

Cal-OSHA Consultation  
ATTN: Eric Berg  
Acting Principle Safety Engineer

Mr. Berg,

I am respectfully requesting a formal written response on a Cal-OSHA letterhead regarding the following:

§3314. The Control of Hazardous Energy for the Cleaning, Repairing, Servicing, Setting-Up, and Adjusting Operations of Prime Movers, Machinery and Equipment, Including Lockout/Tagout.

Affected employee. For the purpose of this section, an employee whose job requires them to operate or use a machine or equipment on which cleaning, repairing, servicing, setting-up or adjusting operations are being performed under lockout or tagout, or whose job requires the employee to work in an area in which such activities are being performed under lockout or Tagout.

Authorized employee or person. For the purposes of this section, a qualified person who locks out or tags out specific machines or equipment in order to perform cleaning, repairing, servicing, setting-up, and adjusting operations on that machine or equipment. An affected employee becomes an authorized employee when that employee's duties including performing cleaning, repairing, servicing, setting-up and adjusting operations covered under this section.

Locked out. The use of devices, positive methods and procedures, which will result in the effective isolation or securing of prime movers, machinery and equipment from mechanical, hydraulic, pneumatic, chemical, electrical, thermal or other hazardous energy sources.

**Scenario:**

A Controlling Contractor on a Multi-Employer worksite is installing multiple subsurface structures that require a dewatering systems within an engineered support of excavation system consisting of sheet Piles, beams and struts. The depth of the excavations range from 14' to 25+'.

To maintain sub-surface water to an acceptable workable level while performing operations within the support of excavation; Single phase 240V electrical pumps are being used at strategic locations per the dewatering plan to maintain water levels. The power to support this system is fed by temporary trailer mounted generators. Each individual dewatering pump has its own (single phase 240V) electrical box to support it. Each trailer mounted generator feeds power to about 3 pumps each – dependent of the size of the generators.

The individual (240V) electrical boxes that feed electricity to each pump has a standard door and latch and a sticker identifying the voltage. The Controlling Contractor in question prefers to keep these boxes unsecured (not locked or tagged) during and after shifts. Often times the doors to boxes have been found wide open, but as of recent days are now not being locked out or tagged out at all to control hazardous energies within. The electrical conductors within the boxes are

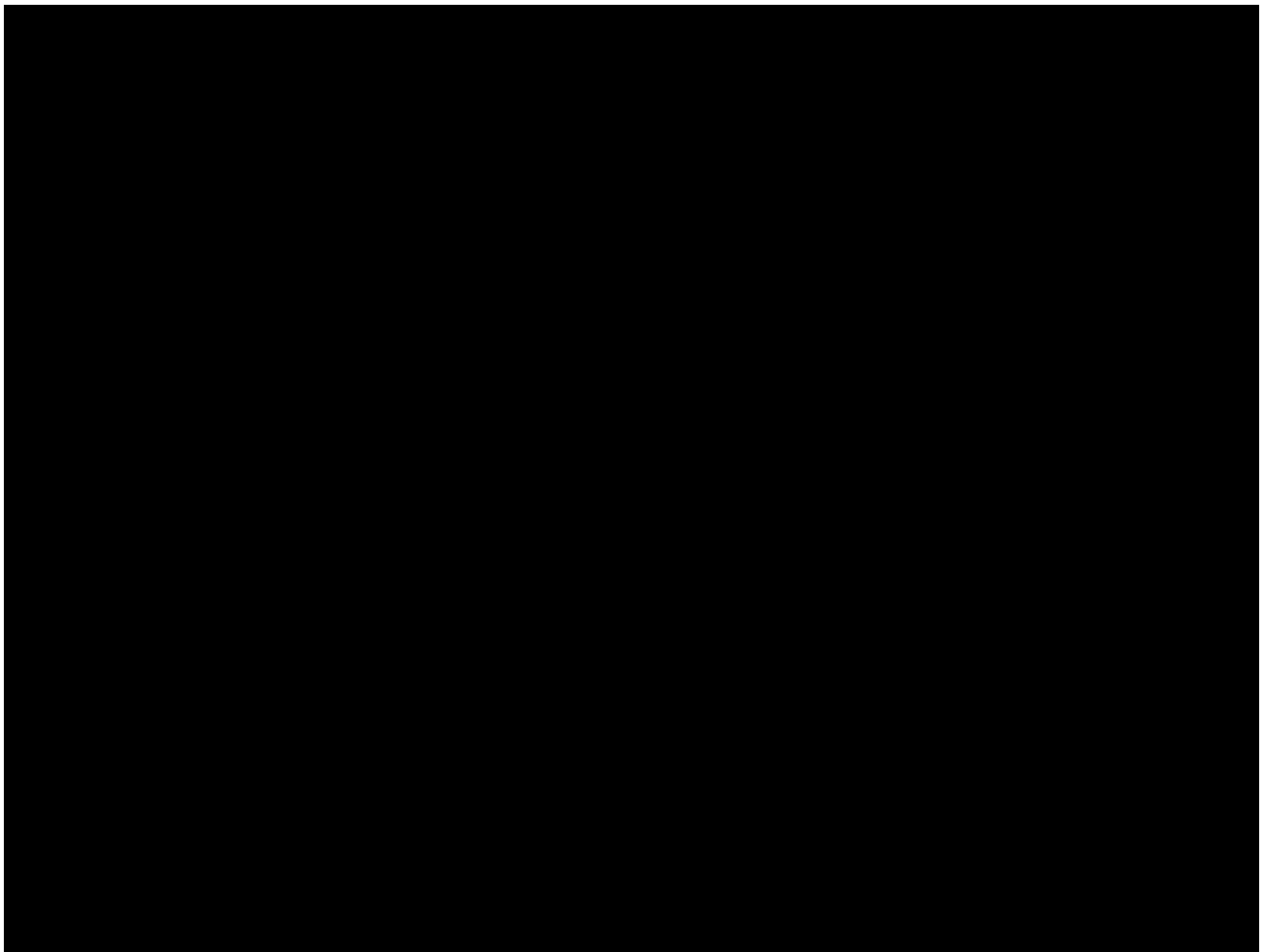
exposed and are energized during operation. All of the boxes within the dewatering electrical system do not have dead front panels to separate live electrical conductors from authorized users as well as unauthorized personnel. As these boxes are not locked out or tagged out, this leaves the potential for unauthorized entry as well by others within a Multi-Employer Worksite condition. Boxes are being accessed to reset the breakers throughout the work day and authorized personnel are subjected (exposed) to live unprotected electrical wiring and parts.

**Concerns:**

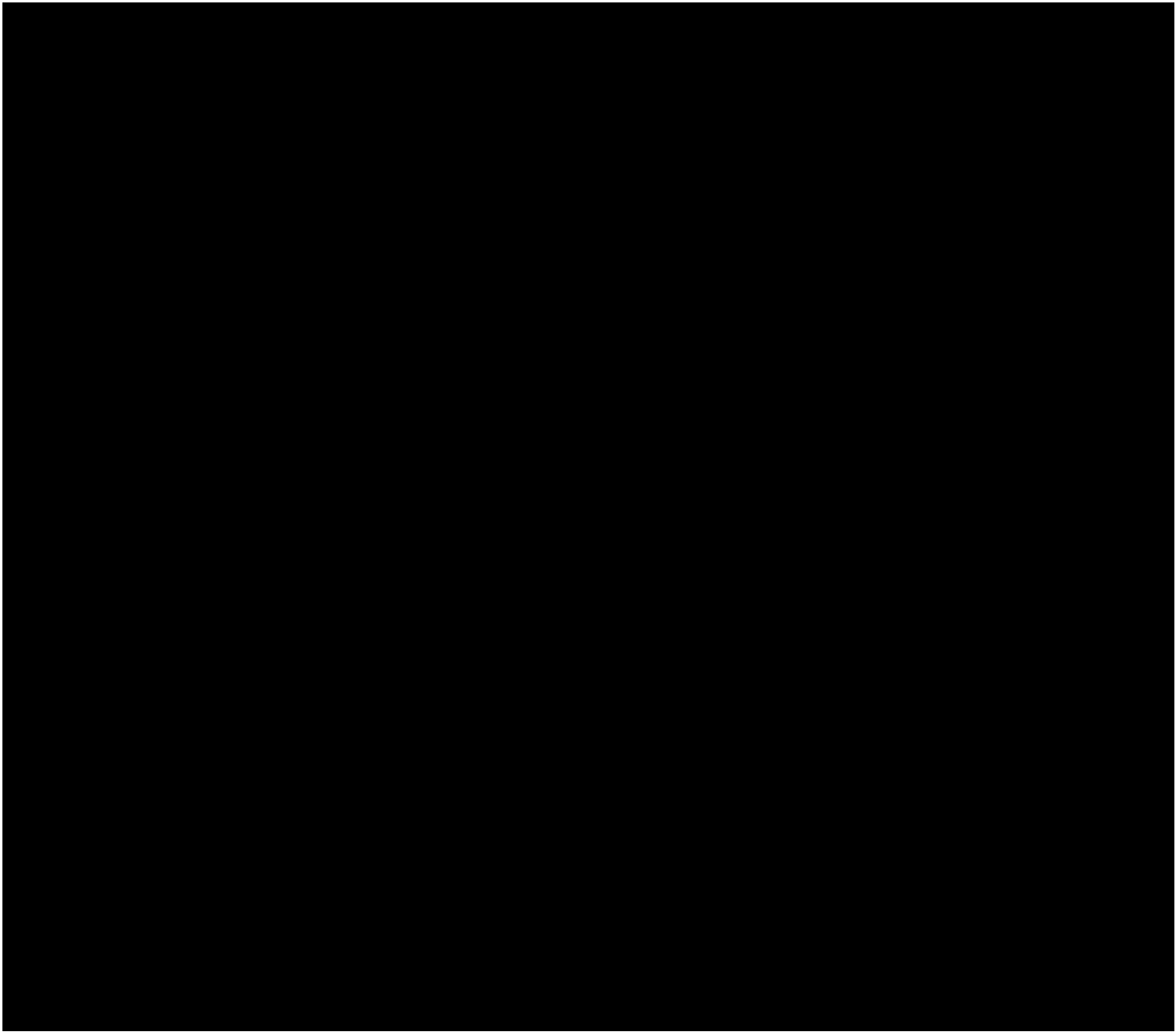
- 1) All single phase 240V electrical pump boxes on the Multi-Employer Worksite do not have a dead front panel within the box and are not locked or tagged. Authorized personnel are exposed to live energized wiring while accessing these boxes to reset breakers.
- 2) Other trades and contractors can be exposed to live electrical wiring as these boxes are not locked and tagged and allow the potential for unauthorized entry as well as accidental contact if doors are not closed.
- 3) The Controlling Contractor has been informed of this condition on multiple occasions and chooses to continue to not lock or Tagout out of convenience.

**Questions:**

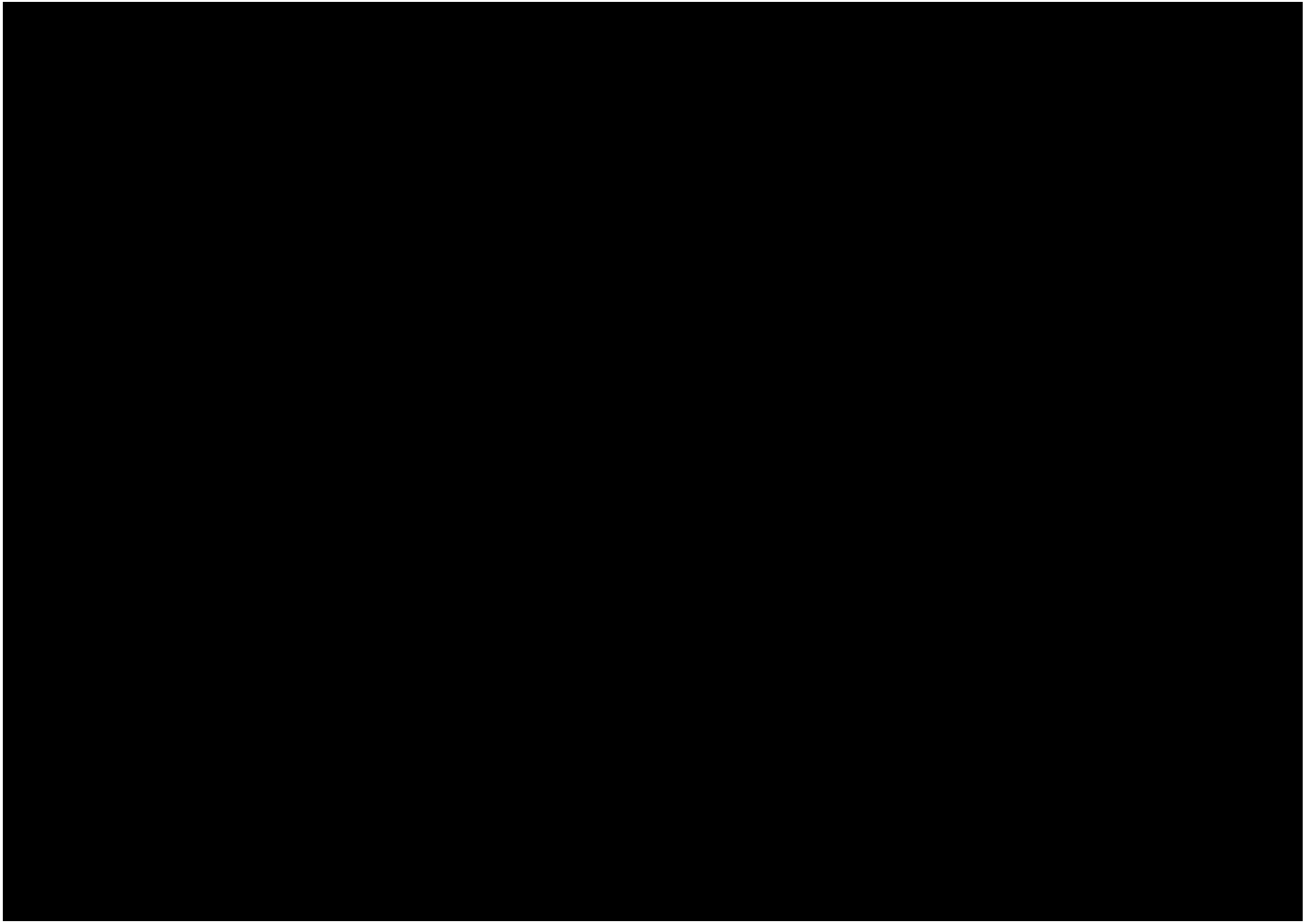
- 1) Is this Controlling contractors condition and action described in this letter compliant to the CAL-OSHA Standards?
- 2) Can this Controlling Contractor be cited under any of the CAL-OSHA Standards, and if so what standards might this Contractor be in violation of?
- 3) If this Contractor can be cited under the CAL-OSHA Standards, what type of citation would be issued?
- 4) Am I compliant in my thought process by stating that if the boxes were to simply have dead front panels with them, LOTO is not necessary?



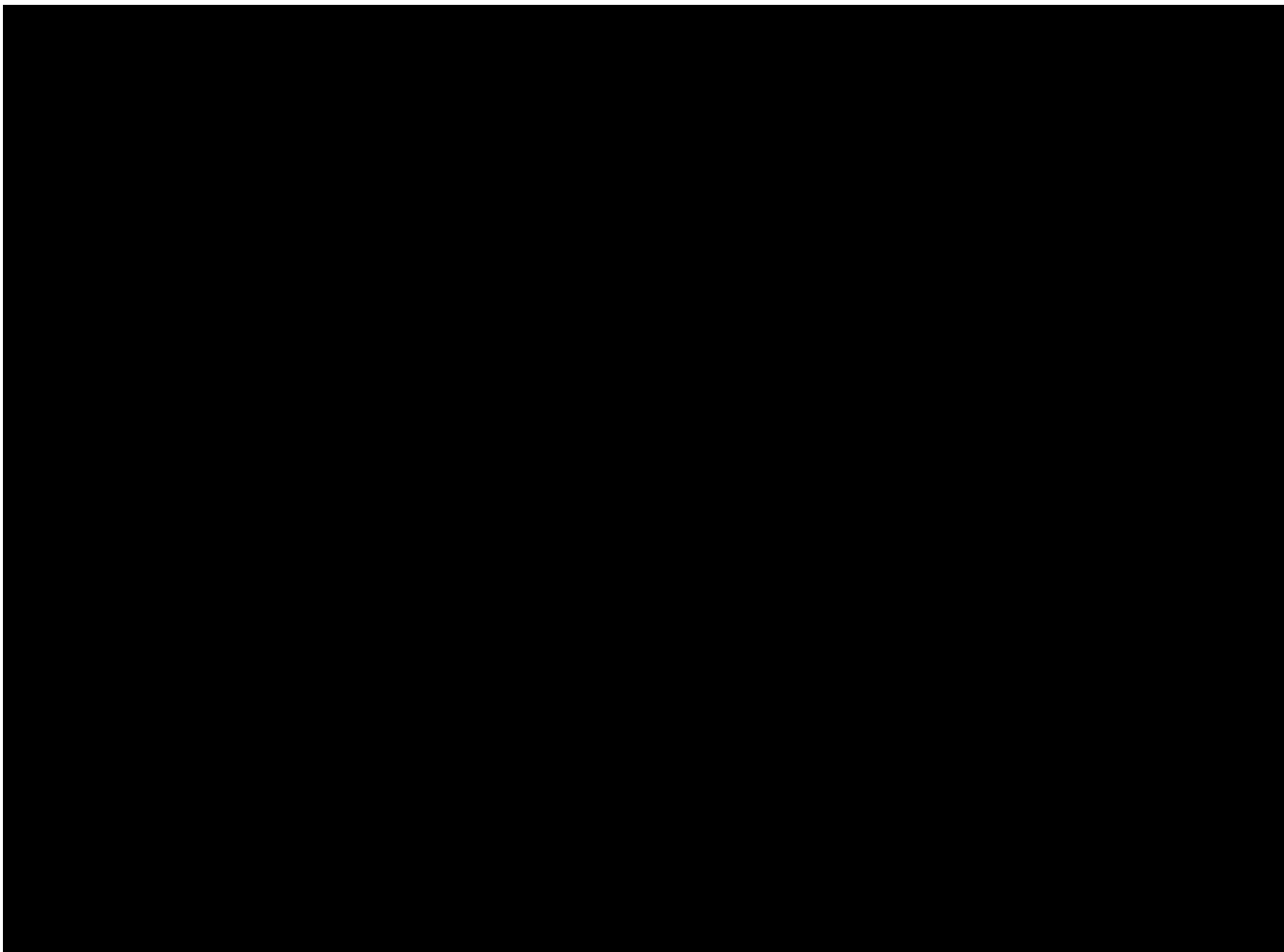
Exposed live conductors within the box. There are no dead front panels to protect workers from energized wiring.



Door closed but not latched



Door closed but no LOTO



Boxes left wide open