulation change does not duplicate or conflict with existing Federal statutes or regulations. Also, by Memorandum of Understanding with the Federal Bureau of Land Management, the U. S. Forest Service, the Department of Conservation, and the SMGB, SMARA and federal law are coordinated to eliminate duplication.

#### SPECIFIC PURPOSE

The proposed amended regulatory language is intended to allow the DOC to consider idle mines when considering granting of a Low Gross Exemption.

#### STATEMENT OF NECESSITY

PRC Section 2755 provides the SMGB the authority to adopt regulations that establish state policy for the

reclamation of mined lands in accordance with Article 1 (commencing with Section 2710) of this chapter and pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The SMGB has adopted by regulation a schedule of fees to cover the cost of the DOC OMR in carrying out this section. Most importantly, fees are to be calculated on an equitable basis reflecting the size and type of operation, and the SMGB can also consider total assessed value of the mining operation, the acreage disturbed by mining activities, and the acreage subject to the reclamation plan. Currently, a surface mine must be active when the DOC OMR is considering granting of a Low Gross Exemption. Currently, idle mines are not included and thus, create an inequitable basis when considering such exemptions. By including idle mines as part of this consideration, fees for such operations will be equitable statewide.

IDENTIFICATION OF  
TECHNICAL/THEORETICAL/EMPIRICAL  
STUDIES, REPORTS, OR DOCUMENTS UPON  
WHICH THE SMGB HAS RELIED

In order to determine the range, diversity, and purpose for including idle mines for a Low Gross Exemption, the SMGB's Policy and Legislative Committee held a public hearing on October 14, 2010, to receive preliminary public comment to clarify and discuss the nature of the financial inequity to surface mining operations that are considered idle and thus, cannot presently be considered for a Low Gross Exemption. The Committee heard from stakeholders including surface mining operators, the California Construction and Industrial Materials Association (CalCIMA), OMR, and other stakeholders.

AVAILABILITY OF STATEMENT OF REASONS  
AND TEXT OF REGULATIONS

Following the public comment period, the SMGB may adopt, as final, the proposed amended regulation substantially as described in this Notice and Informative Digest. Copies of the regulation, as finally adopted, will be sent to all persons on the SMGB's public comment mailing list for this issue and others requesting copies. If, as a result of public comment, substantive changes to the regulation are deemed appropriate, copies of the proposed changes will be sent to all persons who testified at the public hearing or submitted written comments during the comment period or at the public hearing, and to those who have requested copies of information regarding the regulation. The modified text

will be available to the public for at least 15 days before the SMGB adopts the regulation as revised. The SMGB will accept written comments for a period of at least 15 days after the date upon which changes were made available. If adopted, the regulation will appear in CCR, Title 14, Division 2, Chapter 8, Subchapter 1, Article 15, Section 3360(a). A copy of the Final Statement of Reasons may be obtained by contacting the SMGB office as described under the section "Contact Person."

AVAILABILITY OF CHANGED OR  
MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the SMGB may adopt the proposed regulations substantially as described in this notice. If the SMGB makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with changes clearly indicated) available to the public for at least 15 days before the SMGB adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Mr. Stephen Testa at the address provided below. The SMGB will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL  
STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Mr. Stephen Testa at the address provided below.

CONTACT PERSON

An interested person may request a copy of the proposed amended regulation and the Initial Statement of Reasons, or direct questions about the proposed regulation and Initial Statement of Reasons and inspect all supplemental information, upon which the regulation is based, contained in the rulemaking file.

The rulemaking file is available for inspection at the SMGB Office at 801 K Street, Suite 2015, Sacramento, California, between 9:00 a.m. and 4:00 p.m., Monday through Friday except during state holidays. Copies of the proposed regulation and the Initial Statement of Reasons may be requested by writing to the above address, or viewed on the SMGB's Internet Web Site at: <http://www.conservation.ca.gov/smgb>.

Inquiries concerning the substance of the proposed amended regulation should be directed to:

Mr. Stephen M. Testa, Executive Officer  
State Mining and Geology Board  
801 K Street, Suite 2015  
Sacramento, California 95814  
Phone: (916) 322-1082  
Fax: (916) 445-0738  
[www.conservation.ca.gov/smgb](http://www.conservation.ca.gov/smgb)

OR

Nicole Bristow, Executive Assistant  
State Mining and Geology Board  
801 K Street, Suite 2015  
Sacramento, CA 95814  
Phone: (916) 322-1082  
Fax: (916) 445-0738  
[www.conservation.ca.gov/smgb](http://www.conservation.ca.gov/smgb)

## TITLE 16. BOARD OF CHIROPRACTIC EXAMINERS

NOTICE IS HEREBY GIVEN that the Board of Chiropractic Examiners (hereafter "Board") is proposing to add regulations described in the Informative Digest below. Any person interested may present statements or arguments relevant to the action proposed in writing. Written comments, including those sent by mail, facsimile, or e-mail to the address listed under Contact Person in this Notice, must be received by the Board of Chiropractic Examiners at its office no later than 5:00 p.m. on February 14, 2011.

The board does not intend to hold a hearing in this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the board. The request must be received in the board office no later than 15 days before the close of the written comment period.

The board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 1000-4(b), 1000-4(e) and 1000-10 of the Business and Professions Code (Chiropractic Initiative Act of California Stats. 1923 p. 1xxxviii) and Sections 104 and 475 of the Business and Professions Code and to implement, interpret or make specific Sec-

tions 1000-4(b), 1000-5, 1000-7, 1000-10 and 1000-12 (Chiropractic Initiative Act of California Stats. 1923 p. 1xxxviii) and Sections 104, 136, 141, 475, and 480 of the Business and Professions Code; the board is considering changes to Title 16, Division 4, of the California Code of Regulations as follows:

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Chiropractic Initiative Act Section 1000-4(b) authorizes the board to adopt regulations as they may deem proper and necessary for the performance of its work, the effective enforcement and administration of this act, the establishment of educational requirements for license renewal, and the protection of the public.

This proposal would make regulatory changes to enhance the board's enforcement and administrative processes by defining terms in regulation, establishing reporting and disclosure requirements, and amending regulations specific to its disciplinary guidelines and applicant requirements. These changes would increase the Board's enforcement authority and access to critical information for use in investigations to improve efficiency in enforcement processes and procedures for enhanced consumer protection.

The Board is proposing to make the following changes:

1. Amend Section 303.

This proposal would amend Section 303 to include a requirement for all licensees to file a current and accurate e-mail address with the Board and immediately notify the Board of any changes of an e-mail address within 30 days of the change.

2. Amend Section 304.

This proposal would amend Section 304 to define any disciplinary action taken against a licensee by another licensing entity, authority of any state, agency of the federal government, United States Military, or a foreign government as unprofessional conduct.

3. Add Section 304.5.

This section directs the Board to conduct a search on the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank prior to granting or renewing a license.

4. Amend Section 308.

This proposal would amend Section 308 to define the use of a pocket license and establish display requirements for pocket and wall licenses.

5. Add Section 317.2.

This section would prohibit the inclusion of gag clauses in civil agreements arising from disputes related to the chiropractor's practice and define a violation of this section as unprofessional conduct.



6. Add Section 317.3.

This section would set forth licensee reporting requirements and define a failure to comply with these requirements as unprofessional conduct.

7. Add Section 317.4.

This section would require licensees who employ licensed chiropractors to notify the Board when a licensed chiropractor has been suspended or terminated, or resigned in lieu of suspension or termination. This section would also define the phrases “suspension or termination for cause,” “resignation in lieu of suspension or termination for cause,” and “gross negligence” and define the term “incompetence” as well as establish consequences of non-compliance.

8. Add Section 321.1.

This section would establish the Board’s authority to require applicants suspected of impairment due to a mental or physical illness to be examined for competency and grant the Board authority to deny applicants based on the results of such examination. This section would direct the Board to pay the full cost of the examination. Lastly this section establishes consequences for non-compliance.

9. Add Section 390.7.

This section would authorize the Board to enter into a settlement with a licensee in lieu of an Accusation or Statement of Issues and set forth the rights of licensees who choose to enter into such a settlement.

10. Add Section 390.8.

This section would mandate the Board to revoke a license for any act of sexual contact as defined in subdivision (c) of Section 729 of the Business and Professions Code. This section would also prohibit a proposed decision from containing a stay of the revocation.

11. Add Section 390.9.

This section would require the Board to take specified administrative and disciplinary actions against individuals who are required to register as a sex offender. This section would also define exemptions to these requirements.

FISCAL IMPACT ESTIMATES

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

Non-discretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 through 17630 Requires Reimbursement: None

Business Impact:

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

Impact on Jobs/New Businesses:

The Board has determined that this regulatory proposal will not have any impact on creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in California.

Cost Impact on 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.

Effect on Housing Costs: None

Effect on Small Business:

The board has determined that this regulatory proposal will not impose a cost to small businesses.

The proposed regulations will primarily impact applicants for chiropractic licensure in California and licensees who have been disciplined by another entity or who have criminal records by setting forth disclosure requirements. There would be no additional costs for small businesses to comply with the disclosure requirements in the proposed regulations.

CONSIDERATION OF ALTERNATIVES

The board must determine that no reasonable alternative that is considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

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

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, the initial statement of reasons, and all the information upon which the proposal is based, may be obtained upon written request from:

Dixie Van Allen, Program Analyst  
2525 Natomas Park Drive, Suite 260  
Sacramento, California 95833  
(916) 263-5329  
Fax (916) 263-5369  
[dixie.vanallen@chiro.ca.gov](mailto:dixie.vanallen@chiro.ca.gov)

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

All the information upon which the proposed regulations are based is contained in the rulemaking file that is available for public inspection by contacting the person 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, [www.chiro.ca.gov](http://www.chiro.ca.gov).

**CONTACT PERSON**

Inquiries concerning the proposed administrative action may be directed to:

Name: Dixie Van Allen, Program Analyst  
Address: 2525 Natomas Park Drive, Suite 260  
Sacramento, California 95833  
Telephone: (916) 263-5329  
Fax: (916) 263-5369  
E-mail: [dixie.vanallen@chiro.ca.gov](mailto:dixie.vanallen@chiro.ca.gov)

The backup contact person is:

Name: Robert Puleo  
Address: 2525 Natomas Park Drive, Suite 260  
Sacramento, CA 95833  
Telephone: (916) 263-5355  
Fax: (916) 263-5369  
E-mail: [chiro.info@chiro.ca.gov](mailto:chiro.info@chiro.ca.gov)

Web Site Address: Materials regarding this proposal can be found at [www.chiro.ca.gov](http://www.chiro.ca.gov).

**TITLE 22/MPP. DEPARTMENT OF  
SOCIAL SERVICES**

ORD #0710-06

**NOTICE OF PROPOSED CHANGES  
IN REGULATIONS OF THE  
CALIFORNIA DEPARTMENT OF  
SOCIAL SERVICES (CDSS)**

ITEM # Adoption Assistance Program (AAP)  
Regulation Revisions

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writ-

ing relevant to the proposed regulations at a public hearing to be held February 16, 2011, as follows:

February 16, 2011  
Office Building # 8  
744 P Street  
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on February 16, 2011.

Following the public hearing CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

**CONTACT**

Office of Regulations Development  
California Department of Social Services  
744 P Street, MS 8-4-192  
Sacramento, California 95814

TELEPHONE: (916) 657-2586  
FACSIMILE: (916) 654-3286  
E-MAIL: [ord@dss.ca.gov](mailto:ord@dss.ca.gov)

CHAPTERS

California Code of Regulations, Title 22, Division 2, Chapter 3, Sections 35000 (Definitions), 35325 (Request for Adoption Assistance), 35326 (AAP Eligibility), 35327 (Search for Parents not Requiring Adoption Assistance), 35329 (Effect of Adoptive Parent’s Legal Residence), 35331 (Documentation of Child’s Eligibility), 35333 (Determination of Amount and Duration of AAP Benefit for all Children), 35334 (Determination of Amount and Duration of AAP Benefit for a Child in Temporary Out-Of-Home Placement), 35337 (Content of the Adoption Assistance Agreement), 35339 (Deferred Payment of AAP), 35341 (Procedures for Initiation of Payment), 35343 (Procedures for Reassessment of the Child’s Needs), 35344 (Procedures for Identification and Recovery of Overpayments), 35345 (When Notice of Action is Required), 35347 (Statutory Provisions of AAC), 35351 (Maintenance of Separate Records), 35352 (Notification Requirements for Agencies), 35352.1 (Eligibility for Reimbursement), 35352.2 (Authorization for Reimbursement), and 35352.3 (Agency Requirements for Reimbursements). California Department of Social Services, Manual of Policies and Procedures, Sections 45–801 (Definitions), 45–802 (AAP Eligibility), 45–803 (County of Responsibility), 45–804 (Payment), 45–805 (Recertification of Eligibility), 45–806 (Notice of Action), and 45–807 (Maintenance of Case Record).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing regulations provide for the county and California Department of Social Services (CDSS) Adoptions District Offices administration of the Adoption Assistance Program (AAP). Federal subsidies were created by Congress (through Public Law 96–272 — the Adoption Assistance and Child Welfare Act of 1980) to encourage the adoption of special needs children and remove the financial disincentives for families to adopt. Recognizing that adoptive parents often experience financial difficulty meeting the special needs of children who formerly were placed in California’s foster care system, the state legislature created AAP. In creating the program, the legislature intended to benefit children in foster care by providing the security and stability of a permanent home through adoption. Children may receive a federally funded subsidy under Title IV–E or a state–funded subsidy per state guidelines.

Due to public and congressional inquiries, the Administration of Children Youth and Families (ACYF) reviewed States’ respective Title IV–E Plans and concluded each State’s AAP was implemented in a different manner and was inconsistent with the federal re-

quirements. As a result of the federal review, California submitted a request to amend its Title IV–E State Plan to ACYF, in May 2007 and June 2007. The request was in response to the following program instructions (PI): ACYF–CB–PI–06–06 regarding changes made to the Social Security Act (SSA) by the Deficit Reduction Act of 2005 (DRA); ACYF–CB–PI–07–02 regarding changes made to the SSA by the Fair Access Foster Care Act of 2005, the Safe and Timely Interstate Placement of Foster Children Act of 2006, the Adam Walsh Child Protection and Safety Act of 2006; and ACYF–CB–PI–07–04 regarding the changes made by the Tax Relief and Health Care Act of 2006. In May 2008, ACYF requested the state submit a Program Improvement Plan (PIP) specific to AAP. The development of the AAP PIP was based on inquiries and discussions among CDSS staff and Region IX staff. The AAP PIP includes amendments to AAP statutes, regulations and policies and forms. The AAP PIP was approved in June 2009 and is to be completed by December 2010. The outstanding items to be completed per the PIP are the revisions of the Title 22, Division 2, Chapter 3. Adoption Program Regulations; Subchapter 7. Adoption Assistance Program/Aid for the Adoption of Children (AAP/AAC).

Assembly Bill (AB) 4 (Chapter 4, Statutes of 2009), AB 1325 (Chapter 287, Statutes of 2009), and Senate Bill 597 (Chapter 339, Statutes of 2009) mandated CDSS to amend AAP related regulations. As authorized by Welfare and Institutions Code Sections 12300(b), 10553 and 10554, the proposed regulations make changes to current provisions for clarity and consistency purposes and to more clearly express current policy specific to: AAP eligibility; AAP payment amounts; agreements; AAP reassessments; and nonrecurring adoption expenses.

COST ESTIMATE

1. Costs or Savings to State Agencies: No additional costs or savings because this regulation makes only technical, non–substantive or clarifying changes to current laws and regulations.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500–17630: None.
3. Nondiscretionary Costs or Savings to Local Agencies: No additional costs or savings because this regulation makes only technical, non–substantive or clarifying changes to current laws and regulations.
4. Federal Funding to State Agencies: No additional costs or savings because this regulation makes only technical, non–substantive or clarifying changes to current laws and regulations.

**LOCAL MANDATE STATEMENT**

These regulations do impose a mandate upon local agencies but not upon school districts. The mandate is not required to be reimbursed pursuant to part 7 (commencing with Section 17500) of Division 4 of the Government Code or Section 6 of Article XIII B of the California Constitution because implementation of the regulations will, if anything, result in negligible costs.

**STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS**

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

**STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES**

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

**SMALL BUSINESS IMPACT STATEMENT**

CDSS has determined that there is an impact on small businesses as a result of filing these regulations because these regulations also apply to licensed adoption agencies who are required to: 1.) provide information on the availability of mental health services for Adoption Assistance Program (AAP) eligible children to the prospective adoptive family; 2.) inform the prospective adoptive family that they will continue to receive AAP benefits in the agreed upon amount; 3.) provide written information about the AAP to a prospective adoptive family at the time of application and once again immediately prior to the finalization of the adoption; and 4.) encourage a prospective adoptive family to sign a deferred adoption agreement if they elect not to receive AAP benefits at the time of adoptive placement.

**ASSESSMENT OF JOB CREATION OR ELIMINATION**

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

**STATEMENT OF EFFECT ON HOUSING COSTS**

The proposed regulatory action will have no effect on housing costs.

**STATEMENT OF ALTERNATIVES CONSIDERED**

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

**AUTHORITY AND REFERENCE CITATIONS**

CDSS adopts these regulations under the authority granted in Welfare and Institutions Code Sections 10553, 10554, and 16118(a). Subject regulations implement and make specific Welfare and Institutions Code Sections 16118, 16119, 16120, 16120.1, 16121, and 16121.05; 42 United States Code Sections 671 and 673; and 45 Code of Federal Regulations 1356.40 and 1356.41.

**CDSS REPRESENTATIVE REGARDING THE RULEMAKING PROCESS OF THE PROPOSED REGULATION**

Contact Person: Everardo Vaca (916) 657-2586  
Backup: Zaid Dominguez (916) 657-2586

**TITLE 23. DEPARTMENT OF WATER RESOURCES**

**NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE DEPARTMENT OF WATER RESOURCES**

NOTICE IS HEREBY GIVEN that the Department of Water Resources, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its Conflict-of-Interest Code. The purpose of these amendments is to implement the requirements of sections 87300 through 87302, and section 87306 of the Government Code.

The Department of Water Resources proposes to amend its Conflict-of-Interest Code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code.

This amendment addresses reorganizations and makes other technical changes to reflect the current organizational structure of the Department. Copies of the amended code are available and may be requested from the Contact Person set forth below.



Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than February 14, 2011, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than 15 days before the close of the written comment period by contacting the Contact Person set forth below.

The Department of Water Resources has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the Contact Person set forth below.

The Department of Water Resources has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

In making these proposed amendments, the Department of Water Resources must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected persons than the proposed amendments.

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

Amanda Jack  
 1416 Ninth Street, Room 330-1  
 Sacramento, California 95814  
 (916) 651-6851  
 amandaj@water.ca.gov

**GENERAL PUBLIC INTEREST**

**DEPARTMENT OF FISH AND GAME**

**Department of Fish and Game —  
 Public Interest Notice**

For Publication December 31, 2010  
 CESA CONSISTENCY DETERMINATION  
 REQUEST FOR  
 Meridian Business Park Project  
 Riverside County  
 2080-2010-058-06

The Department of Fish and Game (Department) received a notice on December 17, 2010 that March Joint Powers Authority proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect species protected by the California Endangered Species Act (CESA). The proposed action would consist of the widening of Van Buren Blvd., relocation and enhancement of the riparian drainage adjacent to Van Buren Blvd., and restoration of damaged riparian habitat.

The U.S. Fish and Wildlife Service (Service) issued a "no jeopardy" federal biological opinion (File No. FWS-WRIV-09B0221-09F1185)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers on October 14, 2009 which considered the effects of the project on the Federally and State endangered least Bell's vireo (*Vireo bellii pusillus*).

Pursuant to California Fish and Game Code Section 2080.1, March Joint Powers Authority is requesting a determination that the BO and ITS are consistent with CESA for purposes of the proposed Project. If the Department determines the BO and ITS are consistent with CESA for the proposed Project, March Joint Powers Authority will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the Project.

**DEPARTMENT OF FISH AND GAME**

Department of Fish and Game —  
 Public Interest Notice  
 For Publication December 31, 2010  
 PROPOSED RESEARCH ON FULLY  
 PROTECTED SPECIES  
 Golden Eagle Monitoring with Satellite Transmitters

The Department of Fish and Game (Department) received a proposal on December 15, 2010, from Eagle

Environmental, Inc., 30 Fonda Road, Santa Fe, NM 87508, requesting authorization to take the golden eagle (*Aquila chrysaetos*) (eagle), Fully Protected bird, for research purposes consistent with the protection and recovery of this species.

The applicant is in the process of obtaining the required Scientific Collecting Permit (SCP) to take protected species of wildlife. Permit conditions require that the holder of an SCP obtain special authorization from the Department for research on Fully Protected species. The proposed activities include capture using carrion or live bait with nets and traps designed to eliminate risk of injury to live bait and target eagles, and marking eagles with satellite transmitters, to research the impact of wind turbines on the eagles. The Department intends to issue, under specified conditions, a Memorandum of Understanding (MOU) that would authorize the applicant to carry out the proposed activities. Work will initially occur in San Bernardino County, but work may be subsequently authorized for sites throughout California.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected birds after 30 days' notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected birds, it would issue the authorization on or after January 31, 2011, for an initial and renewable term of three years. Contact: Wildlife Branch, 1812 9th Street, Sacramento, CA 95811, Attn.: Carle Battistone.

**DEPARTMENT OF HEALTH CARE SERVICES**

**NOTICE OF GENERAL PUBLIC INTEREST**

**THE DEPARTMENT OF HEALTH CARE SERVICES PROPOSES TO ACCEPT VOLUNTARY INTERGOVERNMENTAL TRANSFERS MADE BY GOVERNMENTAL ENTITIES TO FINANCE SUPPLEMENTAL PAYMENTS TO HOSPITALS SPECIFIED BY THE TRANSFEROR**

This notice is to provide information of public interest with respect to Governmental Entities that propose to voluntarily transfer public funds to the State via intergovernmental transfer (IGT) to finance the non-federal share of supplemental payments to specified hospitals for the provision of services to Medi-Cal beneficiaries.

A Government Entity would be defined as a State, a city, county, city/county, health care district, or other governmental unit in the State. The Governmental Entity must be legally authorized to levy and collect ad valorem taxes, generate public revenue, or receive and expend appropriated public funds.

The Governmental Entity would attest to the source of funds as being derived from a legitimate source, and would certify that the IGT is a voluntary contribution to support the non-federal share of supplemental Medicaid payments to specified hospitals. The hospital receiving payment would be required to retain the full amount of the total payment, and would not be permitted to return any portion of the payment to any Governmental Entity.

The State would be entitled to retain a portion of the IGT as reimbursement for administrative costs associated with processing the IGT and payment to the hospital, and/or to fund other health care related costs incurred by the State.

The State would have the discretion to accept or not accept the IGT from a Governmental Entity.

**PUBLIC REVIEW AND COMMENTS**

Copies of the State Plan Amendment that amends California's Medicaid State Plan may be requested, in writing, from Mr. Bob Sands, Department of Health Care Services, Safety Net Financing Division, MS 4504, P.O. Box 997436, Sacramento, CA 95899-7436.

Written comments concerning the proposal may be mailed to Mr. Sands at the above address and must be received on or before January 16, 2011.

**DEPARTMENT OF PUBLIC HEALTH**

NOTICE IS HEREBY GIVEN that the California Department of Public Health, Center for Health Care Quality, Licensing & Certification Program (hereinafter referred to as the "Department"), pursuant to GC Section 11346.45, is inviting interested parties to participate in a public discussion and submit statements and comments regarding the substance of regulations governing Infection Control and Prevention as described in Health & Safety Code Section 1255.8, 1288.55, 1288.6, 1288.7, 1288.8 and 1288.9 and a review and revision of Title 22, Division 5, Chapter 1 — 70739 regulation related to Infection Prevention and Control prior to the start of the formal rulemaking process.

Any person interested may present statements orally or in writing relevant to these issues at a pre-notice meeting to be held at the **East End Complex Auditorium, 1500 Capitol Ave., Sacramento, California 95814 at 8:30 a.m., Thursday, February 3, 2011.**

Written comments, including those sent by mail, facsimile, or e-mail to the address listed under Contact Persons in this Notice, must be received by the Department at its office not later than 5:00 p.m. on Wednesday, February 2, 2011, or must be received at the meeting. The Department would appreciate a written copy of any oral comments presented at the meeting.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Edwin Hoffmark at (800) 236-9747, or email [RNUnit@cdph.ca.gov](mailto:RNUnit@cdph.ca.gov), or send a written request to the Department at PO Box 997377; MS 3201, Sacramento, CA 95899-7337. Providing your request at least seven (7) business days before the meeting will help to ensure availability of the requested accommodation.

Contact Person:

Edwin Hoffmark, RN Unit Chief

CDPH, Licensing & Certification  
 PO Box 997377; MS 3201  
 Sacramento, CA 95899-7377  
 Fax: (916) 324-4820  
 Email: [RNUnit@cdph.ca.gov](mailto:RNUnit@cdph.ca.gov)  
 Phone: 1-800-236-9747

**OFFICE OF ENVIRONMENTAL  
 HEALTH HAZARD ASSESSMENT**

**California Environmental Protection Agency  
 Office of Environmental Health  
 Hazard Assessment  
 Notice to Interested Parties**

**December 31, 2010**

**ANNOUNCEMENT OF SECOND  
 PUBLIC COMMENT PERIOD**

**Draft Technical Support Document on  
 Proposed Public Health Goal for Hexavalent  
 Chromium in Drinking Water**

The Office of Environmental Health Hazard Assessment (OEHHA) within the California Environmental Protection Agency is announcing the availability of the revised draft technical support document for a proposed Public Health Goal (PHG) for hexavalent chromium in drinking water. This document decreases the proposed PHG to 0.02 parts per billion, versus 0.06 ppb in the first draft posted in 2009; the change is due to consideration of early-in-life exposures for cancer potency. The draft

document is posted on the OEHHA web site at [www.oehha.ca.gov](http://www.oehha.ca.gov). OEHHA is soliciting comments on the draft report during a 30-day comment period. OEHHA follows the requirements set forth in Health and Safety Code Sections 57003(a) and 116365 for receiving public input.

OEHHA will evaluate all the comments received and revise the document as appropriate. Written comments must be received at the OEHHA address below by 5:00 p.m. on January 31, 2010, to be considered before publication of the final document. The final document will be posted on the OEHHA web site along with responses to the major comments received during the public review and scientific comment periods.

The PHG technical support documents provide information on the health effects of contaminants in drinking water. The PHG is a level of drinking water contaminant at which adverse health effects are not expected to occur from a lifetime of exposure. The California Safe Drinking Water Act of 1996 (codified as Health and Safety Code, section 116270 et seq.) requires OEHHA to develop PHGs based exclusively on public health considerations (Health and Safety Code section 116365(c)). PHGs published by OEHHA are considered by the California Department of Public Health in setting drinking water standards (Maximum Contaminant Levels, or MCLs) as required by Health and Safety Code section 116365(a-b).

If you would like to receive further information on this announcement or have questions, please contact OEHHA at (510) 622-3170 or the address below.

Michael Baes ([mbaes@oehha.ca.gov](mailto:mbaes@oehha.ca.gov))  
 Pesticide and Environmental Toxicology Branch  
 Office of Environmental Health Hazard Assessment  
 California Environmental Protection Agency  
 1515 Clay St., 16<sup>th</sup> floor  
 Oakland, California, 94612

Attention: PHG Project

**OFFICE OF ENVIRONMENTAL  
 HEALTH HAZARD ASSESSMENT**

**California Environmental Protection Agency  
 Notice to Interested Parties**

**December 31, 2010**

**ANNOUNCEMENT OF PUBLICATION OF  
 THE FINAL PUBLIC HEALTH GOAL FOR  
 STYRENE IN DRINKING WATER**

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental

Protection Agency announces the publication of the final technical support document for the Public Health Goal (PHG) for styrene in drinking water. The PHG for styrene is established at 0.5 parts per billion (ppb), based on carcinogenic effects in mice, supported by genotoxic effects observed in humans and suggestive evidence of increased cancer in occupational studies.

The Office previously offered a 45-day public comment period and held a public workshop for styrene on July 15, 2008. Upon request, the comment period was extended to September 15, 2008. After addressing the comments received, the document was posted for a second (30-day) comment period on February 4, 2010, which was extended upon request to May 15, 2010. OEHHA has now finalized the PHG document in response to additional comments and is posting the final version and our responses to the major comments on the OEHHA web site ([www.oehha.ca.gov/water/phg/index.html](http://www.oehha.ca.gov/water/phg/index.html)).

The PHG technical support documents provide information on the health effects of contaminants in drinking water. The PHG is a level of drinking water contaminant at which adverse health effects are not expected to occur from a lifetime of exposure. The California Safe Drinking Water Act of 1996<sup>1</sup> requires OEHHA to develop PHGs based exclusively on public health considerations.<sup>2</sup> PHGs published by OEHHA are considered by the California Department of Public Health in setting drinking water standards (Maximum Contaminant Levels, or MCLs).<sup>3</sup>

If you would like to receive further information on this announcement or have questions, please contact our office at (510) 622-3170 or the address below.

Michael Baes ([mbaes@oehha.ca.gov](mailto:mbaes@oehha.ca.gov))  
 Pesticide and Environmental Toxicology Branch  
 Office of Environmental Health Hazard Assessment  
 California Environmental Protection Agency  
 1515 Clay St., 16th floor  
 Oakland, California 94612  
 Attention: PHG Project

<sup>1</sup> Codified at Health and Safety Code, section 116270 et seq.

<sup>2</sup> Health and Safety Code section 116365(c)

<sup>3</sup> Health and Safety Code section 116365(a) and (b)

**PROPOSITION 65**

**OFFICE OF ENVIRONMENTAL  
 HEALTH HAZARD ASSESSMENT**

STATE OF CALIFORNIA  
 ENVIRONMENTAL PROTECTION AGENCY  
 OFFICE OF ENVIRONMENTAL HEALTH  
 HAZARD ASSESSMENT  
 SAFE DRINKING WATER AND TOXIC  
 ENFORCEMENT ACT OF 1986

CHEMICALS KNOWN TO THE STATE  
 TO CAUSE CANCER OR  
 REPRODUCTIVE TOXICITY

December 31, 2010

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

CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole)	26148-68-5	January 1, 1990
Acetaldehyde	75-07-0	April 1, 1988
Acetamide	60-35-5	January 1, 1990
Acetochlor	34256-82-1	January 1, 1989
2-Acetylaminofluorene	53-96-3	July 1, 1987
Acifluorfen sodium	62476-59-9	January 1, 1990
Acrylamide	79-06-1	January 1, 1990



<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
Acrylonitrile	107-13-1	July 1, 1987
Actinomycin D	50-76-0	October 1, 1989
AF-2;[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide	3688-53-7	July 1, 1987
Aflatoxins	—	January 1, 1988
Alachlor	15972-60-8	January 1, 1989
Alcoholic beverages, when associated with alcohol abuse	—	July 1, 1988
Aldrin	309-00-2	July 1, 1988
<u>Allyl chloride Delisted October 29, 1999</u>	<u>107-05-1</u>	<u>January 1, 1990</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-methylantraquinone	82-28-0	October 1, 1989
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712-68-5	July 1, 1987
4-Amino-2-nitrophenol	119-34-6	January 29, 1999
Amitrole	61-82-5	July 1, 1987
Amsacrine	51264-14-3	August 7, 2009
Analgesic mixtures containing phenacetin	—	February 27, 1987
Aniline	62-53-3	January 1, 1990
Aniline hydrochloride	142-04-1	May 15, 1998
ortho-Anisidine	90-04-0	July 1, 1987
ortho-Anisidine hydrochloride	134-29-2	July 1, 1987
Antimony oxide (Antimony trioxide)	1309-64-4	October 1, 1990
Anthraquinone	84-65-1	September 28, 2007
Aramite	140-57-8	July 1, 1987
Areca nut	—	February 3, 2006
Aristolochic acids	—	July 9, 2004
Arsenic (inorganic arsenic compounds)	—	February 27, 1987
Asbestos	1332-21-4	February 27, 1987
Auramine	492-80-8	July 1, 1987
Azacitidine	320-67-2	January 1, 1992
Azaserine	115-02-6	July 1, 1987
Azathioprine	446-86-6	February 27, 1987
Azobenzene	103-33-3	January 1, 1990
Benthiavalicarb-isopropyl	177406-68-7	July 1, 2008
Benz[a]anthracene	56-55-3	July 1, 1987
Benzene	71-43-2	February 27, 1987
Benzidine [and its salts]	92-87-5	February 27, 1987
Benzidine-based dyes	—	October 1, 1992
Benzo[b]fluoranthene	205-99-2	July 1, 1987
Benzo[j]fluoranthene	205-82-3	July 1, 1987
Benzo[k]fluoranthene	207-08-9	July 1, 1987
Benzofuran	271-89-6	October 1, 1990
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

**CALIFORNIA REGULATORY NOTICE REGISTER 2010, VOLUME NO. 53-Z**

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
2,2-Bis(bromomethyl)-1,3-propanediol	3296-90-0	May 1, 1996
Bis(2-chloroethyl)ether	111-44-4	April 1, 1988
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlornapazine)	494-03-1	February 27, 1987
Bischloroethyl nitrosourea (BCNU) (Carmustine)	154-93-8	July 1, 1987
Bis(chloromethyl)ether	542-88-1	February 27, 1987
Bis(2-chloro-1-methylethyl) ether, technical grade	—	October 29, 1999
Bitumens, extracts of steam-refined and air refined	—	January 1, 1990
Bracken fern	—	January 1, 1990
Bromate	15541-45-4	May 31, 2002
Bromochloroacetic acid	5589-96-8	April 6, 2010
Bromodichloromethane	75-27-4	January 1, 1990
Bromoethane	74-96-4	December 22, 2000
Bromoform	75-25-2	April 1, 1991
1,3-Butadiene	106-99-0	April 1, 1988
1,4-Butanediol dimethanesulfonate (Busulfan)	55-98-1	February 27, 1987
Butylated hydroxyanisole	25013-16-5	January 1, 1990
beta-Butyrolactone	3068-88-0	July 1, 1987
Cacodylic acid	75-60-5	May 1, 1996
Cadmium and cadmium compounds	—	October 1, 1987
Caffeic acid	331-39-5	October 1, 1994
Captafol	2425-06-1	October 1, 1988
Captan	133-06-2	January 1, 1990
Carbaryl	63-25-2	February 5, 2010
Carbazole	86-74-8	May 1, 1996
Carbon black (airborne, unbound particles of respirable size)	1333-86-4	February 21, 2003
Carbon tetrachloride	56-23-5	October 1, 1987
Carbon-black extracts	—	January 1, 1990
N-Carboxymethyl-N-nitrosourea	60391-92-6	January 25, 2002
Catechol	120-80-9	July 15, 2003
Ceramic fibers (airborne particles of respirable size)	—	July 1, 1990
Certain combined chemotherapy for lymphomas	—	February 27, 1987
Chlorambucil	305-03-3	February 27, 1987
Chloramphenicol	56-75-7	October 1, 1989
Chlordane	57-74-9	July 1, 1988
Chlordecone (Kepone)	143-50-0	January 1, 1988
Chlordimeform	6164-98-3	January 1, 1989
Chlorendic acid	115-28-6	July 1, 1989
Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight)	108171-26-2	July 1, 1989
p-Chloroaniline	106-47-8	October 1, 1994
p-Chloroaniline hydrochloride	20265-96-7	May 15, 1998
Chlorodibromomethane <u>Delisted October 29, 1999</u>	124-48-1	January 1, 1990
Chloroethane (Ethyl chloride)	75-00-3	July 1, 1990
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	13010-47-4	January 1, 1988
1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea (Methyl-CCNU)	13909-09-6	October 1, 1988
Chloroform	67-66-3	October 1, 1987
Chloromethyl methyl ether (technical grade)	107-30-2	February 27, 1987
3-Chloro-2-methylpropene	563-47-3	July 1, 1989
1-Chloro-4-nitrobenzene	100-00-5	October 29, 1999
4-Chloro-ortho-phenylenediamine	95-83-0	January 1, 1988
p-Chloro-o-toluidine	95-69-2	January 1, 1990

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
p-Chloro-o-toluidine, strong acid salts of	—	May 15, 1998
5-Chloro-o-toluidine and its strong acid salts	—	October 24, 1997
Chloroprene	126-99-8	June 2, 2000
Chlorothalonil	1897-45-6	January 1, 1989
Chlorotrianisene	569-57-3	September 1, 1996
Chlorozotocin	54749-90-5	January 1, 1992
Chromium (hexavalent compounds)	—	February 27, 1987
Chrysene	218-01-9	January 1, 1990
C.I. Acid Red 114	6459-94-5	July 1, 1992
C.I. Basic Red 9 monohydrochloride	569-61-9	July 1, 1989
C.I. Direct Blue 15	2429-74-5	August 26, 1997
C.I. Direct Blue 218	28407-37-6	August 26, 1997
C.I. Solvent Yellow 14	842-07-9	May 15, 1998
Ciclosporin (Cyclosporin A; Cyclosporine)	59865-13-3 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
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
Coke oven emissions	—	February 27, 1987
Conjugated estrogens	—	February 27, 1987
Creosotes	—	October 1, 1988
para-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
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)	—	January 1, 1990
Diazoaminobenzene	136-35-6	May 20, 2005

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<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
Dibenz[a,h]acridine	226-36-8	January 1, 1988
Dibenz[a,j]acridine	224-42-0	January 1, 1988
Dibenz[a,h]anthracene	53-70-3	January 1, 1988
7H-Dibenzo[c,g]carbazole	194-59-2	January 1, 1988
Dibenzo[a,e]pyrene	192-65-4	January 1, 1988
Dibenzo[a,h]pyrene	189-64-0	January 1, 1988
Dibenzo[a,i]pyrene	189-55-9	January 1, 1988
Dibenzo[a,l]pyrene	191-30-0	January 1, 1988
Dibromoacetic acid	631-64-1	June 17, 2008
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
p-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
Dienestrol	84-17-3	January 1, 1990
Diepoxybutane	1464-53-5	January 1, 1988
Diesel engine exhaust	—	October 1, 1990
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
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
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
1,6-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
Epichlorohydrin	106-89-8	October 1, 1987
Erionite	12510-42-8/ 66733-21-9	October 1, 1988
Estradiol 17B	50-28-2	January 1, 1988
Estragole	140-67-0	October 29, 1999
Estrogens, steroidal	—	August 19, 2005
Estrone	53-16-7	January 1, 1988
Estropipate	7280-37-7	August 26, 1997
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	151-56-4	January 1, 1988
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
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
Glasswool fibers (airborne particles of respirable size)	—	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

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<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Glycidol	556-52-5	July 1, 1990
Griseofulvin	126-07-8	January 1, 1990
Gyromitrin (Acetaldehyde methylformylhydrazone)	16568-02-8	January 1, 1988
HC Blue 1	2784-94-3	July 1, 1989
Heptachlor	76-44-8	July 1, 1988
Heptachlor epoxide	1024-57-3	July 1, 1988
Herbal remedies containing plant species of the genus Aristolochia	—	July 9, 2004
Hexachlorobenzene	118-74-1	October 1, 1987
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
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
Isosafrole <u>Delisted December 8, 2006</u>	120-58-1	October 1, 1989
Isoxaflutole	141112-29-0	December 22, 2000
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
Lindane and other hexachlorocyclohexane isomers	—	October 1, 1989
Lynestrenol	52-76-6	February 27, 2001
Mancozeb	8018-01-7	January 1, 1990
Maneb	12427-38-2	January 1, 1990
Marijuana smoke	—	June 19, 2009
Me-A-alpha-C (2-Amino-3-methyl-9H-pyrido[2,3-b]indole)	68006-83-7	January 1, 1990
Medroxyprogesterone acetate	71-58-9	January 1, 1990
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
<u>Metam potassium</u>	<u>137-41-7</u>	<u>December 31, 2010</u>
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

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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
Methyl iodide	74-88-4	April 1, 1988
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
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
3-Monochloropropane-1,2-diol (3-MCPD)	96-24-2	October 8, 2010
Monocrotaline	315-22-0	April 1, 1988
5-(Morpholinomethyl)-3-[(5-nitro-furfurylidene)-amino]-2-oxazolidinone	139-91-3	April 1, 1988
Mustard Gas	505-60-2	February 27, 1987
MX (3-chloro-4-(dichloromethyl)-5-hydroxy-2(5H)-furanone)	77439-76-0	December 22, 2000
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
Nitrilotriacetic acid	139-13-9	January 1, 1988
Nitrilotriacetic acid, trisodium salt monohydrate	18662-53-8	April 1, 1989
5-Nitroacenaphthene	602-87-9	April 1, 1988
5-Nitro-o-anisidine <u>Delisted December 8, 2006</u>	99-59-2	October 1, 1989
o-Nitroanisole	91-23-6	October 1, 1992
Nitrobenzene	98-95-3	August 26, 1997

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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-n-butylamine	924-16-3	October 1, 1987
N-Nitrosodiethanolamine	1116-54-7	January 1, 1988
N-Nitrosodiethylamine	55-18-5	October 1, 1987
N-Nitrosodimethylamine	62-75-9	October 1, 1987
p-Nitrosodiphenylamine	156-10-5	January 1, 1988
N-Nitrosodiphenylamine	86-30-6	April 1, 1988
N-Nitrosodi-n-propylamine	621-64-7	January 1, 1988
N-Nitroso-N-ethylurea	759-73-9	October 1, 1987
3-(N-Nitrosomethylamino)propionitrile	60153-49-3	April 1, 1990
4-(N-Nitrosomethylamino)-1-(3-pyridyl)1-butanone	64091-91-4	April 1, 1990
N-Nitrosomethylethylamine	10595-95-6	October 1, 1989
N-Nitroso-N-methylurea	684-93-5	October 1, 1987
N-Nitroso-N-methylurethane	615-53-2	April 1, 1988
N-Nitrosomethylvinylamine	4549-40-0	January 1, 1988
N-Nitrosomorpholine	59-89-2	January 1, 1988
N-Nitrosornicotine	16543-55-8	January 1, 1988
N-Nitrosopiperidine	100-75-4	January 1, 1988
N-Nitrosopyrrolidine	930-55-2	October 1, 1987
N-Nitrososarcosine	13256-22-9	January 1, 1988
o-Nitrotoluene	88-72-2	May 15, 1998
Norethisterone (Norethindrone)	68-22-4	October 1, 1989
Norethynodrel	68-23-5	February 27, 2001
Ochratoxin A	303-47-9	July 1, 1990
Oil Orange SS	2646-17-5	April 1, 1988
Oral contraceptives, combined	—	October 1, 1989
Oral contraceptives, sequential	—	October 1, 1989
Oryzalin	19044-88-3	September 12, 2008
Oxadiazon	19666-30-9	July 1, 1991
Oxazepam	604-75-1	October 1, 1994
Oxymetholone	434-07-1	January 1, 1988
Oxythioquinox (Chinomethionat)	2439-01-2	August 20, 1999
Palygorskite fibers (> 5µm in length)	12174-11-7	December 28, 1999
Panfuran S	794-93-4	January 1, 1988
Pentachlorophenol	87-86-5	January 1, 1990
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



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Phenobarbital	50-06-6	January 1, 1990
Phenolphthalein	77-09-8	May 15, 1998
Phenoxybenzamine	59-96-1	April 1, 1988
Phenoxybenzamine hydrochloride	63-92-3	April 1, 1988
o-Phenylenediamine and its salts	95-54-5	May 15, 1998
Phenyl glycidyl ether	122-60-1	October 1, 1990
Phenylhydrazine and its salts	—	July 1, 1992
o-Phenylphenate, sodium	132-27-4	January 1, 1990
o-Phenylphenol	90-43-7	August 4, 2000
PhiP(2-Amino-1-methyl-6-phenylimidazol[4,5-b]pyridine)	105650-23-5	October 1, 1994
Polybrominated biphenyls	—	January 1, 1988
Polychlorinated biphenyls	—	October 1, 1989
Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
Polychlorinated dibenzo-p-dioxins	—	October 1, 1992
Polychlorinated dibenzofurans	—	October 1, 1992
Polygeenan	53973-98-1	January 1, 1988
Ponceau MX	3761-53-3	April 1, 1988
Ponceau 3R	3564-09-8	April 1, 1988
Potassium bromate	7758-01-2	January 1, 1990
Pirimicarb	23103-98-2	July 1, 2008
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-t-butyl ether	57018-52-7	June 11, 2004
Propylene oxide	75-56-9	October 1, 1988
Propylthiouracil	51-52-5	January 1, 1988
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
Saccharin <u>Delisted April 6, 2001</u>	81-07-2	October 1, 1989
Saccharin, sodium <u>Delisted January 17, 2003</u>	128-44-9	January 1, 1988
Safrole	94-59-7	January 1, 1988
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
Spirolactone	52-01-7	May 1, 1997
Stanozolol	10418-03-8	May 1, 1997

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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
Terrazole	2593-15-9	October 1, 1994
Testosterone and its esters	58-22-0	April 1, 1988
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	1746-01-6	January 1, 1988
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
Tobacco, oral use of smokeless products	—	April 1, 1988
Tobacco smoke	—	April 1, 1988
Toluene diisocyanate	26471-62-5	October 1, 1989
ortho-Toluidine	95-53-4	January 1, 1988
ortho-Toluidine hydrochloride	636-21-5	January 1, 1988
para-Toluidine <u>Delisted October 29, 1999</u>	406-49-0	January 1, 1990
Toxaphene (Polychlorinated camphenes)	8001-35-2	January 1, 1988
Toxins derived from <i>Fusarium moniliforme</i> ( <i>Fusarium verticillioides</i> )	—	August 7, 2009
Treosulfan	299-75-2	February 27, 1987
Trichlormethine (Trimustine hydrochloride)	817-09-4	January 1, 1992
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(aziridiny)l-para-benzoquinone (Triaziuone) <u>Delisted December 8, 2006</u>	68-76-8	October 1, 1989
Tris(1-aziridiny)lphosphine sulfide (Thiotepa)	52-24-4	January 1, 1988
Tris(2-chloroethyl) phosphate	115-96-8	April 1, 1992
Tris(2,3-dibromopropyl)phosphate	126-72-7	January 1, 1988
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

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
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
Actinomycin D	developmental	50-76-0	October 1, 1992
All-trans retinoic acid	developmental	302-79-4	January 1, 1989
Alprazolam	developmental	28981-97-7	July 1, 1990
Altretamine	developmental, male	645-05-6	August 20, 1999
Amantadine hydrochloride	developmental	665-66-7	February 27, 2001
Amikacin sulfate	developmental	39831-55-5	July 1, 1990
Aminoglutethimide	developmental	125-84-8	July 1, 1990
tert-Amyl methyl ether	developmental	994-05-8	December 18, 2009
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

**CALIFORNIA REGULATORY NOTICE REGISTER 2010, VOLUME NO. 53-Z**

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Benzodiazepines	developmental	—	October 1, 1992
Benzphetamine hydrochloride	developmental	5411-22-3	April 1, 1990
Bischloroethyl nitrosourea (BCNU) (Carmustine)	developmental	154-93-8	July 1, 1990
Bromacil lithium salt	developmental male	53404-19-6	May 18, 1999 January 17, 2003
1-Bromopropane	developmental, female, male	106-94-5	December 7, 2004
2-Bromopropane	female, male	75-26-3	May 31, 2005
Bromoxynil	developmental	1689-84-5	October 1, 1990
Bromoxynil octanoate	developmental	1689-99-2	May 18, 1999
Butabarbital sodium	developmental	143-81-7	October 1, 1992
1,3-Butadiene	developmental, female, male	106-99-0	April 16, 2004
1,4-Butanediol dimethane-sulfonate (Busulfan)	developmental	55-98-1	January 1, 1989
Butyl benzyl phthalate (BBP)	developmental	85-68-7	December 2, 2005
n-Butyl glycidyl ether	male	2426-08-6	August 7, 2009
Cadmium	developmental, male	—	May 1, 1997
Carbamazepine	developmental	298-46-4	January 29, 1999
Carbaryl	developmental, 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	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	male	108-93-0	November 6, 1998
<u>Delisted January 25, 2002</u>			
Cycloheximide	developmental	66-81-9	January 1, 1989
Cyclophosphamide (anhydrous)	developmental, female, male	50-18-0	January 1, 1989
phosphamide (hydrated)	developmental, female, male	6055-19-2	January 1, 1989



<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Cyhexatin	developmental	13121-70-5	January 1, 1989
Cytarabine	developmental	147-94-4	January 1, 1989
Dacarbazine	developmental	4342-03-4	January 29, 1989
Danazol	developmental	17230-88-5	April 1, 1990
Daunorubicin hydrochloride	developmental	23541-50-6	July 1, 1990
2,4-D butyric acid	developmental, male	94-82-6	June 18, 1999
o,p' -DDT	developmental, female, male	789-02-6	May 15, 1998
p,p' -DDT	developmental, female, male	50-29-3	May 15, 1998
2,4 DP (dichloroprop)	developmental	120-36-5	April 27, 1999
<u>Delisted January 25, 2002</u>			
Demeclocycline hydrochloride (internal use)	developmental	64-73-3	January 1, 1992
Diazepam	developmental	439-14-5	January 1, 1992
Diazoxide	developmental	364-98-7	February 27, 2001
1,2-Dibromo-3-chloropropane (DBCP)	male	96-12-8	February 27, 1987
Di-n-butyl phthalate (DBP)	developmental, female, male	84-74-2	December 2, 2005
Dichloroacetic acid	male	79-43-6	August 7, 2009
1,1-Dichloro-2,2-bis(p-chlorophenyl) ethylene (DDE)	developmental, male	72-55-9	March 30, 2010
Dichlorophene	developmental	97-23-4	April 27, 1999
Dichlorophenamide	developmental	120-97-8	February 27, 2001
Diclofop methyl	developmental	51338-27-3	March 5, 1999
Dicumarol	developmental	66-76-2	October 1, 1992
Di(2-ethylhexyl)phthalate (DEHP)	developmental, male	117-81-7	October 24, 2003
Diethylstilbestrol (DES)	developmental	56-53-1	July 1, 1987
Diflunisal	developmental, female	22494-42-4	January 29, 1999
Diglycidyl ether	male	2238-07-5	August 7, 2009
Di-n-hexyl phthalate (DnHP)	female, male	84-75-3	December 2, 2005
Dihydroergotamine mesylate	developmental	6190-39-2	May 1, 1997
Di-isodecyl phthalate (DIDP)	developmental	68515-49-1/ 26761-40-0	April 20, 2007
Diltiazem hydrochloride	developmental	33286-22-5	February 27, 2001
N,N-Dimethylacetamide	developmental	127-19-5	May 21, 2010
m-Dinitrobenzene	male	99-65-0	July 1, 1990
o-Dinitrobenzene	male	528-29-0	July 1, 1990
p-Dinitrobenzene	male	100-25-4	July 1, 1990
2,4-Dinitrotoluene	male	121-14-2	August 20, 1999
2,6-Dinitrotoluene	male	606-20-2	August 20, 1999
Dinitrotoluene (technical grade)	female, male	—	August 20, 1999
Dinocap	developmental	39300-45-3	April 1, 1990
Dinoseb	developmental, male	88-85-7	January 1, 1989
Diphenylhydantoin (Phenytoin)	developmental	57-41-0	July 1, 1987
Disodium cyanodithioimidocarbonate	developmental	138-93-2	March 30, 1999
Doxorubicin hydrochloride (Adriamycin)	developmental, male	25316-40-9	January 29, 1999
Doxycycline (internal use)	developmental	564-25-0	July 1, 1990
Doxycycline calcium (internal use)	developmental	94088-85-4	January 1, 1992
Doxycycline hyclate (internal use)	developmental	24390-14-5	October 1, 1991
Doxycycline monohydrate (internal use)	developmental	17086-28-1	October 1, 1991

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Endrin	developmental	72-20-8	May 15, 1998
Environmental tobacco smoke (ETS)	developmental	—	June 9, 2006
Epichlorohydrin	male	106-89-8	September 1, 1996
Ergotamine tartrate	developmental	379-79-3	April 1, 1990
Estropipate	developmental	7280-37-7	August 26, 1997
Ethionamide	developmental	536-33-4	August 26, 1997
Ethyl alcohol in alcoholic beverages	developmental	—	October 1, 1987
Ethyl-tert-butyl ether	male	637-92-3	December 18, 2009
Ethyl dipropylthiocarbamate	developmental	759-94-4	April 27, 1999
Ethylene dibromide	developmental, male	106-93-4	May 15, 1998
Ethylene glycol monoethyl ether	developmental, male	110-80-5	January 1, 1989
Ethylene glycol monomethyl ether	developmental, male	109-86-4	January 1, 1989
Ethylene glycol monoethyl ether acetate	developmental, male	111-15-9	January 1, 1993
Ethylene glycol monomethyl ether acetate	developmental, male	110-49-6	January 1, 1993
Ethylene oxide	female	75-21-8	February 27, 1987
	developmental, male		August 7, 2009
Ethylene thiourea	developmental	96-45-7	January 1, 1993
2-Ethylhexanoic acid	developmental	149-57-5	August 7, 2009
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, 1998
Flurazepam hydrochloride	developmental	1172-18-5	October 1, 1992
Flurbiprofen	developmental, female	5104-49-4	August 20, 1999
Flutamide	developmental	13311-84-7	July 1, 1990
Fluticasone propionate	developmental	80474-14-2	May 15, 1998
Fluvalinate	developmental	69409-94-5	November 6, 1998
Ganciclovir	developmental, male	82410-32-0	August 26, 1997
Ganciclovir sodium	developmental, male	107910-75-8	August 26, 1997
Gemfibrozil	female, male	25812-30-0	August 20, 1999
Goserelin acetate	developmental, female, male	65807-02-5	August 26, 1997
Halazepam	developmental	23092-17-3	July 1, 1990
Halobetasol propionate	developmental	66852-54-8	August 20, 1999
Haloperidol	developmental, female	52-86-8	January 29, 1999
Halothane	developmental	151-67-7	September 1, 1996
Heptachlor	developmental	76-44-8	August 20, 1999
Hexachlorobenzene	developmental	118-74-1	January 1, 1989
Hexafluoroacetone	male	684-16-2	August 1, 2008
Hexamethylphosphoramide	male	680-31-9	October 1, 1994
Histrelin acetate	developmental	—	May 15, 1998
Hydramethylnon	developmental, male	67485-29-4	March 5, 1999
Hydroxyurea	developmental	127-07-1	May 1, 1997

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
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
Methazole	developmental	20354-26-1	December 1, 1999
Methimazole	developmental	60-56-0	July 1, 1990
Methotrexate	developmental	59-05-2	January 1, 1989
Methotrexate sodium	developmental	15475-56-6	April 1, 1990
Methyl bromide as a structural fumigant	developmental	74-83-9	January 1, 1993
Methyl chloride	developmental	74-87-3	March 10, 2000
	male		August 7, 2009
Methyl n-butyl ketone	male	591-78-6	August 7, 2009
Methyl isocyanate (MIC)	developmental, female	624-83-9	November 12, 2010
Methyl mercury	developmental	—	July 1, 1987
N-Methylpyrrolidone	developmental	872-50-4	June 15, 2001
Methyltestosterone	developmental	58-18-4	April 1, 1990
Metiram	developmental	9006-42-2	March 30, 1999
Midazolam hydrochloride	developmental	59467-96-8	July 1, 1990
Minocycline hydrochloride (internal use)	developmental	13614-98-7	January 1, 1992
Misoprostol	developmental	59122-46-2	April 1, 1990
Mitoxantrone hydrochloride	developmental	70476-82-3	July 1, 1990
Molinate	developmental, female, male	2212-67-1	December 11, 2009
Myclobutanil	developmental, male	88671-89-0	April 16, 1999
Nabam	developmental	142-59-6	March 30, 1999
Nafarelin acetate	developmental	86220-42-0	April 1, 1990
Neomycin sulfate (internal use)	developmental	1405-10-3	October 1, 1992
Netilmicin sulfate	developmental	56391-57-2	July 1, 1990
Nickel carbonyl	developmental	13463-39-3	September 1, 1996
Nicotine	developmental	54-11-5	April 1, 1990

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<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Nifedipine	developmental, female, male	21829-25-4	January 29, 1999
Nimodipine	developmental	66085-59-4	April 24, 2001
Nitrapyrin	developmental	1929-82-4	March 30, 1999
Nitrobenzene	male	98-95-3	March 30, 2010
Nitrofurantoin	male	67-20-9	April 1, 1991
Nitrogen mustard (Mechlorethamine)	developmental	51-75-2	January 1, 1989
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	developmental	55-86-7	July 1, 1990
Nitrous oxide	developmental	10024-97-2	August 1, 2008
Norethisterone (Norethindrone)	developmental	68-22-4	April 1, 1990
Norethisterone acetate (Norethindrone acetate)	developmental	51-98-9	October 1, 1991
Norethisterone (Norethindrone) /Ethinyl estradiol	developmental	68-22-4/ 57-63-6	April 1, 1990
Norethisterone (Norethindrone)/Mestranol	developmental	68-22-4/ 72-33-3	April 1, 1990
Norgestrel	developmental	6533-00-2	April 1, 1990
Oxadiazon	developmental	19666-30-9	May 15, 1998
Oxazepam	developmental	604-75-1	October 1, 1992
p,p'-Oxybis(benzenesulfonyl hydrazide)	developmental	80-51-3	August 7, 2009
Oxydemeton methyl	female, male	301-12-2	November 6, 1998
Oxymetholone	developmental	434-07-1	May 1, 1997
Oxytetracycline (internal use)	developmental	79-57-2	January 1, 1991
Oxytetracycline hydrochloride (internal use)	developmental	2058-46-0	October 1, 1991
Oxythioquinox (Chinomethionat)	developmental	2439-01-2	November 6, 1998
Paclitaxel	developmental, female, male	33069-62-4	August 26, 1997
Paramethadione	developmental	115-67-3	July 1, 1990
Penicillamine	developmental	52-67-5	January 1, 1991
Pentobarbital sodium	developmental	57-33-0	July 1, 1990
Pentostatin	developmental	53910-25-1	September 1, 1996
Phenacemide	developmental	63-98-9	July 1, 1990
Phenprocoumon	developmental	435-97-2	October 1, 1992
Phenyl glycidyl ether	male	122-60-1	August 7, 2009
Phenylphosphine	developmental	638-21-1	August 7, 2009
Pimozide	developmental, female	2062-78-4	August 20, 1999
Pipobroman	developmental	54-91-1	July 1, 1990
Plicamycin	developmental	18378-89-7	April 1, 1990
Polybrominated biphenyls	developmental	—	October 1, 1994
Polychlorinated biphenyls	developmental	—	January 1, 1991
Potassium dimethyldithiocarbamate	developmental	128-03-0	March 30 1999
Pravastatin sodium	developmental	81131-70-6	March 3, 2000
Prednisolone sodium phosphate	developmental	125-02-0	August 20, 1999
Procarbazine hydrochloride	developmental	366-70-1	July 1, 1990
Propargite	developmental	2312-35-8	June 15, 1999
Propylthiouracil	developmental	51-52-5	July 1, 1990
Pyrimethamine	developmental	58-14-0	January 29, 1999
Quazepam	developmental	36735-22-5	August 26, 1997
Quizalofop-ethyl	male	76578-14-8	December 24, 1999



<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Resmethrin	developmental	10453-86-8	November 6, 1998
Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.)	developmental	—	July 1, 1989
Ribavirin	developmental male	36791-04-5 36791-04-5	April 1, 1990 February 27, 2001
Rifampin	developmental, female	13292-46-1	February 27, 2001
Secobarbital sodium	developmental	309-43-3	October 1, 1992
Sermorelin acetate	developmental	—	August 20, 1999
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
Sulindac	developmental, female	38194-50-2	January 29, 1999
Tamoxifen citrate	developmental	54965-24-1	July 1, 1990
Temazepam	developmental	846-50-4	April 1, 1990
Teniposide	developmental	29767-20-2	September 1, 1996
Terbacil	developmental	5902-51-2	May 18, 1999
Testosterone cypionate	developmental	58-20-8	October 1, 1991
Testosterone enanthate	developmental	315-37-7	April 1, 1990
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	developmental	1746-01-6	April 1, 1991
Tetracycline (internal use)	developmental	60-54-8	October 1, 1991
Tetracyclines (internal use)	developmental	—	October 1, 1992
Tetracycline hydrochloride (internal use)	developmental	64-75-5	January 1, 1991
Thalidomide	developmental	50-35-1	July 1, 1987
Thioguanine	developmental	154-42-7	July 1, 1990
Thiophanate methyl	female, male	23564-05-8	May 18, 1999
Tobacco smoke (primary)	developmental, female, male	—	April 1, 1988
Tobramycin sulfate	developmental	49842-07-1	July 1, 1990
Toluene	developmental female	108-88-3	January 1, 1991 August 7, 2009
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
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
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

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Uracil mustard	developmental, female, male	66-75-1	January 1, 1999
Urethane	developmental	51-79-6	October 1, 1994
Urofollitropin	developmental	97048-13-0	April 1, 1990
Valproate (Valproic acid)	developmental	99-66-1	July 1, 1987
Vinblastine sulfate	developmental	143-67-9	July 1, 1990
Vinclozolin	developmental	50471-44-8	May 15, 1998
Vincristine sulfate	developmental	2068-78-2	July 1, 1990
4-Vinylcyclohexene	female, male	100-40-03	August 7, 2009
Vinyl cyclohexene dioxide (4-Vinyl-1-cyclohexene diepoxide)	female, male	106-87-6	August 1, 2008
Warfarin	developmental	81-81-2	July 1, 1987
Zileuton	developmental, female	111406-87-2	December 22, 2000

Date: December 31, 2010

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL  
PROTECTION AGENCY  
OFFICE OF ENVIRONMENTAL HEALTH  
HAZARD ASSESSMENT**

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

**Kresoxim-methyl Under Consideration  
For Possible Listing  
Via The Authoritative Bodies Mechanism:  
Request For Relevant Information  
EXTENSION OF PUBLIC COMMENT PERIOD  
December 31, 2010  
[Posted on the OEHHA web site on  
December 22, 2010]**

The Safe Drinking Water and Toxic Enforcement Act of 1986<sup>1</sup> (Proposition 65 or the Act), which is codified as Health and Safety Code section 25249.5 et seq., requires the Governor to publish, and update at least annually, a list of chemicals known to the State to cause cancer or reproductive toxicity. The Act describes the mechanisms for administratively listing chemicals as known to the State to cause cancer or reproductive toxicity (Health and Safety Code section 25249.8).

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

On October 22, 2010, OEHHA published a notice in the *California Regulatory Notice Register* (Register 10 No. 43-Z) soliciting information which may be relevant to the evaluation of *kresoxim-methyl* (CAS No. 143390-89-0) under consideration for possible listing within the context of the Proposition 65 administrative listing regulatory criteria in Title 27 of the California Code of Regulations section 25306.

The publication of the notice initiated a 60-day public comment period which would have closed on December 21, 2010. OEHHA has received a request from interested parties seeking an extension of the comment period to allow for the submission of complete and relevant scientific information for *kresoxim-methyl*. **OEHHA hereby extends the public comment period for this chemical until 5 p.m., Thursday, January 20, 2011.**

We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by e-mail should be addressed to [coshita@oehha.ca.gov](mailto:coshita@oehha.ca.gov). Comments submitted in paper form may be mailed, faxed, or delivered in person to the addresses below:

Ms. Cynthia Oshita  
Office of Environmental Health Hazard Assessment  
Mailing Address: P.O. Box 4010, MS-19B  
Sacramento, California 95812-4010  
Fax: (916) 323-8803  
Street Address: 1001 I Street  
Sacramento, California 95814

**It is requested that hard-copy comments be submitted in triplicate. In order to be considered, comments must be received at OEHHA by 5:00 p.m., Thursday, January 20, 2011.**

OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT

CALIFORNIA ENVIRONMENTAL  
PROTECTION AGENCY  
OFFICE OF ENVIRONMENTAL HEALTH  
HAZARD ASSESSMENT

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

NOTICE TO INTERESTED PARTIES  
December 31, 2010

A CHEMICAL LISTED EFFECTIVE  
December 31, 2010  
AS KNOWN TO THE STATE OF CALIFORNIA  
TO CAUSE CANCER

The Office of Environmental Health Hazard Assessment (OEHHA) within the California Environmental Protection Agency is adding *metam potassium* to the list of chemicals known to the State to cause cancer for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65<sup>1</sup>). *Metam potassium* is listed effective **December 31, 2010**.

*Metam potassium* (CAS No. 137-41-7) is being listed as a chemical known to the State of California to cause cancer. The listing of *metam potassium* is based on its formal identification by an authoritative body,<sup>2</sup> the U.S. Environmental Protection Agency (U.S. EPA), that the chemical causes cancer. The criteria used by OEHHA for the listing of chemicals under the “authoritative bodies” mechanism can be found in Title 27, Cal. Code of Regs, section 25306.

The reader is directed to the Notice of Intent to List *metam potassium* published in the February 26, 2010 issue of the California Regulatory Notice Register (Register 2010, No. 9-Z) for the documentation supporting OEHHA’s determination that the criteria for administrative listing have been satisfied for this chemical.

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

Cancer

Chemical	CAS No.	Toxicological Endpoints	Listing Mechanism <sup>3</sup>
Metam potassium	137-41-7	cancer	AB

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

<sup>2</sup> See Health and Safety Code section 25249.8(b) and Title 27, Cal. Code of Regs., section 25306.

<sup>3</sup> Listing mechanism: AB — “authoritative bodies” mechanism (Title 27 Cal. Code of Regs., section 25306).

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# 2010-1105-02  
BOARD OF ACCOUNTANCY  
Peer Review Program

This is the certificate of compliance making permanent the prior emergency regulatory action (OAL file nos. 2009-1130-01E, 2010-0608-01EE and 2010-0916-03EE) that implemented AB 138 (Stats. 2009, c. 312) dealing with peer review for California-licensed accounting firms providing accounting and auditing services. These regulations define terms specific to peer review and specify the requirements for Board recognition of a peer review program, standards for administering a peer review, extensions of time for fulfilling the peer review requirement, exclusions from the peer review program, document submission, enrollment and participation, notification of expulsion from a peer review program, reporting requirements for a Board-recognized peer review program provider, withdrawal of Board recognition, and records of Board proceedings.

Title 16  
California Code of Regulations  
ADOPT: 39, 40, 41, 42, 43, 44, 45, 46, 48, 48.1, 48.2, 48.3, 48.5, 48.6  
Filed 12/20/2010  
Agency Contact:  
Matthew Stanley (916) 561-1792

File# 2010-1105-01  
BOARD OF ACCOUNTANCY  
Peer Review Oversight Committee

This action helps implement the mandate that accounting firms undergo a peer review a minimum of once every three years by providing an informal appeal procedure for peer review programs denied Board recognition and specifying the composition of the Peer Review Oversight Committee in accordance with Business and Professions Code section 5076.1.

Title 16  
 California Code of Regulations  
 ADOPT: 38, 47, 48.4 AMEND: 48.6  
 Filed 12/21/2010  
 Effective 01/20/2011  
 Agency Contact:  
 Matthew Stanley (916) 561-1792

File# 2010-1110-04  
 BOARD OF CHIROPRACTIC EXAMINERS  
 Fingerprint Submission

The Board of Chiropractic Examiners adopted Section 321.1 of Title 16 of the California Code of Regulations at a meeting on September 23, 2010. This section outlines the new procedures for electronic fingerprinting of licensees and applicants for licenses, who are required to complete state and federal criminal offender record information searches through the Department of Justice and the Federal Bureau of Investigation.

Title 16  
 California Code of Regulations  
 ADOPT: 321.1  
 Filed 12/15/2010  
 Effective 01/14/2011  
 Agency Contact:  
 Dixie Van Allen (916) 263-5329

File# 2010-1129-06  
 BOARD OF OPTOMETRY  
 Infection Control Guidelines

In this regulatory action, the Board of Optometry amends a regulation to set forth "Infection Control Guidelines" for optometrists. The principal provisions of the regulation pertain to: proper hand hygiene, use of personal protective equipment, handling of sharp instruments, and disinfection requirements.

Title 16  
 California Code of Regulations  
 AMEND: 1520  
 Filed 12/20/2010  
 Effective 01/19/2011  
 Agency Contact: Andrea Leiva (916) 575-7182

File# 2010-1108-01  
 COMMISSION ON TEACHER CREDENTIALING  
 Out-of-State Credentialed Teachers

This rulemaking action implements Senate Bill 1209, Chapter 517 of 2006, and SB 280, Chapter 345 of 2007, to specify the requirements for the credentialing of out-of-state teachers.

Title 5  
 California Code of Regulations  
 AMEND: 80413.3 REPEAL: 80430.2  
 Filed 12/22/2010  
 Effective 01/21/2011  
 Agency Contact:  
 Tammy A. Duggan (916) 323-5354

File# 2010-1208-01  
 DEPARTMENT OF PESTICIDE REGULATION  
 Restricted Material/VOC — Methyl Iodide

This emergency action adds the pesticide compound methyl iodide to the list of restricted materials in CCR, title 3, section 6400, subdivision (e), limits field fumigation using pesticides containing methyl iodide during the ozone nonattainment season to the use of methods identified in the product labeling and obliges persons who use methyl iodide to keep a record of the method used to apply it.

Title 3  
 California Code of Regulations  
 ADOPT: 6446, 6446.1 AMEND: 6400, 6452.4, 6624  
 Filed 12/20/2010  
 Effective 12/20/2010  
 Agency Contact:  
 Linda Irokawa-Otani (916) 445-3991

File# 2010-1215-01  
 DEPARTMENT OF PUBLIC HEALTH  
 Drinking Water — Point-of-use-Device

This regulatory action is to facilitate expedited implementation of point-of-use (POU) water treatment devices in public water systems (in lieu of centralized treatment) where centralized treatment is deemed not to be economically feasible.

Title 22  
 California Code of Regulations  
 ADOPT: 64417, 64418, 64418.1, 64418.2, 64418.3, 64418.4, 64418.5, 64418.6, 64418.7  
 Filed 12/21/2010  
 Effective 12/21/2010  
 Agency Contact:  
 Anthony Plescia (916) 552-8069

File# 2010-1108-02  
 DEPARTMENT OF PUBLIC HEALTH  
 Safety Regulations for Playgrounds

This Section 100 "Change Without Regulatory Effect" repeals regulations governing playground safety. The repeal is made necessary by the repeal of all statutory authority for said regulations by AB 1144 (Chap. 470, Stats. 2006) effective January 1, 2008.



Title 22  
 California Code of Regulations  
 REPEAL: 65700, 65700.2, 65700.6, 65700.8,  
 65700.10, 65700.12, 65710, 65715, 65720, 65725,  
 65730, 65735, 65740, 65745, 65750, 65755  
 Filed 12/22/2010  
 Agency Contact:  
 Elizabeth Reyes (916) 445-2529

File# 2010-1115-01  
 DEPARTMENT OF SOCIAL SERVICES  
 ABX4 60-Month Time Limit Requirements for Adults  
 This certificate of compliance makes permanent the prior emergency regulatory action (OAL file no. 2010-0602-01E) that established two new temporary CalWORKs exemptions and exemption requirements. The new exemptions apply to clients who are caring for young children and to clients who may be exempt for good cause from Welfare-to-Work participation due to a lack of supportive services. Clients who receive the exemption for caring for young children will not be required to participate in Welfare-to-Work activities and will have their CalWORKs 60-month time clock stopped until they no longer meet certain criteria, or until July 1, 2011, whichever comes first. Clients who receive the exemption because they were granted a good cause exemption from Welfare-to-Work participation due to a lack of supportive services will also have their CalWORKs 60-month time clock stopped until they no longer meet certain criteria, or until July 1, 2011, whichever come first.

Title MPP  
 California Code of Regulations  
 AMEND: 42-302, 42-712, 42-713  
 Filed 12/22/2010  
 Agency Contact:  
 Zaid Dominguez (916) 657-2586

File# 2010-1207-01  
 DEPARTMENT OF WATER RESOURCES  
 Industrial Process Water Regulation  
 The Department of Water Resources submitted this deemed emergency action to implement portions of the Water Conservation Act of 2009, enacted in SBX7 7 (ch. 4, Stats. 2009, seventh extraordinary session), by adopting sections 596 through 596.5 to title 23 of the California Code of Regulations. SBX7 7 requires the state to achieve a 20% reduction in California urban per capita water use by December 31, 2020. This goal will be achieved substantially through incremental water use reductions by urban retail water suppliers until the 20% reduction is reached. Urban retail water suppliers are allowed to exclude process water, as specified, from

the calculation of gross water use if the supplier meets certain criteria. This action establishes working definitions, threshold eligibility requirements that would allow an urban retail water supplier to exclude process water, and methods for determining a supplier's base-line water use and for verifying compliance with SBX7 7. This action is deemed to be an emergency pursuant to Water Code section 10608.20(i).

Title 23  
 California Code of Regulations  
 ADOPT: 596, 596.1, 596.2, 596.3, 596.4, 596.5  
 Filed 12/17/2010  
 Effective 12/17/2010  
 Agency Contact:  
 Manucher Alemi (916) 651-9662

File# 2010-1112-01  
 EMERGENCY MEDICAL SERVICES  
 AUTHORITY  
 Advanced EMT  
 In this regulatory action, the Emergency Medical Services Authority amends a regulation pertaining to Advanced Emergency Medical Technicians (Advanced EMTs) entitled "Application of Chapter; Displacement of Services." The amendments relate to the procedural requirements applicable when a local emergency medical services agency or the governing body of a public safety agency may consider the displacement of existing Paramedic services, or of existing services that utilize Advanced EMTs accredited in the local optional scope of practice, by initiating new Advanced EMT services. The amendment of this regulation was originally included within a substantial revision of EMT-II/Advanced EMT regulations which was "approved in part and disapproved in part" in Office of Administrative Law file number 2010-0406-06SR.

Title 22  
 California Code of Regulations  
 AMEND: 100105  
 Filed 12/15/2010  
 Effective 01/14/2011  
 Agency Contact: Laura Little (916) 322-4336

File# 2010-1119-04  
 FAIR POLITICAL PRACTICES COMMISSION  
 Filing Date for Annual Form 700s  
 This action amends the Fair Political Practices Commission's existing regulation governing the dates for filing of the annual Statement of Economic Interest by adding members of the Board of Administration of the Teachers' Retirement Board to those persons with a March 1 filing deadline.

Title 2  
 California Code of Regulations  
 AMEND: 18723  
 Filed 12/20/2010  
 Effective 01/19/2011  
 Agency Contact:  
 Virginia Latteri-Lopez (916) 324-3854

File# 2010-1119-03  
 FAIR POLITICAL PRACTICES COMMISSION  
 Internet Campaign  
 This action amends the Fair Political Practices Commission's existing regulations governing campaign contributions, expenditures and advertisements to add provisions governing Internet campaign activity.

Title 2  
 California Code of Regulations  
 ADOPT: 18215.2 AMEND: 18215, 18225, 18450.1, 18450.4, 18450.5  
 Filed 12/20/2010  
 Effective 01/19/2011  
 Agency Contact:  
 Virginia Latteri-Lopez (916) 324-3854

File# 2010-1101-05  
 OFFICE OF ENVIRONMENTAL HEALTH  
 HAZARD ASSESSMENT  
 Specific Regulatory Levels: Chemicals Causing Reproductive Toxicity — MADL for Cadmium  
 This action adds the qualifying term, "oral" to the maximum allowable daily level (MADL) for cadmium previously adopted in T27 CCR section 25805.

Title 27  
 California Code of Regulations  
 AMEND: 25805  
 Filed 12/16/2010  
 Effective 01/15/2011  
 Agency Contact: Susan Luong (916) 327-3015

File# 2010-1105-05  
 PHYSICIAN ASSISTANT COMMITTEE  
 Diversion Program Participation Fee  
 The Physician Assistant Committee adopted section 1399.557 in title 16 of the California Code of Regulations providing that licensees required to participate in the diversion program pay the full amount of the monthly participation fee charged by the contractor and that licensees voluntarily enrolling in the diversion program pay 75% of the monthly participation fee charged by the contractor.

Title 16  
 California Code of Regulations  
 ADOPT: 1399.557  
 Filed 12/20/2010  
 Effective 01/19/2011  
 Agency Contact:  
 Glenn L. Mitchell (916) 561-8783

File# 2010-1104-01  
 PUBLIC EMPLOYEES RETIREMENT SYSTEM  
 Member Home Loan Program Amendments  
 This regulatory action updates regulations governing the CalPERS Member Home Loan Program to reflect the current mortgage industry environment and clarify the program's administration.

Title 2  
 California Code of Regulations  
 AMEND: 561, 561.1, 561.2, 561.3, 561.4, 561.5, 561.8, 561.9, 561.11 (renumbered to 561.10), 561.12 (renumbered to 561.11), 561.13 (renumbered to 561.12) REPEAL: 561.10, 561.14  
 Filed 12/21/2010  
 Effective 01/20/2011  
 Agency Contact: Veronica Mora (916) 795-0713

File# 2010-1101-06  
 STATE ALLOCATION BOARD  
 Leroy F. Greene School Facilities Act of 1998; Priority Funding Round  
 This rulemaking action makes permanent the emergency regulations which established a period of time within which educational agencies with shovel-ready, approved, but unfunded projects to request conversion from unfunded approvals to apportionments and, therefore, funding priority as long as a Fund Release Authorization is submitted within 90 days of the request for conversion.

Title 2  
 California Code of Regulations  
 ADOPT: 1859.90.1 AMEND: renumber 1859.90.1 as 1859.90.2 (not shown), 1859.129, 1859.197  
 Filed 12/16/2010  
 Effective 12/16/2010  
 Agency Contact: Robert Young (916) 375-5939

File# 2010-1105-03  
 STATE WATER RESOURCES CONTROL BOARD  
 Lower San Joaquin River Agricultural Discharge Control Program  
 This regulatory action amends the Basin Plan for selenium control in the San Joaquin River Basin, including a time extension, a conditional prohibition of discharge and a performance goal for agricultural subsurface drainage discharges to Mud Slough (north) and the

San Joaquin River between Mud Slough and the Merced River confluence.

Title 23  
 California Code of Regulations  
 AMEND: 3943  
 Filed 12/15/2010  
 Agency Contact: Peter Martin (916) 341-5557

File# 2010-1208-02  
 STATE WATER RESOURCES CONTROL BOARD  
 Emergency Regulations for Electronic Reporting

The State Water Resources Control Board (Board) adopts sections 907, 910, 915, 920, 921, 925, 929 and 930 in Title 23 of the California Code of Regulations. These sections are adopted pursuant to emergency regulations to provide for the electronic filing of reports of water diversion or use. Pursuant to Water Code section 348, “[t]he adoption of these regulations is an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health, safety, and general welfare” and these regulations remain in effect until revised by the Board.

Title 23  
 California Code of Regulations  
 ADOPT: 907, 910, 915, 920, 921, 925, 929, 930  
 Filed 12/20/2010  
 Effective 12/20/2010  
 Agency Contact:  
 Nathan Jacobsen (916) 341-5181

**CCR CHANGES FILED  
 WITH THE SECRETARY OF STATE  
 WITHIN July 21, 2010 TO  
 December 22, 2010**

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

**Title 2**

12/21/10 AMEND: 561, 561.1, 561.2, 561.3, 561.4, 561.5, 561.8, 561.9, 561.11 (renumbered to 561.10), 561.12 (renumbered to 561.11), 561.13 (renumbered to 561.12) REPEAL: 561.10, 561.14

12/20/10 AMEND: 18723  
 12/20/10 ADOPT: 18215.2 AMEND: 18215, 18225, 18450.1, 18450.4, 18450.5  
 12/16/10 ADOPT: 1859.90.1 AMEND: renumber 1859.90.1 as 1859.90.2 (not shown), 1859.129, 1859.197  
 11/30/10 AMEND: 67.8 (Appendix A)  
 11/23/10 ADOPT: 1190, 1190.01, 1190.02, 1190.03, 1190.04, 1190.05  
 11/22/10 AMEND: 1859.2, 1859.83  
 11/16/10 AMEND: 7286.1  
 11/15/10 AMEND: 18545, 18703.4, 18730, 18940.2, 18943  
 11/15/10 AMEND: 18225  
 10/29/10 ADOPT: 1859.90.2 AMEND: Renumber 1859.90.2 to 1859.90.3, 1859.129, 1859.197  
 10/28/10 AMEND: 59.1  
 10/27/10 ADOPT: 1185.21, 1189 AMEND: 1181, 1181.1, 1181.2, 1181.4, 1183, 1183.01, 1183.02, 1183.03, 1183.06, 1183.07, 1183.08, 1183.081, 1183.09, 1183.11, 1183.12, 1183.131, 1183.14, 1183.2, 1183.21, 1183.30, 1183.31, 1183.32, 1185, 1185.2, 1185.3, 1185.4, 1185.5, 1185.6, 1186, 1187, 1187.2, 1187.3, 1187.9, 1188, 1188.1, 1188.2, 1188.3, 1188.31, 1189.1, 1189.3 REPEAL: 1181.3, 1189.4, 1189.5  
 10/26/10 ADOPT: 2297.1  
 10/21/10 ADOPT: 58.8 AMEND: 59.3  
 10/11/10 ADOPT: 599.937.4  
 10/07/10 AMEND: 51.1  
 10/07/10 AMEND: 51.2(u)  
 10/07/10 AMEND: div. 8, ch. 46, sec. 53500  
 10/05/10 AMEND: div. 8, ch. 79, sec. 56800  
 10/05/10 ADOPT: 1859.172 AMEND: 1859.162.3, 1859.171  
 10/04/10 AMEND: 1859.2, 1859.81  
 10/04/10 ADOPT: 642, 643, 644, 645 AMEND: 640, 641  
 09/27/10 AMEND: 18942, 18944.1  
 09/07/10 AMEND: Renaming of headings only, as follows: Article 4 of Chapter 1 to new Subchapter 1.2; Subarticles 1-10 of nes Subchapter 1.2 to new Articles 1-10; and Chapters 1-5 of new Article 6 to new Subarticles 1-5.  
 09/02/10 ADOPT: 60804.1, 60815.1, 60820.1, 60855, 60856, 60857, 60858, 60859, 60860, 60861, 60862, 60863 AMEND: 60841, 60846, 60853 REPEAL: 60855  
 09/01/10 AMEND: 234, 548.70  
 09/01/10 AMEND: 234, 548.70

**CALIFORNIA REGULATORY NOTICE REGISTER 2010, VOLUME NO. 53-Z**

08/18/10 ADOPT: 51.3, 52.1, 52.2, 52.3, 52.5, 52.8, 52.10, 53.1, 53.2, 53.3, 53.4, 54.1, 55.1, 56.1, 56.2, 56.3, 56.4, 57.1, 57.2, 58.1, 58.2, 58.6, 58.7, 58.9, 58.10, 58.11, 59.2, 59.3, 59.4, 60.1, 63.1, 64.1, 64.2, 64.3, 64.4, 64.5, 64.6 AMEND: 51 (renumbered to 51.1), 51.1 (renumbered to 51.2), 51.2 (renumbered to 52.4), 52.3 (renumbered to 52.6), 51.9 (renumbered to 52.7), 51.5 (renumbered to 52.9), 52.6 (renumbered to 55.2), 52.2 (renumbered to 58.3), 51.4 (renumbered to 58.4), 52.1 (renumbered to 58.5), 57.2 (renumbered to 59.1), 52.5 (renumbered to 60.2), 57.3 (renumbered to 60.3), 53.1 (renumbered to 66.1), 56 (renumbered to 67.1), 56.1 (renumbered to 67.2), 56.2 (renumbered to 67.3), 56.3 (renumbered to 67.4), 56.4 (renumbered to 67.5), 56.5 (renumbered to 67.6), 56.6 (renumbered to 67.7), 56.7 (renumbered to 67.8) REPEAL: 51.3, 52, 52.4, 53, 53.2, 54, 54.2, 56.8, 57.1, 57.4, 60, 60.1, 60.2, 60.3, 60.4, 60.5, 60.6, 60.7, 60.8, 60.9, 60.10, 65, 547, 547.1

08/13/10 AMEND: 18707

**Title 3**

12/20/10 ADOPT: 6446, 6446.1 AMEND: 6400, 6452.4, 6624  
 12/14/10 AMEND: 3434(b) and (c)  
 12/14/10 AMEND: 850  
 12/09/10 AMEND: 6860  
 12/06/10 AMEND: 3906  
 11/30/10 AMEND: 3406  
 11/24/10 ADOPT: 3701, 3701.1, 3701.2, 3701.3, 3701.4, 3701.5, 3701.6, 3701.7, 3701.8 AMEND: 3407  
 11/24/10 ADOPT: 3701, 3701.1, 3701.2, 3701.3, 3701.4, 3701.5, 3701.6, 3701.7, 3701.8 AMEND: 3407  
 11/22/10 AMEND: 3435(c)  
 11/18/10 AMEND: 105, 108  
 11/17/10 AMEND: 3434(b)  
 11/17/10 AMEND: 3434(b)  
 11/17/10 AMEND: 3437  
 11/15/10 REPEAL: 3000, 3001, 3002, 3003, 3004  
 11/09/10 AMEND: 3437  
 10/27/10 AMEND: 6447, 6447.2, 6784  
 10/21/10 AMEND: 3591.5(a)  
 10/18/10 AMEND: 3437(b)  
 10/11/10 AMEND: 3558(a)  
 10/11/10 AMEND: 3855  
 10/06/10 ADOPT: 1391, 1391.1, 1391.2, 1391.3, 1391.4 AMEND: 1391 (renumbered to 1391.5), 1391.1 (renumbered to 1391.6)

10/01/10 AMEND: 3434(b)  
 09/27/10 AMEND: 3  
 09/27/10 AMEND: 3437  
 09/22/10 AMEND: 3591.20(a)  
 09/14/10 AMEND: 3434(b)  
 09/13/10 ADOPT: 3437  
 09/09/10 AMEND: 3434(b)  
 09/02/10 AMEND: 3425(b)  
 08/26/10 AMEND: 3406(b)  
 08/26/10 AMEND: 3406(b)  
 08/26/10 AMEND: 3434(b) & (c)  
 08/26/10 ADOPT: 6531 AMEND: 6502, 6511, 6530  
 08/24/10 AMEND: 3700(c)  
 08/19/10 AMEND: 3423(b)  
 08/17/10 AMEND: 3437  
 08/16/10 AMEND: 3425(b) and (c)  
 08/13/10 AMEND: 3591.15(a) and (b)  
 08/11/10 AMEND: 3437  
 08/05/10 AMEND: 3423(b)  
 07/26/10 AMEND: 3435(c)

**Title 4**

12/14/10 AMEND: 10322(h)(5), 10325(c)(3)(B), 10325(c)(8)  
 12/07/10 ADOPT: 12347, 12348 AMEND: 12002, 12345  
 11/29/10 AMEND: 1374.2  
 11/29/10 AMEND: 8070, 8072, 8073, 8074  
 11/04/10 AMEND: 8034, 8035, 8042, 8043  
 11/02/10 AMEND: 12480, 12488, 12492, 12494, 12496, 12498, 12499, 12501, 12502, 12504, 12508  
 10/26/10 AMEND: 1844  
 10/04/10 ADOPT: 10030, 10031, 10032, 10033, 10034, 10035, 10036  
 09/29/10 AMEND: 8070, 8072, 8073, 8074  
 09/15/10 AMEND: 10323  
 09/09/10 AMEND: 1766  
 09/09/10 AMEND: 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162, 10164  
 08/30/10 ADOPT: 213.2 AMEND: 211, 213, 293, 405  
 08/20/10 AMEND: 130  
 08/16/10 AMEND: 1689  
 07/29/10 ADOPT: 5170, 5180, 5181, 5182, 5183, 5190, 5191, 5192, 5193, 5194, 5200, 5210, 5211, 5212, 5220, 5230, 5231, 5232, 5240, 5250, 5260, 5265, 5266, 5267, 5268, 5269, 5270, 5275, 5280, 5281, 5282, 5283, 5290, 5291, 5300, 5310, 5311, 5312, 5313, 5314, 5315, 5320, 5321, 5330, 5340, 5350, 5360, 5370, 5371, 5372, 5380, 5381, 5382,



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	5383, 5384, 5400, 5410, 5411, 5420, 5421, 5422, 5423, 5430, 5431, 5432, 5433, 5434, 5435, 5440, 5450, 5460, 5461, 5470, 5560, 5570, 5571, 5572, 5573, 5580, 5590		72800, 72805, 72810, 72830, 72850, 72855, 72860, 72865, 72870, 72875, 72880, 72885, 72890, 72900, 72905, 72910, 72915, 72920, 72930, 73000, 73010, 73100, 73110, 73120, 73130, 73140, 73150, 73160, 73165, 73170, 73180, 73190, 73200, 73210, 73220, 73230, 73240, 73260, 73270, 73280, 73290, 73300, 73310, 73320, 73330, 73340, 73350, 73360, 73380, 73390, 73400, 73410, 73420, 73430, 73440, 73470, 73480, 73500, 73520, 73530, 73540, 73550, 73600, 73610, 73620, 73630, 73640, 73650, 73660, 73670, 73680, 73690, 73700, 73710, 73720, 73730, 73740, 73750, 73760, 73765, 73770, 73780, 73790, 73800, 73820, 73830, 73831, 73832, 73850, 73860, 73870, 73880, 73890, 73900, 73910, 74008, 74010, 74014, 74016, 74018, 74020, 74030, 74040, 74050, 74100, 74180, 74300, 74310, 74320, 75000, 75020, 75030, 75040, 75100, 75110, 75120, 75130
07/22/10	AMEND: 10300, 10302, 10305, 10310, 10315, 10317, 10320, 10322, 10323, 10325, 10326, 10327, 10328, 10330, 10335, 10337		
<b>Title 5</b>			
12/22/10	AMEND: 80413.3 REPEAL: 80430.2		
12/02/10	ADOPT: 4700, 4701, 4702, 4703		
12/01/10	ADOPT: 76020, 76140, 76212, 76240 AMEND: 76000, 76120, 76130, 76200, 76210, 76215 REPEAL: 76010, 76240		
11/18/10	ADOPT: 70030, 70040, 71135, 71320, 71390, 71395, 71400.5, 71401, 71475, 71480, 71485, 71640, 71650, 71655, 71716, 71750, 71760, 74110, 74115 AMEND: 70000, 70010, 70020, 71100, 71110, 71120, 71130, 71140, 71150, 71160, 71170, 71180, 71190, 71200, 71210, 71220, 71230, 71240, 71250, 71260, 71270, 71280, 71290, 71300, 71310, 71340, 71380, 71400, 71405, 71450, 71455, 71460, 71465, 71470, 71500, 71550, 71600, 71630, 71700, 71705, 71710, 71715, 71720, 71730, 71735, 71740, 71745, 71770, 71810, 71850, 71865, 71920, 71930, 74000, 74002, 74004, 74006, 74120, 74130, 74140, 74150, 74160, 74170, 74190, 74200 REPEAL: 70030, 71000, 71005, 71010, 71020, 71330, 71360, 71410, 71415, 71420, 71490, 71495, 71505, 71510, 71515, 71520, 71555, 71560, 71565, 71605, 71610, 71615, 71650, 71655, 71725, 71775, 71800, 71805, 71830, 71855, 71860, 71870, 71875, 71880, 71885, 71890, 71900, 71905, 71910, 72000, 72005, 72010, 72020, 72101, 72105, 72110, 72120, 72130, 72140, 72150, 72160, 72170, 72180, 72190, 72200, 72210, 72220, 72230, 72240, 72250, 72260, 72270, 72280, 72290, 72300, 72310, 72330, 72340, 72360, 72380, 72400, 72405, 72410, 72415, 72420, 72450, 72455, 72460, 72465, 72470, 72500, 72505, 72515, 72520, 72550, 72555, 72560, 72565, 72570, 72600, 72605, 72610, 72615, 72650, 72655, 72700, 72701, 72705, 72710, 72715, 72720, 72725, 72730, 72735, 72740, 72745, 72770, 72775,		
		10/18/10	AMEND: 80015, 80015.1, 80015.2, 80015.3, 80015.4, 80021, 80021.1, 80024.7, 80024.8
		10/18/10	ADOPT: 1216.1
		10/01/10	AMEND: 57020 REPEAL: 50721, 50722, 50723, 50724, 50725, 50727, 50728, 50729, 50730, 57031, 50732
		09/13/10	ADOPT: 4800, 4801, 4802, 4803, 4804, 4805, 4806, 4807
		08/30/10	ADOPT: 30960, 30961, 30962, 30963, 30964
		08/24/10	REPEAL: 18015
		08/20/10	AMEND: 80001
		08/19/10	ADOPT: 59204.1
		08/19/10	ADOPT: 11967.6.1 AMEND: 11967.6
		08/09/10	ADOPT: 30010, 30011, 30012, 30013, 30014, 30015, 30016, 30017, 30018, 30019, 30034, 30035, 30036, 30037, 30038, 30039, 30040, 30041, 30042, 30043, 30044, 30045, 30046 AMEND: 30000, 30001, 30002, 30005, 30020, 30021, 30022, 30023, 30030, 30032, 30033
		08/02/10	ADOPT: 4700, 4701, 4702
		07/30/10	ADOPT: 70030, 70040, 71135, 71320, 71390, 71395, 71400.5, 71401, 71475, 71480, 71485, 71640, 71650, 71655, 71716, 71750, 71760, 74110, 74115, 76020, 76140, 76212, 76240 AMEND: 70000, 70010, 70020, 71100, 71110,

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71120, 71130, 71140, 71150, 71160, 71170, 71180, 71190, 71200, 71210, 71220, 71230, 71240, 71250, 71260, 71270, 71280, 71290, 71300, 71310, 71340, 71380, 71400, 71405, 71450, 71455, 71460, 71465, 71470, 71500, 71550, 71600, 71630, 71700, 71705, 71710, 71715, 71720, 71730, 71735, 71740, 71745, 71770, 71810, 71850, 71865, 71920, 71930, 74000, 74002, 74004, 74006, 74120, 74130, 74140, 74150, 74160, 74170, 74190, 74200, 76000, 76120, 76130, 76200, 76210, 76215 REPEAL: 70030, 71000, 71005, 71010, 71020, 71330, 71360, 71410, 71415, 71420, 71490, 71495, 71505, 71510, 71515, 71520, 71555, 71560, 71565, 71605, 71610, 71615, 71650, 71655, 71725, 71775, 71800, 71805, 71830, 71855, 71860, 71870, 71875, 71880, 71885, 71890, 71900, 71905, 71910, 72000, 72005, 72010, 72020, 72101, 72105, 72110, 72120, 72130, 72140, 72150, 72160, 72170, 72180, 72190, 72200, 72210, 72220, 72230, 72240, 72250, 72260, 72270, 72280, 72290, 72300, 72310, 72330, 72340, 72360, 72380, 72400, 72405, 72410, 72415, 72420, 72450, 72455, 72460, 72465, 72470, 72500, 72505, 72515, 72520, 72550, 72555, 72560, 72565, 72570, 72600, 72605, 72610, 72615, 72650, 72655, 72700, 72701, 72705, 72710, 72715, 72720, 72725, 72730, 72735, 72740, 72745, 72770, 72775, 72800, 72805, 72810, 72830, 72850, 72855, 72860, 72865, 72870, 72875, 72880, 72885, 72890, 72900, 72905, 72910, 72915, 72920, 72930, 73000, 73010, 73100, 73110, 73120, 73130, 73140, 73150, 73160, 73165, 73170, 73180, 73190, 73200, 73210, 73220, 73230, 73240, 73260, 73270, 73280, 73290, 73300, 73310, 73320, 73330, 73340, 73350, 73360, 73380, 73390, 73400, 73410, 73420, 73430, 73440, 73470, 73480, 73500, 73520, 73530, 73540, 73550, 73600, 73610, 73620, 73630, 73640, 73650, 73660, 73670, 73680, 73690, 73700, 73710, 73720, 73730, 73740, 73750, 73760, 73765, 73770, 73780, 73790, 73800, 73820, 73830, 73831, 73832, 73850, 73860, 73870, 73880, 73890, 73900, 73910,	74008, 74010, 74014, 74016, 74018, 74020, 74030, 74040, 74050, 74100, 74180, 74300, 74310, 74320, 75000, 75020, 75030, 75040, 75100, 75110, 75120, 75130, 76010, 76240	07/23/10 AMEND: 19816, 19816.1
		<b>Title 7</b>
		11/23/10 AMEND: 206, 207
		11/09/10 AMEND: 219, 202
		10/13/10 AMEND: 212.5
		10/13/10 AMEND: 212.5
		<b>Title 8</b>
		12/09/10 AMEND: 2813
		12/09/10 AMEND: 1742
		12/08/10 AMEND: 344.30
		12/08/10 AMEND: 1648, 1675, 3276, 3277, 3278, 3287, 3413, 3458.1 REPEAL: 1678, 3279, 3280
		11/15/10 AMEND: 9701, 9702
		11/04/10 AMEND: 16423 REPEAL: 16450, 16451, 16452, 16453, 16454, 16455, 16460, 16461, 16462, 16463, 16464
		11/02/10 ADOPT: 5197
		11/02/10 AMEND: 1504, 1637, 3622
		10/27/10 ADOPT: 1600.1 AMEND: 1600, 1601
		10/05/10 AMEND: 3395
		09/27/10 AMEND: 10232.2
		09/23/10 AMEND: 9767.3
		09/14/10 AMEND: 10253.1
		09/13/10 AMEND: 5206(d)(4)(a), 1532.2(d)(4)(a), 8359(d)(4)(a)
		09/01/10 AMEND: 1502
		08/30/10 AMEND: 4848
		08/30/10 AMEND: 5158
		08/25/10 AMEND: Appendix B following section 5207
		08/17/10 AMEND: 4885
		08/09/10 AMEND: 9767.3, 9767.6, 9767.8, 9767.12, 9767.16, 9880, 9881, 9881.1, 10139
		08/03/10 AMEND: 3563, 3651
		07/22/10 AMEND: 5278
		<b>Title 9</b>
		12/06/10 ADOPT: 3200.028, 3200.252, 3630.05, 3630.10, 3630.15 AMEND: 3630, 3650
		10/18/10 ADOPT: 1810.326, 1810.376, 1810.439 AMEND: 1810.317, 1810.321, 1810.323, 1810.345, 1810.350, 1810.360, 1810.365, 1810.375, 1810.380, 1810.425, 1810.430, 1810.435, 1810.436, 1810.438,

	1820.220, 1820.225, 1830.215, 1840.112, 1850.213	07/30/10 AMEND: 2699.6700
09/20/10	ADOPT: 7212.1, 7212.2, 7212.3, 7212.4 AMEND: 7210, 7211, 7212	07/29/10 ADOPT: 2548.1, 2548.2, 2548.3, 2548.4, 2548.5, 2548.6, 2548.7, 2548.8, 2548.9, 2548.10, 2548.11, 2548.12, 2548.13, 2548.14, 2548.15, 2548.16, 2548.17, 2548.18, 2548.19, 2548.20, 2548.21, 2548.22, 2548.23, 2548.24, 2548.25, 2548.26, 2548.27, 2548.28, 2548.29, 2548.30, 2548.31 REPEAL: 2548.1, 2548.2, 2548.3, 2548.4, 2548.5, 2548.6, 2548.7, 2548.8
09/20/10	ADOPT: 7213, 7213.1, 7213.2, 7213.4, 7213.5, 7213.6, 7214, 7214.1, 7214.2, 7214.3, 7214.4, 7214.5, 7214.6, 7214.7, 7214.8, 7215, 7215.1, 7216, 7216.1, 7216.2, 7218, 7220, 7220.3, 7220.5, 7220.7, 7221, 7225 AMEND: 7213.3, 7224, 7226, 7226.1, 7226.2, 7227, 7227.1, 7227.2 REPEAL: 7213, 7213.1, 7213.2, 7214, 7215, 7216, 7218, 7219, 7220, 7221, 7225	
08/09/10	ADOPT: 4100, 4105, 4210, 4300, 4310, 4315, 4320, 4325, 4330, 4415, 4420	
<b>Title 10</b>		
11/04/10	AMEND: 2689.8(c)	
10/21/10	AMEND: 2498.6	
10/18/10	ADOPT: 3575, 3576, 3577 AMEND: 3500, 3522, 3523, 3524, 3526, 3527, 3528, 3529, 3530, 3582, 3681, 3702, 3703, 3721, 3724, 3726, 3728, 3731, 3741	
10/11/10	ADOPT: 2278.50, 2278.51, 2278.52, 2278.53, 2278.54, 2278.55, 2278.56, 2278.57, 2278.58, 2278.59	
09/28/10	ADOPT: 1409.1, 1414, 1422.4, 1422.4.1, 1422.5, 1422.6, 1422.6.1, 1422.6.2, 1422.6.3, 1422.7, 1422.7.1, 1422.9, 1422.10, 1422.11, 1422.12, 1424, 1437, 1950.122, 1950.122.2.1, 1950.122.4, 1950.122.4.1, 1950.122.5, 1950.122.5.1, 1950.122.5.2, 1950.122.5.3, 1950.122.5.4, 1950.122.6, 1950.122.7, 1950.122.8, 1950.122.9, 1950.122.10, 1950.122.11, 1950.122.12, 1950.205.1, 1950.209, 1950.307 AMEND: 1404, 1409, 1411, 1430.5, 1431, 1433, 1436, 1454, 1550, 1552, 1557, 1950.003, 1950.122.2, 1950.123, 1950.204.3, 1950.204.4, 1950.301, 1950.314.8, 1950.316, 1950.317 REPEAL: 1950.122	
09/23/10	AMEND: 2274.70, 2274.71, 2274.72, 2274.73, 2274.74, 2274.75, 2274.76, 2274.77, 2274.78	
09/20/10	AMEND: 2494.4.9	
09/16/10	AMEND: 3006, 3007, 3007.05, 3007.2, 3007.3, 3007.6, 3008, 3010, 3011.1, 3011.2, 3011.4, 3012.2 REPEAL: 3005	
08/24/10	AMEND: 3525, 3527, 3541, 3542, 3543, 3544, 3561, 3563, 3566, 3568, 3569, 3570, 3583, 3602, 3603, 3661, 3722	
08/05/10	AMEND: 2646.6	
<b>Title 11</b>		
11/02/10	ADOPT: 51.26	
10/07/10	ADOPT: 994.9, 994.10, 994.11, 994.12, 994.13, 994.14, 994.15 AMEND: 994.1, 994.2, 994.4, 994.5, 994.6 REPEAL: 994.9, 994.10, 994.11, 994.12, 994.13, 994.14, 994.15, 994.16	
10/06/10	AMEND: 9040, 9041	
<b>Title 13</b>		
11/09/10	AMEND: 551.15, 551.17, 556, 558, 561, 586	
11/08/10	AMEND: 1956.8, 1958, 1961, 1976, 1978, 2111, 2122, 2136, 2141 REPEAL: 2166, 2166.1, 2167, 2168, 2169, 2170, 2171, 2172, 2172.1, 2172.2, 2172.3, 2172.4, 2172.5, 2172.6, 2172.7, 2172.8, 2172.9, 2173, 2174	
10/12/10	ADOPT: 1235.7 AMEND: 1200, 1235.1, 1235.2, 1235.4, 1256	
08/12/10	ADOPT: 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630	
07/29/10	REPEAL: 171.04	
07/23/10	ADOPT: 126.00, 126.02, 126.04, 127.00, 127.02, 127.04, 127.06, 127.08, 127.10 AMEND: 125.00, 125.02, 125.12, 125.16, 125.18, 125.20, 125.22	
<b>Title 13, 17</b>		
10/19/10	AMEND: Title 13: 2025, 2449, 2449.3, 2452, 2453, 2456, 2458, 2460, 2461, 2462 and Title 17: 93116.1, 93116.2, 93116.3	
<b>Title 14</b>		
12/03/10	AMEND: 29.80	
11/22/10	AMEND: 1220	
11/19/10	AMEND: 895.1, 914.7, 915.1, 916.9, 923.1, 923.2, 923.5, 934.7, 935.1, 936.9, 943.1, 943.2, 943.5, 954.7, 955.1, 956.9, 963.1, 963.2, 963.5, 1093.2, 1104.1	
11/09/10	AMEND: 163, 164	
10/27/10	AMEND: 18660.40	
10/18/10	AMEND: 13800	
10/11/10	ADOPT: 749.6	

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10/07/10 AMEND: 20030, 20040, 20050, 20060, 20070, 20080, 20090, 20100, 20110  
 10/05/10 AMEND: 125, 125.1  
 10/05/10 ADOPT: 700.3 AMEND: 105, 105.1, 106, 107, 110, 112, 116, 119, 120.2, 120.3, 102.6, 120.7, 122, 123, 124.1, 126, 147, 149.1, 150, 150.02, 150.03, 150.05, 180.3, 180.15, 700.4, 705  
 10/05/10 AMEND: 25231  
 09/21/10 AMEND: 502, 507  
 09/21/10 AMEND: 787.1, 787.4, 787.5, 787.6 REPEAL: 787.2, 787.9  
 09/08/10 AMEND: 300  
 08/16/10 AMEND: 918, 938, 958  
 08/12/10 AMEND: 6550.5  
 08/11/10 AMEND: 895.1, 916.9, 936.9, 956.9, 923.9, 943.9, 963.9 REPEAL: 916.9.1, 936.9.1, 916.9.2, 936.9.2, 923.9.2, 943.9.2

**Title 15**

12/13/10 ADOPT: 3084.8, 3084.9, 3086 AMEND: 3000, 3084, 3084.1, 3084.2, 3084.3, 3084.4, 3084.5, 3084.6, 3084.7, 3137, 3173.1, 3179, 3193, 3220.4, 3482, 3630, 3723 REPEAL: 3085  
 11/22/10 ADOPT: 1747.1, 1749.1, 1750.1 AMEND: 1706, 1747, 1748, 1749, 1750, 1752, 1756, 1757, 1767  
 11/16/10 AMEND: 1730, 1778, 1790  
 10/14/10 ADOPT: 4168.7, 4171.5 AMEND: 4166, 4168, 4168.5, 4169, 4169.5, 4169.9, 4170.5, 4171, 4173, 4174, 4174.5, 4174.6 REPEAL: 4172  
 10/11/10 ADOPT: 3999.10  
 09/22/10 ADOPT: 3999.9  
 09/09/10 AMEND: 3605  
 08/19/10 ADOPT: 3268.3 AMEND: 3000, 3268, 3268.1, 3268.2  
 08/13/10 ADOPT: 3540, 3541, 3542, 3543, 3544, 3545, 3546, 3547, 3548, 3560, 3561, 3562, 3563, 3564, 3565  
 08/11/10 AMEND: 3350.2, 3352.2, 3356, 3358, 3390  
 08/05/10 REPEAL: 3999.3  
 08/05/10 REPEAL: 3999.4  
 08/05/10 REPEAL: 3999.5  
 08/04/10 ADOPT: 3042 AMEND: 3040, 3040.1, 3041, 3041.2, 3043, 3043.1, 3043.3, 3043.4, 3043.5, 3043.6, 3044, 3045, 3045.1, 3045.2, 3045.3 REPEAL: 3040.2  
 07/30/10 ADOPT: 3349.1.1, 3349.1.2, 3349.1.3, 3349.1.4, 3349.2.1, 3349.2.2, 3349.2.3, 3349.2.4, 3349.3, 3349.3.1, 3349.3.2, 3349.3.3, 3349.3.4, 3349.3.5, 3349.3.6,

3349.3.7, 3349.4.1, 3349.4.2, 3349.4.3, 3349.4.4, 3349.4.5, 3349.4.6 AMEND: 3349  
 07/27/10 REPEAL: 3999.2  
 07/22/10 ADOPT: 3768, 3768.1, 3768.2, 3768.3 REPEAL: 3999.6

**Title 16**

12/21/10 ADOPT: 38, 47, 48.4 AMEND: 48.6  
 12/20/10 AMEND: 1520  
 12/20/10 ADOPT: 1399.557  
 12/20/10 ADOPT: 39, 40, 41, 42, 43, 44, 45, 46, 48, 48.1, 48.2, 48.3, 48.5, 48.6  
 12/15/10 ADOPT: 321.1  
 12/14/10 AMEND: 1018  
 12/09/10 ADOPT: 1571  
 11/24/10 AMEND: 1417  
 11/23/10 AMEND: 144  
 11/18/10 AMEND: 811  
 11/17/10 ADOPT: 1707.5  
 11/08/10 AMEND: 1974, 1996.1  
 10/18/10 AMEND: 3394.3, 3394.4, 3394.6  
 10/12/10 AMEND: 1399.501, 1399.511, 1399.520, 1399.525, 1399.526, 1399.527, 1399.545, 1399.550, 1399.556, 1399.573, 1399.612 REPEAL: 1399.508  
 09/30/10 AMEND: 4200, 4202, 4204, 4206, 4208, 4210, 4212, 4214, 4216, 4218, 4220, 4226, 4228, 4230, 4234, 4236, 4240, 4242, 4244, 4246, 4248, 4250, 4252, 4254, 4258, 4264  
 09/29/10 AMEND: 109(b)(2), 109(b)(7), 117(e)(2), 121(a)(2)  
 09/23/10 AMEND: 1391.1  
 09/23/10 ADOPT: 1399.419.1, 1399.419.2  
 09/22/10 ADOPT: 39, 40, 41, 42, 43, 44, 45, 46, 48, 48.1, 48.2, 48.3, 48.5, 48.6  
 09/21/10 ADOPT: 1426.1, 1430, 1431 AMEND: 1420, 1421, 1422, 1423, 1424, 1425, 1425.1, 1426, 1427, 1428, 1428.6, 1429, 1430 (renumbered to 1432)  
 08/25/10 AMEND: 427.10, 427.30  
 08/18/10 AMEND: 1721, 1723.1  
 08/12/10 AMEND: 2537, 2590  
 07/30/10 ADOPT: 3394.7 AMEND: 3394.1, 3394.4, 3394.5, 3394.6  
 07/21/10 REPEAL: 1569  
 07/21/10 ADOPT: 2262.1 AMEND: 2262, 2276

**Title 17**

11/10/10 AMEND: 50300  
 11/09/10 AMEND: 30253, 30255, 30256  
 10/20/10 ADOPT: 95380, 95381, 95382, 95383, 95384, 95385, 95386, 95387, 95388,



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	95389, 95390, 95391, 95392, 95393, 95394, 95395, 95396, 95397, 95398	97300.119, 97300.121, 97300.123, 97300.125, 97300.127, 97300.129, 97300.131, 97300.133, 97300.135, 97300.137, 97300.139, 97300.141, 97300.143, 97300.145, 97300.147, 97300.149, 97300.151, 97300.153, 97300.155, 97300.157, 97300.159, 97300.161, 97300.163, 97300.165, 97300.167, 97300.169, 97300.171, 97300.173, 97300.175, 97300.177, 97300.179, 97300.181, 97300.183, 97300.185, 97300.187, 97300.189, 97300.191, 97300.193, 97300.195, 97300.197, 97300.199, 97300.203, 97300.205, 97300.207, 97300.209, 97300.211, 97300.213, 97300.215, 97300.217, 97300.219, 97300.221, 7300.223, 97300.225, 97300.227, 97300.229, 97300.231, 97320.1, 97320.3, 97320.5, 97320.7, 97320.9, 97320.11, 97320.13, 97320.15, 97320.17, 97320.19, 97320.21, 97320.23, 97320.25, 97320.27, 97320.29, 97320.31, 97321.1, 97321.3, 97321.5, 97321.7, 97321.11, 97321.13, 97321.15, 97321.17, 97321.19, 97321.21, 97321.23, 97321.25, 97321.27, 97321.29, 97321.31, 97321.33, 97321.35, 97321.37, 97321.39, 97321.41, 97321.43, 97321.45, 97321.47, 97321.49, 97321.51, 97321.53, 97321.55, 97321.57, 97321.59, 97321.61, 97321.63, 97321.65, 97321.67, 97321.69, 97321.71, 97321.73, 97321.75, 97321.77, 97321.79, 97321.81, 97321.83, 97321.85, 97321.87, 97321.89, 97321.91, 97321.93, 97321.95, 97321.97, 97321.98, 97321.99, 97321.101, 97321.103, 97321.105, 97321.107, 97321.109, 97321.111, 97321.113, 97321.115, 97321.117, 97321.119, 97321.121, 97321.123, 97321.125, 97321.127, 97321.129, 97321.131, 97321.133, 97321.135, 97321.137, 97321.139, 97321.141, 97321.143, 97321.145, 97321.147, 97321.149, 97322.1, 97322.3, 97322.5, 97322.7, 97322.9, 97322.11, 97322.13, 97322.15, 97323.1, 97323.3, 97323.5, 97323.7, 97323.9, 97323.11, 97323.13, 97323.15, 97324.1, 97324.3, 97324.5, 97324.7, 97324.9, 97324.11, 97324.13, 97324.15, 97324.17, 97324.19, 97324.21,
10/13/10	AMEND: 30100, 30195 REPEAL: 30321, 30321.1, 30322	
09/20/10	AMEND: 94508, 94509, 94510, 94511, 94512, 94513, 94515	
09/09/10	AMEND: 94801, 94804, 94805, 94806	
09/02/10	AMEND: 94700, 94701	
08/30/10	ADOPT: 95550	
08/26/10	AMEND: 60201, 60203, 60207, 60210, 70300, 70301, 70302, 70303, 70303.1, 70303.5, 70304, 70305, 70306	
<b>Title 18</b>		
10/18/10	AMEND: 1020 REPEAL: 471	
08/26/10	AMEND: 1598	
<b>Title 20</b>		
09/01/10	AMEND: 1601, 1602, 1604, 1605.3, 1606, 1607	
<b>Title 21</b>		
09/30/10	AMEND: 7000	
<b>Title 22</b>		
12/22/10	REPEAL: 65700, 65700.2, 65700.6, 65700.8, 65700.10, 65700.12, 65710, 65715, 65720, 65725, 65730, 65735, 65740, 65745, 65750, 65755	
12/21/10	ADOPT: 64417, 64418, 64418.1, 64418.2, 64418.3, 64418.4, 64418.5, 64418.6, 64418.7	
12/15/10	AMEND: 100105	
11/10/10	AMEND: 51516.1	
10/26/10	AMEND: 97234, 97264, 97267	
10/06/10	AMEND: 100080	
10/06/10	AMEND: 100080	
08/23/10	AMEND: 926-3, 926-4, 926-5	
08/02/10	ADOPT: 119900	
07/26/10	REPEAL: 97300.1, 97300.3, 97300.5, 97300.7, 97300.9, 97300.11, 97300.13, 97300.15, 97300.17, 97300.19, 97300.21, 97300.23, 97300.25, 97300.27, 97300.29, 97300.31, 97300.33, 97300.35, 97300.37, 97300.39, 97300.41, 97300.43, 97300.45, 97300.47, 97300.49, 97300.51, 97300.53, 97300.55, 97300.57, 97300.59, 97300.61, 97300.63, 97300.65, 97300.67, 97300.69, 97300.71, 97300.73, 97300.75, 97300.77, 97300.79, 97300.81, 97300.83, 97300.85, 97300.87, 97300.89, 97300.91, 97300.93, 97300.95, 97300.97, 97300.99, 97300.103, 97300.105, 97300.107, 97300.109, 97300.111, 97300.113, 97300.115, 97300.117,	

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97324.23, 97324.25, 97324.27, 97412.5, 97412.7, 97412.9, 97413.1,  
97324.29, 97324.31, 97324.33, 97413.3, 97413.5, 97413.7, 97413.9,  
97324.35, 97324.37, 97324.39, 97413.11, 97414.1, 97414.3, 97416.1,  
97324.41, 97324.43, 97324.45, 97416.3, 97416.5, 97416.7, 97416.9,  
97324.47, 97324.49, 97324.51, 97416.11, 97417.1, 97418.1, 97420.1,  
97324.53, 97324.55, 97324.57, 97420.3, 97420.5, 97421.1, 97425.1,  
97324.59, 97324.61, 97324.63, 97425.3, 97425.5, 97425.7, 97425.9,  
97324.65, 97324.67, 97324.69, 97426.1, 97426.3, 97426.5, 97426.7,  
97324.71, 97324.73, 97324.75, 97426.9, 97426.11, 97431.1, 97431.3,  
97324.77, 97325.1, 97325.3, 97325.5, 97431.5, 97432.1, 97433.1, 97433.3,  
97325.7, 97325.9, 97326.1, 97326.3, 97434.1, 97434.3, 97434.5, 97434.7,  
97326.5, 97326.7, 97326.9, 97326.11, 97434.9  
97326.13, 97326.15, 97331.1, 97331.3, 07/23/10 AMEND: 66261.3, 66261.4, 66268.1,  
97331.5, 97331.7, 97332.1, 97333.1, 66268.7, 66268.9, 66268.124  
97333.3, 97333.5, 97333.7, 97333.9, 07/22/10 ADOPT: 52000, 52100, 52101, 52102,  
97333.11, 97333.13, 97333.15, 52103, 52104, 52500, 52501, 52502,  
97333.17, 97333.19, 97333.21, 52503, 52504, 52505, 52506, 52508,  
97333.23, 97335.1, 97335.3, 97341.1, 52509, 52510, 52511, 52512, 52513,  
97341.3, 97341.5, 97341.7, 97342.1, 52514, 52515, 52516, 52600  
97324.1, 97343.3, 97343.5, 97343.7, 07/21/10 AMEND: 97232  
97343.9, 97343.11, 97343.13, 97345.1, **Title 22, MPP**  
97345.3, 97350.1, 97350.3, 97350.5, 10/11/10 AMEND: 88030  
97350.7, 97350.9, 97352.1, 97352.3, 09/03/10 ADOPT: 84067 AMEND: 83064, 84001,  
97352.5, 97352.7, 97352.9, 97352.11, 84076, 84079, 84087.2, 84088, 84090,  
97353.1, 97353.3, 97353.5, 97353.7, 86065, 88065, 89405  
97353.9, 97353.11, 97353.13, 97353.15, **Title 23**  
97354.1, 97354.3, 97354.5, 97361.1, 12/20/10 ADOPT: 907, 910, 915, 920, 921, 925,  
97361.3, 97361.5, 97362.1, 97363.1, 929, 930  
97363.3, 97363.5, 97363.7, 97363.9, 12/17/10 ADOPT: 596, 596.1, 596.2, 596.3, 596.4,  
97363.11, 97364.1, 97364.3, 97364.5, 596.5  
97364.7, 97364.9, 97365.1, 97365.3, 12/15/10 AMEND: 3943  
97370.1, 97370.3, 97370.5, 97370.7, 12/07/10 ADOPT: 3909 AMEND: 3900  
97372.1, 97372.3, 97372.5, 97372.7, 11/18/10 AMEND: 2200, 2200.3, 2200.4, 2200.6  
97372.9, 97373.1, 97373.3, 97373.5, 11/17/10 AMEND: 1062, 1064, 1066, 3833.1  
97373.7, 97374.1, 97381.1, 97381.3, 11/4/20 ADOPT: 3929.5  
97381.5, 97381.7, 97381.9, 97381.11, 09/27/10 ADOPT: 2922  
97382.1, 97383.1, 97383.3, 97383.5, 09/22/10 ADOPT: 2921  
97383.7, 97383.9, 97383.11, 97383.13, 09/15/10 ADOPT: 3929.4  
97383.15, 97383.17, 97383.19, 97384.1, **Title 27**  
97384.3, 97384.5, 97384.7, 97385.1, 12/16/10 AMEND: 25805  
97385.3, 97385.5, 97390.1, 37390.3, 11/18/10 AMEND: 25805  
97391.1, 97392.1, 97392.3, 97392.5, **Title MPP**  
97392.7, 97392.9, 97392.11, 97392.13, 12/22/10 AMEND: 42-302, 42-712, 42-713  
97394.1, 97395.1, 97395.3, 97401.1, 09/03/10 ADOPT: 31-021 AMEND: 31-003,  
97401.3, 97401.5, 97402.1, 97403.1, 31-410, 31-501  
97403.3, 97404.1, 97404.3, 97404.5, 08/26/10 AMEND: 40-188  
97404.7, 97404.9, 97405.1, 97405.3, 08/26/10 AMEND: 44-211  
97411.1, 97411.3, 97411.5, 97411.7, 08/26/10 ADOPT: 91-101, 91-110, 91-120,  
97411.9, 97411.11, 97412.1, 97412.3, 91-130, 91-140