

High Voltage Proximity Act

Energy Association of Pennsylvania

Electrical T&D Committee

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Presentation outline

- What is the High Voltage Proximity Act? (HVPA)
- Why are utilities interested in a HVPA?
- Status of PA legislation involving a HVPA
- Important aspects of a HVPA
- New York's HVPA
- O&R's OSHA Alliance
- Why and how did O&R form an Alliance
- The Alliance's Mission Statement
- The Alliance's Goals
- The Alliance: successes and initiatives underway



What is the High Voltage Proximity Act (HVPA)?

- New York statutory law under jurisdiction of the State Department of Labor (DOL)
- Generally prohibits unqualified workers from working in prescribed proximity to electric lines without adequate protection
- Establishes guidelines for unqualified workers and utilities to follow in order to permit unqualified workers to safely work in proximity to electric lines



Why are utilities interested in a HVPA?

- Safety of unqualified workers
- Quality of electric service
- Increased number of electrical contacts caused by factors including:
 - Increased population who require infrastructure
 - Increased development of once undesirable land
 - Increased number of small subcontractors
 - Increased number of immigrant workers working in the construction industry as day laborers



Status of PA legislation involving a HVPA

- Previously introduced Senate Bill No. 93;
Overhead High Voltage Line Act (OHVLA)
- Introduced in the General Assembly in 1999 but not adopted
 - OHVLA has yet to be re-introduced but it is anticipated that it may be re-introduced with the re-authorization of the Call Before You Dig legislation anticipated to be addressed this session



Important aspects of a HVPA

- Worker education and information
- Notification by contractor to owner
 - Each time there is a potential violation
- Allocation of costs
- Indemnity provisions for failure to notify
- Utility response requirement
 - Reasonable expectation regarding timeframe
 - Adequate utility response and assumption of the risk
- Who has jurisdiction and enforcement authority
- Violation penalties and liability



New York's HVPA

- General overview
 - Notification requirements
 - Education of inherent dangers and precautions
 - Allocation of *all* costs associated with precautions
 - Warning signs
 - Penalty provision
- Areas where improvements are possible
 - Indemnity provision
 - Jurisdiction
 - Penalty severity
 - Public education and general requirements / existence of HVPA



O&R's OSHA Alliance

- Voluntary cooperative relationship between parties for the purpose of training, educating, and communicating with public at large
 - OSHA
 - DOL On Site Consultation Program
 - NYMAG, New York Mutual Aid Group
- Promotes a statewide dialogue on workplace safety and health focusing upon overhead electric contacts



Why and how did O&R form an Alliance?

- O&R was experiencing a significant number of avoidable electrical contacts throughout its service territory.
- The Alliance was a result of reaching out to the DOL to enforce the High Voltage Proximity Act
 - Use of NYMAG as an association to form Alliance



The Alliance's Mission Statement

Identify, develop, communicate and implement strategies, processes and opportunities that will eliminate “contacts” with electric distribution and transmission facilities



The Alliance's Goals

- Educate those who provide services in close proximity to overhead high voltage lines about the proper application of clearance and compliance rules
- Develop and communicate information on the recognition and prevention of workplace hazards, focusing upon overhead high voltage lines
- Develop and communicate appropriate training and education modules for various audiences
- Develop the business case to demonstrate the value of incorporating safe work practices
- Organize workplace safety and health seminars for delivering training in a manner that is understandable to the worker
- Establish and develop relationships with and among Alliance members and outside organizations with common goals



The Alliance: successes and initiatives underway

- Getting everyone to agree to form an Alliance
- Distribution of Alliance letters sent by NYMAG members to their respective municipal building departments
- O&R breakfast with Government Partners
- OSHA 10 hour training program taught in Spanish by Regional Coordinator for OSHA and O&R personnel to local immigrant workers
- Commitment from Home Depot to permit the Alliance to distribute overhead high voltage line awareness pamphlet in English / Spanish throughout their New York State facilities
- Internal education of employees and development of programs to seek input from workers
- Development of partnerships with natural partners, AEGIS, NYSBOC
- Development of a virtual toolbox utilizing best practices

