



ILA-USMX JOINT SAFETY COMMITTEE

] OSH Circular 2016-12 (20 December 2016)

Enclosed/Confined Space Testing Before Entry

In the United States, OSHA's regulations for marine terminals (29 CFR Part 1917) and OSHA's regulations for longshoring aboard vessels (29 CFR Part 1918) both contain mandatory requirements designed to ensure a worker's safety when he/she is obliged to enter a workspace that has contained (or may contain) a dangerous atmosphere.

Here are links to those respective regulations:

https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10365

https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10482

In principal sum, when employers know or believe (with the exercise of actual and/or constructive knowledge) that a workspace has contained or may contain a hazardous atmosphere (an atmosphere that is or may be toxic, explosive, flammable or oxygen deficient) there is an obligation to test the atmosphere before employees are allowed to enter. There is an accompanying obligation that records reflecting the outcomes of atmospheric testing must be maintained.

Take, for example, the opening up of a hatch and then requiring workers to enter and perform their activities. If an employer has actual or constructive knowledge that would allow it to believe a hazardous atmosphere does or may exist within that hatch, there is a responsibility for a designated and appropriately equipped person to conduct atmospheric testing.

What's a "**designated person**?"

Here's OSHA's definition: **Designated person** means a person who possesses specialized abilities in a specific area and is assigned by the employer to do a specific task in that area.

What's a shipboard "**enclosed space**?"

Here's OSHA's definition: **Enclosed space** means an interior space in or on a vessel that may contain or accumulate a hazardous atmosphere due to inadequate natural ventilation. Examples of enclosed spaces are holds, deep tanks and refrigerated compartments.

Got an atmospheric test-related question? Write to the JSC at: blueoceana@optonline.net

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