

DEPARTMENT OF INDUSTRIAL RELATIONS
Occupational Safety and Health Standards Board
2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833
Tel: (916) 274-5721



**NOTICE OF PROPOSAL FOR READOPTION OF EMERGENCY ACTION
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

**REGARDING PROPOSED CHANGES TO
CALIFORNIA CODE OF REGULATIONS, TITLE 8,
SECTION 5204**

[Occupational Exposures to Respirable Crystalline Silica](#)

NOTICE IS HEREBY GIVEN that the Occupational Safety and Health Standards Board (Board) is proposing to readopt for an additional ninety (90) days the emergency regulation “Occupational Exposures to Respirable Crystalline Silica” (silica Emergency Temporary Standard (ETS)), which was adopted at the Board’s December 14, 2023 meeting and became effective on December 29, 2023.

The emergency filing will continue the requirements of the silica ETS, with proposed modifications to subsections (b) and (h), section 5204, Occupational Exposures to Respirable Crystalline Silica, under the California Code of Regulations, Title 8, Division 1, Chapter 4, of the General Industry Safety Orders (GISO).

Government Code Section 11346.1(a)(2) requires that, at least five (5) 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 regulation to OAL, OAL shall allow interested persons five (5) calendar days to submit comments on the proposed emergency regulation as set forth in Government Code Section 11349.6(b). For further information on the emergency rulemaking process, access the OAL website at: www.oal.ca.gov or contact the OAL reference attorney: (916) 323-6815 / staff@oal.ca.gov.

This proposed emergency action to readopt and amend section 5204 of the GISO has been placed on the tentative agenda of the May 16, 2024, Board Meeting:

May 16, 2024, at 10:00 a.m.

**Cal/EPA Building Byron Sher Auditorium
1001 I Street Sacramento CA 95814.**

Remote attendance options below:

Video Conference: www.webex.com (meeting information 146 963 6425)

Teleconference: (844) 992-4726 (access code 146 963 6425)

Live video/audio stream (English/Spanish): <https://videobookcase.com/california/oshsb/>

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; therefore, such comments directed to the Board are NOT comments submitted to OAL in accordance with Government Code Section 11349.6.**

If this emergency proposal is readopted by the Board, the proposal will be submitted to OAL. Upon submission, OAL will have ten (10) calendar days within which to review and make a decision on the proposed readoption. If approved, OAL may approve up to two readoptions, and the emergency regulation will continue to be in effect for a period not to exceed ninety (90) days. Within the effective period, the Board may proceed with a regular rulemaking action, including a public comment period.

Attached to this Notice are: (1) the specific new language proposed to be adopted, and (2) the Finding of Emergency required by Government Code Section 11346.1(b). The proposed regulatory language and the Finding of Emergency may also be reviewed on the Board's website: www.dir.ca.gov/oshsb/emergencyregulations.html.

The Board has complied with the provisions of Government Code section 11346.1(a)(2). This Notice was sent electronically on May XX, 2024 to all members of the public who have requested notice of regulatory action and all attendees of Division of Occupational Safety and Health (Division) advisory meetings related to this emergency regulation.

If you have any questions regarding this proposed emergency action, please contact Autumn Gonzalez, Chief Counsel, at (916) 274-5721.

OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD

DAVE THOMAS, Chairman