

DEPARTMENT OF INDUSTRIAL RELATIONS

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH

1515 CLAY STREET, SUITE 1901

OAKLAND, CA 94612

(510) 286-7000 FAX: (510) 286-7037

ADDRESS REPLY TO:
PO BOX 420603
SAN FRANCISCO 94142-0603

October 11, 2013

NOTIFICATION OF PROPOSED EMERGENCY REGULATORY ACTION

Subject: Process Safety Management Program Assessment

The Department of Industrial Relations, Division of Occupational Safety and Health (DOSH) is proposing to adopt emergency regulations to implement a methodology for determining and collecting an annual assessment to fund the DOSH Process Safety Management Program (Labor Code sections 7855 - 7870). The emergency regulations propose to adopt Article 12.5 of Subchapter 2, of Title 8, California Code of regulations, sections 344.76, 344.77, and 344.79.

Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law, the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulations action with the agency. After submission of the proposed emergency regulations to the Office of Administrative Law, OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6. Upon filing, OAL will have ten (10) calendar days within which to review and make a decision on the proposed emergency rule. If approved, OAL will file the regulations with the Secretary of State, and the emergency regulations will become effective for one hundred and eighty (180) days. Within the 180-day effective period, DOSH will proceed with a regular rulemaking action, including a public comment period. The emergency regulations will remain in effect during this rulemaking action.

Attached to this notice is the specific regulatory language of DOSH's proposed emergency action and Finding of Emergency.

You may also review the proposed regulatory language and Finding of Emergency on the DOSH website at the following address:

http://www.dir.ca.gov/dosh/rulemaking/dosh_rulemaking_proposed.html

If you have any questions regarding this proposed emergency action, please contact James M. Robbins at JRobbins@dir.ca.gov or (510) 286-7100.