As you might be aware OSHA has issued a new standard for the construction industry addressing confined spaces.

If you are looking for some answers provided by OSHA from what they term “Frequently Asked Questions” on their website to help those who will have to adjust their operating rules read more…

Frequently Asked Questions of OSHA about their operating rules.

All of the following are directly related to the new standard:

**(1) What is a confined space?**

A confined space has;

* Limited means of entry and/or exit,
* Is large enough for a worker to enter it, and
* Is not intended for regular/continuous occupancy.

Examples include sewers, pits, crawl spaces, attics, boilers, and many more.

**(2) What is a permit required confined space (permit space)?**

A permit space is a confined space that may have a hazardous atmosphere, engulfment hazard, or other serious hazard, such as exposed wiring, that can interfere with a worker’s ability to leave the space without assistance.

**(3) Can anyone work in a permit space?**

Only workers who have been assigned and trained to work in a permit space may do so. Additionally, before workers can enter a permit space, the employer has to write a permit that specifies what safety measures must to be taken and who is allowed to go in.

**(4) How do I know whether to follow the general industry or construction confined space rule?**

If you are doing construction work - such as building a new structure or upgrading an old one - then you must follow the construction confined space rule.

**(5) I.ve been following the general industry rule.  What is new or different about the construction rule?**

There are 5 key differences from the construction rule, and several areas where OSHA has clarified existing requirements. The five new requirements include:

1. More detailed provisions requiring coordinated activities when there are multiple employers at the worksite (for more detail, see question below). This will ensure hazards are not introduced into a confined space by workers performing tasks outside the space. An example would be a generator running near the entrance of a confined space causing a buildup of carbon monoxide within the space.
2. Requiring a competent person to evaluate the work site and identify confined spaces, including permit spaces.
3. Requiring continuous atmospheric monitoring whenever possible.
4. Requiring continuous monitoring of engulfment hazards. For 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.
5. Allowing for the suspension of a permit, instead of cancellation, in the event of changes from the entry conditions list on the permit or an unexpected event requiring evacuation of the space. The space must be returned to the entry conditions listed on the permit before re-entry.

In addition, OSHA has added provisions to the new rule that clarifies existing requirements in the General Industry standard. These include:

1. Requiring that employers who direct workers to enter a space without using a complete permit system prevent workers’ exposure to physical hazards through elimination of the hazard or isolation methods such as lockout/tagout.
2. Requiring that employers who are relying on local emergency services for emergency services arrange for responders to give the employer advance notice if they will be unable to respond for a period of time (because they are responding to another emergency, attending department-wide training, etc.).
3. Requiring employers to provide training in a language and vocabulary that the worker understands.

Finally, several terms have been added to the definitions for the construction rule, such as "entry employer" to describe the employer who directs workers to enter a space, and "entry rescue", added to clarify the differences in the types of rescue employers can use.

**(6)  Why did OSHA believe that the former standard needed to be changed?**

Previously the only requirement for confined spaces in construction was training. OSHA concluded this was inadequate as injuries and fatalities continued to occur.

**(7) How does the new final rule differ from the rules that previously applied to construction work performed in confined spaces?**

The rule requires employers to determine what kinds of spaces their workers are in, what hazards could be there, how those hazards should be made safe, what training workers should receive, and how to rescue those workers if anything goes wrong.

**(8) When does the new rule go into effect?**

August 3, 2015

**(9) Do employers have to have a written confined space program?**

Yes, if workers will enter permit spaces.

**(10) Where can I find the final rule for Confined Spaces in Construction?**

Information on the new confined spaces standard can be found on the [Confined Spaces](https://www.osha.gov/confinedspaces/index.html) page at [www.osha.gov](http://www.osha.gov).

**(11) How can I contact OSHA if I have questions about the final rule?**

For compliance assistance regarding application of the final rule contact: Directorate of Construction, Room N3468, OSHA, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210; telephone (202)-693-2020 or fax (202)-693-1689.

**(12)  Who is affected by Subpart AA?**

All construction employers whose workers may be exposed to confined space hazards.

**(13) Do I need to do anything if there are permit spaces at the worksite, but my employees will not need to enter the permit space?**

Yes, you must take effective steps to prevent your employees from entering the space.

**(14) If I hire a contractor (or subcontractor) to do work in a confined space do I have any responsibilities?**

Yes, Controlling contractors and host employers must discuss spaces on the site and their hazards with entry employers and each other before and after entry (see question below).

**(15) Tell me more about the conversations between host employers, controlling contractors, and entry employers.**

The rule makes the controlling contractor, rather than the host employer, the primary point of contact for information about permit spaces at the work site. The host employer must provide information it has about permit spaces at the work site to the controlling contractor, who then passes it on to the employers whose employees will enter the spaces (entry employers). Likewise, entry employers must give the controlling contractor information about their entry program and hazards they encounter in the space, and the controlling contractor passes that information on to other entry employers and back to the host. As mentioned above, the controlling contractor is also responsible for making sure employers outside a space know not to create hazards in the space, and that entry employers working in a space at the same time do not create hazards for one another’s workers.



**(16) 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.

**(17) Twenty-seven states and territories have their own OSHA-approved safety and health plans; will those states be required to adopt the new standard?**

Yes, Twenty-two states or territories currently operate their own OSHA-approved State Plans (covering private sector and state and local government employees), and five additional states and one territory (Connecticut, Illinois, New Jersey, New York and the Virgin Islands) operate plans that cover state and local government employees only. State Plans have and enforce their own occupational safety and health standards that are required to be at least as effective as OSHA’s. Many State Plans adopt OSHA’s standards identically, but some State Plans may have different or more stringent requirements.

**(18) Where can I get more information about construction work in confined spaces?**

More information is available at the [www.osha.gov](https://www.osha.gov/).