



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Department of Labor and Industries

- Preproposal Statement of Inquiry was filed as WSR 08-23-087 ; or
- Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR \_\_\_\_\_
- Continuance of WSR \_\_\_\_\_

**Title of rule and other identifying information:**

Chapter 296-45 WAC, Safety Standards for Electrical Workers

**Hearing location(s):**

Department of Labor and Industries  
7273 Linderson Way SW  
Tumwater, WA  
98501-5414

Date: March 26, 2009 Time: 10:00 a.m.

**Submit written comments to:**

Name: Kimberly Johnson  
Address: PO Box 44620  
Olympia, WA 98504-4620  
e-mail [rhok235@lni.wa.gov](mailto:rhok235@lni.wa.gov)  
fax (360)902-5529 by (date) April 10, 2009

**Assistance for persons with disabilities:** Contact

Beverly Clark by March 18<sup>th</sup>, 2009  
(360) 902-5516 or [clah235@lni.wa.gov](mailto:clah235@lni.wa.gov)

**Date of intended adoption:** May 5, 2009

(Note: This is NOT the effective date)

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

The Electric Utility Safety Advisory Committee (EUSAC) has come to the Department with concerns about the protection of nonqualified workers while in energized electric utility substations. EUSAC recommends that the Department adopt language to help the industry ensure the safety of these workers.

The new language establishes a "Safety Watch," which entails direct supervision of a qualified person when a nonqualified employee approaches exposed energized electrical equipment in substations or switch yards.

**Statutory authority for adoption:** RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060.

**Statute being implemented:**

**Is rule necessary because of a:**

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: February 17, 2009

TIME: 7:37 AM

WSR 09-05-072

**DATE**  
February 17, 2009

**NAME** (type or print)  
Judy Schurke

**SIGNATURE**

**TITLE**  
Director

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

**Name of proponent:** Department of Labor and Industries

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting	Tracy Spencer	Tumwater, Washington	(360) 902-5530
Implementation	Stephen M. Cant	Tumwater, Washington	(360) 902-5495
Enforcement	Stephen M. Cant	Tumwater, Washington	(360) 902-5495

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

These rule amendments do not impose an economic burden on businesses. Utilities have other options when working around substations; this amendment merely outlines a requirement should the option of having non-qualified personnel perform said work.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: See above.