

OSHA TESTING REQUIREMENTS

On January 31, 1994 OSHA published the Final Rule on 29 CFR Part 1910 which contains the paragraph (269 paragraph j) that mandated not only design requirements for Hot Line Tools but also the condition in which they shall be maintained. The enforcement of this rule was stayed until November 1, 1994.

OSHA regulations are available online at www.osha.gov. The 1910.269 (j)(2) states:

1910.269(j)(2)

“Condition of tools.”

1910.269(j)(2)(i)

Each live-line tool shall be wiped clean and visually inspected for defects before use each day.

1910.269(j)(2)(ii)

If any defect or contamination that could adversely affect the insulating qualities or mechanical integrity of the live-line tool is present after wiping, the tool shall be removed from service and examined and tested according to paragraph (j)(2)(iii) of this section before being returned to service.

The first two sentences of this section (1910.269 paragraph (j)(2)) on the “condition of tools” are straight forward. The tool shall be wiped clean and inspected prior to use each day, and if any defect is present the tools shall be removed from service. This takes a good common sense practice and makes it the law.

1910.269(j)(2)(iii)

Live-line tools used for primary employee protection shall be removed from service every 2 years and whenever required under paragraph (j)(2)(ii) of this section for examination, cleaning, repair, and testing as follows:

The third section of “condition of tools” is much more controversial. This is the section that contains the language that requires testing on two-year intervals. The controversy is the result of the language in three specific areas. First is the definition of what is a live line tool vs. what is auxiliary equipment. In a conversation with OSHA Washington, we were informed that ladders, auxiliary arms, platform boards and the like are auxiliary equipment and not live line tools. Therefore they are not covered by this rule. If you intend to omit some fiberglass equipment from testing, there will be gray areas that should be worked out between the utilities and the local OSHA compliance officer. Wire tongs would be a good example of a device that could be considered either a tool or auxiliary equipment depending on how it is used.

This raises the second area of controversy, which is the definition of “primary employee protection”. In an effort to prevent the need to test tools, some people are taking the stand that their rubber gloves are their primary protection and that the live-line tools are a secondary means of protection, therefore relieving them from the requirements of this section. After reviewing this with the OSHA compliance officers in Washington, we learned that OSHA does not concur with this position. The issue of the live-line tool touching the worker in areas other than his hands cannot be ignored. Nor can the possibility that other persons such as a contractor may use the same tool be ignored. If it is a live-line tool it can be used for primary employee protection and therefore falls under these test requirements.