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California and NFPA 70E

In 2004 The National Fire Protection Association released the latest edition of their 70E Standard for Electrical Safety in the Workplace. This new electrical safety standard has revolutionized electrical safety for employees and employers throughout the United States...except California, some would lead you to believe. However, under further examination, employers in California need to implement 70E as much as the rest of the country.

I had the pleasure of joining two representatives from Cal-OSHA as a speaker at a recent Arc Flash/70E conference held in Oakland. Being from Indiana, I found it necessary to conduct some research prior to the event on Cal-OSHA's position on 70E and Arc Flash. I spoke to some of our clients in California as well as Cal-OSHA officials and heard variations of the same statements repeatedly: "Oh, it's different out here," or "We follow Cal-OSHA not federal OSHA." One Cal-OSHA representative said bluntly, "We have not adopted nor do we enforce 70E."

All those may be true to a certain degree. And certainly, like federal OSHA, Cal-OSHA has not adopted NFPA 70E.

Cal/OSHA's Title 8 Low Voltage regs state:
"Each employee who is exposed to the hazards of flames or electric arcs wears apparel that, when exposed to flames or electric arcs, does not increase the extent of injury that would be sustained by the employee. This subsection prohibits clothing made from the following types of fabrics, either alone or in blends, unless the employee can demonstrate that the fabric has been treated with flame retardant: acetate, nylon, polyester, and rayon."

This regulation is good as far as it goes, but it is very vague and does not tell us how to accomplish its requirement. The limited restriction against wearing some synthetic fabrics certainly is not all there is to protecting an employee from an arc flash incident. It is ridiculous to believe that simply wearing a cotton shirt instead of rayon will protect anyone from a Category 4

Arc Flash incident. It is not possible to cover all situations concerning suitable arc flash clothing in the small paragraph that Cal-OSHA has set aside for this. That's where NFPA 70E comes in. Cal-OSHA, just like federal OSHA, is relying on 70E as a "how to comply" guide. During the presentations in Oakland the Cal-OSHA officials stated that 70E would be used as supporting documentation for citations involving electrical accidents. And when the Cal-OSHA officials displayed a slide that said "Suitable arc flash clothing was required by electricians when working on live circuits", I asked, "How do you determine what is suitable arc flash clothing?" The Cal-OSHA official replied, "NFPA 70E"

In summary the position of Cal/OSHA towards 70E is the same as federal OSHA. They are not officially adopting it, or making it part of the code. But, they will certainly be using it to determine if you are protecting your employees.

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