

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

To : ALL STANDARDS BOARD MEMBERS

Date : June 25, 2015

From : **Occupational Safety and Health Standards Board**
Michael Nelmida, Senior Engineer - Standards

Subject : **Water Supply - Access to Drinking Cups - Horcher**

At the June 18, 2015, Public Hearing, the Occupational Safety and Standards Board considered revisions to California Code of Regulations, Title 8, Ship Building, Ship Repairing and Ship Breaking Safety Orders, Section 8397.4, Health and Sanitation. 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 and 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, Oakland Area Office.

Comment:

The Area Office has completed their review of the proposed modifications to, Ship Building, Ship Repairing and Ship Breaking Safety Orders, Section 8397.4 regarding Water Supply - Access to Drinking Cups - Horcher and determined that the proposed modifications appear to be commensurate with the federal standard.

Response:

The Board thanks Mr. Shiraishi and the OSHA Oakland Area Office for their participation in the rulemaking process.

II. Oral Comments

There were no oral comments received at the June 18, 2015, Public Hearing in Sacramento, California.

DETERMINATION OF MANDATE

This regulation does not impose a mandate on local agencies or school districts as indicated in the Staff Development Memorandum.