

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833
(916) 274-5721
FAX (916) 274-5743
www.dir.ca.gov/oshsb

**FINAL STATEMENT OF REASONS**

CALIFORNIA CODE OF REGULATIONS

TITLE 8:

General Industry Safety Orders

Sections 5530, 5568, 5572, 5574, 5575 and 5621

Electrical Safety Orders

Sections 2540.7 and 2540.8

Electrical Equipment in Hazardous (Classified) Locations

There are no modifications to the information contained in the Initial Statement of Reasons except for the following sufficiently related modification that is the result of public comments and/or Board staff evaluation.

Section 5574. Electrical Equipment.

Existing Section 5574 applies to electrical equipment in motor, marine service stations, and repair garages that store, handle and dispense flammable liquids. It prescribes a method for delineating and classifying areas for the installation of electrical wiring and utilization equipment.

Subsection (f) was added to Section 5574 to ensure that the fuel dispensers installed or used in service stations are the proper type, designed for hazardous classified locations.

Summary of Responses to Written and Oral Comments:I. Written Comments

David Y. Shiraishi, MPH, Area Director, Occupational Safety and Health Administration, by letter dated December 23, 2014.

Comment:

The proposed occupational safety and health hazard does not appear to be commensurate with the federal standard. Specially, on page 3 of the side by side, the table should read "Containing valves fitting or piping not within division 1 or 2 zone or 2 classified area". The proposed standard is missing the word "not".

Ensure the area which is four feet vertically above the base within the enclosure and 18 inches horizontally in all directions is classified as Division 1 or 2, and the classification extends only 18 inches horizontally in all directions.

Response:

A typographical error was made in the side by side and not on the proposal. Section 5574 refers the reader to Title 24, Part 3, California Electrical Code, Article 514 for provisions about the delineation and classification of areas for the purpose of installation of electrical equipment. The referred document is correct.

Regarding the second comment, the proposal will be revised to clarify the requirement that the fuel dispensers shall be installed in an approved manner.

The Board thanks Mr. Shiraishi for his comment and participation in Board's rulemaking process.

II. Oral Comments

No oral comments were received at the December 18, 2014, Public Hearing in Sacramento, California.

**MODIFICATIONS AND RESPONSE TO COMMENTS RESULTING FROM
THE 15-DAY NOTICE OF PROPOSED MODIFICATIONS**

No further modifications to the information contained in the Initial Statement of Reasons are proposed as a result of the 15-day Notice of Proposed Modifications mailed on March 2, 2015.

Summary of Responses to Written Comments:

David Y. Shiraishi, MPH, Area Director, Occupational Safety and Health Administration, by letter dated March 18, 2015.

Comment:

The proposed occupational safety and health hazard standard appears to be commensurate with the federal standard.

Response:

The Board thanks Mr. Shiraishi for his review and comments related to this proposal.

ADDITIONAL DOCUMENTS RELIED UPON

None.

ADDITIONAL DOCUMENTS INCORPORATED BY REFERENCE

None.

DETERMINATION OF MANDATE

This standard 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 standard. No alternative considered by the Board would be (1) more effective in carrying out the purpose for which the action is proposed; or (2) would be as effective as and less burdensome to affected private persons than the adopted action, or (3) would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. Board staff were unable to come up with any alternatives or no alternatives were proposed by the public that would have the same desired regulatory effect.