

Safety Regulations Update: (5/12/11)

- Section 3380: PPE Hazard Certification/Training
- ATD Variances: P-100 and N-95 respirators
- Title 8, Group 13: Cranes and Derricks
- Section 3209: Standard Guardrails
- Section 5198: Lead Standard
- Section 3276 (e): Petition to Amend Portable Ladder Regulation
- Section 1602: Working Over or Near Water

Safety Regulations Update Continued: (5/12/11)

- SB 829 (Cal/OSHA Appeals Board Changes)
- Advisory Committee on Proposed Changes to Article 12 (Tree Work, Maintenance or Removal)
- Fed/OSHA: Addition of MSD Column
- Section 3657: Elevating Employees with Lift Trucks

3380: Personal Protective Devices Hazard Certification & Training

- Effective April 13, 2011 a workplace hazard assessment and written certification is required to determine what PPE is required.
- Training is also required, and must include:
 - 1) When PPE is necessary
 - 2) What PPE is necessary
 - 3) How to wear PPE, limitations, and proper maintenance of PPE.



ATD Variance Hearing & Cal/OSHA Response

- Two Variance hearings were held on April 8, 2011 re: ATD standard.
- Cal/Fire requested they be allowed to use an N-100 for high-hazard procedures.
- San Diego EMS and several other Fire Agencies requested they be allowed to use an N-95 for High Hazard Procedures.
- Cal/OSHA Response:
- Cal/Fire: Grant Variance
- San Diego EMS: Deny Variance



Title 8, Group 13, Cranes & Derricks

- The OSHSB will be voting on adopting changes to the Cranes & Derricks regulation on May 19, 2011 at the OSHSB meeting in San Diego.
- The major change involved moving the proposed changes into the Construction Safety Orders from the General Industry Safety Orders.
- Key question: Do you fall under the CSO's or GISO's?



HT40KX-P Crane, HT40-133-TFC Crane Body, and 25000-CD Outrigger
GM 5500 Chassis

Section 3209: Standard Guardrails

- Changes to 3209 effective on May 26, 2011. Adopted at the March OSHSB meeting.
- Current requirements indicate that the railings must be constructed of 2-inch by 2-inch by $\frac{1}{4}$ inch angle.
- New requirements are that railing diameter by increased to 2-inch by 2-inch by **$\frac{3}{8}$ inch** angle.
- It will not require a retrofit of current guardrails; however, **it will apply to all guardrails constructed after May 26, 2011.**

Section 5198: Lead

- Advisory meeting held on February 23, 2011 in Oakland to discuss proposed changes.
- CDPH recommendations to include lowering the blood lead level requirements from 40 micrograms/deciliter to 10 mg/dl.
- This may result in more frequent BLL tests, and in some cases medical removal.
- Affected departments: Police shooting ranges, prep work and painting of older building/structures by maintenance personnel.

Section 3276 (e): Petition to Amend Portable Ladder Regulation

- A petition will be presented to the OSHSB at the May 19th meeting to amend the portable ladder regulation.
- The proposed change includes requiring a monthly inspection of all portable ladders.
- The petitioner cites section 3207 (a) which defines frequent as " ... shall mean more than twelve times a year unless specifically stated otherwise in individual orders."
- Cal/OSHA staff recommends that the regulation be amended to require monthly inspections.
- **Next Steps: Determine whether there should be an exception to monthly inspections based on use or location.**

Section 1602: Working over or Near Water

- Will require that there be at least one portable ladder from the top of the apron to the surface of the water on all barges.
- A safe walkway shall be provided for employees who must step to or from the wharf, float, barge, or river towboat.
- Will be heard at the May 19th OSHSB meeting.



SB 829: Cal/OSHA Appeals Board

- Status: Passed out of committee, set for a hearing on May 16th.
- Expand party status, so anyone can contest an agreement for settlement between the employer and Cal/OSHA.
- Creates a “bounty hunter” provision in the law, where attorney’s fees, consultant fees, and witness fees paid for by the employer would be awarded to Cal/OSHA if Cal/OSHA prevails.
- Could increase Cal/OSHA complaint investigation and limit Cal/OSHA’s ability to prioritize resources to respond to the most serious complaints.

SB 829: Continued

- Would require employers to abate safety hazards for which they have been cited before the appeal is resolved, and would set up a double-appeal process.
- Imposes a filing fee of \$250 for an employer to request an abatement hearing.
- Would allow Cal/OSHA to amend a citation, at any time before the appeal is submitted for decision and even after a hearing.

Advisory Committee on Proposed Changes to Tree Work Regulation

- On May 25th and 26th an advisory committee will meet to discuss proposed changes to Article 12-Tree Work, Maintenance or Removal.
- Will affect any employer with Tree-trimming operations.
- Next Steps: Review the proposed changes and let us know of your concerns prior to the hearing. You can also contact George Hauptman at Cal/OSHA. His number is (916) 274-5724.



Elevating Employees with Lift Trucks (Section 3657)

- Effective June 2, 2011:
- New requirements for variable reach (boom type) rough terrain lift trucks used to elevate personnel.
- Where the platform is not attached to the boom, the base of the platform shall be secured to the forks.
- Guardrails are not required if the nature of the work prohibits the use of guardrails, provided that a safety belt or harness with lanyard is used.



Comments on Proposed Regulations

- If you have further questions on any proposed regulation/bill, or if you would like to submit written comments on any of these items please contact me.

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