



EXPEDITED RULE MAKING

CR-105 (June 2004)
(Implements RCW 34.05.353)
EXPEDITED RULE MAKING ONLY

Agency: Department of Labor and Industries

Title of rule and other identifying information:

Chapter 296-45 WAC, Safety Standards for Electrical Workers

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Carmen Moore, Rule Coordinator

Agency: Department of Labor and Industries

Address: Post Office Box 44001, Olympia, Washington 98504-4001

AND RECEIVED BY May 24, 2005

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of this proposal is to be at least as effective as the Occupational Safety and Health Administration (OSHA). The department received letters from OSHA indicating that we were not as effective as the federal requirements relating to the electrical standard, chapter 296-45 WAC. For example:

- A qualified employee must position themselves so that he/she is neither within reach of nor otherwise exposed to contact with energized parts.
- The fall protection requirements relating to lineman's belts, safety straps and lanyards currently reference the employer to another standard, therefore we are incorporating them into chapter 296-45 WAC.

See attachment (a).

Reasons supporting proposal:

The department is updating the standard to be at least as effective as OSHA.

Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

Statute being implemented: Chapter 49.17 RCW

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

CODE REVISER USE ONLY

WSR# 05-07-124

DATE

March 22, 2005

NAME (TYPE OR PRINT)

Judy Schurke

SIGNATURE

TITLE

Acting Director

(COMPLETE REVERSE SIDE)

Name of proponent: (person or organization) Department of Labor and Industries

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Tracy Spencer	Tumwater	(360) 902-5530
Implementation....Michael Wood	Tumwater	(360)902-5495
Enforcement.....Michael Wood	Tumwater	(360)902-5495

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:
N/A

Chapter 296-45 WAC, Safety Standards for Electrical Workers

AMENDED SECTIONS:

WAC 296-45-25510, Fall Protection.

- Add a new subsection (2) relating to specific requirements about lineman's belts, safety straps, and lanyards. The language being proposed is the Occupational Safety and Health Administration (OSHA) requirements and our proposed language is identical to OSHA. This is being done as a result of WISHA receiving a "not at least as effective as" letter from OSHA.

WAC 296-45-315, Materials handling and storage.

- Add a new paragraph (d) in subsection (4) relating to pole handling and framing operations. The language being proposed is OSHA requirements and our proposed language is identical to OSHA. This is being done as a result of WISHA receiving a "not at least as effective as" letter from OSHA.

WAC 296-45-325, Working on or near exposed energized parts.

- Add language in paragraph (3) relating to qualified employees positioning themselves so that he/she is neither within reach of nor otherwise exposed to contact with energized parts. This is being done as a result of WISHA receiving a "not at least as effective as" letter from OSHA.

WAC 296-45-385, Overhead lines.

- Revise language in paragraph (d) of subsection (2) relating to installing and removing overhead lines. This is being done as a result of WISHA receiving a "not at least as effective as" letter from OSHA.
- Add a new paragraph (h) in subsection (2) relating to each pull being snubbed or dead ended. The language being proposed is OSHA requirements and our proposed language is identical to OSHA. This is being done as a result of WISHA receiving a "not at least as effective as" letter from OSHA.
- Add a new paragraph (d) in subsection (13) relating to towers and structures. The language being proposed is OSHA requirements and our proposed language is identical to OSHA. This is being done as a result of WISHA receiving a "not at least as effective as" letter from OSHA.
- Add a new paragraph (e) in subsection (13) relating to towers and structures. The language being proposed is OSHA requirements and our proposed language is identical to OSHA. This is being done as a result of WISHA receiving a "not at least as effective as" letter from OSHA.
- Add a new subsection (14) relating to conductors, subconductors, and overhead ground conductors being bonded to a tower. The language being proposed is OSHA requirements and our proposed language is identical to OSHA. This is being done as a result of WISHA receiving a "not at least as effective as" letter from OSHA.
- Renumbered current subsections (14), (15) and (16) to subsections (15), (16) and (17) because of the new subsection (14) mentioned above.

CR 105 RULE-MAKING ORDER (RCW 34.05.320)

Department of Labor and Industries

WISHA Services Division

CR-105 Filing Date: March 22, 2005

Attachment (a)

(Purpose Statement)

WAC 296-45-475, Substations.

- Add a new paragraph (d) in subsection (1) relating to access and working space. The language being proposed is OSHA requirements and our proposed language is identical to OSHA. This is being done as a result of WISHA receiving a “not at least as effective as” letter from OSHA.
- Revise language in subsection (3) relating to substation fences. This is being done as a result of WISHA receiving a “not at least as effective as” letter from OSHA.