

Record of Occupational Safety and Health Standards Board Action Regarding Petition No. 528

At the Occupational Safety and Health Standards Board's June 21, 2012 business meeting held in Sacramento, present were Board Chair John MacLeod and Board Members David Harrison, William Jackson, Hank McDermott, Barbara Smisko, Laura Stock and David Thomas. Petition No. 528, submitted by Andras Uhlyarik, President of California Pulse, Inc., was on the agenda as an action item. The petition concerned the possible adoption of Section 7.5 of the 2011 edition of National Fire Protection Association 33 and the topic of recirculation of exhaust air in spray booths. Among the matters noted during the discussion of the petition were the importance of maintaining the hierarchy of controls (engineering controls, administrative controls and control by respiratory protective equipment, in that order of precedence), possible problems of overreliance on respirators and the availability of the variance process as a possibly more appropriate means of evaluating the acceptability of recirculation technology. Board Member Thomas moved to deny Petition No. 528. Board Member Stock seconded that motion. A roll call vote was taken. Board Members Harrison, Jackson, McDermott, Smisko, Stock and Thomas voted in favor of that motion; Chair MacLeod voted against the motion. By a vote of six to one, therefore, Petition No. 528 was denied.

Dated: June 22, 2012

By: Marley Hart
Marley Hart, Executive Officer