

DEPARTMENT OF INDUSTRIAL RELATIONS
Occupational Safety and Health Standards Board
2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833
Tel: (916) 274-5721



**NOTICE OF PROPOSAL FOR READOPTION OF EMERGENCY ACTION
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

**REGARDING PROPOSED CHANGES TO
CALIFORNIA CODE OF REGULATIONS, TITLE 8,
SECTION 5204**

Occupational Exposures to Respirable Crystalline Silica

NOTICE IS HEREBY GIVEN that the Occupational Safety and Health Standards Board (Board) is proposing to readopt for an additional ninety (90) days the emergency regulation "Occupational Exposures to Respirable Crystalline Silica" (silica Emergency Temporary Standard (ETS)), which was adopted at the Board's December 14, 2023, meeting, became effective on December 29, 2023, and was readopted on May 16, 2024.

The emergency filing will continue the requirements of the silica ETS with no changes from the May 16, 2024, version of the emergency regulation.

Government Code Section 11346.1(a)(2) requires, at least five (5) working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency regulation to OAL, OAL shall allow interested persons five (5) calendar days to submit comments on the proposed emergency regulation as set forth in Government Code Section 11349.6(b). For further information on the emergency rulemaking process, access the OAL website at: www.oal.ca.gov or contact the OAL reference attorney: (916) 323-6815 / staff@oal.ca.gov.

This proposed emergency action to readopt and amend section 5204 of the GISO has been placed on the tentative agenda of the August 15, 2024, Board Meeting:

August 15, 2024, at 10:00 a.m.
Room 310 of the County Administration Center
1600 Pacific Highway
San Diego, California CA 92101

Remote attendance options below:

Video Conference: www.webex.com (meeting information 268 984 996)

Teleconference: (844) 992-4726 (access code 268 984 996, attendee ID #)

Live video/audio stream (English/Spanish): <https://videobookcase.com/california/oshsb/>

Prior to any action by the Board to re-adopt the proposal, the public will be given an opportunity to comment on the proposal. **You are advised, however, that comments made at this Board meeting or submitted to the Board in writing regarding this proposal will NOT be forwarded to OAL; therefore, such comments directed to the Board are NOT comments submitted to OAL in accordance with Government Code Section 11349.6.**

If this emergency proposal is readopted by the Board, the proposal will be submitted to OAL. Upon submission, OAL will have ten (10) calendar days within which to review and make a decision on the proposed readoption. If approved, OAL may approve up to two readoptions, and the emergency regulation will continue to be in effect for a period not to exceed ninety (90) days. Within the effective period, the Board may proceed with a regular rulemaking action, including a public comment period.

Attached to this Notice are: (1) the specific new language proposed to be adopted, and (2) the Finding of Emergency required by Government Code Section 11346.1(b). The proposed regulatory language and the Finding of Emergency may also be reviewed on the Board's website: www.dir.ca.gov/oshsb/emergencyregulations.html.

The Board has complied with the provisions of Government Code section 11346.1(a)(2). This Notice was sent electronically on August 9, 2024, to all members of the public who have requested notice of regulatory action and all attendees of Division of Occupational Safety and Health (Division) advisory meetings related to this emergency regulation.

If you have any questions regarding this proposed emergency action, please contact Ruth Ibarra, Staff Services Manager I, at (916) 274-5795.

OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD

Joseph M. Alioto Jr., Chair