

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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SECOND NOTICE OF PROPOSED MODIFICATIONS TO
CALIFORNIA CODE OF REGULATIONS

TITLE 8: Division 1, Chapter 4, Subchapter 7,
Article 59, Sections 4297 and 4300 and New Section 4300.1
of the General Industry Safety Orders.

Table Saws

Pursuant to Government Code Section 11346.8(c), the Occupational Safety and Health Standards Board (Standards Board) gives notice of the opportunity to submit written comments on the above-named standards in which modifications are being considered as a result of public comments and/or Board staff consideration.

On February 26, 2008, the Standards Board issued a Notice of Proposed Modifications containing revisions to Title 8, Sections 4297 and 4300 and New Section 4300.1 of the General Industry Safety Orders, California Code of Regulations. The Standards Board received written comments on the proposed revisions. The standards have been further modified as a result of the comments and Board consideration.

A copy of the modified text clearly indicating the further modifications is attached for your information. In addition, a summary of all written comments regarding the Notice of Proposed Modifications and staff responses is included.

Any written comments on the second 15-day notice modifications must be received by 5:00 p.m. on April 28, 2008, at the Occupational Safety and Health Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, California 95833. These standards will be scheduled for adoption at a future business meeting of the Standards Board.

The Standards Board's rulemaking file on the proposed action is open to public inspection Monday through Friday, from 8:00 a.m. to 4:30 p.m., at the Standards Board's Office.

Inquiries concerning the proposed changes may be directed to the Executive Officer, Marley Hart, at (916) 274-5721.

OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD

Date: April 8, 2008

Marley Hart, Executive Officer

**STANDARDS AS PROPOSED IN SECOND 15-DAY
NOTICE OF MODIFICATIONS**

(Modifications are indicated by bold italics and double underscore for new language and bold italics and double strikeout for deleted language.)

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

PROPOSED STATE STANDARD,
TITLE 8, CHAPTER 4

Amend Sections 4297 and 4300 and add new Section 4300.1 as follows:

§ 4297. Definitions.

* * * * *

Crosscutting. A sawing operation through the thickness of the workpiece made across the grain in natural wood or across the shorter dimension on a rectangular workpiece of reconstituted wood.

Push stick. A narrow strip of wood or other soft material with a notch cut into one end ~~and which is used to push short pieces of material through saws~~ woodworking machines to provide a safe distance between the hand(s) and the cutting tool.

Ripping. A sawing operation made through the thickness of the workpiece with the grain of natural wood, along the long dimension of a rectangular workpiece, and usually parallel to that edge on reconstituted wood products.

Table Saw. A machine designed to use a circular saw blade mounted on an arbor below the work support means which can be stationary or moving or a combination of both. A guiding means is used for all operations when manually feeding the stock. The arbor or its support means can be fixed, or be capable of being tilted at an angle to the work support means of less than 90 degrees to each other. See Figure C.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

* * * * *

§ 4300. Circular Ripsaws - Manual Feed (Class B).

- (a) Each circular hand-fed ripsaw shall be guarded by a hood which shall completely enclose that portion of the saw blade above the table and that portion of the blade above the material being cut.
- (b) The hood shall automatically adjust itself to the thickness of and remain in contact with the material being cut at the point where the stock encounters the saw blade, or
- (c) The hood may be a fixed or manually adjusted hood or guard provided the space between the bottom of the guard and the material being cut does not exceed $\frac{1}{2}$ $\frac{1}{4}$ inch.
- (d) The hood or other guard shall be so designed as to prevent a "kickback," or a separate attachment that will prevent a "kickback" shall be provided. "Anti-kickback" devices shall be designed to be effective for all thicknesses of material.
- (e) Except when grooving, dadoing, or rabbeting, a spreader shall be provided and fastened securely to the saw. It shall be designed and installed in accordance with the provisions of Section 4296.
- (f) ~~A push stick of suitable design for the work being performed or push blocks shall be provided, in at the work place and shall be used, when the size of the piece being cut does not provide a safe distance between the hand(s) and the cutting tool. in the several sizes and types suitable for the work to be done.~~

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

PROPOSED STATE STANDARD,
TITLE 8, CHAPTER 4

§ 4300.1. Table Saws – Manual Feed (Class B)

(a) Each hand-fed table saw shall be guarded by a hood which completely encloses that portion of the saw blade above the table and that portion of the blade above the material being cut.

(1) The hood shall automatically adjust itself to the thickness of and remain in contact with the material being cut at the point where the stock encounters the saw blade, or

(2) The hood may be a fixed or manually adjusted hood or guard provided the space between the bottom of the guard and the material being cut does not exceed $\frac{1}{2}$ $\frac{1}{4}$ inch.

(b) Except when crosscutting, grooving, dadoing, or rabbeting, a spreader shall be provided and fastened securely to the saw. It shall be designed and installed in accordance with the provisions of Section 4296.

(c) Ripping operations shall comply with the following requirements in addition to those in subsections (a) and (b):

(1) The hood or other guard shall be so designed as to prevent a “kickback,” or a separate attachment that will prevent a “kickback” shall be provided. “Anti-kickback” devices shall be designed to be effective for all thicknesses of material.

(2) ~~A~~ ~~Push sticks of suitable design for the work being performed or push blocks~~ shall be provided, ~~in at the work place and shall be used when the size of the piece being cut does not provide a safe distance between the hand(s) and the cutting tool.~~ *in the several sizes and types suitable for the work to be done.*

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

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TO
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**PROPOSED STATE STANDARD,
TITLE 8, CHAPTER 4**

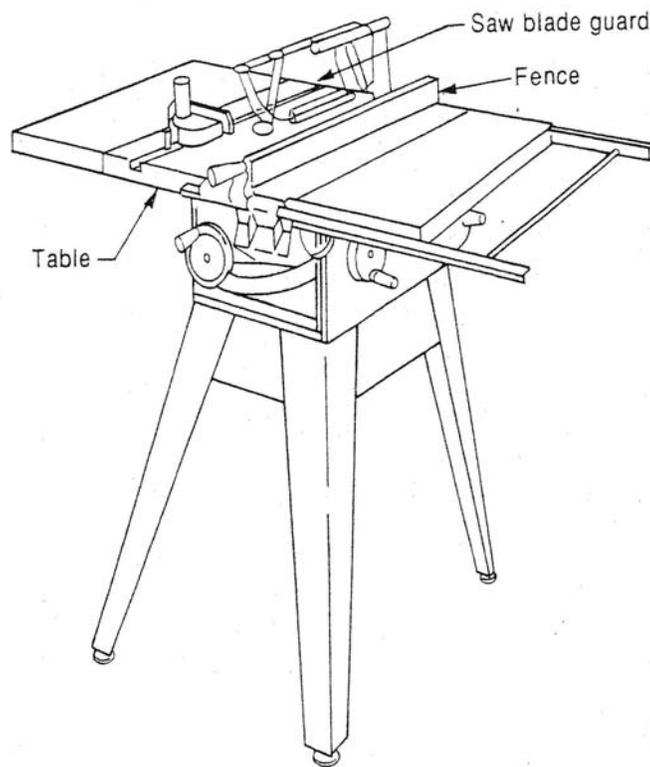


Figure C. Table Saw

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

SUMMARY AND RESPONSE TO COMMENTS

SUMMARY AND RESPONSE TO WRITTEN COMMENTS

Summary and Response to Written Comments to the 15-Day Notice of Proposed Modifications Mailed on February 26, 2008.

I. Written Comments

Mr. Bruce Wick, Director of Risk Management, California Professional Association of Specialty Contractors, by email dated March 17, 2008.

Comment:

Mr. Wick stated that in Sections 4300(f) and 4300.1(c)(2), the phrase “suitable design” is used regarding a push stick. Design is a very broad word that could seem to indicate that some type of engineering needs to go into the making of a push stick. The reality is that a push stick needs to have a notch, per the definitions in Section 4297, and be the correct size.

Therefore, Mr. Wick proposed that the phrase “suitable design” in Sections 4300(f) and 4300.1(c)(2) be changed to “suitable size”.

Response:

The counterpart federal standard, Section 1910.213(s)(9), states, “Push sticks or push blocks shall be provided at the work place in the several sizes and types suitable for the work to be done.” The Board concludes that Mr. Wick’s proposal to replace “suitable design” with “suitable size” would not be as effective as the counterpart federal standard which requires a push stick to be suitable in regards to both size and type. The Board concurs with Mr. Wick that the word “design”, as used in the proposal, is not defined and therefore the proposed text has been amended and replaced with the text of the counterpart federal standard.

The Board thanks Mr. Wick for his comments and participation in the rulemaking process.

Mr. Kevin Bland, Granado – Bland APC, representing the California Framing Contractors Association, and the Residential Contractors Association.

Comment:

Mr. Bland stated that in Sections 4300(f) and 4300.1(c)(2), the phrase “suitable design” is used regarding a push stick. The term "design" is a very broad term and may be considered to indicate that some type of engineering is required in the making of a push stick. The regulation should be clear that a push stick needs to have a notch, per the definitions in Section 4297, and be the correct size for the application for which it is intended to be used. Beyond those two points, there should be no further "design" elements and the term becomes misleading.

Therefore, Mr. Bland proposes that the phrase “suitable design” in Sections 4300(f) and 4300.1(c)(2) be changed to “suitable size”.

The Board thanks Mr. Bland for his comments and participation in the rulemaking process.

Response:

See response to Mr. Wick's comment.