

Above ground or below,  
worker and jobsite safety  
is your priority and ours.



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Webinar – October 25<sup>th</sup>, 2016

# Bridging To The New Confined Space Standard in Construction



"This rule will save lives of construction workers. Unlike most general industry worksites, construction sites are continually evolving, with the number and characteristics of confined spaces changing as work progresses. This rule emphasizes training, continuous worksite evaluation and communication requirements to further protect workers' safety and health."

*- Assistant Secretary of Labor for Occupational Safety and Health, Dr. David Michaels*

# Objectives

- What Standard should an employer follow?  
(1910.146 or 1926 Subpart AA)
- Identifying New Elements of the Standard 1926.1200
- Outline New Confined Space Definitions in 1926 Subpart AA
- Clarify the 1910.146 Standards in relationship to the New Rule
- Key Improvements within the New Confined Space Standard for Construction

# What Standard Should an Employee Follow? (1910.146 or 1926 Subpart AA)

✓ Question to ask:

- ☐ Is the work done in the “permit space” **maintenance** or **construction** activity?
- ☐ The answer to that question will determine if you follow 1910.146, 1926 Subpart AA or both.

# Letters of Interpretations to help with the question

- ❖ 11/18/2003: Clarification of maintenance vs. construction activities
  - The letter of interpretation states that “construction work is not limited to new construction, but can include the repair of existing facilities or the replacement of structures and their components.
  - For example, the replacement of one utility pole with a new, identical pole would be maintenance; however, if it were replaced with an improved pole or equipment, it would be considered construction”.

❖ [Full Letter of Interpretation](#)

# What standard should I follow if my workers are doing construction AND general industry work in confined spaces?

- ❖ An employer whose workers are engaged in both construction and general industry work in confined spaces will meet OSHA requirements if that employer meets the requirements of 29 CFR 1926 Subpart AA – Confined Spaces in Construction.

➤ [Confined Spaces in Construction - FAQ - #17](#)

# Helpful Link

## [OSHA.GOV - Clarifications to other FAQ](https://www.osha-slc.gov/clarifications-to-other-faq)

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### Confined Spaces in Construction - Frequently Asked Questions

UPDATED June 1, 2016

On May 4, 2015, OSHA issued a new standard for construction work in confined spaces, which became effective August 3, 2015. Confined spaces can present physical and atmospheric hazards that can be avoided if they are recognized and addressed prior to entering these spaces to perform work. The new standard, Subpart AA of 29 CFR 1926 will help prevent construction workers from being hurt or killed by eliminating and isolating hazards in confined spaces at construction sites similar to the way workers in other industries are already protected. The questions and answers below are provided to assist employers in protecting their workers while working in and around confined spaces in construction.

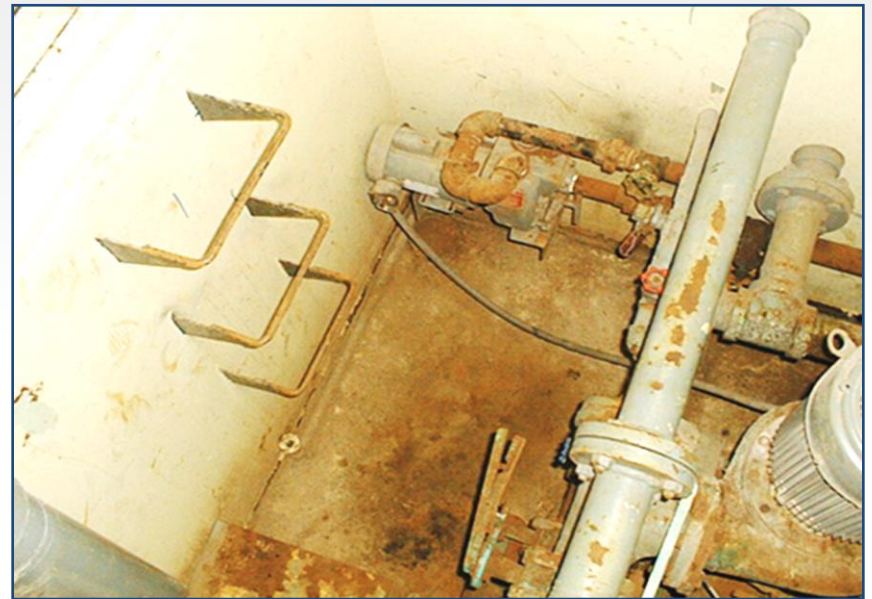
1. What is a confined space?
2. What is a permit required confined space (permit space)?
3. Can anyone work in a permit space?
4. How do I know whether to follow the general industry or construction confined space rule?
5. I've been following the general industry rule. What is new or different about the construction rule?
6. Why did OSHA believe that the former standard needed to be changed?



# Federal OSHA Definition of A Confined Space

## A Space that is...

- Large Enough and so configured that an employee can bodily enter it.
- Has limited or restricted means of entry and exit.
- Is not designated for continuous occupancy.





# Federal OSHA Definition of A Permit Required Confined Space

A Permit Required Confined Space that has...

- Any identified **ACTUAL** or **POTENTIAL** hazard
  - ❖ Hazards may include:
    - ☐ Hazardous Atmosphere
    - ☐ Engulfment
    - ☐ Configuration Dangers
    - ☐ Other serious hazards
      - ☐ Exposed wiring
      - ☐ Etc.



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# New & Updated Definitions in 1926 Subpart AA

## 1926 Subpart AA Definitions

- ✓ Barrier
- ✓ Competent Person
  - ✓ Control
- ✓ Controlling Contractor
- ✓ Early-Warning System
  - ✓ Entry Employer
    - ✓ Entry Rescue
      - ✓ Hazard
- ✓ Host Employer

# New & Updated Definitions in 1926 Subpart AA

- ✓ Limited or restricted means for entry or exit
  - ✓ Lockout
- ✓ Lower flammable limit or lower explosive limit
  - ✓ Monitor or monitoring
  - ✓ Non-entry rescue
- ✓ Non-permit confined space
  - ✓ Physical hazard
  - ✓ Qualified person

# New & Updated Definitions in 1926 Subpart AA

- ✓ Representative permit space
  - ✓ Rescue
- ✓ Serious physical damage
  - ✓ Tag out
- ✓ Ventilate or ventilation
  - ✓ *Engulfment*
  - ✓ *Entry*
- ✓ *Isolate or isolation*
- ✓ *Prohibited condition*

# Non-permit confined space updated definition

## BEFORE 1910.146 (b)

- ✓ Means a confined space that does not contain or, with respect to atmospheric hazards, have the potential to contain any hazard capable of causing death or serious physical harm

## AFTER NEW RULE 1926.1202

- ✓ Means a confined space that meets the definition of a confined space but does not meet the requirements for a permit-required confined space, as defined in this subpart

# Clarifications in Subpart AA on Existing Elements of 1910.146

- ✓ Requiring that employers...
  - Prevent workers' exposure to physical hazards by **elimination** of hazard or **isolation methods** such as lockout/tag out.

1926.1204



# OSHA Hierarchy of Hazard Controls:

- Identify
- Eliminate
- Engineering Controls (Isolation/disconnect)
- Personal Protective Equipment
- Administrative Controls (Permit)



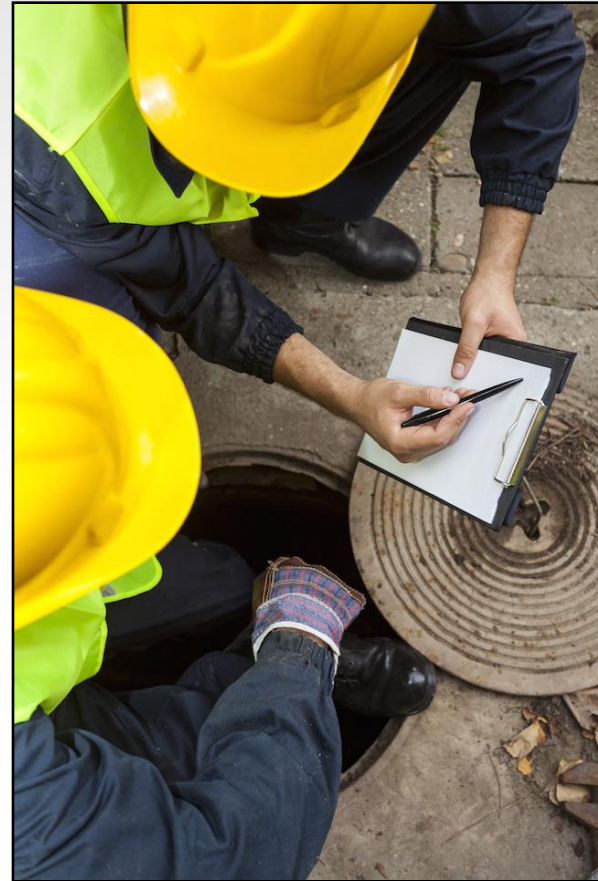
1926.1204



# Clarifications in Subpart AA on Existing Elements of 1910.146

- ✓ Requiring that employers...
  - Better communicate and coordinate confined space entry plans with others, and Rescue Plans with designated Rescue Team

1926.1203(h)



# Rescue & Emergency Services:

- ✓ Employers directing employees into Permit Required Confined Space must...
  - Evaluate Rescue Service ability to respond in a timely manner
  - Evaluate Rescue Services proficiency with:
    - Task and equipment
    - Types of spaces
    - Willingness to notify entry employer if unavailable
  - Inform Rescue Services of hazards
  - Provide Rescue Service access to all permit spaces so they can develop and practice appropriate rescue operations

1926.1211



# Clarifications in Subpart AA on Existing Elements of 1910.146

- ✓ Requiring that employers...
  - Provide training to all affected employees in a language and vocabulary that the worker understands.

1926.1207



- ✓ Training Requirements...
  - At no cost to employee
  - Before 1<sup>st</sup> assignment
  - Before duties change
  - Whenever hazards change
  - Observable deficiency

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# Key Improvements Found in New 1926 Subpart AA



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# Key Improvement Areas

- ✓ A Competent Person...
  - Evaluates the work site and identify confined spaces, including permit spaces.



# Competent Person – Defined:

- ❑ One capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authority to take prompt corrective measures to eliminate them

Specific to confined space...

- ❑ Able to identify the hazards of permit spaces and have the authority to eliminate them promptly
- ❑ Able to conduct initial testing as necessary
- ❑ Knowledgeable about appropriate testing

# Key Improvement Areas

- ✓ 1926 Subpart AA...
  - Requires continuous atmospheric monitoring and ventilation whenever possible





# Key Improvement Areas

- ✓ Continuous monitoring of engulfment hazards...
  - Early Warning Systems  
1926.1204(e)(1)(iii)
- Example, when workers are performing work in a storm sewer, a storm upstream from the workers could cause flash flooding. An electronic sensor or observer posted upstream from the work site could alert workers in the space at the first sign of the hazard, giving the workers time to evacuate the space safely.



# Key Improvement Areas

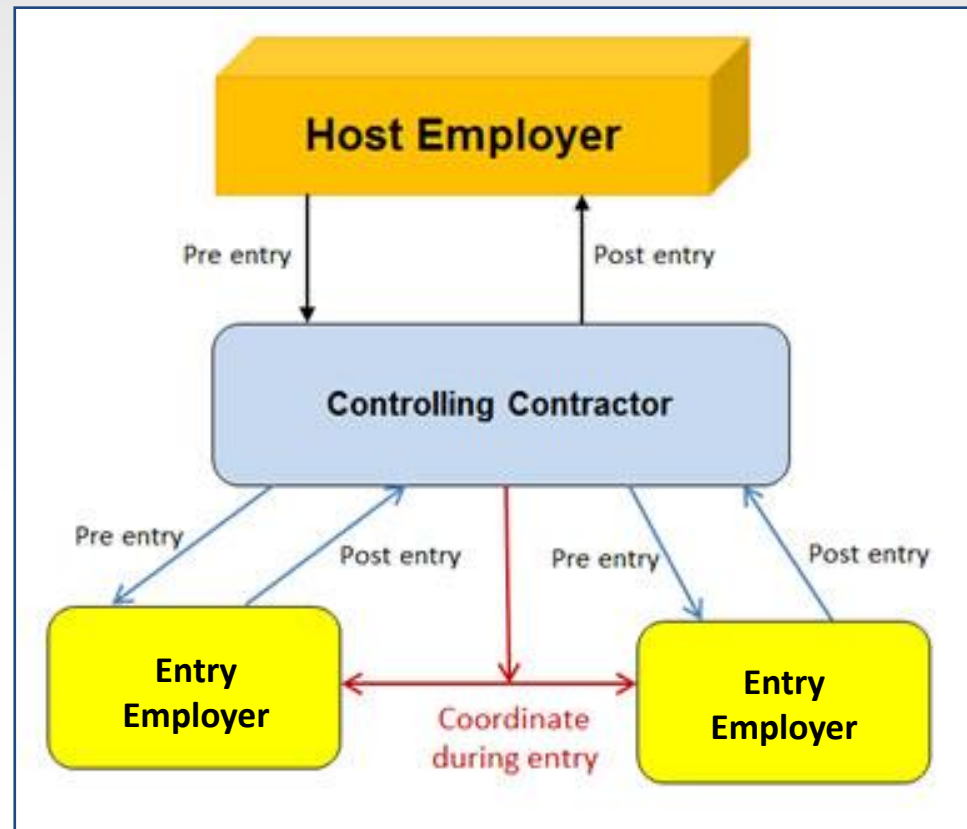
- ✓ Allows for suspension of a permit instead of cancellation...
  - If prohibited conditions arise
  - Space must be returned to the acceptable entry conditions listed on the permit before re-entry



# Key Improvement Areas

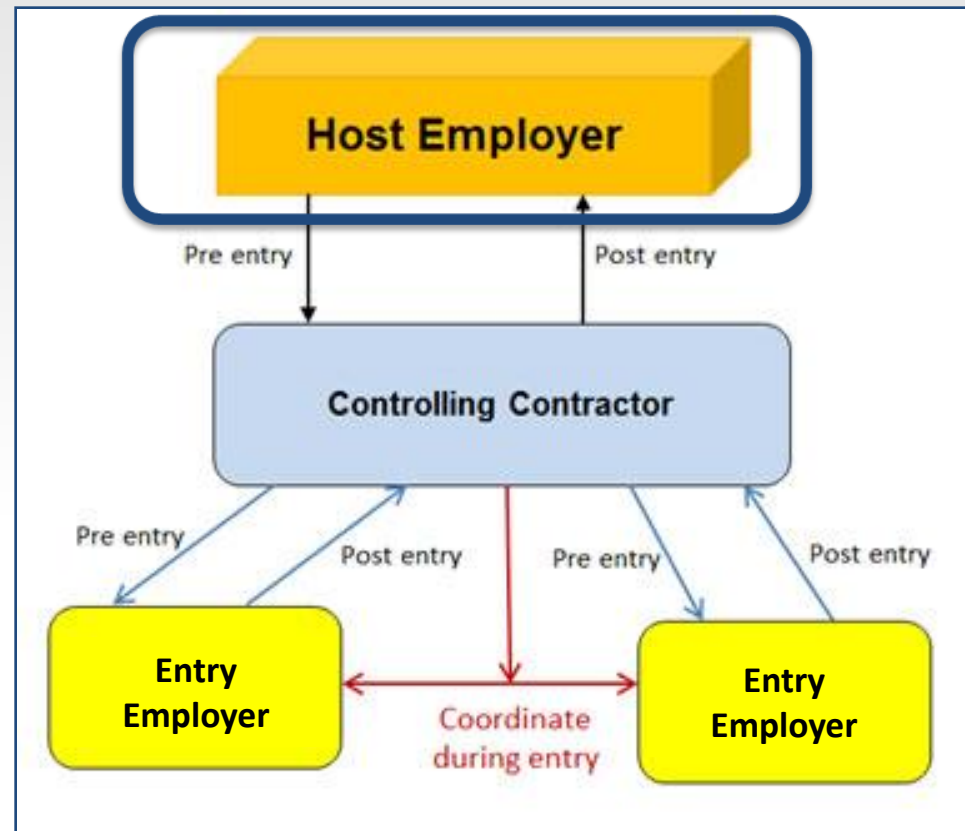
✓ Requires detailed communication and coordination between all entities on a multi-worker job site...

- **Host Employer**
- **Controlling Contractor**
- **Entry Employer(s)**



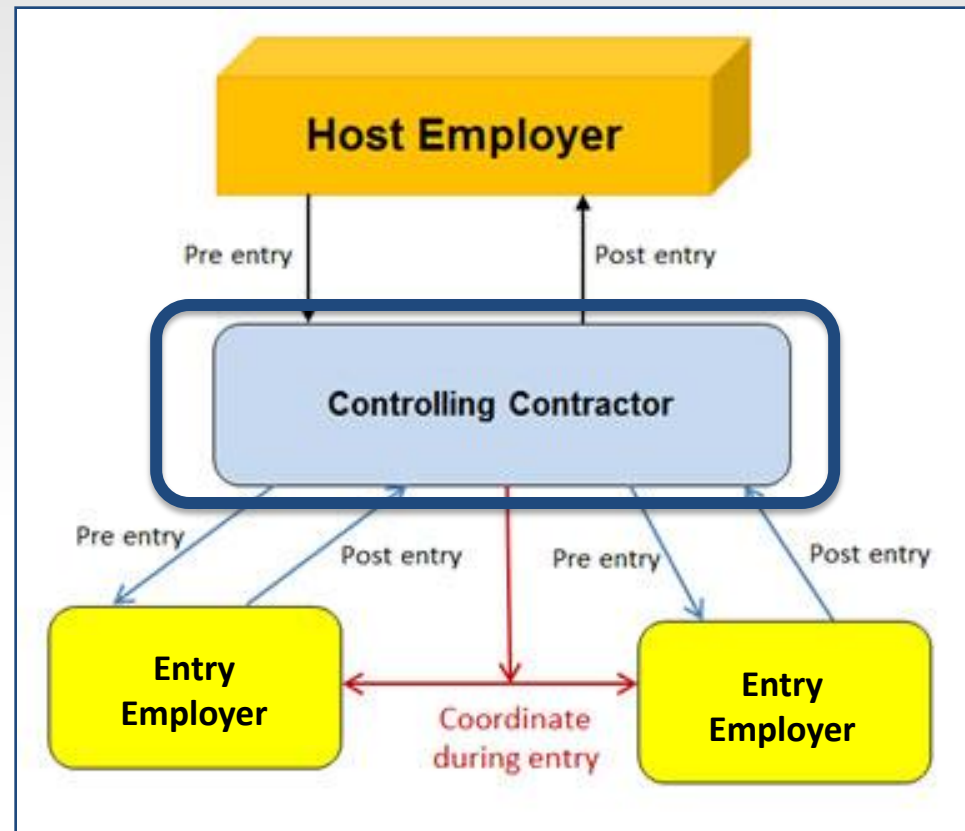
# Key Improvement Areas

- ✓ **Host Employer** must provide the following information, *if it has it*, to the Controlling Contractor and/or Entry Employer(s)...
- Location of each permit space
- Hazards or potential hazards for reason it is a permit space
- Any precautions used previously by others in the space



# Key Improvement Areas

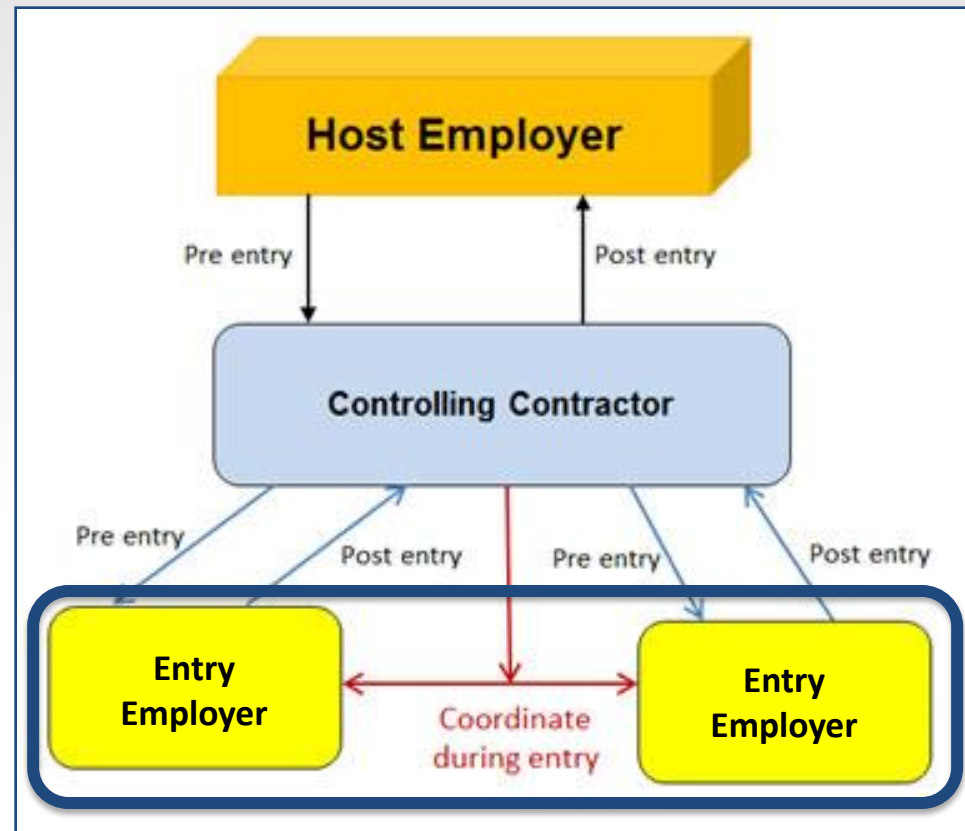
- ✓ **Controlling Contractor must...**
  - Obtain Host Employer information about the permit space hazards and previous entry operations
  - Provide each Entry Employer with details from Host Employer
    - Any Additional information gathered about the space(s)
    - Any precautions implemented by anyone related to the space & employee protection



# Key Improvement Areas

## ✓ Entry Employer must...

- Obtain Controlling Contractor's information regarding the space(s)
- Inform the Controlling Contractor of the permit space program they will follow as well as hazards likely to be confronted or created in each space





# Before Entry

- ✓ Communicate and coordinate with other entry employers when more than one entity performs space entry at the same time
- Simultaneous activity that could create a hazard occurrence





# After Entry

## ✓ Controlling Contractor must...

- Debrief each entity that entered the space regarding:
  - Permit Program Followed
  - Hazards Confronted or Created



Note: if there is no Controlling Contractor on site the requirements must be met by the Host or the employer who arranges the work.

# Compliance Solutions

## ✓ Employee Training:

- Gap Training for all Previously trained to 1910.146
- Baseline Training to 1926.1200 for all employees
- Computer Based Training Options
- Instructor Lead Training Options
- Designate and Authorize Competent and Qualified Persons



# How Can We Help Project Owners/ Subcontractors?

## Need:

- A safe job site and compliance with regulations and company policies
- Workers with credentials matched to the unique requirements of each task
- Improved “wrench” time



## Solution:

- United Academy courses are aligned with US and Canadian regulatory requirements
- All employee training can be maintained in one place and easily managed. Records can be accessed anywhere via a computer or mobile device
- Flexible training offered in person and online to meet your scheduling needs

# Available Anytime and Any Place

Training can be conducted at customer sites, at United Rentals locations, or 24/7 through our innovative online training platform



# Training Program Demonstration



**OSHA 1926 subpart AA**

## Confined Spaces in Construction



- Classroom Training Course -

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Revision  
information

SO, WHAT DO  
**YOU**  
**THINK**



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