

OSHA Issues Temporary Enforcement Policy for Confined Spaces in Construction

WASHINGTON - The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) announced a 60-day temporary enforcement policy of its Confined Spaces in Construction standard, which becomes effective Aug. 3, 2015. The agency is postponing full enforcement of the new standard to Oct. 2, 2015, in response to requests for additional time to train and acquire the equipment necessary to comply with the new standard.

During this 60-day temporary enforcement period, OSHA will not issue citations to employers who make good faith efforts to comply with the new standard. Employers must be in compliance with either the training requirements of the new standard or the previous standard. Employers who fail to train their employees consistent with either of these two standards will be cited.

Factors that indicate employers are making good faith efforts to comply include: scheduling training for employees as required by the new standard; ordering the equipment necessary to comply with the new standard; and taking alternative measures to educate and protect employees from confined space hazards.

OSHA issued the Confined Spaces in Construction final rule on May 4, 2015. The rule provides construction workers with protections similar to those manufacturing and general industry workers have, with some differences tailored to the construction industry. These include requirements to ensure that multiple employers share vital safety information and to continuously monitor hazards, a safety option made possible by technological advances after the manufacturing and general industry standards were created.

OSHA estimates the confined spaces rule could protect nearly 800 construction workers a year from serious injuries and reduce life-threatening hazards.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit www.osha.gov.

Training Requirements

The new standard requires the employer to provide training to each employee whose work is regulated by this standard, at no cost to the employee, and ensure that the employee possesses the understanding, knowledge, and skills necessary for the safe performance of their duties assigned under this standard. This training must result in an understanding of the hazards in the permit space and the methods used to isolate, control or in other ways protect employees from these hazards, and for those employees not authorized to perform entry rescues, in the dangers of attempting such rescues.

Training required by the standard must be provided to each affected employee:

- (1) In both a language and vocabulary that the employee can understand;
- (2) Before the employee is first assigned duties under the standard;
- (3) Before there is a change in assigned duties;
- (4) Whenever there is a change in permit space entry operations that presents a hazard about which an employee has not previously been trained; and
- (5) Whenever there is any evidence of a deviation from the permit space entry procedures required by the standard or there are inadequacies in the employee's knowledge or use of these procedures.

The training must establish employee proficiency in the duties required by the standard and must introduce new or revised procedures, as necessary, for compliance with this standard.



Monthly Toolbox Talk

Procedures for Atmospheric Testing in Confined Spaces

Atmospheric testing is required for two distinct purposes: evaluation of the hazards of the permit space and verification that acceptable conditions exist for entry into that space.

Confined Space vs. Permit Required Confined Space

A confined space is one that is large enough to enter and perform assigned work in; it has limited or restricted ways to enter or exit the space; and it was not designed to be occupied continuously by a worker. A permit space is a confined space that has one or more of the following features: it has or may contain a hazardous atmosphere; it contains a material that can engulf a person who enters; it has an inside design that could trap or asphyxiate a person who enters (inwardly converging walls, or a floor that slopes downward to a smaller section); or it has any other serious safety or health hazards.

Evaluation Testing

The atmosphere within a confined space must be tested using equipment that is designed to detect the chemicals that may be present at levels that are well below the defined exposure limits.

Evaluation testing is done to:

- Determine what chemical hazards are or may become present in the space's atmosphere, and
- Identify what steps must be followed and what conditions must be met to ensure that atmospheric conditions are safe for a worker to enter the space.

Verification Testing

Before a permit space that may have a hazardous atmosphere can be entered, the atmosphere must be tested using the steps identified on the permit (developed during evaluation testing). Verification testing is done to make sure that the chemical hazards that may be present are below the levels necessary for safe entry, and that they meet the conditions identified on the permit. Test the atmosphere in the following order: (1) for oxygen, (2) for combustible gases, and then (3) for toxic gases and vapors. The testing results -- the actual test concentrations -- must be recorded on the permit near the levels identified for safe entry.

Duration of Testing

For each test required on the permit, you must allow enough time for the air from the space to be drawn into the equipment and for the sensor (or other detection device) to react to the chemical if it is present. This is considered the "minimum response time" and will be noted by the manufacturer in the operator's manual. Be aware that you will need to add time to this "minimum response time" if you have attached hosing or a probe extension to the inlet. The additional time is needed to allow the air from the different depths of the space to be pulled into the equipment inlet.

Testing Conditions in Spaces that May Have Layered Atmospheres

For permit spaces that are deep or have areas leading away from the entry point, the atmosphere may be layered or may be different in remote areas. For these spaces, testing must be done in the area surrounding the worker, which is considered four (4) feet in the direction of travel and to each side. If a sample probe is used to do the testing, then the worker must move slowly enough so that testing is completed, keeping the equipment "response time" in mind, before he/she moves into the new area.

