

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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October 2, 2017

Dear Advisory Committee Members:

Re: Proposed Amendments to Title 8, Construction Safety Orders (CSO), Sections 1951, 1952, 1953, 1955, 1956, and 1960 and General Industry Safety Orders (GISO), Section 5156 regarding Confined Spaces in Construction (Clean-Up).

I wish to thank those who were able to attend the Wednesday, September 6, 2017, advisory committee meeting (meeting) held in Sacramento, California. The purpose of this letter is to bring you up-to-date on the Standards Board's (Board) follow-up actions with regard to the Sacramento meeting.

As you recall, the purpose of the advisory committee (committee) was to deliberate over a proposal to repeal Title 8, Section 5156(b)(2)(A) of the GISO and to incorporate certain provisions contained within Section 5158 into the Confined Spaces in Construction standard (Article 37, Sections 1950 to 1962) within the CSO.

The draft minutes of the September 6, 2017 meeting indicates that consensus was reached on several issues that resulted in the proposed amendments to the aforementioned GISO and CSO sections. These sections address various confined space in construction issues that include but are not limited to: definitions, general requirements, permit entry communication and coordination, elements of a permit-required confined space program, assessment of confined spaces, issuance of entry permits, and employee training. The proposal also incorporates various chapters of the *American National Standard A10.43-2016, Confined Space in Construction and Demolition Operations* pertaining to identification of confined spaces and evaluation of permit required confined spaces, for what was originally proposed by Board staff for Section 1952(a) (please refer to the attached minutes and proposal for specific details).

With regard to the Section 1951 definition of hazardous atmosphere, as recommended by the committee, the NOTE that follows that definition will be retained. Board staff has revised the NOTE to reflect a scientific but practical means of approximating when airborne dust concentrations have exceeded 20 percent of the minimum explosive concentration (MEC).

In addition to the minutes, please find the enclosed a copy of the revised consensus proposal and the updated advisory committee roster.

Please review the proposal and provide me with your comments by no later than October 13, 2017. The committee also indicated that it would provide cost impact data to staff following receipt and consideration of the revised proposal.

Your assistance and effort in the development of this proposal is greatly appreciated by Board staff and the Board. Should you have any questions or comments with regard to this matter, please do not hesitate to contact me at (916) 274-5725 or Michael Nelmda at (916) 274-5724.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael J. Manieri". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael J. Manieri
Principal Engineer - Standards

cc: All Standards Board Members
Juliann Sum, Chief, DOSH
Eric Berg, Deputy, Health and Technical Services, DOSH
Michael Nelmda, Senior Safety Engineer, OSHSB
Amber Rose, Region IX, Federal OSHA
Jason Denning, Principal Safety Engineer, DOSH, RSU
Kevin Thompson, *Cal-OSHA Reporter*