

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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**FINAL STATEMENT OF REASONS**

CALIFORNIA CODE OF REGULATIONS

TITLE 8: Division 1, Chapter 4, Subchapter 4, Article 35, Section 1905
of the Construction Safety Orders

Helicopter Fueling**MODIFICATIONS AND RESPONSE TO COMMENTS RESULTING FROM
THE 45-DAY PUBLIC COMMENT PERIOD**

There are no modifications to the information contained in the Initial Statement of Reasons.

It should be noted that the correct date of the Occupational Safety and Health Standards Board Decision of Petition No. 522 was August 18, 2011, not August 8, 2011, as Noticed in the October 28, 2011, California Regulatory Notice Register.

Summary and Response to Oral and Written Comments:**I. Written Comments**

Mr. David Shiraishi, MPH, Area Director – Region IX, United States Department of Labor, Occupational Safety and Health Administration, by letter dated December 8, 2011.

Comment: Mr. Shiraishi stated that the modification, as proposed, appears commensurate with federal standards.

Response: The Board acknowledges Region IX approval of the proposal as being commensurate with federal standards.

II. Oral Comments

Oral comments received at the December 15, 2011, Public Hearing in Sacramento, California.

Elizabeth Treanor, PRR

Comment: Ms. Treanor spoke in support of the proposal.

Response: The Board thanks Ms. Treanor for her comment and participation in the Board's rulemaking process.

ADDITIONAL DOCUMENTS RELIED UPON

None.

DOCUMENTS INCORPORATED BY REFERENCE

None.

DETERMINATION OF MANDATE

This regulation does not impose a mandate on local agencies or school districts as indicated in the Initial Statement of Reasons.

ALTERNATIVES CONSIDERED

The Board invited interested persons to present statements or arguments with respect to alternatives to the proposed regulation. No alternative considered by 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 adopted action.