

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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**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 **July 18, 2013**, at 10:00 a.m.
in the Council Chambers of the Costa Mesa City Hall
77 Fair Drive, Costa Mesa, 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 **July 18, 2013**, at 10:00 a.m.
in the Council Chambers of the Costa Mesa City Hall
77 Fair Drive, Costa Mesa, 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 **July 18, 2013**, at 10:00 a.m.
in the Council Chambers of the Costa Mesa City Hall
77 Fair Drive, Costa Mesa, 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, Construction Safety Orders, General Industry Safety Orders, and Tunnel Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on **July 18, 2013**.

1. TITLE 8: **GENERAL INDUSTRY SAFETY ORDERS**
Division 1, Chapter 4, Subchapter 7, Article 107, Section 5155
[**Airborne Contaminants, N-Methylpyrrolidone**](#)

2. TITLE 8: **TUNNEL SAFETY ORDERS**
Division 1, Chapter 4, Article 19, Sections 8495, 8496, 8497 and 8500
[**Cranes & Derricks in Construction – Underground and Demolition**](#)

Descriptions of the proposed changes are as follows:

1. TITLE 8: **GENERAL INDUSTRY SAFETY ORDERS**
Division 1, Chapter 4, Subchapter 7, Article 107, Section 5155
[Airborne Contaminants, N-Methylpyrrolidone](#)

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

Section 5155, Airborne Contaminants, establishes minimum requirements for controlling employee exposure to specific airborne contaminants. California periodically amends the airborne contaminants table (Table AC-1) in this standard to keep it consistent with current information regarding harmful effects of exposure to these substances and other new substances not listed.

For the substance N-Methylpyrrolidone (NMP), proposed to be newly listed in Table AC-1, a Permissible Exposure Limit (PEL) of 1 part per million in air (ppm) as an 8-hour time-weighted average (TWA) is proposed along with a “Skin” notation and an equivalent PEL in units of milligrams per cubic meter of air (mg/M³). The proposed PEL and proposed Skin notation are necessary to prevent effects on the developing fetus based on findings of an animal toxicology study described in the Initial Statement of Reasons for this rulemaking.

The PEL proposed in this rulemaking was considered by an advisory committee convened by the Division of Occupational Safety and Health (Division), the Health Expert Advisory Committee (HEAC), in meetings in November 2007, January and September 2008, and March, June and September 2009. The HEAC considered the health basis of possible changes to the PEL based on a range of scientific information. As in the last round of work on PELs, technical assistance was provided to the Division by staff of the Office of Environmental Health Hazard Assessment in the California Environmental Protection Agency and the Hazard Evaluation System and Information Service in the California Department of Public Health. In addition, informal public comment was invited on the range for possible PELs recommended by the HEAC for potential feasibility and cost issues at a meeting of the Division’s Feasibility Advisory Committee (FAC) on December 8, 2009. The meetings of both the HEAC and the FAC were open to the public.

The effect of these amendments is to reduce the risk of material impairment of health or functional capacity of employees exposed to N-Methylpyrrolidone. In the interest of clarity and ease of reference by the regulated public, the proposed regulatory text lists three additional commonly used names for this substance, along with its Chemical Abstracts Register number, a unique numeric identifier.

The proposed changes to Section 5155 are considered to be at least as effective as, or more stringent than, the federal OSHA requirements for these substances found at 29 CFR 1910.1000 for Air Contaminants. 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 standards, in that they do not currently include a PEL value for NMP. Labor Code section 147.1(c) mandates with respect to occupational health issues not covered by federal standards that the Division maintain surveillance, determine the necessity for standards, and develop and present proposed standards to the Standards Board. For a variety of reasons, the federal standards for air contaminants have remained largely unrevised since their promulgation in the early 1970s, with the exception of substances for which individual comprehensive chemical hazard control standards have been promulgated, primarily for carcinogens. Since the federal standards were promulgated over 40 years ago, scientific studies with experimental animals have shown that NMP has the potential to harm the developing fetus. The Standards Board believes the Division appropriately carried out its mandate under Labor Code section 147.1 to present to the Standards Board the PEL proposed for NMP in this rulemaking, including a determination of necessity for the proposed amendment. In addition, the Standards Board believes that with this proposal, it is carrying out its mandate under Labor Code section 144.6 to adopt standards dealing with toxic materials which most adequately assure, to the extent feasible, that no employee will suffer material impairment of health or functional capacity, taking into account the latest available scientific data in the field and the reasonableness of the 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. A PEL higher value than that being proposed in this rulemaking would not be sufficiently effective in reducing the risk of productive toxicity posed to workers by NMP. This rulemaking proposal was developed with the assistance of two technical advisory committees: one that considered scientific data on health risks associated with exposure to NMP, and a second that considered concerns of cost and feasibility of implementation in the workplace. These committees were comprised of subject matter experts with expertise relevant to the concerns they were considering and from a range of different institutional orientations most notably health and chemical exposure science, industry, medicine, and government. In addition, a stakeholder organization with a specific interest in the subject under consideration, the NMP Producers Group participated actively in the advisory process, sending a scientific representative to present and discuss information and recommendations with the health committee, and sending a letter that was considered in the advisory committee discussion of cost and feasibility. The PEL proposed is performance based and thus is consistent with the preference stated for this type of standard in Labor Code section 144.6 when dealing with toxic materials. As a performance based standard, the proposed regulation does not mandate particular methods or practices in order to achieve compliance.

COST ESTIMATES OF PROPOSED ACTION

The subject proposal is for a new Permissible Exposure Limit (PEL) for N-Methylpyrrolidone (NMP), a chemical that can be a workplace airborne contaminant where it is used. The primary users of NMP are employers in the private industrial and chemical sectors. The exposure limit proposed is consistent with

scientific findings and governmental findings of which professional health and safety staff and consultants of these entities should be aware and it is in the range of exposure limitation recommended and discussed in a Health Hazard Advisory for NMP developed in 2006 by the Hazard Evaluation System and Information Service (HESIS) in the California Department of Health Services. Many of the employer entities that would be affected by the PEL proposed for NMP already seek to control employee exposures to the lowest possible level in the interest of business continuity, other more general requirements to protect worker health and safety, and minimization of tort and workers' compensation liability. Therefore, the additional expenditures for these entities to comply with the revised standard are estimated to be insignificant to none.

There was discussion at a public advisory committee meeting on feasibility and cost of the proposed PEL for NMP. Comment letters were received from an organization representing workers, WorkSafe, and from the NMP Producers Group, an association composed of three domestic manufacturers of NMP. The WorkSafe letter focused on a report indicating that effective alternatives to NMP are available at or about the same total cost. Such alternatives could be one option for achieving compliance with the proposed PEL for NMP. The NMP Producers Group provided a number of scientific reports on NMP exposure levels in different workplace operations and a letter suggesting that while these reports found that exposures in the most common uses of NMP may be in the range of, or below, 1 ppm, there could be costs associated with control measures to achieve and verify compliance with this level as a PEL. However, the Producers Group letter did not provide specific information on these concerns. While some costs may result from the proposed PEL they are not believed to be significant.

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 Standards 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.

For the FAC meeting at which NMP was discussed, comment letters were submitted by WorkSafe and the NMP Producers Group. Considering these letters the FAC concluded that a PEL of 1 ppm for NMP should be feasible in California and the Standards Board concurs with that assessment.

In light of the limited economic impact of the proposal (as a result of the FAC feasibility determination), the adoption of the proposed amendments to this standard will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

Cost Impact on Private Persons or Businesses

The Standards 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 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, 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 only. 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 standards.

EFFECT ON SMALL BUSINESSES

The Standards Board has determined that the proposed amendments may affect small businesses. However, no adverse economic impact is anticipated. The feasibility and cost of implementation of the proposed PEL for NMP was discussed by the FAC. This committee concluded that no information had been presented supporting a conclusion that a PEL of 1 ppm would be infeasible in any particular industrial sector or operation. In light of this, the Standards Board believes there will be no adverse economic impact on small businesses as a result of the PEL proposed for NMP.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

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 as a result of the PEL proposed for NMP. The economic impact of the proposed PEL for NMP was discussed by the FAC. This committee concluded that no information had been presented supporting a conclusion that a PEL of 1 ppm would be infeasible in any particular industrial sector or operation. In light of this, the Standards Board believes there will be no adverse economic impact as a result of the PEL proposed for NMP.

Benefits of the Regulation:

Setting a Permissible Exposure Limit for NMP that is up-to-date and consistent with current scientific information and state policies on risk assessment will send appropriate market signals to employers with respect to the costs of illness and injury which chemicals can impose on workers and their families, the government, and society at large. With appropriate market signals, employers may be better able to choose chemicals for use in the workplace that impose less of a burden on workers and society.

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:** **TUNNEL SAFETY ORDERS**
Division 1, Chapter 4, Article 19, Sections 8495, 8496, 8497 and 8500
Cranes & Derricks in Construction – Underground and Demolition

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

The Occupational Safety and Health Standards Board (Board) intends to adopt the proposed rulemaking action pursuant to Labor Code Section 142.3, which mandates that the Board adopt standards at least as effective as federal standards addressing occupational safety and health issues.

On August 9, 2010, the U.S. Department of Labor, Occupational Safety and Health Administration (Federal OSHA) issued a final standard updating the requirements for cranes and derricks used in construction work (CDAC). However, due to federal formatting, the final federal standard inadvertently did not apply to demolition and underground construction work. Federal OSHA therefore issued on August 17, 2012, a Direct final rule and Notice of proposed rulemaking to apply the updated standards for cranes and derricks in construction to demolition and underground construction work as well.

California adopted the 2010 federal CDAC standard using the Horcher process; however, due to differences in formatting between state and federal, the federal omissions and oversights did not affect state standards in the same way. Nevertheless, some state modifications are necessary to conform state standards for cranes and derricks used in demolition and underground construction to the latest federal rule.

The current state standards for cranes and derricks used in demolition and underground construction are found in the General Industry Safety Orders, the Tunnel Safety Orders, and the Construction Safety Orders. Due to format differences between the proposed federal and state standards, Board staff recommends that this rulemaking be done via conventional rulemaking procedures (vis-à-vis Horcher) to afford the public with an opportunity to comment on all aspects of the proposed changes.

The Board is relying on the explanation of the federal standards found in Federal Register, Volume 77, No. 160, pages 49722-49728 and 49741-49748, August 17, 2012, as the justification for the Board's proposed rulemaking action. The Board proposes to adopt standards which will have the same effect as the federal standards except where existing state standards provide a higher level of safety.

This proposed rulemaking action contains non-substantive, editorial, reformatting of subsections, and grammatical revisions. These non-substantive revisions are not all discussed in this Informative Digest. However, these proposed revisions are clearly indicated in the regulatory text in underline and strikeout format. This regulatory proposal is intended to provide worker safety at places of employment in California. In addition to these non-substantive revisions, the following actions are proposed:

- 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 it references General Industry Safety Orders, Group 13 standards for Cranes and Other Hoisting Equipment. The federal standards cross-reference to 29 CFR Part 1926, Subpart CC, Cranes and Derricks in Construction. California's Tunnel Safety Orders have historically used horizontal standards for cranes and derricks contained in the General Industry Safety Orders. Modifications to existing text in order to provide equivalency with federal standards are clearly indicated in strikeout and underline form in the text.
- 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 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.
- Is the least burdensome effective alternative. The proposal retains existing standards to the maximum extent possible and only modifies and amends existing standards where necessary to provide safety equivalent to recently promulgated federal standards as required by California Labor Code Section 142.3.

Section 8495, Hoisting Equipment and Systems, subsection (a)(11).

This subsection requires a non-combustible hoist house to be constructed such that, wherever possible, a clear and unobstructed view of the shaft collar is provided. A new subsection (A) is proposed to add that a fire extinguisher is to be mounted in each hoist house. The effect of this addition will be to clarify Division of Occupational Safety and Health (Division) enforcement policy and to conform to federal OSHA requirements.

Section 8495(b), Personnel Hoisting Systems, subsection (5).

This subsection requires personnel hoists to be equipped with two brakes. One is to be an automatic brake that will be applied whenever the power fails, is shut off or when the power control lever is in the “off” position. The other is to be a hand or foot brake that operates on the hoist drum. It is proposed to modify this requirement to require “at least two brakes” and to clarify that a broken-rope safety, safety catch, or arrestment device is not a permissible means of stopping under this section. The effect of these modifications will be to provide equivalency with federal standards for underground construction.

Section 8495(c)(4), Shaft Conveyances.

This subsection specifies minimum thicknesses and maximum mesh for side casings of conveyances used for moving personnel. It is proposed to modify these specifications to comply with more protective federal standards. The effect of these modifications will be to provide safety at least as effective as federal standards.

Section 8496(c)(3), Shafts and Raises Under Construction.

This subsection provides that in areas of shaft construction where buckets or cages without guides are used for handling personnel and material, the travel speed of the conveyance shall not exceed 200 feet per minute. It is proposed to add that, where practicable, governor controls shall be installed and used during personnel hoisting. This modification recognizes that speed governors are only available on hoists and may not be practicable for personnel hoisting using cranes. The effect of this amendment will be to provide equivalency with federal standards.

Section 8500, Hoisting Operations, subsection (p).

This subsection provides that personnel and materials shall not be hoisted together in the same conveyance unless the cage operator is protected from shifting materials. An amendment is proposed to add that personnel may only ride in a cab or skip with materials when the conveyance is controlled by the operator riding in that conveyance. The effect of this amendment is to enhance operator safety and to provide equivalency with federal standards.

Section 8500, Hoisting Operations, subsection (t). (New subsection).

This new subsection will (1) clarify requirements that materials being raised or lowered are to be secured or stacked in a manner to prevent the load from shifting, snagging or falling into the shaft, and (2) add a requirement for flashing warning lights to be located at the shaft bottom and subsurface shaft entrances to warn employees whenever a load is above or whenever the load is being moved in the shaft. The effect of these modifications will be to enhance employee safety and to provide equivalency with federal standards.

This proposed rulemaking action 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 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 counterpart.

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.¹

Cost Impact on Private Persons or Businesses

Based on a federal final economic analysis², the Board believes that any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action are expected to be insignificant and cannot be accurately determined.

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 standards do 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, these standards do 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

¹ Federal Register, Vol. 77, No. 160, pp. 49725-49727

² Ibid.

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.)

These proposed standards do not require local agencies to carry out the governmental function of providing services to the public. Rather, the standards require local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, these proposed standards do 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.)

These proposed standards do 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

The Board has determined that the proposed amendments may affect small businesses. However, no significant adverse economic impacts are anticipated because changes are minor modifications of existing state standards necessary to be equivalent to a recently promulgated federal direct final rule.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

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.

Benefits of the Regulation: Clarifications will provide improved guidance for employers in providing safe working conditions for cranes and derricks used in underground construction and demolition.

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 **July 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 **July 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. 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