



COMPLIANCE MATTERS



CONFINED SPACE REQUIREMENTS 29CFR 1910.146

Perhaps you are aware of OSHA's Confined Space regulations. And, perhaps like many managers, you have concluded these regulations are not applicable to your business operations. Recent OSHA inspections however have left some waste industry employers with a very different impression. These inspections have resulted in several citations and thousands of dollars in proposed penalties, all related to confined space violations.

The first citation is usually for failing to identify and list all potential confined (work) spaces. The second may be for failure to complete an evaluation of each identified space to determine if, according to the regulations;

- < it is not a confined space
- < it is a confined space but no permit is required
- < it is a permit required confined space (PRCS)

Other citations include those for not having a written program, no evidence of training, signage, contractor procedures, permit forms, rescue procedures, documented annual program review and others.

CONFINED SPACE DETERMINATION

A confined space by definition is:

- 1) large enough and is configured so an employee can (bodily) enter and perform assigned work;
- 2) has limited or restricted means of entry and exit;
- 3) not intended for continuous human occupancy.

If the answer to any of these three criteria is "no", it is not a confined space.

For example:

A front loader body may be a confined space if the employee enters the body through the access door to clean out behind the packer panel; or an employee is cutting / welding behind the packer panel with only the top door open.

If, on the other hand, an employee is working in front of the packer panel with both the tailgate and top door open it is not a confined space - because there it is not considered to have limited or restricted means of entry and exit.

As you can see from these examples a "space" may or may not be a "confined" space depending on the work being performed and the physical conditions in the space (top door and/or tailgate open or closed, presence of hazardous materials in the body, etc.).



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CONFINED SPACE EVALUATION

If the evaluation of any equipment (compactors, containers, vehicles) indicates it is a confined space, further evaluation is required. These criteria are far more critical because they address life or death conditions. If the answers to any of the following is "yes", it is a permit required confined space (PRCS).

1. A hazardous atmosphere
 - 10% LEL (Lower Exposure Limit)
 - Dust Concentration > LEL
 - Oxygen < 19.5% > 23.5%
 - PEL (Permissible Exposure Limit) exceeded
 - IDHL (Immediately Dangerous to Health or Life) atmosphere
 2. Engulfment (cave-ins, drowning, etc.)
 3. Trapped or asphyxiated by inwardly converging walls
 4. A serious safety or health hazard which cannot be eliminated through lockout/tagout.
- Again, if any of the above criteria apply, it is a permit required confined space.

FIRST THINGS FIRST

1. Make a list of all the possible confined spaces, e.g., vehicle bodies, trailers, service pit, paint booth, compactors, containers, oil / water separator, above ground fuel / oil tanks, etc.. This is your record of possible confined spaces evaluated.

It is suggested your list contain three columns:

- Space location
 - Description of equipment / activity
 - Classification (completed after the confined space "determination" and "evaluation" are completed).
2. For each space on your list, determine if it is in fact a confined space using the confined space definition on page 1. Remember, a "space" must meet all three criteria to be considered a confined space. Any "no" answer means it is not a confined space.
 3. Make up a second form to be used for the CONFINED SPACE EVALUATION (see above). Every actual confined space must be evaluated. Again, it is suggested you create a form listing each of the "evaluation" items. It works best to have yes / no columns so each item can be individually addressed. If any of these items results in a "yes", it is a Permit Required Confined Space.

For most waste service companies, there may not be any Permit Required Confined Spaces. In others, there may be as few as three depending on the equipment, hazardous conditions and work to be performed. OSHA requires however, that the exercise of identification (the list), determination and evaluation be completed. Records are extremely important. See "Compliance Matters", Vol 1, No 5 for a discussion on training requirements and the many issues to be considered for compliance with Permit Required Confined Spaces.