

**OCCUPATIONAL SAFETY  
AND HEALTH STANDARDS BOARD**

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**NOTICE OF EMERGENCY ACTION  
BY THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD  
REGARDING PROPOSED CHANGES TO  
CALIFORNIA CODE OF REGULATIONS, TITLE 8, SECTION 3395  
Alternative No. 1**

The Occupational Safety and Health Standards Board is proposing to adopt emergency regulations affecting Title 8 California Code of Regulations Division 1, Chapter 4, Subchapter 7, Article 10, Section 3395 of the General Industry Safety Orders, Heat Illness Prevention. Attached to this Notice are: (1) the specific language proposed to be adopted (proposed changes to the existing of wording are indicated as follows: new language is underlined, and deleted language is crossed out), and (2) the Finding of Emergency required by Government Code Section 11346.1(b).

Government Code Section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to the OAL, OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code Section 11349.6.

This proposal has been placed on the agenda of the Occupational Safety and Health Standards Board (Board) meeting to be held at 10:00 a.m. on July 16, 2009 at the Carmel Room of the Junipero Serra State Building, 320 West 4<sup>th</sup> Street, Los Angeles, California. Prior to any action by the Board to adopt the proposal, the public will be given an opportunity to comment on the proposal. **You are advised, however, that comments made at this Board meeting or submitted to the Board in writing regarding this proposal will not be forwarded to OAL, and therefore, such comments directed to the Board are NOT comments submitted to OAL in accordance with Government Code Section 11349.6.**

Two alternative emergency proposals to revise Section 3395 of Title 8 are on the Board's July 16, 2009 agenda. Depending on the action taken by the Board, one of those proposals, or neither of them, might be adopted and submitted to the OAL. Upon submission to OAL, OAL will have 10 calendar days within which to review and make a decision on the proposed emergency regulations. If approved, the OAL will file the regulations with the Secretary of State, and the emergency regulations will become effective for 180 days, with possible extensions. Within the 180-day effective period, the Board may proceed with a regular rulemaking action, including a public comment period.

You may also review the proposed regulatory language and Finding of Emergency on the Board's website at the following address: [http://www.dir.ca.gov/oshsb/Heat\\_Illness\\_Emergency.html](http://www.dir.ca.gov/oshsb/Heat_Illness_Emergency.html). If you have any questions regarding this proposed emergency action please contact Marley Hart, Executive Officer, at (916) 274-5721.

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STANDARDS BOARD**

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JOHN D. MACLEOD, Chairman