

REGULAR

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

AUG 28 2015

1:45 PM

NOTICE FILE NUMBERS 2-2014-1222-03	NOTICE FILE NUMBER 2015-0717-035	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
RECEIVED FOR FILING PUBLICATION DATE DEC 22 '14 JAN 02 '15 Office of Administrative Law		2015 JUL 17 AM 11:31 OFFICE OF ADMINISTRATIVE LAW	
NOTICE		REGULATIONS	

AGENCY WITH RULEMAKING AUTHORITY Occupational Safety and Health Standards Board	AGENCY FILE NUMBER (if any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE GISO 3411	TITLE(S) Title 8	FIRST SECTION AFFECTED GISO 3411	2. REQUESTED PUBLICATION DATE January 2, 2015
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Marley Hart, Executive Officer	TELEPHONE NUMBER (916)-274-5721	FAX NUMBER (Optional) (916)-274-5743
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2015 13	PUBLICATION DATE 11/2015

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Private Fire Brigades-Foot Protection	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT AMEND Section 3411 REPEAL
TITLE(S) 8	

5. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §511346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
March 10, 2015 through March 26, 2015 and April 2, 2015 through April 20, 2015

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
 Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) Effective on filing with Secretary of State §100 Changes Without Regulatory Effect Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM 56660)	<input type="checkbox"/> Fair Political Practices Commission	<input checked="" type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Marley Hart	TELEPHONE NUMBER 916.274.5721	FAX NUMBER (Optional) 916.274.5743	E-MAIL ADDRESS (Optional) mhart@dir.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Marley Hart</i>	DATE 7/16/15
TYPED NAME AND TITLE OF SIGNATORY Marley Hart, Executive Officer	

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ENDORSED APPROVED

AUG 28 2015

Office of Administrative Law

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

PROPOSED STATE STANDARD,
TITLE 8, DIVISION 1, CHAPTER 4

Amend Section 3411 to read:

§ 3411. Private Fire Brigades.

(a) Scope and Application.

(1) Scope. This section contains requirements for the organization, training, and personal protective equipment of fire brigades whenever they are established by an employer.

(2) Application. The requirements of this section apply to private fire brigades, such as industrial fire departments and private or contractual type fire departments. Personal protective equipment requirements apply only to members of fire brigades performing interior structural fire fighting activities. The requirements of this section do not apply to airport crash rescue or forest fire fighting operations.

(d) Personal Protective Clothing and Equipment. ~~§~~shall be provided by the employer at no cost to the employee in accordance with this article commensurate with the fire fighting activity involved. With respect to structural fire fighting by private fire brigades, those personal protective clothing and equipment requirements are modified in the following respects:

(1) As an alternative to meeting the requirements stated in Section 3408(c) regarding turnout boots, the fire fighter turnout boots may, in the alternative, meet the Chapter 6.10 and 7 NFPA 1971-2013 requirements pertaining to protective footwear; the portions of Chapter 6.10 and 7 NFPA 1971-2013 stating those requirements are incorporated herein by this reference.

(2) As an alternative to meeting the requirements regarding sole penetration stated in Section 3408(d)(2), protective footwear other than turnout boots, may also provide sole penetration and puncture resistance as required in Chapter 6.10 and 7.10 NFPA 1971-2013, to the extent that it pertains to sole penetration and puncture resistance; the portions of Chapter 6.10 and 7.10 NFPA 1971-2013 concerning sole penetration and puncture resistance are incorporated herein by this reference.

(3) Protective footwear shall meet the requirements of Section 3385 of these Orders for Class 75 footwear.

(4) Protective footwear shall be water-resistant for at least 5 inches above the bottom of the heel and shall be equipped with slip resistant outer soles.

(5) Protective footwear shall be tested in accordance with Chapter 6.10 and 7.10 NFPA 1971-2013 to the extent that it pertains to sole penetration and puncture resistance test protocols; the portions of Chapter 6.10 and 7.10 NFPA 1971-2013 concerning sole penetration and puncture resistance test protocols are incorporated herein by reference.

(6) Protective footwear shall provide protection against penetration of the midsole by a size 8D common nail when at least 300 pounds of static force is applied to the nail.

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