

State of California
Office of Energy Infrastructure Safety
Update to the Initial Statement of Reasons

TITLE 14. NATURAL RESOURCES
DIVISION 17. OFFICE OF ENERGY INFRASTRUCTURE SAFETY
CHAPTER 2. INVESTIGATION AND COMPLIANCE
ARTICLE 1. REPORTING, INVESTIGATION, VIOLATIONS

Update to the Initial Statement of Reasons

The Office of Energy Infrastructure Safety (“Energy Safety”) provides the following update to the Initial Statement of Reasons.

Energy Safety made the proposed regulations available for public review and comment from April 29, 2022 through June 13, 2022, and conducted a public hearing on June 6, 2022. Following the close of the 45-day public comment period, Energy Safety made changes to the text of the proposed regulation in response to comments received from the public and in response to suggestions by the Office of Administrative Law. Energy Safety is providing notice of a 15-day public comment period for modifications to the text of regulations. The changes being made are as follows:

Modifications to Text of the Proposed Regulations:

The following section has been modified: Section 29300, subdivisions (a),(b), and (d).

Section 29300(a)

From: (a) A regulated entity must notify the Office within one business day after the regulated entity knows, or has reason to know, with

respect to a fire requiring a response from a fire suppression agency, when:

To: (a) A regulated entity must notify the Office within one business day of observing, with respect to a fire requiring a response from a fire suppression agency:

Necessity: This change replaces the phrase “after the regulated entity knows, or has reason to know,” with “of observing.” The change more clearly specifies the event that begins the one-business-day time period in which the regulated entity must comply with the notification requirement.

Section 29300(b)

From: A regulated entity must notify the Office within four hours after the regulated entity knows, or has reason to know, that either: (1) infrastructure owned or operated by the regulated entity might have caused a fire requiring a response from a fire suppression agency, or (2) a government entity is investigating whether infrastructure owned or operated by the regulated entity caused a fire.

To: A regulated entity must notify the Office within four hours after receiving notice that either: (1) infrastructure owned or operated by the regulated entity might have caused a fire requiring a response from a fire suppression agency, or (2) a government entity is investigating whether infrastructure owned or operated by the regulated entity caused a fire.

Necessity: This change replaces the phrase, “knows, or has reason to know,” with “receiving notice.” This change more clearly specifies the event that begins the four-hour time period in which the regulated entity must comply with the notification requirement.

Section 29300(d)

From: For purpose of this section, “start of the fire” is defined to mean when a regulated entity knows, or has reason to know, of the fire.

To: ~~For purpose of this section, “start of the fire” is defined to mean when a regulated entity knows, or has reason to know, of the fire.~~

Necessity: Energy Safety has concluded that the phrase “start of the fire” does not need to be defined in the context of this regulation. For that reason, and to improve the clarity of the regulation, Energy Safety has deleted the definition.