

U.S. Department of Labor

**Occupational Safety and Health Administration
Oakland Area Office
1301 Clay Street, Suite 1080N
Oakland, CA 94612**



October 2, 2012

Marley Hart
Executive Officer
California Occupational Safety and Health Standards Board
2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833

Ms. Hart:

As requested in the letter dated August 28, 2012, we completed our review of the proposed standard: Title 8, Division 1, Chapter 4, Subchapter 7, General Industry Safety Orders, Article 10, Section 3385, regarding Foot Protection.

The proposed occupational safety and health standard does not appear to be commensurate with the federal standard. Recommend clarifying paragraph (d)(2) to state protective footwear shall be at least as effective as class 75 protective footwear for impact and compression resistance per subsection (c)(1) and (c)(2). Also, under paragraph (d)(3), recommend the sentence to read "the employer will maintain written certification from the manufacturer...". Should you wish to discuss our review, please contact Mr. David Shiraishi at (510) 637-3833.

Sincerely,

A handwritten signature in black ink, appearing to read "David Shiraishi".

DAVID Y. SHIRAISHI, MPH
Area Director

cc: Ellen Widess
Cathy Dietrich
David Moon