

**OCCUPATIONAL SAFETY  
AND HEALTH STANDARDS BOARD**

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**NOTICE OF PUBLIC MEETING/PUBLIC HEARING/BUSINESS MEETING  
OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD  
AND NOTICE OF PROPOSED CHANGES TO TITLE 8  
OF THE CALIFORNIA CODE OF REGULATIONS**

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting, Public Hearing, and Business Meeting:

**PUBLIC MEETING:** On **December 15, 2005**, at 10:00 a.m.  
in the Council Chambers, Second Floor of the Historic City Hall,  
915 I Street, Sacramento, CA 95814.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

**PUBLIC HEARING:** On **December 15, 2005**, following the Public Meeting  
in the Council Chambers, Second Floor of the Historic City Hall,  
915 I Street, Sacramento, CA 95814.

At the Public Hearing, the Board will consider the public testimony on the proposed changes to occupational safety and health standards in Title 8 of the California Code of Regulations.

**BUSINESS MEETING:** On **December 15, 2005**, following the Public Hearing  
in the Council Chambers, Second Floor of the Historic City Hall,  
915 I Street, Sacramento, CA 95814.

At the Business Meeting, the Board will conduct its monthly business.

The meeting facilities and restrooms are accessible to the physically disabled. Requests for accommodations for the disabled (assistive listening device, sign language interpreters, etc.) should be made to the Board office no later than 10 working days prior to the day of the meeting. If Paratransit services are needed, please contact the Paratransit office nearest you.

**OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD**

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STEVEN L. RANK, Chairman

NOTICE OF PROPOSED CHANGES TO TITLE 8  
OF THE CALIFORNIA CODE OF REGULATIONS  
BY THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Notice is hereby given pursuant to Government Code Section 11346.4 and Labor Code Sections 142.1, 142.4 and 144.5, that the Occupational Safety and Health Standards Board pursuant to the authority granted by Labor Code Section 142.3, and to implement Labor Code Section 142.3, will consider the following proposed revisions to Title 8, Construction Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on **December 15, 2005**.

1. TITLE 8:        **CONSTRUCTION SAFETY ORDERS**  
                         Chapter 4, Subchapter 4, Article 29  
                         Section 1710(f)  
                         **Column Stability for Structural Steel Erection**

A description of the proposed changes are as follows:

1. **TITLE 8: CONSTRUCTION SAFETY ORDERS**  
Chapter 4, Subchapter 4, Article 29  
Section 1710(f)  
**Column Stability for Structural Steel Erection**

#### INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

This rulemaking action is initiated as a result of a Division of Occupational Safety and Health (Division) memorandum dated November 15, 2004. Construction Safety Orders (CSO), Section 1710 pertains to structural steel erection activities, and subsection 1710(f)(1)(A) requires that all columns for steel erection structures be anchored by a minimum of 4 anchor rods (anchor bolts). The purpose of this standard is to ensure the stability of columns for the safety of ironworkers during structural steel erection work.

Engineering calculations demonstrate that columns can be braced to provide equal or superior stability to that currently required in subsection 1710(f)(1)(B) for steel columns anchored by 4 anchor bolts. The proposal would provide an exception to subsection 1710(f)(1)(A) to permit the guying or bracing of columns when such guying or bracing provides strength and stability required of steel columns anchored by a minimum of 4 anchor bolts.

#### Section 1710. Structural Steel Erection.

Section 1710 sets forth the requirements to protect employees from the hazards associated with steel erection activities.

#### Subsection 1710(f)(1)(A)

Subsection 1710(f) provides general requirements for erection stability. Subsection 1710(f)(1)(A) requires that columns shall be anchored by a minimum of 4 anchor bolts in order to provide stability to the column during erection. Subsection 1710(f)(1)(B) provides that each column anchor rod (anchor bolt) assembly, including the column-to-base plate weld and the column foundation, shall be designed to resist a minimum eccentric gravity load of 300 pounds located 18 inches from the extreme outer face of the column in each direction at the top of the column shaft. A very small minority of steel erection structures utilize steel tube columns that by design do not utilize anchor bolts in the erection process. Instead of anchor bolts, these columns are temporarily braced until four columns are erected with all beams in place to provide stability to the structural steel frame.

An "exception" is proposed to subsection 1710(f)(1)(A) that would permit the guying or bracing of columns when such guying or bracing provides strength and stability required by subsection 1710(f)(1)(B). The Division stated that the proposed amendment is not only for steel tube columns, but is also necessary for some small columns for steel erection structures that are not adaptable to the installation of 4 anchor bolts. The effect of adding this exception would be to permit an alternative method for ensuring the stability of certain structural steel columns during the erection of steel frame structures.

## **COST ESTIMATES OF PROPOSED ACTION**

### **Costs or Savings to State Agencies**

No costs or savings to state agencies will result as a consequence of the proposed action.

### **Impact on Housing Costs**

The Board has made an initial determination that this proposal will not significantly affect housing costs.

### **Impact on Businesses**

The Board has made an initial determination that this proposal will not result in a statewide, adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposal will provide an option for the employer to use an alternative method to secure and stabilize columns. The Board has determined that the proposed amendments would not adversely affect businesses because the proposal provides an alternative or option to the existing requirements for anchoring steel columns.

### **Cost Impact on Private Persons or Businesses**

The Board is not aware of any cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### **Costs or Savings in Federal Funding to the State**

The proposal will not result in costs or savings in federal funding to the state.

### **Costs or Savings to Local Agencies or School Districts Required to be Reimbursed**

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

### **Other Nondiscretionary Costs or Savings Imposed on Local Agencies**

This proposal does not impose nondiscretionary costs or savings on local agencies.

## **DETERMINATION OF MANDATE**

The Occupational Safety and Health Standards Board has determined that the proposed standard does not impose a local mandate. Therefore reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendment will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, this standard does not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

The proposed standard does not require local agencies to carry out the governmental function of providing services to the public. Rather, the standard requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed standard does not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

The proposed standard does not impose unique requirements on local governments. All state, local, and private employers will be required to comply with the prescribed standard.

### **EFFECT ON SMALL BUSINESSES**

The Board has determined that the proposed amendments would not affect small businesses as the proposal provides an alternative or option to the existing requirements for anchoring steel columns.

### **ASSESSMENT**

The adoption of the proposed amendments to this standard will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

### **REASONABLE ALTERNATIVES CONSIDERED**

Our Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

A copy of the proposed changes in STRIKEOUT/UNDERLINE format is available upon request made to the Occupational Safety and Health Standard Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721. Copies will also be available at the Public Hearing.

An INITIAL STATEMENT OF REASONS containing a statement of the purpose and factual basis for the proposed actions, identification of the technical documents relied upon, and a description of any identified alternatives has been prepared and is available upon request from the Standards Board's Office.

Notice is also given that any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. It is requested, but not required, that written comments be submitted so that they are received no later than December 9, 2005. The official record of the rulemaking proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on December 15, 2005, will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments should be mailed to the address provided below or submitted by fax at (916) 274-5743 or

e-mailed at [oshsb@hq.dir.ca.gov](mailto:oshsb@hq.dir.ca.gov). The Occupational Safety and Health Standards Board may thereafter adopt the above proposal substantially as set forth without further notice.

The Occupational Safety and Health Standards Board's rulemaking file on the proposed actions including all the information upon which the proposals are based are open to public inspection Monday through Friday, from 8:30 a.m. to 4:30 p.m. at the Standards Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833.

The full text of proposed changes, including any changes or modifications that may be made as a result of the public hearing, shall be available from the Executive Officer 15 days prior to the date on which the Standards Board adopts the proposed changes.

Inquiries concerning either the proposed administrative action or the substance of the proposed changes may be directed to Keith Umemoto, Executive Officer, or Michael Manieri, Principal Safety Engineer, at (916) 274-5721.

You can access the Board's notice and other materials associated with this proposal on the Standards Board's homepage/website address which is <http://www.dir.ca.gov/oshsb>. Once the Final Statement of Reasons is prepared, it may be obtained by accessing the Board's website or by calling the telephone number listed above.

OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD

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STEVEN L. RANK, Chairman

**TITLE 8**

**CONSTRUCTION SAFETY ORDERS**

**CHAPTER 4, SUBCHAPTER 4, ARTICLE 29**

**SECTION 1710(f)**

**COLUMN STABILITY FOR STRUCTURAL STEEL ERECTION**

NOTICE OF ADOPTION OF REGULATIONS  
INTO TITLE 8, CALIFORNIA CODE OF REGULATIONS  
BY THE  
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

After proceedings held in accordance with and pursuant to the authority vested in Sections 142, 142.3 and 142.4, of the Labor Code to implement, interpret, or make specific, the Occupational Safety and Health Standards Board, by a majority vote, adopted additions, revisions, or deletions to the California Code of Regulations as follows:

1. Title 8, Chapter 4, Subchapter 7, General Industry Safety Orders, Articles 96 and 99, Section 4968 and New Section 5022.1, Tower Crane Warning Devices and Crane Test Weight Requirements.

Heard at the April 21, 2005, Public Hearing; adopted on June 16, 2005; filed with the Secretary of State on August 2, 2005; and became effective on September 1, 2005.

2. Title 8, Chapter 4, Subchapter 7, General Industry Safety Orders, Article 165, Section 6184, Employee Alarm Systems.

Heard at the October 21, 2004, Public Hearing; adopted on July 21, 2005; filed with the Secretary of State on August 25, 2005; and became effective on September 24, 2005.

A copy of these standards are available upon request from the Occupational Safety and Health Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721.

If you have Internet access, visit the Occupational Safety and Health Standards Board by going to: **<http://www.dir.ca.gov/oshb>** and follow the links to the Standards Board. This information is updated monthly. The Standards Board's e-mail address is: **[oshb@dir.ca.gov](mailto:oshb@dir.ca.gov)**.

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Keith Umemoto, Executive Officer