



## OSHA

Find it in OSHA



For Workers ▾ For Employers ▾ Law & Regulations ▾ Data & Statistics ▾ Enforcement ▾ Training & Education ▾

News & Publications ▾ En Español A to Z Index Contact Us FAQs What's New

Standard Interpretations - Table of Contents

• **Standard Number:** 1910.269(l)(3)(i); 1910.269(l)(3)(ii); 1926.960(c)(1)(i); 1926.960(c)(1)(ii)

OSHA requirements are set by statute, standards and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>

January 20, 2016

MEMORANDUM FOR: REGIONAL ADMINISTRATORS

FROM: DOROTHY DOUGHERTY  
DEPUTY ASSISTANT SECRETARY

THOMAS GALASSI,  
DIRECTOR, DIRECTORATE OF  
ENFORCEMENT PROGRAMS

DEAN MCKENZIE  
ACTING DIRECTOR, DIRECTORATE OF  
CONSTRUCTION

SUBJECT: 29 CFR 1910.269 and 29 CFR Part 1926,  
Subpart V-Enforcement dates for minimum approach distances

On April 11, 2014, OSHA promulgated a final rule revising the general industry and construction standards for work on electric power generation, transmission and distribution installations. On February 13, 2015, OSHA entered into a settlement agreement with the Edison Electric Institute, the Utility Line Clearance Coalition, and the Tree Care Industry Association resolving legal challenges to that final rule. As part of that settlement, OSHA issued a memorandum (dated February 18, 2015) titled "29 CFR 1910.269 and 29 CFR Part 1926, Subpart V-Enforcement dates." The memorandum adopted a delayed enforcement date for certain minimum approach distance requirements in 29 CFR 1910.269 and 29 CFR Part 1926, Subpart V. OSHA is now extending those enforcement dates for an additional period of time, as follows:

Until **January 31, 2017**, for voltages of 169.1 kilovolts and more: (i) no citations will be issued under 29 CFR 1910.269(l)(3)(ii) or 29 CFR 1926.960(c)(1)(ii), which require the employer to determine the maximum anticipated per-unit transient overvoltage; and (ii) OSHA will accept compliance with the minimum approach distances in Table 6 or Tables 10 to 13 in Appendix B to 29 CFR 1910.269 as compliance with 29 CFR 1910.269(l)(3)(i) and 29 CFR 1926.960(c)(1)(i). If peer-reviewed guidance regarding the calculation of maximum transient overvoltages is not available before **May 1, 2016**, OSHA will extend this policy as necessary to give employers time to read and implement such guidance when it becomes available.

Until **January 31, 2017**, for voltages of 72.6 to 169.0 kilovolts, no citations will be issued under 29 CFR 1910.269(l)(3)(ii) or 29 CFR 1926.960(c)(1)(ii), which require the employer to determine the maximum anticipated per-unit transient overvoltage, provided the employer assumes a maximum anticipated per-unit transient overvoltage, phase-to-ground, of 3.0 per unit. If peer-reviewed guidance regarding the calculation of maximum transient overvoltages is not available before **May 1, 2016**, OSHA will extend this policy as necessary to give employers time to read and implement such guidance when it becomes available.

Standard Interpretations - Table of Contents

DEPARTMENT OF LABOR



Occupational Safety & Health Administration

1400 Constitution Ave., NW,  
Washington, DC 20210  
☎ 800-321-OSHA (6742)  
TTY  
www.OSHA.gov

**ABOUT THE SITE**

- [Frequently Asked Questions](#)
- [Freedom of Information Act](#)
- [Privacy & Security Statement](#)
- [Disclaimers](#)
- [Important Web Site Notices](#)
- [Plug-ins Used by DOL](#)
- [RSS Feeds from DOL](#)
- [Accessibility Statement](#)

**LABOR DEPARTMENT**

- [Español](#)
- [Office of Inspector General](#)
- [Subscribe to the DOL Newsletter](#)
- [Read The DOL Newsletter](#)
- [Emergency Accountability Status Link](#)
- [A to Z Index](#)

**FEDERAL GOVERNMENT**

- [White House](#)
- [Affordable Care Act](#)
- [Disaster Recovery Assistance](#)
- [USA.gov](#)
- [Plain Writing Act](#)
- [Recovery Act](#)
- [No Fear Act](#)
- [U.S. Office of Special Counsel](#)

U.S. Department of Labor

Occupational Safety and Health Administration  
Washington, D.C. 20210



Reply to the Attention of:

MEMORANDUM FOR:

REGIONAL ADMINISTRATORS

FROM:

*Dorothy Dougherty*  
DOROTHY DOUGHERTY  
DEPUTY ASSISTANT SECRETARY

*Thomas J. Galassi*  
FOR THOMAS GALASSI  
DIRECTOR, DIRECTORATE OF  
ENFORCEMENT PROGRAMS

*Dean McKenzie*  
FOR DEAN MCKENZIE  
ACTING DIRECTOR, DIRECTORATE OF  
CONSTRUCTION

SUBJECT:

29 CFR 1910.269 and 29 CFR Part 1926,  
Subpart V—Enforcement dates for minimum  
approach distances

On April 11, 2014, OSHA promulgated a final rule revising the general industry and construction standards for work on electric power generation, transmission and distribution installations. On February 13, 2015, OSHA entered into a settlement agreement with the Edison Electric Institute, the Utility Line Clearance Coalition, and the Tree Care Industry Association resolving legal challenges to that final rule. As part of that settlement, OSHA issued a memorandum (dated February 18, 2015) titled "29 CFR 1910.269 and 29 CFR Part 1926, Subpart V-Enforcement dates." The memorandum adopted a delayed enforcement date for certain minimum approach distance requirements in 29 CFR 1910.269 and 29 CFR Part 1926, Subpart V. OSHA is now extending those enforcement dates for an additional period of time, as follows:

Until **January 31, 2017**, for voltages of 169.1 kilovolts and more: (i) no citations will be issued under 29 CFR 1910.269(l)(3)(ii) or 29 CFR 1926.960(c)(1)(ii), which require the employer to determine the maximum anticipated per-unit transient overvoltage; and (ii) OSHA will accept compliance with the minimum approach distances in Table 6 or Tables 10 to 13 in Appendix B to 29 CFR 1910.269 as compliance with 29 CFR 1910.269(l)(3)(i) and 29 CFR 1926.960(c)(1)(i). If peer-reviewed guidance regarding the calculation of maximum transient overvoltages is not available before **May 1, 2016**, OSHA will extend this policy as necessary to give employers time to read and implement such guidance when it becomes available.

Until **January 31, 2017**, for voltages of 72.6 to 169.0 kilovolts, no citations will be issued under 29 CFR 1910.269(l)(3)(ii) or 29 CFR 1926.960(c)(1)(ii), which require the employer to determine the maximum anticipated per-unit transient overvoltage, provided the employer assumes a maximum anticipated per-unit transient overvoltage, phase-to-ground, of 3.0 per unit. If peer-reviewed guidance regarding the calculation of maximum transient overvoltages is not available before **May 1, 2016**, OSHA will extend this policy as necessary to give employers time to read and implement such guidance when it becomes available.