Congress of the United States
Washington, DC 20515

May 17, 2021

Mr. James Frederick
Principal Deputy Assistant Secretary for
Occupational Safety and Health
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Dear Principal Deputy Assistant Secretary Frederick:

Congratulations on your new role and your career advocacy on behalf of the health and safety of American workers. Now more than ever the mission of your agency is critically important. As you begin your important work with the agency, we write to support and encourage more rigorous and comprehensive analysis of industry interpretations for arc-rated (AR) clothing and associated personal protective equipment (PPE).

According to industry estimates, more than 600,000 American workers performing work on or near energized electrical equipment are needlessly exposed to deadly arc-flash related injuries and hazards on worksites across the country without protection. We understand that this exposure is due to the continued lack of compliance with Occupational Safety and Health Administration (OSHA) OSHA and industry standards for AR clothing requirements that have been in place for over two decades. This non-compliance has a significant human and financial cost, as workers who are exposed to these threats face life-threatening risk from arc-hazard events.

It has come to our attention that OSHA currently maintains a requirement for AR clothing by using National Fire Protection Association (NFPA) Standard 70E, "Standard for Electrical Safety in the Workplace". NFPA 70E is evidence that there remains a problem with AR hazards within the electrical industry and provides a reasonable solution for hazard abatement.

We urge OSHA to take a renewed approach to this standard and issue a meaningful enforcement policy as the agency has in the past when approaching oil and gas drilling, well servicing, and production related operations. OSHA's March 19, 2010 Standard Interpretation now known as the "Oil and Gas Letter" provides a suitable example and model of how OSHA's interpretations and enforcement actions can dramatically improve industrial safety.

On behalf of our constituents and the 600,000 essential American workers required to work on energized equipment, we encourage OSHA to adopt an enforcement policy citing existing

standards for PPE requiring appropriate arc flash PPE during all live electrical work performed in the United States. We applaud OSHA for having the necessary policies and regulations in place to make this significant and meaningful update for arc-flash hazards. Thank you for your consideration of this issue of significant importance to our districts as you begin your important work.

Sincerely,

Donald Norcross
Member of Congress

Brian Fitzpatrick
Member of Congress

Mark Pocan
Member of Congress

Linda T. Sánchez.
Member of Congress

/s/
Haley Stevens
Member of Congress