

## ADMINISTRATIVE REGULATIONS

*Regulations and notices published herein, pursuant to General Statutes Sections 4-168 and 4-173, are printed exactly as submitted by the forwarding agencies. These, being official documents submitted by the responsible agencies, are consequently not subject to editing by the Commission on Official Legal Publications.*

*A cumulative list of effective amendments to the Regulations of Connecticut State Agencies may be found in the Connecticut Law Journal dated October 2, 2012.*

### DEPARTMENT OF LABOR

#### Notice of Intent to Adopt Regulations

In accordance with the provisions of Section 4-168 of the General Statutes of Connecticut, notice is hereby given that the Labor Commissioner, pursuant to Section 4-8 and 4-167 of the General Statutes of Connecticut, and under the authority of section 31-372 of the General Statutes, proposes to adopt by reference the following changes in the Federal Occupational Safety and Health Standards.

It should be noted that, because the scope of the Connecticut Occupational Safety and Health Act is limited to the public sector employment, these regulations apply only to employment in state and municipal government agencies.

Section 1. Sec. 31-372-101-1910 of the Regulations of Connecticut State Agencies is amended by adding the following:

**Sec. 31-372-101-1910. Safety and health standards for general industry**

<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg. Date</i>	<i>Action</i>
1910.6	Incorporation by reference	3/8/12	Amended
Subpart H	Authority	3/8/12	Amended
1910.102	Acetylene	3/8/12	Amended

**Statement of purpose:** The adoption by reference of these revisions to the Federal Occupational Safety and Health Standards will serve to update Connecticut Occupational Safety and Health Standards in accordance with Section 31-372 of the Connecticut General Statutes. On March 8, 2012 the federal Occupational Safety and Health Administration published notification of its adoption by Direct Final Rule of revisions to the Acetylene standard, which were effective in private sector general industry employment on March 5, 2012.

Conn. Gen. Stat. 31-372 requires, as an element of Connecticut's approved Public Sector-Only State Plan, that the Department of Labor's Occupational Safety and Health Division (CONN-OSHA) adopt all occupational health and safety standards, amendments or changes adopted or recognized by the United States Secretary of Labor under the authority of the Occupational Safety and Health Act of 1970.

These revisions modify the Acetylene Standard by making the requirements of OSHA's Acetylene Standard consistent with current industry practices, thereby eliminating confusion and clarifying employer obligations, which will increase employee safety by encouraging compliance. Furthermore, bringing the Acetylene

Standard in line with industry practice will not produce additional costs for employers, and may reduce compliance costs. Finally, the revision is non-controversial because it merely updates the SDO standard referenced in the rule to the most current version of that standard.

All interested parties who wish to submit data, views, or arguments may do so in writing within thirty (30) days following publication of this notice. Any such written material should be directed to:

Anne FF Rugens, Principal Attorney  
Office of Program Policy  
Connecticut Labor Department  
200 Folly Brook Boulevard  
Wethersfield, CT 06109  
(860) 263-6755.

Any interested party may request a copy of the fiscal note from the Office of Program Policy at the above address.

A public hearing will be held on November 1, 2012 at 8:30 a.m. in the Office of Program Policy Conference Room at the Connecticut State Labor Department, 200 Folly Brook Boulevard, Wethersfield, CT 06109. Interested parties may submit data, facts, views or arguments, orally or in writing, at this hearing.

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## DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

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### Notice of Intent to Adopt Regulations and to Hold a Public Hearing

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The Commissioner of the Department of Energy and Environmental Protection (DEEP), pursuant to sections 4-168 and 22a-6 of the Connecticut General Statutes ("CGS"), hereby gives notice of intent to amend sections 26-142a-6, 26-142a-15, 26-142a-16, 26-157b-1, 26-157c-1, 26-157c-2, 26-157c-4, 26-159a-1, 26-159a-2, 26-159a-4, 26-159a-7, 26-159a-8, 26-159a-18, 26-159a-19, 26-159a-20, and 26-159a-22 of the Regulations of Connecticut State Agencies ("RCSA") and to add two new sections, 26-159a-29 and 26-159a-30, to the RCSA. These proposals will be considered for adoption under the authority of sections 26-142a, 26-157b, 26-157c and 26-159a of the CGS.

#### Summary

Most of the proposed amendments and additions implement measures that are intended to satisfy compliance with mandatory provisions of interstate fisheries management plans (FMPs) of the Atlantic States Marine Fisheries Commission (ASMFC). To ensure that states implement such measures, federal law authorizes the Secretary of Commerce to impose a harvest moratorium in that state's waters for a species in which a state fails to implement such mandatory provisions. In addition to the specific amendments identified below, the proposals also contain numerous technical corrections, wording clarifications, and wording changes to satisfy guidelines on gender neutrality. The specific sections of the RCSA proposed to be amended/added are: