

## **FINAL STATEMENT OF REASONS**

The information contained in the Initial Statement of Reasons at the time of the Public Notice remains unchanged. As authorized by Government Code Section 11346.9(d), the California Department of Public Health (Department) incorporates by reference the Initial Statement of Reasons prepared for this rulemaking. There were no changes to the American Board of Industrial Hygienist's (IH) Coursework Requirements WEB page during the rulemaking.

### **Alternatives Determination:**

In accordance with Government Code Section 11346.5(a)(13), no reasonable alternative considered by the Department or that otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed (to restore the intent of the regulations as revised in 1995); would be as effective and less burdensome to affected private persons than the proposed action; or, would be more cost effective to affected private persons and equally effective in implementing the statutory policy of Health and Safety Code sections 35083 and 35087 or other provision of law.

The Department has found no reasonable alternatives to amending sections 35083 and 35087 of CCR, title 17 that would achieve the current needs of the LRC program or allow the Department to carry out its statutory duties.

### **Local Mandate Determination:**

The Department has determined that this regulatory action does not impose a mandate upon local agencies or school districts, nor are there any costs for which reimbursement is required by Part 7 (commencing with § 17500) of Division 4 of the Government Code not are there any other non-discretionary costs imposed.

### **Impact on Small Business:**

The Department has determined the proposed action does not affect small businesses. Approximately three training providers are expected to offer the CIH course enabling an expedited training process for CIHs. The Department has estimated that perhaps 50 additional CIH will take the CIH course over the lifetime of the regulation. The Department estimates that 80% of all LRC training providers and CIHs represent small businesses. The proposed regulatory amendments do not add any new requirements for training providers or CIHs, but do allow these individuals the option to either teach or take the CIH course that enables expedited training for CIHs.

### **SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL (45-DAY) NOTICE PERIOD OF MAY 4, 2018 THROUGH JUNE 18, 2018.**

This regulation (DPH-16-009) was made available to the public from May 4, 2018 through June 18, 2018, ending at 5:00 P.M. The public comment period produced the comments from those noted below. A hearing was not scheduled and no requests for a hearing were received, subsequently a hearing was not held.

**Addendum 1**

List of commenters received during the 45-day public comment period from May 4, 2018, through June 18, 2018.

1. (Written Testimony) Howard Spielman, CIH, CSP, REHS, CAC, President, Health Science Associates, Los Alamitos, California
2. (WT) Pamela Murcell, CIH, President, California Industrial Hygiene Council
3. (WT) Catherine Barankin, Public Policy Director, California Industrial Hygiene Council
4. (WT) Eleanor Godfrey, Director of Health and Safety, National Nurses United, and Jane Thomason, Industrial Hygienist, Research and Education, National Nurses United.

**Addendum 2**

Summary of comments received during the 45-day public comment period from May 4, 2018, through June 18, 2018.

**Note:** The first digit of the number designation identifies the Commenter as listed above. The digit(s) after the decimal point indicate the identified comment from that commenter.

**Comment:** We support this correction of an unfortunate oversight in the regulations.

**Commenter:** 1(WT), 2(WT), 3(WT), 4(WT)

**Response:** The Department appreciates the expression of support.