

February 17, 2009

Oregon OSHA - Proposed Changes To the Electrical Standard in General Industry

Public Hearing Scheduled for:

<u>Date</u>	<u>Time</u>	<u>Location</u>
March 26, 2009	1:30 pm	Labor and Industries Building Basement – Conference Room F 350 Winter Street NE Salem OR 97301

The Occupational Safety and Health Administration (Federal OSHA) published a final rule revising its electrical installation standard for general industry on February 14, 2007. Oregon OSHA adopted the Federal OSHA changes to the electrical installation standard found in Division 2/S as they appeared in the February, 2007 Federal Register.

This rulemaking proposes to adopt the additional Federal OSHA changes published in the October 29, 2008 Federal Register. The changes revise the scope of 1910.304(3) Ground-fault circuit interrupter protection for personnel, and addresses some questions raised by stakeholders on the application of the provision. Also two typographical errors located in Table S-3 of 1910.303 will be corrected.

When does this happen: Adoption tentatively will be April 2009

To get a copy: Our web site – www.orosha.org Rules/Compliance, then Proposed Rules
Or call the OR-OSHA Resource Center at 503-947-7447

To comment: Department of Consumer and Business Services/Oregon OSHA
350 Winter Street NE
Salem OR 97301-3882
E-mail – tech.web@state.or.us
Fax – 503-947-7461

Comment period closes: **March 31, 2009**

OR-OSHA contact: **Ron Haverkost, Central Office @ 503-947-7421;**
or email at Ronald.I.haverkost@state.or.us

Note: In compliance with the Americans with Disabilities Act (ADA), this publication is available in alternative formats by calling 503-378-3272.

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services/Oregon OSHA
Agency and Division

OAR 437
Administrative Rules Chapter Number

Sue Joye 350 Winter Street NE Salem OR 97301-3882
Rules Coordinator Address

503-947-7449
Telephone

RULE CAPTION

Proposed changes to the Electrical Standard in General Industry..
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Labor and Industries Building
Basement – Conference Room F
350 Winter Street NE
Salem OR 97301

March 26, 2009
Hearing Date

1:30 pm
Time

Salem OR 97301
Location

Sue Joye
Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

AMEND: OAR 437-002-0320

ORS 654.025(2) and 656.726(4)

Stat. Auth.

Other Authority

ORS 654.001 through 654.295

Stats. Implemented

RULE SUMMARY

The Occupational Safety and Health Administration (Federal OSHA) published a final rule revising its electrical installation standard for general industry on February 14, 2007. Oregon OSHA adopted the Federal OSHA changes to the electrical installation standard found in Division 2/S as they appeared in the February, 2007 Federal Register.

This rulemaking proposes to adopt the additional Federal OSHA changes published in the October 29, 2008 Federal Register. The changes revise the scope of 1910.304(3) Ground-fault circuit interrupter protection for personnel, and addresses some questions raised by stakeholders on the application of the provision. Also two typographical errors located in Table S-3 of 1910.303 will be corrected.

Please visit our web site www.orosha.org Click 'Rules/Compliance' in the left vertical column and view our proposed, adopted, and final rules.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

/s/Michael D. Wood
Signature

March 31, 2009

Last Day for Public Comment

Last day to submit written comments to the Rules Coordinator

Michael D. Wood

Printed name

2/13/09

Date

*The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday. ARC 920-200510

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Consumer and Business Services/Oregon OSHA

Agency and Division

OAR 437

Administrative Rules Chapter Number

In the Matter of: Amending 437-002-0320.

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Proposed changes to the Electrical Standard in General Industry.

Statutory Authority: ORS 654.025(2) and 656.726(4)

Stats. Implemented: ORS 654.001 through 654.295

Need for the Rule(s):

Oregon OSHA's standard must be at least as effective as Federal OSHA, therefore we propose to adopt these clarifications and corrections as they appear in the October 29, 2008 Federal Register, and want the standard to reflect the most current practices and technologies in the industry.

Documents Relied Upon, and where they are available:

National Fire Protection Agency Standard for Electrical Safety in the Workplace (NFPA 70E)
National Electrical Code (NEC)

Fiscal and Economic Impact, including Statement of Cost of Compliance:

The industry will have little or no additional fiscal impact because the amendments are minor clarifications and typographical corrections that do not affect the substantive requirements or coverage of the standard.

How were small businesses involved in the development of this rule?

Small business impact was considered as part of Federal OSHA's rulemaking.

The revised standard will be more flexible and efficient for stakeholders, including small businesses, while improving safety for employees.

Administrative Rule Advisory Committee consulted? Yes.

If not, why?

The Construction Advisory Committee and the Oregon Manufactured Home Partnership Group were both consulted.

/s/Michael D. Wood

Authorized Signer

Michael D. Wood

Printed name

2/13/09

Date