

Following is a clarification letter (also available online) from OSHA addressing the issues of recurrent testing.

February 2, 1995

Dear Mr. Peach:

This is in further response to your December 6 letter, requesting clarification of the Electric Power Generation, Transmission, and Distribution Standard, 29 CFR 1910.269. Specifically, you requested clarification of testing required by section 1910.269(j)(2)-Condition of tools.

Paragraph 1910.269(j)(2)(iii) requires that a live-line tool be removed from service and examined and tested according to paragraph 1910.269(j)(2)(iii) when any defect or contamination is present that could adversely affect its insulating qualities or mechanical integrity. Also, paragraph 1910.269(j)(2)(iii) requires (as categorized in the fourth paragraph of the letter) the thorough examination, cleaning, repair, and testing of live-line tools used for primary employee protection on a two year cycle. The performance-oriented Electric Power Generation Standard does not specify under whose direction, that is, the employer, a contracted testing facility or others, the 1910.269(j)(2) activities including examination, cleaning, waxing, repair, refinishing and testing of live-line tools are performed; however, the employer is held responsible for compliance under the Occupational Safety and Health Act. Safety reference sources applicable to these activities include national consensus standards (See Appendix E to Section 1910.269), manufacturer recommendations and other recognized safe working practices of the industry.

The employer must be able to demonstrate to the Occupational Safety and Health Administration, that is, the Compliance Safety and Health Officer (CSHO) during an inspection of the work site, that the aforementioned activities meet 1910.269(j)(2) requirements. The CSHO would determine compliance by inspecting live-line tools at the work site, by looking at available documentation and by interviewing employees who are assigned work involving live-line tools.

By paragraph 1910.269(j)(2)(iii)(C), a test must be performed after the aforementioned two year cycle examination when:

The live-line tool has been repaired or refinished regardless of its composition;

The live-line tool is made of wood or hollow fiberglass reinforced plastic (FRP);

The live-line tool is made of solid or foam-filled FRP tube, unless the employer can demonstrate that the examination has revealed all defects that could cause the live-line tool to fail in use. The employer has to be prepared to demonstrate that integrity has not been compromised, for example, by a contamination that could conduct harmful electrical energy, along the foam-filled portion of a live-line tool.

The test method used must be designed to verify the integrity of the live-line tool along its full working length. Full working length means the entire length of a single piece and the extended length of an adjustable, including telescoping, live-line tool. Live-line tools made of FRP include, singularly or in combination, solid, hollow or foam-filled configurations.

In consideration of the performance-oriented requirement of 1910.269(j)(2)(iii)(D), OSHA intends that an effective testing method be used. The testing method, whether wet or dry, must be designed to verify the tool's integrity under wet conditions. Guidelines for the examination and testing of live-line tools are contained in the Institute of Electrical and Electronic Engineers (IEEE) "Guide of In-Service Maintenance and Electrical Testing of Live-Line Tools," IEEE Std. 978-1984, which is mentioned in the note following paragraph 1910.269(j)(2)(iii)(E)(3) and is listed in Appendix E of the Electric Power Generation Standard. We appreciate your interest in employee safety and health. If we can be of further assistance, please contact Mr. Ronald Davies of my staff, telephone 202-219-8031, extension 110.

Sincerely,

Joseph A Dear Assistant Secretary