

State of California  
Department of Industrial Relations  
**M e m o r a n d u m**

**To** : ALL STANDARDS BOARD MEMBERS

**Date** : December 15, 2015

**From** : **Occupational Safety and Health Standards Board**  
Martin Tamayo, Associate Engineer - Standards

**Subject** : **Exception for Portable Power-Driven Circular Saw Blade Guarding (Horcher)**

At the November 19, 2015, Public Hearing, the Occupational Safety and Standards Board considered revisions to California Code of Regulations, Title 8, General Industry Safety Orders, Section 4307, Portable Power Driven Circular Hand Saws. This standard is substantially the same as the federal standard.

Labor Code Section 142.3(a)(3) exempts the Board from providing a comment period when adopting a standard substantially the same as a federal standard. However, as indicated in the Notice (Informative Digest), the Board still provided a comment period for the purpose of identifying only issues related to the following areas: 1) any clear and compelling reasons for California to deviate from the federal standards, and 2) any issues unique to California related to this proposal which should be addressed in this rulemaking and/or subsequent rulemaking.

As a result of public comments, there were no changes made to the original proposal.

SUMMARY OF WRITTEN AND ORAL COMMENTS

I. Written Comments

David Shiraishi, MPH, Area Director, US Department of Labor, Occupational Safety and Health Administration, by letter dated November 18, 2015.

Comment:

Mr. Shiraishi commented that Federal OSHA has reviewed the proposal and found it to be commensurate with the federal standard.

Response:

The Board thanks Mr. Shiraishi for his comment and participation in the Board's rulemaking process.

## II. Oral Comments

There were no oral comments received at the November 19, 2015, Public Hearing in Costa Mesa, California.

### DETERMINATION OF MANDATE

This regulation does not impose a mandate on local agencies or school districts.