

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 PROPOSED EMERGENCY ACTION
BY THE 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 take the action described in the Informative Digest as included in the Finding of Emergency. The emergency filing will adopt amendments to existing section 5204, Occupational Exposures to Respirable Crystalline Silica, under the California Code of Regulations, Title 8, Division 1, Chapter 4, of the General Industry Safety Orders (GISO).

Government Code Section 11346.1(a)(2) requires that, 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: https://oal.ca.gov/emergency_regulations/Emergency_Regulation_Process/ or contact the OAL reference attorney: (916) 323-6815 / staff@oal.ca.gov.

This proposed emergency action to amend section 5204 of the GISO has been placed on the agenda of the December 2023 Board Meeting:

December 14, 2023 at 10:00 a.m.

The physical meeting location is the **Robert H. Miller III Rotary Clubhouse, 7150 Baldwin Dam Road, Folsom, CA 95630**. Remote attendance options below:

Video Conference: www.webex.com (meeting number 1469 63 6425).

Teleconference: (844) 992-4726 (meeting number 1469 63 6425).

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

Prior to any action by the Board to 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 be considered by the Board, but are NOT comments submitted to OAL in accordance with Government Code**

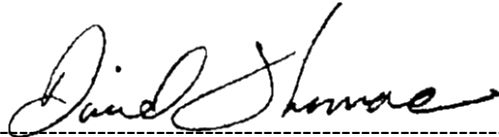
Section 11349.6. Comments on a proposed emergency rulemaking action must be submitted directly to OAL within five calendar days from when OAL posts the proposed emergency regulation on the OAL web site. Comments on a proposed emergency rulemaking action should be submitted to the OAL Reference Attorney by mail or email to 300 Capitol Mall, Suite 1250, Sacramento, California 95814, by fax to (916) 323-6826, or by e-mail to staff@oal.ca.gov.

If this emergency proposal is adopted 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 emergency regulation. If approved, OAL will file the emergency regulation with the Secretary of State, and the emergency regulation will become effective for 180 days, with possible extensions. Within the 180-day 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.

If you have any questions regarding this proposed emergency action, please contact Autumn Gonzalez, Chief Counsel, at (916) 274-5721.

OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD

A handwritten signature in black ink, appearing to read "Dave Thomas", is written over a horizontal dashed line.

DAVE THOMAS, Chairman