

DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC)
2016 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2015

Subject: R-2014-04 Electronic Submittal of Information		CCR Title & Sections Affected: Title 22, Division 4.5, sections 69300 – 69300.5	Statute(s) Being Implemented: Health and Safety Code Section 57013			
Responsible Agency Unit: Policy and Support	Contact Person & Phone Number: Karen Ochoa 916-255-6444	Projected Dates:				
		Notice Published: March 31, 2016	Public Hearing: April 30, 2016	Adoption by your agency: August 10, 2016	To OAL for review: September 10, 2016	
Report on the status of all uncompleted rulemaking described on previous calendars: DTSC is finalizing the proposed regulation text and preparing the 45-Day Public Notice and other supporting documents.						

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2015

Subject: R-2015-01 Emergency Regulations to Establish an Annual Fee on Metal Shredding Facilities		CCR Title & Sections Affected: California Code of Regulations, Title 22, Division 4.5, Chapter 56, sections 69600.1 – 69600.20		Statute(s) Being Implemented: Health and Safety Code, Division 20, Chapter 6.5, section 25150.82, 25150.84, and 25150.86	
Responsible Agency Unit: Hazardous Waste Management Program, Policy and Program Support Division	Contact Person & Phone Number: Ed Benelli (916) 324-6564	Projected Dates:			
		Notice Published: March 1, 2016	Public Hearing: N/A	Adoption by your agency: March 30, 2016	To OAL for review: April 8, 2016
Report on the status of all uncompleted rulemaking described on previous calendars: Based on feedback from OAL, previous rulemaking was withdrawn. Rulemaking is being revised and is to be resubmitted to OAL for approval, based on their feedback.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2015

Subject: R-2014-07 Cathode Ray Tube (CRT) and CRT Glass Disposition Options Finalization of Emergency Regulations: OAL Reference Number: 2014-0905-03 EE OAL Approval Date: 09/15/14 Secretary of State Filing Date: 09/15/14 Effective Date: 09/15/14 Expiration Date: 09/15/16		CCR Title & Sections Affected: California Code of Regulations, title 22, division 4.5, chapter 23, Sections: §66261.4, § 66273.6, § 66273.7, §66273.9, §66273.70, §66273.72, §66273.73, §66273.74, §66273.75, §66273.80, §66273.81, §66273.82, §66273.83, §66273.84, §66273.90, §66273.91, §66273.100, §66273.101		Statute(s) Being Implemented: Health and Safety Code, Division 20, Chapter 6.5, Sections: 25141.5, 25143.2, 25150, 25159.5, 25173, 25201, 25205.7, 25214.9	
Responsible Agency Unit: Hazardous Waste Management Program, Policy and Program Support Division	Contact Person & Phone Number: Teresa Rizzardo (916) 323-3624	Projected Dates:			
		Notice Published: March 1, 2016	Public Hearing: April 15, 2016	Adoption by your agency: August 1, 2016	To OAL for review: August 15, 2016
Report on the status of all uncompleted rulemaking described on previous calendars: The Department of Toxic Substances Control (DTSC) filed a re-adoption of emergency regulatory action with the Office of Administrative Law (OAL) for Emergency Regulations regarding expanded disposition options for CRT and CRT Glass implemented on October 15, 2012. OAL approved the re-adoption of emergency regulations and filed with the Secretary of State on September 15, 2014. DTSC will develop final regulations for alternative disposition options for CRT and CRT Glass before the expiration of these emergency regulations in 2016.					

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Subject: R-2016-09 Universal Waste Rule Revisions		CCR Title & Sections Affected: California Code of Regulations, title 22, division 4.5, Chapter 23, sections 66260.10 of Chapter 10, section 66262.11 of Chapter 12, section 66264.1 of Chapter 14, section 66265.1 of Chapter 15, section 66268.1 of Chapter 18, and section 66270.1 of Chapter 20	Statute(s) Being Implemented: Health and Safety Code, Division 20, Chapter 6.5, sections: 25141, 25150, 25219.1, 58012			
Responsible Agency Unit: Hazardous Waste Management Program, Policy and Program Support Division	Contact Person & Phone Number: John Muegge (916) 322-0471	Projected Dates:				
		Notice Published: TBD	Public Hearing: TBD	Adoption by your agency: TBD	To OAL for review: TBD	
Report on the status of all uncompleted rulemaking described on previous calendars: Based on interactions with U.S. Environmental Protection Agency, some of the previously adopted rules may need to be modified in order to maintain authorization to implement the federal program and to attain authorization to implement the federal universal waste rule.						

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2015

Subject: R-2015-01 Alternative Management Standards for Metal Shredding Facilities		CCR Title & Sections Affected: California Code of Regulations, title 22, division 4.5, Chapter 56		Statute(s) Being Implemented: Health and Safety Code, Division 20, Chapter 6.5, Section: 25150.82, 25150.84, and 25150.86	
Responsible Agency Unit: Hazardous Waste Management Program, Policy and Program Support Division	Contact Person & Phone Number: Ed Benelli (916) 324-6564	Projected Dates:			
		Notice Published: TBD	Public Hearing: TBD	Adoption by your agency: January 1, 2018	To OAL for review: January 15, 2018
Report on the status of all uncompleted rulemaking described on previous calendars: Over the course of 2016, DTSC will be conducting the required evaluation and developing the required information necessary to form the basis for management standards to govern the operation of metal shredding facilities and the metal shredder waste it generates and disposes.					

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SCHEDULE A: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED DURING THE YEAR 2015

Subject: R-2016-01 Standards for Management of Hazardous Waste Photovoltaic Modules		CCR Title & Sections Affected: California Code of Regulations, Title 22, Division 4.5, sections 66273.1, 66273.7.1, 66273.9, 66273.32, 66273.33, 66273.34, 66273.36, 66273.39, and 66273.51 of chapter 23.		Statute(s) Being Implemented: Health and Safety Code, Division 20, Chapter 6.5, Article 17, section 25259	
Responsible Agency Unit: Hazardous Waste Management Program, Policy and Program Support Division	Contact Person & Phone Number: Neena Sahasrabudhe (916) 324-8660	Projected Dates:			
		Notice Published: July 11, 2016	Public Hearing: August 24, 2016	Adoption by your agency: TBD	To OAL for review: TBD
Report on the status of all uncompleted rulemaking described on previous calendars: This is a new rulemaking being proposed based on authority granted under SB 489—enacted in 2015—which authorizes DTSC to adopt Universal Waste rules for photovoltaic modules. This rulemaking is similar to a file previously submitted by DTSC (Z-2012-0802-01) which was disapproved by OAL in 2011, but this is a new and completely separate proposal.					

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SCHEDULE A: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED DURING THE YEAR 2015

Subject: R-2016-02 Universal Waste & Generator Status		CCR Title & Sections Affected: California Code of Regulations, title 22, division 4.5, section 66261.5	Statute(s) Being Implemented: Health and Safety Code, Division 20, Chapter 6.5, Section 25158.1			
Responsible Agency Unit: Hazardous Waste Management Program, Policy and Program Support Division	Contact Person & Phone Number: Melissa Salinas (916) 322-7636	Projected Dates:				
		Notice Published: March 1, 2016	Public Hearing: April 15, 2016	Adoption by your agency: October 1, 2016	To OAL for review: November 1, 2016	

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SCHEDULE A: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED DURING THE YEAR 2015

Subject: R-2016-03 Criteria for the issuance of a new or modified hazardous waste facility permit or for renewal of a hazardous waste facility permit		CCR Title & Sections Affected: California Code of Regulations, Title 22, Division 4.5, Chapter 20, sections 66270.1 - 66270.73		Statute(s) Being Implemented: Health and Safety Code, Division 20, Chapter 6.5, section 25200.21	
Responsible Agency Unit: Hazardous Waste Management Program, Policy and Program Support Division	Contact Person & Phone Number: Valetti Lang (916) 324-1815	Projected Dates:			
		Notice Published: January 1, 2017	Public Hearing: February 15, 2017	Adoption by your agency: TBD	To OAL for review: TBD

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2015

Subject: R-2014-01 Hazardous materials: motor vehicle brake friction materials – Senate Bill 346, (2009-2010 Reg. Sess.)		CCR Title & Sections Affected: Title 22, Division 4.5, Chapter 25		Statute(s) Being Implemented: Health and Safety Code sections 25250.50 - 25250.65	
Responsible Agency Unit: Safer Consumer Products and Workplaces Program	Contact Person & Phone Number: Suzanne Davis (916) 327-4206	Projected Dates:			
		Notice Published: April 1, 2016	Public Hearing: May 15, 2016	Adoption by your agency: July 22, 2016	To OAL for review: August 22, 2016
Report on the status of all uncompleted rulemaking described on previous calendars: Criteria for testing, marking, and certification of brake friction materials must be promulgated in formal rulemaking as they will be universally applied to any brake friction material sold in the State of California. DTSC has finalized the proposed regulation text and is preparing the 45-day public notice and other supporting documents.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2015

Subject: R-2014-03 Safer Consumer Products: Listing Children’s Foam-Padded Sleeping Products Containing TDCPP and/or TCEP as a Priority Product		CCR Title & Sections Affected: Title 22 Division 4.5 Chapter 55, Section: Article 11, Section 69511		Statute(s) Being Implemented: Health and Safety Code Sections 25252 and 25253	
Responsible Agency Unit: Safer Consumer Products and Workplaces Program	Contact Person & Phone Number: Lisa Quagliaroli (916) 445-3077	Projected Dates:			
		Notice Published: May 20, 2016	Public Hearing: July 5, 2016	Adoption by your agency: August 8, 2016	To OAL for review: September 6, 2016
Report on the status of all uncompleted rulemaking described on previous calendars: This new rulemaking proposes to adopt Children’s Foam-Padded Sleeping Products Containing TDCPP and/or TCEP as a Priority Product. This is the first of three product-chemical combinations that were included in DTSC’s Initial Priority Products List for regulation under the Safer Consumer Products Program. The rules governing the identification and adoption of Priority Products were adopted in 2013 (R-2011-02) implementing the Safer Consumer Products regulations. DTSC finalized the proposed regulation text and is preparing the 45-day public notice and other supporting documents.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2015

Subject: R-2016-04 Safer Consumer Products: Listing Spray Polyurethane Foam Systems Containing Methylene Diphenyl Diisocyanates as a Priority Product		CCR Title & Sections Affected: Title 22 Division 4.5 Chapter 55, Article 11, section 69511		Statute(s) Being Implemented: Health and Safety Code sections 25252 and 25253	
Responsible Agency Unit: Safer Consumer Products and Workplaces Program	Contact Person & Phone Number: Lisa Quagliaroli, 916-445-3077	Projected Dates:			
		Notice Published: November 18, 2016	Public Hearing: January 17, 2017	Adoption by your agency: July 9, 2017	To OAL for review: August 9, 2017
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>This new rulemaking proposes to adopt Spray Polyurethane Foam Systems Containing Methylene Diphenyl Diisocyanates as a Priority Products. This is the second of three product-chemical combinations that were included in DTSC's Initial Priority Products List for regulation under the Safer Consumer Products Program. The rules governing the identification and adoption of Priority Products were adopted in 2013 (R-2011-02) implementing the Safer Consumer Products regulations. DTSC finalized the proposed regulation text and is preparing the 45-day public notice and other supporting documents.</p>					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2015

Subject: R-2016-05 Safer Consumer Products: Listing Paint Strippers Containing Methylene Chloride as a Priority Product		CCR Title & Sections Affected: Title 22 Division 4.5 Chapter 55, Article 11, section 69511		Statute(s) Being Implemented: Health and Safety Code sections 25252 and 25253	
Responsible Agency Unit: Safer Consumer Products and Workplaces Program	Contact Person & Phone Number: Lisa Quagliaroli (916) 445-3077	Projected Dates:			
		Notice Published: December 13, 2016	Public Hearing: February 7, 2017	Adoption by your agency: June 30, 2017	To OAL for review: July 31, 2017
Report on the status of all uncompleted rulemaking described on previous calendars: This new rulemaking proposes to adopt Paint Strippers Containing Methylene Chloride as a Priority Product. This is the third of three product-chemical combinations that were included in DTSC's Initial Priority Products List for regulation under the Safer Consumer Products Program. The rules governing the identification and adoption of Priority Products were adopted in 2013 (R-2011-02) implementing the Safer Consumer Products regulations. DTSC is finalizing the proposed regulation text and preparing the 45-day public notice and other supporting documents.					

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Subject: R-2016-06 Safer Consumer Products: Listing Paint Strippers Containing N-Methyl Pyrrolidone as a Priority Product		CCR Title & Sections Affected: Title 22 Division 4.5 Chapter 55, Article 11, section 69511		Statute(s) Being Implemented: Health and Safety Code sections 25252 and 25253	
Responsible Agency Unit: Safer Consumer Products and Workplaces Program	Contact Person & Phone Number: Lisa Quagliaroli (916) 445-3077	Projected Dates:			
		Notice Published: December 15, 2016	Public Hearing: TBD	Adoption by your agency: TBD	To OAL for review: TBD
Report on the status of all uncompleted rulemaking described on previous calendars: This new rulemaking proposes to adopt Paint Strippers Containing N-Methyl Pyrrolidone as a Priority Product. This product-chemical combination is included in the Building Products category in DTSC's Three Year Priority Product Workplan for 2015-2017. The rules governing the identification and adoption of Priority Products were adopted in 2013 (R-2011-02) implementing the Safer Consumer Products regulations. The Department is developing the proposed regulation text and preparing the 45-day public notice and other supporting documents.					

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Subject: R-2016-07 Safer Consumer Products: Priority Product Listing		CCR Title & Sections Affected: Title 22 Division 4.5 Chapter 55, Section: Article 11, Section 69511		Statute(s) Being Implemented: Health and Safety Code Sections 25252 and 25253	
Responsible Agency Unit: Safer Consumer Products and Workplaces Program	Contact Person & Phone Number: Lisa Quagliaroli (916) 445-3077	Projected Dates:			
		Notice Published: December 15, 2016	Public Hearing: TBD	Adoption by your agency: TBD	To OAL for review: TBD
Report on the status of all uncompleted rulemaking described on previous calendars: This new rulemaking proposes to adopt additional product-chemical combinations as Priority Products. These product-chemical combinations are included one or more of the product categories shown in DTSC's Three Year Priority Product Workplan for 2015-2017. The rules governing the identification and adoption of Priority Products were adopted in 2013 (R-2011-02) implementing the Safer Consumer Products regulations. DTSC will develop proposed regulation text and other supporting documents when the specific product-chemical combinations have been identified.					

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Subject: R-2016-08 Toxicity Criteria for Human Health Risk Assessments		CCR Title & Sections Affected: Title 22, [new] sections 69000.1-X	Statute(s) Being Implemented: HSC 25100 et seq., HSC 25300 et seq.			
Responsible Agency Unit: Office of Legal Counsel	Contact Person & Phone Number: Vivian Murai (916) 327-4488	Projected Dates:				
		Notice Published: April 19, 2016	Public Hearing: June 3, 2016	Adoption by your agency: October 31, 2016	To OAL for review: November 1, 2016	