

**OCCUPATIONAL SAFETY  
AND HEALTH STANDARDS BOARD**

2520 Venture Oaks Way, Suite 350  
Sacramento, CA 95833  
(916) 274-5721  
[www.dir.ca.gov/oshsb](http://www.dir.ca.gov/oshsb)

**MISSION STATEMENT**

*The mission of the Occupational Safety and Health Standards Board is to promote, adopt, and maintain reasonable and enforceable standards that will ensure a safe and healthful workplace for California workers.*

**AGENDA****PUBLIC MEETING, PUBLIC HEARING AND BUSINESS MEETING  
OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

**PLEASE NOTE:** In accordance with section 11123 of the Government Code, Board members, as well as members of the public, may elect to participate via videoconference.

**June 20, 2024 at 10:00 a.m.**

**Attend the meeting in person:**

SCIF Vacaville Learning Center  
Claude Fellows Conference Room  
1010 Vaquero Circle  
Vacaville, CA 95688

**Attend the meeting via videoconference:**

1. Go to [www.webex.com](http://www.webex.com)
2. Select "Join a Meeting"
3. Enter the meeting number: **1469 63 6425**
4. Join the meeting through your WebEx application **OR** through your browser
5. Videoconference will be opened to the public at 9:50 a.m.

**Attend the meeting via teleconference:**

1. Dial (844) 992-4726
2. Enter the meeting number **1469 63 6425** and follow the prompts
3. Teleconference will be opened to the public at 9:50 a.m.

**Live video stream and audio stream (English and Spanish):**

1. Go to <https://videobookcase.com/california/oshsb/>
2. Video stream and audio stream will launch as the meeting starts at 10:00 a.m.

### **Public Comment Queue:**

Those attending the Occupational Safety and Health Standards Board (Board) meeting in person will be added to the public comment queue on the day of the meeting.

Those attending the meeting remotely who wish to comment on agenda items may submit a request to be added to the public comment queue either in advance of or during the meeting through one of the following methods:

**ONLINE:** Provide your information through the online comment queue portal at <https://videobookcase.org/oshsb/public-comment-queue-form/>

**PHONE:** Call (510) 868-2730 to access the automated comment queue voicemail and provide<sup>†</sup>: 1) your name as you would like it listed; 2) your affiliation or organization; and 3) the topic you would like to comment on.

*† Information requested is voluntary and not required to address the Board.*

- I. **CALL TO ORDER AND INTRODUCTIONS**
- II. **PUBLIC MEETING (Open for Public Comment)**

This portion of the Public Meeting is open to any interested person to propose new or revised standards to the Board or to make any comment concerning occupational safety and health (Labor Code section 142.2). *The Board is not permitted to take action on items that are not on the noticed agenda, but may refer items to staff for future consideration.*

This portion of the meeting is also open to any person who wishes to address the Board on any item on today's Business Meeting Agenda (Government Code (GC) section 11125.7).

Any individual or group wishing to make a presentation during the Public Meeting is requested to contact Sarah Money, Executive Assistant, at (916) 274-5721 at least three weeks in advance of the meeting so that any logistical concerns can be addressed.

- A. PUBLIC COMMENT
- B. ADJOURNMENT OF THE PUBLIC MEETING

### III. **PUBLIC HEARING**

- A. EXPLANATION OF PROCEDURES
- B. PROPOSED SAFETY ORDERS (Revisions, Additions, Deletions)

- 1. **TITLE 8:**        **GENERAL INDUSTRY SAFETY ORDERS**  
Section 5204  
[Occupational Exposures to Respirable Crystalline Silica](#)

### IV. **BUSINESS MEETING – All matters on this Business Meeting agenda are subject to such discussion and action as the Board determines to be appropriate.**

The purpose of the Business Meeting is for the Board to conduct its monthly business.

- A. PROPOSED SAFETY ORDER FOR ADOPTION

- 1. **TITLE 8:**        **GENERAL INDUSTRY SAFETY ORDERS**  
New Section 3396  
[Heat Illness Prevention in Indoor Places of Employment](#)  
(Heard at the May 18, 2023 Public Hearing)

- B. PROPOSED PETITION DECISION FOR ADOPTION

- 1. United Steel Workers Local 5, (USW)  
Tracy W. Scott, President, Staff Representative  
[Petition File No. 601](#)

Petitioner requests to amend Title 8, General Industry Safety Orders (GISO), section 5189.1, Process Safety Management (PSM) for Petroleum Refineries. The Petitioner requests to expand the scope of section 5189.1, Process Safety Management (PSM) for Petroleum Refineries, to include refineries that are now processing renewable feedstocks in place of petroleum. The Petitioner notes that physical properties of petroleum crude oil versus renewable fats, oils and greases may be different, but those differences end at the point of delivery to the facility where the feedstock is processed into highly flammable gasoline, jet fuel, diesel and industrial chemicals.

Petitioner states that because the scope of 5189.1 does not explicitly include refineries that process renewables, management has exempted their plant from 5189.1 (California's groundbreaking PSM regulation for oil refineries that the Standards Board adopted in 2017) and decided to revert to the antiquated 1992 PSM standard, section 5189. Petitioner states that Section 5189 is ineffective and adds that under section 5189, this refinery is on the path to a catastrophic loss of

containment that could injure or kill many workers and could threaten the safety and health of thousands of nearby residents.

The Petitioner requests an Emergency Temporary Standard (ETS) to correct this flaw in Cal/OSHA's refinery safety regulations after one of their members was critically burned at their refinery from a loss of containment of flammable liquids.

2. National Safety Council (NSC)  
Lorraine M. Martin, President and CEO  
[Petition File No. 602](#)

Petitioner requests to amend Title 8, General Industry Safety Orders (GISO), section 3400, Medical Services and First Aid, and Construction Safety Orders (CSO) section 1512, Emergency Medical Services. The Petitioner requests to include a requirement to have opioid overdose reversal medication stocked at job sites and worker administration training as part of these regulations. The Petitioner notes that with the number of workplace overdose deaths on the rise, opioid overdose reversal medication is now an essential component of an adequate first-aid kit and that no industry or occupation is immune to this crisis.

Petitioner states that workplace overdose deaths have increased 536 percent since 2011, that nationally, overdoses now account for nearly 1 in 11 worker deaths on the job, but, in California, over 18 percent of workplace fatalities in 2021 were due to an unintentional overdose. Including these medications at worksites – either in a first aid kit or elsewhere – and training employees to use it is a critical component of emergency response to help save a life and would help California combat the opioid crisis by ensuring worksites are appropriately equipped to respond to such an emergency.

C. PROPOSED VARIANCE DECISIONS FOR ADOPTION

1. [Consent Calendar](#)

D. REPORTS

1. Legislative Update
2. Cal/OSHA Update
3. Acting Executive Officer's Report

## E. NEW BUSINESS

## 1. Future Agenda Items

Although any Board Member may identify a topic of interest, the Board may not substantially discuss or take action on any matter raised during the meeting that is not included on this agenda, except to decide to place the matter on the agenda of a future meeting. (GC sections 11125 & 11125.7(a).).

## F. CLOSED SESSION

Pending Decisions

1. Permanent Variance No. 20-V-096 (Tutor Perini/O&G JV)

Matters Pending Litigation

2. Western States Petroleum Association (WSPA) v. California Occupational Safety and Health Standards Board (OSHSB), et al. United States District Court (Eastern District of California) Case No. 2:19-CV-01270
3. WSPA v. OSHSB, et al., County of Sacramento, CA Superior Court Case No. 34-2019-00260210

Personnel

## G. RETURN TO OPEN SESSION

1. Report from Closed Session

## H. ADJOURNMENT OF THE BUSINESS MEETING

**Next Meeting:** July 18, 2024  
Ronald Reagan State Building  
Auditorium  
300 South Spring Street  
Los Angeles, CA 90013  
10:00 a.m.

**CLOSED SESSION**

1. If necessary, consideration of personnel matters. (GC section 11126(a)(1)).
2. If necessary, consideration of pending litigation pursuant to GC section 11126(e)(1).
3. If necessary, to deliberate on a pending decision. (GC section 11126(c)(3)).

**PUBLIC COMMENT**

Efforts will be made to accommodate each individual who has signed up to speak. However, given time constraints, there is no guarantee that all who have signed up will be able to address the State body.

Each speaker is invited to speak for up to two minutes. The Board Chair may extend the speaking time allotted where practicable.

The total time for public comment is 120 minutes, unless extended by the Board Chair.

The public can speak/participate at the meetings before items that involve decisions.

In addition to public comment during Public Hearings, the Board affords an opportunity to members of the public to address the Board on items of interest that are either on the Business Meeting agenda, or within the Board's jurisdiction but are not on the noticed agenda, during the Public Meeting. The Board is not permitted to take action on items that are not on the noticed agenda, but may refer items to staff for future consideration. The Board reserves the right to limit the time for speakers.

**DISABILITY ACCOMMODATION NOTICE**

Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the public hearings/meetings of the Board should contact the Disability Accommodation Coordinator at (916) 274-5721 or the state-wide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1 (800) 735-2929 (TTY) or 1 (800) 855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the meeting.

**TRANSLATION**

Requests for translation services should be made no later than five (5) days before the meeting.

NOTE: Written comments may be emailed directly to [oshsb@dir.ca.gov](mailto:oshsb@dir.ca.gov) no later than 5:00 p.m. on the Tuesday prior to a scheduled Board Meeting.

Under GC section 11123, subdivision (a), all meetings of a state body are open and public, and all persons are permitted to attend any meeting of a state body, except as otherwise provided in that article. The Board Chair may adopt reasonable time limits for public comments in order to ensure that the purpose of public discussion is carried out. (GC section 11125.7, subd. (b).)

Members of the public who wish to participate in the meeting may do so via livestream on our website at <https://videobookcase.com/california/oshsb/>. The video recording and transcript of this meeting will be posted on our website as soon as practicable.

For questions regarding this meeting, please call (916) 274-5721.