

**OCCUPATIONAL SAFETY  
AND HEALTH STANDARDS BOARD**

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**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, 2005**, at 10:00 a.m.  
in the Auditorium of the State Resources Building,  
1416 Ninth Street, Sacramento, California 95814.

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, 2005**, following the Public Meeting  
in the Auditorium of the State Resources Building,  
1416 Ninth Street, Sacramento, California 95814.

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, 2005**, following the Public Hearing  
in the Auditorium of the State Resources Building,  
1416 Ninth Street, Sacramento, California 95814.

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

The meeting facilities and restrooms are accessible to the physically disabled. Requests for accommodations for the disabled (assistive listening device, sign language interpreters, etc.) should be made to the Board office no later than 10 working days prior to the day of the meeting. If Paratransit services are needed, please contact the Paratransit office nearest you.

**OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD**

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STEVEN L. RANK, Chairman

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, Construction Safety Orders and Ship Building, Ship Repairing and Ship Breaking Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on **February 17, 2005**.

1. TITLE 8:     **CONSTRUCTION SAFETY ORDERS**  
Chapter 4, Subchapter 4, Article 21  
Section 1637  
**Scaffold Ladders**
  
2. TITLE 8:     **SHIP BUILDING, SHIP REPAIRING AND SHIP BREAKING SAFETY ORDERS**  
Chapter 7, Subchapter 18, Article 3, Section 8354  
Article 8, Sections 8397, 8397.10, 8397.11, 8397.12 and 8397.13  
**Fire Protection in Shipyard Employment**

A description of the proposed changes are as follows:

1. TITLE 8: CONSTRUCTION SAFETY ORDERS  
Chapter 4, Subchapter 4, Article 21  
Section 1637  
**Scaffold Ladders**

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

The Occupational Safety and Health Standards Board (Board) initiates this rulemaking as result of a Form 9, Request For New or Amended Safety Order, submitted by the Division of Occupational Safety and Health (Division) on October 31, 2002, to revise Section 1637 of the Construction Safety Orders (CSO).

Section 1637 contains minimum requirements pertaining to scaffolds including, but not limited to, their design and construction, anchorage and bracing, erection and dismantling, loading, and access. The Division's Form 9 indicates that there is confusion as to what standards apply to access ladders specifically manufactured for, and affixed to, scaffold systems (attachable ladders) referenced in subsection (n)(2). Subsection (n)(2) contains specifications and use requirements for ladders, permanent stairways, prefabricated scaffold steps/stairs, and end frames used as climbing devices, but does not include standards for manufactured "attachable ladders." Attachable ladders, including hook-on ladders, are specifically designed and constructed to be affixed to scaffold systems. Because attachable ladders fall outside the scope of safety orders that regulate ladders or scaffold stair systems contained elsewhere in Title 8, it is necessary to amend this section to add specific standards applicable to attachable scaffold ladders, consistent with Federal OSHA, 29 Code of Federal Regulations (CFR) 1926.451(e).

For the most part, Board staff incorporated the Division's suggested amendments to Section 1637(a)(2). The Division's proposal included a requirement that rungs on hook-on and attachable ladders be spaced a maximum of 12 inches between rungs. Board staff learned that in 1996, Federal OSHA proposed a reduction in rung spacing from 16-3/4 inches to 12 inches in their counterpart standards contained in 29 CFR 1926.451 for attachable ladders. However, they refrained due to industry concerns over the adverse economic impact it would cause. Consequently, in the absence of data or evidence supporting 12 inch rung spacing, including any improvements in employee safety, Board staff has included the requirement for maximum rung spacing of 16-3/4 inches in the proposal, consistent with federal counterpart requirements.

Also included in the Division's proposal was a request to amend Sections 1637(n)(2)(A) and 1644(a)(8), which require that ladders used for access comply with Article 25 of the Construction Safety Orders. The Division proposed that these standards be specific to "portable" ladders only. In consideration of the Division's request, Board staff concluded that by requiring only portable ladders to conform to Article 25 would remove several valuable safety requirements applicable to all other ladders, e.g., the use of ladders in such a way as to provide safe access to all elevations, prohibiting the use of ladders that are broken or are otherwise faulty or defective, and the mandate that either side rails be extended not less than 36 inches above the landing or grab rails must be installed. Consequently, Board staff declines to incorporate the Division's recommended amendments to Sections 1637(n)(2)(A) and 1644(a)(8).

Also included in this rulemaking action are proposed amendments by Board staff to require that prefabricated scaffold steps or stairs manufactured after the effective date of the standard comply with American National Standard, ANSI A10.8-2001, Safety Requirements for Scaffolding, proposed for incorporation by reference. For those manufactured on or before the effective date, compliance with either the existing, 1988 ANSI standard, or the 2001 ANSI standard already proposed for incorporation by reference is proposed. Other nonsubstantive, editorial changes are proposed for subsection (n)(2)(C)2 for clarification purposes.

This proposed rulemaking action contains additional nonsubstantive, editorial, reformatting of subsections, and grammatical revisions. These nonsubstantive 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 nonsubstantive revisions, the following actions are proposed:

#### Section 1637(n)

Subsection (n) contains a general requirement that safe and unobstructed access must be provided to all scaffold platforms, by a walkway, stair, or ladder. Additionally, subsection (n) contains design and construction standards or references to such standards for ladders, stairs, and horizontal members (rungs) of scaffold end frames used as climbing devices. Subsection (n), however, does not contain standards pertaining to attachable ladders.

#### Subsection (n)(2)

Subsection (n)(2) contains specifications and use requirements for portable ladders, permanent stairways, prefabricated scaffold steps/stairs, and horizontal members of end-frames used as a climbing device. However, subsection (n)(2) does not include standards for manufactured metal ladders that are specifically designed and constructed to be affixed to scaffold systems. Because these attachable ladders fall outside the scope of the ladder or stair system types currently under Section 1637(n), this proposal would add specific standards applicable to attachable ladders, consistent with 29 CFR 1926.451(e).

#### New Subsection (n)(2)(A)

The proposal adds new subsection (n)(2)(A) for manufactured hook-on and attachable ladders, and requires that they be securely attached to the scaffold. In addition, subparagraphs 1 through 3 of new subsection (A) are proposed which require that these attachable ladders be specifically designed for use with the type of scaffold used; have a minimum rung length of 11-1/2 inches (29 cm); and have uniform spaced rungs with a maximum spacing between rungs of 16-3/4 inches. The proposed new subsection is necessary to address a deficiency in the existing standard, i.e., manufactured attachable ladders, and will ensure that: 1) attachable ladders are securely attached to the scaffold, 2) compatible ladders are used specific to the scaffold system used, 3) sufficient footholds are provided for safe access to the scaffold, and 4) adequate, predictable rung spacing is provided for safe access or egress.

#### Subsection (n)(2)(B)

Existing subsection (n)(2)(B), proposed for relettering as subsection (n)(2)(C), contains a requirement that prefabricated scaffold steps or stairs must comply with the design, manufacture, and installation requirements of ANSI A10.8-1988, Scaffolding- Safety Requirements. An amendment is proposed to require prefabricated scaffold steps or stairs manufactured after a specified effective date to meet the

latest ANSI standard, A10.8-2001, proposed for incorporation by reference, while those manufactured on or before the specified effective date would be required to meet either the existing referenced standard, ANSI A10.8-1988, or the 2001 ANSI standard. This proposed amendment would have no effect since existing or newly manufactured prefabricated scaffold steps or stairs already meet the design, manufacture, and installation requirements of either of these standards.

#### Subsection (n)(2)(C)

Existing subsection (n)(2)(C), proposed for relettering as subsection (n)(2)(D), permits the horizontal members of scaffold end-frames to be designed and used as a climbing device to access scaffold platforms provided the steps are 1) reasonably parallel and level, 2) continuous climb as required in Section 1644(a)(8) using frames of the like configuration, and 3) provided with sufficient clearance to provide a good handhold and foot space. An amendment is proposed to editorially revise subparagraph 2, consistent with the format of subparagraphs 1 and 3. This amendment will have no effect other than to improve the clarity of the subsection requirements.

### **DOCUMENTS INCORPORATED BY REFERENCE**

1. American National Standard, ANSI A10.8-2001, Safety Requirements for Scaffolding.

This document is too cumbersome or impractical to publish in Title 8. Therefore, it is proposed to incorporate the document by reference. Copies of this document are available for review Monday through Friday from 8:00 a.m. to 4:30 p.m. at the Standards Board Office located at 2520 Venture Oaks Way, Suite 350, Sacramento, California.

### **COST ESTIMATES 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 adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposed amendments are consistent with Federal OSHA scaffold access standards. Attachable ladders currently manufactured for use on scaffold systems are being constructed to these federal standards, specifically up to the 16-3/4 inch rung spacing, and therefore are already in compliance with the proposed standard. Additionally, this rulemaking action proposes to incorporate by reference the latest edition of the ANSI A10.8 standard. This amendment will not result in added costs or savings as currently manufactured attachable ladders already meet these national consensus standards. Attachable ladders manufactured prior to the effective date of the proposed standard are only required to meet the existing referenced ANSI standard. The proposed

amendments to Section 1637 will ensure consistency with current industry practice and federal counterpart standards contained in 29 CFR 1926.451.

**Cost Impact on Private Persons or Businesses**

The Board is not aware of any cost impact 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 standard 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 amendment will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, the standard 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 standard does not require local agencies to carry out the governmental function of providing services to the public. Rather, the standard requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed standard 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 standard does not impose unique requirements on local governments. All employers - state, local and private - 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 standard 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 and less burdensome to affected private persons than the proposed action.

2. TITLE 8:     **SHIP BUILDING, SHIP REPAIRING AND SHIP BREAKING SAFETY ORDERS**  
Chapter 7, Subchapter 18, Article 3, Section 8354  
Article 8, Sections 8397, 8397.10, 8397.11, 8397.12 and 8397.13  
**Fire Protection in Shipyard Employment**

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

The Occupational Safety and Health Standards Board (Board) intends to adopt the proposed rulemaking action pursuant to Labor Code Section 142.3, which mandates the Board to adopt standards at least as effective as federal standards addressing occupational safety and health issues.

The U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) promulgated standards addressing Fire Protection in Shipyard Employment on September 15, 2004, as 29 Code of Federal Regulations, Sections 1915.501, .502, .503, .504, .505, .506, .507, .508, and .509. The Board is relying on the explanation of the provisions of the federal standards in Federal Register, Volume 69, No. 178, pages 55,668-55,708, September 15, 2004, as the justification for the Board's proposed rulemaking action. The Board proposes to adopt standards, which are the same as the federal standard except for editorial and format differences.

The federal Fire Protection in Shipyard Employment standard was developed through the federal negotiated rulemaking process and will provide increased protection from fire hazards for nearly 98,000 workers in the ship building, ship repair and ship breaking industries. The Final Rule incorporates 19 national consensus standards from the National Fire Protection Association (NFPA) and includes relevant information from other sources, including federal OSHA's general industry standard on fire protection, as well as procedures from the U.S. Navy and U.S. Coast Guard. The federal standard requires a written fire watch policy and also discontinues the practice allowing workers who perform hot work, such as welding cutting, or grinding to act as their own fire watch. The Final Rule also affords employers flexibility by allowing them to rely on a combination of fire response organizations (e.g., internal, external, or both) rather than requiring them to establish internal fire brigades.

The State's proposal addresses only a portion of the Final Rule, specifically all federal definitions not already contained in Title 8 (e.g., alarm, alarm system, body harness, contract employer), standards

pertaining to multi-employer worksites, fire safety plans, fire response, and employee training. Federal shipyard standards pertaining to precautions for hot work and fire watches, hazards of fixed extinguishing systems on board vessels and land side fire protection are not proposed for inclusion since they represent issues which are already effectively addressed by existing Title 8, General Industry Safety Order standards and the applicable national consensus standards they incorporate by reference, or they represent standards for which California's Occupational Safety and Health program lacks enforcement jurisdiction (i.e., hazards of fixed extinguishing systems on board vessels).

The proposed standard is substantially the same as the final rule promulgated by federal OSHA. Therefore, Labor Code Section 142.3(a)(3) exempts the Board from the provisions of Article 5 (commencing with Section 11346) and Article 6 (commencing with Section 11349) of Chapter 3.5, Part 1, Division 3 of Title 2 of the Government Code when adopting standards substantially the same as a federal standard; however, the Board is still providing a public comment period and will convene a public hearing. The purpose of the written and oral comments at the public hearing is to: 1) identify any clear and compelling reasons for California to deviate from the federal standard; 2) identify any issues unique to California related to this proposal which should be addressed in this rulemaking and/or a subsequent rulemaking; and, 3) solicit comments on the proposed effective date. The responses to comments will be available in a rulemaking file on this matter and will be limited to the above areas.

The effective date is proposed to be upon filing with the Secretary of State. In the corresponding federal standard, the provisions of the fire safety plan review and training requirements took effect 90 days from the promulgation date of the federal standard, which was September 14, 2004. In determining when these two provisions of the proposed state standards become effective, the Board staff is proposing a parallel transition time line. Specifically, the State is proposing to make effective the standards contained in Section 8397.11(c)(1), which specifies fire safety plan review and Section 8397.13(a)(1), the training requirements, within 90 days of March 17, 2005, the projected adoption date for this rulemaking proposal. Pursuant to Labor Code Section 142.3(a)(3), the standards may be adopted without further notice even though modifications may be made to the original proposal in response to public comments or at the Board's discretion.

#### **DOCUMENTS INCORPORATED BY REFERENCE**

1. National Fire Protection Association (NFPA) 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus for Fire and Emergency Services, 2002 Edition, Batterymarch Park, MA.
2. NFPA 1971, Standard on Protective Ensemble for Structural Fire Fighting, 2000 Edition, Batterymarch Park, MA.
3. NFPA 1976, Standard on Protective Ensemble for Proximity Fire Fighting, 2000 Edition, Batterymarch Park, MA.
4. NFPA 1983, Standard on Fire Service Life Safety Rope and System Components, 2001 Edition, Batterymarch Park, MA.
5. NFPA 1403, Standard on Live Fire Training Evolutions, 2002 Edition, Batterymarch Park, MA.

These documents are too cumbersome or impractical to publish in Title 8. Therefore, it is proposed to incorporate the documents by reference. Copies of these documents are available for review Monday through Friday from 8:00 a.m. to 4:30 p.m. at the Standards Board Office located at 2520 Venture Oaks Way, Suite 350, Sacramento, California.

### **COST ESTIMATES OF PROPOSED ACTION**

According to Section IV., Summary of Final Economic and Regulatory Flexibility Analysis, beginning on page 55,698 of the federal Final Rule Preamble, federal OSHA states that the final standard will affect approximately 669 employers and about 98,000 employees in the ship building, ship repair and ship breaking industries nationwide. OSHA estimates that the final standard will prevent 1 death and 292 workplace injuries (102 lost workday injuries) annually. The Agency estimates approximately \$6.2 million in cost savings from these 292 injuries. Furthermore, federal OSHA has determined that the final standard is not an economically significant regulatory action and not a major rule under the Congressional Review provisions of the Small Business Regulatory Enforcement Fairness Act.

Federal OSHA learned through the course of its negotiated rulemaking process in which labor and management representatives deliberated over the development of the Final Rule provisions, that the parties were able to reach consensus on practically all of the issues addressed in the Final Rule. This was largely attributable to the fact that many firms in the ship building industry are already implementing the controls and practices required by the standard. Based on discussions with a representative from California's largest ship building company about the proposed amendments, staff learned that the cost impact of what are largely administrative controls is expected to be minimal. This is because the standards contained in this proposal have to a significant degree been implemented. This is consistent with the federal OSHA finding that ship builders across the country are already implementing the proposed standards.

### **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 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, 2005. The official record of the rulemaking proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on February 17, 2005, 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@hq.dir.ca.gov](mailto:oshsb@hq.dir.ca.gov). The Occupational Safety and Health Standards Board may thereafter adopt the above proposal 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 Keith Umemoto, Executive Officer, or Michael 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.

OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD

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STEVEN L. RANK, Chairman

**TITLE 8**

**CONSTRUCTION SAFETY ORDERS**

**CHAPTER 4, SUBCHAPTER 4, ARTICLE 21**

**SECTION 1637**

**SCAFFOLD LADDERS**

**TITLE 8**

**SHIP BUILDING, SHIP REPAIRING AND SHIP BREAKING  
SAFETY ORDERS**

**CHAPTER 7, SUBCHAPTER 18, ARTICLE 3, SECTION 8354**

**ARTICLE 8, SECTIONS 8397, 8397.10, 8397.11, 8397.12 AND 8397.13**

**FIRE PROTECTION IN SHIPYARD EMPLOYMENT**

NOTICE OF ADOPTION OF REGULATIONS  
INTO TITLE 8, CALIFORNIA CODE OF REGULATIONS  
BY THE  
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

After proceedings held in accordance with and pursuant to the authority vested in Sections 142, 142.3 and 142.4, of the Labor Code to implement, interpret, or make specific, the Occupational Safety and Health Standards Board, by a majority vote, adopted additions, revisions, or deletions to the California Code of Regulations as follows:

1. Title 8, Chapter 4, Subchapter 15, Petroleum Safety Orders, Article 5, Section 6777, Hot Work Permits.

Heard at the April 15, 2004, Public Hearing; adopted on September 23, 2004; filed with the Secretary of State on November 9, 2004; and became effective on December 9, 2004.

A copy of these standards are available upon request from the Occupational Safety and Health Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721.

If you have Internet access, visit the Occupational Safety and Health Standards Board by going to: **<http://www.dir.ca.gov/oshb>** and follow the links to the Standards Board. This information is updated monthly. The Standards Board's e-mail address is: **[oshb@dir.ca.gov](mailto:oshb@dir.ca.gov)**.

OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD

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Keith Umemoto, Executive Officer