

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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June 9, 2015

Dear Advisory Committee Member:

Subject: Agricultural Operations During Hours of Darkness, Amendments to Section 3441 and New Section 3449

On March 27, 2015, the advisory committee meeting was reconvened to consider 1) proposed amendments to Section 3441 submitted by the Division, 2) Board staff's proposal for a New Section 3449, which quantifies the required outdoor illumination levels for agricultural operations, and 3) recommendations by CRLA to require certain hazards unique to operations that occur during hours of darkness to be affirmatively addressed in the employer's Injury and Illness Prevention Plan.

The previous committee meeting, May 6, 2014, concluded with the determination that committee members needed to conduct light surveys and be familiar with proposed illumination levels in order to comment on the proposal. Special thanks to those who participated in conducting light surveys and sharing their findings.

Please review the attached minutes of the meeting and the revised proposal. The bold font in the proposed text reflects additional changes made after the advisory committee meeting.

- Section 3449(a)(1). The word "field" was removed for clarity. During the meeting, a question was brought up as to whether or not this applied to fixed outdoor locations. Removing the word field removes ambiguity as to the application of the standard.
- Table 1 of Section 3449. After further discussion with the Division, 5 fc will be required for areas within 25 feet of agricultural equipment and 10 fc will be required for exposed point of operation and moving parts of agricultural equipment.
- Note to 3449(a). The word "provided" was added.
- Section 3449. Exception to (a) was added to prevent unwanted glare to other drivers traveling through farm roads.
- Section 3449(c). ANSI/ISEA 107-2004 was incorporated by reference.

Board staff and the Division is still exploring the possibility of adding an Appendix to Section 3203. The final proposal will be presented to the Standards Board for consideration at a future public hearing. When the proposal is noticed for a public hearing, you will be notified and have an opportunity to provide oral comments at the public hearing and written comments during the 45-day public comment period preceding the public hearing. Your participation in the Board's rulemaking process is greatly appreciated. Please review the minutes and submit comments by June 26, 2015 at mchan@dir.ca.gov or call me at (916) 274-5723.

Sincerely,

Maryrose Chan
Senior Engineer - Standards

Enclosures:

1. Minutes
2. Revised proposals-Section 3441 and 3449
3. Post Advisory Committee Roster

cc: (With Enclosures)

All Standards Board Members

Marley Hart, Executive Officer, OSHSB

Michael Manieri, Principal Engineer, OSHSB

Juliann Sum, Chief, DOSH

Eric Berg, Principal Engineer and Acting Deputy Chief of Health, DOSH

David Shiraishi, Area Director, Region IX, Federal OSHA

Kevin Thompson, Cal/OSHA Reporter