


**State of Alaska
Department of Labor
Division of Labor Standards and Safety**

AKOSH Program Directive PD 94-3

Date: December 20, 1994
To: All AKOSH Staff
From: Dennis L. Smythe, CI, Acting Director 
Subject: Electric Power Generation, 29 CFR 1910.269

This program directive, PD 94-3, conveys the attached final rule for 29 CFR 1910.269 Electric Power Generation, which was published in the Federal Register on January 31, 1994 in Volume 59, Number 20, effective on the national level as of May 31, 1994. This standard is currently part of a package under review by Department of Law, AG File #993-94-0150. A memo was issued on May 16, 1994 by Donald G. Study, CSP, Director, regarding enforcement of this standard pending adoption at the state level (copy attached).

Delays in regulations' processing will prevent the state from officially adopting this standard within the six months allowed by OSHA. The six-month deadline was July 31, 1994. However, a requirement of our OSHA state plan 18(e) certification is that the program enforce this standard under the General Duty Requirement until the standard is adopted at the state level.

The State of Alaska's General Duty Requirement is found in AS 18.60.075(a)(4), which requires that "An employer shall do everything necessary to protect the life, health and safety of employees including, but not limited to: furnishing to each of his employees employment and a place of employment which are free from recognized hazards which, in the opinion of the Commissioner, are causing or are likely to cause death or serious physical harm to his employees." The Alaska Compliance Manual also discusses the General Duty Requirement under Chapter IV, A. 2. (pages IV-5 through IV-22).

Effective immediately and until the adoption of a state standard as effective as that adopted under 29 CFR 1910.269, enforce this standard following established procedures for the General Duty Requirement.

Distribution:

Deborah Behr, Assistant Attorney General, Department of Law
Toby Steinberger, Assistant Attorney General, Department of Law
Rob Royce, Assistant Attorney General, Department of Law
Stan Godsoe, Chief, LS&S, OSH, C&T
Margaret I. Hamley, Administrative Officer III, LS&S
Cynthia Wood, Administrative Assistant II, LS&S, OSH