

REGULAR

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2013-0928-01	REGULATORY ACTION NUMBER 2014-0418-02S	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only 18 AM 10:19			
RECEIVED FOR FILING PUBLICATION DATE SEP 20 '13 OCT 04 '13		OFFICE OF ADMINISTRATIVE LAW	
Office of Administrative Law		REGULATIONS	

FOR USE BY SECRETARY OF STATE ONLY

2014 JUN -2 PM 3:50

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

AGENCY WITH RULEMAKING AUTHORITY
Occupational Safety and Health Standards Board

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE GISO 5605 and CSO New Section 1550		TITLE(S) Title 8	FIRST SECTION AFFECTED 5605	2. REQUESTED PUBLICATION DATE October 4, 2013
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON Marley Hart, Executive Officer	TELEPHONE NUMBER (916)-274-5721	FAX NUMBER (Optional) (916)-274-5743
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2013 402	PUBLICATION DATE 10/4/2013	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Tank Storage Subject to Flooding, Precautionary Measures	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (including title 26, if toxics related)	ADOPT
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	AMEND Section 5605
TITLE(S) 8	REPEAL

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
February 21, 2014 - March 10, 2014

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input checked="" type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Marley Hart, Executive Officer	TELEPHONE NUMBER 916-274-5721	FAX NUMBER (Optional) 916-274-5743	E-MAIL ADDRESS (Optional) mhart@dir.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE Marley Hart, Executive Officer	DATE 4/17/14
TYPED NAME AND TITLE OF SIGNATORY <i>Marley Hart</i>	

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ENDORSED APPROVED

JUN 02 2014

Office of Administrative Law

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

Attachment No. 1

Page 1 of 1

PROPOSED STATE STANDARD,
TITLE 8, DIVISION 1, CHAPTER 4

Amend Section 5605 to read:

§5605. Protection of Tanks in ~~Locations That May Be Flooded~~ Areas Subject to Flooding.

Where an underground or above ground storage tank installed on or after October 1, 2014, is located in an area that may be subjected to flooding as defined by the Federal Emergency Management Agency (FEMA), installation shall conform to be in accordance with the provisions of NFPA No. 30-1973 NFPA 30: Flammable and Combustible Liquids Code, 2012 Edition (NFPA 30-2012), Chapter 21, Section 21.7.3, Chapter 22, Sections 22.5.2.5 and 22.14, Chapter 23, Section 23.14, and Annex A.23.14.1, which are hereby incorporated by reference. Such tanks in areas subject to flooding as defined by FEMA, installed prior to October 1, 2014, shall conform to either the foregoing provisions of NFPA 30-2012 or to NFPA 30: Flammable and Combustible Liquids Code, 1973 Edition (NFPA 30-1973), Appendix B, which is hereby incorporated by reference.

NOTE: FEMA flood maps and flood zone definitions are found at <https://msc.fema.gov>.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.