

**State of California  
Office of Administrative Law**

**In re:**  
**Department of Toxic Substances Control**

**Regulatory Action:**

**Title 22, California Code of Regulations**

**APPROVED:**

**Adopt sections:** 69501, 69501.1, 69501.2, 69501.3(a) and (c) through (e), 69501.4, 69501.5, 69502, 69502.1, 69502.2, 69502.3, 69503, 69503.1, 69503.2, 69503.3, 69503.4, 69503.5, 69503.6, 69503.7, 69504, 69504.1, 69505, 69505.1, 69505.2, 69505.3, 69505.4, 69505.5, 69505.6, 69505.7, 69505.8, 69505.9, 69506, 69506.1, 69506.2, 69506.3, 69506.4, 69506.5, 69506.6, 69506.7, 69506.8, 69506.9, 69506.10, 69507, 69507.1, 69507.2, 69507.3, 69507.4, 69507.5, 69507.6, 69508, 69509, 69509.1(b) and (d), 69510

**DISAPPROVED:**

**Adopt sections:** 69501.3(b), 69509.1(a) and (c)

**NOTICE OF APPROVAL IN PART AND  
DISAPPROVAL IN PART OF REGULATORY  
ACTION**

**Government Code Section 11349.3**

**OAL File No. 2013-0718-03 S**

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This regulatory action establishes a list of Candidate Chemicals and provides for a process to identify additional chemicals. It also describes the process for evaluating and prioritizing consumer products that contain these chemicals and creating a Priority Products list. Responsible entities (manufacturers, assemblers, retailers and importers) are required to notify the Department if their product is listed and then, unless they meet specified exemptions, perform an alternatives analysis to determine ways to limit exposure and adverse impacts on public health and the environment. After the alternatives analysis, the Department may implement one or more regulatory responses to protect public health and/or the environment. This action also provides for audits related to these processes, dispute resolution arising from these processes and provides for assessment of trade secret claims made to the Department.

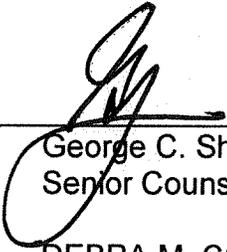
OAL approves Title 22, California Code of Regulations, sections 69501, 69501.1, 69501.2, 69501.3(a) and (c) through (e), 69501.4, 69501.5, 69502, 69502.1, 69502.2, 69502.3, 69503, 69503.1, 69503.2, 69503.3, 69503.4, 69503.5, 69503.6, 69503.7, 69504, 69504.1, 69505, 69505.1, 69505.2, 69505.3, 69505.4, 69505.5, 69505.6, 69505.7, 69505.8, 69505.9, 69506, 69506.1, 69506.2, 69506.3, 69506.4, 69506.5, 69506.6, 69506.7, 69506.8, 69506.9, 69506.10, 69507, 69507.1, 69507.2, 69507.3, 69507.4, 69507.5, 69507.6, 69508, 69509, 69509.1(b) and (d), 69510, as meeting all applicable legal requirements.

OAL disapproves Title 22, subdivisions 69501.3(b), 69509.1(a) and (c), for the following reasons:

The disapproved regulations fail to comply with the Clarity standard of Government Code section 11349.1.

Within seven (7) calendar days of the date of this notice, the Office of Administrative Law will send the adopting agency a written decision detailing the reasons for disapproval of this regulatory filing.

Date: August 28, 2013



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George C. Shaw  
Senior Counsel

For: DEBRA M. CORNEZ  
Director

Original: Deborah Raphael  
Copy: Manpreet Singh

# REGULAR

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-2012-0717-04</b>	REGULATORY ACTION NUMBER <b>2013-0718-035</b>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED FILED  
IN THE OFFICE OF

2013 AUG 28 PM 3:24

*Debra Bowen*  
DEBRA BOWEN  
SECRETARY OF STATE

2013 JUL 18 PM 3:47  
OFFICE OF ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY Department of Toxic Substances Control	AGENCY FILE NUMBER (if any) R-2011-02
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**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER <b>2012 302</b>	PUBLICATION DATE <b>12-14-2012</b>

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) Safer Consumer Products	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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per agency request  
*Debra Bowen*

SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 69501, 69501.1, 69501.2, 69501.3, 69501.4, 69501.5, 69502, 69502.1, 69502.2, 69502.3, see attachment
	AMEND
TITLE(S) 22	REPEAL

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)  
See attached.

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input checked="" type="checkbox"/> Other (Specify) <u>Notified special interested agencies in compliance with Health &amp; Safety Code section 25150(f)</u>			

7. CONTACT PERSON Manpreet K. Singh	TELEPHONE NUMBER (916)322-2543	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Manpreet.Kaur@dtsc.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Deborah O. Raphael</i>	DATE <b>7/18/13</b>
TYPED NAME AND TITLE OF SIGNATORY Deborah O. Raphael, Director, Department of Toxic Substances Control	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

AUG 28 2013

Office of Administrative Law

per agency request  
*Debra Bowen*

Form 400 Attachment

**Section B. SUBMISSION OF REGULATIONS, Subsection 2.**

69503, 69503.1, 69503.2, 69503.3, 69503.4, 69503.5, 69503.6, 69503.7, 69504, 69504.1, 69505, 69505.1, 69505.2, 69505.3, 69505.4, 69505.5, 69505.6, 69505.7, 69505.8, 69505.9, 69506, 69506.1, 69506.2, 69506.3, 69506.4, 69506.5, 69506.6, 69506.7, 69506.8, 69506.9, 69506.10, 69507, 69507.1, 69507.2, 69507.3, 69507.4, 69507.5, 69507.6, 69508, 69509, 69509.1, and 69510.

**Section B. SUBMISSION OF REGULATIONS, Subsection 4.**

11/30/12 through 1/04/13,  
12/21/12 through 1/22/13,  
1/29/13 through 2/28/13,  
3/13/13 through 3/28/13,  
4/10/13 through 4/25/13,  
5/22/13 through 6/06/13.