

# CALIFORNIA REGULATORY UPDATE

July 2010

## California Regulatory Notice Register

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ADMINISTRATIVE LAW JULY 2, 2010

### PROPOSED ACTION ON REGULATIONS

#### **TITLE 8. OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

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, as indicated below, at its Public Hearing on **August 19, 2010**.

#### 1. TITLE 8: **CONSTRUCTION SAFETY ORDERS**

Division 1, Chapter 4, Subchapter 4, Article 29 Section 1709

##### **Maximum Allowable Load**

##### **Section 1709. General Requirements.**

This section contains general requirements for the erection and construction of structures, including but not limited to, load bearing capacity, bracing, wood floor construction, and erection guides for trusses and beams over 25 feet long. Existing subsection (a) prohibits any building, structure, or part thereof, or any temporary support or scaffolding from being overloaded in excess of its designed capacity.

Amendments are proposed to clarify that none of the structures indicated above are to be subjected to loads unless it is determined to be safe to do so by a qualified person who has experience in structural design. The proposed wording is derived from federal standards (29 CFR 1926.451(a)(6) and 1926.701(a)). The proposed amendment will require the employer to consult with a qualified person with experience in structural design prior to placing a load on a building, structure, structural member, or scaffold that the load can be safely supported. The proposal enhances employee safety by removing reliance on an ambiguous term “design capacity” and removing ambiguity as to who is responsible for determining the structure’s ability to bear the load.

#### 2. TITLE 8: **CONSTRUCTION SAFETY ORDERS**

Division 1, Chapter 4, Subchapter 4, Article 32 Section 1742

##### **Definitions of “Manifold” and “Header”**

##### **Section 1742. Hose and Connections.**

Existing Section 1742 establishes requirements for fuel gas hose systems and their connections. Existing subsection (e) requires manifold and header hose connections be capped when not in use. Amendments are proposed to add NFPA definitions to subsection (e) of Section 1742 for the terms “header” and “manifold.” These are national consensus definitions for terms used in Article 32 with specific reference to the use of compressed gas cylinders which will clarify to employers and enforcement personnel the proper connections to be capped. Confusion on the part of the employer as to what a “header” or “manifold” is, could potentially lead to a fire and/or explosion if this equipment is not capped and fuel gas is accidentally ignited. This proposal will aid the regulated public’s understanding of the requirements of this standard.

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## **PROPOSED ACTION ON REGULATIONS**

### **TITLE 8: HIGH-VOLTAGE ELECTRICAL SAFETY ORDERS**

Division 1, Chapter 4, Subchapter 5, Article 17 Section 2813

#### **Underground Vaults—Headroom Clearance**

##### **Section 2813. Underground Vaults.**

Existing Section 2813 provides the general requirements relating to the minimum size of any manhole, subway, chamber, or underground room containing any electrical wiring or equipment and outside access opening. This rulemaking action proposes amending the first paragraph of Section 2813 which references Sections 8051 through 8057 of the PUC regarding underground room dimensions. The proposal directs the reader to follow the existing subsections (a) and (b) instructions for inside vault measurements and access opening dimensions. Also, this proposal deletes the last sentence of the first paragraph to clarify that the dimensions specified in subsections (a) and (b) differ from and are not extracted from the PUC statutes. This proposal will eliminate the discrepancy of the minimum height requirements between existing Section 2813 and the PUC and will also provide consistent state and federal minimum height requirements for underground manholes. This proposal will have no effect upon the regulated public other than to provide consistency with federal standards. It is proposed that the no-longer-required parenthetical reference to Title 24, Part 3, Section 3–110–37 also be deleted. The Board makes on-going efforts to eliminate these needless Title 24 cross-references. This deletion is without regulatory effect.