

**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](http://www.dir.ca.gov/oshsb)



**NOTICE OF PUBLIC MEETING/PUBLIC HEARING/BUSINESS MEETING  
OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD  
AND NOTICE OF PROPOSED CHANGES TO TITLE 8  
OF THE CALIFORNIA CODE OF REGULATIONS**

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting, Public Hearing, and Business Meeting:

**PUBLIC MEETING:** On **April 18, 2013**, at 10:00 a.m.  
in the Auditorium of the State Resources Building  
1416 9th Street, Sacramento, California.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

**PUBLIC HEARING:** On **April 18, 2013**, at 10:00 a.m.  
in the Auditorium of the State Resources Building  
1416 9th Street, Sacramento, California.

At the Public Hearing, the Board will consider the public testimony on the proposed changes to occupational safety and health standards in Title 8 of the California Code of Regulations.

**BUSINESS MEETING:** On **April 18, 2013**, at 10:00 a.m.  
in the Auditorium of the State Resources Building  
1416 9th Street, Sacramento, California.

At the Business Meeting, the Board will conduct its monthly business.

**DISABILITY ACCOMMODATION NOTICE:** Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the public hearings/meetings of the Occupational Safety and Health Standards Board should contact the Disability Accommodation Coordinator at (916) 274-5721 or the state-wide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing.

**OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD**

---

DAVE THOMAS, Chairman

NOTICE OF PROPOSED CHANGES TO TITLE 8  
OF THE CALIFORNIA CODE OF REGULATIONS  
BY THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Notice is hereby given pursuant to Government Code Section 11346.4 and Labor Code Sections 142.1, 142.4 and 144.5, that the Occupational Safety and Health Standards Board pursuant to the authority granted by Labor Code Section 142.3, and to implement Labor Code Section 142.3, will consider the following proposed revisions to Title 8, General Industry Safety Orders and Ship Building, Ship Repairing, and Ship Breaking Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on **April 18, 2013**.

1. TITLE 8:     **GENERAL INDUSTRY SAFETY ORDERS**  
Division 1, Chapter 4, Subchapter 7, Article 7, Section 3329  
[Working on \(Dismantling\) Pressurized Pipe](#)
  
2. TITLE 8:     **GENERAL INDUSTRY SAFETY ORDERS**  
Chapter 4, Subchapter 7, Article 109, Section 5197 – Appendix A,  
Subsection (c)(1)  
[Laboratory Accreditation for Diacetyl Analysis](#)
  
3. TITLE 8:     **SHIP BUILDING, SHIP REPAIRING AND SHIP BREAKING  
SAFETY ORDERS**  
Division 1, Chapter 4, Subchapter 18, Article 2, Section 8352  
[Scope and Application – Ship Building](#)

Descriptions of the proposed changes are as follows:

1. TITLE 8:        **GENERAL INDUSTRY SAFETY ORDERS**  
Division 1, Chapter 4, Subchapter 7, Article 7, Section 3329  
**Working on (Dismantling) Pressurized Pipe**

### **INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW**

The proposed rulemaking is in response to an Occupational Safety and Health Appeals Board (OSHAB) Decision in the Matter of Irwin Industries, Docket Nos. 08-R6D4-1454 through 1456 (initially dated September 25, 2008, erratum dated July 7, 2011), where an Administrative Law Judge found that Section 3329(d) did not require an employer to control hazardous energy during a project where a liquid-conveying pipe line was being modified. In the matter covered by the OSHAB decision, the employee installed an inflatable plug in the pipe line to isolate himself from the pipe line's energy (pressure created by superheated water and oil residues) while he worked. Pressure behind the plug dislodged the plug and expelled it out of the pipe, striking the employee and seriously injuring him. The current regulation only requires the employer to control the potential energy inside while opening or dismantling the pipe line. The employee was severely injured during the modification project, but because the injury did not occur while the pipe line was being opened or dismantled, Section 3329(d) did not apply. The proposed rulemaking will require an employer to provide for employee safety throughout the entire process of pipe line maintenance, repair or modification, and not only when the pipe line is initially opened or dismantled.

This proposed rulemaking action:

- Is based on the following authority and reference: Labor Code Section 142.3, which states, at subsection (a)(1) that the Board is "the only agency in the state authorized to adopt occupational safety and health standards." When read in its entirety, Section 142.3 requires that California have a system of occupational safety and health regulations that at least mirror the equivalent federal regulations and that may be more protective of worker health and safety than are the federal occupational safety and health regulations.
- Differs from existing federal standards, in that there are no federal regulations, which address this hazard. The entirety of the rulemaking action exceeds the protections of federal regulations because there is no federal equivalent for comparison.
- Is not inconsistent or incompatible with existing state regulations. This proposal is part of a system of occupational safety and health regulations. The consistency and compatibility of that system's component regulations is provided by such things as: (1) the requirement of the federal government and the Labor Code to the effect that the state regulations be at least as effective as their federal counterparts, and (2) the requirement that all state occupational safety and health rulemaking be channeled through a single entity (the Standards Board).
- Is the least burdensome effective alternative. The proposed change is administrative in nature and requires only slight modifications, if any, to an employer's existing programs. Many companies already comply with the requirements of the proposed change by preventing uncontrolled releases from pipelines while employees are working on the lines. The proposed change clarifies the requirement that employers provide for employee safety, not only when opening or dismantling a pipe line, but throughout the entire repair, maintenance, or modification project.

### **Section 3329. Pipe Lines.**

Section 3329 provides safety requirements for working on and around pipe lines. The regulation protects employees from the contents of the pipe lines by requiring supports to prevent vibration, proper construction and maintenance to prevent rupture, and protection of employees when exposed to leaking or off-gassing pipes. Subsection (d) requires an employer to take steps to prevent a sudden release of pressure or spraying of liquid when pipe lines are opened or dismantled.

A new subsection (e) will be added, which reads: "At all times during the repair, modification, or maintenance work, energy within the system shall be controlled to prevent an uncontrolled release that could cause injury."

The proposed addition will require the employer to ensure that the energy within the piping system is sufficiently controlled so that it does not injure an employee. Using the same equipment and procedures required to safely open or dismantle the pipe line, the employer will now need to provide for employee safety throughout the entire work process. Consequently, employee safety will be enhanced by the proposal.

### **COST ESTIMATES OF PROPOSED ACTION**

#### **Costs or Savings to State Agencies**

No costs or savings to state agencies will result as a consequence of the proposed action.

#### **Impact on Housing Costs**

The Board has made an initial determination that this proposal will not significantly affect housing costs.

#### **Impact on Businesses/Significant Statewide Adverse Economic Impact Directly Affecting Businesses Including the Ability of California Businesses to Compete**

The Board has made a determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

The proposed change is administrative in nature and requires only slight modifications, if any, to an employer's existing programs. Many companies already comply with the requirements of the proposed change by preventing uncontrolled releases from pipe lines while employees are working.

#### **Cost Impact on Private Persons or Businesses**

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### **Costs or Savings in Federal Funding to the State**

The proposal will not result in costs or savings in federal funding to the state.

## **Costs or Savings to Local Agencies or School Districts Required to be Reimbursed**

No costs to local agencies or school districts are required to be reimbursed. See explanation under “Determination of Mandate.”

## **Other Nondiscretionary Costs or Savings Imposed on Local Agencies**

This proposal does not impose nondiscretionary costs or savings on local agencies.

### **DETERMINATION OF MANDATE**

The Occupational Safety and Health Standards Board has determined that the proposed standard does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the standard does not constitute a “new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.

The California Supreme Court has established that a “program” within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

The proposed standard does not require local agencies to carry out the governmental function of providing services to the public. Rather, the standard requires local agencies to take certain steps to ensure the safety and health of their own employees. Moreover, the proposed standard does not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

The proposed standard does not impose unique requirements on local governments. All state, local and private employers will be required to comply with the prescribed standard.

### **EFFECT ON SMALL BUSINESSES AND RESULTS OF THE ECONOMIC IMPACT ASSESSMENT**

The Board has determined that the proposed amendment may affect small businesses. However, no economic impact is anticipated. The proposal would provide businesses, small or large, clear direction in requiring that employers use the same equipment and procedures to safely open or dismantle a pipe line throughout the entire work process to prevent uncontrolled pressurization and struck by accidents, which can result in serious employee injury. This regulatory proposal will promote worker safety and protect employees from the hazards associated with modifying liquid-conveying pipelines.

Therefore, the proposed regulation will not have any effect on the creation or elimination of California jobs or the creation or elimination of California businesses or affect the expansion of existing California businesses.

### **ALTERNATIVES STATEMENT**

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either 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 or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

2. TITLE 8:     **GENERAL INDUSTRY SAFETY ORDERS**  
Chapter 4, Subchapter 7, Article 109, Section 5197 – Appendix A, Subsection (c)(1)  
**Laboratory Accreditation for Diacetyl Analysis**

### **INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW**

Pursuant to California Labor Code Section 142.3, the Occupational Safety and Health Standards Board (Board) may adopt, amend, or repeal occupational safety and health standards or orders. Section 142.3 permits the Board to prescribe, where appropriate, suitable protective equipment and control or technological procedures to be used in connection with occupational hazards and provide for monitoring or measuring employee exposure for their protection. The Division of Occupational Safety and Health (Division) requests the Board to amend Section 5197, Appendix A - *Diacetyl Sampling and Analytical Protocol (Mandatory)*, subsection (c)(1) regarding the accreditation of laboratories that perform analysis of diacetyl samples.

Currently Section 5197, Appendix A, subsection (c)(1) stipulates that all (diacetyl) samples shall be analyzed by a laboratory accredited in accordance with the program of the American Association for Laboratory Accreditation. The Division was notified by a stakeholder that this requirement omits analytical laboratories accredited by American Industrial Hygiene Association (AIHA) Laboratory Accreditation Programs, LLC that perform diacetyl sample analysis.

The Division reviewed relevant information and recommends that the Board modify the subsection to include laboratories accredited by AIHA Laboratory Accreditation Programs, LLC or other International Laboratory Accreditation Cooperation mutual recognition signatory. The intended effect of the proposed change is to encompass all conforming laboratory accreditation bodies, thereby increasing the number of laboratories that employers can select for diacetyl analysis.

These additional laboratories would be subject to the current requirement in Section 5197, Appendix A, subsection (c)(4) that they participate in an appropriate national sample testing scheme such as the Proficiency Analytical Testing Program (PAT) for organics that is sponsored by the AIHA. This regulatory proposal is intended to provide worker safety at places of employment in California.

This proposed rulemaking action:

- Is based on the following authority and reference: Labor Code Section 142.3, which states, at subsection (a)(1) that the Board is “the only agency in the state authorized to adopt occupational safety and health standards.” When read in its entirety, Section 142.3 requires that California have a system of occupational safety and health regulations that at least mirror the equivalent federal regulations and that may be more protective of worker health and safety than are the federal occupational safety and health regulations.
- Differs from existing federal regulations, in that federal OSHA does not have a specific counterpart standard for occupational exposure to food flavorings containing diacetyl.

- Is not inconsistent or incompatible with existing state regulations. This proposal is part of a system of occupational safety and health regulations. The consistency and compatibility of that system's component regulations is provided by such things as: (1) the requirement of the federal government and the Labor Code to the effect that the state regulations be at least as effective as their federal counterparts, and (2) the requirement that all state occupational safety and health rulemaking be channeled through a single entity (the Standards Board).
- Is the least burdensome effective alternative. The proposal will provide California employers more laboratories to choose from to comply with the analytical requirements specified in Section 5197, Appendix A, subsection (c)(1). No alternative proposal has been suggested.

## **COST ESTIMATES OF PROPOSED ACTION**

### **Costs or Savings to State Agencies**

No costs or savings to state agencies will result as a consequence of the proposed action.

### **Impact on Housing Costs**

The Board has made an initial determination that this proposal will not significantly affect housing costs.

### **Impact on Businesses/Significant Statewide Adverse Economic Impact Directly Affecting Businesses Including the Ability of California Businesses to Compete**

The Board has made an initial determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposal will allow California employers to use more laboratories to comply with the analytical requirements specified in Section 5197, Appendix A, subsection (c)(1).

### **Cost Impact on Private Persons or Businesses**

The Board is not aware of any cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### **Costs or Savings in Federal Funding to the State**

The proposal will not result in costs or savings in federal funding to the state.

### **Costs or Savings to Local Agencies or School Districts Required to be Reimbursed**

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

### **Other Nondiscretionary Costs or Savings Imposed on Local Agencies**

This proposal does not impose nondiscretionary costs or savings on local agencies.

## DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed regulation does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendment will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, this regulation does not constitute a “new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.”

The California Supreme Court has established that a “program” within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

The proposed regulation does not require local agencies to carry out the governmental function of providing services to the public. Rather, the regulation requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed regulation does not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

The proposed regulation does not impose unique requirements on local governments. All state, local and private employers will be required to comply with the prescribed standard.

## EFFECT ON SMALL BUSINESSES AND RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Board has determined that the proposed amendment may affect small businesses. However, no adverse economic impact is anticipated. The proposal will allow California employers to use more laboratories to comply with the analytical requirements specified in Section 5197, Appendix A, subsection (c)(1). Consequently, it is believed that this regulatory proposal will have minimal impact upon California employers.

Therefore, the proposed regulation will not have any effect on the creation or elimination of California jobs or the creation or elimination of California businesses or affect the expansion of existing California businesses.

## ALTERNATIVES STATEMENT

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either 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 or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

3. TITLE 8:      **SHIP BUILDING, SHIP REPAIRING AND SHIP BREAKING  
SAFETY ORDERS**  
Division 1, Chapter 4, Subchapter 18, Article 2, Section 8352  
**[Scope and Application – Ship Building](#)**

## **INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW**

The Occupational Safety and Health Standards Board (Board) initiates this rulemaking proposal based upon a review of the application language contained in Section 8352 of the Ship Building, Ship Repairing and Ship Breaking Safety Orders. Section 8352 limits the application of Subchapter 18 safety orders to ships of wood or metal construction, while the equivalent federal regulation, 29 CFR 1915.2(a) does not limit the scope of the regulation by the type of construction materials.

This rulemaking action proposes amending Section 8352 to remove the phrase “of wood or metal construction” to bring Section 8352 into line with 29 CFR 1915.2(a). The proposed amendment is intended to be at least as effective as (ALAEA) the Federal standard which does not mention ship building construction materials. This regulatory proposal is intended to provide worker safety at places of employment in California.

This proposed rulemaking action:

- Is based on the following authority and reference: Labor Code Section 142.3, which states, at Subsection (a)(1) that the Board is “the only agency in the state authorized to adopt occupational safety and health standards.” When read in its entirety, Section 142.3 requires that California have a system of occupational safety and health regulations that at least mirror the equivalent federal regulations and that may be more protective of worker health and safety than are the federal occupational safety and health regulations.
- Aligns Title 8 with the equivalent federal standard by removing the Title 8, wood and metal vessel limitation. The proposal will ensure that Title 8 is ALAEA the equivalent Federal standard.
- Is not inconsistent or incompatible with existing state regulations. This proposal is part of a system of occupational safety and health regulations. The consistency and compatibility of that system’s component regulations is provided by such things as: (1) the requirement of the federal government and the Labor Code to the effect that the State regulations be at least as effective as their federal counterparts, and (2) the requirement that all state occupational safety and health rulemaking be channeled through a single entity (the Standards Board).
- Is the least burdensome effective alternative. The proposal is consistent with the existing Federal standard which applies to all vessels regardless of the materials of construction.

### **Section 8352. Application of These Orders.**

Existing Section 8352 limits the application of Subchapter 18 to vessels or similar floating structures constructed of wood or metal irrespective of type or description. The equivalent Federal shipbuilding standard is not limited to vessels of wood or metal construction and thereby applies to all vessels regardless of construction material. The proposed amendment will render Title 8, Section 8352 ALAEA the Federal standard as required by Labor Code Section 142.3(a)(2).

## **COST ESTIMATES OF PROPOSED ACTION**

### **Costs or Savings to State Agencies**

No costs or savings to state agencies will result as a consequence of the proposed action.

### **Impact on Housing Costs**

The Board has made an initial determination that this proposal will not significantly affect housing costs.

### **Impact on Businesses/Significant Statewide Adverse Economic Impact Directly Affecting Businesses Including the Ability of California Businesses to Compete**

The Board has made a determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposal expands the application of the existing standard by dropping all mention of shipbuilding materials. The amendment is consistent with 29 CFR 1915.2(a) and renders Title 8, Section 8352 ALAEA the Federal standard.

### **Cost Impact on Private Persons or Businesses**

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### **Costs or Savings in Federal Funding to the State**

The proposal will not result in costs or savings in federal funding to the state.

### **Costs or Savings to Local Agencies or School Districts Required to be Reimbursed**

No costs to local agencies or school districts are required to be reimbursed. See explanation under “Determination of Mandate.”

### **Other Nondiscretionary Costs or Savings Imposed on Local Agencies**

This proposal does not impose nondiscretionary costs or savings on local agencies.

## **DETERMINATION OF MANDATE**

The Occupational Safety and Health Standards Board has determined that the proposed standard does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, this standard does not constitute a “new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.”

The California Supreme Court has established that a “program” within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

This proposed standard does not require local agencies to carry out the governmental function of providing services to the public. Rather, the standard requires local agencies to take certain steps to

ensure the safety and health of their own employees only. Moreover, these proposed standard does not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

This proposed standard does not impose unique requirements on local governments. All state, local and private employers will be required to comply with the prescribed standards.

### **EFFECT ON SMALL BUSINESSES AND RESULTS OF THE ECONOMIC IMPACT ASSESSMENT**

The Board has determined that the proposed amendment may affect small businesses. However, no adverse economic impact is anticipated. The proposal corrects an oversight in the scope and application of the State's shipyard safety standards. Discussions with a major California shipyard stakeholder indicate that portions of California shipbuilding, ship repair and ship breaking operations are within the jurisdiction of Federal OSHA and portions are within the jurisdiction of the Division of Occupational Safety and Health. It is apparent from the stakeholder discussions that for the sake of operational efficiency, federal and state shipyard standards are applied uniformly regardless of the material of construction. Consequently, it is believed that this regulatory proposal will have minimal impact upon California shipyard employers and render Title 8 SSO at least as effective as the Federal standard as required by the California Labor Code.

Therefore, the proposed regulation will not have any effect on the creation or elimination of California jobs or the creation or elimination of California businesses or affect the expansion of existing California businesses.

### **ALTERNATIVES STATEMENT**

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either 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 or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

A copy of the proposed changes in STRIKEOUT/UNDERLINE format is available upon request made to the Occupational Safety and Health Standard Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721. Copies will also be available at the Public Hearing.

An INITIAL STATEMENT OF REASONS containing a statement of the purpose and factual basis for the proposed actions, identification of the technical documents relied upon, and a description of any identified alternatives has been prepared and is available upon request from the Standards Board's Office.

Notice is also given that any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. It is requested, but not required, that written comments be submitted so that they are received no later than **April 12, 2013**. The official record of the rulemaking proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on **April 18, 2013**, will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments should be mailed to the address provided below or submitted by fax at (916) 274-5743 or e-mailed at [oshsb@dir.ca.gov](mailto:oshsb@dir.ca.gov). The Occupational Safety and Health Standards Board may thereafter adopt the above proposals substantially as set forth without further notice.

The Occupational Safety and Health Standards Board's rulemaking file on the proposed actions including all the information upon which the proposals are based are open to public inspection Monday through Friday, from 8:30 a.m. to 4:30 p.m. at the Standards Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833.

The full text of proposed changes, including any changes or modifications that may be made as a result of the public hearing, shall be available from the Executive Officer 15 days prior to the date on which the Standards Board adopts the proposed changes.

Inquiries concerning either the proposed administrative action or the substance of the proposed changes may be directed to Marley Hart, Executive Officer, or Mike Manieri, Principal Safety Engineer, at (916) 274-5721.

You can access the Board's notice and other materials associated with this proposal on the Standards Board's homepage/website address which is <http://www.dir.ca.gov/oshsb>. Once the Final Statement of Reasons is prepared, it may be obtained by accessing the Board's website or by calling the telephone number listed above.

OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD

---

DAVE THOMAS, Chairman